

ES.1 INTRODUCTION

This Environmental Assessment (EA) examines the potential environmental impacts of the Moynihan Station Development Project (the Project) and evaluates project alternatives in accordance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.) and the applicable NEPA regulations (40 C.F.R. Parts 1500-1508; 64 FR 28545 and 23 C.F.R. Part 771). This EA also documents compliance with applicable federal environmental laws, rules, and regulations, including Section 106 of the National Historic Preservation Act (NHPA), Section 4(f) of the U.S. Department of Transportation Act, and Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The Federal Railroad Administration (FRA) and the New York State Urban Development Corporation doing business as the Empire State Development Corporation (ESDC) have prepared this EA to analyze the potential environmental impacts from the project. FRA is the lead federal agency for this EA. The Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and the United States Postal Service (USPS), are cooperating agencies for the purpose of this environmental review. This EA has been prepared in accordance with the Council on Environmental Quality's (CEQ), FRA's and FHWA/FTA's NEPA requirements.

ESDC, its subsidiary Moynihan Station Development Corporation (MSDC), and the Port Authority of New York and New Jersey (PANYNJ) have proposed to redevelop the James A. Farley Building (the Farley Building) and its Western Annex (collectively referred to as the Farley Complex) into a new intermodal transportation facility, to be called the Daniel Patrick Moynihan Station (Moynihan Station). It is proposed that the National Railroad Passenger Corporation, doing business as Amtrak, would be the anchor rail occupant in Moynihan Station. Moynihan Station would be one component of the Project that would also include the commercial redevelopment of the Western Annex, and the construction of a 1.1 million square foot mixed-use building fronting on the east side of Eighth Avenue between West 33rd and West 34th Streets (the Development Transfer Site) utilizing development rights associated with the Farley Complex.

As shown in Figure ES-1, the approximately 1.3-million-square-foot Farley Complex occupies a superblock from West 31st to West 33rd Streets and from Eighth Avenue to Ninth Avenue in the Borough of Manhattan, City and State of New York. Built over the Pennsylvania Station (Penn Station) rail facilities, including the westernmost portion of most of the passenger platforms and other rail yard facilities, the Farley Complex is integrated into the larger Penn Station Complex. On March 30, 2007, ESDC purchased the Farley Complex from the USPS. The FRA is serving as the lead federal agency for the redevelopment of the Farley Complex based on its role in project funding and as the federal agency that oversees Amtrak's programs.

ES.2 PURPOSE AND NEED

Penn Station is America's busiest passenger transportation facility, accommodating over 530,000 daily passengers (including subway and rail passengers), which is more than Kennedy, LaGuardia, and Newark Liberty Airports combined, and it is a vital part of New York City. Amtrak estimates that 30 percent of intercity rail trips in the entire country, and 60 percent of the intercity trips in the Northeast Corridor, originate or terminate at Penn Station, making it the most heavily used passenger facility in the Amtrak system.

However, the Penn Station Complex is plagued with design problems. It is a three-level, predominantly subterranean maze, with an aging infrastructure, few street-level access points, and no visible or identifiable main entrance. The complex has low ceilings and unevenly distributed means of access to and egress from the platforms, with the majority of vertical access points located on the eastern end of the platforms. Penn Station is difficult to navigate and has passenger facilities that do not meet current industry standards related to safe egress times and universal accessibility. The station was built prior to the development of any standards primarily for intercity (rather than commuter) travel and is, therefore, exempt from these standards; however, the Project presents an opportunity to greatly improve this condition. The station, already operating above its design capacity, will experience a growing passenger load as a result of, among other factors, the long-term growth of the Midtown business district and new development expected as a result of the Hudson Yards Rezoning.

To address the larger issues of inadequate capacity at Penn Station, ESDC and MSDC have proposed a program of improvements at the Farley Building that will relocate Amtrak's intercity rail passenger operations to a new rail passenger terminal to be constructed within the eastern portion of the Farley Building and will significantly improve access to, and egress from, the platforms and the connections between Penn Station, the Farley Building, and the existing New York City subway lines.

The Project would address the following specific needs and purposes through a public-private partnership: to create a major transportation hub that improves circulation and capacity of the entire Penn Station Complex, to restore and preserve an important historic resource, and to create a financially viable and dynamic mixed-use development opportunity.

The Project incorporates the following goals and objectives:

- *GOAL 1:* Create a major transportation hub that improves circulation and relieves capacity constraints in the entire Penn Station Complex.
 - Create a new rail passenger facility in the Farley Building connected to and coordinated with passenger operations throughout the Penn Station Complex.
 - Ease congestion of rail traffic.
 - Redirect pedestrian flow in and around Penn Station to reduce crowding and conflicting movements among intercity and commuter rail users within the passenger terminal and connecting passageways.
 - Improve access to the platforms used by Amtrak, NJ Transit (NJT), and Long Island Rail Road (LIRR).
 - Provide additional passenger amenities (e.g., commuter concourse, ticketing areas, waiting areas, taxi-drop-offs, shops, and restaurants).
 - Provide state-of-the-art security, emergency response and egress measures.

- *GOAL 2:* Restore and preserve an important historic resource.
 - Restore and preserve the exterior of the Farley Complex. Limit exterior changes to those that would not substantially alter the original design concept of the Farley Complex. Retain the historic use of the USPS retail lobby.
 - Create a new train hall filled with light and activity reminiscent of the original Pennsylvania Station.
 - Ensure that the adaptive reuse of the Farley Complex references the original Pennsylvania Station/Farley Building role as transportation resource, civic gateway, and mail facility.
 - Utilize development rights associated with the Farley Complex off site, and ensure that any development and design would be appropriate to the historic resource.
- *GOAL 3:* Create a dynamic mixed-use development opportunity in the Hudson Yards area and support city and state planning and development policy for West Midtown Manhattan (the area west of Seventh Avenue between West 59th and West 28th Streets).
 - Permit reuse of available space in the Farley Complex with a mix of uses that are compatible with the transportation center and land use patterns and policies in the surrounding neighborhoods of Hudson Yards, Chelsea, Hell’s Kitchen, and West Midtown.
 - Permit development on a nearby site on the east side of Eighth Avenue with a mix of uses that are compatible with Moynihan Station and land use patterns and policies in the surrounding neighborhood.
 - Support economic development through the creation of jobs and new tax revenues.

STATION CIRCULATION BENEFITS

The Project would have a number of passenger circulation-related benefits for rail passengers and for the railroad operators at Penn Station. These include:

- Passenger access to the Penn Station boarding platforms would be increased by approximately 30 percent as a result of the construction of new escalators, stairways and elevators from the Farley Complex to the western portions of the existing station platforms, as well as the diagonal mail platform (Platform 12).
- Shorter walk distances and reduced travel times, particularly for passengers with origins and destinations in West Midtown Manhattan.
- Shorter platform queues and faster platform clearance following the arrival of heavily-loaded trains during the weekday peak periods.
- Improved passenger safety through new and more evenly distributed egress capacity from the platforms and through new platform ventilation.
- Improved passenger orientation and wayfinding.

For Amtrak and its passengers, the Project would deliver substantial benefits to the most heavily used and important station in the Amtrak system:

- World-class station improvements for Amtrak, with a strong street-level presence, access to light and air, and a high-quality station environment.
- More efficient boarding of Amtrak trains through greater physical separation of Amtrak passengers from the heavy volumes of rail commuters during the weekday peak periods.

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- Expanded public spaces and passenger-handling facilities, enabling future ridership growth.
- Large quantity of public space on multiple levels surrounding the Train Hall, providing supplemental passenger waiting capacity to improve Amtrak's ability to handle holiday peaks and recover from extraordinary delay conditions and incidents.
- Modernized and upgraded support facilities for Amtrak operations.
- Operational efficiencies and cost savings associated with consolidated, state-of-the-art facilities.
- Within the existing Penn Station, increased space and public circulation areas for commuter rail passengers, opportunities for LIRR and NJT to relocate some of their back-of-house operations, and opportunities for new retail.

ONGOING COORDINATION OF STATION PLANNING AND DESIGN

Concurrent with conducting the NEPA environmental review process, MSDC is continuing to coordinate with the railroads and other stakeholders in the planning and design of the station and key circulation elements. These ongoing design efforts include analyzing station circulation with a longer-term horizon year analysis, with an at-capacity station utilization and a larger and long-range estimate in background growth. In addition, MSDC is coordinating with other large-scale transportation projects—most notably NJT's Access to the Region's Core (ARC) project as well as the potential to bring Metro-North Hudson Line service to the Penn Station complex—that are expected to be completed after the Project. Coordination with ARC would include coordinating the final design of the Development Transfer Site building with the ARC 34th Street station entrance.

INDIRECT AND CUMULATIVE EFFECTS

The federal Council on Environmental Quality's regulations implementing the procedural provisions of NEPA, set forth at 40 CFR Parts 1500-1508, require federal agencies to consider the environmental consequences of their actions, including not only direct effects, but also indirect and cumulative effects.

The proposed Moynihan Station is responsive to identified transportation demand already existing in the Penn Station area as well as expected future growth in rail ridership that is expected with or without the Project (as well as the additional transportation projects noted above). The completion of Moynihan Station would not preclude additional transportation and circulation improvements at or near Penn Station in the future. In addition, the proposed new facility is well-located to serve new development expected in and around Manhattan's far west side (i.e., the recently approved Hudson Yards development plan) but is not expected to induce new development beyond that already expected for the area. The Project's commercial and residential development components have already been identified as part of the area's long-term growth forecast. Therefore, the proposed Project is not expected to result in new indirect impacts.

As set forth in Chapter 3, "Project Alternatives," the analysis of the Project encompasses a "cumulative" approach in that the Project's potential environmental impacts are examined in the context of a future analysis year in which a reasonably conservative and complete estimate of potential future development is accounted for in the impact assessment of the proposed Project. As noted above, there are also potential cumulative effects resulting from ongoing construction activities in the immediate Project area, most notably the ARC project. Chapter 4.12,

“Construction,” specifically identifies the cumulative construction activities that could reasonably be concurrent with these two projects in the area.

ES.3 PROJECT ALTERNATIVES

Planning for a new intermodal transportation facility began in 1991 and various alternatives for the rail transportation facilities and commercial center have since been developed and studied. In 2006, ESDC and MSDC issued a Final Environmental Impact Statement (FEIS) pursuant to the State Environmental Quality Review Act (SEQRA) for the Farley/Moynihan Station Redevelopment Project.¹ Since publication of the 2006 FEIS, the design for Moynihan Station has been further advanced and refined, which is reflected in the Preferred Alternative described below. The Preferred Alternative would be constructed and fully operational by the year 2015. The EA also evaluates a “no build” scenario, referred to as the “No Action Alternative” that incorporates the reuse of currently vacant and underutilized space in the Farley Complex and sets the 2015 future year context of the Preferred Alternative based on the development expected to occur in and around the project site.

PREFERRED ALTERNATIVE

The Preferred Alternative examined in this EA for the redevelopment of the Farley Complex has train station, USPS, and commercial components, the combination of which will enable ESDC and MSDC to move forward with the development of a fully funded transportation facility, while fostering the redevelopment of West Midtown. While the Preferred Alternative is substantially the same as the project described and analyzed in the 2006 FEIS, the design for Moynihan Station has been further advanced and refined with various modifications and improvements.

As shown in Table ES-1, the train station and USPS components of the Preferred Alternative include approximately 300,000 square feet of space for use as Moynihan Station and up to 265,000 square feet of space for USPS, together with certain common areas and common building systems serving the Farley Complex. The commercial components of the Preferred Alternative include approximately 769,100 square feet of space available for commercial use (including approximately 86,000 square feet of transit-related retail).

The Preferred Alternative also includes the option to purchase unused development rights of up to 1.0 million square feet of floor area that could be used for additional development on an off-site parcel near the Farley Complex.

The program components and square footages for the Preferred Alternative, as described above and shown in Table ES-1, are the same as the program components and square footages presented in the 2006 FEIS.

¹ The 2006 FEIS is incorporated by reference and is available at http://www.nylovesbiz.com/pdf/MoynihanStation/FEIS_default.asp

Table ES-1
Comparison of Farley Complex Land Use Components:
Preferred and No Action Alternatives (in square feet)

Land Use Component	Preferred Alternative*	No Action Alternative
Train Station	300,000	0
Transit Retail	86,000	0
USPS	265,000	265,000
Commercial Office	0	551,000
Hotel**	125,000	0
Commercial Retail	518,100	518,100
Banquet Facilities	35,000	0
Common Areas	50,250	50,250
Docks/Service	24,000	24,000
Hotel Lobby	5,000	0
Total	1,408,350	1,408,350
Notes:		
* This program is from the 2006 FEIS; the actual revised program may vary slightly.		
** Divide by 1,000 to estimate approximate number of hotel rooms.		

