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March 18, 2024

U.S. Department of Transportation
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 2059013

Re: MCB4 Response to PANYNJ Replacement Terminal DEIS

On February 2, 2024, The Federal Transit Administration (FTA) announced the availability of the Draft Environmental Impact Statement (DEIS) for the Port Authority of New York and New Jersey's (PANYNJ) proposed Bus Terminal Replacement Project ("Project") in New York City. The Port Authority of New York and New Jersey has proposed to replace the Port Authority Bus Terminal (PABT) in midtown Manhattan with a new main terminal, a storage and staging facility, and bus ramps.

The Draft Environmental Impact Statement allows government agencies and the general public to review the proposed project and provide comments. The review period also includes the opportunity for a public hearing to be held on the Project. The DEIS is available for public comment until March 18, 2024.

At its regularly scheduled Full Board Meeting on March 6, 2024, Manhattan Community Board 4 (MCB4) voted 36 in favor, 0 opposed, 0 present but not eligible, and 0 abstaining, to submit on the recommendation of its Executive Committee the following response to the Bus Terminal Replacement Project DEIS.

The Project

The Port Authority Bus Terminal at West 41st Street and Eighth Avenue first opened for service in 1950 and last underwent major expansion in 1981, when its capacity was increased by approximately 50% with the addition of the North Wing. The Port Authority of New York and New Jersey which owns and operates the PABT says the terminal is "an aging structure with increasingly problematic functional and physical obsolescence of assets and facilities with systems that require expensive recurrent maintenance and short-term fixes." The PABT, it claims, will be functionally obsolete unless significant investments are made in the 2027 to 2037 timeframe. The PANYNJ says that the PABT also has significant operational constraints and inefficiencies that prevent accommodating existing as well as future bus size, weight, technology, and volumes

which will prevent meeting forecasted (year 2040) increases in bus ridership demand. It adds that the structural slabs for the existing PABT South Wing bus operating levels, critical to supporting the facility, will be functionally obsolete unless significant investments are made in the 2027 to 2037 timeframe.

Beginning in 2013, PANYNJ initiated studies that evaluated options for addressing the continued need to accommodate trans-Hudson commuter and intercity bus travel destined to Midtown Manhattan and projected growth in ridership. Beginning in 2018, PANYNJ initiated discussions with the Federal Transit Administration for potential Federal funding for a project to address trans-Hudson commuter and intercity bus travel and the projected growth in ridership. PANYNJ proposes to replace the PABT with a new main terminal, storage and staging facility (SSF), and bus ramps. The Project design includes building two decks over the below-grade portions of Dyer Avenue and the Lincoln Tunnel Expressway, which after construction would be converted to publicly accessible open green space. The terminal building would include the infrastructure to allow the construction of two privately-funded office towers overlooking Eighth Avenue. The Project also includes building two decks over the below-grade portions of Dyer Avenue and the Lincoln Tunnel Expressway to be used as a temporary, at-grade bus terminal. After construction of the main terminal is completed in 2032, those decks would be converted to publicly accessible open green space. In total, the project would expand levels of bus maintenance, storage, and operations. All commuter and long-distance bus service at the existing and temporary terminals will continue during the construction process.

MCB4 OVERVIEW

Manhattan Community Board 4 recognizes that this crucial project will benefit regional commuters, long distance riders, and residents of Hell's Kitchen as well as promote the economic

growth of the city while reducing transportation emissions. The Board is pleased that this will be achieved without displacing residents or businesses through the use of eminent domain. This

project will provide significant benefits for commuters and for the community:

- Peak hour terminal capacity will more than double, increasing from 460 buses today to 1,030 buses when the Project is completed, with nearly all buses traveling on the ramps and not on the streets.
- All intercity bus operations and commuter bus parking will be moved from our streets, parking lots, and sidewalks to the new facility.
- 141,000 square feet of street-facing retail will be added and many sidewalks widened to improve the streetscape.
- Two large green open spaces will be created at the end of the Project.

Significant Impacts

The Board also recognizes, however, that this is a massive project in a vibrant residential and commercial neighborhood with enormous impacts on our community on many levels.

The Port Authority Bus Terminal Replacement Project is the largest capital project that the Port Authority has ever undertaken. The immense scale of the project extends in a connected building from Eighth to Eleventh Avenues and includes a 2.5-million square foot Main Bus Terminal and 960,000 square foot Staging and Storage Facility (SSF), plus new ramp structures. Another component of the project will be the construction of 5 million square feet of commercial office space after the terminal is complete. In total the bus terminal expansion and the office space will comprise 8.5 million square feet. Thus, the sheer size of the project creates inescapable significant impacts with which the community must contend for decades to come.

The western part of the Project is located in an area zoned for residential use. Half of the Project's buildings are closely intertwined with residences and historical structures: *some of the Project's buildings are six inches from existing occupied, residential tenements.* **MCB4 is dismayed that the conclusion of many sections of the DEIS states that there are no significant impacts on the area's characteristics and resources.** For example, the replacement of bus ramps over Ninth Avenue with an expansion of the terminal building with bus gates is simply not the same visual resource as currently exists. It is a completely different one. And in some cases, the DEIS states that there is no ability to mitigate factors such as the impact of increased traffic on pedestrians at crosswalks and intersections, for example. **The Board feels that mitigation solutions can and must be found.**

The Board has identified the following as the most significant changes affecting urban design, historical assets, transportation, and construction, including some unresolved issues. We hope the following comments will provide a more complete means for the Port Authority to fully evaluate the impact of the proposed project on those resources.

Delivery of open space delayed until 2040

Please Confirm: The new open space will be not be delivered until 2040, 16 years from now and it will not include a portion of the Dyer Avenue cut to the west that has been used to install Lincoln Tunnel tollgantries. *It is critical that more open space be delivered earlier in the project to mitigate the negative air quality, noise, and transportation impacts on the community during construction.* The demand for open space is not only for the local community: there will also be a need for open space for those using the temporary terminal.

Please correct: There are two open spaces that will be directly displaced by the project: Teresa's Park and Astro's Dog Run. The DEIS mistakenly claims these are private open spaces.

Urban Design and Visual Resources

Please Correct: Visual resources will be impacted. *View corridors will be seriously affected along Ninth Avenue, Tenth Avenue, Eleventh Avenue, West 40th Street, West 39th Street, and Hudson Boulevard.* The view corridors on Ninth Avenue where a three-level ramp system is replaced by a five-level double height extension of the bus terminal with gates in an enclosed structure will be dramatically changed. Because of the critical nature

of Ninth Avenue, the community's "Main Street," this change will affect the neighborhood character in an important way. The new terminal and tower would also limit or obscure views of the landmark McGraw-Hill Building's east façade from West 42nd Street, West 41st Street, and Eighth Avenue.

Shadows and Historical Assets

Please Study : Incremental shadows of six to 12 hours (in winter and summer respectively) will affect the McGraw Hill Building. Other sites include: McCaffrey Park (1 hour and 51 minutes of incremental shadows), Bella Abzug Park (1 hour and 12 minutes), Metro Baptist Church (6 hours and 34 minutes), Holy Cross Church (3 hours and 30 minutes), and many other open spaces and historical resources in the district. The mitigations proposed are inadequate. Other mitigations must be proposed.

Please Correct: The shadow study shows direct impacts on the Paddy's Market Historic District but claims no impact. The Historic District includes buildings built from 1850 to 1910 that have lintels, sills, architraves, and cornices. How the sun moves during the day creates the perception of those elements. Thus, if they are shadowed, that is a direct impact.

Transportation

Please Correct: In our district, already overwhelmed with vehicles and pedestrians, the Project is anticipated to add 11,607 pedestrians and 851 vehicle trips in the afternoon. 45 of the 58 intersections will experience significant adverse impacts. Twelve subway stairwells will experience negative impacts. Fifteen pedestrian elements (corners, crossings or sidewalks) would see their level of service reduced to one of the two worst. *We note that the models used as a base line depiction of Hell's Kitchen traffic do not match the reality on the street.* Once the base line is corrected, we expect the impacts to worsen.

