



STATE ENVIRONMENTAL QUALITY REVIEW

STATEMENT OF FINDINGS

NOVEMBER 6, 2006

Pursuant to Article 8 of the Environmental Conservation Law and the regulations of the State Environmental Quality Review Act ("SEQRA") as found in 6 NYCRR Part 617, the New York City School Construction Authority ("SCA"), as Lead Agency, makes the following findings:

Name of Action: Mott Haven School Campus, Bronx

SEOR Project No.: 07-003

SEOR Status: Type I

Description of Action:

On behalf of the New York City Department of Education (DOE), the New York City School Construction Authority (SCA) proposes to construct a new school campus in the Concourse Village section of the Bronx. The proposed campus would accommodate four school organizations consisting of one 544-seat charter school serving grades 5 through 8, one 573-seat intermediate/high school serving grades 6 through 12, and two 549-seat high schools serving grades 9 through 12. The proposed complex would also include space for use by District 75 students.

The proposed site (Block 2443, portion of Lot 78) is a former rail yard whose grade is located approximately 15 to 30 feet below the street level of Concourse Village West, which is the only public street that adjoins the site. The site is generally bounded by Concourse Village West, the platform on which P.S. 156 and I.S. 151 are constructed, the MTA Metro-North right-of-way, and the right-of-way for East 153rd Street. The property is vacant, owned by the City of New York, and under DOE's control.

The complex would be constructed within an approximately 147,000 square foot footprint along the western portion of the site (i.e., along Concourse Village West). The eastern portion of the site would be developed with playing fields and open space, which would remain at the existing rail yard level. All entrances to the proposed complex, including student and visitor entrances, would be located off Concourse Village West. Outdoor plazas would also be developed as part of the project to permit public access outside of school hours to the playing fields.

According to current design plans, the proposed complex would contain a total of approximately 275,000 square feet. It would consist of a base (or podium) extending from the level of the former rail yard to the street level of Concourse Village West. From that podium, individual buildings accommodating each of the four planned school organizations would rise: each building would have its own lobby, general instruction classrooms, administrative offices, and cafeteria. Spaces that would be shared by the four organizations, such as an auditorium, gymnasias, libraries, and some District 75 facilities, would be located within the podium, and would be accessible from each building.

The proposed facility would be located within the boundaries of DOE Region No. 9/ Community School District No. 7, and is expected to serve students from the surrounding community as well as from throughout the Borough of the Bronx. Construction of the proposed project would be undertaken pursuant to the DOE's Five-Year Capital Plan for Fiscal Years 2005 through 2009.

The SCA would begin construction activities in late 2006, with occupancy by one school organization scheduled to begin in September 2009, and the remainder of the campus in September 2010.

Location: Vacant land bounded by Concourse Village West, P.S. 156 and I.S. 151, the MTA Metro-North Railroad right-of-way and Concourse Village East, and the right-of-way for East 153rd Street
Bronx, New York
Tax Block 2443, Tax Lot 78

Agency Jurisdiction:

The New York City School Construction Authority is the Lead Agency pursuant to the Public Authorities Law (§1725 et seq.).

Date Final Environmental Impact Statement Filed: October 2, 2006

Facts and Conclusions Relied upon to Support the Decision:

In accordance with the regulations promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Part 617, a Draft Environmental Impact Statement ("DEIS") was prepared and issued by the Lead Agency for the proposed project on August 17, 2006. On September 6, 2006, the Lead Agency conducted a public hearing at P.S. 156, located at 750 Concourse Village West, Bronx, New York, to receive comments on the DEIS. The Lead Agency accepted written comments on the DEIS for twelve (12) days following the public hearing, through September 18, 2006.

The Lead Agency prepared and issued a Final Environmental Impact Statement (“FEIS”) for the project on October 2, 2006. The FEIS determined that the proposed action would not result in significant adverse impacts to the following areas: land use, zoning and public policy; historic resources; urban design and visual resources; shadows; parking; air quality; noise; infrastructure and solid waste; natural resources; and, construction-related impacts. However, significant adverse impacts to traffic and transportation, transit and pedestrians, and soil and groundwater conditions could occur; these impacts could be partly mitigated through the implementation of measures identified in the FEIS.