FARLEY COMPLEX

Moynihan Station

The station design in the Preferred Alternative is somewhat different from the station design examined in the 2006 FEIS, primarily because the primary occupant of Moynihan Station under the Preferred Alternative would be Amtrak instead of NJT.¹ However, in terms of overall size and program elements, the Preferred Alternative is similar to the 2006 plan. The Preferred Alternative assumes that approximately 300,000 square feet of the Farley Complex would be used for an Amtrak station, although the station could also be utilized by LIRR and NJT customers. After completion of the 2006 FEIS, planning and design of the station continued, incorporating additional improvements into the Project that included the West End Concourse expansion, the 33rd Street Connector (which links the Farley Building with the Eighth Avenue subway lines and Penn Station), and the reactivation of the former mail platform (Platform 12) for passenger use. The improved design of these facilities has been incorporated into the current Preferred Alternative. The Preferred Alternative includes a full extension of the West End Concourse to the train shed’s southern retaining wall beneath the Farley Complex, but does not provide connections to NJT Platforms 1 and 2, which had been assumed in the 2006 FEIS as a component of NJT’s capital program but is a separate action.

The new Moynihan Station under the Preferred Alternative would include the following elements:

- New facilities for rail passengers. These include dedicated Amtrak ticketing, baggage, and waiting areas (including Club Acela), a Train Hall main concourse, and Intermodal Hall at street level (see Figures ES-2 through ES-7). The Train Hall would be a large public space

¹ As a result, Amtrak may vacate certain space at the Penn Station Complex. The specific use of the vacated space would be determined by Amtrak and other railroad occupants and is not known at this time. Since the use of this space would likely involve railroad operations, transit-related retail, or a combination of such uses, the programming of this space is not expected to affect the assessment of environmental impacts set forth in this Environmental Assessment.

created in the Farley Building to serve both as the main passenger waiting area and railroad station passenger concourse. As shown on Figure ES-3, there would be more than fifteen vertical circulation elements providing access from the main concourse directly to the platform level. The layout of many of these spaces is different than what was assessed in the 2006 FEIS.

- New Intermodal Hall. As currently contemplated, the hall would be characterized by a glass and metal roof and would create midblock entrances to the Farley Building from both West 33rd and West 31st Streets, with the primary entrance on West 33rd Street (see Figure ES-2). The footprint and roof of the Intermodal Hall are smaller and lower, respectively, than what was assessed in the 2006 FEIS.
- New entrances to the West End Concourse through the Farley Building from Eighth Avenue. These entrances are the same as the Eighth Avenue entrances assessed in the 2006 FEIS.
- Similar to the 2006 FEIS, an approximately 30 percent increase in the combined total of passenger stairs, escalators, and elevators; an approximately 50 percent increase in passenger circulation space; and direct access to the platforms for all railroads, except Platforms 1 and 2. Variations on the passenger circulation elements of the station are still being studied and further refined. These variations are described and analyzed in Chapter 4.4, “Station Circulation Analysis” of this EA. The essential passenger circulation elements are similar to what were assessed in the 2006 FEIS.
- Dedicated drop-off lanes and curb cuts for taxi access located on the mid-block of West 33rd Street and/or West 31st Street. These features are the same as those that were assessed in the 2006 FEIS.
- Extension and widening of the West End Concourse on the lower concourse level to the train shed’s southern retaining wall and to Platform 12, providing access to seventeen tracks as compared to the nine tracks served today—Platforms 3 through 11 (but not Platforms 1 and 2) would be served with the Project, as compared to 7 through 11 today (see Figure ES-4). The expanded West End Concourse would benefit Amtrak and NJT passengers and would continue to serve all the LIRR tracks. The expanded West End Concourse would also be large enough to accommodate ticket vending machines for passengers who currently purchase their tickets elsewhere in the station. Also, the West End Concourse expansion would allow for access to an activated Platform 12 and future access to Platforms 1 and 2 (for NJT). The improvements to the West End Concourse are more extensive than what were assessed in the 2006 FEIS.
- Building systems and infrastructure improvements. The Preferred Alternative includes upgrades to the building’s mechanical systems to meet the needs of the new station and reconfigured facility. These improvements are similar to those assessed in the 2006 FEIS.
- Planned restoration program. The Preferred Alternative includes a comprehensive exterior building restoration, with stonework and mortar cleaned and refurbished, and windows restored and replaced as necessary. This program is the same as what was assessed in the 2006 FEIS.
- Enhanced access to the Eighth Avenue A, C, and E subway line and significant access improvements to the Eighth Avenue subway entrance, with improved access for riders with disabilities. This would include expanding and renovating the existing 33rd Street Connector between Penn Station’s connecting concourse and the West End Concourse by substantially widening its width, thereby increasing capacity and making it compliant with the Americans with Disabilities Act (ADA) for the first time. The connector would accommodate passenger

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flow between Penn Station, the West End Concourse, and Moynihan Station, as well as provide direct access to the Eighth Avenue A, C, and E subway lines, and to NJT's new ARC station under West 34th Street that will open when NJT completes the tunnel under the Hudson River now under construction. These improvements are more extensive than the improvements assessed in the 2006 FEIS.

- A wide pedestrian corridor within the Farley Complex—along the alignment of West 32nd Street—that would provide pedestrian circulation on two levels between the Intermodal Hall and Ninth Avenue (see Figure ES-2). These corridor improvements are more extensive than the corridor improvements that were assessed in the 2006 FEIS.
- Approximately 86,000 square feet of transit-related retail and commercial space. This space is in addition to the approximately 300,000-square-foot train station and is the same as what was assessed in the 2006 FEIS.
- Mail truck access. The existing USPS loading docks on the exterior of the building would be removed and modern loading facilities for USPS and Amtrak would be constructed inside the Western Annex at the same street level location (see Figure ES-2). The loading area would be accessible from West 31st Street. This loading configuration is different than what was assessed in the 2006 FEIS.
- Activation and renovation of the diagonal mail platform (Platform 12) and the two adjacent tracks beneath the Farley Building. These rail elements have never been used for passenger service and would accommodate additional Amtrak Empire Service trains, and potentially Metro-North Hudson Line service.¹ This Project component includes new track connections from the Empire Tunnel to the Diagonal Platform tracks and is a new feature of the Project that was not assessed in the 2006 FEIS.
- Potential new baggage handling corridor to be constructed at the far west end of the station, to facilitate Amtrak baggage handling and movements. This is a new feature of the Project that was not assessed in the 2006 FEIS.

In terms of construction financing and implementation of the elements described above, the Preferred Alternative would be sequenced as two phases. Phase 1 would have independent utility and would include underground improvements to existing facilities, including the 33rd Street Connector, the West End Concourse (with new street access to Eighth Avenue), and platform ventilation under the Farley Complex. Phase 2 would include development of the Station itself,

¹ NJT has raised certain operational concerns with respect to the activation of Platform 12, since activation of that platform has the potential to interfere with the use of certain stub tracks, which are currently used for daytime storage of 3 to 4 NJT trains, and/or with access to station Tracks 1, 2, 3, and 4, which are used in daily NJT commuter operations. ESDC commits to the preparation of assessments, either as part of the ongoing Penn Station Operations Capacity Study being undertaken by MTA with oversight by a Technical Advisory Committee comprised of the MTA, Amtrak, NJT, LIRR and Metro-North Railroad, or as a separate study with the participation of all members of such Committee, to: (i) determine whether the activation of Platform 12 would interfere with usage of such stub tracks for storage and/or with access to station Tracks 1, 2, 3, or 4, and (ii) if it is determined that interference would occur, identify appropriate strategies to either provide other adequate means of storage for the affected NJT trains, and/or maintain access to station Tracks 1, 2, 3, and 4 as appropriate. No contract will be executed for the activation of Platform 12 until such time as the study referenced herein has been completed, and such strategies, as appropriate, have been identified. Therefore, no significant disruption of service is expected.

including the Train Hall, concourse and street-level portions of the station, activation of Platform 12 for passenger use, and the non-station commercial development of the Farley Complex. The development of a mixed-use building on the Development Transfer Site may occur in Phase 1 or Phase 2. Regardless of the sequencing, the overall Project is expected to be completed in 2015 and the technical analyses of this EA assess potential impacts from the overall Project. (Appendix 1 of this EA includes a more lengthy description of Phase 1 and a summary of the potential for the Phase 1 components to result in adverse environmental effects.)

USPS Facilities

Up to 265,000 square feet of the Farley Complex has been leased to USPS for continued use, including the historic postal lobby and upper floor offices in the Farley Building, carrier space in the Western Annex, and an area for postal facilities below the Western Annex.

Non-Station Commercial Development

Within the Farley Complex, the non-station development portion of the Preferred Alternative would include retail, banquet facility, and hotel space. A mix of commercial uses would be developed in the Western Annex and could include large-scale retail anchors ranging from full-floor to two-floor users, as well as smaller category retail businesses, accessible from the ground and second floors of the 32nd Street corridor. In the Farley Building, it is expected that hotel and banquet facilities would occupy the upper floors. (See Figure ES-5 for illustrative upper level floor plans.) In total, the retail use would be 518,100 square feet, hotel use would be 125,000 square feet, or 125 rooms, and banquet facilities would be 35,000 square feet.

DEVELOPMENT TRANSFER SITE BUILDING

The Preferred Alternative also assumes that a site on the western end of the One Penn Plaza block, fronting the east side of Eighth Avenue between West 33rd and West 34th Streets, could utilize approximately 1.0 million square feet of the Farley Complex's unused development rights. This site is referred to as the Development Transfer Site, as it was in the 2006 FEIS. Under this development, a mixed-use building of up to 1.1 million gross square feet would be constructed. As currently contemplated, this building would be massed with several sections of varying heights, the tallest of which would be approximately 700 feet tall (see Figure ES-8). Two options are contemplated for the Development Transfer Site building—a primarily residential building that would have approximately 940 units (940,000 square feet) and 120,000 square feet of retail space and a mixed-use option that would contain a 310,000-square-foot hotel, 630 residential units (630,000 square feet), and 120,000 square feet of retail space. Either building is assumed to contain twenty percent of the residential rental units developed with affordable rental units provided under the 80/20 affordable housing program.

The Phase 1 transportation improvements mentioned above do not assume development of the Development Transfer Site as part of Phase 1. However, it is possible that the project sponsor or designated developer may seek to advance development of the Development Transfer Site as part of the Phase 1 effort. Since the EA assesses all Project components for a 2015 Build year, the environmental impact conclusions presented in the EA do not change if the Development Transfer Site is developed as part of Phase 1 instead of Phase 2. The probable effects of adding the Development Transfer Site to Phase 1 is part of the impact summary analysis set forth in Appendix 1 of the EA.

NO ACTION ALTERNATIVE

The No Action Alternative assumes the new intermodal transportation facility would not be constructed at the Farley Complex and that the USPS will continue to occupy up to 265,000 square feet for its operations. However, the No Action Alternative does include the reuse of currently vacant and underutilized space in the Farley Complex and assumes that approximately 1,069,000 square feet of the Farley Complex will be redeveloped with commercial uses, comprising 518,000 square feet of retail and 551,000 square feet of office uses. In the No Action Alternative, there would be no transfer of development rights, and therefore no new development on the Development Transfer Site.

The No Action Alternative is also important in understanding the conditions that would exist in the future without the Preferred Alternative, for purposes of analyzing the Preferred Alternative. In an urban environment such as Midtown Manhattan, the Preferred Alternative needs to be analyzed in light of broad development trends and extensive development (not related to the Preferred Alternative) that is currently expected to be complete in the surrounding area by 2015, the build year for the Preferred Alternative. This surrounding development (No Build development) includes projects currently under construction or development that can reasonably be expected to be constructed due to their current level of planning and public approvals. Future development projects that have been announced, are in an approval process, or are under construction and likely to be built by 2015, along with proposals for rezoning and public policy initiatives likely to be undertaken by 2015 represent a total of approximately 17.6 million gross square feet (gsf) of new development, including: 4.9 million gsf of new office space, 823,636 gsf of new retail space, 198,726 gsf of new community facility space, 11,874 new residential units, and 2,823 new hotel rooms.

The total development for future conditions in 2015 (as analyzed in this EA) is similar to the total development for future conditions in 2010 (as analyzed in the 2006 FEIS) but with a smaller amount of office and community facility development and slightly more hotel, residential, and retail development.

ES.4 ENVIRONMENTAL IMPACTS

ES.4.0 ANALYSIS FRAMEWORK

The assessment of potential impacts of the Preferred Alternative is based on a comparison of effects to that of the No Action Alternative for the future analysis year of 2015 when the Preferred Alternative is expected to be completed. This EA examines the potential environmental impacts of the Project in accordance with NEPA and also applies methodologies and guidelines set forth in the *City Environmental Quality Review (CEQR) Technical Manual*, where appropriate. Although the *CEQR Technical Manual* does not have regulatory applicability to NEPA, it is generally considered to contain the most appropriate technical analysis methods and guidelines for the environmental impact assessment of projects in the City. The *CEQR Technical Manual* includes, among other things, certain screening methodologies and criteria which are used in this EA to identify *de minimis* impacts not requiring further analysis.