Please Study: *There is no evidence that impacts to ADA elevators were studied. The impacts on cycling were not studied.*

Affordable Housing

Please Study: *With the change in the ramp structure, the Tenth Avenue residential tower was removed from the project. With the use of mid-block residentially zoned land for the Staging and Storage Facility, and the lack of a residential Tenth Avenue tower, there will be no addition to affordable housing in the proposed project. These actions must be mitigated.*

Construction

The construction during the Project will be extremely challenging for the surrounding residential and business community: ten years with proposed both daily and nightly construction noise, bus traffic on surface streets, and additional congestion

Please Study: The construction schedule calls for five workdays per week, with two eight-hour shifts (7 a.m. – 3 p.m. and 3 p.m. — 11 p.m.) and one eight-hour overnight shift. The noise will exceed the maximum permitted. *Please study other proposed*

construction schedules to mitigate the impact on the surrounding residential and commercial community.

Please Study: Phase 1 of the Project will necessitate closures of roadways and re-routing of buses for extended periods of time. Multiple roadways and sidewalks would have lane closures or be closed entirely or would have certain turns or use restrictions for the duration of Phase 2, resulting in minimum delays of six to 15 minutes on multiple streets. The impact of traffic delays on air quality and MTA bus schedules are not studied. The congestion which the nighttime closure of Lincoln Tunnel will create in other parts of the district has not been studied.

Given the above facts and concerns, MCB4 will propose a series of mitigation measures both for significant impacts and impacts the DEIS says cannot be mitigated. These measures are listed at the end of the document. We look forward to resolving these complicated challenges jointly with the Port Authority team provided that:

1. The many remaining issues listed by MCB4 are addressed and memorialized in the Zoning Text amendments; and,
2. Extensive proposed mitigation is provided in this document, including some immediate relief (to be incorporated in Points of Agreement with the City).

CHAPTER 3 - Land Use, Zoning, and Public Policy

Inclusion of Affordable Housing

In the original conception of the project, one residential tower was proposed, 30% of which was to be affordable. MCB4 understands and agrees that the tower had to be eliminated due to structural considerations in designing the ramp connectivity from the Lincoln Tunnel Galvin Plaza exit to the Staging and Storage Facility. It must also be noted that the Staging and Storage Facility and the open spaces are being constructed on residentially mapped land in the Hell's Kitchen subdistrict of Hudson Yards. That mapping of medium density residential use was a major achievement in the community's Hudson Yards rezoning negotiations.

The Board agrees with the change in use to further this critical regional infrastructure project. However, the loss of the Tenth Avenue tower plus the mid-block land for residential use must be mitigated by designating sites for affordable housing as companion actions to this major infrastructure project.

APPENDIX 3B – Social Services (p. 3B-9)

Please Correct: “the Proposed Project would not displace or otherwise directly affect any publicly funded early childhood programs. Therefore, no further analysis is warranted, and the Proposed Project would not be anticipated to result in significant adverse impacts to community facilities.” This is inaccurate. This is inaccurate. In fact, the construction will directly affect the Head start program at Metro Baptist Church due

to the noise created by both the demolition and construction of both the ramps and the Storage and Staging Facility. This construction noise will require mitigation.

APPENDIX 3C - Open Space

Please Note: “Open Space” should mean “Open Green Space”

Please Clarify: The report notes that construction will be finished by 2032 but the parks will be open for use in 2040, a full eight years after completion of the bus terminal and a full 16 years after commencement of the PABT Replacement Terminal Project. Current timeline is unacceptable. Please clarify why there is an eight-year gap.

Please Study: The new open space will be delivered in 16 years, and it will not include a large portion of space on the western side that has been used to install gantries. It is critical that more open space be delivered early to mitigate the air quality, noise, and transportation negative impacts on the community during the construction. The demand for open space will not only be local, shifting the interim terminal to the west, will also create a need for open space for those using the temporary terminal.

Please Study: Please study expanding the open space to include Port Authority properties along Dyer Avenue West 33rd-34th Streets, West 34th-35th Streets, West 35th-36th Streets, and West 36th-37th Street, between Ninth and Tenth Avenues, including connectors to West 37th Street. This will create a green “way” and connect the PA’s open spaces with Manhattan West, which is a connector to the High Line. This expansion would give visitors and residents urban green space in our neighborhood for the next 20 years, while waiting for the future parks. Perhaps more importantly, this will provide clean, open areas to help mitigate the short-lived climate pollutants generated by construction in an area that registers some of the worst air pollution in the city. The community objective has long been to both reconnect the neighborhood east-west but also create a North South greenway/pedestrian path from West 39th to West 33rd Streets. This would provide additional pedestrian pathways between the PABT and points south, including access to the Highline connector alleviating pedestrian crowding along Ninth Avenue.

Please Correct: Teresa’s Park and Astro’s Dog are both misidentified in the DEIS as private open spaces and therefore excluded from the direct effect analysis. In fact, both are public community managed open spaces and direct effects need to be analyzed.

Please Provide: Since Teresa’s Park and Astro’s Dog Run are being directly displaced, the Port Authority must work with the community to identify Direct Displacement of Open Space.

The temporary and permanent location for these two displaced green spaces, should be addressed including timeline, design, and construction. **(Appendix 3C, page 5)**

Teresa’s Park has been operated as a community key park for decades under a lease between Port Authority and the Hell’s Kitchen Neighborhood Association with the assistance of Clinton Housing Development Company and its neighborhood horticulture

program. This park is accessed by a single key, shared with three other community parks, for use by community residents and those who work in the neighborhood. The keys are available for a nominal charge of four dollars for anyone who lives or works in the Hell's Kitchen neighborhood¹. Keys are available for purchase by completing a PDF on MCB4's website and scheduling a time to pick up the key. This open space is public and a long-term community resource.

Astro's Dog Run is located in the narrow space between the depressed Lincoln Tunnel Expressway and the elevated ramp on the lot between Tenth and Eleventh Avenues and West 39th and West 40th Street. It opened in 1997, and has operated on West 39th Street and Tenth Avenue, on Port Authority land, since its inception. The Dog Run is a vital community asset and the product of collaboration between the Port Authority, MCB4, and the Hell's Kitchen Neighborhood Association. Astro's Dog Run is competently run and well-maintained by the community. It is a public open space for a specific use, and all dogs are welcome as long as they are licensed and vaccinated. The dog run is open to all for no fee; from time to time when locks are changed, there is a \$40 fee.² No one is turned away if they can't pay the fee. Currently, locks have not been changed for two years, making this location the most affordable dog run in the city.

Please confirm that the dog run will be allowed to operate in their current space until construction makes it absolutely necessary to vacate and we request consideration for more than the 30-day notice published in the DEIS, if possible.

Please Confirm: The Board understands from conversations with the Port Authority that the small green area on the north side of West 39th Street, east of the bus staging (Theresa's Park), will be restored as green space with the same or larger square footage.

Please Study: the creation and use of green roofs as an environmental asset.

A green roof is now the minimum standard in sustainable building. The substantial amount of roof space the staging/storage and main terminal buildings possess provides an enormous potential city asset. *Please study if the significant rooftop areas of the PABT Main Terminal, the SSF, and proposed ramp structure (working off recommending that ramp structure be fully enclosed) could be utilized to create a publicly accessible roof-top park that spans Eighth to Eleventh Avenues (similar to San Francisco's Salesforce Park spanning their transit hub).* This massive community space would dramatically improve the neighborhood's quality-of-life, providing much needed accessible green space and creating a dramatic destination for residents and visitors.

Please Study: extending the decking to Tenth Avenue between West 38th and West 39th Streets for additional public green space, thus reducing vehicle emissions from the Lincoln Tunnel into the neighborhood, creating greater east/west connectivity from Tenth

¹ 'Hell's Kitchen Key Parks' <https://cbmanhattan.cityofnewyork.us/cb4/>

² 'Astro's Dog Run' <https://www.astrosdogrun.com/about-astros>

Avenue, and providing addition park surface area. Lincoln Tunnel gantry tolling system can either be moved to the New Jersey side or wired to surface level relay (PA's direct 'line-of-site' argument is easily solvable).