POTENTIAL SIGNIFICANT ADVERSE IMPACTS

Traffic and Transportation

A number of intersection turning movements and approaches at intersections in the study area would experience significant traffic impacts as a result of vehicular traffic generated by the proposed project. However, mitigation measures were identified, that, if implemented, would improve all but one of the impacted intersection approaches/lane groups such that they would operate at the same or better service conditions than under the No Build conditions. The project-generated traffic impacts to the intersection of East 153rd Street and Concourse Village West would remain unmitigated during both the AM and PM peak hour. The affected intersections and proposed mitigation measures are as follows:

East 161st Street (WB) at Grand Concourse

The impacts at the northbound left-turn movement at this intersection during the AM and PM peak hours could be mitigated by revising the signal timing plan.

East 161st Street (EB) at Grand Concourse

The impact at the eastbound shared through and right-turn movement at this intersection during the AM and PM peak hours could be mitigated by revising the signal timing plan.

East 161st Street at Concourse Village East/Morris Avenue

The impacts at the westbound left-turn movement and the southbound shared through and right-turn movement at this intersection during the AM peak hour could be mitigated by revising the signal timing plan.

East 153rd Street at Grand Concourse

The impact at the southbound left-turn movement at this intersection during the AM and PM peak hours could be mitigated by shifting eleven seconds of green time from the westbound phase; and by shifting another six seconds from the northbound/southbound phase to the southbound lead phase.

The impact at the southbound left-turn movement at this intersection during the PM peak hour could be mitigated by shifting ten seconds of green time from the westbound phase.

East 153rd Street and Concourse Village West

The impacts at the eastbound approach at this intersection during the AM and PM peak hours could be mitigated by restriping the eastbound approach with one exclusive left-turn lane and a through lane, and by installing a new traffic signal. The installation of a new traffic signal at this intersection was discussed with New York City Department of Transportation (NYCDOT) in June 2005. Based on that discussion, NYCDOT did not approve the installation of a new traffic signal at this intersection, but agreed to install new crosswalks to facilitate pedestrian traffic. In addition, it is anticipated that NYCDOT would investigate the provision of signage on the 153rd Street Bridge which would instruct motorists not to block the access to Concourse Village West while waiting for green signal indication at the Grand Concourse intersection.

It should be noted that the provision of signage on East 153rd Street in the absence of a new traffic signal at the East 153rd Street and Concourse Village West intersection would not mitigate the traffic impacts at the eastbound 153rd Street approach. Therefore, traffic impacts to the intersection of Concourse Village West and East 153rd Street would remain unmitigated.

East 149th Street at Grand Concourse

The impact at the eastbound and westbound approaches at this intersection during the PM peak hour could be mitigated by shifting two seconds of green time from the northbound/southbound phase to the eastbound/westbound phase.

East 149th Street at Morris Avenue

The impact at the southbound shared through and right-turn movement at this intersection during the AM and PM peak hours could be mitigated by shifting two seconds of green time from the eastbound/westbound phase to the northbound/southbound phase.

The impact at the southbound shared through and right-turn movement at this intersection during the PM peak hour could be mitigated by shifting three seconds of green time from the eastbound/westbound phase to the northbound/southbound phase.

All the mitigation measures discussed above are subject to review and approval by NYCDOT, which makes the final determination of the need for these improvements. The SCA will coordinate with the NYCDOT on the implementation of all appropriate mitigation measures before the opening of the proposed school facility.

Transit and Pedestrians

With the proposed project, the south crosswalk at the intersection of East 161st Street and Concourse Village West would deteriorate from a No Build LOS D to a Build LOS D during the PM peak 15-minute period. A one-foot widening of this crosswalk would restore the Build operating conditions to acceptable levels.

The proposed project could result in a pedestrian safety impact at the intersection of East 153rd Street and Concourse Village West. As discussed above, NYCDOT has not approved the installation of a new traffic signal at this intersection. However, NYCDOT has agreed to install a crosswalk across the east side of the intersection of East 153rd Street and Grand Concourse, and another crosswalk across Concourse Village West (north of 153rd Street). In addition, NYCDOT will install a barrier on the south side of East 153rd Street to prohibit pedestrians from crossing East 153rd Street at Concourse Village West. This would force the pedestrians to cross East 153rd Street at the newly proposed crosswalk at the east side of East 153rd Street/Grand Concourse intersection. Pedestrian capacity analysis was conducted for this crosswalk to determine the service conditions in relation to the pedestrian flows. Based on the analysis results, the crosswalk would operate at an acceptable LOS C during both the AM and PM peak periods in the 2010 Build conditions.