For each technical analysis in the EA, the assessment includes a description of existing conditions, an assessment of conditions for the No Action Alternative, and an assessment of conditions for the Preferred Alternative. For most technical areas, identification and evaluation of the potential impacts of the Preferred Alternative are based on a comparison between conditions in the No Action Alternative and conditions in the Preferred Alternative. Where significant adverse environmental impacts are identified, potential mitigation measures are proposed and analyzed.

The analyses in this EA are based in part on the 2006 FEIS analyses and reflect the refined design for Moynihan Station, changes to the Project, and changes to background and future conditions since the 2006 FEIS. The Project involves two sites: the Farley Complex (the “Project site”) and the Development Transfer Site. For each technical area examined in the EA, an appropriate study area or multiple study areas are defined for the specific analysis. A study area is the geographic area likely to be affected by the Preferred Alternative for a given environmental area of analysis. Appropriate study areas differ depending on the type of impact being analyzed. The methods and study areas for addressing impacts are discussed in the individual technical analysis chapters.

ES.4.1 LAND USE AND SOCIOECONOMIC CONDITIONS

LAND USE

Moynihan Station

Moynihan Station would create more activity at the Farley Building and would create a new public destination for the site, which would have the beneficial effect of providing improved opportunities to integrate activity with the surrounding land uses. Furthermore, the Farley Building would be modified to accommodate the proposed passenger rail uses. These rail uses would be consistent with the surrounding uses in the area.

Non-Station Development

The commercial retail facilities at the Farley Complex would also help to generate more activity at the site and make the site more visible. The primarily residential or (in a variation of the project program) mixed-use building that would be constructed on the Development Transfer Site would be consistent with the strong residential and mixed-use presence to the west of the Development Transfer Site in the study area.

Therefore, the Preferred Alternative would not adversely affect the land use character of the study area in general and would not result in significant adverse land use impacts.

ZONING

Moynihan Station

To facilitate the use of the Farley Building for rail service, it is expected that ESDC would exercise its override power with respect to Section 74-62 of the Zoning Resolution of the City of New York. However, the Project would remain consistent with the substantive requirements of the Zoning Resolution for the construction of a railroad passenger station. The proposed changes to the Farley Complex would simply extend existing rail passenger service westward. It would not require any new structures or expansion of building floor area.

Non-Station Development

With the development of a primarily residential or mixed-use building on the Development Transfer Site, it is expected that ESDC would exercise its override power with respect to portions of the Zoning Resolution for waivers of bulk regulations. This would not change local zoning laws or conflict with the overall zoning policy for the site or area. The proposed development would be consistent with the goals of the Special Midtown District to promote

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high-density development. Therefore, it is not expected that the development on the Development Transfer Site would have a significant adverse impact on zoning.

The development would eliminate a portion of the public plaza area that was originally utilized as a zoning bonus in establishing the overall allowable floor area for One Penn Plaza. To compensate for the loss of the plaza area, the design for the building would include an enclosed interior public space. As recommended by New York City Planning Commission in 2006, the General Project Plan for the Project will require design elements for the interior public space such as seating, plantings, lighting, and other appropriate amenities. As a result, the loss of the public plaza would not create a significant adverse impact with respect to zoning because of the passive interior public space created by the Preferred Alternative and the appropriateness of locating intensive transit-oriented development around the Penn Station block.

PUBLIC POLICY

The Preferred Alternative would bring new activity to the Farley Complex block for the new Moynihan Station rail facility and commercial uses, and therefore it would be compatible with the goals of the 34th Street Partnership Business Improvement District. The Preferred Alternative would have no influence on the recommendations for zoning changes or projected development for Chelsea in the plan developed under section 197-a of the New York City Charter, which was prepared by Manhattan Community Board 4 and adopted by the City Council in 1999. Therefore, the Preferred Alternative would be compatible with these policies.

The Preferred Alternative would also be compatible with the goals and initiatives of PlaNYC, a comprehensive and integrated approach to planning for New York City's future issued by the Mayor's Office of Long Term Planning and Sustainability in 2007, by creating transit-oriented development, providing new housing to meet the needs of current and future residents while making housing more affordable and sustainable, and improving and capitalizing on transit access.

PARKLAND AND OPEN SPACE

Moynihan Station

Moynihan Station would not affect any of the parklands and open space in the study area. In addition, the Preferred Alternative would itself provide substantial and high quality areas of indoor public space, including the Train Hall, the Intermodal Hall, and the 32nd Street pedestrian corridor.

Non-Station Development

The development of a primarily residential or mixed-use building on the Development Transfer Site would result in the loss of approximately 0.40 acres of privately-owned but publicly accessible open space (the Eighth Avenue Plaza area at One Penn Plaza). This open space is not mapped parkland and contains seating areas but no active recreation facilities; as described above, the property owner would integrate new covered public spaces and amenities to compensate for the loss of the plaza area. The loss of 0.40 acres of urban plaza at this location is not considered significant given its size, location, and other characteristics and when considered in the context of the substantial and high quality area of indoor public space that would be created by the Preferred Alternative. Therefore, the Preferred Alternative is not expected to adversely affect parkland and open space in the study area.

In accordance with established CEQR methodologies, an open space analysis was undertaken to determine whether the Preferred Alternative would have an indirect impact on a study area's open spaces. Indirect effects may occur when the population generated by the proposed action would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population. The new residents and workers that could be introduced to the study area as a direct result of the Preferred Alternative would not have a significant adverse impact on the adequacy of open space resources within the study area, even after consideration of the loss of the 0.40 acre urban plaza on the One Penn Plaza Block.

SOCIOECONOMIC CONDITIONS

Moynihan Station

Moynihan Station would not have an adverse effect on the existing residential and business community. The Project would fulfill its long-standing goal to improve the condition and character of travel to and from New York City, reinforcing the commercial vitality of the western portions of the Midtown Central Business District and enhancing the growing areas to the west, north, and south of the Moynihan project.

While the amount of space occupied by Amtrak within the station (100,000 square feet) would be greater than the amount that was assumed in the 2006 FEIS to have been occupied by NJT (34,000 square feet), there would be no net change in overall Amtrak employment (or in employment for the other railroads) at the Penn Station complex; the same as was assumed in the 2006 FEIS. In the short-term, the train station would not be expected to significantly change total employment for Amtrak or any other service providers using the new station, but over the long term would facilitate meeting the expected growth in demand for rail passenger services and thus increase associated employment. There is a projected increase in the amount of station-specific retail space that would be privately managed. The approximately 86,000 square feet of station retail space can be expected to generate demand for about 347 employees and would improve station amenities to passengers and other users of the station.

Since the current retail USPS operations would remain, the train station project itself would not result in any direct displacement of jobs or economic activity.

Non-Station Development

The Farley Complex commercial development and the Development Transfer Site ground floor retail can be expected to generate about 2,175 jobs, mostly in the retail sector (using a measure of 400 square feet per employee). The hotel component of the Development Transfer Site (under the mixed-use option) could potentially increase this employment estimate by another 150 employees. The Development Transfer Site would not result in the direct displacement of any residents. The redevelopment of the site would displace the employment associated with the three businesses currently located there, resulting in the displacement of up to approximately 70 employees but there would be a net increase in the number of jobs on this site under the Preferred Alternative. Given the large increase in employment generated by the project and the broad employment base already present in the area, the displacement of these on-site jobs would not be considered an adverse socioeconomic impact.

Study Area

Consistent with federal guidance in examining a project's potential for community disruption and the possibility of demographic shifts, the guidance set forth in the *CEQR Technical Manual*

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establishes a specific examination of a project's potential to result in direct or indirect displacement of residents, businesses, or specific industries of concern. Moynihan Station would not result in any direct residential displacement while the non-station development component of the Preferred Alternative would result in a small level of business displacement.

Indirect Residential Displacement

The Project would not result in significant adverse socioeconomic impacts due to indirect residential displacement. The Project would not alter the local real estate market in a manner that would lead to the displacement of existing residents. The 940 apartments that could be introduced by the Project on the Development Transfer Site would be offered at rents comparable to residential rents for other modern, newly-constructed market-rate apartments in the surrounding area and housing that is expected to be built in the study area by 2015.

In addition, the population potentially vulnerable to indirect residential displacement within the study area is limited. The vulnerable population consists primarily of residents of non-rent-regulated apartments and residents of Single Room Occupancy (SRO) dwellings. A large percentage of the study area's rental housing stock is covered by rent control or rent stabilization, which affords a high degree of protection against market-driven displacement pressures. The SRO units in the study area are subject to legal and community support structures that impose heavy penalties for illegal evictions. Although these protections have not always proven to be a firm barrier against displacement, it is reasonable to assume that with effective enforcement of the laws regulating tenancy of SRO dwellings and against illegal actions on the part of landlords, effective protection against displacement would be afforded to these residents even with the elevated market pressures that already exist in the study area. In any event, the Preferred Alternative is not expected to significantly increase such existing market pressures.

Indirect Business and Institutional Displacement

The Project would not result in significant adverse impacts due to indirect business and institutional displacement. The Project would not represent a substantial increase in the concentration of any particular economic sector, and no alteration of existing patterns would be expected. All of the uses contemplated under the Project are well established in the study area, which already has a dense and diverse amount of economic activity. The Project would not significantly affect business conditions in any industry or any category of business within or outside the study area, nor would the Project indirectly reduce employment or adversely affect the viability of any industry or category of business.

ES.4.2 HISTORIC PROPERTIES

FARLEY COMPLEX

Overall, it is expected that development of the proposed Moynihan Station would not have any adverse effect on the Farley Complex. Design elements that would avoid or minimize the potential for adverse effects include efforts made to limit the removal of masonry, design of the Intermodal Hall and train concourse roofs so that they would not be visible from the surrounding streets, the clear differentiation between new and historic building components, and treatment of significant interior spaces in a manner sensitive to the original architectural design. Additional project elements that would have beneficial effects on the Farley Complex include continued USPS use of portions of the building, an extensive restoration program of the Farley Complex

exterior, and adaptive reuse of the historic building as a station designed to reference the former Pennsylvania Station with a light-filled and spacious train concourse and Intermodal Hall.

The amended Programmatic Agreement, like the 2006 Programmatic Agreement, will establish a process for evaluating the effects on the Farley Complex caused by the Project. It will be entered into by the FRA, ESDC, MSDC, PANYNJ, SHPO, the conditionally designated developer, and, if elects to participate in the historic review process, the Advisory Council on Historic Preservation. In order to ensure that the Project will not cause adverse impacts on the Farley Complex and to ensure compatibility with the historic character of the building, under the amended Programmatic Agreement the final design will be developed in consultation with SHPO. ESDC has presented the preliminary conceptual design for the Preferred Alternative to SHPO and has consulted with SHPO with respect to that design. SHPO has reviewed the conceptual design of the Preferred Alternative and, based on that review, does not expect that any significant adverse effects would result to the Farley Complex from the Preferred Alternative provided that designs continue to be developed in consultation with SHPO, as indicated in a letter dated January 5, 2010 (see Appendix 2 for the SHPO letter). In addition, construction protection measures would be developed and implemented in consultation with SHPO to avoid adverse effects on the Farley Complex exterior and the interior spaces to be preserved as part of the Preferred Alternative. Further, the adaptive reuse project and the restoration program would have overall beneficial effects on the Farley Complex.

AREA OF POTENTIAL EFFECT

The former J.C. Penney Company building and the former William F. Sloan Memorial YMCA are located close enough to the Farley Complex (within 90 feet) to potentially experience adverse construction-related effects. Therefore, to avoid inadvertent construction damage from ground-borne vibrations, falling debris, collapse, or subsidence, Construction Protection Plans (CPPs) would be developed and implemented in consultation with SHPO. The CPPs would follow the recommendations of the New York City Department of Buildings *Technical Policy and Procedure Notice #10/88*, which include “a monitoring program to reduce the likelihood of construction damage to adjacent historic structures and to detect at an early stage the beginnings of damage so that construction procedures can be changed.” With implementation of CPPs, no adverse effects are expected in connection with the construction of the Preferred Alternative. Redevelopment of the Farley Complex would not have adverse physical effects on any of the other historic properties in the study area, as they are all located more than 90 feet from the project site, outside the range of potential construction damage.

The new building on the Development Transfer Site would not have adverse physical effects on historic properties. There are no historic properties located within 90 feet of the site.

The Preferred Alternative would not result in adverse visual or contextual effects on surrounding historic properties. The new Moynihan Station and the commercial uses in the Farley Complex would be in keeping with the largely transportation and commercial character of the study area. While new glass and metal roofs covering the Intermodal Hall and train concourse would be new features on the project site, they are not expected to be visible from the surrounding streets. The new rooftop mechanical plant would be designed to limit its visibility.

