175 Park Avenue

Environmental Assessment

OCTOBER 2025

Environmental Assessment

for 175 Park Avenue
New York, New York

Prepared Pursuant to the National Environmental Policy Act
42 U.S.C. § 4321 *et seq.* and 23 CFR Part 771

by

Federal Transit Administration
And Commodore Owner LLC

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Comments on the Environmental Assessment

The notice of availability (NOA) of the Environmental Assessment (EA) will be made through notices published in a local newspaper (amNY). It will be made available on the Project website at https://175parkproject.nyc/. During the 30-day public and agency review period from October 17, 2025, through November 17, 2025, comments may be submitted via email or mailed to:

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Comments must be received no later than November 17, 2025.

Following the close of the comment period, the Federal Transit Administration (FTA) and the Project Sponsor will thoroughly consider any comments submitted. Based on information contained in this EA and comments received, FTA will determine whether environmental effects are sufficiently substantial to warrant preparation of an environmental impact statement (EIS). If FTA determines that there are no significant impacts, it will issue a finding of no significant impact (FONSI). The determination will be made available to the general public and all who submitted formal comments on this EA.

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1

Introduction

This chapter introduces the proposed 175 Park Avenue Project, describes its purpose and need, and identifies the environmental laws and regulations followed in the preparation of this Environmental Assessment (EA). This chapter also includes a summary of the New York City Uniform Land Use Review Procedure and City Environmental Quality Review process completed in December 2021.

1.1 Project Overview

Commodore Owner LLC (Project Sponsor), a partnership between RXR and TF Cornerstone, is proposing to redevelop 175 Park Avenue (the Project), located adjacent to Grand Central Terminal in New York, New York. The Project includes the acquisition of the site, the demolition of the existing hotel, and the construction of a new, mixed-use office and hotel building with retail, public space, and large-scale transit and public concourse improvements.

The Project Sponsor is seeking credit assistance from the Railroad Rehabilitation and Improvement Financing (RRIF) loan program, which is administered by the Build America Bureau within the United States Department of Transportation (Bureau), for the proposed Project. As a result, the Project is subject to the provisions of the National Environmental Policy Act of 1969 (NEPA). On behalf of the Bureau, the Federal Transit Administration (FTA) is serving as the lead federal agency for the NEPA review.

FTA, as the lead federal agency, and the Project Sponsor are preparing this EA to evaluate potential impacts of the Project in accordance with NEPA (42 U.S.C. § 4321 et seq.) and FTA's

Environmental Impact and Related Procedures (23 CFR Part 771). The EA also documents compliance with other applicable Federal environmental laws and regulations, including Section 4(f) requirements (49 U.S.C. § 303, 23 CFR Part 774) and Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108, 36 CFR Part 800).

Within the EA, FTA and the Project Sponsor discuss: 1) the purpose and need for the proposed action; 2) alternatives considered; 3) the environmental effects of the proposed action and alternatives; and 4) the agencies and persons consulted.

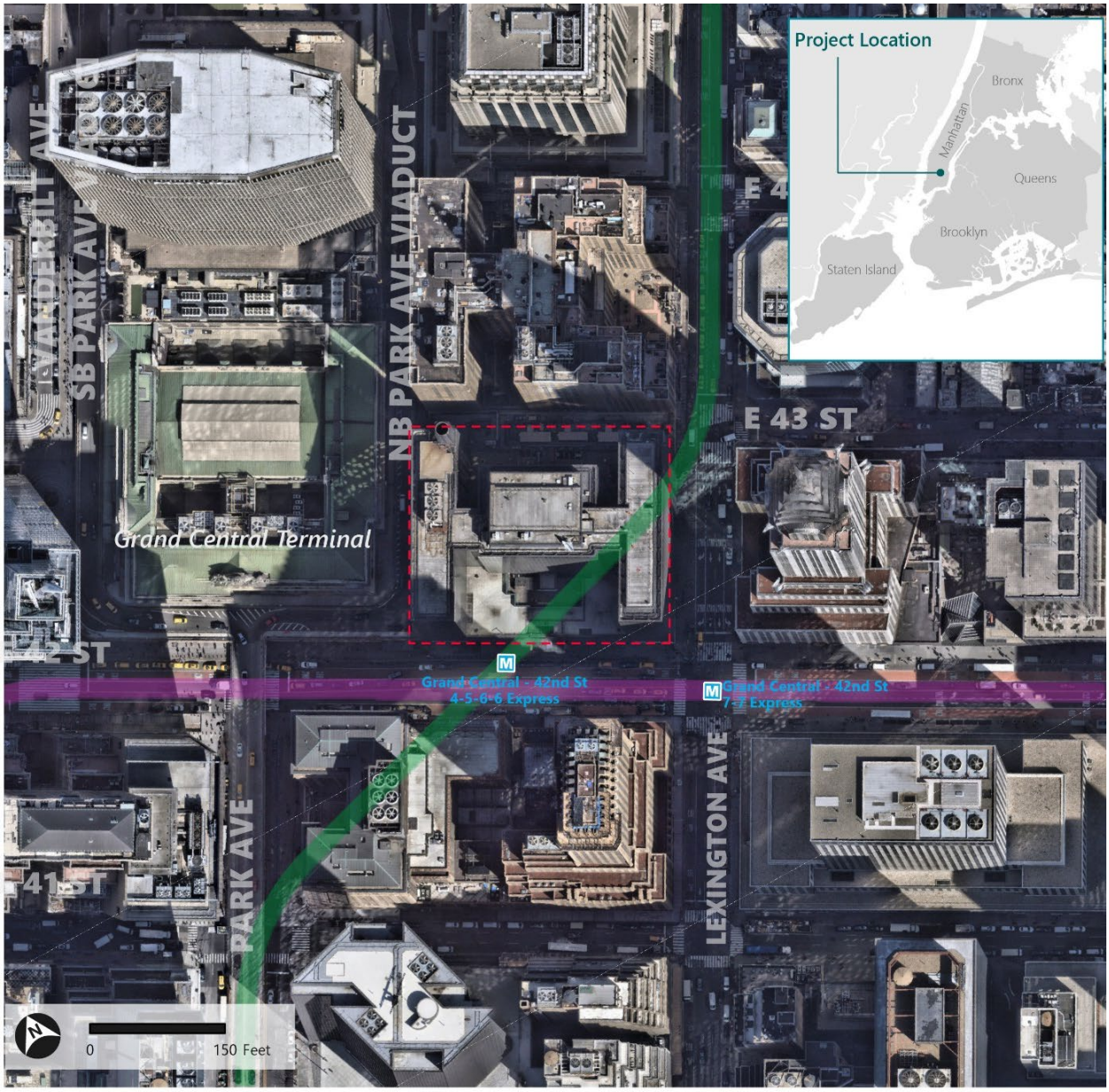
1.1.1 Project Location

The Project Site is located on Block 1280, Lot 30, and is currently occupied by the Grand Hyatt Hotel. The Project Site sits directly above the Grand Central-42nd Street subway station and Metropolitan Transportation Authority (MTA) Metro-North Railroad (Metro-North) tracks and is located immediately to the east of Grand Central Terminal. The site is immediately to the south of the Grand Central Market. It is bounded by East 42nd Street to the south and Lexington Avenue to the east (see **Figure 1-1**).

The Project is located within the East Midtown Central Business District, a premier business district for the New York region that attracts national and international companies. According to the Grand Central Partnership, LLC, which manages the Grand Central Business Improvement District, the area consists of a 70-square block area in East Midtown centered around Grand Central Terminal, contains approximately 76 million square feet (sf) of office space, and accommodates 225,000 office workers, 9,200 businesses, and 12 Fortune 500 companies (Grand Central Partnership, Inc. 2023).

The East Midtown Central Business District is anchored by Grand Central Terminal, one of the City's major transportation hubs, and the Grand Central-42nd Street subway station, which serves the Nos. 4, 5, 6, and 7 Lines and Shuttle service. Grand Central Terminal welcomes hundreds of thousands of visitors every day; it is the second-busiest commuter rail station in the United States (behind only New York Penn Station) and provides a variety of retail and dining options. It is the southern terminus of the Metro-North Harlem, Hudson, and New Haven commuter rail service lines, which serve the northern parts of the New York metropolitan area and Connecticut. Additionally, the East Side Access project, completed in 2023, provides Long Island commuters direct service to East Midtown via a below-grade Long Island Rail Road (LIRR) station at Grand Central Terminal.

Figure 1-1 Project Location Map



Bus routes with stops adjacent to or near the Project Site include the M1, M2, M3, M4, M5, M15, M15 SBS, M42, M101, M102, M103, and Q32 local bus routes, as well as express bus routes from the Bronx, Brooklyn, Queens, and Staten Island.

1.1.2 Description of the Proposed Project

The Project Site is currently owned by UDC/Commodore Redevelopment Corporation (doing business as New York State Empire State Development, a corporate governmental agency of the State of New York) and ground-leased to Hyatt Equities. UDC/Commodore will convey its interest in the Project Site to the City of New York, the Project Sponsor will acquire the leasehold from Hyatt Equities, and the lease will be amended and restated. Thus, the Project Site will be owned in fee simple by the City of New York and ground-leased to the Project Sponsor (Commodore Owner LLC).

The Project Sponsor proposes to demolish the existing Hyatt building and construct a new building that would extend up to 92 stories and be approximately 1,575 feet high, containing approximately 2.9 million gross square feet (gsf) of mixed-use office, hotel, and public space. The proposed building would include approximately 2,165,000 gsf of office space; 258,000 gsf of hotel space with up to 200 hotel rooms operated by Hyatt; 21,000 gsf of outdoor publicly accessible terrace space; 25,000 sf of MTA circulation space within the Grand Central Terminal; and 3,271 gsf of retail space on the cellar, ground, and second floors. **Figure 1-2** provides an aerial view of the Project Site and identifies the perspectives from which **Photo 1-1** to **Photo 1-4** were taken to show existing conditions.

MTA owns and operates Grand Central Terminal, which includes the 42nd Street subway station and MTA Metro-North tracks, to the west of the Project Site and adjacent lots to the north of the Project Site, as well as ground-floor and mezzanine-level circulation areas located within the Project Site (**Appendix A**, Conceptual Design Plans). The Project includes several public concourse, transit, and public space improvements to enhance circulation and reduce congestion within the Grand Central Terminal transportation network. These elements are "betterments" that are a condition of the Project's development approvals through New York City's Uniform Land Use Review Procedure (ULURP), described in **Section 1.2.2**. Pursuant to the conditions of the Project approvals under ULURP, the transit improvements would be fully funded by the developer and would be implemented pursuant to the terms of agreements with MTA as the agency charged with managing and implementing the improvements to its transportation facilities.

Figure 1-2 Photo Key Map

Photo 1-1 View from East 42nd Street near Park Avenue, Looking Northwest

Photo 1-2 View from Intersection of East 42nd Street and Lexington Avenue, Looking Northwest

Photo 1-3 View of Grand Central Market from Lexington Avenue, Facing West

Photo 1-4 View Facing Southeast from Park Avenue Viaduct

1.2 Previous Local and State Approvals

1.2.1 Greater East Midtown Rezoning

In 2017, the New York City Council approved the Greater East Midtown Rezoning proposal to reinforce the area's standing as a premier central business district, support the preservation of its landmarked buildings, and provide for public realm improvements. A Final Environmental Impact Statement (FEIS) was completed for the Greater East Midtown Rezoning pursuant to New York City Environmental Quality Review (CEQR) requirements in 2017 (the 2017 Greater East Midtown Rezoning CEQR FEIS; CEQR number: 17DCP001M) (City of New York, City Planning Commission 2017).

As stated in the 2017 Greater East Midtown Rezoning CEQR FEIS, the rezoning was intended to result in new commercial office development and was projected to result in approximately 14.2 million gsf of new commercial space (13.4 million gsf of office space and 0.6 million gsf of total retail space).

The rezoning permitted the highest as-of-right density (floor area ratio (FAR) of 27) in the East Midtown Subdistrict in the area immediately surrounding Grand Central Terminal, which includes the Project Site.[1] Rezoning to allow the highest as-of-right density in the area surrounding Grand Central Terminal reflects the New York City Department of City Planning's (DCP) policy of focusing density in areas with excellent access to transit.