Please Confirm: Please confirm that the staging decks over Dyer Avenue will structurally support a public open green space with full grown trees and plantings.

Please note that 'green' space structural load will be in excess of what is required for bus staging.

Please Correct: As Blocks Five and Six of Bella Abzug Park are not yet built, they have not been included in the DEIS. *However, they should be included in the appendix on Open Space in the final EIS, as they will be well within a quarter mile of the project area. Noise, traffic mitigation, shadows, and air quality around the park must be considered.*

Please Confirm: Please confirm that the community will participate and partner in developing the use and design of any Port Authority developed green open spaces. This community-based design in a specific timeframe should be detailed in a Points of Agreement document as reached during the Uniform Land Use Review Process (ULURP) process. It would behoove the Port Authority to carefully plan for and agree to ongoing maintenance with any other concerned parties. Ownership, design, management, funding, security and programming are all important pieces to a successful open space, and each piece should be carefully considered. The NYC Parks Department should be consulted, if not partnered with, in such a design. It will be important to identify how maintenance revenue will be generated.

The design process should be concurrent with construction of Phase 1 of the PABT replacement project. No further renderings of the green space should be created until the formal design process begins.

Please Confirm: *Design, funding, and procurement processes for Dyer Avenue public open green spaces should occur concurrently with construction of PABT replacement project* so that construction on the green space may commence immediately after the Port Authority is finished using Dyer decks for bus staging during terminal replacement construction process.

CHAPTER 4 - Socioeconomic Conditions

(4-5-1-1 and Table 4- 9 describes 2028 impacts to pedestrian circulation and business displacement)

Please Clarify: What is the purpose of the temporary pedestrian overpass from the SSF to the NE corner of Ninth Avenue and West 41st Street and will it be ADA compliant.-How much sidewalk space will it use at that corner?

Please Study: *The impact on pedestrian circulation on the sidewalk for residents and other northbound commuters should be studied and published.*

Please Confirm: That the temporary bus operations relocated to the SSF, the Dyer Deck-Overs, and West 30th Street will be ADA compliant.

Please Confirm: The DEIS notes that the proposed project would not affect access to services or result in disruption of business activities in the study area. However, the report also recognized through its studies that there are several homeless shelters and social service facilities in the area and that small businesses will be displaced. Please ensure communication with all affected facilities in an accurate and consistent manner and ensure that mitigative solutions are put in place.

Please Confirm: The DEIS notes that there will be temporary elevator access for 2028 in the vicinity of the current elevator. However, only the elevator to be installed after the project completion is noted to be ADA-compliant. To best accommodate elderly and disabled people, please confirm that the temporary elevator access in 2028 will also be ADA-compliant and ensure that access to the temporary and new elevator will be as proximate and easily accessible, if not more so, as the current elevator.

Please Study: The DEIS is lacking information and analysis of the short-term and long-term health impact on nearby residents and users of Port Authority Bus Terminal. These impacts will be further exacerbated by the long timeline of the project. We recommend an assessment and mitigating solutions in the final EIS using emissions data from similar infrastructure projects around the country and current health data available on postal zip codes 10036 and 10019.

CHAPTER 5 - Environmental Justice

Please Confirm: The businesses listed below will be affected by terminal construction. These businesses are located on the west side of Ninth Avenue adjacent to the terminal construction 2028-2032. These historic affordable businesses, which have offerings unique to the area, are unusually important because their products or services, are subject of policies aimed at their preservation, and they serve a population uniquely dependent on its services in its present location. They will be engulfed in the construction and, as we have learned from the Second Avenue subway construction, their existence will be threatened. Many of their customers are low-income and come from the northern half of the neighborhood where there is a large concentration of seniors who live in poverty. Please confirm that these businesses will be included in the planning for interim retail operations and that a financial plan will be put in place to keep them operating and maintain access for their customers. (See list in Attachment A).

Please Confirm: A New York State parole board is located on West 40th Street just west of Eighth Avenue. This facility processes 2,000 parolees per day. This is a vital service for the New York State Department of Corrections and must not be disrupted.

Please Confirm: The area currently experiences a great deal of street homelessness, including congregation under sidewalk bridges which has created a public safety problem both for the homeless individuals, community residents, and the public. A social service

and enforcement plan must be put in place to ensure public safety for community residents and homeless individuals.

CHAPTER 6 - Historic and Cultural Resources

The historic and cultural resources section pulls from prior Environmental Impact Statements and does not detail the Paddy's Market Historic District.

Table 6-2 lists the historic architectural resources in the area of potential effects but does not provide detail about the specific sites within the Paddy's Market Historic District. For full detailed information regarding the Paddy's Market Historic District, refer to the Paddy's Market Historic District National Register Historic District Application.

Further, Pages 6-17 outlines the historical resources, but it does not list, by address, all the properties in the Paddy's Market Historic District that are within the project zone. Please see Attachment B that details by address properties that are directly affected.

Pages 6-17 outlines properties where there would be no adverse impact. However, this section relies on prior reports as opposed to integrating direct information from recent actions, namely the Paddy's Market Historic District. For example, it calls out 408 West 39th Street as affected by construction but does not call out 411 West 39th Street, across the street, which will also be adjacent to Port Authority construction. Tenements are noted by address between 39th and 40th Streets (523-539 Ninth Avenue) but the DEIS does not note by address the tenements in the historic district (541-547 Ninth Avenue and 403-409 West 40th Streets).

The properties most affected, being immediately adjacent to construction, are:

- 408 West 39th Street
- 411 West 39th Street
- 410 West 40th Street, Metro Baptist Church
- 403, 405, 407, 409 West 40th Street.
- 541, 543, 545, 547 9th Avenue

Art Deco Lighting Towers

On Pages 6-14, as part of the construction, the art deco lighting towers, and portions of the brick portal walls from the north tube entrance of the Lincoln Tunnel are slated for removal. As part of the mitigation, MCB4 requests that these be salvaged, relocated, and repurposed as design elements in the new proposed public open spaces between West 37th and West 39th Streets, Ninth to Tenth Avenues.

APPENDIX 6 B – Shadows

Please Study: The DEIS notes that serious negative effects on a number of our parks and historic resources, including sunlight sensitive features in Holy Cross, St. Raphael's and Metro Baptist Churches will all be diminished. Mitigation beyond lighting of stained-glass windows must be considered and agreed to.

- Effects on Public Open Spaces

Table 6B-4 lists six open spaces in the study area, but states only one of those spaces is affected. Of the six open spaces listed, four of them have incremental shadow impacts ranging from 38 minutes to 50 minutes. These are not major impacts. However, the other two have incremental shadow impacts of 1 hour and 51 minutes from 3/21-9/21 at McCaffrey Park and 1 hour and 12 minutes from 5/6-8/6 at Bella Abzug Park. In a community district ranking low in open space, these impacts to open spaces are magnified, and impacts to McCaffrey Park and Bella Abzug Park are major.

- **Effects on Historic Resources**

Table 6B-4 lists four historic resources. Three of these historic resources are historic churches with stained glass windows. Holy Cross and St. Raphael's are landmark eligible. The McGraw Hill Building is a landmark. The DEIS notes that sunlight sensitive features in Holy Cross, St. Raphael's and Metro Baptist Churches will all be diminished. Mitigation beyond lighting and stained-glass windows must be considered and agreed to.

Please Study: the effects of shadows on the rooftop farm of Metro Baptist Church. The church, in conjunction with Rauschenbusch Metro Ministries, Clinton Housing Development Company, and MCCNY Charities, developed a small-scale rooftop farm in 2010. Planting began in 2011 and expanded further in 2012. The farm helps combat food injustice and stocks the Metro Baptist food pantry with healthy produce while providing a forum for community building and education.

APPENDIX 6 C – Urban Design and visual resources

As previously noted in our response, view corridors are seriously affected along Tenth Avenue, Eleventh Avenue, West 40th Street, West 39th Street, and Hudson Boulevard and on Ninth Avenue where a two-level ramp system is replaced by a five-level double height enclosed structure.