The new building on the Development Transfer Site is not expected to have adverse visual or contextual effects on architectural resources. It would be in keeping with the high-rise mixed-use character of the study area and would be similar in height, massing, and general design to One Penn Plaza. The proposed building would not eliminate or screen significant publicly accessible

views of a historic property, isolate a historic property from or alter its visual relationship with the streetscape, or introduce an incompatible visual element to a historic property's setting. Although the new building would eliminate some existing views of the Farley Complex from the public plaza on the Development Transfer Site, the Farley Complex would continue to be prominent in views on Eighth Avenue, and there would be no adverse effects to the Farley Complex.

ES.4.3 VISUAL AND AESTHETIC CONSIDERATIONS

FARLEY COMPLEX

The form of the Farley Complex would not be altered in the future with the Preferred Alternative. The new glass and metal roofs to be created above the Intermodal Hall and the train concourse would not be visible in surrounding views by pedestrians, motorists and rail passengers. They could have limited visibility to occupants of surrounding buildings, but they would not substantially change the overall visual appearance of the Farley Complex as seen by that viewer group. The creation of the Intermodal Hall and the midblock entrances to the Farley Complex at West 31st and 33rd Streets would alter the Complex's relationship to the adjacent portions of these streets by creating new pedestrian entrances to the building. The new entrance on West 31st Street would have a staircase that would connect existing elevated window openings in the façade to the street. In addition, sections of the moats adjacent to West 31st Street and West 33rd Street entrances would be removed. However, these changes would not result in adverse effects, because the midblock facades of the Farley Complex would be preserved and the new entrances would create additional pedestrian activity, enlivening the sidewalks adjacent to the north and south facades of the Farley Complex. Further, the enclosure of the north and south moats adjacent to the Farley Complex would not have adverse visual effects, because the moat walls would be retained and the glass enclosures would not be much taller than the moat walls. The proposed restoration plan for the Farley Complex would be expected to enhance the overall exterior appearance of the building. The streetscapes of Ninth and Eighth Avenues adjacent to the Farley Complex would be expected to change considerably with the Project due to new pedestrian entrances through existing building openings, moat and wall removal, and additional pedestrian activity. While there would be new exterior signage on the Farley Complex for the new station and the non-station commercial users within the Farley Complex, the signage program would be designed to avoid adverse effects on the Farley Complex, as described in Chapter 4.2, "Historic Properties." Within the 400-foot study area surrounding the Farley Complex, the Preferred Alternative would not involve any changes to block form, street pattern or hierarchy, building arrangement, bulk, use or type, topography, natural features, or streetscape elements. The proposed new uses and alterations to the Farley Complex would not be expected to change its status as an important visual resource, nor would they be expected to significantly alter views to visual resources in the surrounding area from any viewer groups.

DEVELOPMENT TRANSFER SITE

Under the Preferred Alternative, the utilization of the Farley Complex's unused development rights would involve changes to the bulk, type, and arrangements of buildings on the Development Transfer Site. The proposed approximately 700-foot-tall mixed-use building would be considerably taller and bulkier than the existing one-story commercial buildings that are currently located on the site. Along with One Penn Plaza, the building would be among the

tallest buildings in the 400-foot study area. The uses proposed for the Development Transfer Site would be consistent with existing uses in the area. The streetscapes surrounding the Development Transfer Site would also be expected to change, as the development would eliminate the elevated pedestrian circulation space that currently exists on the site, would form stronger streetwalls at this location, and would bring greater pedestrian and vehicular activity to the area; however, the streetscape of the remainder of the study area would not be expected to be altered by the project.

Constructing a 700-foot-tall building on a site currently occupied by a one-story building and a public plaza would alter the view corridors along Eighth Avenue and West 33rd and West 34th Streets. The new building would become a notable element in views eastward to the Empire State Building and One Penn Plaza, and the context of views to the New Yorker Hotel would change with the addition of the tall new development on the opposite corner of West 34th Street and Eighth Avenue. The proposed building would partially block eastward views of the Empire State Building on West 33rd and West 34th Streets from Ninth Avenue and farther west. Closer to Eighth Avenue and the Development Transfer Site, the Empire State Building would be more visible along the West 33rd and 34th Streets view corridors. At Eighth Avenue and to the east, views of the Empire State Building would be largely unobstructed by the new building. Views from the Development Transfer Site to the other surrounding visual resources would not be expected to change, with the exception of views from the former elevated pedestrian circulation space, which would be eliminated. Motorists and pedestrians, especially along Eighth Avenue and West 34th and 33rd Streets, would have views of the building on the Development Transfer Site but most of these views would be brief, passing views. Viewers passively using the stairs in front of the Farley Complex would have lengthy and unobstructed views of the proposed building. To these viewers, as well as to viewers within surrounding buildings, the building on the Development Transfer Site would be one of many tall buildings in the densely developed area around Penn Station.

ES.4.4 STATION CIRCULATION

INTRODUCTION

This section addresses pedestrian circulation conditions within the proposed Moynihan Station to be constructed in and beneath the Farley Complex, as well as those portions of the Penn Station complex affected by the Moynihan Station Development Project in the 2015 build year. The focus of the station pedestrian circulation analysis is on pedestrian facilities directly affected by the Project, including public space within the Farley Building (Train Hall, connecting passageways, vertical circulation and street entrances), the West End Concourse, and the 33rd Street Connector linking the Farley Building to the existing Penn Station concourses and the Eighth Avenue subway station.

OVERVIEW

Rail passenger and pedestrian circulation conditions within the Penn Station complex, resulting from construction of the Project, were analyzed and compared with the results of prior analyses of pedestrian circulation conditions contained in the 2006 FEIS and the 1999 EA for the Project as contemplated at that time. The 1999 and 2006 documents determined that the respective designs of Moynihan Station studied in those analyses would not result in any significant adverse impacts to station pedestrian circulation conditions.

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Both the 1999 EA and 2006 FEIS determined that the then-proposed construction within the Farley Complex and in the vicinity of the Eighth Avenue Subway would not generate significant adverse impacts to passenger circulation within the Penn Station complex. The Project, in both cases, was shown to deliver significant circulation benefits to rail passengers.

Given the passage of time, the differences in both existing and projected future railroad ridership from conditions examined in the 1999 EA, and the differences in the 2010 Moynihan Station physical plan as compared with previous versions of the plan, ESDC/MSDC made the determination that this EA of the current Project should include an updated interior station pedestrian circulation analysis. However, the proposed Project is not expected to significantly alter the patterns of pedestrian flows within the existing Penn Station between Eighth and Seventh Avenues. The number of rail passengers that are projected to be directed to the new Moynihan Station facilities in the Farley Complex (thereby relieving congestion in Penn Station) is greater than the incremental volume of pedestrian trips that would be generated by development associated with the Project. Therefore, detailed analysis was limited to the portions of the Penn Station complex where new construction is planned—west of Eighth Avenue and in the vicinity of the Eighth Avenue Subway station. The previous data models of station-wide pedestrian circulation were updated to enable comparison of peak conditions at key points in the Penn Station complex for the current plan and projected rail traffic levels, as compared with the results of the previous analyses.

RAILROAD RIDERSHIP

Estimates of existing (2008) and projected future Build year (2015) ridership at Penn Station on the three railroads serving the station—Amtrak, LIRR, and NJT—were calculated and separate estimates were prepared for 2015 both with and without the proposed Project (referred to as the Build and No Build conditions). These estimates of future demand provide the basis for calculating peak levels of service and determining whether any significant adverse impacts are generated by the Preferred Alternative. These 2015 Build year estimates show continuing growth in rail passenger traffic on all three railroads. While these increases may continue for a few years beyond 2015, the opening of the LIRR East Side Access Project and the NJT ARC project in the period between 2015 and 2020 will create new rail terminal capacity in Manhattan that will absorb future growth and take the pressure off of the capacity-constrained facilities at Penn Station. Long-range regional travel demand forecasts show that rail passenger demand at Penn Station is projected to climb back to levels at or above the 2015 estimates by 2035.

The Moynihan Station Development Project would significantly improve conditions within the station for Amtrak passengers. Therefore, estimated Amtrak ridership has been increased for the 2015 Build condition, compared with the 2015 No Build condition, to reflect the boost in ridership that is expected to occur as a result of greatly improved station facilities.

The incremental Amtrak ridership in the 2015 Build condition has two components.

- New Amtrak passenger trips generated by having larger and better facilities for all intercity passengers at the Train Hall, and
- Additional Amtrak Empire Line ridership resulting from improvements to the frequency, reliability and speed of Empire Corridor service that would be enabled by the Platform 12 component of the Preferred Alternative. Platform 12 may also potentially be used for future Metro-North Hudson Line service.

The 1999 EA included an incremental ridership gain of 5 percent for Amtrak intercity service at Penn Station associated with developing substantially improved passenger facilities at the Farley Building. This analysis uses the same assumption.

An additional ridership increment was estimated to reflect the effects of service improvements in the corridor that would be enabled by the rehabilitation of Platform 12 which would be accessed from the Farley Building and the street west of Eighth Avenue, and which could be dedicated for use exclusively by Empire Service trains and passengers. A 2004 study by the New York State Senate High-Speed Rail Task Force indicated that an increase in service on the Empire Line from 13 to 18 daily round trips, coupled with incrementally better run times and improved reliability, would result in a 56.3 percent gain in ridership over and above the existing service baseline. Because the activation of Platform 12 would allow for this increase in daily round trips, the 2015 Build projections for Amtrak Empire service therefore apply an additional 56.3 percent increase in ridership, in addition to the estimated 5 percent ridership increase attributable to an upgraded station environment, to reflect this increased service. This represents an appropriately conservative assumption for purposes of examining the potential for significant environmental impacts of the Project, including the activation of Platform 12.

METHODOLOGY

Level of Service for Station Pedestrian Circulation

The primary performance measure that was used to determine the adequacy of pedestrian circulation facilities within the station was peak Level of Service (LOS), as defined by Fruin,¹ which describes the peak degree of congestion at key locations within the train station.

For purposes of this EA, the average condition over the peak 15 minute period within the 8:00 to 9:00 am and 5:00 to 6:00 pm weekday peak hours was used to estimate level of service.

Table ES.4.4-1 summarizes the Level of Service thresholds used to determine the significance of any adverse impacts.

PROBABLE IMPACTS OF THE PREFERRED ALTERNATIVE

The Preferred Alternative would result in extensive capital investments in train station facilities within the Farley Complex on the west side of Eighth Avenue and, for present purposes, is not expected to involve any modifications to rail passenger facilities and public circulation space at the existing Penn Station concourses between Eighth and Seventh Avenues. The Project also would reconstruct public circulation facilities at the 33rd Street end of the Eighth Avenue Subway 34th Street station, widening and improving the existing 33rd Street Connector that would link the Farley Complex to the existing Penn Station concourses and the Eighth Avenue (A, C, E) subway. The Project would increase the quantity of public circulation space in the Penn Station complex, increase platform vertical circulation capacity with particularly significant improvements at Platforms 3 through 6 (serving Tracks 5 through 12), increase total vertical circulation capacity between Levels A and B of the station, and increase the number and capacity of station street level entrances, as shown in Table ES.4.4-2. The Project would disperse passengers over a wider area and generally reduce the level of peak congestion in the current Penn Station concourses, as compared to the No Build condition.

¹ John J. Fruin, *Pedestrian Planning and Design*, Revised Edition, Elevator World, Inc., 1987

Table ES.4.4-1
Level of Service Standards for Environmental Impact Assessment

	Absolute Condition for No Significant Impact (ACNSI)	Build condition Relative to No Build Condition, if No Build Condition Exceeds ACNSI
Corridors, ramps and stairs within station concourse areas, station entrances/exits at street level	LOS C/D ≤ 15.5 p/m/ft.* corridor/ramp ≤ 10.5 p/m/ft.* stair/doorway	No significant impact if LOS remains within same LOS grade (e.g., both No Build and Build are at LOS D)
Train Halls and areas of passenger accumulation Portion used for queuing: (e.g., waiting and boarding zones) Portion used for circulation:	LOS C/D ≥ 6.5 sf/p** for queuing <i>Same as corridor standard</i>	No significant impact if LOS remains within same LOS grade (e.g., both No Build and Build are at LOS D)
Escalators within station concourse areas	Operate during peak 15 minutes without queues (i.e., LOS E or better) ≤ 75 p/m commuter, 70 p/m Amtrak*** <i>2-lane escalator at 90 ft/min.</i>	No significant impact if LOS for Build condition is better than LOS F
Notes:		
* Based on effective width, which is assumed to be equal to actual width, minus the width of any interior obstructions, minus an allowance for edge conditions, which vary depending upon the type and configuration of facility. On corridors/ramps, an edge deduction of one to two feet of effective width typically is taken into account for the propensity of pedestrians to avoid walking adjacent to corridor walls; on stairways, the edge deduction depends upon the number and location of handrails and typically is on the order of one foot.		
** Based on effective area, net of interior obstructions.		
*** Maximum escalator processing rates for the sizes and speeds of escalators at Penn Station as verified by field survey during weekday peak periods.		