1.2.2 New York City Uniform Land Use Review Procedure and CEQR

The Project (formerly known as Project Commodore - Grand Hyatt under CEQR) required several discretionary approvals from the New York City Planning Commission (CPC) to facilitate the proposed mixed-use development, including a zoning text amendment, special permits, certifications, and disposition of City-owned property (to amend and restate the ground lease after UDC/Commodore conveys its interest in the Project Site to the City). In 2021, the Project was entitled and approved pursuant to New York City's (the City's) ULURP.[2] A CEQR Draft Environmental Impact Statement (DEIS) and FEIS were completed in 2021 (CEQR No. 21DCP057M) pursuant to Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act per Title 6 of the New York Codes, Rules and Regulations (NYCRR) Part 617.

As part of the State and local land use and environmental review process, the Project received input from stakeholders including the City of New York, the State of New York, MTA, Manhattan Community Board 5, Manhattan Borough President, New York City Department of Transportation (NYCDOT), New York City Department of Parks and Recreation, New York City Department of Environmental Protection (NYCDEP), New York City Landmarks Preservation Commission (LPC), New York City Public Design Commission, and the New York State Historic Preservation Office (NYSHPO). As a result of this process, environmental commitments and mitigation measures were developed to avoid, minimize, and mitigate

1 The Project received a series of discretionary approvals to exceed the as-of-right FAR.

2 The Uniform Land Use Review Procedure (ULURP) is a procedure where applications affecting the land use of New York City are publicly reviewed within mandated time frames. Key participants in the process are DCP, CPC, community boards, borough presidents, borough boards, the City Council, and the Mayor.

potential adverse impacts, which are memorialized in a Restrictive Declaration approved through ULURP (**Appendix B**, Restrictive Declaration).

1.3 Purpose and Need

This section describes the Purpose and Need for the proposed action (the Project). It "provides the rationale and justification for undertaking a major Federal action and forms the basis for the range of alternatives to be studied in the environmental document" (FTA Environmental Standard Operating Procedure 4, Purpose and Need). The Purpose describes what the Project Sponsor is trying to accomplish, while the Need identifies the problems the proposed action intends to address.

1.3.1 Project Purpose

The purpose of the Project is to further New York City's goals for development in East Midtown by facilitating:

- Development of a new, mixed-use office and hotel building with retail and public space on a site that is well-served by a variety of public transportation modes; and
- Implementation of improvements within the Grand Central Terminal transportation network to enhance pedestrian circulation and reduce congestion.

The City's goals as stated in the 2021 175 Park Avenue CEQR FEIS include to:

- Protect and strengthen East Midtown as one of the world's premier business addresses and a key job center for the City and region;
- Seed the area with new modern and sustainable office buildings to maintain its preeminence as a premier office district;
- Improve the area's pedestrian and built environments to make East Midtown a better place to work and visit; and
- Complement office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space.

The area immediately surrounding Grand Central Terminal (including the Project Site) is designated as the Grand Central Transit Improvement Zone Subarea of East Midtown to allow for the highest proposed as-of-right density in the East Midtown Subdistrict, reflecting DCP's planning policy of focusing density in areas with excellent access to transit.

The Project is intended to advance the region's economic growth by reinforcing East Midtown's role as a premier center of commerce, attracting national and international investment, and sustaining New York City's long-term competitiveness in the global marketplace. By generating new employment opportunities, expanding the City's tax base, and ensuring that transit-oriented development produces measurable returns for both public and private stakeholders, the Project provides a foundation for durable economic vitality. Concentrating modern office and mixed-use development in close proximity to one of the nation's most significant transit hubs, while improving pedestrian access and circulation, maximizes the efficiency of infrastructure investment, reduces the risk of economic stagnation from an aging building stock, and creates the conditions for a sustained agglomeration of benefits that drive productivity and innovation.

In this context, the Project directly supports the RRIF program provision for economic development, which emphasizes leveraging Federal credit assistance to catalyze private capital, accelerate reinvestment, and strengthen regional prosperity. By aligning these outcomes with the Administration's priorities to foster public-private partnerships and expedite infrastructure projects, the Project underscores how transportation infrastructure can serve as a multiplier for economic growth—linking mobility improvements with long-term fiscal stability, enhanced business activity, and reinforced confidence in East Midtown as a cornerstone of the national economy.

1.3.2 Project Needs

The East Midtown Central Business District is a premier business district for the New York region that attracts national and international companies. However, despite its current stature, East Midtown faces long-term challenges that must be addressed to maintain its position as one of the region's premier job centers and one of the most attractive business districts in the world. As discussed below, these challenges include aging building stock and public realm challenges including inefficient pedestrian circulation, limited open space, and indirect transit network connectivity. Considering these factors, the DCP projected in the 2017 Greater East Midtown Rezoning CEQR FEIS that East Midtown would become less desirable as a business district over time if these needs were not addressed, leading to businesses looking elsewhere for office space. Furthermore, the recent investment in transit infrastructure, including MTA's East Side Access project (completed in 2023) and Second Avenue Subway project (in progress at the time of this EA), would fail to generate their full

potential of jobs and tax revenue for the City and region if these challenges are not addressed.

In addition, the effects of the COVID-19 pandemic on office demand appear to be resulting in a "flight to quality" both in New York City and nationally, as described in the New York City Comptroller's May 2024 Spotlight: New York City's Office Market (New York City Comptroller 2024). As stated in the report, the volume of occupied space in "5-Star" buildings in New York City has risen by 11 percent since 2020, while occupied space in Class B and Class C buildings has dropped by 8 percent. These trends indicate that businesses are "trading up" in terms of the quality of their office space and reinforce the need to address the aging building stock and public realm challenges described below.

1.3.2.1 Replace Aging Building Stock

At the time of the 2017 Greater East Midtown Rezoning CEQR FEIS, over 300 of the approximately 475 buildings in the Greater East Midtown area were more than 50 years old, and the average office building age was more than 75 years old. While there has been some redevelopment since 2017, much of the existing office space is outdated in relation to tenant needs. Many prospective tenants looking for office space in East Midtown desire large expanses of column-free space to have flexibility in creating office layouts. Columns and low floor-to-floor heights cannot accommodate flexible open layouts or modern technology requirements, and thus, many older buildings are not as desirable, as evidenced by their higher vacancy rates and lower rents. East Midtown's outdated office buildings cannot offer the kinds of space and amenities that new construction offers and therefore can no longer compete for premier tenants. Given the area's concentration of public transit infrastructure, including recent rail network expansion projects, merely converting the area's outdated office buildings to other uses (as opposed to constructing new buildings) does not align with the City's long-term economic goals, as conversion to other uses such as residential buildings or hotels would not provide additional density.

1.3.2.2 Improve Pedestrian Circulation, Open Space, and Transit Network Connectivity

East Midtown's above- and below-grade public realm is a unique asset, containing sidewalks, roadways, parks and open spaces, indoor and outdoor privately-owned public spaces, and publicly-accessible transit-related infrastructure. The below-grade public realm includes the extensive subterranean pedestrian network that connects Grand Central Terminal to the Grand Central-42nd Street subway station and to surrounding streets and buildings.

Although East Midtown contains some of the City's best-known public and civic spaces, including Grand Central Terminal's main hall, the Seagram Building Plaza, and Park Avenue, the pedestrian network faces challenges to match the area's role as a premier business district and allow pedestrians to easily access public spaces, transit, office buildings, and institutions. Specifically, challenges to the above- and below-grade public realm include:

- The Grand Central-42nd Street subway station, which is the second busiest train station in the nation, with over 33 million riders per year in 2024, experiences pedestrian circulation constraints and overcrowding during peak periods (MTA 2024).
- Existing ceiling heights and structural elements, such as Grand Central Terminal's structural girders, constrain transit and public spaces, limiting passenger circulation and sightlines, particularly at the subway mezzanine level and along the Lexington Passage.
- Existing street-level subway entrances at Lexington Avenue and 42nd Street, and at Grand Central Terminal's main transit hall along the existing 42nd Street Passage, have limited pedestrian circulation capacity and limited sightlines and ceiling heights.
- The Lexington Avenue and 42nd Street sidewalks are narrow and subject to overcrowding.
- The LIRR Grand Central Madison station, opened beneath Grand Central Terminal in 2023, lacks a direct pedestrian connection to the Metro-North and New York City Subway, resulting in indirect and inefficient circulation.
- Privately owned public spaces are a key component of East Midtown's above-grade public realm, but the built-out fabric yields limited opportunities to add to the inventory of these spaces on private property. Limited public areas and limited views to civic infrastructure, such as Grand Central Terminal and the Chrysler Building, reduce the sense of place and challenge the public realm.

2

Alternatives

This chapter describes the alternatives evaluated in the EA, which include a Build Alternative and a No Build Alternative.

2.1 No Build Alternative

The No Build Alternative describes future conditions if the Build Alternative were not implemented, including actions reasonably foreseeable by others. For the purposes of this EA, it is assumed that in the absence of the Project, the existing building would remain as it is and continue to be operated as a 1,300-room hotel, without redevelopment or any major improvements.[3]

In addition to maintaining the existing hotel, the No Build Alternative accounts for development projects that are either in the planning phases and expected to be constructed or already under construction – 343 Madison Avenue, 270 Park Avenue, the Waldorf-Astoria Hotel, and 350 Park Avenue. These projects would be subject to their own environmental reviews and approvals if required. FTA's Environmental Standard Operating Procedure #5 states that the No Build Alternative "typically includes improvements already committed to in transportation plans and regular maintenance of the transportation infrastructure." The No Build Alternative therefore also includes the existing transportation network and any planned transportation improvements within 1/4 mile of the Project Site. Several planned "complete streets" projects on 43rd Street, Lexington Avenue, and Third Avenue have been implemented

[3] The 2021 CEQR FEIS evaluated a No Action Alternative that assumed the site would be redeveloped to the maximum density allowed by zoning as-of-right. This approach is consistent with CEQR guidance. However, FTA determined that, for the purposes of NEPA, it could not be assumed that the site would be redeveloped and therefore the No Build Alternative should be continued operation of the existing hotel. Also note that this EA uses "No Build/Build" terminology rather than "No Action/Action."

with temporary measures; permanent installation would be completed between 2025 and 2026. In addition, the "Future of Fifth" project would implement pedestrian and transit priority measures along Fifth Avenue between Bryant Park and Central Park, including providing additional space for pedestrians by removing vehicle lanes.

The No Build Alternative does not meet the Project's Purpose and Need because the No Build Alternative would not strengthen the East Midtown business district. By retaining the existing hotel building, the Project Sponsor would not be replacing aging building stock or addressing public realm challenges related to pedestrian circulation, open space, and transit network connectivity. While the other actions included in the No Build Alternative would partially address these challenges, the site of the existing hotel building is the only location within several blocks available for large-scale redevelopment due to the historic designation of many nearby buildings or the small size of available parcels. Therefore, the No Build Alternative would not be able to provide the substantial improvements to pedestrian circulation, open space, and transit network connectivity, or the large amount of new Class-A office space required to meet the Purpose and Need for the Project.