Because of the critical nature of the “Main Street” of Ninth Avenue, this change will affect neighborhood character in an important way. The new terminal and towers would limit or obscure views of the McGraw-Hill Building's east façade from West 42nd Street, West 41st Street, and Eighth Avenue. These impacts cannot be mitigated.

Please Confirm: MCB4 understands, from conversations with the Port Authority, that the base height of the terminal on Ninth Avenue will be consistent with the heights of the tenements on the west side of Ninth Avenue north of West 40th Street. The new terminal and retail facades on the east and west sides of Ninth Avenue will be consistent with the context of the Paddy's Market tenement vernacular including building shapes, masonry and punched window openings.

Please Study: The brick wall fronting Ninth Avenue (and 41st Street) needs to be replaced with something more attractive or eliminated entirely. Please provide renderings similar to figure 6C-19 for the east side of Ninth Avenue between 41st and 40th Streets.

Please Study: The ramp structure that will be constructed between Tenth and Eleventh Avenue will directly face the northern edge of Bella Abzug Park. Special attention should be paid to the facade that faces Bella Abzug Park, as well as both Avenues. We request

an attractive facade, such as green elements, art, or other types of visual screening. The same applies to the façade facing the park on the deck overs.

Ninth, Tenth Avenues and West 40th Street Overpass: Dyer Avenue's Lincoln tunnel access has long divided the east and west sides of the neighborhood. The scale and massing on the proposed PABT Replacement Terminal, the SSF, Ramp structure, and avenue spanning overhead ramps will potentially have a similar impact, by dividing north from south as the new buildings run from Eighth to Eleventh Avenues.

Please Study: Please study means and methods to mitigate required massing to maintain visual connection between Hell's Kitchen north and south of the proposed project. Include elements and details which provide scale along exterior facades and structure to break down monolithic elevations. Examples include considering the use of transparency (glazing), allowing for visual connection between Hell's Kitchen north and south, or using large-scale art along exterior structure to avoid the appearance of monolithic elevations.

Please Study: Please study the implementation of design elements that provide security and promote pedestrian circulation both north and south and east and west along surrounding avenues and streets including enhanced lighting, ground floor retail and community spaces, and widened sidewalks.

Please Study: Please study promoting neighborhood context for where facades connect with surrounding contextual environment rather than responding only to internal program uses.

CHAPTER 7 - Natural Resources

MCB4 has no comment on this chapter.

CHAPTER 8 - Hazardous Materials

In the review of Appendix 8D which is Phase II of the Environmental Investigation, various locations were tested for hazardous materials as per pages 41-43 of Appendix 8D, attached as appendices to this response. There was a great presence of hazardous materials, for example, among many others, acenaphthylene, phenanthrene, arsenic, lead, fluoranthene, and mercury, which will require remediation as part of the proposed project. Of the 13 well sites for testing, only one, WSP-111, was immediately adjacent to an occupied building. There was no drill site nor soil testing to detect the potential presence of hazardous materials immediately adjacent to other occupied residential and community facility buildings within the project area.

Please Study: Please Study through investigation by well to test for hazardous materials, the following locations. See Attachment C for details.

- Immediately west of 409 West 39th Street. (30 residential units)

- Immediately west of 408 West 40th Street (Metro Baptist Church, which is home to five social service and community programs).
 - Head Start, operated by the Hudson Guild (75 children enrolled)
 - New Alternatives for LGBT Youth (300 users)
 - Damayan (Filipino domestic works, roughly 300 users)
 - Metro Baptist Congregation (200 members)
 - Rauschenbusch (RMM) Ministries (combination of food pantry, clothes closet, toiletries, 13,000 annual users, majority homeless families and individuals)
- Immediately north, under the existing bus ramps, of 401 to 409 West 40th Street, which have a total of 61 residential units.

Given the findings from the wells that were tested, we request additional testing at the aforementioned addresses given the proximity to residential use and the high-volume community facility located at Metro Baptist Church.

CHAPTER 9 – Transportation

The proposed project is 8.5 million square feet, seven times as the amount of square feet of the current Port Authority Bus Terminal, in the middle of a mixed district, commercial and residential, but predominantly residential. The new development will generate an additional 11,604 person/trips in the p.m. peak hour, of which 9,065 would be local pedestrians and the balance mass transit users. This correlates with additional vehicle trips in the evening. These volumes are incremental to the current ones in an environment which is already heavily congested with Lincoln Tunnel traffic for seven hours a day and flows of commuters and pedestrians coming and going to the PABT and Penn Station on narrow sidewalks.

9.3.2.2 Data Collection / Traffic

Please Correct: The Proposed Street Improvement Projects (SIP) fails to include the sidewalk widening of the east side of Ninth Avenue from West 34th to West 51st Streets, which DOT has already committed to. Simulations and impacts need to be updated to incorporate this project.

9.3.2.3 Peak Hours

Please Study: For vehicular traffic there are additional peak- hours that must be studied and taken in consideration:

- From 11:00 p.m. to 1:00 a.m. the volume of vehicles entering the tunnel from West 37th Street is significant as people are coming out of theaters, restaurants, and shows. There are around 2,000 residents facing that street. Such a peak will be relevant during the construction period when certain Lincoln Tunnel entrances will be closed.

- On Saturdays and Sundays in the afternoon and evening the traffic is very heavy due to people going or returning to New Jersey and the fact that only three tunnel lanes are open.
- The Eastbound P.M. traffic is heavy on West 36th Street and Ninth Avenue due to workers returning to New York and dinner and theater crowds coming in and exiting Lincoln Tunnel

9.3.2.5 Study Area

Traffic Study area:

Please Study: The current study area is too limited and needs to be expanded to include Tenth Avenue from 23rd to 30th Streets. This section of Tenth Avenue is already heavily impacted by the queues of vehicles entering the Lincoln Tunnel at West 30th Street. It will be important to understand the traffic impacts during construction when certain Lincoln Tunnel entrances are closed. Further, a new interim bus terminal is being created at West 30th Street and it is crucial to understand its impact on everyday traffic and the Tenth Avenue queues.

Transit Study Area:

Please Study: The Transit Study should include impacts on the delays and reliability of the M11

bus during the interim bus operations (West 30th street and West 37th/West 39th Streets deck over). What will be the impact of the project on the Penn Station MTA subway stop?

Pedestrian Study Area

Please Study: The Study Area for pedestrians should extend further south to West 30th Street, where Hudson Yards and Midtown West office complexes are located. Further, the West 30th Street interim bus terminal will be located in this area during construction. This terminal will take over a sidewalk and a narrow pedestrian path. The path to Penn Station may not have the necessary capacity to accommodate long distance travelers with luggage.

Please Confirm: Will the West 30th street interim terminal be ADA compliant?

9.4.1 Affected Environment – Existing Conditions

Streets and Avenues

Please Correct and Study:

The identification of designated bike lanes and shared bike lanes is missing the following: Seventh, Eighth, Ninth, Tenth, Eleventh Avenues, full length of West 38th and West 39th

Streets and West 43rd and West 44th Streets within the study area. These bike lanes must be taken in account. They will impact the results of the analysis.

9.4.2 Future Conditions in the Study Area.

Please Correct and Study: The following descriptions are not accurate and need to be revised. Corrections would change the results of the analysis.

- The tenth Avenue bike lane is on the west side of the avenue – not the east side
- Hudson Boulevard East between West 33rd and West 35th Streets are being converted into a shared street this year, as approved by DOT.

9.6 Potential Impacts of the Preferred Alternative

2032/2040 – Traffic

APPENDIX 9A

9A .4.2 – 2028 Analysis Year

Port Authority Bus service

Please Confirm: It is our understanding from conversation with the Port Authority that no buses will use the streets to access the terminal except for 90 buses maximum on West 41st Street from Dyer to Galvin Plaza at morning peak hour.

Please Study: By design, the bus volume analysis does not incorporate growth rates that should be generated as a result of Congestion Pricing. Future bus demand needs to be better analyzed to determine how soon will the terminal capacity will be exceeded.

