New York City Environmental Quality Review Act (CEQR) Environmental Assessment Statement (EAS)

BALLY'S BRONX

CEQR NUMBER: 24DME011X THROGGS NECK, BRONX



Applicant Bally's New York Operating Company, LLC

Lead Agency Mayor's Office of Environmental Coordination City of New York Hillary Semel, Director

Prepared By Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology D.P.C. 21 Penn Plaza 360 West 31st Street, 8th Floor New York, NY 10001

LANGAN

22 May 2024

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Table of Acronyms

CEQR - City Environmental Quality Review CWFS – Citywide Ferry Service DEIS – Draft Environmental Impact Statement DOB - New York City Department of Buildings DSNY - New York City Department of Sanitation EAS - Environmental Assessment Statement EIS – Environmental Impact Statement EPA – United States Environmental Protection Agency FEIS – Final Environmental Impact Statement FEMA – Federal Emergency Management Agency FTA – Federal Transit Administration GSF – Gross Square Feet LPC - New York City Landmarks Preservation Commission LTCP – Long Term Control Plan MBT – MTA Bridges and Tunnels MTA – Metropolitan Transportation Authority NOAA - National Oceanic and Atmospheric Administration NHL – National Historic Landmark NYC – New York City NYCDEP – New York City Department of Environmental Protection NYCDOT – New York City Department of Transportation NYCT – New York City Transit NYC Parks - New York City Department of Parks and Recreation NYS – New York State NYSDEC - New York State Department of Environmental Conservation NYSDOT - New York State Department of Transportation OER - Mayor's Office of Environmental Remediation PCE – Passenger-Car-Equivalent PCCCP - Post Construction Custodial Care Plan pFIRM – Preliminary Flood Insurance Rate Map SEQR - State Environmental Quality Review SF – Square Feet SHPO - New York State Historic Preservation Office S/NR – State or National Registers of Historic Places ULURP - Uniform Land Use Review Procedure USACE – United States Army Corps of Engineers USFWS - United States Fish and Wildlife Service VOC - Volatile Organic Compound WRP - Waterfront Revitalization Program



City Environmental Quality Review ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION							
PROJECT NAME Bally's Bronx							
1. Reference Numbers							
CEQR REFERENCE NUMBER (to be	assigned by lead age	ncy)	BSA REFERENCE NUMBER (if applic	cable)			
24DME011X							
ULURP REFERENCE NUMBER (if ap	plicable)		OTHER REFERENCE NUMBER(S) (if	applicable)			
			(e.g., legislative intro, CAPA)				
2a. Lead Agency Informatio	n		2b. Applicant Information				
NAME OF LEAD AGENCY			NAME OF APPLICANT				
New York City Office of the I	Deputy Mayor for	r Housing,	Bally's New York Operating (Company, LLC			
Economic Development and	Workforce						
NAME OF LEAD AGENCY CONTACT	PERSON		NAME OF APPLICANT'S REPRESEN	FATIVE OR CONTACT	PERSON		
Hilary Semel			Max Stember-Young				
			Langan Engineering & Enviro	onmental Services	s, Inc.		
ADDRESS 100 Gold Street, See	cond Floor	r	ADDRESS 360 West 31 st Stree	t, 8 th Floor			
CITY New York	STATE NY	ZIP 10038	CITY New York	STATE NY	ZIP 10001		
telephone (212)-788-6801	EMAIL		TELEPHONE	EMAIL			
	hsemel@cityha	ll.nyc.gov	(212) 479-5594	mstemberyoung@langan.co			
			m				
3. Action Classification and	Туре						
SEQRA Classification							
UNLISTED X TYPE I: Spe	cify Category (see 6	NYCRR 617.4 and N	NYC Executive Order 91 of 1977, as a	mended):			
6 NYCRR 617.4(b)(6)(i)(iv)(vi) and 6	17.4(b)(10)						
Action Type (refer to <u>CEQR Tech</u>	nical Manual Chapte	<u>er 2</u> , "Establishing t	he Analysis Framework" for guidanc	e)			
LOCALIZED ACTION, SITE SPEC	lific	LOCALIZED ACTION	N, SMALL AREA GEN	ERIC ACTION			
4. Project Description							
The Applicant, Bally's New Y	ork Operating Co	mpany, LLC, see	eks a series of discretionary la	nd use actions, a	s described		
below, to facilitate the "Bally	y's Bronx" gamin	g and recreation	n facility (the "Proposed Facili	ty") in the Throgg	şs Neck		
neighborhood of Bronx Community District 10. The Proposed Facility would contain gaming space with food and							
beverage services, a hotel, an event center, retail, and a 4,660-space parking garage, located on an approximately 19-							
acre parcel (the "Development Site") within Bally's Golf Links at Ferry Point, a 222-acre public golf course in the Bronx							
(the "Golf Course"). The Golf Course is a part of Ferry Point Park (the "Park"). The Applicant has operated the Golf							
Course since September 202	3 pursuant to a l	icense agreeme	ent with the New York City Dep	partment of Parks	s and		
Recreation (NYC Parks) and i	intends to constr	uct the Propose	ed Facility within a portion of t	the Golf Course th	nat is		
currently used for parking, t	he course clubho	use, and a porti	ion of the practice area.				
		-	-				
In connection with the Proposed Facility, the uninterrupted size lay ready within the Park that connects the							

In connection with the Proposed Facility, the uninterrupted circular roadway within the Park that connects the southbound and northbound Hutchinson River Expressway service roads (the "Ring Road") would be widened and improved in coordination with the New York City Department of Transportation (NYCDOT). Supplemental roadway improvements would be undertaken to improve circulation near the Development Site. Additionally, the Applicant intends to design and construct improvements to the Park and adjacent roadways in coordination with the City of New York. Collectively, the Development Site and the Ring Road comprise the" Affected Area." The Proposed Facility and improvements to Ring Road comprise the "Proposed Development."

Please see the "Introduction" of the Environmental Assessment Statement for the Proposed Actions and more details. *Project Location*

BOROUGH Bronx COMMUNITY DISTRICT(S) 10		STREET ADDRESS 450 Hutchinson River Parkway					
TAX BLOCK(S) AND LOT(S) Block 5622, part of Lot 1		zip code 10465					

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS							
The Development Site is generally bounded by Hutchinson River Parkway to the west, a port	ion of the Ring Road to the north, and						
the holes that comprise the golf course to the north, east, and south (see EAS Figures and Appendix A for the metes and bounds of							
the Development Site).							
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY N/A	ZONING SECTIONAL MAP NUMBER						
(Parkland)	7a						
5. Required Actions or Approvals (check all that apply)							
City Planning Commission: X YES NO X UNIFORM LAND USE F	REVIEW PROCEDURE (ULURP)						
	FRANCHISE						
SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIF	RATION DATE:						
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION							
Board of Standards and Appeals: 🔄 YES 🛛 🖄 NO							
VARIANCE (use)							
VARIANCE (bulk)							
SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIF	RATION DATE:						
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION							
Department of Environmental Protection: YES X NO Cogeneration Fa	acility Title V Permit						
Other City Approvals Subject to CEOR (check all that apply)	,						
	UCTION specify:						
	it						
	MS, specify:						
384(b)(4) APPROVAL							
OTHER, explain:							
Other City Approvals Not Subject to CEQR (check all that apply)							
LANDMARKS PRESERV	ATION COMMISSION APPROVAL						
PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION OTHER, explain:							
AND COORDINATION (OCMC) Approval of street improve	ments from New York City Department of						
Transportation (NYCDOT)							
State or Federal Actions/Approvals/Funding: 🛛 YES 🔄 NO If "yes," spe	cify:						
 State Legislation and Governor's Approval authorizing the Alienation of Parkland 							
• Approval by the Gaming Facility Location Board and issuance of a gaming license from the New York	State Gaming Commission						
• Approval from New York State Department of Environmental Conservation (NYSDEC) to allow the use	e of and construction on the Affected Area						
Other State approvals may include approval from the New York State Department of Transportation (N	IVSDOT) and notentially other State agencies						
to facilitate certain street improvements in the area of the Hutchinson River Parkway, the issuance of y	wetland permits from NYSDEC and the United						
States Army Corps of Engineers (LISACE) and potentially other NYSDEC permits. In addition, to facilitat							
(or approvals for public improvements) may be required with the Metropolitan Transportation Authori	ty (MTA) and MTA Bridges and Tunnels						
(MBT).	ly (which and which bridges and runnels						
6. Site Description: The directly affected area consists of the project site and the area subject to an	ny change in regulatory controls. Except						
where otherwise indicated, provide the following information with regard to the directly affected area.							
Graphics: The following graphics must be attached and each box must be checked off before the EAS	S is complete. Each map must clearly depict						
the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the out	er boundaries of the project site. Maps may						
not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.	7						
I 🖄 SITE LOCATION MAP 🛛 🖄 ZONING MAP	SANBORN OR OTHER LAND USE MAP						
TAX MAP	APE FILE THAT DEFINES THE PROJECT SITE(S)						
PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED	TO THE SITE LOCATION MAP						
Physical Setting (both developed and undeveloped areas)							

Development Site: approximately 19 acres Ring Road Parcel: approximately 5.5 acres Roads, buildings, and other paved surfaces (sq. ft.): Other, describe (sq. ft.): Development Site: approximately 6.15 acres Development Site: approximately 12.2 acres (golf course and parkland) 7. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action) SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 3,134,040 gross square feet (gsf) NUMBER OF BUILDINGS: 2 GROS FLOOR AREA OF EACH BUILDING (sq. ft.): Gaming Facility: 3,093,880 gsf Golf Clubhouse: 40,160 gsf HEIGHT OF EACH BUILDING (ft.): NUMBER OF STORIES OF EACH BUILDING: Gaming Facility: up to 280 feet Gaming Facility: 17 Golf Clubhouse: up to 75 feet Golf Clubhouse: 3 Does the proposed project involve changes in zoning on one or more sites? YES NO If "yes," specify: The total square feet owned or controlled by the applicant: 0 sf The total square feet owned or controlled by the applicant: 0 sf Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? YES NO If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known): ARA OF TEMPORARY DISTURBA
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Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? YES NO If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known): AREA OF TEMPORARY DISTURBANCE: 801,602 sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length)
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If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known): AREA OF TEMPORARY DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length)
AREA OF TEMPORARY DISTURBANCE: 801,602 sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth) AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length) 8 Anglysis Yagr. CEOP Technical Manual Chapter 2
AREA OF PERMANENT DISTURBANCE: 801,602 sq. ft. (width x length)
9 Analysis Vaar CEOP Tachnical Manual Chanter 2
6. Anarysis real <u>ceqt reclinical Manual Chapter 2</u>
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2030
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 30 months
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Construction of the Proposed Development would begin after the Proposed Actions
have been approved and the Applicant has obtained all required permits, including the gaming license. Construction is expected to commence in
2020. Assuming approximately 50 months of construction, the Proposed Development would be operational in 2030.

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING		NO-A	CTION	WITH-	ACTION		
	CONDIT	ION	COND	ITION	CON	DITION	INCREIVIENT	
LAND USE								
Residential	YES	NO 🛛	YES	NO 🛛	YES	🛛 NO		
If "yes," specify the following:								
Describe type of residential structures	N/A		N/A		N/A			
No. of dwelling units	N/A		N/A		N/A			
No. of low- to moderate-income units	N/A		N/A		N/A			
Gross floor area (sq. ft.)	N/A		N/A		N/A			
Commercial	YES	NO	YES	NO	YES	NO		
If "yes," specify the following:								
Describe type (retail, office, other)	Other: Golf Clu	bhouse	Other: Golf (Clubhouse	Retail and C	Other: Hotel,	Retail and Other: Hotel,	
					Gaming Fac	ility, Event	Gaming Facility, and	
					Space, and	Golf	Event Space.	
					Clubhouse			
Gross floor area (sq. ft.)	25,265		25,265		Golf Clubho	ouse: 40,160	Golf Clubhouse: +14,895	
					Gaming: 56	1,320	Gaming: +561,320	
					Hotel: 509,3	330	Hotel: +509,330	
					Event Space	2: 75,220	Event Space: +/5,220	
					Total: 1 103	0	Retail: +0,100	
Manufacturina /Industrial								
If "yes" specify the following:								
	NI/A		NI/A		NI/A			
Cross floor area (sg. ft.)	N/A		N/A					
Open storage area (sq. ft.)	N/A		N/A		N/A			
If any unenclosed activities specify:	N/A		N/A		N/A			
Community Facility								
If "yes" specify the following:								
	N/A		N/A		Polico Subs	tation	Polico Substation	
Gross floor area (sg. ft.)	N/A		N/A			lation		
Vacant Land								
If "yos" describe:								
Bublichy Accessible Open Space								
If "vos " specify type (manped City State or	Caming Barcol		Coming Darg				10 acros	
Federal parkland wetland—manned or	19 acres	арріох	19 acres	ei. appiox	0 acres		-19 acres	
otherwise known, other):	19 00105		15 46/65					
Other Land Uses	VES		YES		YES			
If "ves." describe:	N/A		N/A		N/A			
PARKING	· ·		,		,			
Garaaes								
If "ves." specify the following:								
No. of public spaces	N/A		N/A		N/A			
No. of accessory spaces	N/A		N/A		4 660 (1 94	1 910-øsf)	+4 660 (1 941 910-gsf)	
Operating hours	N/A		N/A		24/7	1,510 5517	1,000 (1,041,010 801)	
Attended or non-attended	N/A		N/A		Attended			
Lots	YES		Ý VFS		VFS			
If "yes," specify the following:								
No. of public spaces	N/A		N/A		N/A			
No. of accessory spaces	315		315		N/A		-315	
Operating hours	24/7		24/7		, N/A		N/A	