2.2 Build Alternative

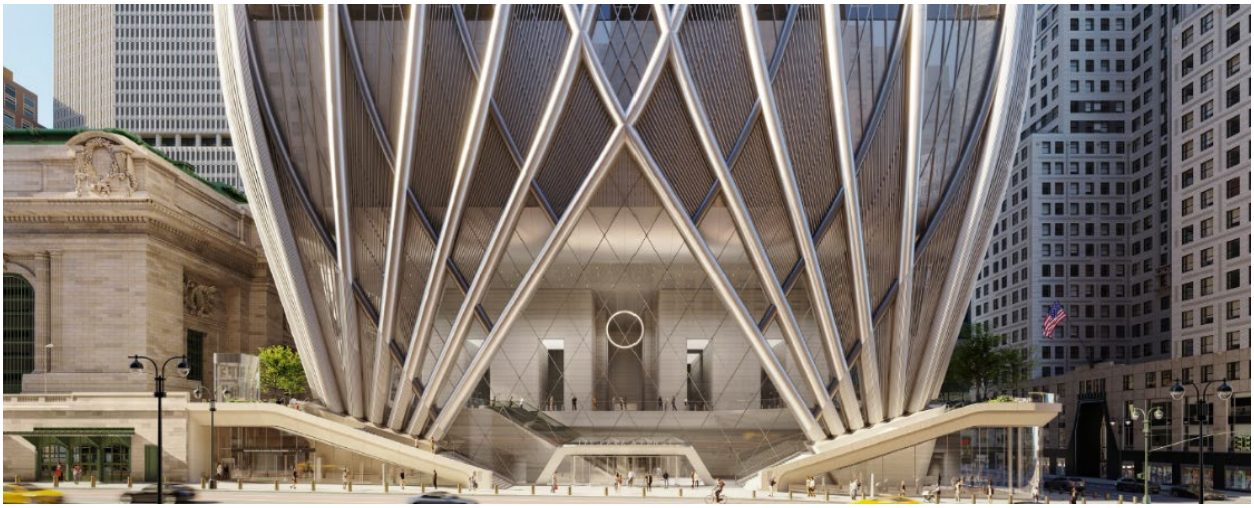
In the Build Alternative, the Project Sponsor proposes to acquire the Project Site, demolish the existing Hyatt building, and construct a new, mixed-use office and hotel building with retail, public space, and large-scale transit and public concourse improvements. The proposed building would extend up to 92 stories and be approximately 1,575 feet high, providing approximately 2.9 million gsf of mixed-use office, hotel, and public space. The proposed mixed-use development would contain approximately 2.2 million gsf of office space; 258,000 gsf of hotel space, including approximately 200 hotel rooms; 21,000 gsf of outdoor publicly accessible terrace space; 25,000 sf of MTA circulation space; and 3,271 gsf of retail on the cellar, ground, and second floors. Illustrative renderings are provided in **Figure 2-1**.

Figure 2-1 Build Alternative Illustrative Renderings

Rendered view facing southwest showing 175 Park Avenue amidst the East Midtown skyline in the Proposed Action.

Rendered view facing northwest showing 175 Park Avenue in the Proposed Action among One Vanderbilt, the JP Morgan Chase Headquarters building, and the Bank of America Tower.

Rendered view of 175 Park Avenue across East 42nd Street, facing northeast. The proposed redesigned and expanded entrance to the Grand Central-42nd Street subway station is shown at the ground level with the proposed elevator and west grand staircase to the publicly accessible terrace above.



Rendered view of 175 Park Avenue across East 42nd Street, facing northeast, showing the two grand staircases to the publicly accessible terrace on the second floor.

Rendered view of 175 Park Avenue across Lexington Avenue, facing west, showing the entrance to the Grand Central-42nd Street subway station and the entrance to Lexington Passage with the publicly accessible terrace above.

View facing northwest of the southern corner of 175 Park Avenue at the intersection of East 42nd Street and Lexington Avenue. The left image depicts the existing conditions (existing Hyatt building); the right image depicts the rendered view of 175 Park Avenue in the Proposed Action.
Source: Renderings by Skidmore, Owings & Merrill, 2021.

The Build Alternative would also provide the following transit circulation and public space betterments at Grand Central Terminal, at the Grand Central-42nd Street subway station, and on the Project Site:

- The subway entrance at East 42nd Street would be redesigned and expanded. Turnstiles would be relocated to street level, and a new diagonal staircase leading to the subway would ease the flow of foot traffic. A new elevator adjacent to the staircase would provide a more direct Americans with Disabilities Act-compliant connection to the subway mezzanine. The elevator located at the entrance to the 42nd Street Passage would be removed, and in its place, the historic entrance would be restored. A new designated subway entrance would be constructed on the Project Site to provide a direct connection to East 42nd Street from the subway and help ease crowding and backups at the entrances.
- A new transit hall of approximately 5,300 sf containing retail, information screens and booths, and connections to Grand Central Terminal would be constructed at the ground floor level on the western side of the Project Site. The transit hall would work in tandem with the existing 42nd Street Passage and expanded subway entrance to increase pedestrian throughput.
- Improvements to the subway entrance on Lexington Avenue and below-grade mezzanine would be constructed to bring light and air into the subway mezzanine and provide a larger, covered at-grade subway entrance. These improvements would also help to ease crowding and backups at the entrances.
- The building would be set back from Lexington Avenue to allow for a minimum 5-foot increase in sidewalk widths on Lexington Avenue and East 42nd Street.
- The stairs located near the northwest corner of Lexington Avenue and East 42nd Street that provide access from Lexington Avenue down to the mezzanine level of the subway station would be realigned and relocated farther north.
- The Lexington Passage entrance would be redesigned to make it more easily understood as an entrance to Grand Central Terminal. The Passage would be refinished, and its ceiling height would be increased from approximately 9 feet 6 inches to 18 feet.

- Girders would be removed from the subway mezzanine level to improve circulation and enhance sightlines.[4]
- A "Short Loop Connection" would be constructed through adaptive reuse of an existing, decommissioned Metro-North loop track tunnel to create a pedestrian connection between the LIRR Grand Central Madison station and the lower-level Metro-North trains and subway mezzanine level.
- The open space proposed on the west side of the building, the Grand Central Terrace, would provide new visibility of the southeast corner of Grand Central Terminal. The terrace would provide trees, plantings, seating, and skylights that bring light to the transit hall below. Additionally, a sidewalk expansion along the Grand Central Terrace adjacent to the Park Avenue Viaduct would measure 142 feet long by 8.5 feet wide.
- The open space proposed on the east side of the building, the Chrysler Terrace, would provide an overlook onto Lexington Avenue and East 42nd Street, as well as a unique vantage point for viewing the surrounding landmarks. The terrace would feature trees, plantings, and multiple types of seating.
- The open space proposed on the north side of the building, the Graybar Terrace, would feature retail use, fixed and movable seating, and flexible space.

[4] The girders to be removed are part of the structural support for the existing building but would no longer be required as the Project would make use of a different structural system.

3

Environmental Consequences

The sections below describe the affected environment for each of the resources identified within the study area and the potential reasonably foreseeable environmental effects that would result from the No Build Alternative and Build Alternative.[5] Resources that are not present within the study area or that have no effects based on previous coordination, database searches, or site visits are briefly described in Section 3.1. Effects of the No Build Alternative are described in Section 3.2. Resources of concern are described in Sections 3.3-3.11 and summarized in Section 3.12.[6] Mitigation and other environmental commitments are outlined in Section 3.13. Permits and approvals are listed in Section 3.14.

3.1 Resources of No Concern

Based on information gathered through the Project's previous environmental analysis subject to New York City's CEQR review, including coordination, analyses, database searches, and site visits, the following resources/areas were not found within the study area or were determined to have no effects: Unique farmlands under the Farmland Protection Policy Act of 1981; floodplains; wetlands/waters of the U.S. under the Clean Water Act; navigable waterways under Section 10 of the Rivers and Harbors Act of 1899; coastal zones per the Coastal Zone Management Act of 1972; air quality under the Clean Air Act section 176(c) (42 U.S.C. 7506(c))

[5] The study area for this assessment is a quarter-mile radius from the Project Site but may vary based on the individual resource.

[6] When appropriate, this chapter uses the analyses performed as part of the 2021 CEQR FEIS as the basis for identification of potential impacts, with updates based on changes in existing conditions due to the time that has passed, changes to the Build Alternative's development program, or NEPA requirements.

and the conformity process under 40 CFR Part 93; threatened and endangered species under Section 7 of the Endangered Species Act of 1973; Section 6(f) resources under the Land and Water Conservation Act of 1965; publicly owned parks and recreation areas and wildlife or waterfowl refuges under Section 4(f) requirements; or wildlife, soils, groundwater, or geologic resources.

3.2 No Build Alternative Effects

Under the No Build Alternative, the Project would not be constructed or operated, and local goals and implementation strategies calling specifically for the Project would not be implemented. There would be no Project construction or ground disturbance, with no associated risk of disturbing potential contaminated soils; related temporary construction impacts would not occur, including dust, noise, or pedestrian and vehicular congestion or inconveniences. There would be no Project-related changes to stormwater, water quality, sanitary sewer system operations, or floodplains. There would be no vehicular noise or vibration effects other than continued ambient levels associated with existing and future traffic levels. There would be no impact on the economic environment and no property acquisitions or relocations, although specific establishments may change depending on market demand. The No Build Alternative would also not support the City's 2017 Greater East Midtown Rezoning CEQR FEIS goals to "protect and strengthen East Midtown as a regional job center and premier central business district by seeding the area with new modern and sustainable office buildings." The No Build Alternative would maintain the existing condition for surrounding historic properties. The No Build Alternative would not include the circulation improvements within the Grand Central-42nd Street subway station, the Lexington Avenue Passage, or the 42nd Street Passage, nor would it add any publicly accessible open space or provide additional sidewalk capacity on 42nd Street and Lexington Avenue.

However, the existing Hyatt building would present a continued risk for bird strikes. As discussed further in **Section 3.6**, Biological Resources, the building exterior is composed nearly entirely of reflective and/or transparent glass surfaces that can disorient birds and lead to fatal collisions, particularly in the area between ground level and 75 feet above grade.

3.3 Transportation Impacts

The transportation analysis was conducted to consider Project effects on traffic, transit, pedestrians, and bicycles, using the methodologies established under the New York State

Environmental Quality Review Act and New York City's *City Environmental Quality Review Technical Manual, 2020 Edition* (the CEQR Technical Manual) and FTA's guidance on transportation impacts. This effort involved a comprehensive and detailed analysis of the proposed development to identify potential impacts on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, cyclists, transit users, and motorists), on- and off-street parking, and goods movement.

A detailed analysis of the methodology used for evaluating the projected effects of the Build Alternative on traffic, pedestrians, bicycles, and transit is included in **Appendix C**, Transportation Impact Assessment.

3.3.1 Traffic

The Project is located at the northwest corner of Lexington Avenue and East 42nd Street in Midtown Manhattan. The Project would redevelop the Project Site with approximately 2.2 million gsf of office space; an approximately 200-room hotel; public space; and 3,271 gsf of local retail space on the cellar, ground, and second floors of the proposed building. The Project would also include public realm improvements, as well as subway and public transportation improvements to enhance circulation and reduce congestion at Grand Central Terminal and the Grand Central-42nd Street subway station.

Absent the Project (the No Build Alternative), the Project Site would continue to operate under Existing Conditions, which comprises a 1,300-room hotel and 21,000 gsf of retail space.

The projected site-generated traffic volumes were generated by applying standard traffic analysis methods and procedures detailed in the *2021 CEQR Technical Manual* and used by the NYCDOT. The travel demand factors primarily utilized New York City's *2021 CEQR Technical Manual*, Census journey-to-work data, information from recently certified New York City environmental impact studies such as the *Greater East Midtown Rezoning FEIS (2017)* and *M1 Hotel Zoning Text Amendment FEIS (2018)*, and other sources.

The total site-generated traffic volumes of the No Build and Build Alternatives are presented in **Table 3-1** and **Table 3-2**, respectively. **Table 3-3** presents a comparison of the projected site-generated traffic volumes for the future No Build and Build Alternatives.

Under the Project, the site would transition from a hotel-based operation to an office-based land use. Therefore, under the Build Alternative, the proposed office space would result in a higher number of trips during the typical weekday commuter peaks. However, the smaller

hotel proposed under the Build Alternative would also result in less intensive curbside activity. Larger-scale hotels typically generate a high rate of taxi and For-Hire vehicle usage and a high rate of curbside drop-off and pick-up activity that place stress on curbside utilization due to the high amount of vehicle turnover concentrated along the immediate frontage of the site. The office-generated vehicle trips in Midtown Manhattan are mostly destined to area parking garages and typically distributed over a broader network area.

As presented in **Table 3-3**, the Project would generate an increment of 176 more vehicle trips during the typical weekday AM peak hour (8:00 am – 9:00 am), 29 fewer vehicle trips during the Midday peak hour (12:00 pm – 1:00 pm), and 84 additional vehicle trips during the PM peak hour (5:00 pm – 6:00 pm). These increments are not anticipated to create a material change in operations of the roadway network within the area.

