Project Identification Number (PIN): X731.55
Hunts Point Interstate Access Improvement Project
Bronx County, New York

1 DECISION

This Joint National Environmental Policy Act (NEPA) / State Environmental Quality Review Act (SEQRA) Record of Decision and SEQRA Findings Statement (Joint ROD and Findings Statement) documents the Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) findings and decision to proceed with the proposed action as described in the Final Design Report/Final Environmental Impact Statement/Final Section 4(f) Evaluation (FDR/FEIS) (#FHWA-NY-EIS-18-01-F) for the Hunts Point Interstate Access Improvement Project (“the Project”).

This Joint ROD and Findings Statement is prepared in accordance with the National Environmental Policy Act (42 USC § 4321 et seq.), the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 CFR Parts 1500 to 1508), and the FHWA Environmental Impact and Related Procedures; Final Rule (23 CFR Part 771).

This Joint ROD and Findings Statement is also prepared in accordance with the NYSDOT Procedures for Implementation of SEQRA (17 NYCRR Part 15). The NYSDOT has given consideration to the facts and conclusions relied upon in the Federal FEIS and determined that the requirements of Article 8, Section 8-0109 of the New York Environmental Conservation Law (ECL) and implementing regulations have been met.

The FHWA and NYSDOT have selected the Build Alternative for the Project. This alternative is fully described in Chapter 3, Section 3.2.2 (Build Alternative) of the FDR/FEIS.

The single FDR/FEIS and ROD document is available on the Project website at: https://www.dot.ny.gov/southbronx/hunts-point.

2 PROJECT LOCATION

The Project is located on and in the immediate vicinity of the Hunts Point Peninsula, Bronx, New York. The limits of the Project along the existing roadway footprint are the intersection of Westchester Avenue and Sheridan Boulevard to the north and the intersection of East 141st Street and the Bruckner Expressway (Interstate 278) to the south. The eastern project limit on the Bruckner Expressway extends to Wheeler Avenue.

3 PROJECT PURPOSE, AND OBJECTIVES

The purpose of the Project is to provide improved access between the Hunts Point Peninsula and Sheridan Boulevard and the Bruckner Expressway for automobiles and trucks traveling to and from the commercial businesses located on the peninsula. In addition, the Project will address structural and operational deficiencies related to the existing infrastructure within the established project limits.

The following objectives have been established to further refine the Project purpose:
• Improve commercial access to the Hunts Point Food Distribution Center and other commercial establishments on the peninsula;
• Address identified geometric and operational deficiencies of the Bruckner-Sheridan Interchange;
• Replace the existing geometrically-deficient truss bridge over Amtrak and provide three continuous lanes on the Bruckner Expressway;
• Replace the concrete decks and repair other deteriorated elements of the Bruckner Expressway viaduct and ramps between East 141st Street and Evergreen Avenue; and
• Provide an improved pedestrian crossing at the Hunts Point Avenue intersection with Bruckner Boulevard.

4 PROJECT NEEDS

The needs of the Project are as follows:

• Improve interstate access to and from the Hunts Point Peninsula and the Hunts Point Food Distribution Center/commercial establishments;
• Improve operations and geometry;
• Address infrastructure deficiencies; and
• Improve the pedestrian crossing at the Hunts Point Avenue intersection with Bruckner Boulevard.

5 PROJECT BACKGROUND

The Bruckner Expressway was completed in 1973 and carries Interstate 278 (I-278) and portions of Interstate 95 (I-95), all within the Borough of the Bronx. The highway is approximately seven miles in length and extends from the Robert F. Kennedy (RFK) Bridge to the New England Thruway at the Pelham Parkway Interchange.

The Hunts Point Food Distribution Center was constructed on the Hunts Point Peninsula in 1962 due to its potential accessibility to rail, highway, and water transportation. Food products arrive at the Food Distribution Center via tractor-trailers, single-unit trucks, and rail, and are then sorted and distributed to stores throughout the five boroughs of New York City, Long Island, Westchester County, New Jersey, and New England via tractor-trailers, single-unit trucks, and commercial vans. The Hunts Point Peninsula is also home to many industrial and commercial properties outside of the Food Distribution Center.

As early as 1980, the NYSDOT identified the need for safety and traffic flow improvements at the Bruckner-Sheridan Interchange. The NYSDOT developed an Expanded Project Proposal (EPP) in 1997 for the Bruckner-Sheridan Expressway Interchange and Improved Access to the Hunts Point Peninsula Project. In 2002, the FHWA and NYSDOT initiated an Environmental Impact Statement (EIS) for that project. In 2012, the FHWA issued a notice to rescind the Notice of Intent (NOI) for that EIS. As documented in the notice, the EIS was terminated to reprioritize available funding to address more critical work in the corridor (i.e., the poor condition of the Bruckner Expressway viaduct).

On May 22, 2017, the FHWA published an NOI in the Federal Register to prepare an EIS for the current Project. The Project Scoping Report was released to the public in January 2018 and is available on the project website at: (https://www.dot.ny.gov/southbronx/repository/X73155_Project_Scoping_Report_1-2018.pdf).

The Draft Design Report/Draft Environmental Impact Statement/Draft Section 4(f) Evaluation (DDR/DEIS) was prepared to document the evaluation of the Build Alternative and describe the studies, reviews, consultations and coordination that were conducted for the Project. The Notice of Availability of the DEIS was published in the Federal Register on June 1, 2018. In consideration of comments received on the DDR/DEIS, the NYSDOT, in cooperation with the FHWA, prepared the FDR/FEIS and ROD for the Project. The FHWA is issuing a single FEIS and ROD document pursuant to 23 CFR 771.124.

The Project connects logical termini and is of sufficient length to address environmental matters on a broad scope; has independent utility; and will not restrict consideration of alternatives for other reasonably foreseeable transportation improvements. A technical report was prepared to support the decision to advance the Arthur Sheridan Enhancement Project (i.e., the de-designation of the former Sheridan Expressway (Interstate 895) to an urban arterial boulevard) and the Hunts Point Interstate Access Improvement Project as two independent actions. The technical report is included in Appendix B of the Project Scoping Report, and documents that the reasonable alternatives for each of the proposed actions would address a unique set of identified needs and meet the discrete purpose and objectives established for each of the respective projects. The de-designated highway (“Sheridan Boulevard”) was incorporated as part of the No Build and Build Alternatives for the Hunts Point Interstate Access Improvement Project.

As described in Chapter 5 (Public Involvement) of the FDR/FEIS, the FHWA and NYSDOT have provided meaningful opportunities for public and agency participation and engagement throughout the development of the Project and will continue to provide opportunities for public involvement during construction. The activities and methods for involving the public in the Project were developed in consideration of the local minority and low-income communities (e.g., holding meetings within the local communities near public transportation routes, advertising meetings in locations that are frequented by the local communities).

Public scoping meetings for the Project were held on June 27, 2017 and September 18, 2017. Thirty (30)-day public comment periods followed each of the public scoping meetings. Comments received during the scoping process were considered and substantive comments responded to in the Project Scoping Report. A 60-day public comment period followed the June 1, 2018 release of the DDR/DEIS to the public. The original 45-day comment period was extended based on the lead agencies’ desire to allow interested parties sufficient time to review and provide comments on the DDR/DEIS. Public hearings for the Project were held on June 20, 2018 and June 27, 2018, during the DDR/DEIS public comment period. The lead agencies also accepted and considered additional comments on the DDR/DEIS from the Southern Bronx River Watershed Alliance and Rocking the Boat, Inc. until March 6, 2019. The comments received on the DDR/DEIS, including those provided at the public hearings, are included and substantive comments responded to in Appendix W of the FDR/FEIS.

The NYSDOT also presented the Project at local Community Board Meetings. Following the NYSDOT presentations, comments and questions were received about the Project.

The following agencies were invited to serve as Cooperating Agencies for this Project:
Monthly Cooperating Agency conference calls and individual meetings with agencies have occurred throughout the EIS process.

The following agencies/parties were invited to serve as Participating Agencies for this Project:

- New York State Department of Health (NYSDOH)
- Metropolitan Transportation Authority (MTA)
- New York Metropolitan Transportation Council (NYMTC)
- MTA – New York City Transit (NYCT)
- New York City Department of Transportation (NYCDOT)
- New York City Department of City Planning (NYCDCP)
- New York City Economic Development Corporation (NYCEDC)
- New York City Department of Environmental Protection (NYCDEP)
- New York City Department of Parks and Recreation (NYC Parks)
- New York City Department of Sanitation (DSNY)
- New York City Mayor’s Office of Environmental Coordination
- Amtrak
- CSX

Meetings were held with the Participating Agencies during the EIS process to discuss project-related topics as appropriate.