In addition to the above measures, it is recommended that high-visibility crosswalks be provided for the newly proposed crosswalks at Concourse Village West and East 153rd Street. Also, school area traffic control devices including the School Advance Warning Sign, School Crosswalk Warning Sign, and School Reduced Speed Ahead Sign should be considered for the study area streets/roadways—specifically, on East 153rd Street—to further enhance the pedestrian safety conditions. Furthermore, using School Crossing Guards, specifically at the intersection of East 153rd Street and Concourse Village West—during the AM and PM peak hours of pedestrian activity—is also anticipated to improve pedestrian safety conditions.

It is anticipated that implementation of the measures described above would mitigate the potential pedestrian safety impact at East 153rd Street and Concourse Village West intersection during both the analysis periods.

Soil and Groundwater Conditions

Environmental due diligence investigations of this site were comprehensive and consisted of a Phase I Environmental Site Assessment, Phase II Environmental Site Investigation, and Remedial Investigation. These studies were performed to identify any potential sources of hazardous materials resulting from previous and existing uses on the site that could pose a hazard during and after construction of the proposed school facility.

The results of the Phase II ESI and RI identified soil and groundwater contamination at the site above New York State Department of Environmental Conservation (NYSDEC) Recommended Soil Cleanup Objectives and groundwater quality standards, specifically associated with volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). To ensure that none of these constituents will pose a hazard to workers, future school occupants, and/or the environment during and after construction of the proposed project, the remediation measures described below were identified and will be implemented in accordance with NYSDEC Brownfield Cleanup Program requirements. These measures were approved by the NYSDEC in

consultation with the New York State Department of Health by letter dated July 5, 2006.

- Construction of a hydraulic barrier along the northern and western boundaries of the project site to prevent contaminated groundwater from entering the site and to limit dewatering during site excavation;
- Removal and off-site disposal of contaminated soil (approximately 19,000 cubic yards in a 40,000 square foot area) from the northwestern portion of the project site; this excavated area would be backfilled with environmentally clean soil;
- During construction of the school, monitor groundwater quality downgradient of the hydraulic barriers and at the downgradient property line to confirm that there are no changes in the existing groundwater quality;
- Installation of a 24-inch layer of environmentally clean fill over any landscaped or exposed soil areas of the site after construction activities are completed to prevent direct contact with the subsurface soils; and,
- As an added safeguard, construction of a vapor barrier and active sub-slab depressurization system beneath the new school building to prevent any potential residual vapors from entering the school in the future.

To minimize construction workers' exposure, standard industry practices for the removal of contaminated soils will be utilized, including the employment of an appropriate health and safety plan (HASP). The HASP will include periodic air monitoring and personal protective equipment, as warranted. In addition, measures will be taken to prevent exposure of residents or workers in the area to any fugitive dusts or vapors during construction. The excavation of contaminated soil will be completed within temporary enclosures kept at a negative pressure that will contain and treat (i.e., remove) fugitive dusts and vapors from the air prior to discharge to the outside. The practice of spraying water to suppress any airborne dust outside the enclosures (roadways) will also be conducted. The contaminated soils excavated and removed from the project site will be handled and transported off-site to a licensed and permitted disposal/recycling facility in accordance with all applicable local, State, and Federal regulations. With these measures in place, no significant adverse impacts on soil and groundwater conditions would occur.

BENEFICIAL IMPACTS

Development of the proposed school complex would provide approximately 2,400 additional permanent public and charter school seats at the intermediate and high school levels within Region No. 9/Community School District No. 7. This additional public school capacity is expected to serve students both from the surrounding community as well as throughout the Borough of the Bronx.

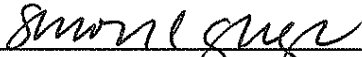
CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE

Having considered the Draft and Final Environmental Impact Statements, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. The beneficial impacts of the construction of the proposed new school facility far outweigh the adverse environmental impacts, which can be largely mitigated by the measures identified in the FEIS. The balance of benefits and mitigatable impacts provides a full and compelling rationale to proceed with the project; and,
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

New York City School Construction Authority

Name of Agency



Signature of Responsible Official

Sharon L. Greenberger

Name of Responsible Official

President & CEO

Title of Responsible Official

November 6, 2006

Date

30-30 Thomson Avenue, Long Island City, NY 11101

Address of Agency