APPENDIX 9 - Table 9B-6/7 – Base year

Please Correct and Study: The numbers provided as a base for traffic on Ninth and Eleventh Avenue point to insufficient/deficient analysis: Numbers provided for 2019 are very different from the reality observed on the ground.

Was a cumulative analysis performed?

- None of the intersections along Eleventh Avenue south of West 42nd Street have been analyzed.
- Eleventh Avenue is two-way below West 40th Street and carries heavy traffic going North to the Lincoln Tunnel. It is expected that this segment will be used during construction as well. It was not studied.
- In the afternoon, Eleventh Avenue north of West 43rd Street is very congested although it is shown with an acceptable Level of Service (LOS) in the analysis.
- The intersection of West 37th Street and Ninth Avenue is shown as a LOS C or D in 2032 even though it is one of the most congested in the p.m. in the study area.
- Currently West 38th Street on Ninth Avenue is extremely congested in the p.m. but it is shown as a LOS of A, B, C.

- West 36th Street and West 37th Street serve as cross-town thoroughfares between the Lincoln Tunnel and Queens Midtown Tunnel with West 36th Street running West-East and West 37th Street running East to West. They are extremely congested respectively in the morning and the evening.

9.7.2 Traffic

Of the 89 intersections that required analysis, in the a.m. peak period, there were 42 with LOS F and 11 with LOS E, or 60% (before corrections requested above). In the p.m. peak period, there were 51 with LOS F and 13 with a LOS E – or 72% (before corrections requested above).

Please Confirm: that there will be no taxi stand on 9th Avenue or West 40th Street.

Please Clarify: What were the assumptions for taxis placements and trips? Please explain how the delays at West 37th Street and Ninth Avenue - entrance to Ramp C - will naturally be reduced because of the project? And how the delays at Eleventh Avenue and West 45th Street will be even further reduced because of the project?

Please Clarify: Mitigation (pages 9-32) indicates that “Overall, 14 of 58 intersections were able to be mitigated through these measures in the a.m. model, and 13 of 58 intersections in the p.m.” It is not clear where the 58 number is coming from. As indicated above, another section refers to 53 and 64 intersections needing mitigation.

Please Study: After the intersection count requiring mitigation is corrected, the proposed mitigations will not be adequate for such cumulative impacts. MCB4 recommends that

- That the Dyer Avenue northbound lane between West 34 and W 37 be closed and more green space be provided.
- That the Port Authority make a commitment to dedicate 20 traffic managers to permanently manage the anticipated gridlock.
- That green light signals be adjusted to prevent congestion.

9.7.3 Transit

Please Study: The analysis does not reflect the negative impacts caused by increased surface traffic generated by the project on MTA bus service M11, M12 and M42 lines. These effects should be studied and mitigated. The analysis does not include the impacts on the elevators. With a large NORC (Naturally Occurring Retirement Community) (Manhattan Plaza) located one block away, bus service is crucial to the neighborhood.

Please Study: The project would have the potential to result in impacts to 12 subway stairwells and one fare array at the West 42nd Street Port Authority Bus Terminal subway station, accessed via the northwest corner of Eighth Avenue and West 42nd Street. And the number of stairs operating at LOS F at Times Square Station increases from four to five. No mitigation is proposed for these. We recommend that improved crosstown M42 bus service be explored as well as renovation of all the entrances to the 42nd Street PABT subway concourse (West 43rd, West 42nd, four entrances at West 41st). Adding an elevator at the West 43rd Street entrance would be helpful to the Manhattan Plaza population.

Please Study: With the significant increase in commuters going to the East and West Side, it is important to study building a # 7 train station at Tenth Avenue and/or an Select Bus Service (SBS) bus service on West 42nd Street.

9.7.4 Pedestrians

Please Confirm: It is our understanding from communications with the Port Authority that:

- All retail and residential deliveries and trash services will be done from internal loading docks instead of the sidewalk. Will that be the case for the existing businesses located on Ninth Avenue between West 40th and West 41st Streets?
- Curb cuts planned on the north side of West 39th Street (Tenth Avenue - Eleventh Avenue) will be limited to 40ft wide to be used on an exceptional basis.

Please Confirm:

- The sidewalks on SE and SW corners of Ninth Avenue at 41st Street with pedestrian bump outs, known in the neighborhood as “Plazitas”, and currently maintained by the HYHK Alliance, will be constructed as part of the sidewalk.
- The conflicts of turning buses with the pedestrian crossing on West 40th Street and Dyer Avenue will be resolved in favor of pedestrian safety.
 - A sidewalk will be created on the south side of West 41st Street (Ninth Avenue/Dyer) to allow for pedestrian circulation and will replace the passage currently located on the south side of the bus tunnel.
 - Con Edison grates will not be located on the sidewalk, but rather installed within buildings.
 - Security bollards will be designed in such a way that trees can be planted in between them.

There will be an additional 3,000 incremental walking trips to the bus terminal by 2040. Analysis has determined that the Project would have the potential to result in negative impacts to 11 sidewalks, 33 crosswalks, and 10 corners (LOS E or F) in one or more peak time periods and one or both of the analysis years. Of those, one sidewalk (east side of Ninth Avenue from West 39th Street to West 40th Street) is listed as being LOS E, and one crossing at LOS E.

Please Study: These results point to the need for much more comprehensive mitigation than what is proposed. Ninth Avenue sidewalks should be enlarged as is planned in the Department of Transportation - Street Improvement Project (DOT SIP). Most of the intersections on Eighth Avenue should be equipped with Barnes’ dances.

Please Confirm: How many (and which) sidewalks will be enlarged and / or equipped with neck downs? Will the radius of the SE Corner of West 40th Street and Eleventh Avenue be sharpened to make a safer pedestrian crossing?

9.7.5 Parking

Please Confirm: It is the Board’s understanding from conversations with the Port Authority that

Port Authority Police vehicles will be parked in the terminal. We are pleased that a car parking lot will not be part of the new terminal. The Port Authority has been very forward thinking in terms of bike parking. However, the study does not address the increased number of cyclists that will be looking to park at the terminal. Is there a plan for an off street, locked bike parking in or around the complex as is routinely done in stations and transportation hubs in other countries? How many more bike share stations will be provided based on the increase in commuters? Where will they be located? Will Citibike install a hub close by?

Please Confirm: Where will the Post Office trucks be parked overnight?

CHAPTER 10 – Air Quality

MCB4 is specifically concerned with language in the DEIS that states “air quality is not impacted” with the final product. We fully expect the Port Authority to provide a green and clean environment that betters current conditions. As with all the vehicle-specific areas, concentration should be not just on ventilation but filtration. While the conversion to electric buses is presented as a panacea, the Port Authority has no control over the speed at which this conversion will take place.

Please Study: We understand that all bus gates and parking will be able to charge electric buses.

Please study an operational model that gives incentives to carriers to convert to electric as early as possible. Please expand on your plans to use low carbon and carbon negative building materials and non-porous materials for enclosed ramps

Please Study: Enclosing the PABT main terminal, SSF, and Ramp Helix structure in non-porous building envelopes. Current PABT plans call for open/porous structures enclosing bus gates and ramp structures relying on air circulation and natural ventilation. Filter vehicular emissions from PABT replacement terminal rather than vent into the surrounding neighborhood. The DEIS routinely refers to ventilation. Instead, the Project should call for highest quality emission filtration technology and systems.

Please Study: The use of low carbon and carbon negative building materials for all elements of the proposed project, should be studied. Please also study incorporating CO2 capturing building materials into PABT Replacement structures (such as photocatalytic concretes).

Please Study: Please study incorporating green natural elements, such as green walls, rooftop green open space (such as Salesforce Park, SF) on all PABT replacement project structures.

Please Study: Please study decking over additional Dyer Ave cuts on Port Authority properties extending to West 33rd Street incorporating necessary *filtration* from vehicular traffic.

Please Confirm: Please confirm there's a detailed and thorough asbestos remediation plan in place to protect the neighborhood during demolition phases.

Please Study: The terminal and/or staging/storage buildings should be equipped with indoor, off-street, fast-charging EV charging stations for their delivery and service trucks and make them available to the public (for example in loading bays) without a prerequisite parking fee.