Table 3-1 No Build Alternative Site-Generated Traffic Volumes

Land Use	Size	Direction	AM Peak	Midday Peak	PM Peak
Hotel	1,300 rooms	Enter	208	160	183
		Exit	221	168	182
		Total	429	328	365
Office	NA	Enter	0	0	0
		Exit	0	0	0
		Total	0	0	0
Retail	21,000 gsf	Enter	6	10	15
		Exit	6	10	15
		Total	12	20	30
Total	--	Enter	214	170	198
		Exit	227	178	197
		Total	441	348	395

Table 3-2 Build Alternative Site-Generated Traffic Volumes

Land Use	Size	Direction	AM Peak	Midday Peak	PM Peak
Hotel	200 rooms	Enter	33	26	28
		Exit	35	27	28
		Total	68	53	56
Office	2.2 million gsf	Enter	403	134	107
		Exit	144	130	314
		Total	547	264	421

Land Use	Size	Direction	AM Peak	Midday Peak	PM Peak
Retail	3,271 gsf	Enter	1	1	1
		Exit	1	1	1
		Total	2	2	2
Total	--	Enter	437	161	136
		Exit	180	158	343
		Total	617	319	479

Table 3-3 Site-Generated Traffic Volumes – No Build vs Build Alternative

Land Use	Direction	No Build	Build	Difference
AM Peak	Enter	214	437	223
	Exit	227	180	-47
	Total	441	617	176
Midday Peak	Enter	170	161	-9
	Exit	178	158	-20
	Total	348	319	-29
PM Peak	Enter	198	136	-62
	Exit	197	343	146
	Total	395	479	84

A detailed traffic impact analysis was prepared as part of New York City's CEQR environmental review process, which analyzed a "real worst-case development scenario" program. The program analyzed in the CEQR FEIS (2021) consisted of more hotel and retail space and less office space than in the Project and represents a more conservative program from a transportation perspective. A traffic analysis model was prepared comprising 15 intersections within the study area for the typical weekday AM, Midday, and PM peak hours for existing conditions and future conditions with and without the proposed development. The traffic study recommended signal timing optimization to mitigate the anticipated increase in vehicular delays as anticipated by the proposed development. These measures would be implemented at the discretion of the NYCDOT if needed.

Additionally, new traffic data were collected in November 2024 at the same 15 intersections modeled in the CEQR FEIS (2021). Data were collected during the weekday AM, Midday, and PM peak hours. On January 5, 2025, after the traffic counts were conducted, New York City enacted the Central Business District Tolling Program that introduced a congestion pricing fee for motorists traveling in the Manhattan Central Business District, which includes the roadways within the traffic and pedestrian study areas. This program resulted in a reduction

in traffic volumes in the study area[7] and potentially increased subway ridership as some motorists chose to take public transportation instead of driving.

3.3.2 Parking

The Project would not provide parking on-site. However, only a small percentage of trips would be expected to be by private auto. As documented in the CEQR FEIS (2021), there are approximately 3,000 off-street parking spaces within a quarter-mile (a 5-minute walk) from the Project, and in the future, absent the Project, these spaces would be approximately 89 percent occupied during the weekday Midday period, when parking demand is highest.

The Project is projected to result in a parking demand increase of 547 parking spaces. Parking within the quarter-mile radius would be at capacity. Therefore, some Project-generated auto trips may need to park outside of the quarter-mile radius, or as the Project is located in a transit-rich area, auto trips would need to convert to transit as an alternative. It should be noted that the parking utilization and the auto share assumptions used in the trip generation projections were based on information collected before implementation of the congestion pricing program. It is possible that Project trips would have a lower auto rate or the background parking utilization would be lower, resulting in parking demand that could be accommodated within the quarter-mile radius of the Project.

3.3.3 Pedestrians and Bicyclists

The Project would improve the pedestrian environment by widening the sidewalks along the site's Lexington Avenue and East 42nd Street frontages by a minimum of five feet. Along Lexington Avenue, the existing pedestrian space (raised curb plus painted asphalt space) is 22 feet wide and would be expanded to at least 27 feet. Along East 42nd Street, the existing sidewalk is 20 feet wide and would be expanded to at least 25 feet wide. The sidewalk widening is estimated to provide an additional capacity of approximately 3,000 pedestrians per hour (see **Appendix C**, Transportation Impact Assessment). Compared to the No Build Alternative, the Build Alternative is estimated to generate an increase of 991 pedestrian trips in the weekday AM peak hour, 3,298 pedestrian trips in the weekday Midday peak hour, and 475 pedestrian trips in the weekday PM peak hour.

Pedestrian trips would generally be dispersed through the roadway network (i.e., to transit stops and commercial establishments) and would be accommodated by the increased

[7] Per MTA, the congestion pricing program reduced traffic volumes by 8 to 14 percent per month during the period of January 2025 through June 2025.

sidewalk capacity resulting from the Project. Therefore, this increase would not materially change the pedestrian experience in a negative way, nor would it change the context of the study area's pedestrian environment.

A small portion of Project-generated trips would be expected to be to and from the Project Site via bike. New York City has a robust bicycle network with approximately 1,550 lane miles, which is the largest network in North America.[8] Per the 2021 *NYC Streets Plan*, New York City is planning to expand the bicycle mode share and is targeting to add 50 additional miles of protected bike lanes per year to the bicycle network between 2022 and 2026. New York City is also in the process of adding more bike parking facilities and expanding Citi Bike service, its local bikeshare program.

There are several bike lanes and shared routes within the vicinity of the Project. Nearby east-west corridors along 38th to 40th Streets, and 43rd and 44th Streets, provide connections to north-south corridors a few blocks away, such as along First, Second, and Sixth Avenues, and along Broadway. There are multiple bikeshare stations in the vicinity of the Project; two bikeshare stations are located within a block of the Project Site at the intersection of Lexington Avenue and 44th Street and the intersection of Park Avenue and 42nd Street.

3.3.4 Transit

The Project is located in one of the most transit-rich environments in New York City. It is adjacent to Grand Central Terminal, which features commuter rail access to Metro-North and LIRR, and above the Grand Central-42nd Street subway station. The Project is also served by multiple bus lines and is located within ½ mile of three other subway stations. Based on the 2012-2016 American Community Survey reverse journey-to-work data for the surrounding census tracts (78, 80, 88, 90, 92, 94, 98, 100, and 102), 8.4 percent of worker trips to this area were via auto, while 80.2 percent of worker trips were via transit.[9]

The Build Alternative includes multiple transit and public realm improvements that would enhance the passenger circulation conditions in the subway station and connections between Grand Central Terminal and the subway station. These improvements would provide

[8] Per the New York City Department of Transportation. https://www.nyc.gov/html/dot/html/bicyclists/bikestats.shtml

[9] The latest American Community Survey reverse journey-to-work dataset is for the years 2017 through 2021 and had comparable auto (8.9 percent) and transit (80.5 percent) as the 2012-2016 dataset. However, the 2017–2021 dataset includes survey data collected during the quarantine period of the COVID-19 pandemic and therefore was not used.

additional vertical circulation and fare control capacity at Fare Control Area (FCA) 238, which is the primary FCA in the subway station, and would assist in alleviating the congestion introduced by the opening of the East Side Access project that provides LIRR service to this station. A summary of the transit improvements is provided in Table 5 of **Appendix C**, Transportation Impact Assessment.

Per MTA's data, the Grand Central-42nd Street subway station had an average weekday ridership of 108,547 riders in 2024. This is an approximately 31 percent decrease from the average weekday ridership of 157,273 riders in 2019 prior to the COVID-19 pandemic.

The Build Alternative is estimated to generate an increase of 2,141 subway trips in the AM peak hour and 1,778 subway trips in the PM peak hour compared to the No Build Alternative. It is expected that the subway trips generated by the Build Alternative would be sufficiently accommodated by the existing subway station elements before accounting for the additional transit capacity provided by the Build Alternative. If ridership levels return to pre-pandemic conditions, the increase in Build Alternative-generated trips would represent a modest increase in overall subway ridership and would be sufficiently accommodated.[10]

The proposed transit improvements would enhance the subway rider's experience by increasing capacity at subway station elements at FCA 238. This change, plus the "Short Loop connection," would change travel patterns and reduce travel times for subway riders walking through the subway station and Grand Central Terminal. Within the subway station, the redesign of FCA R240 and the paid zone on the mezzanine level would improve circulation and accessibility at the mezzanine level to the platform stairs and escalators through the removal of girders and back-of-house spaces.

3.4 Noise and Vibration

The noise and vibration assessment described below is based on the analysis conducted for the 2021 CEQR FEIS. The analysis is consistent with FTA's *Transit Noise and Vibration Impact Assessment Manual* (FTA Manual) and methodologies used in New York City and State Environmental Quality Review (CEQR and SEQRA).

[10] In total, the 2021 CEQR FEIS projected that subway ridership volumes at the Grand Central-42nd Street subway station's FCAs would be 59,886 trips during the AM peak hour and 55,100 trips during the PM peak hour. The Build Alternative would account for about four percent of the station ridership during the AM peak hour and about five percent of the station ridership during the PM peak hour. The Build Alternative would contribute a modest increase in subway ridership; therefore, the increase would not materially change the subway rider's experience.

The Build Alternative includes several public concourse, transit, and public space improvements to enhance circulation and reduce congestion within the Grand Central Terminal transportation network. The Build Alternative would not result in new operational noise or vibration sources but would introduce additional mobile source noise through vehicle trips generated by the additional density and changes in use. As the Build Alternative would not create new noise sources, per FTA Manual, an operational noise analysis is not needed.

An assessment of potential noise impacts was conducted per the 2021 *CEQR Technical Manual* methodology. The *CEQR Technical Manual* provides an established framework for evaluating these specific noise conditions within New York City. Mobile source noise levels would increase from the Existing condition by up to 1.4 A-weighted decibels (dBA) due to traffic generated by the Build Alternative. Because this increase falls below the threshold for detailed analysis (3 dBA or more), no adverse noise impacts from mobile sources are anticipated.[11]

All mechanical equipment, including heating, ventilation, and air conditioning systems, would be designed to meet applicable noise regulations, including New York City Noise Control Code Subchapter 5, §24-227, and New York City Department of Building (DOB) Code requirements. These design standards would prevent marked increases in ambient noise levels from individual or combined equipment operation.

3.5 Acquisitions and Relocations

The State of New York is the current fee owner and ground lessor of the property on which the Hyatt sits, with Hyatt Equities holding the ground lease. Hyatt Equities operates a 1,300-room hotel on the site. The Project Site and adjacent 42nd Street Passage also include a total of 21 retail tenants. Retail primarily consists of a mix of specialty shops, including high-end fashion and accessories, beauty and personal care, gourmet food and beverage, and luxury goods. Retail spaces are located within the existing Hyatt facing Lexington Avenue and 42nd Street, within the Lexington Passage connecting Lexington Avenue to Grand Central Terminal, and within the 42nd Street Passage adjacent to the existing building. The Lexington Passage and 42nd Street Passage retail leases are controlled by MTA.

[11] Note that the existing conditions from the CEQR analysis are the same as those in the No Build Alternative described here (the CEQR analysis No Action Alternative is a different alternative).

Under the Build Alternative, UDC/Commodore (current Project Site owner) would convey its interest in the Project Site to the City of New York, the Project Sponsor would acquire the leasehold from Hyatt Equities, and the lease would be amended and restated. No residential relocations are anticipated under the Build Alternative. The 21 retail spaces described above would be vacated prior to the Project Sponsor taking control of the site. The Build Alternative would include new retail spaces; however, given the duration of construction, it is assumed that existing businesses may not return. The property acquisition (leasehold from the Hyatt Equities for the Project Site and retail tenants' relocations) would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended (49 CFR Part 24).

3.6 Biological Resources

The Project Site is within a fully developed, urban city block in Midtown Manhattan, consisting of buildings and related structures. There is no existing vegetation, flora, or habitat. The developed nature of all adjacent areas features constant traffic and noise.

Based on a species list obtained from the U.S. Fish and Wildlife Service (USFWS) through the Information for Planning and Consultation (IPaC) system, critical habitat does not overlap with the Project Site. The closest body of water to the Project is the East River, which is over 1.5 miles away. Although the Project Site is near the coast, no aquatic habitat is present that could support listed species managed by the National Marine Fisheries Service, and the Project would not affect species in the Atlantic Ocean.

The IPaC Resource List for the Project Site (**Appendix D**, USFWS and New York State Department of Environmental Conservation (NYSDEC) Records) does not include any species that are currently listed by the federal government as threatened or endangered. The Monarch Butterfly (*Danaus plexippus*) is proposed for federal listing as a threatened species.

The Bald Eagle (*Haliaeetus leucocephalus*) and Golden Eagle (*Aquila chrysaetos*) are protected under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act. However, neither the Bald Eagle nor the Golden Eagle is listed as a Bird of Conservation Concern for the geographical area that includes the Project Site.

The IPaC Resource List also identified 29 additional avian species protected under the MBTA that could occur in the area. A New York Natural Heritage Program record lists the Peregrine Falcon (*Falco peregrinus*), a New York State Endangered species, as occurring in the general vicinity of the Project Site. The NYSDEC confirms that there are no known Peregrine Falcon

nests on the Project Site itself, but there is an active Peregrine Falcon nest adjacent to the Project Site. New York City is home to one of the denser urban populations of Peregrine Falcons in the world, with up to 30 nesting pairs as of Spring 2025, though this number can vary slightly from year to year. Peregrine Falcons do not build traditional nests in this environment, instead using shallow depressions called "scrapes" on building ledges, or other high structures that mimic the natural cliffs they prefer. The Peregrine Falcon is afforded federal protection under the MBTA.

As noted above, there is no suitable natural habitat for species present at the Project Site. Therefore, the Build Alternative would have no effect on federally listed, proposed, or candidate species.

The existing Hyatt building predates New York City Local Law 15 of 2020 ("Local Law 15"), which requires the use of "bird-friendly" design and construction methods. The building exterior is composed nearly entirely of glass surfaces, which serve as a substantial source of bird strikes. The highly reflective and transparent properties of glass can disorient birds and lead to fatal collisions (United States Fish and Wildlife Service Division of Migratory Bird Management 2016). The lower few stories of buildings (from ground level to 75 feet above grade) pose the greatest statistical hazard for birds and are known as the "bird-building collision zone." Numerous studies have demonstrated that the vast majority of bird strikes occur at glass or other highly reflective and/or transparent building surfaces located within this zone (New York City Audubon/American Bird Conservancy 2018; San Francisco Planning Department 2011; Loss et al. 2014).

The Build Alternative would result in removal of the existing Hyatt building and construction of a new 92-story, 1,575-foot-tall building on the Project Site. Due to the proposed installation of glass or highly reflective and/or transparent building exterior surfaces, as well as the proposed increase in building height, implementation of the Build Alternative has the potential to increase the frequency of bird strikes.

To avoid or minimize the potential for such effects on any migratory birds protected under the MBTA, the Build Alternative would employ bird-friendly building design and construction, in full compliance with Local Law 15. Moreover, given that the bird-building collision zone is already developed under existing conditions, the increase in building stories and height under the Build Alternative is not expected to substantially increase the potential for bird strikes. Additionally, under the Build Alternative, adherence to the bird-friendly design and construction measures of Local Law 15 would minimize the potential for bird strikes within the

bird-building collision zone, which should result in fewer bird strikes than under existing conditions.

To address potential impacts to the nearby Peregrine Falcon nest, the NYSDEC advises that any construction activities conducted between April 15th and July 15th (nesting season), at elevations between 600 feet and 1,000 feet, should aim to minimize noise levels to the greatest extent possible. Peregrine falcons have a high tolerance for urban noise including construction. Due to the noise threshold currently adapted by the nesting falcons, the likeliness of a behavior change due to the Project is low. Additionally, as stated in Section 3.11.3, "Mitigations for construction noise would include adherence to New York City Noise Code, the use of a construction noise barrier and perimeter shed, and implementation of a Construction Noise Mitigation Plan as required by the Noise Code." If the nearby Peregrine Falcon pair show any signs of disturbance, agitation, or aggression towards the work crew, the NYSDEC would be notified immediately.

3.7 Economic Impacts

The East Midtown Central Business District contains approximately 76 million sf of office space and accommodates 225,000 office workers, 9,200 businesses, and 12 Fortune 500 companies (Grand Central Partnership, Inc. 2023). New York City also has approximately 135,000 hotel rooms, the majority of which are in Manhattan (New York City Comptroller, 2025). As of the third quarter of 2024, East Midtown had one of the highest storefront vacancy rates in New York City, at 19.2 percent.

The Build Alternative would replace the existing Hyatt with a new 200-room hotel (258,000 gsf of hotel space), which would be a reduction of 1,100 hotel rooms. The reduction would not meaningfully affect the New York City hotel industry as a whole. In addition, as described above in Section 3.5, Acquisitions and Relocations, 21 existing retail businesses would be displaced during construction. The Build Alternative would result in new retail space, however given the duration of the construction, it is assumed that existing businesses may not return. While some businesses may cease operation, the property acquisition would be conducted in accordance with the Uniform Act.

The Build Alternative would attract new office companies and their workers to East Midtown by providing new Class A office space and new retail spaces. It is likely that these workers would in turn patronize businesses in the area and therefore have a beneficial effect on

demand for goods and services. Additionally, the Build Alternative would further support the hotel industry in East Midtown, an area known for its extensive accommodation options.

The Build Alternative would result in the creation of approximately 18,900 direct construction-related jobs and over 10,000 permanent jobs. The Build Alternative would also support the goal stated in the City's 2017 Greater East Midtown Rezoning CEQR FEIS to "protect and strengthen East Midtown as a regional job center and premier central business district by seeding the area with new modern and sustainable office buildings." The Build Alternative would add to the collection of iconic commercial skyscrapers that define East Midtown. Concentrating modern office and mixed-use development in proximity to one of the nation's busiest transit hubs, while improving pedestrian access and circulation, maximizes the efficiency of infrastructure investment, reduces the risk of economic stagnation from an aging building stock, and creates the conditions for a sustained agglomeration of benefits that drive productivity and innovation.

3.8 Hazardous Substances and Brownfields

Phase I and Phase II Environmental Site Assessments (ESAs) were conducted in January and February 2021, respectively, to evaluate the potential for hazardous materials at the Project Site. The Phase I ESA included a summary of the Project Site history dating back to 1890, revealing prior uses, which included manufacturing-related buildings and a hospital. The Project Site was later developed with the Commodore Hotel in 1919, which was renovated into the Hyatt in 1978.

The Phase I ESA identified several key findings:

- The Project Site is listed on various Federal and State environmental databases due to its status as a hazardous waste generator, primarily from historic dry-cleaning activities.
- The adjacent Grand Central Terminal has multiple recorded spill incidents, including an active oil seepage incident that could potentially affect subsurface conditions at the Project Site.
- The Project Site contains various hazardous materials, including flammable safety cages with maintenance materials, a diesel fuel tank, and suspected asbestos-containing materials (ACM).

The Phase II ESA found contaminants in historic and urban fill materials below the building slab exceeding NYSDEC Part 375 cleanup criteria. Chlorinated and petroleum-related volatile organic compounds were detected in sub-slab soil vapor samples but did not exceed New York State Department of Health criteria. Per the Phase II ESA, no active contamination source was identified on the Project Site. Based on a review of NYSDEC's Petroleum Bulk Storage database in September 2025, no new spills have been reported at the Project Site since the ESAs were conducted.

To address these conditions, a NYCDEP-approved Remedial Action Plan and Construction Health and Safety Plan were prepared and would be implemented during construction (**Appendix E**, Remedial Action Plan and Construction Health and Safety Plan). Upon completion of remedial action, a Professional Engineer-certified Remedial Action Report would be submitted to NYCDEP for review and approval. Additionally, regulatory requirements for ACM, lead-based paint, and polychlorinated biphenyls in building materials would be followed as part of standard demolition practices.

3.9 Cultural Resources

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federal agencies take into account the effects of their activities on historic properties. FTA conducted Section 106 consultation with the NYSHPO, the LPC, MTA, Metro-North, the National Park Service (NPS), and federally recognized tribes with an interest in the area. Tribal consultation with the Delaware Nation, Delaware Tribe of Indians, Shinnecock Indian Nation, and Stockbridge-Munsee Community was initiated on June 19, 2025. The Stockbridge-Munsee Community Tribal Historic Preservation Officer responded with no issues with the Project and requested continued consultation in the case of an expanded area of potential effect (APE) or inadvertent discovery. No other comments were received from the tribes.

In accordance with 36 CFR 800.4(a)(1), FTA determined that the APE encompasses the Project's construction area footprint, or the limits of disturbance (LOD), as well as a radius of 400 feet around the LOD to account for direct visual effects associated with the new tower and associated public plaza terraces (see **Figure 3-1**). The entire LOD has been disturbed and lacks archaeological sensitivity; therefore, no further analysis of archaeological resources was conducted. A Cultural Resources Assessment was conducted to identify any previously documented or potential cultural resources built 40 or more years ago (to account for the timeline of Project construction) within the Project's APE.

FTA identified two National Historic Landmarks (NHLs), one National Register of Historic Places (NRHP)-listed property, 6 properties previously determined eligible for listing in the NRHP, and 2 properties previously determined not eligible for listing in the NRHP within the APE. FTA evaluated an additional 10 buildings within the APE of 40 years or more in age with no prior determination of eligibility and determined 2 properties eligible for NRHP listing (Pan Am/Met Life Building and 101 Park Avenue) and 8 properties not eligible for listing in the NRHP due to a lack of significance and/or loss of integrity[12] (see **Table 3-4**). The NYSHPO responded in a letter dated August 22, 2025, concurring with the historic properties that FTA identified but declaring those properties FTA determined not eligible and the property at 101 Park Avenue that is less than 50 years old to be "undetermined." See **Table 3-4** and **Figure 3-1** for the results of the Cultural Resources Assessment. No additional cultural resources were identified through Section 106 consultation.

In July 2025, a Section 106 assessment of effects was conducted to assess potential impacts on historic resources within the APE. The findings of this assessment are summarized below, with further details provided in **Appendix F**, Cultural Resources Assessment and Section 106 Consultation.

Grand Central Terminal (an NHL) is located adjacent to the existing hotel; both the existing and proposed buildings are integrated into the underground circulation system associated with the station. Renovations are proposed to the 42nd Street Passage and the existing subway entrance at East 42nd Street. The 42nd Street Passage is highly altered from its original condition, and the proposed work at the passage would largely impact non-historic features, materials, and finishes.

[12] One eligible property is less than 50 years old, and its eligibility is classified as "undetermined" by NYSHPO. It was evaluated for eligibility and effects for the Project because it is over the 40-year threshold utilized for the cultural resources evaluation. See note for Table 3-4.

Figure 3-1 APE and Identified Historic Properties

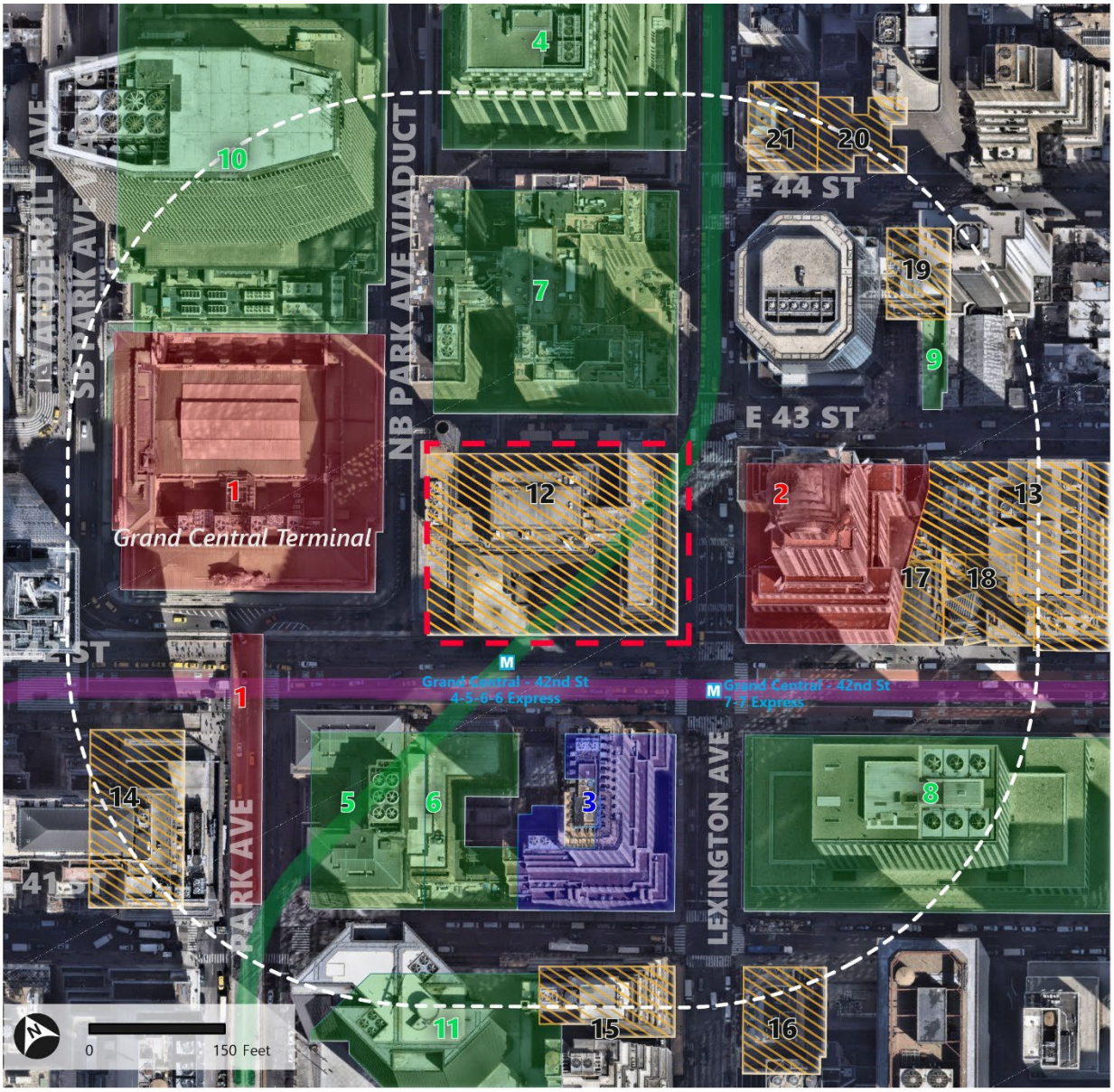


Table 3-4 Properties Over 40 Years Old Within the APE

Map ID	Resource Name	Location	NYS USN	Designation
1	Grand Central Terminal and Park Avenue Viaduct	77 East 42nd Street	6101.000365. 6101.006478	NHL
2	Chrysler Building	405 Lexington Avenue	6101.001565	NHL
3	Chanin Building	374 Lexington Avenue	6101.000626	NR
4	Grand Central Terminal Post Office	450 Lexington Avenue	6101.007095	NRE (prior determination)
5	Pershing Square Building (former)	125 Park Avenue	6101.015069	NRE (prior determination)
6	Bowery Savings Bank Building	120 East 42nd Street	6101.008623	NRE (prior determination)
7	Graybar Building	420 Lexington Avenue	6101.010661	NRE (prior determination)
8	Socony-Mobil Building	150 East 42nd Street	6101.012800	NRE (prior determination)
9	St. Agnes Rectory	141 East 43rd Street	6101.010609	NRE (prior determination)
10	Pan Am/MetLife Building	200 Park Avenue	6101.018052	NRE
11	101 Park Avenue	101 Park Avenue	6101.010508	NRE/ Undetermined*
12	Grand Hyatt (on the Project Site)	109 East 42nd Street	6101.009451	NE (prior determination)
13	Chrysler East Building	663 Third Avenue	6101.019016	NE (prior determination)
14	118 Park Avenue	118 Park Avenue	N/A	NE**
15	364 Lexington Avenue	364 Lexington Avenue	N/A	NE**
16	363 Lexington Avenue	363 Lexington Avenue	N/A	NE**
17	145 E. 42nd Street	145 East 42nd Street	N/A	NE**
18	155 E. 42nd Street	155 East 42nd Street	N/A	NE**
19	144 E. 44th Street	144 East 44th Street	N/A	NE**
20	137 E. 44th Street	137 East 44th Street	N/A	NE**
21	437 Lexington Avenue	437 Lexington Avenue	N/A	NE**

Table 3-4 Properties Over 40 Years Old Within the APE

Map ID	Resource Name	Location	NYS USN	Designation

* In a letter dated August 22, 2025, the NYSHPO notes this resource as potentially eligible, but since it is less than 50 years old, its status is "undetermined." Due to the anticipated timeframe of construction of the Project, this evaluation utilizes an age threshold of 40 years to evaluate NRHP eligibility. Therefore, for the purposes of the Project, the building is considered eligible for the NRHP.

** FTA determined that these properties are not eligible for NRHP listing. In a letter dated August 22, 2025, the NYSHPO declared these properties as "undetermined" but concurred with the historic properties identified by FTA.

NHL = National Historic Landmark

NR = National Register of Historic Places Listed

NRE = National Register of Historic Places Eligible

NE = Not Eligible

The Project would also implement the conditions that resulted from prior consultation among the MTA, NYSHPO, and LPC, thereby avoiding adverse effects to Grand Central Terminal. These conditions include:

- New finishes within the 42nd Street Passage shall read (be designed in character with) as Grand Central Terminal with the historic finishes of the Terminal. Plans, when available, shall be provided to the NYSHPO for review.
- Finishes within the new Transit Hall shall be harmonious with the 42nd Street passage.
- Open connections from the 42nd Street Passage to the new Transit Hall shall retain a header of the historic Botticino marble at the ceiling to indicate the historic location of the 42nd Street Passage wall.
- At the Viaduct Level, plans for the terrace design elements that are selected to delineate the boundary between the Commodore and Grand Central Terminal shall be submitted for NYSHPO review and comment.

Construction of the Project would occur adjacent to Grand Central Terminal and the Park Avenue Viaduct (NHL) and within 90 feet of the Graybar Building (NRHP Eligible) and the Chrysler Building (NHL). To avoid inadvertent construction-related damage to these historic resources, construction protection plans (CPPs) specific to each historic property would be developed and implemented in consultation with the NYSHPO, LPC, and MTA.

The Project would introduce a new visual feature into the setting of the 11 historic properties in the APE, but the Project would not adversely change the scale, visual prominence, or visual context of the historic properties, The Project would be one of many tall office buildings located along East 42nd Street and Lexington Avenue in a densely developed commercial district that contains many prominent skyscrapers and other notable buildings that exhibit a range of heights and a variety of styles, massing, and materials. Several of the historic

properties are eligible solely for their architectural significance; setting is not a qualifying characteristic. Further, the Project would be designed in character with architectural properties nearby and to enhance views of the surrounding historic properties by using clear glazing, setbacks, and terraces. See **Appendix F**, Cultural Resources Assessment and Section 106 Consultation, for details on avoidance measures.

Pursuant to 36 CFR § 800.5, FTA, in consultation with the NYSHPO, determined that the proposed Project will have No Adverse Effect on historic properties on the condition that the measures noted above and as follows are met:

1. A CPP describing how the adjacent historic resources, including the Grand Central Terminal NHL and Chrysler Building NHL, will be protected from potential damage during the construction phase of this project will be submitted to the NYSHPO for review prior to initiation of construction.
2. Potential means of reducing the visibility of the proposed elevator at the East 42nd Street portion of the 175 Park Avenue viewing deck, including potential relocation or height reductions of the overrun, will be submitted to the NYSHPO for review.
3. The Bottocino marble located on the walls proposed for removal at the East 42nd Street Passage within the Grand Central Terminal NHL shall be salvaged and reinstalled to the extent that is feasible.
4. High-resolution digital photographic documentation of the existing viewshed around the Grand Central Terminal NHL and Chrysler Building NHL. The photographs from the submitted viewshed studies would be sufficient and can be submitted as a report without the renderings included. This documentation is to be provided to the NYSHPO no later than construction begins. (See **Appendix F,** Cultural Resources Assessment and Section 106 Consultation, for Section 106 correspondence).

3.10 Section 4(f) Requirements

In connection with the proposed development, the Project includes transit improvements and is therefore subject to Section 4(f) requirements. Section 4(f) specifies that the Secretary of Transportation may approve a transportation project requiring the use of publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of local, state, or national significance or land from a historic site of local, state, or national significance (as determined by the agency having jurisdiction over the park, recreation area, refuge, or

historic site) only if 1) there is no feasible and prudent alternative to the use of such land, and the Project includes all possible planning to minimize harm to the property resulting from such use; or (2) FTA determines that the use of the property, including any measure(s) to minimize harm, will have a de minimis impact on the Section 4(f) property (23 CFR § 774.3). Out of properties located within the study area, the Grand Central Terminal and Park Avenue Viaduct is the only Section 4(f) property where transit improvements would occur.

Use of a Section 4(f) property, defined in Section 23 CFR 774.17, occurs when:

- Land is permanently incorporated into a transportation facility;
- There is a temporary occupancy of the Section 4(f) property that is adverse in terms of the state's preservationist purpose; or
- There is a constructive use of land, which occurs when the transportation project does not incorporate land, but its proximity to the property substantially impairs the activities, features, or attributes that qualify a resource for protection under Section 4(f) (23 CFR 774.15).

The Project will not require the use of land from a publicly owned park or wildlife or waterfowl refuge.

There are 11 properties listed in or eligible for listing in the NRHP within the Project's APE. The NYSHPO is the official with jurisdiction for properties listed in or eligible for listing in the NRHP. Three of these properties (Grand Central Terminal, the Chrysler Building, and the Graybar Building) are adjacent to or within 90 feet of the Project. Grand Central Terminal and the Chrysler Building are also NHLs; therefore, the NPS is also an official with jurisdiction for those two properties. Under Section 106, FTA determined that the Project would have No Adverse Effect on historic properties, and the NYSHPO concurred.

Grand Central Terminal is located adjacent to the Project; both the existing Hyatt building and the proposed structure are integrated into the ground floor and underground circulation system associated with Grand Central Terminal. Renovations are proposed to the 42nd Street Passage and the existing subway entrance at East 42nd Street. The 42nd Street Passage is highly altered from its original condition, and the proposed work at the passage would largely impact non-historic features, materials, and finishes. The Project's construction activities at Grand Central Terminal are exempt from Section 4(f) requirements per 23 CFR 774.13(a)(3):

- (3) Maintenance, preservation, rehabilitation, operation, modernization, reconstruction, or replacement of historic transportation facilities, if the Administration concludes, as a result of the consultation under 36 CFR 800.5, that:
    - (i) Such work will not adversely affect the historic qualities of the facility that caused it to be on or eligible for the National Register, or this work achieves compliance with Section 106 through a program alternative under 36 CFR 800.14; and
    - (ii) The official(s) with jurisdiction over the Section 4(f) resource have not objected to the Administration conclusion that the proposed work does not adversely affect the historic qualities of the facility that caused it to be on or eligible for the National Register, or the Administration concludes this work achieves compliance with 54 U.S.C. 306108 (Section 106) through a program alternative under 36 CFR 800.14.

FTA, in consultation with the NYSHPO, determined that the Project will result in No Adverse Effect to Grand Central Terminal under Section 106. NPS has no objection to this determination. Therefore, the conditions for the Section 4(f) exemption (23 CFR 774.13(a)(3)) apply for Grand Central Terminal.

Construction will occur within 90 feet of the Graybar Building and the Chrysler Building; therefore, FTA considered whether the Project would result in a "constructive use" to these properties. A constructive use may occur if a project substantially impairs the esthetic features or attributes of a Section 4(f) resource or if vibration impacts would be so severe as to reduce the utility of or physically damage a historic property. A constructive use does not occur when compliance with the requirements of 36 CFR 800.5 for proximity impacts of the proposed action on a site listed in or eligible for listing in the NRHP results in an agreement of "no historic properties affected" or "no adverse effect" (23 CFR 774.15(f)(1)).

The Project would not substantially impair the integrity of setting for nearby historic resources, notably the Chrysler Building, as the Midtown Manhattan setting has been constantly evolving and changing since the Chrysler Building's construction. The study area is a densely developed urban setting with many tall buildings, including One Vanderbilt (approximately 1,400 feet in height), which is located to the west of the Project. The Project has been designed with building setbacks intended to taper away from the Chrysler Building's crown, reducing the visual bulk of the Project tower as it rises adjacent to the Chrysler Building. The Project would also not substantially obstruct views of the Chrysler

Building from other publicly accessible viewpoints. Although views would be impeded from East 42nd Street west of Park Avenue, the viewshed from this direction has already been compromised due to intervening buildings. The existing eastern, northern, and southern viewsheds would not be affected. Additionally, at the street level, the Project pulls back from the property line (the existing building is built to the property line), thereby affording additional incremental views of the Chrysler Building from the street level.

The Project would also not result in vibration impacts that would impair historic properties. The Project Sponsor has committed to the development of CPPs that would avoid inadvertent construction-related damage to these historic properties. The CPP will be subject to review by the NYSHPO, LPC, MTA, and New York City Department of Buildings. The CPP would include detailed pre-condition surveys, optical and vibration monitoring, and implementation of corrective measures and adjustment of construction methods, as appropriate. Therefore, FTA proposes that the Project would not result in constructive use on these historic properties.

For the remaining historic properties, there would be no physical impacts or constructive uses on the properties and No Adverse Effect under Section 106; therefore, there would be no Section 4(f) use of those properties (see **Table 3-5** for additional details).

Table 3-5 Historic Properties and Section 4(f) Determination

Resource Identification	NRHP Eligibility Status/Criteria	Section 106 Determination	Section 4(f) Use
Grand Central Terminal and Park Avenue Viaduct 77 East 42nd Street 6101.000365, 6101.006478	NHL; Criterion A as a major catalyst for the growth of Midtown Manhattan and as one of the City's most important infrastructure elements; Criterion B as one of the hallmark examples of Warren and Wetmore's portfolio; and Criterion C for its highly decorative surface features and design to facilitate complex, multiple modes of transportation	No Adverse Effect *42nd Street Passage is highly altered; renovations mostly impact non-historic fabric. Work consistent with scale, materials, and circulation patterns of original design. Project will follow conditions, including NYSHPO design review.*	None

Table 3-5 Historic Properties and Section 4(f) Determination

Resource Identification	NRHP Eligibility Status/Criteria	Section 106 Determination	Section 4(f) Use
Chrysler Building 405 Lexington Avenue 6101.001565	NHL; Criterion A as an early example of New York's wealth of skyscrapers, especially important as it was completed during the Great Depression; and Criterion C for its iconic Art Deco style and detailing referencing the machine age	No Adverse Effect *No physical impacts with implementation of CPP; view of building from certain vantage points will be interrupted, but new tower would not diminish integrity of design, setting, materials, and workmanship*	None
Chanin Building 374 Lexington Avenue 6101.000626	Listed; Criterion C as a well-preserved and exemplary example of an Art Deco skyscraper	No Effect *No physical impacts. Project will not alter any significant characteristics of the property.*	None
Grand Central Terminal Post Office 450 Lexington Avenue 6101.007095	Eligible; Criterion A as one of the last extant examples of Terminal City; and Criterion C as a Beaux Arts complement to Grand Central Terminal, with the use of monumental architecture combined with more delicate detailing	No Effect *No physical impacts; visibility of new tower is negligible.*	None
Pershing Square Building (former) 125 Park Avenue 6101.015069	Eligible; Criterion A as an extant example of the Terminal City development, constructed specifically in response to the opening of Grand Central Terminal; and Criterion C as an example of Renaissance Revival design, especially notable for its influential masonry decoration	No Adverse Effect *No physical impacts. New tower would not diminish integrity of setting.*	None
Bowery Savings Bank Building 120 East 42nd Street 6101.008623	Eligible; Criterion C as a well-preserved example of a Romanesque Revival building with a dramatic arched entrance	No Adverse Effect *No physical impacts. Project will not alter any significant characteristics of the property.*	None

Table 3-5 Historic Properties and Section 4(f) Determination

Resource Identification	NRHP Eligibility Status/Criteria	Section 106 Determination	Section 4(f) Use
Graybar Building 420 Lexington Avenue 6101.010661	Criterion A for its association with Terminal City and its role in the area's development; and Criterion C as an intact representative example of a well-rendered 1920s office building in the Art Deco style	No Adverse Effect *No physical impacts with implementation of CPP; new tower would not diminish integrity of setting.*	None
Socony-Mobil Building 150 East 42nd Street 6101.012800	Criterion C as the city's first skyscraper constructed with stainless steel sheathing and the largest metal-clad office building in the world at the time	No Effect *No physical impacts. Project will not alter any significant characteristics of the property.*	None
St. Agnes Rectory 141 East 43rd Street 6101.010609	Criterion C as a well-preserved example of early-20th century vernacular Gothic Revival architecture	No Effect *No physical impacts. Project will not alter any significant characteristics of the property.*	None
Pan Am/MetLife Building 200 Park Avenue 6101.018052	Criterion A for its association with the post-WWII building boom and mid-century redevelopment of Manhattan; and Criterion C as a fine example of Brutalist design that is associated with notable designers (Gropius, Belluschi, and Roth) and its complex structural work that allowed the building to be constructed above a passenger terminal	No Adverse Effect *No physical impacts; new tower would not diminish integrity of setting.*	None
101 Park Avenue 6101.010508	Criterion A for its association with a new wave of large-scale commissions resulting from the 1961 change in ordinance; Criterion B for its association with the architect Eli Attia; and Criterion C for its curtain wall design using the patented "Engineered Architecture" approach	No Effect *No physical impacts; visibility of new tower is negligible.*	None

3.11 Construction Impacts

Construction for the Build Alternative is expected to last approximately 107 months. Temporary, short-term disruptions to transportation, air quality, noise, vibration, and safety and security are anticipated. The most intense construction impacts would occur during the demolition, excavation, and foundation phases, which employ the use of heavy on-site diesel equipment and tools including drill rigs, bulldozers, and jack hammers. Subsequent phases include superstructure construction and interior fit-out. Superstructure construction would include the use of an electric hoist to facilitate installation of the steel for the superstructure and pouring concrete for the core and superstructure. Equipment used during this stage typically includes air compressors, generators, delivery and concrete trucks, concrete pumps, concrete trowels, welding equipment, and a variety of handheld tools. Superstructure activities would also require the use of mobile cranes, tower cranes, welders, and a variety of trucks. Equipment used during interior construction typically includes exterior hoists, compressors, delivery trucks, and a variety of small hand-held tools.

As is typical for construction in New York City, construction would be constrained to the site, with some temporary land and walkway closures. Material deliveries to the site would be controlled and scheduled. To aid in adhering to the delivery schedules, as is normal for building construction in New York City, flaggers would be employed at each of the construction site's access points.

3.11.1 Transportation

Construction is anticipated to affect transportation through the closure of traffic lanes and sidewalks, as well as through the generation of traffic due to vehicles accessing the site. Peak hours for construction activities (6:00 am-7:00 am and 3:00 pm-4:00 pm) would occur outside typical commuter peak hours. A minimal to modest increase in construction-related traffic is anticipated, with the largest increase (0.7 additional vehicles per minute during construction peak hours) occurring at the intersection of Lexington Avenue and East 42nd Street. Construction trucks would be required to use NYCDOT-designated truck routes to get to the Project Site and would be routed to minimize interference with daily traffic flows in the corridor.

In the study area, the west curbside travel lane of Lexington Avenue, the north curbside parking lane of East 42nd Street, and the sidewalks along both Lexington Avenue and East 42nd Street would be temporarily closed, with an anticipated increase in pedestrian queueing at the corner

of Lexington Avenue and East 42nd Street. Temporary walkways, approximately eight feet in width, would be installed to maintain pedestrian operations.[13]

The Grand Central-42nd Street surface-level subway station entrance along Lexington Avenue would be relocated farther north, near the Lexington Passageway, to divert subway riders around the construction staging area work zone.

A traffic control plan would be developed in conformance with local, state, and federal requirements to minimize impacts. Affected parties would be notified in advance, and measures would be taken to minimize the inconvenience as much as possible. Subway access would be maintained and coordinated with MTA throughout construction. The subway entrance on East 42nd Street would remain accessible for the duration of the construction period. The Lexington Passage subway stair would be closed for four to six months and then would be reopened and accessible through the remainder of construction. The construction staging plan would ensure commuter access and leverage the subway station's multiple ingress and egress point to rebalance station access during construction.

3.11.2 Air Quality

Construction impacts on air quality may result from fugitive dust and emissions from heavy equipment and traffic. A quantitative analysis of construction-related air emissions for on-site sources determined that the Build Alternative would not result in any concentrations of NO_2, PM_{10}, $PM_{2.5}$, or CO that exceed the National Air Quality Ambient Standards. No adverse air quality impacts are anticipated from the off-site mobile source emissions.

Emissions reduction measures would be implemented in accordance with New York City Law 77, the New York City Air Pollution Control Code, and the Restrictive Declaration for the Project.[14] "Good housekeeping" practices would be employed, including but not limited to proper maintenance of equipment, wetting large areas of exposed soil, watering debris during demolition, and washing construction vehicles before leaving the construction site.

[13] NYCDOT standards for temporary walkways require 5 feet of width; the expanded 8-foot width for the Project was determined through coordination with City agencies during the CEQR review process.

[14] Article V Project Components Relating to the Environment and Mitigation Measures of the Restrictive Declaration identifies certain air quality commitments to minimize diesel emissions during construction of the Project.

3.11.3 Noise and Vibration

As stated in **Section 3.4**, the *CEQR Technical Manual* serves as the basis for the construction noise and vibration analysis. Construction noise would be temporary but has the potential to affect nearby residential and commercial receptors. Construction activities would occur during two weekday shifts: approximately 7:00 AM to 3:30-4:00 PM and approximately 3:30 PM to 12:00 AM over a 107-month total construction period. As discussed in the *CEQR Technical Manual*, Chapter 22 (Construction), Section 400, thresholds for significant construction noise impact were based on operational noise impact criteria, taking into account the magnitude and duration of the construction impacts. As described in Chapter 19 (Noise), Section 410, CEQR considers noise impacts from long-term operational conditions to be significant if 1) ambient sound levels would increase by 3 dBA (L_{eq}) or more and absolute levels would exceed 65 dBA (L_{eq}), or 2) ambient sound levels would be 60 dBA (L_{eq}) or less or if noise levels would increase by 5 dBA (L_{eq}) or more. The most intensive construction noise would occur during the excavation, foundation, and demolition phase (over a twenty-three-month period). Construction noise would exceed the CEQR criteria for impacts at 37 receptor locations during the nighttime period.

Mitigations for construction noise would include adherence to New York City Noise Code, the use of a construction noise barrier and perimeter shed, and implementation of a Construction Noise Mitigation Plan, which would address construction noise impacts during both daytime and nighttime, as required by the Noise Code.

The most substantial sources of construction vibration would be from equipment associated with the excavation and foundation phase, such as drill rigs, bulldozers, and jack hammers. Temporary vibration annoyance within 65 feet is anticipated during construction; however, levels were found to be below the criterion thresholds of 0.5 peak particle velocity. The limited duration of these activities at any single location means that no damage to structures is anticipated.

Several buildings located within 90 feet of the Project Site (where there is the greatest potential for vibration impact) are New York City Landmarks and NRHP-listed properties. CPPs would be developed to include a vibration monitoring program for the following buildings, as required under *New York City Department of Buildings Technical Policy and Protection Notice #10/88*:

- 420 Lexington Avenue (Graybar Building; adjacent to Project Site)
- 89 East 42nd Street (Grand Central Terminal; adjacent to Project Site)

- 125 Park Avenue (Pershing Square Building)
- 110 East 42nd Street (Bowery Savings Bank Building)
- 374 Lexington Avenue (Chanin Building)
- 395 Lexington Avenue (Chrysler Building)

3.11.4 Safety and Security

Construction protocols would adhere to all New York City safety regulations to prevent hazards during the demolition of the existing structure and the subsequent development of the Build Alternative. These protocols include maintaining secure perimeters, providing clear signage, and managing traffic flow around the site. Upon completion of construction, new security systems, including surveillance cameras, controlled access points, and emergency communication systems, would be installed to ensure both tenant and visitor safety.

3.12 Summary of Effects Under Build and No Build Alternatives

Table 3-6 summarizes the potential impacts to environmental resources described in **Sections 3.2-3.11**, excluding the resources of no concern described in **Section 3.1**.

Table 3-6 Summary of Potential Effects of the Project

Resource Category	Build Alternative	No Build Alternative
Transportation	› The Project would result in an increment of 176 more vehicle trips (AM peak hour), 29 fewer vehicle trips (Midday peak hour), and 84 more vehicle trips (PM peak hour); increments would not materially change operations of the roadway network. › The Project would provide additional pedestrian sidewalk capacity. › The Project would provide subway congestion relief, streamlined access, and increased circulation space.	› None
Noise and Vibration	› The Project would introduce additional mobile source noise through vehicle trips generated by the additional density and changes in use.	› None

Table 3-6 Summary of Potential Effects of the Project

Resource Category	Build Alternative	No Build Alternative
Acquisitions and Relocations	› There are 21 existing retail tenants, including tenants within the Hyatt building and MTA tenants within the Lexington Passage and 42nd Street Passage. › The Project would result in new retail; however, given the duration of construction, it is assumed that existing businesses would not return and would either find new retail locations or cease to operate.	› None
Biological Resources	› The Project would have no effect on federally listed, proposed, or candidate species. › The Project has the potential to increase the frequency of bird strikes due to the proposed installation of glass or highly reflective and/or transparent building exterior surfaces, as well as the proposed increase in building height. › The nearby Peregrine Falcon nest will be monitored during construction for signs of disturbance.	› The existing Hyatt building presents a continued risk for bird strikes.
Economic Impacts	› The Project would result in a reduction of 1,100 hotel rooms but would create new office and retail spaces as well as over 10,000 permanent jobs.	› None
Hazardous Substances and Brownfields	› A Remedial Action Plan and Construction Health and Safety Plan will be implemented for the Project to address contaminated historic/urban fill materials below the building slab.	› None
Cultural Resources	› The Project would result in No Adverse Effect to historic properties with conditions.	› None
Section 4(f)	› The project would not result in the use of any Section 4(f) properties.	› None

Table 3-6 Summary of Potential Effects of the Project

Resource Category	Build Alternative	No Build Alternative
Construction	› Within the study area, the west curbside travel lane of Lexington Avenue, the north curbside parking lane of East 42nd Street, and the sidewalks along both Lexington Avenue and East 42nd Street would be temporarily closed. › The Project would result in temporary relocation and closure of two of the Grand Central Terminal-42nd Street subway station entrances. › The Project would result in a modest increase in vehicle traffic at intersections in the study area. › The Project would result in temporarily increased pedestrian queueing at the corner of Lexington Avenue and East 42nd Street. › The Project would not meaningfully affect air quality from construction-related sources. › The Project would exceed the criteria for noise impacts at 37 receptor locations during the nighttime period. › The Project would result in temporary construction-related vibration annoyance within 65 feet of operation. › The Project would add new security systems, including surveillance cameras, controlled access points, and emergency communication systems.	› None

3.13 Summary of Mitigations and Commitments

The Project Sponsor and its contractors will implement the following mitigation measures and environmental commitments summarized in **Table 3-7** prior to and during construction of the Project in compliance with federal regulations and consultation. Additionally, the Project will comply with applicable state and local regulations and adhere to the conditions specified for previous approvals, including CEQR.

Table 3-7 Summary of Project Mitigations and Commitments

Resource Category	Mitigations and Commitments	Timeline
Acquisitions and Relocations	› Commodore LLC will conduct acquisitions in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended (49 CFR Part 24).	› Final Design
Biological Resources	› Commodore LLC will employ bird-friendly building design and construction measures to avoid or minimize the potential for effects to migratory birds in the study area protected under the Migratory Bird Treaty Act, including measures for the nearby Peregrine Falcon nest. › If the nearby Peregrine Falcon pair show signs of disturbance, agitation, or aggression towards the work crew during construction, NYSDEC would be notified immediately.	› Final Design, Construction
Cultural Resources	› New finishes within the 42nd Street Passage shall read (be designed in character with) as Grand Central Terminal with the historic finishes of the Terminal. Plans, when available, shall be provided to the NYSHPO for review. › Finishes within the new Transit Hall shall be harmonious with the 42nd Street Passage. › Open connections from the 42nd Street Passage to the new Transit Hall shall retain a header of the historic Botticino marble at the ceiling to indicate the historic location of the 42nd Street Passage wall. The Botticino marble that is proposed for removal will be salvaged and reinstalled to the extent that is feasible. › At the Viaduct Level, plans for the terrace design elements that are selected to delineate the boundary between the Commodore and Grand Central Terminal shall be submitted for NYSHPO review and comment. › Commodore LLC shall develop and implement CPPs for Grand Central Terminal, the Graybar Building, and the Chrysler Building. › High-resolution digital photographic documentation of the existing viewshed around Grand Central Terminal and the Chrysler Building will be submitted to the NYSHPO no later than the date construction begins.	› Final Design
Construction	› A traffic control plan will be developed in conformance with local, state and federal requirements to minimize impacts.	› Final Design

3.14 Permits and Approvals

Table 3-8 lists the permits and approvals required under applicable local, state, and federal laws and regulations.

Table 3-8 Anticipated Permits and Approvals

Agency	Permit, Approval, or Action	Authority	Applicability
Federal			
U.S. Department of Transportation Federal Aviation Administration (FAA)	FAA Form 7460, Notice of Proposed Construction or Alteration, regarding construction or alteration of structures that may affect air commerce	14 CFR 77.9	The Project Sponsor will file a notice with FAA at least 45 days prior to the start of construction.
New York City			
New York City Planning Commission (CPC)	New York City Environmental Quality Review (CEQR)	Rules of the City of New York (RCNY) 62, Chapter 5	Approved (October 7, 2021) (CEQR No. 21DCP057M)
CPC	Special Permit	Uniform Land Use Review Procedure	Approved (October 7, 2021) (CEQR No. 21DCP057M)
CPC Chair and MTA	Certification Regarding Required Transit Easement Volumes	Zoning Resolution Section 81-673	Issuance of the certification, and recording of a related legal instrument, is a precondition to the issuance of a foundation permit or new building permit.
CPC Chair	Certification Regarding Design of Publicly Accessible Terraces	Restrictive Declaration	Issuance of this certification is a precondition to accepting a new building permit.
CPC Chair	Certification Regarding Contribution to the East Midtown Public Realm Improvement Fund	Restrictive Declaration	Issuance of this certification is a precondition to accepting a new building permit.

Table 3-8 Anticipated Permits and Approvals

Agency	Permit, Approval, or Action	Authority	Applicability
New York City Landmarks Preservation Commission (LPC)	LPC review and approval	RCNY Title 63; New York City Charter; New York City Administrative Code	Approved (February 23, 2021) Review and approval for a harmonious relationship determination, an advisory report concerning interior alterations to the 42nd Street Passage within Grand Central Terminal to facilitate transit improvements, and a Certificate of Appropriateness for sidewalk improvements adjacent to the elevated vehicular roadway on the Grand Central Terminal property.
New York City Department of Buildings (DOB)	Compliance with New York City Local Law 15 of 2020 regarding bird-friendly building design and construction	New York City Local Law 15 of 2020	To be completed at time of DOB review.
DOB	Demolition Permits	Title 1 of the Rules of the City of New York; New York City Charter; New York City Administrative Code	A full demolition job is required to be filed with the DOB if a building, structure, or property is going to be excavated or demolished.

Table 3-8 Anticipated Permits and Approvals

Agency	Permit, Approval, or Action	Authority	Applicability
DOB	New Building Permit	RCNY Title 1; New York City Charter; New York City Administrative Code	Required for: › Architectural › Structural › Mechanical › Plumbing › Site Safety Plan for New Building (Sprinkler/standpipe system, emergency generator and fuel storage, boiler, paving plan, curb cuts, places of assembly)
New York City Department of Environmental Protection (NYCDEP)	Asbestos Abatement Permits ACP5 ACP7 A-TR1	RCNY Title 15, Chapter 1	› An asbestos investigation is required. If more than 10 square feet or 25 linear feet of asbestos is present, an ACP7 form is required for summarizing the abatement procedures. › The A-TR1 or Project Monitor's Report is required to receive an Asbestos Project Completion Form from the NYCDEP.
NYCDEP	Site Connection Certification through Bureau of Water and Sewer Operations	RCNY Title 15 Chapter 31	› Applies to the sewer connection. › Approval process takes 4-6 months.

Table 3-8 Anticipated Permits and Approvals

Agency	Permit, Approval, or Action	Authority	Applicability
NYCDEP	Stormwater Construction Permit	RCNY Title 15 Chapter 19.1 - Unified Stormwater Rule	In support of a Stormwater Construction Permit, a Stormwater Pollution Prevention Plan (SWPPP) will be required for City approval. A Stormwater Permit is required for development/redevelopment projects that: › Drain to a City-owned sewer system. › Disturb 20,000 sf or more of soil, or add 5,000 sf or more of new impervious area. › Submit application 9 to 12 months prior to construction.
New York City Public Design Commission	Design Review for Publicly Accessible Terraces	New York City Charter Section 854	Final approval is required for issuance of a new building permit.
Fire Department of New York (FDNY)	Various Permits: › Fire alarm system › ARC system › Ansul system › Fire protection plan › Fire safety evacuation plan	New York City Fire Code	File before construction. These permits are required for the DOB Building Permit and also needed for certificate of occupancy.

Table 3-8 Anticipated Permits and Approvals

Agency	Permit, Approval, or Action	Authority	Applicability
Metropolitan Transit Authority (MTA)	MTA letter of no objection, External Partners Program (EPP)	NYCTA Rules of Conduct	Any work within 200 feet of existing MTA infrastructure.
New York City Department of Parks	Street Tree Permit	Title 18, Chapter 1, Section 18-129	Construction-related activities within 50 feet of a street tree under City jurisdiction. Obtain prior to the start of construction, and perform all work in compliance with the Tree Protection Protocol.

4

Agency Coordination and Public Involvement

This chapter summarizes the consultation and coordination process through which federal, state, and local agencies, elected officials, members of the public, and other interested entities are engaged during the NEPA process.

Agency coordination and public involvement for the NEPA process were built on robust engagement conducted during the prior city review process. The information obtained during that process informed the scope of the EA, including the Purpose and Need, alternatives, and which aspects of the Build Alternative have potential for reasonably foreseeable social, economic, or environmental impacts.

As noted in Section 1.2, as part of the state and local land use and environmental review process, the Project received input from stakeholders including, but not limited to, the City of New York, State of New York, MTA, Manhattan Community Board 5, Manhattan Borough President, NYCDOT, New York City Department of Parks and Recreation, NYCDEP, LPC, New York City Public Design Commission, and NYSHPO. As a result of this process, environmental commitments and mitigation measures were developed to avoid, minimize, and mitigate potential adverse impacts, which are memorialized in a Restrictive Declaration approved through ULURP (**Appendix B**, Restrictive Declaration).

Public engagement during CEQR and the ULURP process included the following opportunities:

- DCP issued a Positive Declaration and Draft Scope of Work (DSOW) on November 20, 2020, along with a Public Notice of a Scoping Meeting. A public scoping meeting was held on Monday, December 21, 2020, and comments on the DSOW were accepted through the close of the comment period on December 31, 2020. Comments on the

DSOW were summarized and responded to in a Final Scope of Work, published on May 17, 2021.

- The CEQR DEIS for the Project was published on May 17, 2021. A public hearing on the DEIS was held on September 1, 2021, and written comments on the DEIS were received and considered through September 13, 2021. The CEQR FEIS, which was completed on October 7, 2021, summarized and responded to the comments received on the DEIS. Following the publication of the FEIS, the CPC approved the Project on October 18, 2021, and referred the application to the City Council.
- In addition, the Project was subject to LPC review for a harmonious relationship determination. At the Public Hearing and Public Meeting held on February 23, 2021, the LPC determined that the proposed design of the Project had a harmonious relationship with Grand Central Terminal.
- During ULURP, the Project was reviewed by Manhattan Community Board 5, with a public hearing held on July 8, 2021. Manhattan Community Board 5 issued its recommendation on July 8, 2021.
- On December 15, 2021, the City Council approved the Project with modifications proposed by the City Council and revisions by the applicant. The proposed modifications were assessed in a Technical Memorandum dated December 14, 2021, which was reviewed by the DCP and concluded that the proposed modifications would not result in any significant adverse impacts and would not change the conclusions in the CEQR FEIS.

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