Table ES.4.4-2
Vertical Circulation and Egress Capacity Improvements—2015 No Build and Build

	No Build	Build
Platform Vertical Circulation		
Platform Stairs and Escalators, total	82	105
Platform Stairs and Escalators, Platforms 3-6	22	38
Emergency Egress Stairs	0	6
Passenger Elevators	17	24
Service Elevators	6	13
Average Egress Capacity per platform, entire station (peds/min)	670	853
Average Egress Capacity per platform, Platforms 3-6 (peds/min)	452	832
Level A-to-Level B Circulation		
No. of escalators	5	9
No. of stairways (6 ft. width equivalent)	11	17
Passenger Elevators	2	4
Vertical circulation capacity (peds/min)	1,530	2,470
Egress Capacity to Street Level		
Number of station street level entrances	7	12
Egress capacity (peds/min)	2,200	3,100

The new pedestrian circulation facilities within the Farley Complex, including the Train Hall, Intermodal Hall, street entrances and connecting corridors and passageways, can be designed to carry the projected 2015 pedestrian volumes at an appropriately high level of service without creating significant congestion impacts during the weekday peak periods. No locations were identified within the station complex where significant adverse impacts would be generated or existing peak conditions significantly worsened by the Project. Overall, the Project would provide time savings and congestion relief benefits for all passengers using Penn Station, improve pedestrian circulation by providing a more balanced arrangement of facilities within the station complex, and create a significantly more attractive and convenient station environment for passengers using the new facilities within the Farley Complex.

The projected increase in 2015 rail passenger traffic generated by the Project would be offset by the diversion of Amtrak and commuter passengers to the new Moynihan Station facilities west of Eighth Avenue and the expanded ability of commuters to make use of the Main Concourse space vacated by Amtrak in Penn Station, resulting in peak levels of service within the existing station that are comparable to or better than those indicated for the 2015 No Build condition.

The analyses that have been undertaken of the proposed Project confirm the conclusion reached in the 1999 Environmental Assessment (and later seconded in the 2006 FEIS) that there would be no significant impacts to pedestrian circulation within the station, and:

“The net result of the Project would be a transportation facility that would provide dramatically improved service to all its customers—intercity rail passengers, rail commuters, subway riders, area employers, and retail patrons.”¹

ES.4.5 TRANSPORTATION

INTRODUCTION

The EA evaluates the traffic, parking, transit and pedestrian conditions for areas potentially affected by the Preferred Alternative. The analyses are based in part on the 2006 FEIS, which concluded that the Project contemplated at that time would not result in any unmitigated significant adverse impacts to traffic, parking, transit, and pedestrian conditions.

There have been a number of changes in the study area since the 2006 FEIS, including changes in the transportation network, existing traffic volumes and traffic patterns, planned development projects, as well as changes in the No Build development for the Farley Complex. In assessing the potential transportation-related impacts of the Project, the EA identifies and accounts for the changes that have occurred since the 2006 FEIS and compares conditions with the Project to those conditions described in the 2006 FEIS.

The 2015 No Build condition has less office development (minus 1,206,612 square feet) but more residential units (plus 2,790) and hotel development (plus 550,260 square feet) than the 2010 No Build condition analyzed in the 2006 FEIS. In addition, as currently estimated, the No Build condition for the Project site (the Farley Complex) has more retail space (plus 318,520 square feet) and less community facility space (minus 131,533 square feet) than the No Build condition for the Project site that was assessed in the 2006 FEIS. The large reduction in office

¹ Penn Station Redevelopment Corporation, *Pennsylvania Station Redevelopment Project, Environmental Assessment, Appendix 7*, “Transit and Indoor Pedestrian Circulation,” 1999, p. A.7-25.

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space combined with a greater emphasis on residential development in the 2015 No Build condition is expected to result in fewer vehicular trips in the study area for the 2015 No Build condition as compared to the 2010 No Build condition analyzed in the 2006 FEIS.

The approach used to determine trip generation for the Project followed *CEQR Technical Manual* guidelines. The transportation planning assumptions are based upon the 2009 Western Rail Yards (WRY) FEIS.¹ The WRY traffic study area encompasses the entire traffic network of the Project and it was developed in 2008-2009, making it a practical and suitable source for the analysis in the EA.

TRAFFIC

METHODOLOGY

Traffic volumes reported in the 2006 FEIS for the 2005 Existing, 2010 No Build and 2010 Build conditions were compared with the corresponding estimated traffic volumes for the 2008 Existing, 2015 No Build and 2015 Build conditions for the Project. This included comparing traffic volumes along two screenlines and a cordon line around the study area perimeter to identify individual intersections where potential adverse traffic impacts could occur as a result of changes in traffic patterns since the 2006 FEIS.

An HCS capacity and level of service analysis was then performed for the intersections identified through this screening analysis. Standard traffic impact criteria from the *CEQR Technical Manual* were used to compare the 2015 future No Build and 2015 Build conditions to determine whether there would be significant adverse impacts on intersection approaches being analyzed. Where adverse impacts were found among the 12 intersections identified to have traffic impacts in the 2006 FEIS, standard low-cost, easily implementable mitigation was developed.

SUMMARY OF VEHICULAR TRAFFIC ANALYSES

The traffic volume comparisons found that 2008 volumes are lower than the 2005 volumes reported in the 2006 FEIS. Similarly, 2015 No Build traffic volumes are lower than the 2010 No Build traffic volumes analyzed in the 2006 FEIS. The reduction in the 2015 No Build volumes is attributable to lower existing traffic volumes as well as a change in the projected land use mix of proposed development projects within the study area. Nevertheless, the screening analysis identified a few intersections along Seventh and Eighth Avenues and along cross-streets in the southern part of the study area that have would higher volumes in 2015, due to traffic network changes on West 34th Street and Broadway. Four impacted intersection locations were identified for the Project's 2015 Build condition, compared to 12 intersections identified in the 2006 FEIS that required mitigation for one or more peak periods. The traffic impacts at the four identified intersections can be fully mitigated by standard traffic engineering methods: primarily signal timing and providing an additional approach lane and by restricting parking where needed to better accommodate turning movements. In general, these are low-cost mitigation measures similar to the mitigation measures proposed in the 2006 FEIS.

¹ The 2009 WRY DEIS is available at http://www.nyc.gov/html/dcp/html/env_review/western_rail_yard.shtml

PARKING

Based on the parking analysis in the 2009 WRY FEIS, it is expected that there would be a shortfall of parking spaces in both the 2015 No Build and 2015 Build condition for the Preferred Alternative, although overnight parking demand could be satisfied. According to the *CEQR Technical Manual*, a parking shortfall is not deemed to be a significant adverse impact and mitigation is not required, because New York City policy disfavors the use of private automobiles in the Manhattan central business district.

TRANSIT AND PEDESTRIANS

The Preferred Alternative, which would be completed by 2015, is expected to generate similar or fewer incremental levels of transit and pedestrian trips in the study area than what had been projected in the 2006 FEIS. The completion of other development projects in the future without the Project is also expected to progress at a slower pace than previously expected, resulting in fewer incremental transit and pedestrian trips in the No Build. A comparison of background transit and pedestrian levels indicates that overall activities in the area have not changed materially as well. Therefore, the future Build transit and pedestrian levels would be lower than or comparable to those analyzed in the 2006 FEIS and would result in a comparable number or fewer significant adverse impacts of similar or lesser magnitudes. As a result, the corresponding mitigation measures required would also be comparable to or less than those detailed in the 2006 FEIS.

TRANSIT

Subway Service

Subway service in the study area includes the Seventh Avenue Line, the Eighth Avenue Line, the Sixth Avenue Line, the Broadway Line, and PATH. All these subway lines have station facilities in vicinity of West 34th Street. The 2006 FEIS concluded that the development program analyzed for the 2010 Build condition would not result in any significant adverse impacts on subway stairways and control areas with the incorporation of proposed station improvements and mitigation measures by other previously approved projects in the West Midtown area.

The 2006 FEIS analyzed key stairway locations at each of these subway stations. For the EA, updated 2008 volume information was obtained from the recently certified 2009 WRY FEIS. The 2008 aggregate peak hour stairway volumes are higher by approximately 7 percent over the 2005 stairway volumes analyzed in the 2006 FEIS.

The 2006 FEIS also analyzed control areas at each of these subway stations. The 2008 aggregate control area volumes are higher by approximately 8 percent over the aggregate 2005 volumes reported in the 2006 FEIS.

The Preferred Alternative in 2015 would result fewer incremental subway trips during the weekday AM, midday, and PM, and Saturday midday peak hours than the volumes analyzed in the 2006 FEIS. Based on these lower incremental volumes in subway trips under the Build condition, and smaller projected subway trip increases in the No Build condition, it is expected that the Preferred Alternative would not result in significant adverse subway impacts.

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Bus Service

There are various local and express bus routes serving the study area. Compared to the 2006 FEIS, the Preferred Alternative would result in substantially fewer incremental bus trips during the weekday AM, midday, and PM, and Saturday peak hours. These fewer trips, spread among numerous bus stops in the area, comparable to what was done for the 2006 FEIS, would not warrant a detailed analysis per the criteria of the *CEQR Technical Manual*, and therefore would not be expected to result in significant adverse bus impacts.

Pedestrians

The pedestrian study area is the same as the one studied in the 2006 FEIS, which includes sidewalks, crosswalks, and corner reservoirs from West 30th to West 34th Streets between Sixth and Tenth Avenues and from West 34th to West 35th Streets between Seventh and Ninth Avenues. The 2006 FEIS analyzed physical changes to street-level pedestrian facilities, including project-related pedestrian improvements, proposed by the previous Farley Complex development program and proposed in the Hudson Yards FGEIS, as well as by other developments in the study area. Similar improvements, except for those stipulated in the Hudson Yards FGEIS, are expected to be in place for the Project. In comparison, the 2008 aggregate peak hour pedestrian volumes analyzed in the 2009 WRY FEIS are higher by approximately 9 percent over the 2005 volumes analyzed in the 2006 FEIS for sidewalks, lower by approximately 28 percent for corner reservoirs, and lower by approximately 4 percent for crosswalks.

The 2006 FEIS concluded that there would not be any significant adverse sidewalk impacts resulting from the Project to be completed in 2010. With comparable baseline conditions, fewer additional trips resulting from development projects in the future without the Project, and relatively lower incremental trip generation, the Preferred Alternative would also not be expected to result in significant adverse sidewalk impacts. For corners and crosswalks, the 2006 FEIS, however, concluded that significant adverse impacts would occur at certain locations, all of which could be mitigated. Measures proposed in the 2006 FEIS to fully mitigate those impacts included widening of sidewalks and crosswalks and removal of sidewalk obstructions.

The No Build program and the Preferred Alternative program for the Farley Complex and the new mixed-use off-site building would result in substantially fewer person trips than those projected in the 2006 FEIS. Since both the 2008 baseline and future 2015 background pedestrian levels would also be lower or comparable to those analyzed in the 2006 FEIS, some of the significant adverse pedestrian impacts identified previously in the 2006 FEIS may no longer occur with the Preferred Alternative. For those impacts that would remain, they are likely to be lower in magnitude and require comparable or lesser mitigation measures. The mitigation measures set forth in the 2006 FEIS would be more than adequate to eliminate any significant adverse pedestrian impacts associated with the 2015 development program for the Preferred Alternative. Further, the Project will commit to implementing the applicable Hudson Yards pedestrian mitigation measures, which are no longer available, at two study area locations as improvements under the Preferred Alternative.

ES.4.6 AIR QUALITY

The results of the Air Quality analysis show that the maximum predicted carbon monoxide (CO) and respirable particulate matter (PM₁₀) concentrations from mobile sources with the Project would be below the corresponding ambient air standards. Furthermore, CO concentrations would

not exceed the City's *de minimis* criteria, and PM_{2.5} concentrations would not exceed the interim guidance criteria regarding PM_{2.5} impacts.

The stationary source analysis demonstrated that there would be no significant adverse air quality impacts from fossil fuel-fired combustion equipment at the Development Transfer Site, or from emissions due to nearby industrial sources on the Project's sensitive uses.

The total net emissions due to the Project would not exceed the *de minimis* levels for general conformity during construction or operation, and therefore a conformity determination is not required for the Project, and the Project would conform to all relevant SIPs and maintenance plans. The proposed Moynihan Station is expected to result in a net long-term reduction in regional emissions associated with the mode shift from on-road use to rail. As recognized in the Congestion Mitigation and Air Quality (CMAQ) Improvement Program application, there would be some regional air quality benefits resulting from the proposed transportation investment and the transit-oriented development associated with the Project.

Some greenhouse gas emissions would be associated with the Project operation, including electricity consumption and the use of natural gas for the Development Transfer Site, similar or less than those associated with similar uses in less dense areas. The transit-oriented, mixed-use, and dense nature of the Development Transfer Site and the area in which it is located would result in less on-road emissions than similar uses elsewhere. A net reduction in transportation-related greenhouse gas emissions would occur due to the mode shift from on-road to rail. Since reducing greenhouse gas emissions and energy consumption is both a New York State and New York City goal under the State Energy Plan, PlaNYC, and other policies and initiatives, the proposed Project would be consistent with those policies.

ES.4.7 NOISE AND VIBRATION

Future noise levels with the Preferred Alternative at 12 noise receptor sites were calculated using the FTA guidance manual procedures and formulas, which are also used by the FRA for noise impact assessments. The quantified analysis conducted for this EA concluded that Project-related noise would be less than the project noise exposure limits specified by FTA to determine adverse impacts. In addition, the analysis concluded that vibration levels at adjacent sensitive locations would be similar to what currently exists. Therefore, the Preferred Alternative would not result in significant adverse impacts for noise and vibration.

ES.4.8 INFRASTRUCTURE AND UTILITIES

WATER SUPPLY

Overall, the water demand at the Farley Complex, including Moynihan Station, would be approximately 359,550 gallons per day (gpd) for the Preferred Alternative. This would result in an approximately 3 percent increase in water consumption at the Farley Complex as compared to the No Action Alternative. This demand is not expected to significantly affect the local water pressures and the demand would represent an insignificant increase in the average amount of water consumed in Manhattan.

The Development Transfer Site would have a total water usage rate of 208,800 gpd for the Preferred Alternative, a substantial increase over the water usage of 4,810 gpd for the site in the No Action Alternative. This demand is not expected to significantly affect the local water pressures. In addition, the project's demand would represent an insignificant increase in the

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average amount of water consumed in Manhattan. As a result, this added demand is not expected to overburden the City's water supply or the local conveyance system. The Project would also comply with the City's water conservation measures under Local Law 19.

SANITARY SEWAGE

Overall, the sewage generation at the Farley Complex, including Moynihan Station, would be approximately 153,450 gpd for the Preferred Alternative, which is less than the total sewage generation at the Farley Complex for the No Action Alternative. The Preferred Alternative would generate less sewage than the No Action Alternative because it would have less total commercial space and Moynihan Station would only be expected to generate a minimal amount of sewage.

The Development Transfer Site would result in a sewage generation of approximately 188,400 gpd for the Preferred Alternative, a substantial increase over the sewage generation of 2,405 gpd for the site in the No Action Alternative. This would represent a relatively small increase in demand compared with the overall flow to the North River Water Pollution Control Plant (WPCP). The New York City Department of Environmental Protection's water conservation measures would further reduce the potential sewage generated in the future across the City. The additional sanitary volumes from the Preferred Alternative would still allow the North River WPCP to operate well within the permitted limit of 170 million gallons per day. The Project is not expected to overburden the local conveyance system. No significant adverse impacts related to sanitary sewage are expected.

STORMWATER RUNOFF

The impervious coverage on the Farley Complex site and Development Transfer Site is not expected to change in the Preferred Alternative, as under the No Action Alternative, and therefore stormwater volumes from the Farley Complex site and the Development Transfer Site would not increase and no significant adverse stormwater impacts are expected.

SOLID WASTE

The Project would participate in the City's recycling program and be designed to accommodate source separation of recyclables in conformance with City recycling regulations. This would include recycling paper, glass, metals, and certain plastics.

Overall, the commercial solid waste generated at the Farley Complex, including Moynihan Station, would be approximately 88 tons per week (tpw) for the Preferred Alternative, which is 12 tpw greater than the commercial solid waste generated at the Farley Complex for the No Action Alternative.

The building proposed for the Development Transfer Site would result in an estimated peak demand of 19 and 78 tpw of municipal and commercial solid waste, respectively, a substantial increase over the commercial solid waste generation of 1.4 tpw for the site in the No Action Alternative. However, these volumes would represent a small increase over the City's daily solid waste generation of 12,000 tons per day of municipal waste collected by the New York City Department of Sanitation (DSNY) and 10,000 tons per day of commercial waste collected by private carters. This estimated increase in solid waste in total for the Preferred Alternative would require less than two DSNY truck trips per week (typical capacities of 12.5 tons for a DSNY collection truck) and six additional truck trips per week by private carters (based on the typical

capacity of 1.5 tons for a private collection truck). As a result, the Preferred Alternative is not expected to adversely affect solid waste streams or recycling in the City.

ES.4.9 ENERGY

MOYNIHAN STATION

As part of the Project, the existing 120/208 volt, 3-phase, 4-wire existing electrical services would be removed and a new 265/460 volt, 3-phase, 4-wire service would be provided by Con Edison to serve the new facilities being constructed in the Farley Complex. Although the design for the project is still evolving, it is envisioned that the project would include two “spot networks” each with six transformers and associated network protector compartments. A separate transformer vault would also likely be required to power the emergency ventilation system fans that are proposed to be installed in the train shed under the Farley Complex. Con Edison has been contacted concerning this facet of the project, and ongoing coordination would be undertaken to ensure that the tie in to the existing power network will be appropriately designed and sited. (It is expected that the new vault would be located under one of the sidewalks adjacent to the Farley Complex, either on West 31st or 33rd Streets. That determination has not yet been finalized.)

The proposed Moynihan Station and associated transit-related retail would require approximately 28.2 billion British Thermal Units (BTUs) of energy per year. This consumption would be small compared with the existing energy demands of New York City. Further, this demand is not expected to overburden the energy generation, transmission, and distribution system and would not result in a significant adverse energy impact.

As described above the Farley Complex is heated by high-pressure steam supplied by Con Edison. The Farley Complex would continue to be heated by high-pressure steam for the Preferred Alternative. The feasibility of receiving chilled water for the Preferred Alternative from the Morgan Facility Chiller Plant was evaluated and it was determined that the Morgan Facility could not provide the additional chilled water required. Although the proposed mechanical system for the Farley Complex under the Preferred Alternative has not been fully designed at this time, it is expected that a new mechanical facility would be provided for the Project. In connection with the design of the Project, an energy consultant would be retained to undertake a detailed energy efficiency analysis for the Farley Complex to assess the feasibility and best design for seeking to achieve energy reduction goals, including, if applicable, Executive Order 111.

MSDC would need to incorporate into the Project, as applicable, the requirements of the State Green Building Construction Act adopted in August 2009, which calls for the NYS Office of General Services (OGS) to issue regulations establishing green construction requirements and procedures for new state-owned buildings and substantial renovations of existing buildings. OGS has not promulgated new regulations as of this EA. Future project planning and design would need to stay abreast of new requirements and their potential applicability to the Preferred Alternative.

NON-STATION DEVELOPMENT

Overall, the total non-station development for the Preferred Alternative—both the commercial development at the Farley Complex and the mixed-use development at the Development Transfer Site—would require approximately 219.9 billion BTUs of energy per year. Although the proposed mechanical system for the Development Transfer Site has not been fully designed at this time, it is expected that the new building would be heated by natural gas.

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The total demand for the Preferred Alternative would be 248 billion BTUs of energy per year, a substantial increase from the No Action Alternative energy demand of 97,339 million BTUs of energy per year. Con Edison currently supplies energy to the Farley Complex and Development Transfer Site and this demand is not expected to overburden the energy generation, transmission, and distribution system and would not result in a significant adverse energy impact.

ES.4.10 NATURAL RESOURCES

WATER QUALITY AND COASTAL ZONE

The Farley Complex and Development Transfer Site are located approximately ½-mile away from the Hudson River, the only open body of water near the Project sites. The Project would not control or modify the Hudson River in any manner. Therefore, the Preferred Alternative would not result in significant adverse impacts to the water quality or aquatic biota of the Hudson River. The Farley Complex and Development Transfer Site are also not located within New York the City's Coastal Zone, and therefore New York City's Local Waterfront Revitalization Program (LWRP) is not applicable.

WETLANDS

As described above, the closest water body is the Hudson River, located approximately ½-mile away from the Farley Complex and Development Transfer Site. There are no freshwater wetlands mapped on or near the Farley Complex and Development Transfer Site. Therefore, the Preferred Alternative would not result in significant adverse impacts to wetlands.

FLOODPLAINS

The Federal Emergency Management Agency (FEMA) base floodplain maps, as delineated on Flood Insurance Rate Maps, were reviewed and the Farley Complex and Development Transfer Site and surrounding areas are not mapped with the 100-year floodplain (area with a 1 percent chance of flooding each year) or 500-year floodplain (area with a 0.2 percent chance of flooding each year). Moreover, no regulated floodplain is located in the vicinity of the Farley Complex or the Development Transfer Site. Therefore, the Preferred Alternative would not result in significant adverse impacts from flooding.

TERRESTRIAL RESOURCES

The entirety of the land surfaces within the Farley Complex and Development Transfer Site are covered with impervious surfaces (buildings, sidewalks, and parking and loading areas), and there is little vegetation to provide habitat for wildlife. The only terrestrial resources are trees located within the private but publicly accessible open space (the plaza area adjacent to One Penn Plaza) at the Development Transfer Site. Therefore, there is no potential for any significant natural habitats or ecologically sensitive areas to be altered. The Preferred Alternative would not result in significant adverse impacts to terrestrial resources.

THREATENED, ENDANGERED, AND SPECIAL CONCERN SPECIES

According to the United States Fish and Wildlife Service list of threatened or endangered species for New York, there are no rare, special concern, threatened, endangered, or candidate species on or in the immediate vicinity of the Farley Complex and the Development Transfer

Site. Therefore, the Preferred Alternative would not result in significant adverse impacts to endangered or threatened species.

ES.4.11 CONTAMINATED MATERIALS

FARLEY COMPLEX

Construction of the Project would involve a variety of activities inside the Farley Complex that could encounter lead-based paint, asbestos containing materials, and electrical equipment containing PCBs and/or mercury. There may also be minimal subsurface disturbance during construction, which could encounter PCBs, petroleum-related compounds, and other contaminants. No significant adverse impacts related to contaminated materials would be expected to occur as a result of the Project with the implementation of: dust control measures; additional investigations to determine the potential for contamination where excavation or building disturbance would be needed; testing and removal protocols; and site-specific Health and Safety Program plans. Although construction of the Project may not remove all contaminated materials such as asbestos and lead-based paint from the Farley Complex and the subsurface, public health would be protected with the continued implementation of appropriate procedures.

DEVELOPMENT TRANSFER SITE

Although a garage with fuel tanks previously existed at, and immediately east of, the Development Transfer Site, any residual soil contamination from that or other previous uses would have been removed during the construction of the eight below-grade levels of parking, which extend well into bedrock. As such, even if new construction were to require additional excavation, there is a low potential for encountering subsurface hazardous materials. Should asbestos-containing materials or lead-based paint be present within the existing above ground structures or below grade parking areas, their removal or disturbance would be addressed in conformance with applicable federal, state and local requirements. Should PCB-containing equipment be found, it would be managed according to all applicable requirements. Should the mercury-containing switches at the Development Transfer Site be removed, such removal would be done in compliance with all applicable requirements.

ES.4.12 CONSTRUCTION

Throughout construction, USPS retail uses would continue in the Farley Building. It is expected that USPS administrative functions would be temporarily relocated within the Farley Complex itself in order to implement work for Moynihan Station. NJT, LIRR, and Amtrak would coordinate any required track outages with the construction managers, to allow for continued rail operations within Penn Station. In addition, the Eighth Avenue subway lines would remain in operation throughout the construction period.

Construction activities for the Project would primarily be confined to the Farley Complex and largely in the building interior or underground on the block between Eighth and Ninth Avenues and West 31st and West 33rd Streets. It would also include an area under Eighth Avenue for reconstruction of the 33rd Street connector. As a result, the Project will require close construction coordination with MSDC and the operating railroads and other key stakeholders to safely and efficiently accommodate construction of the Preferred Alternative with railroad operations in and around Penn Station, including the potential to bring Metro-North Hudson

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Line Service to the Penn Station Complex (although that project is expected to be implemented after the proposed Project). MSDC will coordinate with the operating railroads to establish a comprehensive construction management plan, including the coordination of construction schedules, and overall access to, and circulation within, the Penn Station Complex.

Construction activities for the Project would take place concurrently with the construction of the ARC project. However, potential impacts associated with lane closures and staging areas required for these two projects would have minimal overlap. Whereas the Farley Complex construction may involve partial or temporary closures along West 31st and West 33rd Streets between Eighth and Ninth Avenues, much of the construction work for the ARC project (as presented in the ARC FEIS) will occur in a tunnel and caverns under Manhattan and a majority of the staging for the Manhattan construction efforts will be to the west of the Farley Complex at Twelfth Avenue and West 28th Street. More limited site-specific construction activities related to the ARC project will be conducted along West 34th Street (for an entrance and ventilation facility) and on West 33rd Street at Sixth Avenue to the east of the Farley Complex.

Construction of both the Development Transfer Site building and the ARC project—which will have connections between its West 34th Street station and Penn Station and new street entrances on West 34th Street—would involve lane closures on West 33rd Street east of Eighth Avenue and potential temporary closures along Eighth Avenue. The ARC project will also have some construction activities at and below West 34th Street. The combined construction efforts would be coordinated between NJT and MSDC to the extent practicable, since there may be common or overlapping construction elements within or under the Development Transfer Site. As the expected construction schedule for the demolition, foundation, and core and shell work for the Development Transfer Site building would be about 2 to 3 years, construction efforts would overlap with the ARC project construction efforts on the Development Transfer Site for a relatively short-term period.

With regard to construction truck traffic, the 2006 FEIS projected that up to 50 truck deliveries a day could occur during peak construction. These deliveries would be distributed throughout the day with more occurring during the early morning hours (approximately 15 deliveries taking place prior to the morning commuter peak hour and fewer deliveries per hour thereafter). The deliveries would also be dispersed onto various travel routes and block-fronts surrounding the Farley Complex and the Development Transfer Site. Within the immediate area, construction of the ARC project would generate up to 5 to 7 truck deliveries during peak hours on West 33rd Street, according to the ARC FEIS, October 2008. The greatest overlap in truck deliveries for the two projects is expected to occur during the early morning hours when background traffic would be comparatively light. Overall, construction truck activities for the two projects throughout the day would represent a small percentage of background traffic levels, such that a perceptible increase in truck traffic or the potential for increased congestion due to construction truck traffic would be unlikely.

CONSTRUCTION SEQUENCING AND SCHEDULE

Whenever possible, the bulk of the Moynihan Station construction activities would take place during the normal permitted working hours, Monday through Friday. However, there would be exceptions to normal permitted hours, such as track level work (which typically occurs at night), or where the delivery or installation of certain critical or oversized equipment could occur on weekends. It is expected that weekend and overnight work will be required for Train Shed work, asbestos abatement, deliveries and other critical time-sensitive areas adjacent to USPS occupied

areas in the Farley Complex. Weekend and overnight work may also be needed for other construction tasks over the course of the project.

Construction of Moynihan Station would be staged over a period of about five years to minimize disruption and inconvenience to railroad and subway patrons and to allow for an orderly transition of USPS operations. Work that may affect train operations would be scheduled for off-peak hours. With the exception of new vehicular and pedestrian entrances and exits, major skylights for the Intermodal Hall and Train Hall, and roof renovations to the Farley Complex (inclusive of mechanical, electrical, and plumbing infrastructure work), the majority of the construction activities would involve work in the interior of the Farley Complex. Construction activities at the Farley Complex are expected to start in 2010 and be completed by mid-2015. Key construction stages include:

- Demolition and abatement including asbestos and lead paint removal and recovery of salvageable materials;
- Relocation of telecommunications and existing infrastructure to accommodate new vertical transportation and widening of the Western Concourse;
- Construction of new vertical circulation elements and overall interior construction and finishing of both the Moynihan Station and the new uses within the Farley Complex; and,
- Historic exterior restoration of the Farley Complex;

Construction of the building at the Development Transfer Site is expected to last approximately 30 months and would involve several stages, some of which would overlap: demolition of the existing buildings and structures; excavation, foundation, and below-grade construction; building structure construction; and interior construction and finishing.

POTENTIAL SOCIAL, ENVIRONMENTAL, AND ECONOMIC IMPACTS

USPS Operations

The USPS retail operations would be maintained at the Farley Building and open to the public throughout the construction period. Provisions would be made for delivery, sorting and exporting of mail. Trucks would have access to a portion of the existing loading docks off of Ninth Avenue on a temporary basis until completion of the new West 31st Street loading dock at-grade. Once the USPS core and shell spaces are completed, USPS would undertake the interior fit-out for their space, achieving upgraded facilities within the redeveloped Farley Complex. Therefore, the Project's construction would have no significant adverse impacts on USPS operations.

Historic Resources

To avoid any adverse construction-related effects on the Farley Complex exterior and interior spaces to be preserved as part of the Project, a Construction Protection Plan (CPP) would be developed and implemented in consultation with SHPO. In addition, a CPP would be developed for adjacent historic resources—the former J.C. Penney Company building and the former William F. Sloan Memorial YMCA—that are located close enough to the Farley Complex (within 90 feet) to potentially experience adverse construction-related effects. With implementation of the construction protection plans for the Farley Complex and the two adjacent historic properties, no adverse effects to historic resources are expected in connection with the construction of the Preferred Alternative.

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Hazardous Materials

The construction activities necessary to implement the Project would incorporate protective measures to prevent workers and others from coming into contact with hazardous or contaminated materials associated with normal rail operations. This is especially relevant to older facilities (such as the existing Farley Complex) that were built before restrictions were placed on the use of materials containing asbestos or paint containing lead. A Construction Health and Safety Plan (CHASP) would be developed to assign responsibilities, establish personnel protection standards and mandatory safety practices and procedures, and provide for contingencies that may arise during construction at the Farley Complex and at the Development Transfer Site. The plan is intended to minimize health and safety risks resulting from known and potential hazardous materials encountered during construction, and would be developed in accordance with Federal Occupational Safety and Health Administration (OSHA) requirements. With such controls and plans in place, the construction of the Preferred Action is not expected to generate any significant adverse impacts related to hazardous materials.

Transportation

Street and Sidewalk Closures

Construction activities at the Farley Complex would require the closing of curbside traffic lanes immediately adjacent to the site on West 31st Street, West 33rd Street, and Ninth Avenue. In addition, construction activities may require the closing and/or relocation of pedestrian sidewalk paths at these same locations. It is expected that these closings or relocations would occur over a period of approximately three years. Construction of the Development Transfer Site would involve a temporary lane closure on West 33rd Street east of Eighth Avenue and could involve a lane closure on Eighth Avenue. Construction activities related to utility upgrading and relocations may require some partial closing of additional traffic lanes for short periods of time on the streets adjacent to the Farley Complex and for feeder services along West 31st and West 33rd Streets and Eighth Avenue.

Construction activities related to new pedestrian entrances and loading docks may require some potential closing of traffic lanes for extended periods of time on the streets adjacent to the Farley Complex.

Construction activities related to the stairways and entrances to the Eighth Avenue subway may require some re-routing of pedestrian flows both above and below grade. In addition, construction activities may affect some subway station movements during stairway construction. It is intended that construction would be performed during normal hours by segregating pedestrian flows with barriers. While measures would be taken, in coordination with New York City Transit (NYCT), to minimize inconveniences to subway and commuter rail patrons (including scheduling construction activities during off-peak periods to the extent possible), construction activities may result in some temporary disruptions to pedestrian circulation.

The New York City Department of Transportation would have to approve any lane closures. To the extent possible, pedestrian traffic would be maintained via covered pedestrian walkways to ensure public safety. However, during some construction activities, it may be necessary to close sidewalks adjacent to the construction sites and temporarily re-route pedestrian traffic.

Traffic

Construction activities at the Farley Complex are expected to generate an average of approximately 400 workers on-site, with a maximum of between 750 and 1,000 workers on-site

during peak construction periods. The availability of public transit and the limited availability of low-priced parking at the project site can be expected to result in a significant number of construction workers using public transportation to commute to work. It is conservatively expected that on an average day, construction activities would generate approximately 80 worker automobiles; on a peak day, construction activities may generate between 180 and 240 worker automobiles. Construction worker trips tend to occur before the AM and PM peak hours (when traffic volumes and transit ridership are at their highest levels), with workers typically arriving on-site between 6:30 and 7:30 AM and departing between 3:30 and 4:30 PM. In addition, construction activities are expected to generate approximately 20 to 30 truck and delivery vehicle trips on an average day, and approximately 50 truck and delivery vehicle trips on peak construction days. Where feasible, the delivery of equipment and materials would take place directly on-site (rather than on-street) to minimize any traffic and/or pedestrian flow obstructions. However, lifting equipment would have to be located either in parking lanes or on sidewalks, and the delivery of equipment and supplies (primarily such structural elements as steel) would necessitate utilizing some street and/or sidewalk space.

A plan would be developed in coordination with the Mayor's Office of Construction to minimize disruptions to traffic and pedestrian flows during the construction period. At all locations where either curbside or moving lanes of traffic are closed, measures would be taken to provide the maximum number of moving lanes to maintain traffic flows.

Pedestrians

Pedestrians would experience some inconvenience during construction, for a period of about 3 years, especially at the sidewalks immediately adjacent to the Farley Complex along West 31st and West 33rd Streets, and Ninth Avenue. During this time, covered pedestrian walkways would be provided to ensure public safety. For varying periods of time, pedestrian traffic along the eastern side of Ninth Avenue adjacent to the Farley Complex, and the existing contra-flow truck access could be affected. It is not expected that pedestrian traffic along Eighth Avenue would be detoured, except for the periods of time involving work at the Farley Complex entrances, and around the new or relocated subway entrances. However, during some construction activities, it may be necessary to close sidewalks adjacent to the construction sites and temporarily re-route pedestrian traffic. Construction of the building at the Development Transfer Site would affect pedestrian traffic on West 33rd Street east of Eighth Avenue along the frontage of the Development Transfer Site and along the east side of Eighth Avenue between West 33rd and West 34th Streets. Because of their proximity to Penn Station and subway entrances, these sidewalks are more heavily used than those around the Farley Complex and therefore, to the extent feasible, covered pedestrian walkways would be provided to ensure public safety and minimize disruption of pedestrian traffic. However, during some construction activities, it may be necessary to close sidewalks adjacent to the construction sites and temporarily re-route pedestrian traffic to ensure public safety.

During the construction work to widen and extend the existing LIRR West End Concourse at the west end of Penn Station, some inconvenience to LIRR patrons using the platforms serviced by this concourse may occur. The inconvenience is expected to be of short duration, primarily while the extended concourse is connected to the existing concourse. In addition, at the far western end of the railroad platforms, new vertical transportation elements would be added to allow access from Moynihan Station. During construction of the escalators, elevators, and stairways, temporary enclosures would separate the construction work from the general public. Therefore, the main effect would be narrowing of the platforms for a period of time at their western ends. In

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addition, users of the Eighth Avenue subway may experience some inconvenience while certain stairways and corridors are widened as part of the construction of Moynihan Station. These construction efforts would be undertaken in coordination with NYCT.

Transit and Rail

There would be minimal disruptions to subways, or to Amtrak, LIRR, and NJT trains during the construction period. The track level work that could interfere with subway and train schedules would be carefully coordinated with the four operating railroads. The work would be scheduled for off-peak hours, and not during peak commuting times. The stair to the Eighth Avenue subway at the southwest corner of Eighth Avenue and 33rd Street would be closed during its relocation and reconstruction. In addition, prior to construction on any LIRR or NYCT controlled or shared areas within Penn Station, ESDC would develop a construction agreement with MTA and its constituent agencies, which would include measures to minimize, to the extent practicable, temporary disruptions to transit and railroad operations—including bathrooms, red cap services, and ticket sales facilities—and pedestrian circulation during the course of construction. For the Development Transfer Site building, new subway entrances would be constructed within the building line and some closures of the existing stairs on the east side of Eighth Avenue between West 33rd and West 34th Streets are likely while these new connections are constructed and the existing stairs are removed. The construction of these connections would be undertaken in coordination with NYCT, NJT, and the ARC project. These minor disruptions during off-peak hours are not considered to be significant adverse impacts.

AIR QUALITY

Fugitive Emissions

The most likely source of fugitive dust emissions from construction operations associated with the Project would come from demolition and construction activities. Most demolition activities would occur inside the Farley Complex or below it. No heavy earth moving equipment is expected to be used during construction at the Farley Complex, and limited use of such heavy equipment is expected for construction at the Development Transfer Site, as the existing garage foundations are already deep. All necessary measures would be implemented to ensure that the substantive standards set out in the New York City Air Pollution Control Code regulating construction-related dust emissions are met. As a result, no significant air quality impacts from fugitive dust emissions would be expected.

Engine Emissions

During construction, engine emissions may result from trucks delivering construction materials and removing debris, workers' private vehicles, disruptions in traffic near the construction site, and construction equipment. Local increases in mobile source emissions would be minimized by incorporating traffic maintenance requirements into the construction contract documents to ensure that: construction requiring temporary street closings for the relocation of utilities and for other purposes in heavily traveled areas would be performed, to the maximum extent possible, during off-peak hours; the existing number of traffic lanes would be maintained to the maximum extent possible; idling of delivery trucks or other equipment would not be permitted during periods when they are being unloaded or are not in active use; and there would be engine emissions controls for controlled fleets. Furthermore, all construction activities would be undertaken in accordance with strict emissions controls and construction practices, which would be part of any construction contracts for the construction Project, including the Development Transfer

Site. The emissions controls would substantially reduce diesel particulate matter (DPM) emissions from construction engines by use of electric power, use of ultra low sulfur diesel, and other best management practices.

The state-of-the-art construction emissions reduction program for the Project, committed to by the Project and enforced through construction contracts, would ensure the lowest practicable on-site emissions from construction engines, and as a result, no significant adverse impacts on air quality would occur during construction.

NOISE AND VIBRATION

Noise

Construction noise is regulated by the New York City Noise Control Code and by United States Environmental Protection Agency noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards, including, except under exceptional circumstances, the requirement that construction activities be limited to weekdays between the hours of 7 AM and 6 PM, unless otherwise approved, and that construction material be handled and transported in such a manner as not to create unnecessary noise. Construction equipment and procedures would be carefully chosen to ensure that the substantive standards set out in these laws are met, although nighttime and weekend construction work would occur for certain construction activities, to minimize any potential disruption to rail and subway service, as noted above, and as may be required for other construction work. Compliance with noise control measures would be committed to by the Project and ensured by including them in the contract documents as material specifications and by directives to the construction contractor. Based on the information presented above, construction activities for the Project are not expected to result in any significant adverse noise impacts.

Vibration

Construction activities have the potential to result in vibration levels that may in turn result in structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. In general, vibratory levels at a receiver are a function of the source strength (which in turn is dependent upon the construction equipment and methods utilized), the distance between the equipment and the receiver, the characteristics of the transmitting medium, and the receiver's structure and type of construction. Construction equipment operation causes ground vibrations which spread through the ground and decrease in strength with distance. Vehicular traffic, even in locations close to major roadways, typically does not result in perceptible vibration levels unless there are discontinuities in the roadway surface. With the exception of the case of fragile and possibly historically significant structures or buildings, generally construction activities do not reach the levels that can cause architectural or structural damage, but can achieve levels that may be perceptible and annoying in buildings close to a construction site. Prior to determining the appropriate requirements for the Project's CPPs, an assessment to quantify the potential vibration impacts of construction activities on structures and residences near the project site would be prepared. The CPPs would be prepared and implemented as necessary to avoid damage to any identified fragile buildings in the area.

A complaint response procedure would be implemented to promptly address community concerns and implement additional control methods where necessary. In addition, in advance of certain activities that are likely to result in vibrations, outreach to those in the surrounding

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blocks that could be affected would be conducted. Further, best management practices, such as low-impact machines and ground improvement to limit vibration, would be employed. With these measures in place, construction of the Preferred Alternative is not expected to have adverse noise or vibration effects during construction.

ES.4.13 PUBLIC SAFETY

Moynihan Station would be designed, built, and operated to comply with all relevant federal, state, and local safety regulations, including: the New York State Uniform Fire Prevention and Building Code; New York City Fire Department (FDNY) regulations; ADA regulations; and Occupational Safety and Health Administration (OSHA) regulations.

The Project would create a safe, and efficient intermodal transportation facility at the Farley Complex. The Preferred Alternative has been designed to help ease congestion of rail traffic, redirect pedestrian movements in the vicinity of the Penn Station Complex, and reduce overcrowding and conflicting movements of intercity and commuter rail users within the passenger terminal and connecting passages. Specifically, the Preferred Alternative would widen and improve the existing underground connection between the Farley Complex, the Eighth Avenue subway, and Penn Station so as to be ADA compliant. The Preferred Alternative would provide state-of-the-art emergency platform ventilation and security and emergency response and egress measures. Moynihan Station would include critical design elements and features that would adhere, to the maximum extent practicable, to guidelines established by the *National Fire Protection Association (NFPA) Standard 130: Standard for Fixed Guideway Transit and Passenger Rail Systems*. The Preferred Alternative would provide approximately 30 new vertical access points (stairs, escalators, and elevators) within Moynihan Station connecting its concourses to train platforms. These new vertical access points would provide access from the Farley Complex to and from platforms, resulting in additional passenger access/egress and circulation space that will relieve congestion at platform and concourse levels in the Penn Station Complex. In particular, with the Preferred Alternative, egress times from most platforms would be greatly improved.

Arrangements would be made among MSDC, PANYNJ, and the operating railroads for police services. Police forces in Moynihan Station would participate in the New York City Joint Terrorism Infrastructure Task Force, which also includes FDNY, the Federal Bureau of Investigation, and the U.S. Department of Homeland Security, as well as other federal, state, and city agencies and organizations. Through this task force, and by using outside security experts, the MTA police and NYPD are at the forefront of developing strategies to strengthen protections against terrorist threats at New York City's transportation facilities. A Terrorism and Risk Assessment would be updated in connection with the design work for Moynihan Station and the NYPD anti-terrorism task force would be consulted regarding the station design.

A safety and security management plan would be developed and integrated, to the extent appropriate, with existing security arrangements at Penn Station. Standard electronic security systems (e.g., security cameras to monitor security-sensitive areas) would be incorporated into the design of Moynihan Station as determined necessary by security planning protocols.

The Development Transfer Site building would comply with local code requirements, including fire and building codes, as applicable. It is expected that the Development Transfer Site building would implement its own site security plan, which would include measures such as the deployment of security staff and monitoring and screening procedures.

With the implementation of the security systems and safety measures associated with the design of the Preferred Alternative, no adverse impacts to safety or security would result from the Project.

ES.4.14 COMMITMENT OF RESOURCES

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Construction and operation of the Project would require the irreversible and irretrievable commitment of construction materials such as concrete, steel, wood, and other building materials. Energy in the form of fossil fuels and electricity would be consumed during construction and operation of the project. These materials are available and their use would not have an adverse impact on their continued availability for other purposes. In addition to materials, funding and human labor would be required to design, build, and operate the Project.

The Project involves the reuse of an existing historic building and the retention and restoration of the building exterior and portions of the interior. This aspect of the Project would reduce the amount of resources used, compared to new construction.

RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Short-Term Uses

Construction of the Project would have greater short-term impacts on the environment than the No Action Alternative. However, the temporary environmental impacts that would result from the proposed construction activities would not be significant.

Long-Term Productivity

The ability of transportation systems to serve major residential and employment centers is an essential component in economic growth and productivity in cities, as well as a key factor in improving the livability of surrounding neighborhoods. The new Moynihan Station would result in a significant improvement to the passenger experience and facilitate a better utilization of Penn Station. The station would also be an important element in extending the transportation hub westward in anticipation of the large amount of new development projected west of Ninth Avenue. In all, the Project would improve existing passenger service at Penn Station, accommodate new rail passengers, and would create more access to New York City for its residents, its daily workers and commuters, and tourists. Further, the additional commercial and mixed-use elements of the Project are complementary to the overall goals of the Hudson Yards area of Midtown. The Project would be a component of the longer-term viability of the intercity rail system and would promote the region's economic vitality. The Project would strengthen the central business district of Manhattan and facilitate transit-oriented development that is characterized by comparatively lower per capita emissions of carbon dioxide, the principal gas contributing to global climate change.

Short-Term Uses Versus Long-Term Productivity

The localized short-term impacts that would result from construction of the Project would not be significant, and would facilitate the maintenance and enhancement of long-term productivity in the region through the provision of improved intercity rail service.

ES.4.15 ENVIRONMENTAL JUSTICE

Following guidance of the federal Council on Environmental Quality (CEQ), a project's effects fall disproportionately on a community of concern for environmental justice if: (1) they are adverse and are predominantly borne by a minority population and/or low-income population; or (2) they would be suffered by the minority and/or low-income population and are appreciably more severe or greater in magnitude than the adverse impacts that would be suffered by the non-minority or non-low-income population. Consistent with the guidelines of the United States Department of Transportation (USDOT) for evaluating environmental justice, the determination of disproportionate impacts to minority and/or low-income communities involved consideration of cumulative effects on communities of concern; mitigation and enhancement measures and offsetting benefits to the affected minority and low-income communities; and the design, comparative impacts, and relevant number of similar system elements in non-minority and non-low-income neighborhoods.

The Project's potential adverse impacts would all be avoided or mitigated, thereby limiting the potential for any significant impacts. Further, the Project's potential impacts related to community facilities, historic resources, and traffic would potentially affect the entire study area, including non-minority and non-low-income neighborhoods, and the study area as a whole is not of concern for Environmental Justice. Therefore, the Project would not result in any disproportionately high and adverse impacts on environmental justice populations; accordingly, no additional mitigation measures are necessary to remedy such impacts.

Executive Order 12898 also requires federal agencies to work to ensure greater public participation in the decision-making process. In addition, CEQ guidance suggests that federal agencies should acknowledge and seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation. Furthermore, the USDOT's *Final Order on Environmental Justice* indicates that project sponsors should seek public involvement opportunities, including soliciting input from affected minority and low-income populations in considering alternatives. To this end, the Moynihan Station Development Project's public outreach and participation component required by Executive Order 12898 has been satisfied by the extensive public review process for the Project.

In particular, for the 2006 FEIS, a Draft Scoping Document was issued by the ESDC on January 31, 2005. The public was afforded the opportunity to review and comment on the Draft Scoping Document through February 28, 2005. During the comment period, a public scoping meeting was held in an afternoon session on February 16, 2005 at the Farley Post Office, Western Annex, Room 4500. A Final Scoping Document was issued on January 9, 2006. The DEIS, along with the Notice of Completion, was circulated to the general public, which began a public review period, during which time a public hearing was held to solicit comments on the DEIS on May 31, 2006, and remained open through June 30, 2006. Subsequent to completion of the FEIS, a public comment period was established with regards to ESDC's affirmation of the General Project Plan for the project.

ES.5 PUBLIC INVOLVEMENT AND AGENCY COORDINATION

The Project has been the focus of considerable community interest since it was initially proposed in 1994. Public involvement in the project has included numerous meetings with private agencies, elected officials, business organizations and leaders, Manhattan community boards,

and civic and community groups to ensure their concerns and ideas were incorporated into planning for the project.

In addition, consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 for the proposed development of an intermodal transportation facility in the Farley Complex has been underway since 1994. In 2006, a Programmatic Agreement was prepared in accordance with the Section 106 regulations and entered into by FRA, ESDC, MSDC, SHPO, and the conditionally designated developer. Also in 2006, a Memorandum of Agreement among the USPS, ESDC, and SHPO was executed in accordance with the Section 106 regulations and acknowledged by the Advisory Council on Historic Preservation for the transfer of the Farley Complex from the Postal Service to ESDC. As part of the ongoing Section 106 consultation, an amendment to the 2006 Programmatic Agreement has been prepared and will be entered into by FRA, ESDC, MSDC, SHPO, PANYNJ, the conditionally designated developer, and, if it elects to participate in the historic review process, the Advisory Council on Historic Preservation to satisfy FRA's Section 106 responsibilities, as well as to satisfy ESDC's New York State Historic Preservation Act responsibilities under state law and regulations.

ES.6 SECTION 4(f) EVALUATION

The historic properties analysis prepared for this EA, summarized above, concludes that no adverse effects are expected to the Farley Complex from the Preferred Alternative, so long as the final design conforms to the preliminary conceptual design reviewed by SHPO. FRA made a finding of no adverse effect for the Moynihan Station Development Project in 1999 when it issued a FONSI and in 2006 when it entered into the Programmatic Agreement with ESDC, MSDC, SHPO, and the conditionally designated developer. For the current Project, an amendment to the 2006 Programmatic Agreement has been prepared in accordance with the Section 106 regulations and will be entered into by FRA, ESDC, MSDC, SHPO, PANYNJ, the conditionally designated developer, and, if it elects to participate in the historic review process, the Advisory Council on Historic Preservation. The amended Programmatic Agreement, like the 2006 Programmatic Agreement, would state that SHPO does not expect any significant adverse effects to the Farley Complex, assuming the final design is developed in consultation with SHPO. In addition, the amended Programmatic Agreement, like the 2006 Programmatic Agreement, will establish a process for continued Project review with SHPO and for evaluating the effects on the Farley Complex caused by the Project. The amended Programmatic Agreement will be entered into to satisfy FRA's Section 106 responsibilities for the Project and is part of a Section 106 consultation process that has been underway since 1994. Based on the review that has been conducted with respect to the preliminary conceptual design, the Programmatic Agreement, and the amended Programmatic Agreement set forth in Chapter 4.2, "Historic Properties," FRA may determine that the Project would only have a *de minimis* effect on the Farley Complex within the meaning of Section 4(f) and hence would not trigger the alternatives analysis that would otherwise be required by the statute. *