	EXISTING		NO-ACTION				WITH-ACTION				INCREMENT		
	CO	CONDITION CONDITION CONDITION											
Other (includes street parking)	🗌 YES 🛛 NO		0	🗌 YES 🛛 NO 🛛			🗌 yes 🛛 NO		NO				
If "yes," describe:	N/A				N/A				N/A				
POPULATION													
Residents	YES		🛛 N	0		YES	\boxtimes	NO		YES	\boxtimes	NO	
If "yes," specify number:	N/A			I	N/A			-	N/A			_	
Briefly explain how the number of residents													
was calculated:													
Businesses	YES YES		N	0	\boxtimes	YES		NO	\boxtimes	YES		NO	
If "yes," specify the following:													
No. and type	Bally's Go Point: 25 clubhous accessor and 18-h	olf Link ,265 gs e with y parkii ole gol	s at Fe sf golf 315 ng spa f cour:	erry nces ; se ;	Bally Poin clubl acce and	''s Golf L t: 25,26! house w ssory pa 18-hole	inks a 5 gsf g ith 31 rking golf c	at Ferry golf .5 spaces ourse	Ball ¹ Poir 40,1 club hole 561, facil 509, spa	y's Golf Li ht: 60 gsf go house wi golf cour ,320 gsf g iity ,330 gsf h and meet	nks a lf th ar rse amir otel ing i	at Ferry n 18- ng with rooms	 + 14,895 gsf golf clubhouse space + 561,320 gsf gaming facility + 509,330 gsf hotel with spa and meeting rooms
									6,10	20 gst ev	ent s dry r	space retail	+ 75,220 gsf event space + 6,100 gsf sundry retail
No. and type of workers by business	165				165				3,66	55			+ 3,500
No. and type of non-residents who are not workers	N/A			I	N/A				N/A				N/A
Briefly explain how the number of													
businesses was calculated:								,					
Other (students, visitors, concert-goers, <i>etc.</i>)	YES YES		N	0	\boxtimes	YES		NO	\bowtie	YES		NO	
If any, specify type and number:	144 - Gol 250 - Gol 394 - Tot	f Cours f Clubh al	se nouse		144 250 394	- Golf Cc - Golf Cl - Total	ourse ubhou	JSE	1,97 2,00 5,14 144 250 9,51 65% 6,19	75 - Food 6 00 - Event 16 - Gamir - Golf Cou - Golf Clu 15 - Capac 5 Usage Fa 04 - Total	& Be Cen ng Fa urse bho ity actor	everage ter acility use	+1,975 Food & Beverage Visitors +2,000 Event Center Visitors +5,146 Gaming Facility Visitors 0 - Golf Course 0 - Golf Clubhouse 9,121 - Capacity 65% Usage Factor 5,800 - Total
Briefly explain how the number was calculated: Assumed 1 person per ev have a capacity of 1,975 unchanged with the Prop		r eve 175 p Propo	ent co eopl osed	enter sp e. Golf (Develop	ace a Course oment	nd gam e and C :, as the	ing fa lubhc e Golf	acility sea ouse visito f Course is	t. Th ors a s alre	ne food re proje eady op	and beverage area would ected to remain erating at capacity.		
ZONING													
Zoning classification	Parkland				Park	land			C8-4	1 commer	cial	district	C8-4 Commercial District
Maximum amount of floor area that can be developed	601,128 * 0.75 FA	gsf (80: .R)	1,504	gsf	601, * 0.7	128 gsf 75 FAR)	(801,5	504 gsf	4,00 FAR	07,520 (80 of 5.0))1,5(04 gsf *	+3,406,392 gsf
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Land Use Manufac Resident Zoning: N zoning di	s: turing a ial Uses /1-1 ar stricts	and s nd R4	the	Land Man Resid Zoni zonii	I Uses: oufacturi dential U ng: M1-: ng distrio	ng an Jses 1 and cts	d R4	Land Mar Resi Zon zoni	d Uses: nufacturin dential U ing: M1-1 ing distric	ng an ses and t	nd R4	
If your project involves changes that affect o development projections in the above table	ne or mor and attac	re sites h sepai	scribe s not a rate ta	ssoci	iated outl	d with a slining the	specif e reas	ic deve onable	lopm deve	ient, it is g elopment	gene scer	erally ap narios fo	propriate to include total or each site.

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: <u>CEQR Technical Manual Chapter 4</u> To be studied in EIS		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	\square	
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	\boxtimes	
(c) Is there the potential to affect an applicable public policy?		
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. To be studied in EIS		
(e) Is the project a large, publicly sponsored project?		\square
 If "yes," complete a PlaNYC assessment and attach. 		
(f) Is any part of the directly affected area within the <u>City's Waterfront Revitalization Program boundaries</u> ?	\square	
 If "yes," complete the <u>Consistency Assessment Form</u>. 		
2. SOCIOECONOMIC CONDITIONS: <u>CEQR Technical Manual Chapter 5</u> To be studied in EIS		
(a) Would the proposed project:		
• Generate a net increase of more than 200 residential units <i>or</i> 200,000 square feet of commercial space?		
If "yes," answer both questions 2(b)(ii) and 2(b)(iv) below.		
 Directly displace 500 or more residents? 		\boxtimes
If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
 Directly displace more than 100 employees? 		\boxtimes
If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
 Affect conditions in a specific industry? 		\square
If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
 If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population? 		\boxtimes
 If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population? 		
ii. Indirect Residential Displacement		
 Would expected average incomes of the new population exceed the average incomes of study area populations? 		\boxtimes
◦ If "yes:"		
Would the population of the primary study area increase by more than 10 percent?		
Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?		
 If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected? 		
iii. Direct Business Displacement		
 Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project? 		\boxtimes
 Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, 		\square

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
 Would the project potentially introduce trends that make it difficult for businesses to remain in the area? 	\boxtimes	
 Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets? 	\boxtimes	
v. Effects on Industry		
 Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? 		\square
 Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? 		\square
3. COMMUNITY FACILITIES: <u>CEQR Technical Manual Chapter 6</u> To be studied in EIS		
(a) Direct Effects		
 Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations? 		\square
(b) Indirect Effects		
i. Early Childhood Programs		
 Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <u>Chapter 6</u>) 		\square
 If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent? 		
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?		
ii. Public Schools		-
• Would the project result in 50 or more elementary or middle school students, or 150 or more high school students		\square
based on number of residential units? (See Table 6-1 in <u>Chapter 6</u>)		
100 percent?		
o If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?		
 If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent? 		
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?		
iii. Libraries		
 Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <u>Chapter 6</u>) 		\square
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?		
 If "yes," would the additional population impair the delivery of library services in the study area? 		
iv. Health Care Facilities		
 Would the project result in the introduction of a sizeable new neighborhood? 		\square
$\circ~$ If "yes," would the project affect the operation of health care facilities in the area?		
v. Fire and Police Protection		
 Would the project result in the introduction of a sizeable new neighborhood? 		\square
 If "yes," would the project affect the operation of fire or police protection in the area? 		
4. OPEN SPACE: <u>CEQR Technical Manual Chapter 7</u> To be studied in EIS		
(a) Would the project change or eliminate existing open space?	\boxtimes	
(b) Would the project generate more than 200 additional residents or 500 additional employees?	\boxtimes	
5. SHADOWS: <u>CEQR Technical Manual Chapter 8</u> To be studied in EIS		<u>-</u>
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	\boxtimes	
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?		
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach sensitive resource at any time of the year. To be studied in EIS	n any sun	light-

	YES	NO
6. HISTORIC AND CULTURAL RESOURCES: <u>CEQR Technical Manual Chapter 9</u> To be studied in EIS		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <u>GIS System for</u> <u>Archaeology and National Register</u> to confirm)		
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?		\boxtimes
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information of the above of the abov	ation on	
whether the proposed project would potentially affect any architectural or archeological resources. To be studied in EIS		
7. URBAN DESIGN AND VISUAL RESOURCES: <u>CEQR Technical Manual Chapter 10</u> To be studied in EIS	1	
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?		
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	\square	
(c) If "yes" to either of the above, please provide the information requested in <u>Chapter 10</u> . To be studied in EIS.		
8. NATURAL RESOURCES: <u>CEQR Technical Manual Chapter 11</u> To be studied in EIS		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <u>Chapter 11</u> ?	\square	
 If "yes," list the resources and attach supporting information on whether the project would affect any of these resources. may include new stormwater outfalls in adjacent waterbodies. To be studied in EIS. 	The proj	ect
(b) Is any part of the directly affected area within the <u>Jamaica Bay Watershed</u> ?		\boxtimes
o If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form and submit according to its instruct	ons.	
9. HAZARDOUS MATERIALS: <u>CEQR Technical Manual Chapter 12</u> To be studied in EIS		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?		\square
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?		\boxtimes
(c) Does the proposed project site have existing institutional controls (<i>e.g.</i> , (E) designation or Restrictive Declaration) relating		
to hazardous materials that preclude the potential for significant adverse impacts?		
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the <u>Hazardous Materials Appendix</u> (including nonconforming uses)?		\boxtimes
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous	\square	\Box
(f) Would the project result in development on or pear a site that has or had underground and/or aboveground storage tanks		
(<i>e.g.</i> , gas stations, oil storage facilities, heating oil storage)?		\bowtie
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality;		\square
vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?		
(n) Would the project result in development on or near a site with potential hazardous materials issues such as government- listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or	\square	
(i) Has a Phase I Environmental Site Assessment been performed for the site?	\square	
 If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Former municipal solid waste landfill 		
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? No, however construction outside of the landfill area may require a Phase I Environmental Site Assessment (ESA) and Phase II Environmental Site Investigation (ESI). If required, these will be performed to CEQR Technical Manual guidelines to characterize the site and address the potential for impacts.		
10. WATER AND SEWER INFRASTRUCTURE : <u>CEQR Technical Manual Chapter 13</u> To be studied in EIS		
(a) Would the project result in water demand of more than one million gallons per day?		\square
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000		
square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?		
(c) If the proposed project located in a <u>separately sewered area</u> , would it result in the same or greater development than that listed in Table 13-1 in <u>Chapter 13</u> ?		
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	\square	

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River,		
Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?		
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?		\square
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?		\boxtimes
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	\square	
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. To be stud	lied in EIS	
11. SOLID WASTE AND SANITATION SERVICES : CEQR Technical Manual Chapter 14 To be studied in EIS		
(a) Using Table 14-1 in <u>Chapter 14</u> , the project's projected operational solid waste generation is estimated to be (pounds per war 79 lbs/week for General Retail (per DSNY guidance)*3,665 employees = 289,535 lbs/week	eek):	
 Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week? 	\bowtie	
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?		\square
 If "yes," would the proposed project comply with the City's Solid Waste Management Plan? 		
12. ENERGY: CEQR Technical Manual Chapter 15 To be studied in EIS		
 (a) Using energy modeling or Table 15-1 in <u>Chapter 15</u>, the project's projected energy use is estimated to be (annual BTUs): No-Action: ([25,265 gsf com] x [216,300 Btu/sf/yr]) = 5,464,819,500 Btu With-Action: ([3,134,040 gsf com] x [216,300 Btu/sf/yr]) = 677,892,852,000 Btu Increment: 677,892,852,000 Btu - 5,464,819,500 Btu = 672,428,032,500 Btu 		
(b) Would the proposed project affect the transmission or generation of energy?		\boxtimes
13. TRANSPORTATION: CEQR Technical Manual Chapter 16 To be studied in EIS		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <u>Chapter 16</u> ?	\square	
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following	g questior	ns:
 Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? 	\square	
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <u>Chapter 16</u> for more information.	\square	
 Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour? 		\boxtimes
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?		\boxtimes
$\circ~$ Would the proposed project result in more than 200 pedestrian trips per project peak hour?		\boxtimes
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, bus stop, or Citywide Ferry Service landing?		\boxtimes
14. <i>AIR QUALITY</i> : CEQR Technical Manual Chapter 17 To be studied in EIS		
(a) Mobile Sources: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	\square	
(b) Stationary Sources: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?		
 If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <u>Chapter</u> 172 (Attach graph as needed) 		
(c) Does the proposed project involve multiple buildings on the project site?	\square	\Box
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?		\square
 (e) Does the proposed project site have existing institutional controls (<i>e.g.</i>, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? 		
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. To be studied in El	IS	
15. GREENHOUSE GAS EMISSIONS: <u>CEOR Technical Manual Chapter 18</u> To be studied in FIS		
(a) Is the proposed project a city capital project or a power generation plant?		\square
(b) Would the proposed project fundamentally change the City's solid waste management system?		
(c) Would the proposed project result in the development of 350,000 square feet or more?		
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?		

	YES	NO				
 If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24- 803 of the Administrative Code of the City of New York). Please attach supporting documentation. To be studied in EIS 						
16. NOISE: CEQR Technical Manual Chapter 19 To be studied in EIS						
(a) Would the proposed project generate or reroute vehicular traffic?	\square					
(b) Would the proposed project introduce new or additional receptors (see Section 114 in <u>Chapter 19</u>) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?						
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	\boxtimes					
(d) Does the proposed project site have existing institutional controls (<i>e.g.</i> , (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		\square				
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. To be studied in I	IS					
17. PUBLIC HEALTH : CEQR Technical Manual Chapter 20 To be studied in EIS						
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	\square					
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <u>Chapter 20</u> , "Public Heappreliminary analysis, if necessary. To be studied in EIS.	alth." Atta	ach a				
18. NEIGHBORHOOD CHARACTER : <u>CEQR Technical Manual Chapter 21</u> To be studied in EIS						
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	\square					
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in <u>Chapter 21</u> , "Neighborhood Character." Attach a preliminary analysis, if necessary. To be studied in EIS						
19. CONSTRUCTION: <u>CEQR Technical Manual Chapter 22</u> To be studied in EIS						
(a) Would the project's construction activities involve:						
 Construction activities lasting longer than two years? 	\square					
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	\square					
 Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)? 						
 Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out? 		\boxtimes				
 The operation of several pieces of diesel equipment in a single location at peak construction? 	\square					
 Closure of a community facility or disruption in its services? 	\square					
 Activities within 400 feet of a historic or cultural resource? 		\square				
 Disturbance of a site containing or adjacent to a site containing natural resources? 	\square					
 Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall? 						
 (b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <u>Chapter</u> <u>22</u>, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. To be studied in EIS. 						
20. APPLICANT'S CERTIFICATION						
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.						
that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.						
APPLICANT/REPRESENTATIVE NAME SIGNATURE DATE Max Stember-Young May 2	2, 2024					
PLEASE NOTE THAT ADDITIONTS MAY BE DECURPED TO SUBSTANTIATE DESDONSES IN THIS FORM AT THE						
DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.						

Ра	AT III: DETERMINATION OF SIGNIFICANCE (TO BE Completed	by Lead Agency)			
IN	STRUCTIONS: In completing Part III, the lead agency should c	consult 6 NYCRR 617.7 and 43 RCNY § 6-C	6 (Executi	ve	
Or	der 91 or 1977, as amended), which contain the State and Ci	ity criteria for determining significance.			
	1. For each of the impact categories listed below, consider whe	ether the project may have a significant	Potent	tially	
	adverse effect on the environment, taking into account its (a	a) location; (b) probability of occurring; (c)	Signifi	cant	
	duration; (d) irreversibility; (e) geographic scope; and (f) mag	gnitude.	Adverse	Impact	
	IMPACT CATEGORY		YES	NO	
	Land Use, Zoning, and Public Policy		\boxtimes		
	Socioeconomic Conditions		\boxtimes		
	Community Facilities and Services		\boxtimes		
Γ	Open Space		\boxtimes		
Ī	Shadows		\square		
Ī	Historic and Cultural Resources				
Ē	Urban Design/Visual Resources		$\overline{\mathbb{N}}$		
F	Natural Resources				
ŀ	Hazardous Materials				
ŀ	Water and Sewer Infrastructure				
ŀ	Solid Waste and Sanitation Services				
ŀ	Fnergy				
-	Transportation				
-					
-	Greenhouse Cas Emissions				
-	Neise				
-	Noise				
-					
-	Neighborhood Character				
	Construction				
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?			\boxtimes		
	If there are such impacts, attach an explanation stating whet have a significant impact on the environment.	ther, as a result of them, the project may			
	3. Check determination to be issued by the lead agency:				
Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).					
Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.					
Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.					
	4. LEAD AGENCY'S CERTIFICATION				
TITLE LEAD AGENCY		AD AGENCY			
As	sistant to the Mayor C	Office of the Deputy Mayor for Housing, Economic			
N1 4					
Hilary Semel DATE May 22, 2024		ине Лау 22, 2024			
SIG	SIGNATURE				
H	lay Seng				

Figure 1: Site Location Map



Figure 2: Aerial Map



Figure 3: Tax Map



Figure 4: Land Use and Zoning Map



Figure 5: Key Map



Note: All photos captured via Google Maps

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Photograph 1



View northeast facing the clubhouse. Part of the golf course can be seen in the left side corner of the frame.