The Project website (https://www.dot.ny.gov/southbronx/hunts-point) was established at the initiation of the scoping process to provide information about the Project. The site has also provided a continuous means for the public to submit comments on the Project. The website was updated throughout the EIS process.

6 ALTERNATIVES CONSIDERED

The alternatives that were considered for the Project consisted of the Build Alternative and the No Build Alternative. Several concepts were considered during the scoping process of the Project and subsequently dismissed from further study. Details regarding those concepts and the reasons for their dismissal are documented in the Project Scoping Report and in Section 3.1 (Concepts Dismissed from Further Consideration) of the FDR/FEIS.

6.1 NO BUILD ALTERNATIVE

The No Build Alternative assumes no improvements in the Study Area other than those that are independent of the Project and/or implemented as part of routine maintenance by the NYSDOT and/or others. Although the No Build Alternative does not meet the project purpose and objectives, NEPA
requires that it be evaluated. The No Build Alternative serves as the baseline condition against which the potential effects of the Build Alternative are evaluated.

6.2 BUILD ALTERNATIVE (SELECTED ALTERNATIVE)

In consideration of comments received throughout the development of the Project, including those received on the DDR/DEIS and from the public hearings, the FHWA and NYSDOT have selected the Build Alternative for the Project.

The Build Alternative will improve vehicular access to the Hunts Point Food Distribution Center via the Bruckner Expressway and Sheridan Boulevard by constructing a split interchange at Edgewater Road and Leggett Avenue. Two new ramps (Ramps BL and LB) to and from the westbound Bruckner Expressway will be constructed at Leggett Avenue, allowing westbound Bruckner Expressway traffic to access and egress the Hunts Point Peninsula via Leggett Avenue. Three ramps (Ramp SE, Ramp ESS, and Ramp ESN) to and from Edgewater Road will allow the eastbound traffic from Bruckner Expressway and southbound traffic from Sheridan Boulevard to access the Hunts Point Peninsula and will also allow traffic to exit the Hunts Point Peninsula onto northbound Sheridan Boulevard. See Appendix A of the FDR/FEIS for plans, profiles, and typical sections.

The Build Alternative will incorporate the following features:

- **Ramp SE** – Exit ramp from the eastbound Bruckner Expressway and collector-distributor road to Edgewater Road. This ramp will accommodate traffic coming from the south and west on the Major Deegan Expressway and RFK Bridge heading to the Food Distribution Center via exit Ramp SE to Edgewater Road. From Edgewater Road, vehicles could access the Food Distribution Center and other Hunts Point Peninsula locations.

- **Ramp ESS** – Exit ramp from the Sheridan Boulevard to Edgewater Road. This ramp will accommodate traffic coming from the north on the Cross Bronx Expressway and Sheridan Boulevard heading to the Food Distribution Center via Edgewater Road. From Edgewater Road, vehicles could access the Food Distribution Center and other Hunts Point Peninsula locations.

- **Ramp ESN** – Entrance ramp from Edgewater Road to the Sheridan Boulevard northbound. This ramp will accommodate traffic exiting the Food Distribution Center and heading north to the Sheridan Boulevard and Cross Bronx Expressway. Vehicles could exit the Food Distribution Center and other Hunts Point Peninsula locations via Edgewater Road and travel north on the Sheridan Boulevard.

- **Ramp BL** – Exit ramp from the westbound Bruckner Expressway to Leggett Avenue. This ramp will accommodate traffic coming from the east on the Throgs Neck Bridge and the Bruckner Expressway to the Food Distribution Center via Ramp BL to Leggett Avenue. From Leggett Avenue, vehicles could access the Food Distribution Center and other Hunts Point Peninsula locations.

- **Ramp LB** – Entrance ramp from Leggett Avenue to the westbound Bruckner Expressway. This ramp will accommodate traffic heading south and west to the Major Deegan Expressway and RFK Bridge. Vehicles could exit the Food Distribution Center and other Hunts Point Peninsula locations via Leggett Avenue and travel on the westbound Bruckner Expressway.
Slip ramp – Entrance from Edgewater Road via a right turn onto Bruckner Boulevard eastbound connected by a slip ramp to the eastbound Bruckner Expressway. This slip ramp will replace the existing entrance ramp near Whittier Street and accommodate traffic heading east to the Bruckner Expressway and Throgs Neck Bridge. Vehicles could exit the Food Distribution Center and other Hunts Point Peninsula locations via Edgewater Road and travel on the eastbound Bruckner Expressway.

Ramp SN – Exit ramp from the eastbound Bruckner Expressway to the northbound Sheridan Boulevard. The existing exit ramp will be replaced with a single-lane ramp to accommodate the improved interchange geometric design and will improve the vertical clearance over the Bruckner Expressway. The ramp will be widened to a two-lane collector-distributor roadway to the exit ramp (Ramp SE) that leads to Edgewater Road.

Ramp SS – Entrance ramp from the southbound Sheridan Boulevard to the westbound Bruckner Expressway. The existing ramp will be relocated and replaced with a single-lane ramp to the right side of the travel way.

Shared-Use Path – A shared-used path for pedestrians and bicyclists connecting Garrison Park and Concrete Plant Park will be constructed. The connection will be an underpass beneath the Bruckner Expressway/Boulevard at the western approach to the Eastern Boulevard Bridge.

Garrison Park Improvements – Improvements to Garrison Park will include a shared-use path, landscaping, viewing platforms, and a formal entrance with a signalized rail crossing. A sidewalk along Edgewater Road will also be constructed.

The Bruckner-Sheridan Interchange will be reconstructed to improve geometric deficiencies and provide three continuous lanes for the eastbound/westbound Bruckner Expressway. Vehicles will continue to be able to make right turns heading north from Edgewater Road onto Bruckner Boulevard eastbound. The Bruckner Expressway entrance ramp at Whittier Street will be relocated east to allow Edgewater Road vehicles to enter the expressway. The segments of the existing Bruckner Expressway will be replaced to accommodate the new entrance and exit ramps. The Bruckner Expressway truss bridge over the railroad (BINs 2075351 and 2075352) will be replaced to accommodate the proposed alignments. Bruckner Boulevard will be reconstructed to accommodate new horizontal and vertical alignments from Hunts Point Avenue to Bronx River Avenue and structural deficiencies in existing infrastructure will be addressed. It is anticipated that the proposed geometry at the Bruckner Expressway will result in a lower crash rate when compared to existing conditions, thereby reducing delays in traffic in both directions, as the geometric deficiencies will be improved.

The northbound Bruckner Boulevard entrance ramp at Hunts Point Avenue (Ramp N, BIN 106666H) will be removed and traffic heading to northbound Sheridan Boulevard via the Bruckner-Sheridan Interchange will use Ramp ESN on Edgewater Road. Additionally, Ramp RE (also known as the East 138th Street Ramp/Ramp E) from the Bruckner Expressway westbound to Bruckner Boulevard will be relocated to Leggett Avenue to accommodate the new access Ramp LB from Leggett Avenue to the Bruckner Expressway westbound. The distance between the proposed ramps at Edgewater Road and Leggett Avenue is approximately one mile.
The intersection of Hunts Point Avenue and Bruckner Boulevard will be redesigned with wider medians and shorter crosswalks to improve pedestrian crossings. The Bryant Avenue Pedestrian Bridge will be replaced compliant with the procedures set forth in the NYSDOT Highway Design Manual Chapter 18, which is consistent with the Americans with Disabilities Act (ADA). The intersection of Lafayette Avenue and Edgewater Road will be reconstructed to provide improved pedestrian access to Hunts Point Riverside Park and Rocking the Boat. Improvements will include curb extensions that will result in shorter pedestrian crosswalks. A new Edgewater Road crossing with a pedestrian actuated signal will be installed at Edgewater Road and Garrison Avenue to provide a protected pedestrian crossing at Edgewater Road and improved access to Garrison Park. No work will be done on the bascule spans of the Eastern Boulevard Bridge or the bridge carrying the Bruckner Expressway and Bruckner Boulevard over the CSX freight line to the Hunts Point Food Distribution Center.