Please Study: Please study installing fully solar lighting on the outdoor pathways, for both the green spaces and the sidewalks.

Please Study: Please study using bird-friendly glass and windows with a frit-dot pattern in all buildings. These materials will also make the buildings easier to heat and cool, reducing energy needs.

MCB4 hopes the Port Authority's green energy transition group and sustainability department will consider some of the above. Since the Port Authority is looking to achieve net zero emissions and taking environmental sustainability very seriously, we hope it will ensure these elements find their way into the final design process. Though the Port Authority is planning now, these buildings will be up and operating for decades, if not longer. We should be incorporating environmental elements that not only comply with today's standards but exceeds them and are relevant for many, many years to come.

We appreciate the attention the DEIS paid to potential flooding in our district due to higher temperatures and rising seas. Though the project area is outside the 0.2% annual chance floodplain we are glad to see the awareness to current and future flooding potential and that the Port Authority is looking to work with the different City and State agencies considering long-term solutions to flood resiliency, including large-scale projects providing coastal protection. (footnote 10D.6.2)

Please Study: Designing and planting a robust street tree canopy as well as considering dense above-street and vertical greenery will provide both important environmental benefits and a pleasing aesthetic.

APPENDIX 12A – Water and Sewer infrastructure

Please Study: Please study the option to use a combination of permeable pavement and bio- swales to reduce runoff volumes of rainwater and melting snow. This low cost, less labor-intensive, and environmentally friendly approach will help alleviate street drainage systems, aid in storm-water separation from sewage. In addition, please study the longer-term issue of piping storm water without sewage directly into the estuary. Building dual pipes for storm water separated from sewage in new construction and under the streets

and piping storm water directly into local water bodies is a vital environmental issue for the future of the city.

Please Confirm: What is the rooftop storm-water management plan?

APPENDIX 12B - Solid Waste and Sanitation Services

Please Confirm: It is our understanding from conversations with the Port Authority that it plans to collect all garbage in the complex from loading docks and not from the sidewalk.

Please Study: We request that you study the use of trash compactors to reduce the volume of solid waste, both in the transit facilities and the commercial office buildings.

Please Study: Please evaluate the use of separated trash and recyclable deposit chutes in the public areas (pneumatic waste pipes). This will cut down the need for trash bins and streamline waste to a central location.

Please Study: We request that you study the use of waste level sensors to help monitor and track waste containers. This also provides remote alerts and makes waste removal more efficient.

CHAPTER 13 - Safety and Security

Please Confirm: Although this chapter outlines aspects of structural safety and security in the new facility, it does not address any safety measures against potential terrorist attacks or other emergencies on the ramps. Will there be an emergency evacuation route and plan?

Please Confirm: Are there structural requirements for the foundations and structure of the towers to be able to withstand impact like what happened on 9/11? With the PABT, a major public transportation hub, this matter is a serious community priority.

Please Confirm: What is the backup system for ventilation and air filtration. Any enclosed spaces, without required ventilation and air filtration will have air quality harmful to human health.

CHAPTER 14 – Construction

14.3.2 - Construction Phasing

The DEIS states construction of the Proposed Project is anticipated to begin in 2024 and finish in 2040. Construction is proposed in three phases:

- Phase 1: Construction of the ramps, Storage & Staging Facility (SSF), and the Dyer Deck-Overs.
- Phase 2: Construction of the new Main Terminal.

- Phase 3: Construction of the private development and conversion of the Dyer Deck-Overs into publicly accessible open space.

The construction phases will occur sequentially.

14.3.2.7 – Public Safety

MCB4 is pleased that the Port Authority will establish a traffic management center to address the major transportation issues.

14.5.1.1 Bus service

We understand from conversations with the Port Authority that:

- 21 interim gates will be located on the decks over (West 37-West 39th Streets, Ninth to Tenth Avenue) and 635 buses will enter the deck over from West 39th Street coming from the west and exit on West 36th/West 37th Street to Tenth Avenue.
- 16 gates will be located at W 30th Street (Ninth and Tenth Avenues). Buses will use West 34th Street to enter on Ninth Avenue at West 30th Street.

Please Study: The construction period for the Project assumes the use of West 30th Street for 55 bus movements and 18 curbside parking, pickup, and drop-off locations to accommodate 90 bus movements in the p.m. peak hour. We note below that some of these locations are not viable. *Further, their impact on traffic and pedestrians has not been studied.*

- Dyer Avenue between West 35th and West 36th Streets has no sidewalk.
- Hudson Boulevard East between West 33rd and West 35th Streets is being converted to shared streets. NYC DOT has already approved a “shared street” for those two street segments. Implementation will occur in 2024. The shared street removes parking from the street and there will only be one through lane for vehicle traffic.
- There is an entrance to a major office building on Hudson Boulevard East between West 34th and West 35th Streets.
- Similarly, West 35th Street between Hudson Boulevard West and Eleventh Avenue has only one travel lane and no parking lane due to construction.

Please Study: There are many other viable curb spaces nearby. *Please provide the requirements for the bus locations.* Please work with the Hudson Yards/Hell’s Kitchen Business Improvement District (BID) to find alternatives for such interim buses.

14.5.1 Construction Effects - Transportation

14.5.1.2 Traffic

- Phase 1 (2024- 2028) Dyer Deck-Over Construction Staging
 - The construction of overhead structural beams for the Dyer Deck-Over will require intermittent overnight closures of the Lincoln Tunnel Expressway, Dyer Avenue South, Dyer Avenue North, and parts of Dyer Plaza.
- SSF Construction Staging
 - The construction of the SSF is divided into 2 stages. Stage 1 includes the demolition of existing ramps over Dyer Avenue. Stage 2 includes the construction of the SSF and new ramp system.
 - Stage 1 will require the nighttime closure of Dyer Avenue North, West 40th Street between Ninth and Tenth Avenues, and the center tube of the Lincoln Tunnel, and require all inbound traffic from the Lincoln Tunnel to be routed to Dyer Avenue South.
 - Stage 2 will require the intermittent nighttime closure of Tenth Avenue between West 39th and West 41st Streets.

Please Clarify: Define what streets Dyer Avenue North, Dyer Avenue South, and Dyer Plaza encompass.

Phase 2 (2028-2032) The construction of the new Main Terminal will require the closure of West 41st Street between Eighth and Ninth Avenues for the duration of Phase 2; however, limited access would be maintained for tenant deliveries, construction, and emergency vehicles. Construction vehicles would likely stage along curbs adjacent to the work site.

The result of these closures is dramatic in terms of traffic delays; even with potential mitigation improvements incorporated, this closure showed increases in travel times as high as nine minutes to reach the center portal/center tube of the Lincoln Tunnel for inbound traffic using the South Tube. During phase 2, increased delays of 11 to 15 minutes will be experienced on West 42nd Street eastbound, Eighth and Tenth Avenues and West 37th and West 38th Streets.

In all cases, pedestrian crossing managers will need to be deployed, in consultation with the community, on all avenues and not just to direct construction, buses and commuter, but also to direct local traffic as well as Lincoln Tunnel traffic.

Please Study: PANYNJ will continue to evaluate alternative solutions for one of which might employ barges. The intent of barging would be to deliver and remove a significant portion of construction materials from the Project Area to reduce the number of trucks required for construction. The operations would require the use of a marine handling facility, located in close proximity to the Project Site. *Employment of barging could result in the potential for several adverse impacts, including those to traffic, natural resources, historic resources, air quality, and noise.*

Please Confirm: Were the average daily vehicle trips which are expected to average 403 (231 construction worker and 172 truck Passenger Car Equivalent) included in the traffic delays calculations? Did these estimates include the bus movements on city streets?

Please Confirm: How will the FDNY Engine 34/Ladder 21 located on West 38th Street function in this context? Considering that the base traffic model vastly underestimates the current congestion and the fact that no real mitigation is proposed, the district will be facing an epic gridlock for most of ten years. Should the fire station be relocated?