Photograph 2

View northwest of the parking lot on the Project Site. Hutchinson River Expressway is depicted on the left side of the frame.

Photograph 3



View southeast on the Project Site facing the temporary shipping containers that are located at the southern end of the parking lot. The Bronx-Whitestone Bridge can be seen in the right side of the frame.



Photograph 4

View east of the pro shop on the Project Site. Part of the clubhouse can be seen on the left side of the frame. The Bronx-Whitestone Bridge is on the right side of the frame.

ENVIRONMENTAL ASSESSMENT STATEMENT

Bally's Bronx | CEQR Number: 24DME011X |22 May 2024

1. Introduction

The Applicant, Bally's New York Operating Company, LLC, seeks a series of discretionary land use actions, as described below, to facilitate the "Bally's Bronx" gaming and recreation facility (the "Proposed Facility") in the Throggs Neck neighborhood of Bronx Community District 10 (see EAS Figures 1, 2, and 3). The Proposed Facility would contain gaming space with food and beverage services, a hotel, an event center, retail, and a 4,660-space parking garage, located on an approximately 19-acre parcel (the "Development Site") within Bally's Golf Links at Ferry Point, a 222-acre public golf course in the Bronx (the "Golf Course"). The Golf Course is a part of Ferry Point Park (the "Park"). The Applicant has operated the Golf Course since September 2023 pursuant to a license agreement with the New York City Department of Parks and Recreation (NYC Parks) and intends to construct the Proposed Facility within a portion of the Golf Course that is currently used for parking, the course clubhouse, and a portion of the practice area.

In connection with the Proposed Facility, the uninterrupted circular roadway within the Park that connects the southbound and northbound Hutchinson River Expressway service roads (the "Ring Road") would be widened and improved in coordination with the New York City Department of Transportation (NYCDOT). Supplemental roadway improvements would be undertaken to improve circulation near the Development Site. Additionally, the Applicant intends to design and construct improvements to the Park and adjacent roadways in coordination with the City of New York. Collectively, the Development Site and the Ring Road comprise the" Affected Area." The Proposed Facility and improvements to Ring Road comprise the "Proposed Development."

The discretionary actions proposed to implement the Proposed Development include:

Required City Approvals

City Map Amendments:

- Demap the Development Site as parkland.
- Map Ring Road, proposed to be widened, as a City Street.

Zoning Map Amendments

 Designate 19 acres of alienated parkland as a C8-4 commercial zoning district, in which gaming facilities are permitted pursuant to NYC Zoning Resolution Sections 32-10 (32-18, 32-181, 32-283) and 42-10 (42-18, 42-181, 42-183).

Disposition of Real Property

Disposition of non-residential, city-owned property to the Applicant.

Acquisition of Real Property

• Acquisition of replacement parkland by the City of New York from the Applicant.

Modification of Existing Concession License

• Renewal and amendment of the existing Concession License between the Applicant and NYC Parks to facilitate the long-term operation of the public Golf Course by Applicant.

Other City approvals may include approval from the Public Design Commission (PDC) and amendments to the City map and/or zoning map to show replacement parkland areas as "Park". In addition, to facilitate the Proposed Development, coordination (or approvals for public improvements) will be required with NYCDOT.

Required State Approvals

State Legislation and Governor's Approval authorizing the Alienation of Parkland

• To facilitate the disposition of the 19-acre Development Site to develop the Proposed Facility and the use of Ring Road as a mapped City Street.

The Proposed Development is anticipated to require the approval of the following discretionary actions:

<u>Approval by the Gaming Facility Location Board and issuance of a gaming license from the</u> <u>New York State Gaming Commission</u>

To allow the operation of the Proposed Facility.

Approval from New York State Department of Environmental Conservation (NYSDEC)

• To allow the use of and construction on the Affected Area

Other State approvals may include approval from the New York State Department of Transportation (NYSDOT) and potentially other State agencies to facilitate certain street improvements in the area of the Hutchinson River Parkway, the issuance of wetland permits from NYSDEC and the United States Army Corps of Engineers (USACE), and potentially other NYSDEC permits. In addition, to facilitate the Proposed Development, coordination (or approvals for public improvements) may be required with the Metropolitan Transportation Authority (MTA) and MTA Bridges and Tunnels (MBT).

To enable the Proposed Facility, the Development Site would be the subject of State legislation authorizing its alienation so that it can be transferred to the Applicant and used for the Applicant's non-park use. In connection with the alienation, the Applicant intends to transfer to-be-identified properties to the City for use as new parkland and provide upgrades to existing parkland. The final replacement parkland sites will be identified before publication of the Final EIS. Ring Road is currently parkland; therefore, it would also be the subject of State alienation legislation to allow it to be transferred to the NYCDOT for use as a public roadway.

The Proposed Actions would allow the Proposed Facility, an approximately 3,134,040gross-square-foot (gsf) gaming facility containing up to 5,146 gaming positions, restaurants, a 500-key hotel with a spa and meeting space, retail space, a 2,000-person event center, and parking for approximately 4,660 vehicles. The Applicant would also construct a replacement standalone clubhouse for the Golf Course. This portion of the parcel would remain as part of the Golf Course Concession on NYC Parks land. Parking and practice areas will be available for golf users, the exact location will be determined between Parks and the Applicant. The remainder of the Golf Course would materially remain as currently configured and would continue to be open to the public. Golf Course users would be provided parking within the Proposed Facility. A permanent easement or other legal instrument will be established to ensure parking access for Golf Course users. As a part of the project design, the Applicant has also committed to developing a police substation on the Development Site.

Supplemental improvements will be undertaken to improve circulation near the Development Site. The Applicant is investigating the feasibility of a new vehicular overpass across the Hutchinson River Expressway near Lafayette Avenue. Ring Road would be widened and improved in coordination with the NYCDOT. Additionally, the Applicant intends to design and construct improvements to the Park in coordination with the City of New York.

Collectively, the Proposed Actions are classified as a Type I action pursuant to Part 617 of the New York Codes, Rules, and Regulations, and a coordinated review with City and State agencies is required. The Office of the Deputy Mayor for Housing, Economic Development, and Workforce (ODMHEDW) is the CEQR Lead Agency.

2. Affected Area

Background

The Park, located at 450 Hutchinson River Parkway, is identified on the New York City tax map as Bronx Block 5622, Lot 1 and Block 5583, Lot 100. The 413.8-acre park is bisected by the Whitestone Bridge and the Hutchinson River Expressway. The park was created through a combination of land purchase and reclamation. The park's original 171 acres were purchased by the City in proceedings to acquire land for the Whitestone Bridge in 1937, and plans were made for a beach, bathhouse, and cafeteria complex with a bus terminal and parking field. When the portion of the Park that is west of the Whitestone Bridge opened in 1941, the design had been scaled back and included a comfort station, baseball diamonds, an overlook, and picnic areas. In 1948, two park additions totaling 243 acres were acquired by condemnation. The NYC Department of Sanitation (DSNY) operated a municipal solid waste landfill on a portion of the Park that is east of the

Whitestone Bridge from 1952 to 1970.¹ In 2015, the public 18-hole Golf Course was completed over the former landfill, within the Park.

The Golf Course concession was originally licensed to Trump Ferry Point LLC for a term extending through March 31, 2035, pursuant to a license agreement dated February 21, 2012. The license was assigned to the Applicant on September 12, 2023.

Also in 2015, improvements were made to the Park, including the construction of ballfields, bicycle and pedestrian pathways, basketball courts, and a comfort station. A new comfort station was added to a portion of the Park that is west of the Whitestone Bridge in 2018.

The Ferry Pont Park Passive Waterfront Path and Landscape Construction, which created a waterfront path and saltwater marsh at the base of the Park between the Whitestone Bridge and Emerson Avenue, was completed in March of 2021. The Ferry Point Park ferry terminal, located in the southwestern portion of the Park, was also completed in 2021 and provides ferry access along the Soundview route between the Bronx and Manhattan seven days a week.

The Development Site – the area of Ferry Point Park where the proposed facility would be constructed, as shown in EAS Figure 2 – comprises about 19 acres and includes the Golf Course's clubhouse, parking lot, and portion of the practice area.

Development Site

The Development Site is a 19-acre parcel located entirely within the Golf Course. As noted above, the Golf Course is part of Ferry Point Park, and under the jurisdiction of NYC Parks. The Applicant is the licensee and operator of the Golf Course.

The Development Site is bounded by Hutchinson River Expressway to the west, and otherwise bounded by the Golf Course and Park. The Ring Road parcel is generally within the area of the existing Ring Road, with wider boundaries in some areas (see Appendix A for the metes and bounds of the two parcels comprising the Affected Area). The Development Site is currently improved with the Golf Course clubhouse, pro shop, parking lot, and portion of the golf course practice area. The clubhouse is one story and has approximately 25,265gsf of floor area.

The preliminary Flood Insurance Rate Map (pFIRM) published by the Federal Emergency Management Agency (FEMA) shows that portions of the Development Site are in the 100year (Zone AE) and 500-year floodplains, and other portions are in an area of minimal flood hazard chance. The base flood elevation at the Development Site is 13 feet. The Development Site is also within the New York City Coastal Zone Boundary, which requires a consistency review against the policies of the NYC Waterfront Revitalization Program (WRP).

The Development Site is accessed from Hutchinson River Expressway and the local street network via Ring Road, which connects the southbound Hutchinson River Expressway service road to the northbound service road by looping beneath the Whitestone Bridge within the Park. To the north, the Hutchinson River Expressway provides access to interstates 95, 278, and 295. These interstate highways allow onward regional connections to areas such as the Bronx, Westchester, New Jersey, and Connecticut. Southbound, the Hutchinson River Expressway provides access the East River via

¹ <u>https://www.nycgovparks.org/parks/ferry-point-park/history</u>

the Whitestone Bridge to the Cross Island Parkway, which provides onward connections to Queens and Long Island.

The Development Site is approximately 0.25 miles west of the Bx42 bus stop along Harding Avenue, and approximately 0.25 miles northeast of the Ferry Point Park ferry terminal. The Development Site is also within one mile of bus stops served by the BxM9, Q50, and Q44 – Select Bus Service (SBS) bus lines. The Middletown Road, Castle Hill Avenue, Zerega Avenue, and Westchester Square-East Tremont Avenue stations of the No. 6 subway line are within two miles of the Development Site. The area surrounding the Affected Area contains a mix of open spaces (the remainder of the Park and the Saint Raymond New Cemetery). On the periphery of the Park, land uses include vacant land, institutional uses, multifamily housing, and one- and two-family buildings (see EAS Figure 4).

Former Landfill

The Development Site previously was used by the DSNY as a municipal solid waste landfill. In July 2000, NYSDEC issued permit No. 2-6006-00014/00011 to allow the importation of fill material to construct the Golf Course on the Development Site. The permit, as subsequently modified during construction activities, expires in May 2024. As required by the NYSDEC permit, a post construction custodial plan was established to set forth postconstruction and monitoring requirements associated with the former landfill use and construction allowed by the permit. Monitoring as required by the post construction custodial plan is currently conducted by NYC Parks.

Ring Road

The Ring Road parcel is the approximately 5.5-acre area of the Park that would be alienated and mapped as a city street under the jurisdiction of NYCDOT. The Ring Road parcel would be wider than the existing roadway to allow design flexibility to accommodate vehicles, bicycles, and pedestrians accessing the Park and Proposed Facility.

Replacement Parkland

In connection with the Proposed Development, the Applicant intends to provide land within the Bronx to be used as replacement parkland under the jurisdiction of NYC Parks. The replacement parkland will be the subject of an acquisition action by the City. The tobe-identified replacement parkland would be identified in the EIS.

3. Surrounding Area

Study Area

The land within a quarter-mile radius of the Affected Area is predominantly parkland associated with Ferry Point Park, which spans across the east and west sides of the Hutchinson River Expressway. The Golf Course is a 222-acre regional public recreation facility located on the eastern portion of the Park, bounded by the Whitestone Bridge to the west, Balcom Avenue and Emerson Avenue to the east, Schley Avenue and St. Raymond's New Cemetery to the north, and the East River to the south. The 18-hole links-style course was designed by Jack Nicklaus and features native grasses and dunes with teeing grounds that rise at varied elevations. The Golf Course was designed to accommodate national and international tournaments and is open to the public. Beyond

the Golf Course, in the western portion, the Park offers barbecuing areas, basketball courts, cricket fields, football fields, dog-friendly areas, handball courts, playgrounds, public restrooms, soccer fields, and Wi-Fi Hot Spots. The Park is over 400 acres and is one of the City's premier parks.

The area south of the Cross Bronx Expressway and west of Hutchinson River Expressway is predominately industrial, although residential uses are present on the blocks bounded by Wenner Place, Hutchinson River Expressway, Jay Place, and Brush Avenue. The non-residential uses in this area include the Throggs Neck Shopping Center, The Home Depot, Monsignor Scanlan High School, a beverage distributing facility, construction contractor yards, UPS and FedEx facilities, and a homeless shelter. North of the Park is the 180-acre Saint Raymond New Cemetery. The area east of the Park is the predominately residential Throggs Neck neighborhood. Figure 1 below shows the land uses within a quarter-mile of the Affected Area.





Relevant Planning Initiatives

Hutchinson River Parkway Study

In the spring of 2013, the NYC Department of City Planning began the *Hutchinson River Transportation Corridor Parkway Study* to evaluate the transportation needs along and surrounding the Hutchinson River Parkway corridor. The goal of the study was to develop long-term recommendations to relieve congestion, improve circulation and access to and from the Hutchinson River Parkway, and improve the operation and maintenance of Ring Road. The study area extended from Pelham Parkway through the Park. The *Hutchinson River Parkway Study* found that Ring Road did not have the necessary facilities to support the then-current level of traffic and did not provide adequate access and crossing points for pedestrians. The NYC Department of City Planning recommended that Ring Road be improved and transferred to NYCDOT. The *Hutchinson River Parkway Study* also recommended safety improvements for pedestrians, cyclists, and vehicles.

Penn Station Access

In September 2021, the Federal Transit Administration (FTA) issued a Finding of No Significant Impact for the Penn Station Access project, which includes four new Metro-North stations in the East Bronx. These new stations provide additional public transit options between the East Bronx and Penn Station, Westchester County, and Connecticut via the Metro-North. The planned Parkchester/Van Nest station is planned to be constructed near the intersection of East Tremont Avenue and Unionport Road, about 2.5 miles northwest of the Development Site.

Bronx Metro-North Rezoning

The City is proposing zoning text and map amendments and changes to the City Map in an approximately 46-block area primarily along major corridors – East Tremont Avenue, White Plains Road, Bronxdale Avenue, Eastchester Road, and Stillwell Avenue — near the future Parkchester/Van Nest and Morris Park Metro-North stations in Bronx Community Districts 9, 10 and 11. In January 2024, the NYC Department of City Planning published the *Bronx Metro-North Station Area Study Draft Environmental Impact Statement* (CEQR No. 23DCP065X).

4. Proposed Development

The Proposed Development includes the Proposed Facility on the Development Site, the new Golf Clubhouse, and the new and to-be-improved infrastructure located on and off site to facilitate the future operation of the Proposed Facility.

Proposed Facility

The Proposed Actions would allow the Proposed Facility, which would contain approximately 561,320 gsf of gaming and food and beverage space, a 500-key hotel with a spa and meeting space, a 2,000-person event center, approximately 6,100 gsf of retail, and approximately 40,160 gsf for a new golf clubhouse. The Proposed Facility would be supported by approximately 1,941,910 gsf of parking (4,660 spaces). The Proposed Facility would contain approximately 3,134,040-gsf and rise to a maximum height of 280 feet. The facility's exterior glazing would comply with the bird-friendly design of Local Law 15 of

2020. The proposed site plan is shown in Figure 2 and the proposed floor area by use is shown in Table 1 below.



Source: HKS Architects

Use	New Construction (GSF)
Golf Clubhouse	40,160
Gaming Facility (Gaming and Food/Beverage)	561,320
Hotel, Spa, & Meeting	509,330
Event Center	75,220
Sundry Retail	6,100
Parking	1,941,910
TOTAL	3,134,040

 Table 1: Proposed Facility and Golf Clubhouse – Gross Square Footage by Use

Ring Road

As a part of the Proposed Development, the Applicant intends to make improvements to Ring Road to enhance circulation, safety, and access to the Development Site for pedestrians, cyclists, and vehicles. The Proposed Facility would be accessible from Ring Road, an existing park road currently under NYC Parks' jurisdiction. Traffic volumes along Ring Road are expected to grow with the Proposed Development, which would require widening in some areas and other improvements as a part of the Proposed Development.

Pedestrian access improvements would be implemented along Ring Road to enhance connectivity beneath the Hutchinson River Expressway overpass, allowing improved connection between the Development Site and the western portion of the Park.

Ring Road would be alienated by the State legislature, mapped as a city street, and transferred from NYC Parks to NYCDOT. The Applicant would design and construct the improvements to Ring Road in coordination with NYCDOT with input from other agencies such as NYCDEP and MTA Bridges and Tunnels (formerly Triborough Bridge and Tunnel Authority).

Off-Site Improvements

Ferry Point Park

The Applicant intends to design and construct improvements to the Park in coordination with the City of New York. NYC Parks requires construction permits for any project that affects assets under its jurisdiction, such as natural areas, greenstreets and green infrastructure, monuments, or concessions, as well as the sidewalks and roadways that serve these features.

An access easement or other legal instrument would be in place on the Development Site to allow park users continued access to the Park's parking lot and roadway south of the Development Site for connectivity to the waterfront and recreational uses. Pedestrian access would be available from the Golf Course to the waterfront in Ferry Point Park via a paved sidewalk or other pedestrian element.

Replacement Parkland

The Applicant will provide replacement parkland and will also make improvements to existing parkland to replace the parkland that would be dedicated to non-park uses pursuant to the proposed alienation legislation. Replacement parkland and improvements to existing portions of Ferry Point Park are anticipated to be identified during the alienation and CEQR processes. The final replacement parkland sites will be identified before publication of the Final EIS. The to-be-identified parkland would be transferred from the Applicant to NYC Parks to be operated as public parkland. Additional mapping

actions (i.e., City Map and zoning map amendments) may be warranted in connection with the replacement parkland.

Potential New Sewer Outfalls

As a part of the Proposed Development, new sewer outfalls may be required at to-bedetermined locations. The issuance of wetland permits from NYSDEC and USACE would be required for potential new stormwater outfalls in adjacent waterbodies such as the East River or Westchester Creek – approvals that would be sought through a Joint Permit Application (JPA). Outfalls would be constructed with a design capacity that has been reviewed and approved by NYSDEC. If new outfalls are constructed, placement of outfalls would be discussed with NYC Parks and NYCDOT to coordinate with current wetland mitigation projects along the East River. Prior to being released into nearby waterbodies, any sewage generated from the Proposed Development would be pre-treated, per applicable regulations.

5. Proposed Actions

The following discretionary actions (the Proposed Actions) are necessary to facilitate the Proposed Development:

Required City Approvals

City Map Amendments:

- Demap the Development Site as parkland.
- Map Ring Road, proposed to be widened, as a City Street.

Zoning Map Amendments

 Designate 19 acres of alienated parkland as a C8-4 commercial zoning district, in which gaming facilities are permitted pursuant to NYC Zoning Resolution Sections 32-10 (32-18, 32-181, 32-283) and 42-10 (42-18, 42-181, 42-183).

Disposition of Real Property

Disposition of non-residential, city-owned property to the Applicant.

Acquisition of Real Property

• Acquisition of replacement parkland by the City of New York from the Applicant.

Modification of Existing Concession License

 Renewal and amendment of the existing Concession License between the Applicant and NYC Parks to facilitate the long-term operation of the public Golf Course by Applicant.

Other City approvals may include approval from the Public Design Commission (PDC) and amendments to the City map and/or zoning map to show replacement parkland areas as "Park". In addition, to facilitate the Proposed Development, coordination (or approvals for public improvements) will be required with the NYC Department of Transportation (NYCDOT).

Required State Approvals

State Legislation and Governor's Approval authorizing the Alienation of Parkland

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• To facilitate the disposition of the 19-acre Development Site to develop the Proposed Facility and the use of Ring Road as a mapped City Street.

The Proposed Development is anticipated to require the approval of the following discretionary actions:

Approval by the Gaming Facility Location Board and issuance of a gaming license from the New York State Gaming Commission

• To allow the operation of the Proposed Facility.

Approval from New York State Department of Environmental Conservation (NYSDEC)

To allow the use of and construction on the Affected Area

Other State approvals may include approval from the NYSDOT and potentially other State agencies to facilitate certain street improvements in the area of the Hutchinson River Expressway, the issuance of wetland permits from NYSDEC and the USACE, and potentially other NYSDEC permits. In addition, to facilitate the Proposed Development, coordination (or approvals for public improvements) may be required with MTA and MBT.

Several of the Proposed Actions are subject to the City of New York's Uniform Land Use Review Procedure (ULURP), namely the zoning map amendment, City Map amendment, acquisition of city-owned property, and disposition of city-owned property. ULURP is mandated by the City Charter and requires opportunities for review and comment by the public; the application and environmental review documents are referred to the affected community board(s) and borough president for advisory votes. The application is then voted on by the New York City Planning Commission, and, if approved, is voted on by the New York City Council. If the application is approved by City Council, the mayor has up to five days to veto, which can be overridden by City Council with a two-thirds vote.

The Development Site is within the City's Coastal Zone; accordingly, the Proposed Actions are subject to review for consistency with the policies of the New York City WRP. The City Planning Commission, in its capacity as the City Coastal Commission (CCC), and the New York City Department of City Planning (DCP) are responsible for administering the WRP. The CCC reviews and makes WRP consistency determinations for local actions that come before the City Planning Commission, as well as reviews certain state and federal actions. DCP will review the WRP consistency assessment and lead all inter-agency coordination. DCP and CCC review of state and federal actions is advisory and for the purpose of consultation in accordance with state and federal laws and regulations.

6. Purpose and Need

The Proposed Actions would enable a destination gaming facility in an area of the Bronx that is well suited to accommodate it. The site is strategically located in proximity to interstate highways and regional airports, but its location within a park offers a degree of separation from the adjacent community for minimal neighborhood affect. The Development Site will be located on the existing golf course parking lot and clubhouse, allowing the majority of the golf course (over 200 acres) to remain intact and open to the public.

Importantly, Bally's Bronx will generate meaningful economic activity for the Borough, City and State, including significant new tax revenue. The project is expected to create thousands of construction jobs and 3,500 permanent jobs. When complete, the project

would be one the largest Bronx employers and one of the largest privately funded projects in Bronx's history.

The project will further goals in the 2015 *Hutchinson River Transportation Corridor Parkway Study* by making privately-funded infrastructure and safety improvements to the Ring Road and surrounding roadways. The study recommended mapping Ring Road as a city street, as well as improving connectivity to the Park. In partnership with New York City, Bally's Bronx will implement these important transportation objectives. Additionally, Bally's Bronx will improve Park facilities to complement the City's recent park upgrades including the newly created waterfront access and ferry terminal.

The Proposed Facility would be an economic boon to the City of New York, significantly increase employment in the area both directly and indirectly, and create a vibrant destination in a largely underutilized area of the Bronx.

7. Analysis Framework

The 2021 CEQR Technical Manual will serve as a general guide on the methodologies and impact criteria to evaluate the potential environmental effects of the Proposed Actions on the areas of environmental analysis. Consistent with the guidelines set forth in the CEQR Technical Manual, existing conditions will be described. Conditions will then be forecast to the future analysis year absent the Proposed Actions (the "No-Action Condition"). The With-Action Condition assumes the Proposed Actions would be adopted and the Development Site would be redeveloped and fully occupied by the 2030 analysis (build) year. The With-Action Condition will be compared to the No-Action Condition to determine the project "increment". The increment will be used to determine the incremental effects of the Proposed Actions over the No-Action Condition. The CEQR process will determine whether the Proposed Actions have the potential to result in significant adverse environmental impacts.

Analysis (Build) Year

The analysis year established for this project is 2030 the year when new development generated by the Proposed Actions would be complete and fully operable. Construction of the Proposed Development would begin after the Proposed Actions and all other required permits have been approved and the Applicant has obtained the gaming license. Construction is expected to commence in 2027- 2028. Assuming a construction duration of approximately 30 months, the Proposed Development would be complete and fully occupied in 2030.

No-Action Condition

The Development Site is a City park and is under jurisdiction of NYC Parks. In the No-Action Condition, existing conditions on the Development Site would remain. The one-story, 25,265-gsf golf clubhouse, pro shop, accessory parking lot, and practice area would remain as existing conditions on the Development Site. No new public infrastructure – such as roadway or park improvements – would be developed. The existing uses on the Development Site are considered allowable uses on parkland and are in place pursuant to a license agreement between the Applicant and NYC Parks.

With-Action Condition

In the With-Action Condition, the Proposed Actions would be adopted, and the Development Site and Ring Road would be alienated from Ferry Point Park. The Development Site would be rezoned to a C8-4 commercial district and be conveyed from the City to the Applicant. The Applicant would demolish the existing golf clubhouse, accessory parking lot, and a portion of the practice area to construct the Proposed Facility, as described in Section 4, "Proposed Development." As part of the disposition of the land to the Applicant, a land disposition or other agreement between the City and the Applicant would provide a legal instrument that would restrict the Applicant's use of the Development Site.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in an increment of approximately 3,108,775 gsf and 2,568,970 zoning square feet (zsf) on the Development Site. The increment established in the RWCDS is shown in Table 2.

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Table 2: Project Increment by Use

	No-Action	With-Action	Increment
Development Site (GSF)			
Golf Clubhouse	25,265	40,160	14,895
Gaming Facility	0	561,320	561,320
Hotel with Spa and Meeting Rooms	0	509,330	509,330
Event Space	0	75,220	75,220
Sundry Retail	0	6,100	6,100
Parking	0	1,941,910	1,941,910
Total (GSF)	25,265	3,134,040	3,108,775
Other Project Attributes			
Gaming Positions ¹	0	5,146	5,146 ¹
Hotel Rooms	0	500	500
Event Center (Person Capacity)	0	2,000	2,000
Jobs	165	3,665	3,500
Parking (Spaces)	315	4,660	4,345
Alienated Open Space (Acres)	0.00	23.81	23.81
	10		2.1.2

¹ The capacity of the gaming facility, as measured in available spaces for gamers.

8. Technical Analyses

Land Use, Zoning, and Public Policy

Per *CEQR Technical Manual* guidelines, a land use analysis identifies and characterizes the uses and development trends in the area that may be affected by a proposed project and determines whether that proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The Proposed Actions would include parkland alienation, a rezoning, and changes to the City Map. These actions would facilitate use changes and the addition of zoning district on the Development Site. Therefore, an assessment of land use, zoning, and public policy

will be provided in the Environmental Impact Statement (EIS). Because the Development Site is within the Coastal Zone, a Waterfront Revitalization Plan (WRP) consistency assessment will be provided in the EIS (see Draft Scope of Work).

Socioeconomic Conditions

As defined in the *CEQR Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activity. A CEQR socioeconomic assessment considers whether a proposed project could result in significant adverse impacts on the socioeconomic character from direct displacement of residents, indirect displacement of the residential population within a study area, direct displacement of existing businesses on a project site, indirect displacement of existing businesses within a study area (due to either increased rents or retail market saturation), or adverse effects on specific industries.

Direct Displacement

There are no existing residential uses on the Development Site and therefore the Proposed Actions would not directly displace residents. The Golf Course, only a portion of which is located within the Development Site, currently employs 165 people. Golf Course employees who currently work at the existing clubhouse will be offered positions at the new golf clubhouse and/or the Proposed Facility on the Development Site. With the Proposed Development, approximately 3,500 new jobs would be available to residents of the surrounding area. Thus, the Proposed Actions would not directly displace more than 100 employees, which is the CEQR threshold which warrants a direct business displacement analysis. Therefore, direct residential displacement or direct business displacement analyses are not warranted and will not be provided.

Indirect Displacement

The Proposed Actions would not introduce any new residential units on the Development Site, so the 200 additional units which is the CEQR preliminary screening threshold for indirect residential displacement is not met. Thus, the Proposed Actions do not warrant an indirect residential displacement analysis.

The Proposed Actions would result in new non-residential development larger than 200,000 gsf, and that is markedly different from existing uses. Therefore, an assessment of potential indirect business displacement will be provided in the EIS (see Draft Scope of Work).

Adverse Effects on Specific Industries

The Proposed Actions would not affect conditions in a specific industry, substantially reduce employment, or impair the economic viability in a specific industry or category of business. Per the *CEQR Technical Manual*, projects that would result in more than 200,000 gsf of retail area may have the potential to result in significant adverse impacts related to the saturation of retail. As the Proposed Actions would not result in more than 200,000 gsf of retail area, no analysis of project generated effects on specific industries is warranted.

Community Facilities and Services

The CEQR Technical Manual defines community facilities as public or publicly funded schools, hospitals, libraries, childcare centers, health care facilities, and fire and police

protection services. A proposed project may affect community facility services directly when it physically displaces or alters a community facility, or indirectly when it results in a change in population that would affect the delivery of services provided by a community facility. Per the *CEQR Technical Manual*, a project may have the potential for an indirect impact on community facilities and services if it would result in an increase in population that would subsequently increase demand for existing services provided beyond the capacity of the facilities to serve the needs of the community.

The Proposed Actions would not directly eliminate, displace, or alter public or publicly funded community facilities, and would not warrant an analysis of direct effects on community facilities. The Proposed Development would not result in any residential uses and thus, the Proposed Development would not introduce a population that would overburden community facilities and services such as schools, childcare facilities, libraries, and health care facilities.

The Proposed Development would result in additional year-round visitors to the Development Site that could result in an increase in demand for police protection, and fire protection and emergency services. The EIS will consider the indirect impacts on police and fire protection services by describing the locations of existing fire stations and police stations and emergency services. A qualitative discussion of the proposed security features such as a police substation on the Development Site, which will be coordinated with the New York Police Department (NYPD), will be provided in the EIS (see Draft Scope of Work).

Open Space

Per the *CEQR Technical Manual*, an assessment of potential effects on open space resources is required if a proposed project would have the potential to result in either direct or indirect effects on open spaces. Direct effects may occur when the proposed project would encroach on, or cause a loss of, open space. Indirect effects may occur when the population generated by the proposed project strains the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. The *CEQR Technical Manual* requires an assessment of indirect effects if the population generated is greater than 200 residents or 500 employees.

The Proposed Actions would alter a public open space (Ferry Point Park) by alienating parkland, and therefore an analysis of direct effects on open space is warranted. Ferry Point Park is a 413.8-acre park bisected by the Whitestone Bridge and the Hutchinson River Expressway. The DSNY operated a municipal solid waste landfill on a portion of the Park that is east of the Whitestone Bridge from 1952 to 1970. A portion of the former landfill is considered the Development Site for the Proposed Development. In July 2000, NYSDEC issued permit No. 2-6006-00014/00011 to allow the importation of fill material to construct the Golf Course on the Development Site. In 2015, the public 18-hole Golf Course was completed over a portion of the former landfill, within the Park. The Proposed Development will directly impact a public open space, and an analysis of direct open space impacts to both residents and non-residents will be required.

The alienation parcel will include an existing roadway that connects park users to a parking lot south of the Development Site. An access easement or other legal instrument would be in place on the Development Site to allow park users continued access to the Park's parking lot and roadway south of the Development Site for connectivity to the waterfront and recreational uses. Pedestrian access would be available from the Golf Course to the
waterfront in Ferry Point Park via a paved sidewalk or other pedestrian element. Access to the parking lot and waterfront would continue to be available to park users during construction and will be described in the EIS.

The Proposed Actions would result in an incremental increase of approximately up to 650 workers and 5,800 visitors present during peak business hours at the Proposed Facility, including the new golf clubhouse, which warrants an indirect assessment of open space impacts for non-residents. Because the Proposed Development would directly affect an open space, and the incremental increase in the non-residential population is over 500, both a direct and indirect assessment of open space impacts will be provided in the EIS (see Draft Scope of Work).

Shadows

A CEQR shadow assessment is warranted when a proposed action would result in a new structure or an addition to an existing structure that is greater than 50 feet in height or is adjacent to a sunlight-sensitive resource. Incremental shadows occur when a shadow from a proposed project is cast on a publicly accessible open space, historic landscape, or other historic resource that relies on sunlight for its enjoyment by the public, or its architectural and historic integrity (e.g., stained glass windows), or if the shadow falls on a natural feature and adversely affects its use or landscaping and vegetation. Shadows on features such as city streets, sidewalks, buildings, and privately owned open space, or that occur within 1.5 hours of sunrise or sunset, generally are not considered significant by CEQR.

The Proposed Actions would result in the development of the Proposed Facility, including the new golf clubhouse. Both structures will be greater than 50 feet in height. They will be adjacent to four sunlight-sensitive resources: the East River, Westchester Creek, St. Raymond New Cemetery, and Ferry Point Park. A shadows assessment will be provided in the EIS, as described in the Draft Scope of Work, to determine the effects of project-generated shadows on nearby sunlight-sensitive resources.

Historic and Cultural Resources

Per the *CEQR Technical Manual*, historic and cultural resources include both architectural and archaeological resources. Archaeological resources include physical remains, usually subsurface, such as burials, foundations, artifacts, wells, or privies of the prehistoric, Native American, or historic periods. Architectural resources generally include historically important buildings, structures, objects, sites, and districts.

Archaeological Resources

The Proposed Development would involve construction resulting in in-ground disturbance. The Development Site is within a larger area classified by the New York State Historic Preservation Office (SHPO) as "archaeologically sensitive." A site-specific Request for Environmental Review was submitted to the NYC Landmarks Preservation Commission (LPC) for consultation on the potential for the Development Site to contain architectural or archaeological historic and cultural resources. Based on the correspondence from LPC dated 2 April 2024, the Development Site does not have the potential to contain archaeological resources (see LPC correspondence in Appendix B). Therefore, an assessment of archaeological resources is not warranted and will not be provided. Additionally, LPC reviewed and had no comments on the EAS and Draft Scope for the project (see Appendix B).

Architectural Resources

LPC's letter dated 2 April 2024 noted that there are no architectural resources on the Development Site and there are no architectural resources within 400 feet of the Development Site that are listed or eligible for listing in the State/National Registers of Historic places (S/NR). Consultations with SHPO and LPC will be described in the historic and cultural resources assessment provided in the EIS (see Draft Scope of Work).

Urban Design and Visual Resources

Per the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from street level, a physical alteration beyond that allowed by the existing zoning.

The Proposed Actions would result in physical changes such as an increase in built floor area and height to the Development Site that could be observed by a pedestrian from street level or from the park. As such, the Proposed Actions have the potential to affect the pedestrian's experience of public space and an urban design and visual resources assessment will be provided in the EIS (see Draft Scope of Work).

Natural Resources

The *CEQR Technical Manual* defines a natural resource as "(1) the city's biodiversity (plants, wildlife, and other organisms); (2) any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and (3) any areas capable of functioning in support of the ecological systems that maintain the city's environmental stability." Such resources include groundwater, soils, and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife. An assessment may be appropriate if a natural resource is present on or near the project site and the project would directly or indirectly disturb that resource.

The Development Site itself is not adjacent to the waterfront, however it is on a waterfront block adjacent to the East River and Westchester Creek, which are natural resources as defined in Chapter 11, Section 100 of the *CEQR Technical Manual*, and a natural resources assessment will be provided in the DEIS. Both waterbodies have had Long Term Control Plans (LTCP) completed by the New York City Department of Environmental Protection to achieve waterbody-specific water quality standards. These plans include measures to reduce the impacts of combined sewer overflow events and to improve the water discharged by the city's wastewater treatment plants. The Development Site is wholly outside an area identified by the New York State Department of Environmental Conservation as an area of "rare plants or animals."

Therefore, an analysis of natural resources will be provided in the EIS. Information will be provided on any in-water construction methods that would be utilized, as well as a description of the shoreline adjacent to the East River and Westchester Creek. A two-season bird survey will be conducted per *CEQR Technical Manual* guidelines and submission of appropriate forms to U.S Fish and Wildlife Service such as a bridge/structure bat assessment will be included as appendices to the EIS. If additional wildlife is identified in the survey, they will be noted in the EIS as well. The analysis will include a NYSDOT Suitable Habitat Assessment Form for Trees (SHAFT), and wetland delineation will also be conducted for any wetlands on the Development Site and any directly affected areas

within the Study Area. The Proposed Development's consistency with the WRP, including projections of future sea level rise and flood zone boundaries, and any adaptive management strategies and flood-resistant measures included as a part of the project as they relate to natural resources will be included in the analysis. Additionally, the shadows assessment provided in the EIS will determine the effects of project-generated shadows on the East River or Westchester Creek (see Draft Scope of Work).

Hazardous Materials

The potential for significant impacts from hazardous materials occurs when hazardous materials exist on a site and an action would increase pathways to their exposure to humans and the environment, or an action would introduce new activities or processes using hazardous materials. Potential routes of exposure to hazardous materials can include direct contact, such as contact between contaminated soil and skin (dermal contact), breathing of volatile organic compounds (VOCs) or chemicals associated with suspended soil particles (inhalation), or swallowing soil or water (ingestion). The Proposed Actions would lead to ground disturbance on the Development Site. The DSNY operated a municipal solid waste landfill on a portion of the Park that is east of the Whitestone Bridge from 1952 to 1970. A portion of the former landfill is considered the Development Site for the Proposed Development. In July 2000, NYSDEC issued permit No. 2-6006-00014/00011 to allow the importation of fill material to construct the Golf Course on the Development Site. In 2015, the public 18-hole Golf Course was completed over a portion of the former landfill, within the Park. Ongoing maintenance and monitoring of the Golf Course and Development Site is currently conducted by NYC Parks. As a part of the Proposed Actions, approvals from NYSDEC will be required to enable the Proposed Facility on the Development Site. Due to the Development Site's former use as a municipal solid waste landfill, a hazardous materials assessment will be provided in the EIS (see Draft Scope of Work). The EIS will incorporate findings of previous studies and the existing engineering and institutional controls on the site as required by the NYSDEC permit.

Water and Sewer Infrastructure

Per the *CEQR Technical Manual*, New York City's water and sewer network is fundamental to the operation, health, safety, and quality of life of the City and its surrounding environment, and it must be sized to fit the users and surface conditions to function adequately. Ensuring these systems have adequate capacity to accommodate land use or density changes arising from new development is critical to avoid issues such as sewer back-ups, street flooding, or pressure reductions.

The purpose of a water and sewer infrastructure analysis is to assess whether a proposed project may adversely affect the City's water distribution or sewer system and, if so, assess the effects of such a project to determine whether its impact will be significant. Per the *CEQR Technical Manual*, projects that result in more than one million gallons per day (gpd) require a water supply assessment. The projected water demand resulting from the Proposed Actions would be approximately 442,729 gallons² per day (gpd), less than the one-million-gpd threshold that warrants a water supply assessment, and no further analysis of water supply is required.

² Based on the *CEQR Technical Manual* rates for commercial and hotel uses. For the EIS, calculations will be refined to be more specific to casino uses.

Per the *CEQR Technical Manual*, projects in the Bronx that would develop more than 150,000 sf of commercial space warrant a wastewater and stormwater infrastructure assessment. The Proposed Development would introduce 3,134,040-gsf of new commercial floor area on the Development Site. Further, the Development Site is within the Westchester Creek drainage area, and the Proposed Development involves development on a site that is larger than one acre where the amount of impervious surface may increase. Therefore, a preliminary assessment of wastewater and stormwater infrastructure will be required. An analysis of existing stormwater drainage and sewer systems, changes to the stormwater drainage plan, sewer system, and surface area with the Proposed Actions, and any potential new or modified sewer outfalls to be constructed as a part of the Proposed Development will be provided in the EIS (see Draft Scope of Work).

Solid Waste and Sanitation Services

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. The Proposed Actions will generate additional demands for sanitation services.

Per the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact. Based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the Proposed Actions would result in a net increase of approximately 276,500³ pounds (lbs) of solid waste per week compared to the No-Action Condition, as shown in Table 3. Therefore, an analysis of potential adverse solid waste and sanitation impacts will be included in the EIS (see Draft Scope of Work).

³ Based on the *CEQR Technical Manual* rates for general retail, per guidance provided by DSNY. For the EIS, calculations will be refined to be more specific to casino uses.

No-Action Condition		With-Ac	With-Action Condition		Increment					
Land Use (Unit Type)	CEQR Technical Manual Rate (lbs/ employee)	Units	Rate (lbs/wk)	Solid Waste (Tons/wk)	Units	Solid Waste (Ibs/wk)	Solid Waste (Tons/wk)	Units	Solid Waste (Ibs/wk)	Solid Waste (Tons/wk)
Residential (DU)	0	0	0	0.00	0	0	0	0	0	0
General Retail (Employees)	79	165	13,035	6.52	3,665	289,535	144.77	3,500	276,500	138.25
Industrial (Employees)	0	0	0	0	0	0	0.00	0	0	0
Total Solid Waste			13,035	6.52		289,535	144.77		276,500	138.25
Solid Waste Handled by DSNY 0.00				0.00			0.00			
Solid Waste Handled by Private Carter 6.52					144.77			138.25		

Table 3: Solid Waste Generation No-Action, With-Action, and Increment

Energy

Per the *CEQR Technical Manual*, because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code – which reflects State and City energy policy – actions resulting in new construction would not create significant energy impacts, and as such would not require a detailed energy assessment. For CEQR purposes, energy impact analysis focuses on an action's consumption of energy.

Based on factors provided in Table 15-1 of the *CEQR Technical Manual* and as shown in Table 4, it is estimated that the Proposed Actions would result in an annual energy consumption of approximately 677 billion MBTUs,⁴ an increment of 672 billion MBTUs over the No-Action Condition.

Energy consumption on the Development Site will be considered an energy-intensive facility per the *CEQR Technical Manual* because it will operate 24 hours a day, seven days a week. Therefore, an energy analysis will be included in the EIS. This would include an estimate of the additional energy consumption associated with the Proposed Development, including an estimate of the demand load on electricity, gas, and other energy sources, and an assessment of available supply. The Proposed Development's conformance to local regulations, including Local Law 97 and Local Law 154, will be included. Energy efficiency standards included in the Proposed Development will be described, including the Applicant's commitment to using all electric-powered heating ventilation, and cooling (HVAC) systems. The analysis will also describe any energy related utility relocations or new energy infrastructure resulting from the Proposed Actions (see Draft Scope of Work).

⁴ Based on the *CEQR Technical Manual* rates for commercial uses. For the EIS, calculations will be refined to be more specific to casino uses.

Land Use	Source Energy 1,000 BTU/SF	Rate (BTUs/ SF)	No-Action Condition	Consumption MBTUs/ Year	With-Action Condition	Consumption MBTUs/ Year	Increment MBTUs/ Year
Residential	126.7	126,700	0	0	0	0	0
Institutional	250.7	250,700	0	0	0	0	0
Industrial	554.3	554,300	0	0	0	0	0
Commercial	216.3	216,300	25,265	5,464,819,500	3,134,040	677,892,852,000	672,428,032,500
Total Energy Consumption				5,464,819,500		677,892,852,000	672,428,032,500

Table 4: Annual Energy Generation - No-Action, With-Action, and Increment

Transportation

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility; public transportation facilities and services; pedestrian elements and flow; safety of roadway users (pedestrians, bicyclists, and vehicles); and public parking. The *CEQR Technical Manual* describes a two-tier screening process to determine if quantified analyses of transportation conditions are warranted. The preliminary assessment begins with a trip generation analysis (Level-1 screening assessment) to estimate person and vehicle trips that would result from the Proposed Actions.

Per the *CEQR Technical Manual*, a project that is expected to result in fewer than 50 peakhour vehicle trips and fewer than 200 peak-hour transit or pedestrian trips does not warrant further quantified analyses. When these thresholds are exceeded, detailed trip assignments (Level-2 screening assessment) are performed to estimate the incremental project-generated trips at specific transportation elements and to identify potential locations for further quantitative analyses. If the trip assignments show that the Proposed Actions could generate 50 or more peak-hour vehicle trips at an intersection, 200 or more peak-hour subway trips at a station or in one direction along a subway route, 50 or more peak-hour bus trips in one direction along a bus route, 50 or more peak-hour Citywide Ferry Service (CWFS) trips at a landing or along a CWFS route, or 200 or more peak-hour pedestrian trips traversing a pedestrian element (i.e., sidewalks, corners, and crosswalks), then further quantified analyses of transportation conditions may be warranted to assess transportation conditions in the study area.

Based on a preliminary travel demand assessment, the Proposed Facility's hotel, spa, meeting and event space, gaming facility, food and beverage, and sundry retail trip generation would exceed CEQR thresholds for detailed transportation analyses during the weekday AM, midday, PM, and Saturday peak hours ("analysis peak hours"). Therefore, quantified analyses will be required to assess the potential impacts of project-generated trips on key traffic intersections, pedestrian locations, nearby transit services, the area's public parking resources, and vehicular and pedestrian safety conditions. Specific tasks to be undertaken as part of the transportation assessment will be included in the EIS (see Draft Scope of Work) and are summarized below:

Traffic

A traffic analysis study area will be defined pursuant to *CEQR Technical Manual* guidelines and in coordination with the Lead Agency and NYCDOT as part of the transportation assessment conducted during the environmental review process. The study area will include intersections closest to the Development Site in addition to key intersections along routes connecting the Development Site with the regional highway network that would experience a significant volume of project-generated traffic. Additionally, the traffic study area will be defined in coordination with the Lead Agency, NYCDOT, and NYSDOT to include highway network segments (i.e., ramps and merge, diverge, and weave sections) that provide access to the Development Site and would experience a significant volume of project-generated traffic.

Parking

Parking surveys will be performed within ¼-mile of the Development Site to record onand off-street public parking supply and utilization. Parking accumulation estimates for the Proposed Development will be developed to identify peak parking periods and 24hour entering/exiting activities for the proposed on-site parking facility. If applicable, project-generated public parking demand projections will be compared to the available supply in the study area to determine if project-generated demand could result in a potential public parking shortfall. The effects of on-street parking space displacement resulting from proposed transportation mitigation measures will also be addressed. Should the parking supply within ¼-mile of the Development Site prove to be insufficient to accommodate the peak parking demand of the Proposed Development, the study area will be extended to include parking surveys of on- and off-street public parking supply and utilization within ½-mile of the Development Site.

Transit

The Development Site is not directly served by New York City Transit (NYCT)/MTA subway or bus service, railroad service, or the CWFS. As such, the transit trips generated by the Proposed Facility are not expected to exceed CEQR Level-1 thresholds. However, a qualitative assessment of available transit services in the general vicinity of the Development Site will be conducted as part of the overall transportation analyses in addition to the CEQR Level-1 transit screening assessment.

Pedestrians

The Development Site is generally inaccessible via public pedestrian infrastructure. Project-generated parking demand is expected to be accommodated within the proposed on-site parking facility, and taxi/rideshare vehicles are expected to conduct passenger drop-off/pick-up activities within the Development Site. As such, project-generated person trips are not expected to use public pedestrian infrastructure to access or egress the Development Site, and therefore are not expected to exceed CEQR Level-1 thresholds. However, a qualitative assessment of available public pedestrian infrastructure in the general vicinity of the Development Site will be conducted as part of the overall transportation analyses in addition to the CEQR Level-1 pedestrian screening assessment.

Bicycles

A qualitative bicycle analysis will be conducted, focusing on the connectivity, circulation, and infrastructure improvements within the Development Site and its surrounding areas, taking into account connections to nearby bike facilities and other potentially affected locations in the study area. This qualitative analysis will assess existing and proposed bicycle facilities, such as bike lanes, shared paths, greenways, and bike parking, and evaluate the enhancements brought by the Proposed Development.

Vehicular and Pedestrian Safety

Accident data for the study area intersections, highway segments, and other nearby sensitive locations will be obtained from NYCDOT and NYSDOT for the most recent three-year period. The data will be summarized by accident-type on a yearly basis to determine

if any of the study area intersections may be classified as a high pedestrian/bicycle accident location per *CEQR Technical Manual* criteria. Similarly, the data will be summarized for the study area highway segments and compared to NYSDOT average crash rates. If applicable, engineering measures will be recommended at these locations to alleviate potential safety issues. In addition, existing Ring Road pedestrian crossings will be assessed for potential conflicts between park users and increased vehicular traffic in the With-Action condition.

Air Quality

Air quality can be affected by mobile sources (such as pollutants produced by motor vehicles) and by stationary sources (such as pollutants produced by fixed facilities). A CEQR air quality assessment assesses the potential effects of the Proposed Actions on ambient air quality (i.e., the quality of the surrounding air), or the effects on a proposed project because of ambient air conditions.

Mobile Source Emissions

The Proposed Actions are anticipated to result in an enclosed parking facility containing more than 85 spaces, which exceeds the CEQR threshold, and a parking facility air quality assessment will therefore be warranted. Additionally, an assessment of project-generated traffic is expected to exceed the *CEQR Technical Manual* threshold of 12 heavy-duty diesel vehicle-equivalent trips at least one intersection, and therefore would warrant a detailed mobile source assessment. Therefore, the EIS will include an assessment of emissions from mobile emissions sources and a parking facility air quality assessment (see Draft Scope of Work).

Stationary Source Emission

The Proposed Actions would result in buildings with new heating, ventilation, and cooling (HVAC) systems. Therefore, the EIS will include an assessment of emissions from stationary emissions sources (see Draft Scope of Work). The Proposed Development's heat and hot water systems are anticipated to be electric-powered. However, a preliminary screening will be completed for the Proposed Facility and golf clubhouse following the guidance provided in the *CEQR Technical Manual*. The screening will include evaluating the potential project-on-project effects and project-on-existing effects if the Proposed Facility and golf clubhouse would use natural gas. If the Proposed Actions do not pass the stationary source preliminary screening, detailed dispersion analysis will be undertaken to analyze the effects of project-generated emissions from HVAC and hot water systems.

The Clean Air Tracking System maintained by NYCDEP will be reviewed to identify potential sources of emissions from manufacturing or industrial operations within the 400-foot Study Area. For large or major sources, a 1,000-foot study area will be established. If warranted, relevant air emissions permits will be obtained from the New York City Department of Environmental Protection (NYCDEP) and, if required, an industrial source air quality assessment will be conducted following the *CEQR Technical Manual* guidance to assess the effects of existing industrial sources on project-generated development. If required, detailed dispersion modeling will be completed using EPA's AERSCREEN program (see Draft Scope of Work).

Greenhouse Gas (GHG) Emissions and Climate Change

The *CEQR Technical Manual* recommends that a GHG and Climate Change assessment be conducted for any project resulting in 350,000 square feet (sf) or more of development where an EIS is required. The Proposed Actions require the preparation of an EIS and would enable the construction of over 350,000 sf of development; accordingly, the GHG emissions generated by the Proposed Project will be cumulatively quantified, and an assessment of consistency with the City's established GHG goal will be prepared, as described in the Draft Scope of Work. The Proposed Development's conformance to local regulations, including Local Law 97 and Local Law 154, will be included in the EIS. Energy efficiency standards included in the Proposed Development will also be described, including the Applicant's commitment to using all electric-powered heating ventilation, and cooling (HVAC) systems.

Portions of the Project Site are within the 100 and 500-year floodplain and are subject to sea level rise due to climate change. The DEIS will discuss the Proposed Development's consistency with the WRP, including any adaptive management strategies and flood-resistant measures included as a part of the project. Therefore, a GHG and climate change assessment will be included in the EIS (see Draft Scope of Work).

Noise

Per the CEQR Technical Manual, the purpose of a CEQR noise assessment is to determine:

- 1. A proposed project's potential effects on sensitive noise receptors, including the effects on the level of noise inside residential, commercial, and institutional facilities (if applicable), and at open spaces; and
- 2. The effects of ambient noise levels on new sensitive uses introduced by a proposed project. If significant adverse impacts are identified, CEQR requires such impacts to be mitigated or avoided to the greatest extent practicable.

The noise assessment will analyze the potential noise effects associated with the Proposed Actions. The Proposed Actions would introduce new noise-sensitive receptors to the Development Site, consisting of new hotel units. The Proposed Actions would generate additional vehicular traffic and introduce new hotel rooms near the Hutchinson River Expressway, a heavily trafficked roadway. Therefore, an analysis of mobile noise sources will be included in the EIS (see Draft Scope of Work). The mobile source screening assessment will address potential noise impacts associated with vehicular traffic generated by the Proposed Development on the local street network and the Hutchinson River Expressway.

A Noise Protocol Memo was submitted to NYCDEP on 10 April, 2024, for review and approval. The Protocol Memo outlines the methodologies for the noise analysis and will be provided as an appendix to the EIS.

The project would also introduce new noise sources such as mechanical equipment and additional traffic near Ferry Point Park. Therefore, a stationary noise assessment will be provided in the EIS (see Draft Scope of Work). The EIS will assess project-generated stationary noise sources and noise generated by nearby stationary noise sources. If warranted, attenuation measures to achieve the interior noise levels for specific uses will be discussed.

Public Health

As stated in the *CEQR Technical Manual*, when no significant unmitigated adverse impact is found in other CEQR analysis areas – such as air quality, water quality, hazardous materials, or noise – a public health analysis is not warranted. If unmitigated adverse impacts are found in any of these technical areas and the Lead Agency determines that a public health assessment is warranted, an analysis will be provided in the EIS (see Draft Scope of Work).

Neighborhood Character

Per the *CEQR Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise conditions; however, not all these elements contribute to neighborhood character in all cases.

For a proposed project, a CEQR neighborhood character assessment first identifies the defining features of the neighborhood and then evaluates whether the project has the potential to adversely affect one or more of the neighborhood's defining features. A project has the potential to affect a neighborhood's character by a combination of moderate effects or significant adverse impacts to any of the defining features of the neighborhood. Therefore, to determine the effects of a proposed action on neighborhood character, the relevant features of neighborhood character are considered cumulatively. In addition, a significant impact identified in one of the technical areas that may contribute to a neighborhood character, but rather serves as an indication that neighborhood character should be examined.

The Proposed Actions have the potential to result in a combination of moderate effects to technical areas relevant to the neighborhood character of the Study Area. Additionally, the EAS could not rule out significant adverse impacts in the areas of socioeconomics, open space, shadows, transportation, and noise (CEQR technical areas that contribute to neighborhood character); therefore, an assessment of neighborhood character will be provided in the EIS (see Draft Scope of Work).

Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials.

The Proposed Actions would result in construction that would be classified as "long-term" per CEQR (more than two years) on a site within Ferry Point Park, a use that is sensitive to air quality and noise conditions. A detailed construction analysis will be provided in the EIS (see Draft Scope of Work). Construction on the Development Site will occur above a former municipal solid waste landfill, and a discussion of the NYSDEC requirements for construction and post-construction operation and maintenance, will be included in the EIS. Information will be provided on the applicable oversight and regulations by NYSDOT for improvements to Ring Road, by NYCDEP or Mayor's Office of Environmental

Remediation (OER) for hazardous materials, and by NYCDOT for improvements to Ring Road. As a part of construction, dewatering may be required and likely discharged to the city's combined sewer system with oversight from NYCDEP, which will be further discussed in the EIS.

The EIS will analyze several subareas of construction, including:

- Open Space The EIS will discuss the direct effects of construction on Ferry Point Park, including access to the parking lot and waterfront south of the Development Site during construction;
- Transportation The construction transportation section of the EIS will discuss the possible closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes, or parking spaces on the Development Site and nearby parking lots and garages, bicycle routes and facilities, bus lanes or routs, or access points to transit. The EIS will also discuss any overlap of several construction timelines, including the improvements to Ring Road and the construction of the Proposed Facility and Golf Clubhouse;
- Air Quality Construction of the Proposed Development would occur on existing parkland, and an analysis of the potential effects of construction on air quality will be provided in the EIS. This section will discuss the types of construction equipment, nearby sensitive receptors, and the duration of heavy construction activity; and
- Noise Parkland is considered a sensitive receptor per CEQR, and an assessment of the effects of construction noise will be provided in the EIS. This section will include the type of construction equipment, additional nearby sensitive receptors, and an analysis of ambient noise levels during construction.

Information on how New York City regulates construction will be described in the EIS and will include a discussion of the major pieces of construction equipment anticipated to be used in each construction phase for the Proposed Development. Detailed description of the proposed temporary changes to the Golf Course (including how the functions currently performed in the clubhouse and parking lot will be replaced or modified) while the Proposed Facility is under construction will be included in the EIS.



Bally's Bronx Parcel Descriptions and Maps

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2 April 2024 170011400

WRITTEN DESCRIPTION ALIENATION PARCEL BLOCK 5622 PART OF LOT 1 IN THE BOROUGH OF BRONX, CITY OF NEW YORK BRONX COUNTY, NEW YORK

All that certain plot, piece, or parcel of land, situate, lying, and being in the Borough of Bronx, Bronx County, City and State of New York, bounded and described as follows:

BEGINNING at a point of intersection with the easterly Right of Way Line of the Whitestone Bridge and the southerly curb face of the loop service road which passes under the Whitestone Bridge, having an approximate New York State Plane LI Zone NAD83 coordinate value of Northing 234882.69 Easting 1029829.09, from said Point or Place of Beginning and running; thence

Along a curve to the left having an arc length of 82.22 feet, a radius of 214.43 feet, and a central angle of 21°58'05" and being subtended by a chord which bears North 26°35'34" East, a distance of 81.71 feet to a point; thence

Along a compound curve to the left having an arc length of 107.19 feet, a radius of 192.68 feet, and a central angle of 31°52'28" and being subtended by a chord which bears North 00°10'04" East, a distance of 105.81 feet to a point; thence

Along a compound curve to the left having an arc length of 67.39 feet, a radius of 284.67 feet, and a central angle of 13°33'49" and being subtended by a chord which bears North 22°33'05" West, a distance of 67.23 feet to a point; thence

North 27°46'32" West, a distance of 21.06 feet to a point; thence

Along a curve to the left having an arc length of 14.14 feet, a radius of 237.18 feet, and a central angle of 03°24'57" and being subtended by a chord which bears North 29°28'59" West, a distance of 14.14 feet to a point; thence

North 31°06'41" West, a distance of 17.66 feet to a point; thence

Along a curve to the right having an arc length of 112.97 feet, a radius of 164.20 feet, and a central angle of 42°54'39" and being subtended by a chord which bears North 68°32'41" East, a distance of 120.12 feet to a point; thence

North 90°00'00" East, a distance of 86.54 feet to a point; thence

New Jersey • New York • Connecticut • Massachusetts • Pennsylvania • Washington, DC • Ohio • Florida • Texas • Colorado • Arizona • Washington • California Athens • Calgary • Dubai • London • Panama Along a curve to the left having an arc length of 80.03 feet, a radius of 81.56 feet, and a central angle of 56°12'57" and being subtended by a chord which bears North 43°50'11" East, a distance of 76.86 feet to a point; thence

North 90°00'00" East, a distance of 85.11 feet to a point; thence

Along a curve to the left having an arc length of 45.84 feet, a radius of 418.38 feet, and a central angle of 06°16'40" and being subtended by a chord which bears South 36°08'20" East, a distance of 45.82 feet to a point; thence

Along a compound curve to the left having an arc length of 103.18 feet, a radius of 76.33 feet, and a central angle of 77°26'39" and being subtended by a chord which bears South 78°00'00" East, a distance of 95.50 feet to a point; thence

Along a compound curve to the left having an arc length of 76.98 feet, a radius of 150.80 feet, and a central angle of 29°14'47" and being subtended by a chord which bears North 48°39'17" East, a distance of 76.14 feet to a point; thence

Along a reverse curve to the right having an arc length of 131.17 feet, a radius of 889.17 feet, and a central angle of 08°27'09" and being subtended by a chord which bears North 41°35'31" East, a distance of 131.05 feet to a point; thence

Along a compound curve to the right having an arc length of 92.53 feet, a radius of 120.00 feet, and a central angle of 44°10'55" and being subtended by a chord which bears North 67°54'33" East, a distance of 90.26 feet to a point; thence

North 90°00'00" East, a distance of 348.76 feet to a point; thence

Along a curve to the right having an arc length of 43.26 feet, a radius of 80.00 feet, and a central angle of 30°59'06" and being subtended by a chord which bears South 74°30'27" East, a distance of 42.74 feet to a point; thence

South 88°19'39" East, a distance of 41.81 feet to a point; thence

South 56°04'53" East, a distance of 27.53 feet to a point; thence

Along a curve to the right having an arc length of 24.99 feet, a radius of 30.75 feet, and a central angle of 46°34'36" and being subtended by a chord which bears South 14°56'49" East, a distance of 24.31 feet to a point; thence

Along a compound curve to the right having an arc length of 21.83 feet, a radius of 69.88 feet, and a central angle of 17°54'04" and being subtended by a chord which bears South 27°45'30" West, a distance of 21.74 feet to a point; thence

Along a compound curve to the right having an arc length of 35.95 feet, a radius of 145.66 feet, and a central angle of 14°08'23" and being subtended by a chord which bears South 41°47'40" West, a distance of 35.86 feet to a point; thence

Along a compound curve to the right having an arc length of 39.64 feet, a radius of 80.00 feet, and a central angle of 28°23'32" and being subtended by a chord which bears South 26°48'14" West, a distance of 39.24 feet to a point; thence

South 41°00'00" West, a distance of 61.24 feet to a point; thence

Along a curve to the left having an arc length of 44.16 feet, a radius of 185.00 feet, and a central angle of 13°40'38" and being subtended by a chord which bears South 34°09'41" West, a distance of 44.06 feet to a point; thence

South 27°19'22" West, a distance of 151.97 feet to a point; thence

Along a curve to the right having an arc length of 38.32 feet, a radius of 115.00 feet, and a central angle of 19°05'28" and being subtended by a chord which bears South 36°52'06" West, a distance of 38.14 feet to a point; thence

Along a reverse curve to the left having an arc length of 78.29 feet, a radius of 1161.96 feet, and a central angle of 03°51'38" and being subtended by a chord which bears South 44°29'01" West, a distance of 78.28 feet to a point; thence

Along a reverse curve to the right having an arc length of 59.43 feet, a radius of 182.89 feet, and a central angle of 18°37'02" and being subtended by a chord which bears South 51°51'42" West, a distance of 59.17 feet to a point; thence

Along a reverse curve to the left having an arc length of 88.92 feet, a radius of 124.85 feet, and a central angle of 40°48'23" and being subtended by a chord which bears South 40°46'02" West, a distance of 87.05 feet to a point; thence

Along a reverse curve to the right having an arc length of 67.45 feet, a radius of 146.83 feet, and a central angle of 26°19'13" and being subtended by a chord which bears South 33°31'27" West, a distance of 66.86 feet to a point; thence

Along a compound curve to the right having an arc length of 85.51 feet, a radius of 5779.93 feet, and a central angle of 00°50'52" and being subtended by a chord which bears South 47°06'29" West, a distance of 85.51 feet to a point; thence

Along a reverse curve to the left having an arc length of 124.70 feet, a radius of 290.19 feet, and a central angle of 24°37'13" and being subtended by a chord which bears South 35°13'19" West, a distance of 123.74 feet to a point; thence

Along a compound curve to the left having an arc length of 265.70 feet, a radius of 265.00 feet, and a central angle of 57°26'46" and being subtended by a chord which bears South 01°35'29" West, a distance of 254.71 feet to a point; thence

South 27°07'54" East, a distance of 121.47 feet to a point; thence

South 46°28'09" East, a distance of 86.12 feet to a point; thence

Along a curve to the left having an arc length of 93.75 feet, a radius of 1145.12 feet, and a central angle of 04°41'27" and being subtended by a chord which bears South 16°44'33" West, a distance of 93.73 feet to a point; thence

Along a compound curve to the left having an arc length of 467.25 feet, a radius of 2340.82 feet, and a central angle of 11°26'12" and being subtended by a chord which bears South 08°22'51" West, a distance of 466.47 feet to a point; thence

North 26°10'20" West, a distance of 1361.80 feet to a point; to the Point or Place of Beginning

Encompassing an area of 798,590 square feet or 18.33 acres, more or less.

NOTES I IS FOR REFERENCE PURPOSES ONLY, AREAS HAVE BEEN BASED ON MAGERY AND SHOULD BE CONSIDERED APPROXIMATE. BUILDING SITE BOUNDARY LINE SHOWN HERE ON BASED ON A CERTAIN LECTRONIC MAP NAMED "BALLY'S_FPP_SITE BOUNDARY TO LANGAN", PREPARED BY IKS, RECIEVED VIA EMAIL, 1/24/2024. ALIENATION PARCEL AREA=798,590 S.F.± 18.33 ACRES ±

N 90'00'00" E

86.54'

L=122.97')=42*54'39" N 68*32'41"



LANGAN Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 360 West 31st Street, 8th Floor New York, NY 10001					
T: 212.479.5400 F: 212.	479.5444 www.langan.com				
Project BALLY'S N EEDDV					
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BLOCK No. 5622,	BLOCK No. 5622, PART OF LOT No. 1				
CITY OF	BOROUGH OF BRONX CITY OF NEW YORK				
BRONX COUNTY	BRONX COUNTY NEW YORK				
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1 April 2024 170011400

WRITTEN DESCRIPTION ALIENATION ROADWAY PARCEL BLOCK 5622, PART OF LOT 1 IN THE BOROUGH OF BRONX, CITY OF NEW YORK BRONX COUNTY, NEW YORK

All that certain plot, piece, or parcel of land, situate, lying, and being in the Borough of Bronx, Bronx County, City and State of New York, bounded and described as follows:

BEGINNING at a point of intersection with the southerly Right of Way Line of Schley Avenue and a point 40.00' +/- from the westerly curb face of a private road west of the Whitestone Bridge approach, having an approximate New York State Plane LI Zone NAD83 coordinate value of Northing 236696.12 Easting 1029314.56, from said Point or Place of Beginning and running; thence

Along the southerly Right of Way line of Schley Avenue North 89°27'54" East, a distance of 63.04 feet to a point; thence

Along lands now or formerly of the Triborough Bridge and Tunnel Authority South 17°20'08" West, a distance of 48.07 feet to a point; thence

Continuing along the same, on a curve to the right having an arc length of 54.48 feet, a radius of 686.59 feet, and a central angle of 04°32'48" and being subtended by a chord which bears South 19°36'32" West, a distance of 54.47 feet; thence

Continuing along the same, South 21°36'51" West, a distance of 41.68 feet to a point; thence

Continuing along the same, on a curve to the right having an arc length of 113.31 feet, a radius of 1148.73 feet, and a central angle of 05°39'05" and being subtended by a chord which bears South 24°26'23" West, a distance of 113.26 feet; thence

Continuing along the same, South 27°56'14" West, a distance of 81.76 feet to a point; thence

Continuing along the same, on a curve to the left having an arc length of 4.38 feet, a radius of 4.43 feet, and a central angle of 56°35'38" and being subtended by a chord which bears South 00°23'23" East, a distance of 4.20 feet; thence

Continuing along the same, on a reverse curve to the right having an arc length of 8.32 feet, a radius of 8.36 feet, and a central angle of 57°00'53" and being subtended by a chord which bears South 00°12'29" East, a distance of 7.98 feet; thence

21 Penn Plaza, 360 West 31st Street, 8th Floor New York, NY 10001 T: 212.479.5400 F: 212.479.5444 www.langan.com

New Jersey • New York • Connecticut • Massachusetts • Pennsylvania • Washington, DC • Ohio • Florida • Texas • Colorado • Arizona • Washington • California Athens • Calgary • Dubai • London • Panama Continuing along the same, South 28°23'11" West, a distance of 103.98 feet to a point; thence

Continuing along the same, on a curve to the left having an arc length of 60.74 feet, a radius of 1822.59 feet, and a central angle of 01°54'34" and being subtended by a chord which bears South 27°25'53" West, a distance of 60.74 feet; thence

Continuing along the same, South 24°07'39" West, a distance of 39.35 feet to a point; thence

Continuing along the same, on a curve to the left having an arc length of 67.21 feet, a radius of 865.09 feet, and a central angle of 04°27'04" and being subtended by a chord which bears South 21°54'07" West, a distance of 67.19 feet; thence

Continuing along the same, on a compound curve to the left having an arc length of 85.24 feet, a radius of 1661.03 feet, and a central angle of 02°56'25" and being subtended by a chord which bears South 18°12'22" West, a distance of 85.23 feet; thence

Continuing along the same, on a compound curve to the left having an arc length of 22.60 feet, a radius of 285.40 feet, and a central angle of 04°32'11" and being subtended by a chord which bears South 14°28'04" West, a distance of 22.59 feet; thence

Continuing along the same, on a compound curve to the left having an arc length of 98.16 feet, a radius of 6423.61 feet, and a central angle of 00°52'32" and being subtended by a chord which bears South 11°45'41" West, a distance of 98.16 feet; thence

Continuing along the same, South 09°39'14" West, a distance of 22.44 feet to a point; thence

Continuing along the same, South 06°08'12" West, a distance of 43.24 feet to a point; thence

Continuing along the same, on a curve to the left having an arc length of 172.69 feet, a radius of 1084.26 feet, and a central angle of 09°07'32" and being subtended by a chord which bears South 01°10'51" West, a distance of 172.51 feet; thence

Continuing along the same, South 83°40'31" West, a distance of 2.00 feet to a point; thence

Along a new line on a curve to the left having an arc length of 746.63 feet, a radius of 1086.00 feet, and a central angle of 39°23'28" and being subtended by a chord which bears South 23°05'17" East, a distance of 732.01 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 90.65 feet, a radius of 560.00 feet, and a central angle of 09°16'28" and being subtended by a chord which bears South 47°25'15" East, a distance of 90.55 feet; thence

Continuing along the same South 52°03'29" East, a distance of 39.36 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 174.78 feet, a radius of 356.00 feet, and a central angle of 28°07'48" and being subtended by a chord which bears South 66°07'23" East, a distance of 173.31 feet; thence

Continuing along the same South 80°11'17" East, a distance of 27.48 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 27.51 feet, a radius of 82.10 feet, and a central angle of 19°12'02" and being subtended by a chord which bears South 82°00'34" East, a distance of 27.38 feet; thence

Along a new line on a curve to the left having an arc length of 34.28 feet, a radius of 214.00 feet, and a central angle of 09°10'44" and being subtended by a chord which bears North 87°56'22" East, a distance of 34.25 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 66.67 feet, a radius of 124.00 feet, and a central angle of 30°48'17" and being subtended by a chord which bears North 67°56'51" East, a distance of 65.87 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 75.15 feet, a radius of 168.43 feet, and a central angle of 25°33'49" and being subtended by a chord which bears North 39°45'48" East, a distance of 74.53 feet; thence

Along lands now or formerly of the Triborough Bridge and Tunnel Authority on a compound curve to the left having an arc length of 31.98 feet, a radius of 168.43 feet, and a central angle of 10°52'41" and being subtended by a chord which bears North 21°32'33" East, a distance of 31.93 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 76.04 feet, a radius of 136.68 feet, and a central angle of 31°52'28" and being subtended by a chord which bears North 00°10'04" East, a distance of 75.06 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 54.85 feet, a radius of 228.64 feet, and a central angle of 13°44'44" and being subtended by a chord which bears North 22°38'30" West, a distance of 54.72 feet; thence

Continuing along the same North 27°46'32" West, a distance of 21.86 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 10.83 feet, a radius of 181.18 feet, and a central angle of 03°25'31" and being subtended by a chord which bears North 29°29'17" West, a distance of 10.83 feet; thence

Continuing along the same North 31°06'41" West, a distance of 192.90 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 32.05 feet, a radius of 168.65 feet, and a central angle of 10°53'16" and being subtended by a chord which bears North 25°40'00" West, a distance of 32.00 feet; thence



Continuing along the same on a compound curve to the right having an arc length of 47.70 feet, a radius of 509.64 feet, and a central angle of 05°21'44" and being subtended by a chord which bears North 17°32'26" West, a distance of 47.68 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 46.67 feet, a radius of 278.71 feet, and a central angle of 09°35'42" and being subtended by a chord which bears North 10°03'42" West, a distance of 46.62 feet; thence

Continuing along the same North 05°58'34" West, a distance of 24.21 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 30.58 feet, a radius of 211.91 feet, and a central angle of 08°16'02" and being subtended by a chord which bears North 01°50'34" West, a distance of 30.55 feet; thence

Continuing along the same North 01°29'53" East, a distance of 235.97 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 43.63 feet, a radius of 668.56 feet, and a central angle of 03°44'20" and being subtended by a chord which bears North 03°22'07" East, a distance of 43.62 feet; thence

Continuing along the same North 06°09'48" East, a distance of 196.57 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 81.69 feet, a radius of 940.26 feet, and a central angle of 04°58'39" and being subtended by a chord which bears North 03°40'28" East, a distance of 81.66 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 65.16 feet, a radius of 3253.97 feet, and a central angle of 01°08'50" and being subtended by a chord which bears North 00°36'42" East, a distance of 65.16 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 90.33 feet, a radius of 1151.41 feet, and a central angle of 04°29'42" and being subtended by a chord which bears North 02°12'35" West, a distance of 90.31 feet; thence

Continuing along the same North 04°07'44" West, a distance of 204.29 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 4.41 feet, a radius of 50.29 feet, and a central angle of 05°01'33" and being subtended by a chord which bears North 06°38'28" West, a distance of 4.41 feet; thence

Continuing along the same on a reverse curve to the right having an arc length of 131.15 feet, a radius of 357.58 feet, and a central angle of 21°00'54" and being subtended by a chord which bears North 01°21'16" East, a distance of 130.42 feet; thence

Continuing along the same North 09°39'53" East, a distance of 155.69 feet to a point; thence



Continuing along the same North 07°47'41" East, a distance of 30.52 feet to a point; thence

Along the boundary line of Ferry Point Park North 89°27'54" East, a distance of 43.90 feet to a point; thence

Along a new line North 89°27'54" East, a distance of 2.59 feet to a point; thence

Continuing along the same South 07°47'41" West, a distance of 38.01 feet to a point; thence

Continuing along the same South 09°39'53" West, a distance of 99.52 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 204.63 feet, a radius of 850.00 feet, and a central angle of 13°47'37" and being subtended by a chord which bears South 02°46'05" West, a distance of 204.14 feet; thence

Continuing along the same South 04°07'44" East, a distance of 180.04 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 93.81 feet, a radius of 1197.41 feet, and a central angle of 04°29'19" and being subtended by a chord which bears South 02°12'23" East, a distance of 93.78 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 66.08 feet, a radius of 3299.97 feet, and a central angle of 01°08'50" and being subtended by a chord which bears South 00°36'42" West, a distance of 66.08 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 85.68 feet, a radius of 986.26 feet, and a central angle of 04°58'39" and being subtended by a chord which bears South 03°40'28" West, a distance of 85.66 feet; thence

Continuing along the same South 06°09'48" West, a distance of 196.19 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 40.26 feet, a radius of 622.56 feet, and a central angle of 03°42'19" and being subtended by a chord which bears South 03°21'07" West, a distance of 40.25 feet; thence

Continuing along the same South 01°29'53" West, a distance of 236.31 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 24.24 feet, a radius of 165.91 feet, and a central angle of 08°22'13" and being subtended by a chord which bears South 01°47'28" East, a distance of 24.22 feet; thence

Continuing along the same South 05°58'34" East, a distance of 24.51 feet to a point; thence



Continuing along the same on a curve to the left having an arc length of 39.24 feet, a radius of 232.71 feet, and a central angle of 09°39'44" and being subtended by a chord which bears South 10°01'41" East, a distance of 39.20 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 43.39 feet, a radius of 463.64 feet, and a central angle of 05°21'44" and being subtended by a chord which bears South 17°32'26" East, a distance of 43.38 feet; thence

Continuing along the same on a compound curve to the left having an arc length of 23.31 feet, a radius of 122.65 feet, and a central angle of 10°53'16" and being subtended by a chord which bears South 25°40'00" East, a distance of 23.27 feet; thence

Continuing along the same South 31°06'41" East, a distance of 138.64 feet to a point; thence

Continuing along the same North 58°53'19" East, a distance of 10.00 feet to a point; thence

Continuing along the same South 31°06'41" East, a distance of 54.22 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 14.14 feet, a radius of 237.18 feet, and a central angle of 03°24'57" and being subtended by a chord which bears South 29°28'59" East, a distance of 14.14 feet; thence

Continuing along the same South 27°46'32" East, a distance of 21.06 feet to a point; thence

Continuing along the same on curve to the right having an arc length of 67.39 feet, a radius of 284.64 feet, and a central angle of 13°33'54" and being subtended by a chord which bears South 22°33'05" East, a distance of 67.23 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 107.19 feet, a radius of 192.68 feet, and a central angle of 31°52'28" and being subtended by a chord which bears South 00°10'04" West, a distance of 105.81 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 142.74 feet, a radius of 224.43 feet, and a central angle of 36°26'29" and being subtended by a chord which bears South 34°19'28" West, a distance of 140.35 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 96.78 feet, a radius of 180.00 feet, and a central angle of 30°48'17" and being subtended by a chord which bears South 67°56'51" West, a distance of 95.61 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 77.58 feet, a radius of 270.00 feet, and a central angle of 16°27'43" and being subtended by a chord which bears North 88°25'09" West, a distance of 77.31 feet; thence

Continuing along the same North 80°11'17" West, a distance of 27.48 feet to a point; thence



Continuing along the same on a curve to the right having an arc length of 201.29 feet, a radius of 410.00 feet, and a central angle of 28°07'48" and being subtended by a chord which bears North 66°07'23" West, a distance of 199.28 feet; thence

Continuing along the same South 37°56'31" West, a distance of 10.00 feet to a point; thence

Continuing along the same North 52°03'29" West, a distance of 39.36 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 101.01 feet, a radius of 624.00 feet, and a central angle of 09°16'28" and being subtended by a chord which bears North 47°25'15" West, a distance of 100.90 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 790.81 feet, a radius of 1150.00 feet, and a central angle of 39°24'00" and being subtended by a chord which bears North 23°05'00" East, a distance of 775.32 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 183.37 feet, a radius of 1150.26 feet, and a central angle of 9°08'01" and being subtended by a chord which bears North 01°11'18" East, a distance of 183.17 feet; thence

Continuing along the same North 06°08'12" East, a distance of 45.49 feet to a point; thence

Continuing along the same North 09°39'14" East, a distance of 25.43 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 100.13 feet, a radius of 6489.62 feet, and a central angle of 00°53'03" and being subtended by a chord which bears North 11°45'26" East, a distance of 100.13 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 27.82 feet, a radius of 351.40 feet, and a central angle of 04°32'11" and being subtended by a chord which bears North 14°28'04" East, a distance of 27.81 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 88.63 feet, a radius of 1727.03 feet, and a central angle of 02°56'25" and being subtended by a chord which bears North 18°12'22" East, a distance of 88.62 feet; thence

Continuing along the same on a compound curve to the right having an arc length of 72.33 feet, a radius of 931.09 feet, and a central angle of 04°27'04" and being subtended by a chord which bears North 21°54'07" East, a distance of 72.32 feet; thence

Continuing along the same North 24°07'39" East, a distance of 40.69 feet to a point; thence

Continuing along the same on a curve to the right having an arc length of 64.31 feet, a radius of 1888.59 feet, and a central angle of 01°57'03" and being subtended by a chord which bears North 27°24'39" East, a distance of 64.30 feet; thence



Continuing along the same North 28°23'11" East, a distance of 104.13 feet to a point; thence

Continuing along the same North 29°16'15" East, a distance of 10.30 feet to a point; thence

Continuing along the same North 27°56'14" East, a distance of 81.17 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 107.04 feet, a radius of 1188.73 feet, and a central angle of 05°37'59" and being subtended by a chord which bears North 24°25'51" East, a distance of 107.00 feet; thence

Continuing along the same North 21°36'51" East, a distance of 41.82 feet to a point; thence

Continuing along the same on a curve to the left having an arc length of 49.86 feet, a radius of 626.59 feet, and a central angle of 04°33'33" and being subtended by a chord which bears North 19°36'55" East, a distance of 49.85 feet; thence

Continuing along the same North 17°20'08" East, a distance of 28.72 feet to the Point or Place of Beginning.

Encompassing an area of 238,591 square feet or 5.48 acres, more or less.



ALIENATION PARCEL AREA=799,590 S.F.<u>+</u> 18.33 ACRES <u>+</u>

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Bally's Bronx Agency Corresepondence



United States Department of the Interior

FISH AND WILDLIFE SERVICE Long Island Ecological Services Field Office 340 Smith Road Shirley, NY 11967-2258 Phone: (631) 286-0485 Fax: (631) 286-4003



In Reply Refer To: Project Code: 2024-0070398 Project Name: Bally's New York

03/29/2024 23:46:01 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <u>Migratory Bird Permit | What We Do | U.S. Fish & Wildlife</u> <u>Service (fws.gov)</u>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <u>https://www.fws.gov/partner/council-conservation-migratory-birds</u>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Long Island Ecological Services Field Office

340 Smith Road Shirley, NY 11967-2258 (631) 286-0485

PROJECT SUMMARY

Project Code:	2024-0070398
Project Name:	Bally's New York
Project Type:	New Constr - Above Ground
Project Description:	Bally's New York Operating Company, LLC, which operates the Golf
	Course, intends to construct a 17-story gaming facility within a portion of
	the Bally's Links Golf Course that is currently used for parking, the
	course clubhouse, pro shop, and the course practice greens. The project
	would also improve the Ferry Point Park Ring Road and create two new
	outfalls in the East River.

Project Location:

The approximate location of the project can be viewed in Google Maps: <u>https://</u>www.google.com/maps/@40.81227755,-73.83675731281166,14z



Counties: Bronx County, New York

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat Myotis septentrionalis	Endangered
No critical habitat has been designated for this species.	
This species only needs to be considered under the following conditions:	
 This species only needs to be considered if the project includes wind turbine operations. 	
Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	
Tricolored Bat <i>Perimyotis subflavus</i>	Proposed
No critical habitat has been designated for this species.	Endangered
This species only needs to be considered under the following conditions:	U
 This species only needs to be considered if the project includes wind turbine operations. 	
Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	

BIRDS

NAME	STATUS
Piping Plover Charadrius melodus	Threatened
Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except	
those areas where listed as endangered.	
There is final critical habitat for this species. Your location does not overlap the critical habitat.	
Species profile: <u>https://ecos.fws.gov/ecp/species/6039</u>	

INSECTS

NAME	STATUS
Monarch Butterfly Danaus plexippus	Candidate
No critical habitat has been designated for this species.	
Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency:Private EntityName:Max Stember-YoungAddress:360 West 31st Street, 8th FloorCity:New YorkState:NYZip:10001Emailmstemberyoung@langan.comPhone:2124795594

LEAD AGENCY CONTACT INFORMATION

Lead Agency: New York city

Name: Max Stember-Young

Email: mstemberyoung@langan.com

EFH Data Notice

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

<u>Greater Atlantic Regional Office</u> <u>Atlantic Highly Migratory Species Management Division</u>

Query Results

Degrees, Minutes, Seconds: Latitude = 40° 48' 40" N, Longitude = 74° 9' 58" W Decimal Degrees: Latitude = 40.811, Longitude = -73.834

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

*** **WARNING** ***

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
R	0	Atlantic Butterfish	Adult, Eggs, Larvae	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
P	0	Atlantic Herring	Adult, Juvenile	New England	Amendment 3 to the Atlantic Herring FMP
R	0	Atlantic Mackerel	Adult, Eggs, Juvenile, Larvae	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
P	0	Black Sea Bass	Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
P	0	Bluefish	Adult, Juvenile	Mid-Atlantic	Bluefish
P	0	Little Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
A	0	Longfin Inshore Squid	Adult, Eggs,	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
			Juvenile		Amendment 11
P	0	Pollock	Adult, Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
P	0	Red Hake	Adult, Eggs/Larvae/Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
P	0	Scup	Adult, Eggs, Juvenile, Larvae	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
A	0	Summer Flounder	Adult, Juvenile	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
R	0	Windowpane Flounder	Adult, Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
P	0	Winter Flounder	Eggs, Juvenile, Larvae/Adult	New England	Amendment 14 to the Northeast Multispecies FMP
R	0	Winter Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

Pacific Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

Atlantic Salmon

No Atlantic Salmon were identified at the report location.

HAPCs

Link	Data Caveats	HAPC Name	Management Council
	0	Summer Flounder SAV	Mid-Atlantic Fishery Management Council

EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data. **For links to all EFH text descriptions see the complete data inventory: <u>open data inventory --></u>

All EFH species have been mapped for the Greater Atlantic region,

Atlantic Highly Migratory Species EFH, Bigeye Sand Tiger Shark, Bigeye Sixgill Shark, Caribbean Sharpnose Shark, Galapagos Shark, Narrowtooth Shark, Sevengill Shark,
Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data. **For links to all EFH text descriptions see the complete data inventory: <u>open data inventory --></u>

Sixgill Shark, Smooth Hammerhead Shark, Smalltail Shark



Governor

Commissioner

February 26, 2024

Max Stember-Young 360 W 31st Street New York, NY 10001

Re: USACE Bally's New York Ferry Point Park, The Bronx, NY 24PR01461

Dear Max Stember-Young:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

June Mich

R. Daniel Mackay

Deputy State Historic Preservation Officer Division for Historic Preservation

rev: T. Lloyd



1 Centre Street 9th Floor North New York, NY 10007 Voice (212)-669-7700 Fax (212)-669-7960 http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Final Sign-Off (Single Site)

Project number:LA-CEQR-X (DEPUTY MAYOR/OPERATIONS)Project:BALLY'S NEW YORK OPERATING COMPANYAddress:450 HUTCHINSON RVR PKWYBBL: 2056220001Date Received:4/2/2024

[X] No architectural significance

[X] No archaeological significance

[] Designated New York City Landmark or Within Designated Historic District

[] Listed on National Register of Historic Places

[] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[] May be archaeologically significant; requesting additional materials

Cc: SHPO 24PR01461

Gina SanTucci

4/2/2024

SIGNATURE Gina Santucci, Environmental Review Coordinator DATE

File Name: 37282_FSO_GS_04022024.docx



1 Centre Street 9th Floor North New York, NY 10007 Voice (212)-669-7700 Fax (212)-669-7960 http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number:24DME011X (DEPUTY MAYOR/OPERATIONS)Project:BALLY'S NEW YORK OPERATING COMPANYAddress:450 HUTCHINSON RVR PKWYBBL:2056220001Date Received:4/24/2024

Comments:

The LPC is in receipt of the DSOW and EAS dated 4/3/24. The documents appear acceptable for historic and cultural resources.

Gina SanTucci

4/30/2024

SIGNATURE Gina Santucci, Environmental Review Coordinator

File Name: 37282_FSO_GS_04302024.docx

DATE