In consideration of comments received on the DDR/DEIS, design modifications were made to the Build Alternative between the public release of the DDR/DEIS and the FDR/FEIS and ROD. These design modifications consist of the following:

- A new shared-use path with two-way bicycle lane (greenway) in the Bruckner Boulevard median from Southern Boulevard to Longwood Avenue was added to connect to an existing greenway at Longwood Avenue;
- The eastbound Bruckner Boulevard outer lanes at Hunts Point Avenue were converted to right turn only;
- The pedestrian crossing at Hunts Point Avenue was re-designed to include wider medians and shorter crosswalks to reduce the pedestrian crossing distances;
- A new five-foot wide sidewalk was added on the east side of Edgewater Road from Bruckner Boulevard to the new formal Garrison Park entrance;
- A new 10-foot wide minimum shared-use path was added on the west side of Edgewater Road from Bruckner Boulevard to Lafayette Avenue and Hunts Point Riverside Park;
- The new underpass from Garrison Avenue at Edgewater Road was realigned to provide direct access to the new formal Garrison Park entrance;
- A new shared-use path along westbound Bruckner Boulevard from Bronx River Avenue to Whitlock Avenue was added to tie the existing bicycle path to Concrete Plant Park;
- The sidewalk improvements along Bryant Avenue from the pedestrian bridge eastern touchdown to Garrison Avenue were extended with new curb ramps;
- The nonstandard features on Ramp LB (entrance ramp to westbound Bruckner Expressway) were eliminated;
- At Edgewater Road and the proposed Edgewater Road ramp (Ramps ESS/ESN), the embankment was eliminated and the ramp placed on piles; and
New park and community amenities were added, including the planting of evergreen trees to screen Ramps ESS/ESN from Concrete Plant Park; incorporation of water connections for maintenance and security cameras for Garrison Park; and addition of 15,000 square feet of community space area with lighting, pavement and gates under the Bruckner Expressway east of Bronx River Avenue.

6.3 ENVIRONMENTALLY PREFERRED ALTERNATIVE

The Council on Environmental Quality (CEQ) regulations state that the agency, in issuing its ROD, shall specify the alternative or alternatives that are considered environmentally preferable. The guidance issued by CEQ indicates that the environmentally preferred alternative is the one that meets the project purpose and need and causes the least harm to the natural and physical environment. Based on the evaluations and analyses conducted during the EIS process for this Project, the Build Alternative, as described above, is deemed the environmentally preferred alternative.

7 FACTORS IN THE DECISION MAKING PROCESS, INCLUDING MEASURES TO MINIMIZE HARM

The FHWA and NYSDOT have selected the Build Alternative based upon a balanced consideration of the need for safe and efficient transportation; of the social, economic, and environmental effects of the proposed transportation improvement; and of national, state, and local environmental protection goals. The environmental effects of the Build Alternative were considered along with social and economic factors and the ability of the Build Alternative to achieve the purpose and objectives of the Project. The Build Alternative will address the following deficiencies as compared to the No Build Alternative:

- **Interstate access to and from the Hunts Point Peninsula and the Hunts Point Food Distribution Center/commercial establishments:** The lack of direct connections to the Hunts Point Peninsula results in congestion and extended travel times on the affected local streets. Thus, there is a need to provide improved interstate access to and from the Hunts Point Peninsula and the Food Distribution Center/commercial establishments. The Build Alternative will improve commercial access to the Hunts Point Food Distribution Center and other commercial establishments on the peninsula. The Build Alternative will improve vehicular access to the Hunts Point Food Distribution Center via the Bruckner Expressway and Sheridan Boulevard by constructing a split interchange at Edgewater Road and Leggett Avenue.

- **Operations and geometry:** The design of the existing Bruckner-Sheridan Interchange is non-standard. The Bruckner Expressway narrows from three lanes to two lanes at the interchange area. The Bruckner Expressway has sharp non-standard horizontal and vertical curvature, which contributes to a high rate of accidents. The existing geometry causes vehicles to slow down when approaching the interchange, delaying traffic in both directions of the Bruckner Expressway and causing queues that can extend over a mile upstream from the interchange. Thus, there is a need to address the existing geometric features of the Bruckner-Sheridan Interchange to improve operations. The Build Alternative will address identified geometric and operational deficiencies of the Bruckner-Sheridan Interchange. The Bruckner-Sheridan Interchange will be reconstructed to provide three continuous lanes for the eastbound/westbound Bruckner Expressway.

- **Infrastructure deficiencies:** The truss bridge carrying the westbound Bruckner Expressway and Bruckner Boulevard over Amtrak, as well as the Bruckner Expressway viaduct and ramps, have
infrastructure deficiencies. The Build Alternative will replace the existing geometrically-deficient truss bridge over Amtrak and provide three continuous lanes on the Bruckner Expressway. The Build Alternative will replace the concrete decks and repair other deteriorated elements of the Bruckner Expressway viaduct and ramps between East 141st Street and Evergreen Avenue.

- **Pedestrian crossing at the Hunts Point Avenue intersection with Bruckner Boulevard:** Due to the lack of interstate ramps to the commercial establishments on the peninsula, trucks are required to travel along Bruckner Boulevard and make a series of right and left turns to enter and exit the peninsula. Conflicts with pedestrians are especially acute at the Hunts Point Avenue and Bruckner Boulevard intersection. Thus, there is a need to improve the pedestrian crossing at the Hunts Point Avenue intersection with Bruckner Boulevard. The Build Alternative will include pedestrian improvements at this intersection.

The environmental record for the Hunts Point Interstate Access Improvement Project includes the DEIS and Draft Section 4(f) Evaluation and the FEIS and Final Section 4(f) Evaluation. These documents, incorporated here by reference, constitute the statements required by NEPA (42 USC 4321 et seq), 23 CFR Part 771, and 17 NYCRR Part 15.

Consistent with NEPA and SEQRA, the FEIS identifies and provides a discussion of:

- The social, economic, and environmental effects of the Project;
- Measures to mitigate the adverse effects of the Project;
- The adverse environmental effects that cannot be avoided;
- A reasonable range of alternatives for the Project; and
- Irreversible and irretrievable effects on the environment that may result from the Project should it be implemented.

As documented in the FDR/FEIS, the FHWA and NYSDOT assessed the potential social, economic, and environmental effects from the construction and operation of the Build Alternative. The FHWA and other federal agencies have promulgated specific methodologies and criteria to assess potential environmental effects under NEPA, which were followed in the completion of the technical analyses in the FDR/FEIS. Where specific criteria are not provided by federal agencies, the FDR/FEIS relied on the NYSDOT Environmental Manual (TEM) procedures and guidance.

As documented in the FDR/FEIS, the Build Alternative will not result in unmitigated adverse environmental effects.

The sections below discuss the effects resulting from the Build Alternative.

**Neighborhood and Community Cohesion**

The Build Alternative will not divide neighborhoods, isolate communities, or generate new development and has limited potential to affect development trends. The Build Alternative will reroute truck traffic away from residential neighborhoods and provide pedestrian and bicyclist improvements throughout the residential portions of the Hunts Point neighborhood that have been historically affected by truck traffic utilizing local streets. The ability of pedestrians and bicyclists to move more efficiently throughout their neighborhoods will improve the cohesiveness of the community. Surrounding neighborhoods will also see improved connectivity to community facilities and to waterfront parks in the Study Area due to the proposed connection between Concrete Plant Park and Garrison Park, proposed pedestrian improvements, and decreased traffic on local roadways. The Build Alternative will retain the existing bicycle path and
make permanent the existing temporary bicycle path in the median from Longwood Avenue to Whitlock Avenue. The Build Alternative will also complete the missing two-way bicycle connections along Bruckner Boulevard from Southern Boulevard to Whitlock Avenue. The Build Alternative will also include adding 15,000 square feet of community space area with lighting, pavement and gates under the Bruckner Expressway east of Bronx River Avenue.

Environmental Justice
Consistent with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and FHWA Order 6640.23A, FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and using federal guidance documents, the potential for the Build Alternative to result in disproportionately high and adverse effects to environmental justice populations was assessed. Based on this assessment, it was determined that short-term construction-related effects to environmental justice communities are unavoidable. However, the effects are not expected to remain adverse after mitigation measures are implemented. Overall, the Build Alternative will not result in disproportionately high and adverse effects to environmental justice communities. The reduction of truck traffic on local streets, improved pedestrian and bicyclist connectivity, and enhancements to Garrison Park will result in beneficial effects to the environmental justice communities within the Study Area.

Public meetings for the Project have been sited, scheduled, and planned to provide meaningful opportunities for participation by minority and/or low-income populations. The scoping meetings and public hearings were held near public transportation routes, including the 2, 5, and 6 trains and several bus lines, and were located within communities with identified low-income and/or minority populations. In addition, the NYSDOT presented the Project at eight Community Board Meetings. During construction of the Project, a centrally located, on-site project office will be established to accommodate drop-in visitors who have questions, comments, and/or concerns about ongoing and upcoming construction activities. The office will be staffed by at least one full-time person and open during standard work hours (i.e., 9:00 AM to 5:00 PM) or as needed. In addition, a community liaison will be designated to provide open communication during construction of the Project.

Economic Conditions
Under the Build Alternative, economic conditions in the Bronx are expected to improve. The Project will aid in the movement of vehicles on the peninsula, thereby enhancing business activity in the region. The Build Alternative will not adversely affect the local economy of the Hunts Point Peninsula. The Build Alternative will help to sustain the Hunts Point Food Distribution Center by improving access to the peninsula for trucks and other vehicles. Improved access and travel time savings will promote more efficient operations at the Hunts Point Food Distribution Center.

The Build Alternative will not require the acquisition of any residential property. The Build Alternative will require the full acquisition of two business properties and a permanent easement and temporary easement on a third business property. The acquisition of the two business properties will result in a loss of property tax revenue, assuming that the businesses do not relocate elsewhere within the city, but this will have a minimal effect on the tax base (less than a 100th of a percent). Since the third business property will only be affected temporarily by construction and permanently by an easement, business operations are expected to continue. There is no expected reduction in property taxes associated with the easements on this property. The NYSDOT will follow the Uniform Relocation Assistance and Real Property Acquisition Act and New York State Eminent Domain Procedure Law when acquiring the properties.
The Build Alternative will permanently affect one of the entrances to the property at 913 Edgewater Road (Block 2761, Lot 227), owned by Proof Holdings Ltd. The business on this property has a driveway on Edgewater Road that will be blocked by the proposed Edgewater Road ramps; however, access will be maintained for the two entrances to the property on Whittier Street. The building on the property will require renovation to accommodate the reconfigured ingress and egress.

In addition, the Build Alternative will require a Fee Without Access for the property located at 960 Whittier Street (Block 2759, Lot 28). The 10-foot wide Fee Without Access will be required on the rear of the property, along Edgewater Road, to facilitate the construction of the new shared-use path along the west side of Edgewater Road and to limit future access to Edgewater Road. This acquisition will not displace the business, as access to the property is off of Whittier Street, and the building will remain. The Build Alternative will result in no other effects to this property. The Fee Without Access on this property will result in a reduction in property taxes amounting to less than a 100th of a percent of the total tax base.

Wetlands
The Build Alternative will not result in permanent impacts to wetlands under either state or federal jurisdiction. The proposed stormwater outfall will be placed in the existing rip rap along the armored shoreline of the Bronx River. Since there are no impacts to state or federal jurisdictional wetlands, Executive Order 11990 does not apply to the Project. Impacts to the state and federal jurisdiction open waters of the Bronx River are discussed in “Surface Waters and Waterways” below.

Surface Waters and Waterways
The Build Alternative will involve the construction of a stormwater outfall pipe and gravel/rip rap apron within the bed of Garrison Avenue, south of Garrison Park, as well as a retaining wall in Concrete Plant Park along the Bronx River for the shared-use path connection. The Bronx River is subject to the jurisdiction of the NYSDEC as a waters of the state pursuant to Articles 15 and 25 of the Environmental Conservation Law. Anticipated permits include an Article 25 Tidal Wetland Permit, Article 15 coordination with NYSDEC pursuant to the 1997 NYSDEC/NYSDOT Memorandum of Understanding Regarding ECL Article 15, and a Section 401 Water Quality Certification for the proposed stormwater outfall and shared-use path connection retaining wall.

The Bronx River is subject to federal jurisdiction as a Waters of the U.S. pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. Anticipated permits include a Nationwide Permit #7 (Outfall Structures and Associated Intake Structures) from the USACE for the proposed stormwater outfall and a Nationwide Permit #33 (Temporary Construction, Access, and Dewatering) for the retaining wall.

Surface water impacts from the proposed stormwater outfall apron will be limited to approximately 95 square feet (0.002 acres) of permanent fill below the mean higher high water (MHHW) line and 280 square feet (0.006 acres) of temporary disturbance to NYSDEC tidal wetlands below the MHHW line. As stated above, the proposed stormwater outfall will include the placement of fill (rip rap) below the MHHW line for scour protection; however, the location of the proposed stone apron will be within the existing rip rap/shoreline armoring. The construction of the proposed stormwater outfall will result in 32 square feet (0.001 acres) of disturbance and 254 square feet (0.006 acres) of temporary disturbance to the NYSDEC jurisdictional tidal wetland Adjacent Area. The construction of the proposed stormwater outfall is subject to permitting under use #44 of Article 25 of the ECL.
The construction of the proposed shared-use path retaining wall will result in 13 square feet (0.0003 acres) of disturbance and 638 square feet (0.014 acres) of temporary disturbance to the NYSDEC jurisdictional tidal wetland Adjacent Area. The use of barge-mounted equipment for the construction of the proposed shared-use path retaining wall will involve vegetation clearing along the existing rip rap/shoreline armoring for construction access, resulting in 231 square feet (0.005 acres) of temporary disturbance to NYSDEC tidal wetland. The proposed retaining wall will not result in permanent impacts below the MHHW line. The construction of the proposed shared-use path retaining wall is subject to permitting under use #29 of Article 25 of the ECL.

In total, the Project will result in approximately 95 square feet (0.002 acres) of permanent fill and 511 square feet (0.012 acres) of temporary disturbance to NYSDEC jurisdictional tidal wetlands, 45 square feet (0.001 acres) of permanent disturbance to NYSDEC jurisdictional tidal wetland Adjacent Area, and 892 square feet (0.02 acres) of temporary disturbance to NYSDEC jurisdictional tidal wetland Adjacent Area.

All in-water work will occur outside of time of year restrictions set by regulatory agencies. Potential impacts resulting from upland construction activities, such as turbidity or pollution from stormwater runoff, will be managed through erosion and sediment control best management practices (BMPs). It is anticipated that compensatory mitigation will not be required since the area of impact (0.002 acres of permanent fill below the MHHW line) is less than the 0.1 acres mitigation threshold in the 2017 Nationwide General Permit Condition 23 (Mitigation).

Navigable Waters
The proposed new stormwater outfall and the shared-use path retaining wall will be located on the western shoreline of the Bronx River. The proposed stormwater outfall rip rap apron will be partially waterward of the MHHW line, but will be within the existing rip rap/shoreline armoring. The proposed shared-use path retaining wall will be located beyond the landward limits of the MHHW line. Therefore, the proposed stormwater outfall apron and the shared-use path retaining wall will not be located within the navigable channel and will not impair the usefulness of the channel or be injurious to the public interest.

The pedestrian underpass shared-use path connection will require reconstruction of the Eastern Boulevard Bridge west approach. The reconstruction of the Eastern Boulevard Bridge west approach for the pedestrian underpass shared-use path connection will not interfere or obstruct navigable waters of the U.S., or alter the vertical or horizontal clearances, the type of structure, or navigational conditions. The proposed construction methodology for the shared-use path retaining wall includes the use of barge-mounted construction equipment. During construction, a portion of the barge will be within the navigational channel. A Notice to Mariners and any other required notification will be issued in coordination with the local USCG Sector NY Waterways Management Office.

Floodplains
Construction of the Build Alternative will constitute a negligible amount of fill material and will not result in a change to the 100-year floodplain of the Bronx River, and therefore, will not cause an increase in flood levels in the surrounding areas.

The proposed stormwater treatment chamber and outfall piping will be installed below grade, with no net fill in the floodplain. The shared-use path retaining wall and fill associated with the extension of the shared-use path will total less than one cubic yard of fill in the 100-year floodplain.
The design of the new roadway and structures will result in a net increase of approximately 0.76 acres of impervious surfaces. The new impervious surfaces associated with the roadway improvements will not be located within the 100-year floodplain.

There are no practicable build alternatives that would avoid impacts to floodplains; however, impacts will be negligible and will not cause an increase in flood levels in surrounding areas.

In accordance with Executive Order 11988 and the provisions of 6 NYCRR 502 - Floodplain Management for State Projects, this action has been considered and evaluated for the practicality of alternatives to any floodplain encroachments. As a result of this evaluation, it is concluded that: (1) a significant encroachment does not exist; (2) there is no significant potential for interruption or termination of a transportation facility which is needed for emergency vehicles; and (3) there are no significant impacts on natural beneficial floodplain values.

Coastal Resources
The Project is located within the state-designated Coastal Area, as well as the boundaries of the New York City Waterfront Revitalization Program (NYC WRP). Thus, a Federal Aid Notification letter and a State Coastal Assessment Form were submitted to the NYSDOS. The NYSDOS issued a general concurrence consistency determination and stated that the Project will be consistent with the NYS coastal management program policies. The NYSDOS stated that it had no objection to the use of FHWA funds for this activity.

A coastal consistency review was performed, which included the assessment of effects of the Project and consistency with the 44 policies of the New York State Coastal Management Program (NYS CMP) and the 10 policies of the NYC WRP. The Project was found to be consistent with the majority of the policies of the NYS CMP and NYC WRP, such as the general policy (protection of valuable coastal resources), water and air resources policies, and fish and wildlife policies. Several of the NYS CMP and NYC WRP policies were found to be "not applicable" to the Project, such as the development policies, agricultural lands policies, and energy and ice management policies. Moreover, the Project was found to promote NYS CMP and NYC WRP policies pertaining to public access and recreation policies.

A NYC Consistency Assessment was submitted to the NYCDCP and NYSDOS requesting a coastal consistency concurrence and consistency determination. The NYCDCP Waterfront Open Space Division, on behalf of the New York City Coastal Commission, stated that the Project will not substantially hinder the achievement of any NYC waterfront revitalization program (WRP) policy, and that it is consistent with the WRP policies and the local program.

Stormwater Management
Most of the Project (96%) will consist of reconstruction of roadways along similar horizontal and vertical alignments. The drainage systems for the redevelopment area will be similar to the existing systems. No additional runoff volume will be added to the existing combined sewer system as a result of redevelopment. There are no plans for additional treatment within the redevelopment areas other than scheduled maintenance and cleaning. The proposed drainage design will follow NYCDEP requirements for sewers. The remaining 4% of the Project consists of the proposed Edgewater Road ramps (Ramps SE, ESS, and ESN), which will require the construction of new drainage features. The proposed new development will be paved, impervious area.
The Build Alternative will result in an increase of 0.76 acres of impervious area. The proposed stormwater management practices will include an in-ground hydrodynamic separator unit and an outfall into the Bronx River. The proposed stormwater treatment practice will have a documented removal efficiency greater than or equal to the performance criteria required in the State of New York (i.e., 80% total suspended solids removal and 40% total phosphorus removal).

Stormwater from the Project will be managed to reduce direct discharges of sediment to the East River and the Bronx River. A Stormwater Pollution Prevention Plan will be developed and construction work will be progressed under the NYSDEC State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity. A SWPPP will be required for compliance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-15-002). The SWPPP will include an Erosion and Sediment Control Plan and stormwater management practices to provide for pollutant removal (water quality controls). The stormwater management plan for the Project will provide improvements over existing conditions.

General Ecology
The entire Study Area has been previously disturbed; therefore, all impacts under the Build Alternative will be in previously developed and disturbed areas. Some species may be temporarily disturbed during construction due to noise, vibrations, or temporary displacement. Vegetation clearing may temporarily displace some species. However, the species found within the Study Area are adapted to heavily disturbed and developed urban environments.

The proposed stormwater outfall and shared-use path will require approximately 0.5 acres of tree clearing within Garrison Park and Concrete Plant Park. The shared-use path will be approximately 15 feet in width within the parks. A site inspection was conducted on June 7, 2017, which included the identification of Migratory Bird Treaty Act (MBTA) protected bird species habitat with the potential for breeding in the Study Area. Prior to vegetation clearing, a pre-construction nest survey will be completed to identify any active nests of bird species protected by the MBTA. Should the presence of active nests of MBTA protected bird species be present/identified within the work zone, tree cutting will occur during the fall or winter seasons, outside of the species nesting and fledging period and coordination with the FHWA will occur. The construction of the stormwater outfall and shared-use path will not result in adverse effects to species present within these parks.

The Build Alternative will include strategies to minimize the spread of invasive species.

Threatened and Endangered Species
The official species list generated by the U.S. Fish and Wildlife Service Information, Planning and Conservation (IPaC) database listed one Endangered Species Act (ESA)-protected species with the potential to be present in the Study Area: the piping plover (Charadrius melodus). A review of the National Oceanic and Atmospheric Administration (NOAA) Greater Atlantic Region Consultation Areas for Section 7 of the ESA resulted in the identification of six marine species that have the potential to be present in the Study Area, including: Atlantic sturgeon (Acipenser oxyrhynchus), shortnose sturgeon (Acipenser brevirostrum), green turtle (Chelonia mydas), Kemp’s ridley turtle (Lepidochelys kempii), leatherback turtle (Dermochelys coriacea), and loggerhead turtle (Caretta caretta).

A Biological Evaluation was prepared to document the potential effects of the Build Alternative on these species. The NYSDOT made preliminary determinations of “No effect - no habitat” for the piping plover, green turtle, Kemp’s ridley turtle, loggerhead turtle, and leatherback turtle and “may affect, not
likely to adversely affect” for the Atlantic sturgeon and shortnose sturgeon. Furthermore, pursuant to 6 NYCRR Part 182, the NYSDOT has determined that the Project is not likely to result in a take or taking of the aforementioned species, and is therefore not subject to regulation under this Part.

The FHWA concurred with the NYSDOT ESA effect determination. The NOAA National Marine Fisheries Service (NMFS) concurred with the joint lead agencies’ effect determinations and stated that the proposed action is Not Likely to Adversely Affect any NMFS ESA-listed species or designated habitat.

Essential Fish Habitat
The NOAA Essential Fish Habitat (EFH) mapper lists EFH for the following species with the potential to be present in the estuarine Bronx River: little skate (Leucoraja erinacea), red hake (Urophycis chuss), winter skate (Leucoraja ocellata), winter flounder (Pseudopleuronectes americanus), clearnose skate (Raja eglanteria), pollock (Pollachius virens), windowpane flounder (Scophthalmus aquosus), and Atlantic herring (Clupea harengus). Mapped EFH was identified within the limits of the Study Area, specifically within the action area associated with the proposed in-water work for the construction of the proposed stormwater outfall and the shared-use path retaining wall. An evaluation of potential impacts concluded that the Build Alternative may not result in adverse effects to EFH. The results of the evaluation are included in the August 2018 FHWA NY Division Essential Fish Habitat Key. NOAA Fisheries, Habitat Conservation Division provided EFH Conservation Recommendations, one of which includes time of year restrictions stating no in-water work from March 1 to June 30 of each year, as documented in the Federal Interagency Comment Form dated October 15, 2018 (see Appendix O of the FDR/FEIS). The FHWA concurred with all of the Conservation Recommendations for the Project, which are listed as Environmental Commitments in this document. Best management practices will be employed during construction to minimize temporary effects to the aquatic environment. A turbidity barrier will be utilized to minimize the discharge of sediments, debris, and pollutants into the river.

Historic and Cultural Resources
The Project is a federal undertaking subject to review under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and its implementing regulation, 36 CFR Part 800: Protection of Historic Properties. Section 106 requires federal agencies to take into account the effects of their undertakings on historic properties. Identification of historic properties was conducted in accordance with the requirements of 36 CFR § 800 for implementing Section 106 of the NHPA and in consultation with the State Historic Preservation Office (SHPO).

The Project’s effects on historic properties were assessed and are documented in the Section 106 Finding Documentation (see Appendix Q of the FDR/FEIS). The Finding Documentation describes the identified historic properties, applies the criteria of adverse effect (36 CFR § 800.5(a)(1)), and concludes that the Project will have no adverse effects on historic properties. The NYSDOT provided the Finding Documentation for review by SHPO and the SHPO concurred with the No Adverse Effect finding. The FHWA subsequently issued a No Adverse Effect finding for the Project.

Parks and Recreational Resources
Of the 21 parks and recreational resources located within the Study Area, two are located within or immediately adjacent to the project limits. These include Concrete Plant Park and Garrison Park, both adjacent to the west side of the Bronx River.

---

The proposed ramp on Edgewater Road will be adjacent to Garrison Park and there will be no encroachment into the park. Furthermore, there are no proposed easements or acquisitions within the park. There will be no use of Garrison Park as defined by Section 4(f) of the USDOT Act of 1966. However, improvements within Garrison Park will be made as mitigation for the Section 4(f) use of Concrete Plant Park, as discussed below.

The Build Alternative includes, as an enhancement, a shared-use path connection between Concrete Plant Park and Garrison Park. The connection will consist of an underpass beneath Bruckner Boulevard/Expressway through the fill material to the west of the Eastern Boulevard Bridge structure. The underpass will be approximately 30 feet wide and 170 feet long and have 14 feet of vertical clearance. The underpass will include lighting and security cameras.

The Build Alternative has been developed and designed to minimize, to the greatest extent practicable, the need to acquire parkland. The construction of the Edgewater Road ramps will require a full acquisition of Block 2759, Lot 160, the triangular-shaped portion of Concrete Plant Park, which is currently a fenced-in, non-accessible, natural area. Lot 160 is separated from the improved portions of Concrete Plant Park located on Lots 70 and 187. Due to the peripheral location of the area, its conversion to transportation use would not adversely affect the recreational features of Concrete Plant Park and would not affect the park’s overall function. An evaluation was performed in accordance with Section 4(f) of the USDOT Act of 1966 for the use of Lot 160. See Section 7 of this ROD for a discussion of this evaluation.

In response to public comments received on the DDR/DEIS, a shadow analysis was conducted to assess the effects of the Edgewater Road ramps on Garrison and Concrete Plant Parks (see Appendix Z of the FDR/FEIS). Although the Edgewater Road ramps will cast shadows on small portions of Garrison and Concrete Plant Parks, these shadows are limited to the very northwestern and southwestern corners of these parks, respectively, and will be of relatively short duration in the afternoon. The shadows will not adversely affect either the uses or the vegetation within these portions of the parks.

Visual and Aesthetic Resources
A Visual Impact Assessment was conducted for the Project, and is contained in Appendix R of the FDR/FEIS. The Area of Visual Effect for the Project was divided into two landscape units: Edgewater and Leggett.

Though elements of the Build Alternative have beneficial impacts on the existing visual quality of the Edgewater Landscape Unit, the overarching degree of impact is adverse. Ramps SE, ESS, ESN and their associated embankments, columns, and retaining walls are in contrast to the visual resources that the unit’s users are most sensitive to; the proposed elements of the ramps create an inharmonious composition of the natural assets associated with the Bronx River, Garrison Park, Concrete Plant Park, and Bronx River Greenway.

Though elements of the Build Alternative have adverse impacts on the existing visual quality of the Leggett Landscape Unit, the overarching degree of impact is neutral. Ramps LB and BL and their associated embankments and columns are compatible with the existing area’s visual character, one dominated by the visual qualities associated with transportation infrastructure.

Three types of mitigation for adverse impacts were considered: avoidance, minimization, and compensation. Opportunities for avoidance are limited, given the necessity of the proposed ramps to
achieve the Project’s purpose and objectives as well as the restricted urban fabric with which they are being placed into. Methods of minimization and compensation within the Edgewater and Leggett Landscape Units are discussed below.

Edgewater Landscape Unit:

To minimize obstructed views across Edgewater Road to the extent practical, the Edgewater Road ramps will be supported through the use of support piles rather than supported by a solid embankment. To buffer the contrast between the proposed ramps visible from Concrete Plant Park and the surrounding landscape, supplemental planting will be provided. Evergreen planting material will be used to achieve a year-round buffer to screen the proposed Edgewater Road ramps from the view of Concrete Plant Park. To provide more focus on and access to the entrance of Garrison Park, lighting and pedestrian signaling and signage will be integrated into the proposed pedestrian underpass at Garrison Avenue and Edgewater Road. Over the length of the Edgewater Road ramp embankment, varied surface treatments will be applied over a distance to provide visual relief and interest to pedestrian and bicycling travelers and recreational neighbors. Additionally, an anti-graffiti coating will be added to the treatment so that visual quality is not compromised and alterations are minimized.

Leggett Landscape Unit:

To provide adequate light for those eastbound travelers along Bruckner Boulevard and recreationists under the Bruckner Expressway, overhead structure lighting will be integrated along the proposed ramps. Over the length of the Leggett Avenue ramps’ embankment finish, varied treatments will be applied over a distance to provide visual relief and interest to pedestrian and bicycling travelers and recreational neighbors. This will be achieved through the selection of material, texture, and color or a community-commissioned mural. Additionally, an anti-graffiti coating will be added to the treatment so that visual quality is not compromised and alterations are minimized.

Air Quality
Mesoscale and microscale air quality analyses were performed to assess the regional and local effects of the Build Alternative on air quality. The air quality analyses were performed using procedures in NYSDOT’s TEM Section 4.4.16 (Air Quality), USEPA’s Using MOVES2014 in Project-Level Carbon Monoxide Analyses (EPA-420-B-15-028), USEPA’s Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM$_{2.5}$ and PM$_{10}$ Nonattainment and Maintenance Areas (EPA-420-B-15-084), and FHWA’s Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents.

Year 2025 Build Alternative net volatile organic compound (VOC), particulate matter with an aerodynamic diameter smaller than or equal to 2.5 micrometers (PM$_{2.5}$) and particulate matter with an aerodynamic diameter smaller than or equal to 10 micrometers (PM$_{10}$) pollutant emissions are projected to be the same or lower (-3% to +0%), while net nitrogen oxide (NO$_x$) and carbon monoxide (CO) emissions are projected to be higher (+2% and +4%, respectively) as compared to the No Build Alternative. Year 2035 Build Alternative net VOC, PM$_{2.5}$ and PM$_{10}$ pollutant emissions are projected to be the same or lower (-3% to +0%), while net NO$_x$ and CO emissions are projected to be higher (+2% and +5%, respectively) as compared to the No Build Alternative. Year 2055 Build Alternative net criteria pollutant emissions are projected to be higher (+7%) as compared to the No Build Alternative.
In year 2025 and 2035, the Build Alternative net Mobile Source Air Toxics (MSAT) emissions are projected to be the same or higher (+0% to +2%) as compared to the No Build Alternative. In year 2055, the Build Alternative net MSAT emissions are projected to be higher (+6% to +7%) as compared to the No Build Alternative.

At the Bruckner Boulevard intersection with Hunts Point Avenue, the 24-hour PM$_{2.5}$ concentration is predicted to be lower (-0.3 µg/m$^3$) under the Build Alternative as compared to the No Build Alternative. At the Bruckner Boulevard intersections with Leggett Avenue and East 149th, and the Edgewater Road intersection with Seneca Avenue, 24-hour PM$_{2.5}$ concentrations are predicted to be higher (+0.1 µg/m$^3$, +0.2 µg/m$^3$, and +0.7 µg/m$^3$, respectively) under the Build Alternative as compared to the No Build Alternative. The predicted concentrations at all four of the analyzed intersections are below the 24-hour PM$_{2.5}$ National Ambient Air Quality Standard (NAAQS) of 35 µg/m$^3$.

At the Bruckner Boulevard intersections with Leggett Avenue and Hunts Point Avenue, 24-hour PM$_{10}$ concentrations are predicted to be the same or lower (-3.0 µg/m$^3$ to +0.0 µg/m$^3$) under the Build Alternative as compared to the No Build Alternative. At the Bruckner Boulevard intersection with East 149th Street, 24-hour PM$_{10}$ concentrations are predicted to be higher (+6.3 µg/m$^3$) under the Build Alternative as compared to the No Build Alternative. Due to the proposed ramps at Edgewater Road, trucks are expected to utilize the new Edgewater Road ramps to access the Hunts Point Food Distribution Center. In addition, a new signal will be added to the Edgewater Road intersection at Seneca Avenue. Thus, at the Edgewater Road intersection with Seneca Avenue, 24-hour PM$_{10}$ concentrations are predicted to be higher (+25.2 µg/m$^3$) under the Build Alternative as compared to the No Build Alternative. The area in the vicinity of the Edgewater Road and Seneca Avenue intersection includes industrial and manufacturing land use. The closest sensitive land use to this intersection is Garrison Park, located more than 720 feet away. The predicted concentrations at all four of the analyzed intersections are below the 24-hour PM$_{10}$ NAAQS of 150 µg/m$^3$.

The Project is included in the regional emissions analysis for the currently conforming New York Metropolitan Transportation Council (NYMTC) Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP), adopted by the NYMTC on June 28, 2018 and approved by the FHWA/Federal Transit Administration on August 24, 2018. In addition, the conclusions of the CO microscale analysis screening and PM$_{2.5}$ microscale analysis demonstrate that the Project conforms to the State Implementation Plan.

Construction-related effects are short-term and include increases in particulate matter in the form of fugitive dust (from ground clearing and preparation, grading, stockpiling of materials, on-site movement of equipment, and transportation of construction materials), as well as exhaust emissions from material delivery trucks, construction equipment, and worker’s private vehicles. Construction management of the Project will include environmental measures imposed on contractors within the contract limits and in areas adjacent to and/or affected by the work. As detailed in the NYSDOT Engineering Instruction 17-006, §107-11 Air Quality Protection, construction work will be planned and executed in a manner that will minimize air emissions.

Energy and Greenhouse Gases (GHG)
In years 2025, 2035, and 2055, the direct annual energy consumption is projected to be higher (+1% to +7%) under the Build Alternative as compared to the No Build Alternative. Similarly, in years 2025, 2035, and 2055, the direct annual carbon dioxide equivalent (CO2e) emissions are projected to be higher (+1% to +7%) under the Build Alternative as compared to the No Build Alternative.
Between the No Build and Build Alternatives, the energy consumption analysis predictably shows that the No Build Alternative would result in the least amount of indirect energy consumption expended, and that construction of the Build Alternative would produce higher indirect energy consumption than for the No Build Alternative.

In years 2025, 2035, and 2055, total energy consumption and CO₂e emission estimates are projected to be higher (+4% to +9% and +4% to +10%, respectively) under the Build Alternative as compared to the No Build Alternative.

**Noise**

The noise analysis was performed in accordance with provisions set forth in 23 CFR § 772, Procedures for Abatement of Highway Traffic Noise and Construction Noise and the NYSDOT’s TEM, Section 4.4.18, Noise Analysis Policy and Procedures (“NYSDOT Noise Policy”). Exterior traffic noise impacts were predicted at residential structures, schools and parks. No traffic noise impacts at the interiors of schools were predicted. Of the impacted receptors, noise level increases at each of these locations would be three dBA (Leq(h)) or less, as compared to existing conditions. According to FHWA’s Highway Traffic Noise: Analysis and Abatement Guidance (December 2011), studies have shown that a noise level increase of three dBA or less is barely perceptible to the human ear.

Noise abatement measures, including traffic management, alteration of horizontal and vertical alignments, acquisition of property, noise insulation, and noise barriers, were evaluated. None of the abatement measures were deemed feasible and reasonable (as defined in the NYSDOT Noise Policy).

Construction of the Build Alternative will result in short-term noise impacts. The construction noise abatement measures specific to this Project will be evaluated and determined during final design. During construction, the contractor will use and implement reasonable efforts to accommodate the spirit and intent of Chapter 28 (Citywide Construction Noise Mitigation) of Title 15 of the Rules of the City of New York by planning and carrying out the work on the Project to ensure that the noise from construction equipment and activities will be kept to a minimum. These efforts will be included in a Construction Noise Mitigation Plan. In addition, a community liaison will be designated for the Project to provide open communication during construction.

**Hazardous Waste and Contaminated Materials**

A Hazardous Waste (HW) and Contaminated Materials (CM) Site Screening was conducted for the Project in order to assess the potential presence of hazardous/contaminated environmental conditions. Seven properties that may be impacted by construction were identified as Recognized Environmental Concerns (RECs). In addition, the bed of Edgewater Road, bed of Garrison Avenue, and Garrison Park were also identified as RECs. The RECs identified will be investigated as part of a HW and CM Assessment that will be performed during final design. Should the presence of HW or CM be confirmed during the assessment, the type, degree, and extent of contamination will be determined to aid in identifying proper material handling requirements during construction (both for worker protection and waste disposal requirements). The HW and CM Assessment will focus on areas or properties proposed for acquisition and/or where subsurface disturbances are anticipated.

During construction, a Health and Safety Plan, including dust monitoring, will be implemented for the protection of workers and the surrounding community. Best management practices will be implemented during construction, such as materials management procedures and soil erosion/sediment controls (e.g., installation of straw bales, silt fence). Excavated soils that are contaminated or are potentially contaminated will be temporarily stockpiled and characterized for off-site disposal in accordance with federal, state, and local regulations provided a beneficial on-site reuse option cannot be identified. The
removal, packaging for transportation, and disposal of building and excavated materials with confirmed LBP, PCB, or mercury concerns will be conducted in accordance with federal, state, and local regulations.

**Construction Effects**

Construction effects will be temporary and will cease with the completion of construction. Although the Build Alternative will be planned, designed, scheduled, and staged to minimize disruption to abutting communities and the environment during construction, short-term effects will occur. It is anticipated that the Build Alternative will be constructed in three phases (or contracts). Construction is expected to start in 2019 and end in 2025. Access to public and private properties along Bruckner Boulevard will be maintained at all times during construction. Pedestrian and bicycle access to Concrete Plant Park will be maintained at all times during construction. A community liaison will be designated for the Project to provide open communication during construction.

It is anticipated that staged construction methods (i.e., temporarily shifting traffic around work zone areas as portions of the roadways are reconstructed) will be utilized during Contracts 1, 2, and 3. Accelerated bridge construction methods, where portions of new bridges are assembled either off-site or adjacent to the site, then moved into place to reduce overall impacts on rail and vehicular traffic, will be utilized. The staged construction methods and accelerated bridge construction methods to be used will be determined during final design and construction of the Project. No adverse construction-related traffic effects are anticipated.

Nuisance effects, such as noise, dust, and vibration, will occur temporarily during construction in those areas adjacent to the construction activities. Typical measures in construction contracts to minimize such nuisances during construction will be implemented. Measures may include the following: proactive and corrective measures for dust control; cleaning of tires of construction trucks prior to leaving the construction site; limiting idle time for diesel-powered equipment; use of maintained equipment with effective mufflers; and sufficient detours to reduce vehicular idling.

Temporary visual effects from the presence of heavy machinery, materials, staging areas, and temporary barriers will also occur during construction of the Project. This is a temporary condition and will not result in long-term effects.

Local businesses may experience short-term effects during construction due to temporary changes in traffic patterns. Access to businesses will be maintained at all times during construction. Short-term benefits to local businesses, such as increased demand for local materials, services, and labor, may also occur during construction of the Project.

No adverse construction-related environmental effects are anticipated.

**Cumulative Effects**

An assessment of cumulative effects resulting from the effects of the Build Alternative combined with the effects of past, present, and reasonably foreseeable future projects was conducted. The assessment was conducted following the guidelines provided in the CEQ handbook, *Considering Cumulative Effects under the National Environmental Policy Act* (1997), as well as guidance published by the USEPA, *Consideration of Cumulative Impacts in EPA Review of NEPA Documents* (1999).

The Build Alternative will not result in adverse cumulative effects to social conditions, economic conditions, water resources, ecology, threatened and endangered species, parkland, visual resources, traffic, air quality, energy and greenhouse gases, or noise.
8  SECTION 4(f)

Section 4(f) of the Department of Transportation Act of 1966 applies to the transportation use of parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public; publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge; and historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public.

Section 4(f) resources within the Study Area include Concrete Plant Park (Block 2759, Lots 70, 160, and 187). Accordingly, a Section 4(f) Evaluation was prepared for the Project, which is included in the FDR/FEIS.

The FHWA has determined that the Build Alternative will result in a Section 4(f) use of Lot 160, a triangular parcel separated from the improved portions of Concrete Plant Park located on Lots 70 and 187. The support structures for the proposed Edgewater Road ramps (Ramps ES, ESS, and ESN) will require the full acquisition of Lot 160. The acquisition is necessary for the construction, biennial inspection, maintenance operations and future rehabilitation of these ramps.

The No Build Alternative would avoid the use of Section 4(f) properties, but is not prudent because it does not meet the Project purpose and need. The Build Alternative will not avoid the use of Section 4(f) property. However, there are no reasonable project alternatives that would avoid the use of Section 4(f) property.

The Section 4(f) use of Concrete Plant Park will be mitigated by improvements to Garrison Park. Garrison Park is located immediately to the south of the western abutment of the Eastern Boulevard Bridge. The property is currently an unmaintained and underutilized wooded parcel totaling 1.10 acre in size. An informal entrance to the park is currently located on the eastern side of Edgewater Road near the intersection with Garrison Road, which requires park users to cross an active rail line to access the park. A formal entrance to Garrison Park will be provided under the Build Alternative with the installation of a signalized rail crossing and a park entrance with signage. Additionally, a shared-use path, as well as viewing platforms, are proposed within Garrison Park.

As part of the mitigation for the Section 4(f) use of Concrete Plant Park, the Build Alternative will include landscaping. For example, to buffer the contrast between the proposed ramps visible from Concrete Plant Park and the surrounding landscape, supplemental planting will be provided, especially in those areas where the existing planting will be removed under the Build Alternative. Furthermore, evergreen planting material will be used to achieve a year-round buffer to screen the proposed Edgewater Road ramps from the view of Concrete Plant Park. Areas within parks that will be temporarily impacted during construction will be restored to their pre-construction conditions.

NYC Parks provided a letter of concurrence stating that the taking of the parcel is the only prudent and feasible alternative to facilitate the NYSDOT’s construction and future maintenance needs of the new Edgewater Road ramps. In addition, NYC Parks stated that they concur that the Build Alternative has included reasonable measures for minimizing and mitigating impacts of the new Edgewater Road ramps, and would cause the least harm to the activities, features and attributes that qualify Concrete Plant Park for protection under the United States Department of Transportation Act of 1966, Section 4(f). In addition, the Department of the Interior (DOI) concurred that there is no prudent and feasible alternative to the proposed use of Section 4(f) lands consisting of a portion of Concrete Plant Park. The DOI further stated that the use of the park would be mitigated by improvements to Garrison Park.
9 PERMITS

The permits that are anticipated for the Build Alternative include the following:

- U.S. Army Corps of Engineers (USACE)
  - Section 404 and Section 10 Permits
    - Nationwide Permit #7
    - Nationwide Permit #33

- U.S. Coast Guard (USCG)
  - Notification to Mariners in coordination with the local USCG NY Sector Waterways Management Office

- New York State Department of Environmental Conservation (NYSDEC)
  - Section 401 Water Quality Certification
  - Tidal Wetlands Permit (Article 25)
  - State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity
  - Article 15 Memorandum of Understanding (MOU)

- New York City Department of Parks and Recreation (NYC Parks)
  - Tree Work Permit

10 ENVIRONMENTAL COMMITMENTS

General Ecology and Wildlife
- Prior to vegetation clearing, a pre-construction nest survey will be completed to identify any active nests of bird species protected by the MBTA. Should the presence of active nests of MBTA protected bird species be present/identified within the work zone, tree cutting will occur during the fall or winter seasons, outside of the species nesting and fledging period, and coordination with the FHWA will occur before nest removal.

Threatened and Endangered Species
- In-water work will be limited to November 1st through March 31st of a calendar year in accordance with time of year restrictions for the Atlantic sturgeon and the shortnose sturgeon.
- Construction vessels for the Project will be operating for a short period of time (hours) and will otherwise be immobile. The vessels’ speed during operation will be limited to six knots to minimize the likelihood of a vessel strike on Atlantic sturgeon.
- Turbidity curtains will be used to minimize and mitigate generated sediment disturbances.

Essential Fish Habitat
- No in-water work will occur from March 1st to June 30th of each year to minimize impacts to migrating anadromous species, including river herring (alewife Alosa pseudoharengus and blueback
herring *Alosa aestivalis*), prey species for a number of federally managed species. Work is permissible above mean low water when the work area is exposed during low tide cycles.

- Construction barges will float at all tidal stages.
- Best management practices will be employed to minimize turbidity in the water.
- Efforts will be made to prevent construction materials or debris from entering the waterway.
- Piles will be vibrated out to the extent practical. A vibratory hammer for pile installation is preferred. If an impact hammer is used, soft starts and a wooden block will be used to buffer the noise and vibrations during hammering.

**Visual Resources**

- The Edgewater Road ramps will be supported through the use of support piles rather than supported by a solid embankment.
- To buffer the contrast between the proposed ramps visible from Concrete Plant Park and the surrounding landscape, supplemental planting will be provided. Evergreen planting material will be used.
- Over the length of the Edgewater Road ramp embankment, varied surface treatments will be applied over a distance to provide visual relief and interest to pedestrian and bicycling travelers and recreational neighbors. Additionally, an anti-graffiti coating will be added to the treatment so that visual quality is not compromised and alterations are minimized.
- Over the length of the Leggett Avenue ramps’ embankment finish, varied treatments will be applied over a distance to provide visual relief and interest to pedestrian and bicycling travelers and recreational neighbors. Additionally, an anti-graffiti coating will be added to the treatment so that visual quality is not compromised and alterations are minimized.

**Public Involvement During Construction**

- A centrally-located, on-site project office will be established to accommodate drop-in visitors. The office will be staffed by at least one full-time person and open during standard work hours (i.e., 9:00 AM to 5:00 PM) or as needed. The office will be accessible to the public via transit and will be ADA-compliant.
- Scheduled construction status updates will be provided and coordination meetings with public and private entities will be held.
- A specific communication schedule and procedures for coordinating with the media to disseminate construction-related information will be developed.
- A community liaison will be designated.

**Construction Noise**

- A Noise Mitigation Plan will be developed and implemented to ensure that noise impacts will be minimized throughout construction.

**Property Access During Construction**

- Access to public and private properties along Bruckner Boulevard will be maintained at all times during construction. Pedestrian and bicycle access to Concrete Plant Park will also be maintained at all times during construction.
Hazardous Waste and Contaminated Materials

- During construction, a Health and Safety Plan will be implemented for the protection of workers and the surrounding community, which will identify and address specific health and safety concerns, including handling and disposal of hazardous or contaminated materials and dust monitoring.

Section 4(f) Mitigation

- The Section 4(f) use of Concrete Plant Park will be mitigated by improvements to Garrison Park. A formal entrance to Garrison Park will be provided under the Build Alternative with the installation of a signalized rail crossing and a park entrance with signage. Additionally, a shared-use path, as well as viewing platforms, are proposed within Garrison Park.
- As part of the mitigation for the Section 4(f) use of Concrete Plant Park, the Build Alternative will include landscaping. Areas within parks that will be temporarily impacted during construction will be restored to their pre-construction conditions.

11 MONITORING AND ENFORCEMENT

The policies, procedures and guidelines required by the FHWA to assure the quality of materials and construction in Federal-Aid projects are defined in 23 CFR 637 Subpart B Quality Assurance Procedures for Construction. The NYSDOT has established a Quality Assurance (QA) Program in accordance with 23 CFR 637 to assure that the materials and workmanship incorporated into each project are in conformity with the contract documents. The NYSDOT QA Program includes both an Acceptance Program and an Independent Assurance Program. The Project will include the development and implementation of a quality program for final design, construction, maintenance, safety, and environmental compliance.

12 CONCLUSION

Having considered the environmental record noted above, the written and oral comments offered by other agencies and the public on this record, and the written responses to the comments received, the FHWA and NYSDOT have determined that:

(1) adequate opportunity was afforded for the presentation of views by all parties with a substantive economic, social, or environmental interest;
(2) fair consideration has been given to the preservation and enhancement of the environment and to the interests of the communities in which the Build Alternative is located; and
(3) all reasonable steps have been taken to minimize adverse environmental effects of the Build Alternative, and where adverse effects remain, there exists no reasonable alternative to avoid or further mitigate such effects.

Based on a balanced consideration of the need for safe and efficient transportation, of the social, economic, and environmental effects of the proposed transportation improvement, and of national, state, and local environmental protection goals; the Hunts Point Interstate Access Improvement Project FEIS and Joint ROD and Findings Statement; as well as the written and oral comments offered by the public and public agencies, the FHWA has determined in accordance with 23 CFR 771 and the NYSDOT has certified in accordance with 17 NYCRR Part 15, that:

- The requirements of 23 CFR 771 and ECL Section 8-0109 have been met;
Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided;

Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be directly undertaken, funded or permitted by the NYSDOT is an alternative that minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the environmental impact statement;

The action is consistent with the applicable policies of Article 42 of the Executive Law, and is consistent to the maximum extent practicable with the coastal policies set forth in 19 NYCRR 600.5;

The action, to the fullest extent practicable, incorporates the environmental investigations, reviews, and consultations in a single coordinated process;

Compliance with all applicable environmental requirements is reflected in the environmental document required under NEPA, and as applicable, SEQRA; and

Public involvement and a systematic interdisciplinary approach were essential parts of the development process for the action.
National Environmental Policy Act and New York State Environmental Quality Review Act

JOINT RECORD OF DECISION / FINDINGS STATEMENT
Federal Highway Administration and New York State Department of Transportation

Signatories:

Federal Highway Administration

[Signature]
Division Administrator

4/9/2019
Date

NYS Department of Transportation

[Signature]
Assistant Commissioner & Chief Engineer

4/9/2019
Date