Please Study: MCB4 notes the base traffic model vastly underestimates the current congestion. There are 63 of intersections needing mitigation. Therefore, this portion of Hell's Kitchen will be facing an epic gridlock pattern for ten years. To address such an extraordinary situation, we ask that more regional comprehensive traffic measures be considered, such as closing certain access to the Lincoln Tunnel and diverting its traffic to less congested alternate avenues or crossings and emphasizing use of transit or high occupancy modes.

Please Study: Additional onsite and offsite community benefits must be provided to alleviate the enormous burden imposed on this area (which is subject to environmental justice protocol).

14.5.1.4 Pedestrians

Please Study: What is the purpose of the recommended temporary pedestrian overpass from the SSF to the NE corner of Ninth Avenue and West 41st Street and will it be ADA compliant. How much sidewalk space will it use at that corner? The impact on pedestrian circulation on the sidewalk for residents and other northbound commuters should be studied and published.

As stated on Page 15 of Chapter 14 of the DEIS, significant impacts would occur on nine sections of sidewalks, at 34 crosswalks, and at seven sidewalk corners.

Please Study: The impacts for pedestrian flow during construction as well as after the completion of the project will be substantial. The impacts for pedestrian flow during construction as well as after the completion of the project will be substantial. The DEIS has drastically underestimated the degree of mitigation needed to manage pedestrian flows. Sidewalk widening and removing barriers to pedestrian circulation should be coupled with pedestrian managers at high volume intersections. Pedestrian managers are a much more flexible effective approach.

Such pedestrian crossing managers will need to be deployed at high volume intersections not only to manage construction but in consultation with community need.

Bicyclists

Please Study: Eighth and Ninth Avenues are major cycling and delivery corridors. However, there is no analysis of the impact on bicycle lanes and how that infrastructure will be protected from construction.

14.5.1.5 Parking

The parking impact was not studied because , as stated on page 17 of Chapter 14, “Construction workers arriving at the Project Area via personal vehicle would be expected to utilize one of the many nearby parking garages.”

This assumption does not match our experience with Hudson Yards and other large projects in our district. Construction workers park on sidewalks, in bus stops and other illegal parking spaces. In this district, there is no spare capacity for such spaces.

Please Study: A parking impact mitigation plan must be developed. Will the project establish contracts with local parking lots and garages to ensure there is no illegal parking on sidewalks and bus stops?

14.5.2 Construction Effects – Air Quality

Please Confirm: What will be the plan to control and contain construction debris and mitigate air pollution?

Please Study: Chapter 14 describes at length the traffic delays resultant from the project, especially during construction. Those delays will translate into engine idling with further negative impacts on air quality. *Please analyze those impacts and provide quantitative results.* Similarly, concrete delivery trucks will also queue and idle, further affecting air quality. Please analyze those impacts and quantify results. idling for hours will affect air quality, which has not been quantified or mitigated.

Please confirm: Where *will the cement trucks be queued up.*

14.5.3 Construction Effects – Noise

“Using a detailed noise assessment, the Proposed Project is predicted to produce noise levels up to the low 80 decibel (dBA) level during the most intensive 8-hour daytime average (between the hours of 7 a.m. and 10 p.m.) and 30-day average periods of construction, and noise levels up to the low 70 dBA level during the most intensive eight-hour average nighttime periods of construction (between the hours of 10 p.m. and 7 a.m.). Construction noise from the Proposed Project would exceed the FTA’s noise impact thresholds for several periods over the course of 3 to 26 months.”

Please Study: *The area studied should be increased to include 400 feet east of Ninth 9th Avenue from West 30th Street to West 48th Street.* That area contains approximately 2000 residential apartments. Therefore, mitigation measures must extend to residential uses in that area.

Please Study: Extraordinary construction related traffic delays caused by construction will generate traffic backups. MCB4 has experienced that serious traffic backups create impatient motorists and significant car horn honking. This impact should be studied, quantified and mitigated with enforcement personnel and noise surveillance cameras.

14.5.5.1 Other Technical Areas

Please Confirm: Bella Abzug Park (Block 6), which is directly south of the new ramp structure over Galvin Plaza, will be constructed within the same time frame as the ramp structure (roughly 2026-2028). Since construction will affect use of 39th Street, coordination with NYC EDC will be essential.

APPENDIX 2D - MITIGATION SUMMARY

MCB4 considers the proposed mitigation not to be commensurate with the overwhelming impact of this proposed project. Mitigation is needed both during the ten years of construction and after the permanent infrastructure improvements of the Main Bus Terminal, Staging and Storage Facility, and ramps are completed. MCB4 therefore proposes an initial list of mitigation and community benefits to address both the construction and unmitigated negative impacts identified in the DEIS.

Open Space

Agree to a formal public process with full community input, for all creation of public green open space programmatic plan and design. A design schedule must be detailed for each open space with dates for design plans, bidding, and construction milestones, given a long development period.

- Agree to develop, implement, and provide an Open Spaces Maintenance and Funding
- Agreement with the Hudson Yards/Hell's Kitchen BID for maintenance, capital maintenance, and operation of all public open green spaces by dates tied to PABT construction milestones.
- Additional Green Open Space – Delivered in Phase 1 of the Proposed Project
- Study the feasibility of a pedestrian bridge to from West 36th Street to West 37th Street over the depressed portion of Dyer Avenue.
- Build a deck-over to create public open green space on west side of West 35th Street and Dyer Avenue in Phase 1.
- Replace the public open green space, known as Theresa's Park West of Metro Baptist and 409 West 39th Street, (approximately 30 x 200 feet), under a specific timeline.

- Create a greenway path on West 36th Street from Dyer to Tenth Avenues to continue the Canoe Plaza.
- Create a greenway path on a widened sidewalk on the north side of West 39th Street (Ninth-Eleventh Avenues) with a design similar to the “Canoe” (small planted plaza, West 36th and Ninth Avenue).
- Consider adding open green space immediately at the start of the project to mitigate air quality impacts in a district which experiences the third worst air pollution in the city.

Overall Community Greening

- Plant trees every 25 feet on all sidewalks adjacent to the property interspaced between bollards.
- Install green walls on the south façade of the Staging and Storage Facility and the Galvin Plaza ramp structure between Ninth and Eleventh Avenues.
- Engage in a street tree planting program throughout the impacted area.

Affordable Housing

Provide sites for mixed income affordable housing development for a mix of low, moderate, middle-income housing) at the following sites:

- Northwest corner of Dyer Avenue and West 40th Street (NJ Transit bus parking lot, currently encumbered by bus ramps which are to be removed).
- Northeast corner of Dyer Avenue and West 40th Street (NJ Transit bus parking lot, currently encumbered by bus ramps which are to be removed).
- Northeast corner of Dyer Avenue and West 33rd Street (former proposed ventilation site for cancelled Gateway Tunnel Project).
- Northeast corner of Ninth Avenue and West 41st Street (current Greyhound tunnel ventilation building).

Traffic, Transit, and Pedestrian Safety

- Agree to enlarge the sidewalks on the east side of Ninth Avenue, on the north side of West 39th Street, (Ninth to Eleventh Avenues) West 36th Street (Dyer to Tenth) West 40th Street (Dyer to Ninth) and Dyer Avenue (West 40th /West 41st).
- Agree to install mid-block raised crossings on West 39th Street (middle of the blocks Ninth to Tenth and Tenth to Eleventh on West 37th and West 38th Streets (middle of block Ninth to Tenth) all to service parks crossings.
- At NW corner of West 41st and Gavin Plaza, agree to install a neck down in place of the striped area.
- At the West 40th Street entrance agree to install a long neck down to serve the entrance on West 40th Street.
- Most of the intersections on Eighth Avenue should be equipped with Barnes’ dances (where all signals are red simultaneously at a given intersection).

- Agree to reduce signals' green phase on Ninth, Tenth, and Eleventh Avenues and at 40th Street and Ninth Avenue at the approaches of the tunnel.
- Agree to retain the service with at least 15 pedestrian traffic managers at peak hours.
- Agree to install cameras on city streets to monitor Lincoln Tunnel vehicular queues and noise, based on community input.
- Work with the MTA to improve crosstown M42 bus service

Sustainability

- Agree to implement a combination of solar panels and green roofs of Main Terminal, Staging and Storage Facility, and Galvin Plaza Ramp Structure to provide power, absorb rainwater runoff, provide insulation, and decrease urban heat island effects.
- Agree to implement water retention tanks to absorb rainwater runoff from roofs of Main Terminal, Staging and Storage Facility, and Galvin Plaza Ramp Structure and use retention tanks to irrigate new public open spaces.

Historic Resources

- Provide funding to establish Paddy's Market Historic District Façade Improvement Fund, administered by the HYHK BID, to assist small storefront owners and operators to make storefront and façade improvements.,
- Agree to reducing width or removing one bus lane on the 40th Street bridge in order to provide more space and light to the Metro Baptist Church.
- Agree to provide a green wall on the eastern face of the West 40th Street Storage and Staging Facility and ramps.

Community Facilities

- Reserve space for affordable community facilities in the Main Terminal, Staging and Storage Facility, and Galvin Plaza Ramp Structure. Provide detail by location with specific square footage and schematic plans. Agree that every community facility space will be white-boxed and outfitted with HVAC equipment and ADA bathrooms.
- Establish affordable rent structures for different types of community facility uses, including active recreation for teens, day care, rehearsal space for non-profit theaters, and a Community Board office.
- Provide ADA access on all floors for the Rauschenbusch Metro Ministries Community and Social Service Center.

Retail

- East side of Ninth Avenue between West 40th and West 41st Streets: provide an agreed-on number of commercial storefronts of square footage scaled for neighborhood retail and service use.

- West side of Ninth Avenue between West 40th and West 41st Streets; provide an agreed-on number of commercial storefronts of square footage scaled for neighborhood retail and service use.
- West side of Ninth Avenue between West 40th and West 41st Streets; provide entry storefront and location for a to full-service supermarket for the Hell's Kitchen neighborhood. Agree to install retail at the NW corner of Tenth Avenue and West 39th Street.

Construction Impacts

- Develop a pedestrian safety plan: Hire 20 pedestrian traffic managers, 24 hours a day, seven days a week, for the duration of the construction. (For at least five intersections on Ninth Avenue and five intersections on Eleventh Avenue) Consult with the community on hours and placement of personnel and devices. Consult with local schools and social service programs on pedestrian safety.
- Develop and implement a complementary public safety and social services plan to manage scaffolding and construction site conditions.
- Coordinate with the Gateway project which will close Tenth Avenue at West 30th Street and possibly will need access to the Lincoln Tunnel overnight for trucks and debris.
- Night work — consider ways to mitigate noise and the impact of construction lighting on residences.
- Develop a relocation plan as needed for long-term residents, not-for-profits, daycare facilities and businesses that will not be able to operate due to adjacency to construction noise and activity. Develop a compensation plan as needed for local businesses immediately adjacent to construction (Sea breeze, International, Pizza place, et al.).
- Provide an alternate configuration of interim gates on West 30th between Dyer and Ninth Avenues to preserve the full sidewalk: (four buses parallel parked along an enlarged sidewalk on the north side of the property).

CONCLUSION

On the evening of April 18th, 2016, over 250 members of the Hell's Kitchen community came to the Metro Baptist Church on West 40th Street to hear Port Authority's proposal to build a new bus terminal in Hell's Kitchen. The community was acutely aware of the devastation of southern Hell's Kitchen wrought by the construction of the Lincoln Tunnel, the current bus terminal, and the terminal access ramps. Hundreds of residential building were demolished, scores of businesses wiped out, thousands of residents displaced.

The community members gathered at Metro Baptist on the night of April 18th spoke with one voice: this would not happen again. To its credit, the Port Authority listened. The project will not use eminent domain. The new terminal and storage facility and ramps would be constructed entirely on Port Authority property.

The community also insisted the neighborhood, east to west, north to south, be knitted back together, with Hell's Kitchen north and south of 42nd Street connected once again

by its Main Street — Ninth Avenue — as it had been when the historic Paddy's Market, stretching along the Avenue from 35th to 42nd Streets, served a vital and thriving community.

Again, to its credit, the Port Authority agreed it would work with this community board and the community it represents to achieve that end — to make the new terminal and storage facility fit into the fabric of the neighborhood through contextual design, environmental responsibility, pedestrian safety, and community integration.

Manhattan Community Board 4 is grateful for the long and productive consultation with the Port Authority team as plans for the proposed project are developing. We and the community look forward to continuing this valuable engagement as the project moves forward.

Sincerely,



Jessica Chait

Chair

Manhattan Community Board 4

Enclosure

cc: PANYNJ
Hon. Jerrold Nadler, U.S. Congress
Hon. Eric Adams, Mayor
Hon. Brad Hoylman-Sigal, State Senator
Hon. Tony Simone, State Assembly Member
Hon. Mark Levine, Manhattan Borough President
Hon. Erik Bottcher, City Council
Manhattan Community Board 5

Attachment A :

Chapter 5: Environmental Justice. Map of businesses affected by construction

Businesses on the West Side of 9th Avenue between West 39th and West 41st Street			
Address	Store Name	What They Do	No. of Employees
523 9th Avenue	Nittis	Italian Restaurant	16
525 9th Avenue	BKM Laundromat	Only laundromat on 9th Ave between W 37th-42nd Streets	4
527 9th Avenue	Hilti Store	Tool store	13
533 9th Avenue	Terra Market	Retail and wholesale fruit and vegetable market	6
535 9th Avenue	Hell's Kitchen Deli	Local deli serving hot and cold food, grocery items, and cleaning	7
537 9th Avenue	Chicken n Waffles	Counter-serve brunch and dinner restaurant	5
539 9th Avenue	Lasani Grill	Pakistani restaurant	7
541 9th Avenue	Sea Breeze Fish Market	Retail and wholesale, 3rd-generation, family-owned seafood mar	11
543 9th Avenue	Ninth Avenue International Foods	Grocer of international foods, herbs, spices.	4
547 9th Avenue	Capizzi	Family-owned pizzeria serving neapolitan-style pies	9

Attachment B

Chapter 6: Historic and Cultural Resources - Paddy's Market Historic District list of Properties

Paddy's Market Historic Properties in Adjacent to PABT or Within 90ft Buffer Zone						
Updated 2/28/2024						
Address	Block	Lot	Year Built	Type	Contributing/Non-Contributing	BIN
406 WEST 39TH STREET	736	39	front 1859-1867 rear pre-1854	pre-law tenement	2 contributing	1078475
408 WEST 39TH STREET	736	40	1890	old-law tenement	contributing	
407 WEST 39TH STREET	737	28	front 1871; rear 1885-1890	pre-law tenement	4 contributing	1078477
411 WEST 39TH STREET	737	27	1895	seven-story brick stable	contributing	1012993
401 WEST 40TH STREET	1050	29	1874	pre-law tenement	contributing	1083740
403 WEST 40TH STREET	1050	29	1859-1867	pre-law tenement	contributing	1083741
405 WEST 40TH STREET	1050	29	1859-1868	pre-law tenement	contributing	1083742
407 WEST 40TH STREET	1050	26	1854-1859	pre-law tenement	contributing	1026322
409 WEST 40TH STREET	1050	25	1854-1859	pre-law tenement	contributing	1026321
410 WEST 40TH STREET	737	43	1912-1913	four-story church	contributing	1013005
541 9TH AVENUE	1050	29	1854-1857	pre-law tenement	contributing	1089752
543 9TH AVENUE	1050	29	1854-1857	pre-law tenement	contributing	1089487
545 9TH AVENUE	1050	29	1854-1857	pre-law tenement	contributing	1083736
547 9TH AVENUE	1050	29	1854-1857	pre-law tenement	contributing	1089488
Properties Excluded from Paddy's Market Historic District Report in Buffer Zone						
440 WEST 38TH STREET	735	61	1936	Hook and Ladder Company No. 21/Engine Co. 34 Firehouse	n/a	1012982
330 WEST 42ND STREET	1032	48	1931	The McGraw Hill Building	n/a	1024926

Attachment C:

Chapter 8 (Hazardous Materials)- Further test for hazardous materials:

