DORMITORY AUTHORITY STATE OF NEW YORK
STATE ENVIRONMENTAL QUALITY REVIEW
FINDINGS STATEMENT

Pursuant to the *State Environmental Quality Review Act ("SEQRA")*, codified at Article 8 of the New York *Environmental Conservation Law ("ECL")*, and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations ("N.Y.C.R.R.")*, which collectively contain the requirements for the *State Environmental Quality Review ("SEQR")* process, the Dormitory Authority State of New York ("DASNY"), as an involved agency, makes the following findings.

Date: April 10, 2015

Title of Action: Rockefeller University
Construction of the River Building and Fitness Center

Description of Proposed Action and Proposed Project

The Dormitory Authority State of New York ("DASNY") has been requested by Rockefeller University ("Rockefeller" or the "University") to provide funding for the *Construction of the River Building and Fitness Center* ("the Proposed Project"). For the purposes of *SEQR*, the Proposed Action would consist of DASNY's authorization of the issuance of one or more series of fixed- and/or variable-rate, tax-exempt and/or taxable bonds pursuant to DASNY's Independent Colleges and Universities Program in an aggregate amount not to exceed $165,000,000 with maturities not to exceed 31 years are to be sold at one or more times through a negotiated offering and/or a private placement on behalf of the University. The proceeds of the bond issuance would be used, in part, to finance the *Construction of the River Building and Fitness Center*, as described in this *Findings Statement*. The bond issuance would also be used to refinance all or a portion of DASNY's The Rockefeller University Revenue Bonds, Series 2005A.

Rockefeller University is seeking a modification to an existing Large Scale Community Facility Development ("LSCFD") plan, a City Map amendment and a special permit from the New York City Planning Commission ("CPC") as well as other discretionary approvals to facilitate the development of: Privately accessible open space; three new community facility buildings containing a total of approximately 181,100 gross square feet ("gsf"); and an

approximately 930-foot-long, 8-foot-tall traffic sound barrier (the "New River Building and Fitness Center Project," or the "Proposed Project"). Specifically, the Proposed Project would include development of a new two-story, approximately 157,251 gsf laboratory building with two one-story pavilions and privately accessible landscaped green space on its roof (located on the "Laboratory Building Site"); a one-story, approximately 3,353-gsf conference and meeting pavilion (the "Interactive Conference Center" or "ICC") located on the North Terrace at the north end of the platform structure (the "North Terrace Site"); a new approximately 20,498-gsf one-story fitness center (located on the "Fitness Center Site"); and a proposed new privately accessible landscaped area on the North Terrace), adjacent to the Rockefeller University's President's House, which is situated on the "superblock" bounded by East 62nd Street and the centerline of demapped East 68th Street, between York Avenue and the bulkhead east of the Franklin Delano Roosevelt ("FDR") Drive and the East River Esplanade. The superblock (Block 1480, Lots 10 and 9010; Block 1475, Lots 5 and 9005) is designated as a LSCFD.

Both the laboratory building and the ICC building would be constructed on an approximately 930-linear-foot platform structure situated largely in air space over the FDR Drive. To structurally support the platform, 20 columns would be located west of the FDR Drive immediately adjacent to and within an existing schist retaining wall, and 10 columns would be located flush with the FDR Drive's eastern edge (within the western portion of the East River Esplanade).

Additionally, the proposed new approximately 20,498-gsf fitness center would be built at the northwest corner of the university campus and an approximately 930-foot-long, 8-foot-tall[1] sound barrier would be constructed along the eastern edge of the FDR Drive (between the FDR Drive and the East River Esplanade) that would extend the entire length of the proposed platform structure.

The *Construction of the River Building and Fitness Center* project would require modifications to the designated LSCFD to reflect the proposed floor area and lot coverage and would require a special permit for construction in air space over the FDR Drive. These modifications are subject to review under the *City Environmental Quality Review ("CEQR")*. The Proposed Project would add to the campus approximately 157,251 gsf of new laboratory and support space located on a platform spanning the FDR Drive, an approximately 3,353-gsf conference and meeting pavilion, the ICC, located on the North Terrace of the platform spanning the FDR Drive, and a new, approximately 20,498-gsf fitness center at the northwest corner of the campus, raising the total floor area of the LSCFD from approximately 1,853,053 zoning square feet ("zsf") to approximately 2,012,811 zsf. This floor area would be well within permitted limits. The Proposed Project would conform to the underlying New York City R9 General Residential District and R10 General Residential District zoning designations on the campus, and

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[1] The Draft Environmental Impact Statement (DEIS) analyzed a 5-foot-tall barrier. Based on comments received from the Community Board between the Draft and Final EIS (*FEIS*), the barrier height was increased to 8t feet. It should be noted that with the 5-foot-tall barrier analyzed in the DEIS, no significant adverse noise impacts would occur on the esplanade as a result of the Proposed Project.

the design of the buildings would comply with the bulk requirements of the *Zoning Resolution of the City of New York* (the *"Zoning Resolution")*.

Additionally, due to its location primarily over the FDR Drive, the Laboratory Building site and North Terrace site also encompass small areas of the eastern portion of the Rockefeller campus (west of the FDR Drive) and locations where columns for the laboratory building platform and North Terrace platform would be located along the western edge of the East River Esplanade and within and adjacent to the campus's existing schist retaining wall along the western, southbound FDR Drive. As part of the Proposed Project a total of approximately 236 square feet ("sf"), located within the western portion of the East River Esplanade immediately adjacent to the FDR Drive would be demapped. The demapping would coincide with the location of 10 columns and footings to be placed as required for construction of the buildings structural platform. In addition, the areas of the esplanade that would be damaged by construction-related activities — which would include existing pavers, benches, lighting, and plantings — would be replaced in-kind.[2]

The Proposed Project would not result in any increase to the Rockefeller University residential, user, or worker populations as the laboratory building, the ICC, and the fitness center would provide new facilities that would allow for the spatial decompression and upgraded facilities for uses that currently take place on campus.

Location of Proposed Project

The project site is located between York Avenue and the FDR Drive between East 63rd and 68th Streets in the borough of Manhattan, New York County, New York. It is located at the southern end of a large medical and academic corridor consisting of New York Presbyterian Hospital between East 68th and East 71st Streets, Hospital for Special Surgery between East 70th and East 72nd Streets, Memorial Sloan Kettering on the west side of York Avenue between East 66th and 69th Streets and Weil Cornell Medical College on the west side of York Avenue between East 70th and East 72nd Streets. In addition, the remaining western frontage of York Avenue south of East 66th Street consists of pre-1960 and modern, high-density residential developments, some of which is housing for medical staff. To the east of the site is the FDR Drive consisting of three moving lanes in each direction. Abutting to the east is the East River Esplanade (the "Esplanade"), a stretch of city owned and operated land consisting of walkways, landscaped areas, and seating area along East River between East 60th and East 68th Streets.

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[2] Through consultation with NYCDPR and NYCDCP, Rockefeller University would undertake a substantial upgrade to the portion of the East River Esplanade adjacent to the project site (between the area north of the Rockefeller Research Building north of East 64th Street and demapped East 68th Street) and the segment of the esplanade extending an additional approximately 150 feet south of the project site. The bulkhead repair and rebuilding would extend the entire length of the portion of the esplanade adjacent to the project site and would extend an additional approximately 222 feet south of the project site. These improvements would be undertaken as partial mitigation for the significant shadow impact to the esplanade that would result from the construction of the proposed laboratory building and North Terrace spanning FDR Drive.

In the immediate vicinity of the project site the Esplanade is accessible from two pedestrian bridges located at East 63rd Street to the south and East 71st Street to the north. The segment of the Esplanade adjacent to the University campus (between East 62nd and East 68th streets) is approximately 51,540 square feet (1.18 acres) with varying widths. The Esplanade at this section narrows from 35 feet wide on the southern end to 20 feet wide at the northern end as it approaches NYPH. The surrounding area is primarily zoned for residential use with R10 General Residence Districts mapped along York Avenue and R8, R8B and R9 General Residence Districts in the mid-blocks.

The area affected by the Proposed Project is defined by the LSCFD that includes the entire Rockefeller University campus (Block 1480, Lots 10 and 9010; Block 1475, Lots 5 and 9005); as well as a total area of approximately 236 sf[3] within the western portion of the East River Esplanade, a linear, publicly accessible open space resource. The LSCFD designation, in effect, makes the campus a "superblock." The LSCFD extends from East 62nd Street to the centerline of the demapped East 68th Street between York Avenue and the bulkhead east of the FDR Drive.

Laboratory Building Site and North Terrace Site: The Laboratory building site and North Terrace Site are located within the LSCFD and primarily occupy air space over the FDR Drive. The Laboratory Building site and North Terrace site also include small areas of the eastern portion of the Rockefeller campus (west of the FDR Drive) where the new buildings would connect with the existing campus. These areas consist of the courtyards north and south of Welch Hall; the paved and grassy areas north and south of Founder's Hall that connect to the main campus to the west; an existing mechanical equipment area north of the courtyard between Welch Hall and the Flexner Hall Extension; and the small areas immediately adjacent to certain existing campus buildings that would abut and connect to the new laboratory building.

Fitness Center Site: The Fitness Center site is occupied by a paved surface parking lot with a one-story concrete flat canopy structure that extends over the southeastern part of the parking lot. The vehicular entrances to the surface parking lot are from York Avenue and the now demapped East 68th Street. A metal and brick fence and several mature trees establish the campus boundary adjacent to the Fitness Center site.

East River Esplanade: The approximately 236-sf area within the western portion of the East River Esplanade where 10 columns and footings for the new laboratory building and the North Terrace would be located in the future with the proposed action are paved areas immediately adjacent to the FDR Drive. The portion of the esplanade adjacent to the project site includes a paved walkway ranging from approximately 13 to approximately 17 feet wide and

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[3] The 236 sf includes the eight Y-shaped column footings at 24 square feet each and the two oval column footings at 22 sf each. The area that would be eliminated, discontinued, and closed at the 10 column locations at the western edge of the esplanade would total approximately 567 sf above grade, including the 236 sf at grade. The areas to be occupied by the columns are smaller than the volumes being demapped because the demapped volumes are rectangular in shape to accommodate the larger above-grade areas of the splay of the Y-shaped columns at an elevation of 25 feet.

includes seating areas, lighting, and plantings. The locations for 20 columns and footings along the west side of the FDR Drive are within and adjacent to the campus's existing schist retaining wall.

Population: The existing Rockefeller University LSCFD's user population includes approximately 720 on-campus residents among the 1,900 faculty and staff (worker population), and approximately 10 nonresidential students.[4] The Proposed Project would not result in an increase to the Rockefeller campus user population as the new laboratory building, the ICC, and fitness center would provide new facilities that would allow for the spatial decompression and upgrading of existing campus buildings. The Proposed Project was identified as the analysis framework for the EIS since other potential scenarios for development within the Rockefeller University LSCFD boundaries were either inconsistent with the University's objectives that have been established in the Rockefeller University Strategic Plan 2012-2020, are impracticable.

Daytime Population: An increase to the University's daytime population would occur only if there were an increase in the number of laboratories operating on the campus. However, the University's trustees, through its Strategic Plan, have established the maximum number of laboratories at approximately 75, which is consistent with the current number of heads of research and their associated laboratories. This small number of researchers report directly to the president, without an intervening hierarchy. This collaborative campus culture this is a major attraction in recruiting the best scientists to Rockefeller University. Further, as a practical matter, 75 heads of research is at the outer limit of the number of researchers that can be effectively overseen by the president. This factor contributes to the reasoning behind the trustees' decision to maintain the current number of researchers at the University. Without an increase in the number of heads of research or associated laboratories, it is the University's position that there is no reason for the University to increase the support staff which is sized appropriately for the current number of laboratories on campus.

On-Campus Residential Population: An increase to the University's on-campus residential population would require the construction of a new residential building or the conversion of the Bronk Building to residential use. However, conversion of the Bronk Building to residential use is not feasible. Additionally, space that would be vacated in the Bronk Building as a result of the construction of the new Laboratory building is fully committed to non-residential uses. Moreover, there is no demand for additional University housing absent a substantial growth in the number of laboratories on campus. Again, as discussed above, increasing the on-campus residential population is not an objective of the University as established by the Board of Trustees in the Rockefeller University Strategic Plan 2012-2020.

Furthermore, there is no demand for additional University housing. There would be no such demand unless there was a substantial growth in the number of laboratories on campus which, as described above, is not an objective of the University as established by the Board of

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[4] The types and numbers of workers, nonresidential populations, and number of students (nonresidential) were provided by Rockefeller University.

Trustees in the Rockefeller University Strategic Plan 2012-2020. Therefore, the Proposed Project would not result in any increase to the campus population. Other potential scenarios for development within the Rockefeller University LSCFD boundaries are inconsistent with the University's objectives that have been established in the Rockefeller University Strategic Plan 2012-2020 and are impracticable.

DASNY Jurisdiction: Authorization of the Issuance of Bonds
($165,000,000 Dormitory Authority State of New York Rockefeller University Revenue Bonds, Series 2015)

Lead Agency: New York City Planning Commission
22 Reade Street, Room 1W
New York, New York 10007

Date *FEIS* Filed: March 21, 2014

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Facts and Conclusions in the *FEIS* Relied Upon to Support the Findings

Purpose and Need for the Proposed Project

1. The Rockefeller University is a world-leading research and educational institution with a record of scientific accomplishments, including having more Nobel Laureates in Medicine and Chemistry than any other institution in the world. As such, it attracts many millions of dollars in research grants annually.

2. The university's need for developing new laboratory space to meet contemporary standards is critical. In its quest to attract and retain the world's top scientists, Rockefeller University seeks to offer world-class laboratories that meet or exceed the standards of competing institutions across the country and abroad.

3. Research practices have changed in recent years with emphasis being placed on maximizing opportunities for collaboration among researchers achieved through adjacencies of laboratory space. The open exchange of information and ideas among researchers is enabled through large open floor plates. The practical changes in laboratory spatial requirements include:

    - A decrease in the ratio between laboratory bench areas and the technical support that serves them. More core space is needed relative to bench space in today's laboratory.

    - Increased requirements for climate control through the provision of sophisticated environmental building services.

    - Stricter structural vibration standards to allow for the operation of more sensitive instrumentation.

    - An increased need to maximize the flexibility for changes in the layouts of spaces.

    - The need to maximize horizontal connectivity and reduce the balkanization between programs created by the vertical stratification of multi-level buildings and cellular interiors.

    - An awareness of the importance of "soft" spaces: lounges, informal congregation areas, seminar rooms, and general food and beverage spaces as true components of the building's research area rather than tacked on program "amenities."

4. The design and location of the new laboratory building responds to the fundamental design constraints and opportunities of the campus. The building's design has been

developed to allow for maximizing opportunities for collaboration among researchers through adjacencies of laboratory space. The open exchange of information and ideas among researchers would be enabled through the two-story laboratory building's large open floor plates, informal common areas, and support space. The modern laboratory space would enable Rockefeller University to continue to attract top-flight researchers from around the world in order to remain one of the foremost biomedical research institutions in the world. The siting of the new laboratory building at the eastern edge of the campus would maintain the integrity of the campus landscape; minimize new construction on the campus's York Avenue frontage; integrate the campus in a north-south direction; and create a cohesive campus appropriate to its existing structures and landscape.

5. Furthermore, it is the applicant's position that the University is characterized by its open culture. The scientific community on campus has cultivated an atmosphere of collaboration and free-flowing interactions within a highly secure biomedical research facility. Unlike other urban campuses, most of the University buildings are not individually secured, which is essential to enabling the University's open culture to thrive. Allowing unregulated public access would require locking individual buildings, significantly increasing security, and implementing usage regulations that would restrict the collaborative scientific research that is fundamental to the University's mission. The University has no plans to change the campus boundary or to relocate the perimeter fence as this type of change to the campus would not support the purpose and need of the Proposed Project or the University.

6. To maintain its leadership position and continue its 20th century success well into the twenty-first century, Rockefeller University believes it must be able to compete in a global market for the world's best biomedical researchers. Having laboratory and research space that are at the cutting edge of design and technology are imperative for Rockefeller University to continue to successfully recruit the top faculty and researchers to its campus. The ICC would provide the University with adequately-sized facilities for many key University activities, including conferences, retreats, colloquiums, and fund-raising events. The new fitness center would partially consolidate and replace some fitness uses located elsewhere on the campus and would provide much needed amenities to the campus, including a swimming pool and tennis court, and would have rooftop landscaping. The vacated spaces would be reused as University support space and storage, as needed. The Proposed Project is expected to serve the University's needs for the next 20 to 30 years.

7. The core principle of the University's Strategic Plan — to maintain the institution's small size and retain its nondepartmental structure, so as to preserve its unique collaborative and cross-disciplinary culture — informed the planning studies that resulted in the recommendation to construct a new Laboratory building rather than modernizing existing older research facilities (the "Bronk Building" and the "Smith Annex") on the campus. The Bronk Building in particular was determined to be unsuitable for modernizing into

state-of-the-art research laboratories, which require large open floors allowing for flexible laboratory layouts. The Bronk Building is only 60 feet wide and has a double-loaded corridor running the length of the building. The corridor is flanked on both sides by plumbing and utility shafts that prevent opening up the floors to accommodate large, flexible laboratories.

8. Of the nine floors in the Bronk Building, the first, second, and ninth floors contain shared core facilities (primarily specialized laboratory equipment, such as microscopy) and related space that is still serviceable for certain limited research purposes but does not meet state-of-the-art laboratory standards. Alternatives were studied in consideration of the potential reuse of the Bronk Building's third through eighth floors, with the possibility of converting these six floors into student housing to replace the current housing facilities in the Graduate Student Residence and Sophie Fricke Hall and then converting those two buildings into offices. However, it was determined that this alternative would be cost prohibitive; instead, the decision was made by the University to renovate and upgrade the existing student housing facilities in their current locations.

9. When the proposed new Laboratory building is complete, the University intends to convert the Bronk Building's third through eighth floors to much needed office and support space. Specifically, the University intends to use these six floors of the Bronk Building to address the following unmet needs: (1) accommodate certain relocated uses from the Smith Annex and Gasser Hall; (2) relocate Information Technology ("IT") staff and support space from the temporary IT Pavilion; (3) move sensitive IT equipment to a higher, more secure location; (4) provide office and research space for Emeritus Professors, and a permanent teaching laboratory; and (5) provide the University with on-campus storage space.

10. Rockefeller University's Strategic Plan calls for state-of-the-art laboratory space but does not envision an increase in the number of laboratories on the Rockefeller University campus. Rockefeller University's aim is to have laboratory space of the highest quality to continue to facilitate the recruitment and retention of outstandingly innovative scientists.

State Environmental Quality Review Process

11. The CPC, as Lead Agency, conducted a coordinated environmental review of the Proposed Project pursuant to the *SEQRA*, codified at Article 8 of the *ECL*, and its implementing regulations (6 *N.Y.C.R.R.* Part 617), which collectively contain the requirements for the *SEQR* process. The Proposed Project was also reviewed pursuant to the *City Environmental Quality Review ("CEQR")* Rules of Procedure of 1991 and Executive Order №. 91 of 1977. The 2012 *CEQR Technical Manual*[5] generally served as

[5] The City of New York, Mayor's Office of Environmental Coordination, *City Environmental Quality Review Technical Manual*.

a guide with respect to environmental analysis methodologies and impact criteria for evaluating the effects of the Proposed Project.

12. A *Positive Declaration* and a *Draft Scope of Work for the Draft Environmental Impact Statement ("DEIS")* were issued on August 22, 2012. On September 26, 2013, a public scoping meeting was held on the *DEIS*. The applicant prepared a *DEIS,* a *Notice of Completion for a DEIS,* and a *Final Scope of Work*, reflecting the comments made during the scoping meeting, were issued on November 1, 2013. On February 19, 2014, the CPC held a public hearing on the *DEIS* pursuant to *SEQRA* and *CEQR*.

13. Pursuant to the city's *CEQR* procedures, the University's proposed development required discretionary approval by the CPC in accordance with the New York City's *Uniform Land Use Review Procedure ("ULURP")*. As such, Rockefeller University filed the following application for *ULURP* review: (1) a special permit pursuant to Section 74-682 of the *Zoning Resolution* to allow the development of the Proposed Project (ULURP Application №. C 140157 ZSM).

14. In addition to the special permit noted above, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application: (1) a City Map amendment involving the elimination, discontinuance and closing of volumes of the FDR Drive between East 64th and East 68th streets (*ULURP* Application №. C 140086 (A) MMM),[6] (2) a modification of a previously approved authorization of a Large Scale Community Facility Development pursuant to Section 79-00 (*ULURP* Application №. M 821257 (D) ZAM); (3) certification by the City Planning Commission pursuant to Article 12A of the 1973 Agreement as amended, with findings related to construction of building structural support columns in the FDR Drive and East River Esplanade (*ULURP* Application №. N 140158 CMM); and (4) certification by the Director of City Planning pursuant to Article 12B of the 1973 Agreement as amended, in order to demonstrate conformance to the standards and provisions of the Agreement (*ULURP* Application №. N 140159 CMM).

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[6] An application was filed by the applicant on December 20, 2013, pursuant to Section 2-06(c)(1) of the *ULURP* rules to amend the pending mapping application (*ULURP* №. 140068 MMM) for a change to the City Map pertaining to the pedestrian esplanade adjacent to the Rockefeller University campus between East 63rd Street and East 68th Street in Manhattan. The amendment to the existing application would: (1) reduce the north-south dimension of the above-grade column volumes for the eight "Y" columns from 31 to 16 feet, (2) reduce the north-south dimension of the two above-grade oval columns from 31 to 17 feet, and (3) increase the size of the below-ground volumes for the footings of the two oval columns from 10 feet wide by 5 feet long to 10 feet wide by 19 feet long.

The proposed modifications to the mapping application would not result in any substantial changes to the Proposed Project, nor would the changes to the mapping application result in any changes to the conclusions of the technical analyses in the *FEIS*. The amended mapping application would result in smaller above-grade column volumes and would not adversely affect the esplanade. The modest increase in below-grade volumes for the column footings would not affect the above-grade, ground-level use of the Esplanade in these areas.

15. The *ULURP* applications (№. C 140157 ZRM, №. C 140086 (A) MMM, №. M 821257 (D) ZAM, №. N 140158 CMM, №. N 140159 CMM), were certified as complete by the New York City Department of City Planning ("NYCDCP") on November 4, 2013, and were duly referred to Manhattan Community Board 8 ("MCB8") and the Borough President, along with the non-*ULURP* actions, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

16. MCB8 held a public hearing on this application on November 13, 2013, and January 8, 2014. At the January 8, 2014 meeting, MCB8 adopted a resolution recommending conditional approval of the application by Rockefeller University by a vote of 25 in favor, 3 opposed, 8 abstentions, and 1 not voting for cause.

17. The applications were considered by the Borough President, who issued a recommendation for conditional approval on February 12, 2014. A recommendation of the Borough President appears in the report on the related application for the proposed special permit to the *Zoning Resolution* to allow the development of the Proposed Project (C 140157 ZRM, C 140086 (A) MMM, M 821257 (D) ZAM, N 140158 CMM, N 140159 CMM).

18. This *ULURP* application (C 140157 ZSM) in conjunction with the related applications (C 140068 MMM, C 140068 (A) MMM, M 821257(D) ZAM) along with the related non-*ULURP* actions (N 140158 CMM, N 140159 CMM) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program ("WRP"), as amended, approved by the New York City Council on October 13, 1999, and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is 13-012.

19. A *Final Environmental Impact Statement*[7] *("FEIS")* was completed and a *Notice of Completion for a FEIS* was issued on March 21, 2014, by the CPC, pursuant to both *SEQRA* and *CEQR*. The *FEIS* identified significant adverse impacts and proposed mitigation measures that are summarized in the *FEIS* attached as Exhibit A to the report for application C 140157 ZSM. On April 2, 2014, a *Technical Memorandum* ("*FEIS Memo*") describing and analyzing other modifications to the Proposed Actions was issued. Both the *FEIS* and the *FEIS Memo* concluded that the Proposed Actions with the modifications would not result in any new or different significant adverse environmental impacts not already identified in the *FEIS*.

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[7] At the time of the issuance of the *FEIS* and Notice of Completion, the Mayor's Office of Environmental Coordination (MOEC) released the 2014 edition of the *CEQR Technical Manual* to be used as guidance for any environmental review commenced on or after March 14, 2014. The analyses presented in this *FEIS*, which was substantially completed prior to the release of the 2014 manual, reflect the guidance of the 2012 *CEQR Technical Manual*.

20. On April 2, 2014, the CPC, as Lead Agency, issued a *Findings Statement* that determined that the requirements of 6 *N.Y.C.R.R.* Part 617 of *SEQRA* had been met and that, consistent with social, economic, and other essential considerations from among reasonable alternatives thereto, the approved actions were ones that avoided or minimized adverse environmental impacts to the maximum extent practicable. The CPC's *Findings Statement* also determined that adverse environmental impacts disclosed in the *FEIS* and *FEIS Memo* would be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to a *Restrictive Declaration* identifying mitigation measures. The CPC adopted resolutions conditionally approving Rockefeller University's *ULURP* application №. C 140157 ZSM, №. C 140086 (A) MMM, №. M 821257 (D) ZAM, №. N 140158 CMM, and №. N 140159 CMM (Note: At the time of the original *SEQRA/CEQR* process, DASNY was not included as an involved agency or interested party because Rockefeller University had not yet formally requested funding from DASNY.)

21. On May 14, 2014, the New York City Council, having considered the *FEIS* and relevant environmental issues, passed Resolution's №. 0239-2014 and №. 0240-2014 granting approval of the CPC's decision to adopt Rockefeller University's *ULURP* applications

22. The 2012 *CEQR Technical Manual* served as the general guide on the methodologies and impact criteria for evaluating the Proposed Project's potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS considered the proposed action's adverse impacts on the environmental setting. Commencement of construction is anticipated in mid-2015 with a 50-month construction period,[8] the Proposed Project is expected to be completed by mid-2019. Because the Proposed Project is anticipated to be fully operational in 2019, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assessed current conditions and forecasted these conditions to 2019 (the analysis year that was determined appropriate for this project) for the purposes of determining potential impacts. The *FEIS* provides a description of "Existing Conditions" for the year 2013 and forecasts these conditions to the future 2019 analysis year without and with the Proposed Project ("No Action" and "With Action" conditions, respectively). To forecast the No Action condition, information on known land-use proposals and, as appropriate, changes in anticipated overall growth, are incorporated. The differences between No Action and With Action conditions are assessed for whether such differences are adverse and/or significant; and any significant adverse environmental impacts are disclosed. The *FEIS* also identifies and analyzes appropriate mitigation for any identified significant adverse environmental impacts.

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[8] The 50-month construction period reflects temporary lane closures on the FDR Drive, for certain project-related construction activities for the new laboratory building and North Terrace, which would only be permitted by NYCDOT during limited time periods.

23. The Proposed Project is considered to be the Reasonable Worst-Case Development Scenario ("RWCDS") for the purpose of analyzing the potential environmental impacts of the Proposed Project. To establish a conservative framework for assessing potential impacts in the future analysis year, the EIS assumed a baseline condition in which, absent the proposed actions, no new development would occur within the LSCFD (aside from interior renovations and the removal of the temporary IT Pavilion), the air rights spanning the FDR Drive would not be developed, and the surface parking lot and canopy structure would remain. Also absent the proposed actions, certain areas of the Bronk Building, the Smith Hall Annex, and other campus buildings would be used for storage of University equipment and furniture, as needed, as part of the typical University operations. In addition, the temporary IT Pavilion, located south of the University's East 66th Street entrance near York Avenue, would be removed and the site would become a landscaped area.

24. Based on the preliminary screening assessments outlined in the *CEQR Technical Manual* and as detailed in the Final Scope of Work, the following environmental areas would not require detailed analysis for the Proposed Project in the FEIS: socioeconomic conditions, community facilities, natural resources, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, and greenhouse gas emissions.

Future No Action Scenario

25. Absent the Proposed Project, in the Future No Action scenario no new development is expected to occur within the LSCFD (aside from interior renovations and the removal of the temporary IT Pavilion). In this scenario, the air rights spanning the FDR Drive would not be developed and the surface parking lot and canopy structure would remain.

26. In the Future No Action scenario, certain buildings located within the Rockefeller University campus, (the Bronk Building, the Smith Hall Annex, and other campus buildings) would be used for storage of University equipment and furniture, as needed, as part of the typical University operations.

27. Further, the temporary IT Pavilion, located south of the University's East 66th Street entrance near York Avenue, would be removed and the site would be become a landscaped area.[9]

28. A 2006 survey of the Rockefeller LSCFD's East 68th Street surface parking lot identified 70 parking spaces. Since 2007, the number of parking spaces on campus has been permanently identified as 108 spaces. In the Future No Action scenario, the existing 108

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[9] The IT Pavilion was built in 2007 to temporarily house certain IT uses and staff that needed to be relocated when the Collaborative Research Center (CRC) and laboratory renovations of Smith and Flexner Halls were under construction. The construction associated with the CRC was completed in 2012. In the Future No Action scenario, the IT population and equipment would be relocated to other existing buildings and spaces on campus.

parking spaces, including the 52 parking spaces at the East 68th Street surface parking lot, would be maintained.

Future With Action Scenario

29. As detailed above, in the Future With Action scenario, the proposed actions would facilitate a proposal by the applicant to develop the following: on-campus, privately accessible open space; three new community facility buildings composing a total of approximately 181,100 gsf; and an approximately 930-foot-long, 8-foot-tall traffic sound barrier along the western edge of the East River Esplanade.

30. The Proposed Project would include development of a new two-story, approximately 157,251-gsf laboratory building with two one-story pavilions and privately accessible landscaped green space on its roof; a one-story, approximately 3,353-gsf conference and meeting pavilion (the ICC); a new approximately 20,498-gsf, one-story fitness center; and a proposed new privately accessible open space (the "North Terrace"), within the Rockefeller University campus. The new laboratory building would supplement existing research facilities and laboratory space located within the Bronk Building and the Smith Annex, which were determined to be unsuitable for modernizing into state-of-the-art research laboratories (which require large open floors allowing for flexible laboratory layouts).

31. Both the laboratory building and the ICC building would be constructed on an approximately 930-linear-foot platform structure largely in air space over the FDR Drive. To structurally support the platform above which the laboratory building and North Terrace would be constructed, 20 columns would be located west of the FDR Drive immediately adjacent to and within an existing schist retaining wall, and 10 columns would be located flush with the FDR Drive's eastern edge (within the western portion of the East River Esplanade).

32. The proposed new approximately 20,498-gsf fitness center would be built at the northwest corner of the university campus.

33. In the Future With Action Scenario, the proposed development would also include additional development, as discussed below:

- An approximately 930-foot-long, 8-foot-tall sound barrier would be constructed along the eastern edge of the FDR Drive (between the FDR Drive and the East River Esplanade) that would extend the entire length of the proposed platform structure.
- The area of the campus that currently contains the IT Pavilion would be redeveloped with landscaping.
- Certain areas of the Bronk Building, the Smith Annex, which currently contains laboratory uses, and other campus buildings would continue to be

used for storage, as needed, and would be consistent with the typical operations of the University.

- Ten parking spaces would be accommodated at the Fitness Center Site. The existing 42 parking spaces at the 68th Street parking lot would be relocated as part of the Proposed Project and accommodated elsewhere within the LSCFD.

34. Construction of the laboratory Proposed Project is anticipated to begin in mid-2015 and be completed by mid-2019. Under the currently anticipated construction sequencing, site preparation and FDR Drive lane shift work would occur in May through July of 2015. Construction of the proposed platform spanning over the FDR Drive ("Waterside Operations")[10] would occur between August 2015 and October 2017. Construction of the proposed laboratory building and ICC located on the North Terrace (Landside Operations) would commence in December 2015, and would be completed by February 2019. In August 2018, site work activities around the new laboratory building and ICC would begin; these activities would last approximately 11 months. The construction of the fitness center would commence around the same time as the demolition work for the laboratory building and ICC landside operation in October 2016 and would take approximately 13 months to complete.

35. Portions of the East River Esplanade that would be damaged by construction-related activities — including existing pavers, benches, lighting, and plantings — would be replaced in-kind. Esplanade-related work would be undertaken between November 2017 and March 2018.

36. As previously stated, the Proposed Project would conform to the underlying R9 and R10 zoning designations on the campus, and the design of the buildings would comply with the bulk requirements of the *Zoning Resolution*.

37. The Proposed Project would not result in any increase to the Rockefeller campus user population as the laboratory building, the ICC, and the fitness center would provide new facilities that would allow for the spatial decompression and upgrading of existing campus facilities, which would support the Rockefeller University Strategic Plan 2012-2020.

Rockefeller University

38. In 1901, the Rockefeller Institute of Medical Research (now known as Rockefeller University) was founded. In 1905, construction of a laboratory building (Founder's Hall), an animal house, and a powerhouse commenced. In 1910, an isolation pavilion and a 60-bed hospital opened, and in 1915-1916, a major expansion of the University's facilities

[10] Waterside operations would include construction activities primarily from the esplanade and from barges. Landside Operations would primarily occur from the Rockefeller University campus.

was executed, resulting in a new laboratory and animal house, and a powerhouse at the southern end of the campus near East 64th Street. By 1952, 11 major buildings stood on the Institute grounds, which were bounded by York Avenue and the FDR Drive between East 63rd and East 68th Streets. Eight additional buildings were added to the campus between 1958 and 1975. In 1983, the Rockefeller University LSCFD was designated; the boundaries of the LSCFD include the entire Rockefeller University campus (Block 1480, Lots 10 and 9010; Block 1475, Lots 5 and 9005). The LSCFD extends from East 62nd Street to the centerline of demapped East 68th Street between York Avenue and the bulkhead east of the FDR Drive. The LSCFD designation, in effect, makes the campus a "superblock," allowing the University greater flexibility in utilizing its development rights, provided that the aggregate of all development does not exceed a maximum Floor Area Ratio ("FAR") of 10.0. The maximum permitted zoning floor area in the LSCFD is 6,051,090 zsf.

39. In 1989, Rockefeller University was granted a special permit (C880671ZSM) pursuant to Section 197-c and 200 of the New York City Charter and *Zoning Resolution* Section 74-862 to allow the development of a 15-story research building in the demapped air space over the FDR Drive. The LSCFD was subsequently modified (C821257(A)ZAM) in 1989 to reflect the construction of the research building. In 1998, approvals were granted to allow the construction of a pedestrian bridge in the demapped airspace across East 63rd Street. More recently, in 2007, the LSCFD was modified to facilitate the addition of 101,800 sf of new laboratory and academic space, raising the floor area with the LSCFD to 1,853,053 sf.

1973 Agreement and Section 74-682 Special Permit (Air Rights)

40. In 1973 the Rockefeller University, New York Hospital (now the New York Presbyterian Hospital-Weill Cornell Medical Center ["NYPH-Weill Cornell Medical College"]),[11] and the Hospital for Special Surgery were planning for expansion. The three institutions entered into an agreement with the City. Pursuant to that agreement, the City conveyed certain air rights over the FDR Drive. The rights are defined in the agreement and a change to the City Map. The map change is titled: "Map showing a change in the City Map by eliminating, discontinuing and closing volumes of streets above designated lower limiting planes, and by laying out the lines and dimensions of a permanent easement for an elevated public pedestrian walkway in the area generally bounded by East 62nd Street, York Avenue, East 72nd Street and the East River, Borough of Manhattan." The map illustrates the limits of the air rights as they are defined in different areas. Rockefeller is adjacent to parcels A, B, and C, with the majority of the East River frontage in Parcel C.

[11] The main campus of NYPH occupies several buildings in the study area. The main entrance to NYPH is located on demapped East 68th Street north of Rockefeller University. The block includes the hospital, emergency room, and a portion of Weill Cornell Medical College ("WCMC").

41. Parcel C is defined as a "Volume of FDR Drive Eliminated Discontinued and Closed above elevation 25.0." The volume is defined by the schist wall that establishes Rockefeller University's eastern property line (immediately adjacent to the FDR Drive's western boundary), and by the U.S. Pier head and Bulkhead line to the east. To the east of the FDR Drive roadway is a pedestrian esplanade that follows the U.S. Pier head and Bulkhead line.

42. At the time of the agreement, the City's intention was to extend the public walkway south from Gracie Park where it would terminate at East 63rd Street. The City abandoned the idea of an elevated pedestrian walkway prior to any construction in the rights over the FDR Drive. The pedestrian walkway — which is the current East River Esplanade — was developed at the elevation of the FDR Drive.

43. The agreement was last amended on March 17, 1993, and now states that the pedestrian walkway cannot be built over and is defined as ". . . between the vertical plane defined by the eastern most edge of the FDR Drive and the pier head-bulkhead line or within 25 feet of the vertical plane defined by the pier head-bulkhead line, whichever is wider." It also states that ". . . the City Planning Commission, at its sole discretion, may eliminate, discontinue or close portions of the University Easement Space which fall within the aforementioned planes, for the limited purpose of allowing the placement therein of support columns, connecting girders and structural bracing that are found to be necessary and appropriate for permitted construction and one-story building." The sale of the air rights over the FDR Drive did not include any Development Rights but does increase the Lot Area for purposes of Lot Coverage.

The Rockefeller University Strategic Plan 2012-2020

44. Rockefeller University developed the Rockefeller University Strategic Plan 2012-2020 that was approved by the Rockefeller University Board of Trustees on June 6, 2012. The strategic plan established one of Rockefeller University's essential objectives, to:

45. "Maintain the institution's small size and retain its non-departmental structure, so as to preserve its unique collaborative and cross-disciplinary culture. With around 75 laboratories, the University is small when compared to the size of major academic medical centers, and it should remain at approximately this size. Rockefeller's small size and flat administrative structure help to recruit the very best scientists and nurture their prodigious talent. The department-free structure encourages collaboration and stimulates interaction among researchers from widely differing disciplines, a feature that frequently leads to unexpected synergies with the potential for major advances."

Restrictive Declaration and Additional Approvals

46. In connection with the Proposed Project, a Restrictive Declaration would be recorded at the time of approval of all land use-related actions required to authorize the Proposed

Project's development. The Restrictive Declaration would provide for the implementation of and include, among other components, an 8-foot-tall sound barrier between the FDR Drive and the East River Esplanade; the development of a restoration plan for private open space within the Rockefeller University campus (the Philosopher's Garden) prepared in consultation with the New York City Landmarks Preservation Commission ("LPC") and described in the "***Mitigation***" discussion further along in this Findings Statement; bulkhead repair, reconstruction and a substantial upgrade to the East River Esplanade that would be implemented as mitigation, and "Project Components Related to the Environment" related to construction-period air quality and noise, (i.e., certain project components which were material to the analysis of the environmental impacts in the *FEIS*) which would be substantially consistent with the *FEIS*.

47. The proposed actions include the assignment of an (E) designation (E #342) to avoid significant adverse impacts in these technical areas. An (E) designation is a mechanism assigned to a site to ensure that no significant adverse impacts would result from a proposed action. The (E) designation requirements for hazardous materials would be assigned to Block 1480, Lot 10 (the Fitness Center Site and the on-campus area of the project site at the eastern edge of the campus). The (E) designation requirements for air quality would be assigned to Block 1480, Lot 10 (Laboratory Building Site).

48. Implementation of any hazardous materials requirements with respect to the areas that would be disturbed by construction of the column footings along the FDR Drive and East River Esplanade would be ensured through the Mapping Agreement that is required in connection with the proposed City Map amendment.

49. In addition, the Proposed Project would also require approvals pursuant to a 1973 Agreement (explained in more detail below, in the "Rockefeller University" discussion), as amended, between the CPC and Rockefeller University for: CPC approval of building and column locations in and over the FDR Drive and East River Esplanade pursuant to Article 12A of the 1973 Agreement, as amended in 1993 by Article 13 of the Third Amendment to the 1973 Agreement; Approval by the Director of City Planning pursuant to Article 12B of the 1973 Agreement of landscaping, security, and lighting plans in accordance with Article 11, a ventilation plan and a noise quality plan, plans for closing the FDR Drive and East River Esplanade in accordance with Article 7, and an environmental impact plan; and CPC, acting as City Coastal Commission, determination of consistency with Waterfront Revitalization Program.

50. The Proposed Project would also require the following ministerial approvals: Public Design Commission approval of a building over the FDR Drive and changes to the esplanade landscaping; New York City Department of Transportation (NYCDOT) approval of construction plans as they relate to closure of streets, highways, or individual lands, and diversions or rerouting of traffic;

51. The Proposed Project would also require the following permits from:

- U.S. Army Corps of Engineers ("USACE"): Approval under Nationwide Permit 33;
- U.S. Coast Guard ("USCG"): Authorization under the Ports and Waterways Safety Act (33 USC 1225(a)(2)(C)) and Notice to Mariners;
- New York State Department of Environmental Conservation ("NYSDEC") related to in-water construction-period activities: Section 401 Water Quality Certification; Storm Water Pollution Prevention Plan ("SWPPP") (anticipated); and NY-2C Discharge Permit (anticipated);
- New York State Department of Transportation ("NYSDOT"), in coordination with NYCDOT, approvals related to construction-period activities associated with lane closures on the FDR Drive; and
- Other approvals and/or permits from the following City agencies are anticipated: New York City Department of Environmental Protection ("NYCDEP"), New York City Department of Parks and Recreation ("NYCDPR"), New York City Department of Buildings ("NYCDOB"), New York City Department of Small Business Services ("NYCDSBS"), and the Fire Department of the City of New York ("FDNY").

All necessary permits would be obtained prior to the start of construction-related activities.

Potential Environmental Effects of the Proposed Action and Proposed Project

Land Use and Neighborhood Character

52. The Proposed Project would not introduce any new incompatible land uses to the project site, but would allow Rockefeller University to provide research facilities, university amenities, and new open space on the campus. The proposed development would be compatible with existing development in the surrounding area, including nearby institutional, residential, and commercial uses, and the other existing buildings that have previously been developed in air space above the FDR Drive to the north and south of the Laboratory Building Site and the North Terrace Site. The columns to be located in the western edge of the East River Esplanade are structurally necessary for the proposed laboratory building and North Terrace and would have a minimal impact on users of the esplanade.

53. The Proposed Project would not change the underlying zoning of the project site, but the Proposed Project would require modifications to the previously approved LSCFD, a demapping of column volumes in the FDR Drive, a special permit for construction in airspace over a street, and other CPC approvals. These actions would facilitate the development of new, modern facilities that would improve Rockefeller University's ability to perform word-class research, and would not result in land use conflicts. The

Proposed Project would be compatible with the City's WRP, and would not adversely affect any applicable public policies. Overall, the Proposed Project would not result in any significant adverse impacts related to land use, zoning, or public policy and the Proposed Project would be compatible with existing and planned institutional uses in the surrounding community.

54. The Proposed Project would be in keeping with the defining characteristics of the neighborhood character of the study area. The study area is defined by institutional uses, private open space, and a dense urban context. The Proposed Project would develop a new laboratory building, a small conference and meeting pavilion, and a fitness center. These facilities would allow for the spatial decompression of existing Rockefeller University buildings, and provide state-of-the-art research facilities that would further Rockefeller University's mission. Changes associated with the Proposed Project regarding land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; transportation; and noise are not expected to adversely affect neighborhood character.

55. The proposed platform structure for the laboratory building and ICC would include eight Y-shaped columns and two oval columns that would be located at the western edge of the East River Esplanade. The walkway/bikeway that is the esplanade's most highly utilized component would not be altered by the construction of the ten columns. Further, the esplanade would continue to contain small planted areas, some trees, and benches and a walkway/bikeway. Upon completion of the construction of the Proposed Project, areas of the esplanade damaged by construction-related activities would be replaced in-kind. Therefore, the Proposed Project would not result in any significant adverse impacts to neighborhood character due to open space resources.

56. With regard to open space, although the Proposed Project would result in the demapping of an area totaling approximately 236 sf within the western edge of the East River Esplanade,[12] this change would not be considered a significant adverse neighborhood character impact.

57. As detailed in the *FEIS*, the new shadows cast by the proposed laboratory building and North Terrace would eliminate the remaining areas of direct sunlight on the esplanade adjacent to the project site for between 50 minutes in the early spring and fall and up to 2 hours and 40 minutes on the summer solstice. Therefore, the Proposed Project would cause significant adverse shadow impacts in those seasons to users of the open space seeking direct sun. The shadows impact would be partially mitigated. Although the Proposed Project would cast new shadows that would shade portions of the East River Esplanade, all affected portions of the esplanade would continue to receive a minimum of 5½ hours of direct sunlight each day throughout the growing season. The incremental

[12] The 236 sf includes the eight Y-shaped column footings at 24 sf each and the two oval column footings at 22 sf each.

shadows would not be expected to adversely affect vegetation on the esplanade or aquatic resources of the East River. Further, any new plantings would be shade tolerant.

58. The esplanade is primarily used for active recreation such as running and biking and does not attract a substantial number of passive users who would be most vulnerable to incremental shadows. Although the incremental shadow on the esplanade may affect the usability of the esplanade for passive users, with the implementation of the partial mitigation measures for the shadows impact, the effect of the shadows impact on neighborhood character would not rise to the level of a significant adverse impact

59. The Proposed Project would result in changes to the Rockefeller University Historic District (S/NR-eligible, NYCL-eligible) that would result in significant impacts to historic and cultural resources. These impacts would result from the removal of the concrete canopy structure and parking area at the campus's northwest corner and locating two stacks for the proposed laboratory building adjacent to the south façade of the Flexner Hall Extension and the north façade of the Hospital. These impacts would be partially mitigated, as described in ***"Mitigation."*** Regarding the canopy structure, it is small in scale and set away from the adjacent streets. The dense tree coverage at the perimeter of the campus obscures views to this structure from the study area. The replacement of the concrete canopy structure and parking area with the new fitness center would result in a new structure similar in scale to the existing structure and would not be expected to significantly adversely affect the nearby character of the neighborhood. Regarding the stacks, they would be located on the roof of the laboratory building and would be sited at the rear of the campus. They would be visible in distant views from the Queensboro Bridge and Roosevelt Island and would be viewed in the context of other tall structures.

60. The features of the campus that contribute to neighborhood character the brick and metal fence and trees that establish the campus edge along York Avenue and demapped East 68th Street. These elements would not be affected by the Proposed Project and therefore, the Proposed Project would not adversely affect neighborhood character.

61. Overall, the combined effect of changes to the defining elements of the study area would not result in any significant adverse impacts to neighborhood character. While the development on the project site would noticeably change the character of the area with the new laboratory building and ICC built on a platform over the FDR Drive and the new fitness center at the northwest corner of the campus, these changes would not diminish the study area's overall character. The Proposed Project would be compatible with the defining characteristics of the study area and would not result in significant adverse neighborhood character impacts.

New York State Public Policy

62. Since the Proposed Action would include DASNY bond financing, a Smart Growth Impact Statement ("SGIS") for the Proposed Project was prepared pursuant to the State of New York State Smart Growth Public Infrastructure Policy Act ("SSGPIPA") procedures (see "Smart Growth Impact Statement Assessment Form ["SGISAF"], attached). DASNY's Smart Growth Advisory Committee reviewed the SGIS and attested that the Proposed Project, to the extent practicable, would meet the smart growth criteria established by the legislation. The compatibility of the Proposed Project with the ten criteria of the SSGPIPA, article 6 of the ECL, is detailed in the SGISAF. As indicated on the form, the Proposed Project would be generally supportive of the SSGPIPA and no further SSGPIPA analysis is required.

Open Space

63. Overall, the Proposed Project would not result in any significant direct adverse impacts to open space resources. While column footings would be constructed along the East River Esplanade as part of the Proposed Project, and the Proposed Project would result in significant adverse shadows impacts as well as construction-related noise and open space impacts, with the incorporation of Project Components Related to the Environment ("PCRE") and proposed mitigation measures, including improvements to the Esplanade and replacement-in-kind of areas affected during construction, the Proposed Project would not result in any significant adverse direct impacts to open space resources.

64. A total of approximately 236 sf of space within the western portion of the East River Esplanade would be demapped to accommodate ten columns supporting the platform spanning the FDR Drive. As shown below in Table S-2, Open Space Utilization – East River Esplanade, surveys conducted during both weekday and weekend periods indicated that the resources within these sections of the esplanade, including benches and landscaped areas, are not sought out by esplanade users as most esplanade users pass through the space as active users). Due to its relative isolation and limited access points, this small area totaling approximately 236 sf of the East River Esplanade attracts a limited number of passive users. The esplanade is predominantly used for active recreation, including running and biking, and the most heavily utilized elements of the esplanade adjacent to the project site — particularly the walkway/bikeway — would not be affected by the Proposed Project.

Table S-2
Open Space Utilization—East River Esplanade

Survey Period[1]	Total Users[2]	Walkway/Bikeway Users[3]	Seating Area Users[4]
Weekday			
Morning	79	77 (97%)	2 (3%)
Midday	17	12 (71%)	5 (29%)
Evening	51	39 (76%)	12 (24%)

Weekend			
Morning	64	60 (94%)	4 (6%)
Midday	67	56 (84%)	11 (16%)
Evening	98	86 (88%)	12 (12%)

Notes:
[1]The portion of the esplanade adjacent to the project site was surveyed for periods of 15 to 20 minutes during each survey period.
[2] Total number of users indicates the number of people recorded as sitting within or passing through the esplanade during each 15- to 20-minute survey period.
[3] Activities on the walkway/bikeway portion of the esplanade include running/jogging, biking, walking, and dog-walking.
[4] Seating areas include benches and planted areas along the FDR Drive crash wall and benches close to the East River.
Sources: AKRF, Inc. field surveys, July 14 and 17, 2013

65. In addition, while temporary construction-related noise and construction-duration open space impacts would occur, disruptions of access to the esplanade would be limited to certain periods when usage is minimal.[13] Access to the esplanade during construction of the Proposed Project would be limited at certain overnight periods. Therefore, the Proposed Project would not substantially limit access to the esplanade or impair its operation as a predominantly active recreational space. Further, the portions of the East River Esplanade that would be affected by construction-related activities would be replaced in-kind as part of the Proposed Project.[14] Other construction-related impacts, such as noise impacts, would be temporary and limited to the period on construction. Therefore, the Proposed Project would not adversely affect the East River Esplanade.

66. It should be noted that the Proposed Project would result in a significant adverse shadows impact on the esplanade. This shadows impact may directly affect the usability of the esplanade for passive users, but with partial mitigation measures introduced as part of the Proposed Project, this effect would not rise to the level of a significant adverse direct open space impact. Overall, the Proposed Project would not result in any significant adverse direct open space impacts.

Shadows

67. A detailed shadows analysis was conducted. The shadow analysis concludes that the proposed laboratory building and North Terrace would cast between approximately three and 5½ hours of new shadows on portions of the East River Esplanade in the afternoons

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[13] To ensure the safety of East River Esplanade users passing through the area, pedestrian and bike traffic on segments of the esplanade would be stopped briefly by flaggers (occurring for a brief period of time per lift and occurring infrequently) during the day when construction materials are hoisted overhead from barges to the project site. This is typical practice with New York City construction projects where pedestrian and/or vehicle traffic is stopped briefly during overhead lifts for safety reasons.

[14] To partially mitigate the Proposed Project's significant adverse shadows impact, Rockefeller University — in consultation with NYCDCP and NYCDPR — would undertake a substantial upgrade to the portion of the esplanade adjacent to the project site and would extend an additional approximately 150 feet south of the project site.

in the spring, summer, and fall, and 33 minutes on the winter analysis day. These new shadows would eliminate the remaining areas of direct sunlight on the esplanade adjacent to the project site for between 50 minutes in the early spring and fall and up to 2 hours and 40 minutes on the summer solstice. Therefore, the Proposed Project would cause significant adverse shadow impacts in those seasons to users of the open space seeking direct sun.

68. All affected portions of the esplanade would continue to receive a minimum of 5½ hours of direct sunlight each day throughout the growing season, and, consequently, any vegetation in planters would not be adversely impacted by the new shadows. Further, any new plantings would be shade tolerant. In addition, the esplanade is adjacent to the East River, and would continue to receive ambient skylight and reflected sunlight from the river throughout the periods when new project-generated shadow would fall within the esplanade. Further, shadows cast by the Proposed Project would not result in any significant adverse impacts to aquatic resources of the East River. No other sunlight-sensitive resources would be substantially affected by the Proposed Project.

69. As described below in ***"Mitigation,"*** the significant adverse shadow impact would be partially mitigated through a substantial upgrade to the portion of the East River Esplanade adjacent to the project site and would extend an additional approximately 150 feet south of the project site. Partial mitigation would also include bulkhead repair and rebuilding that would be undertaken where deficiencies have been identified in studies undertaken by NYCDPR. The bulkhead repair and rebuilding would extend the entire length of the area adjacent to the project site and would extend an additional approximately 222 feet south of the project site.[15] In addition to the measures identified above, partial mitigation would also include at least a 12-year commitment by the applicant to maintain plantings on the portion of the esplanade that would be improved with the Proposed Project. These partial measures are included in a Restrictive Declaration and are described in ***"Mitigation"*** discussion below.

70. Between the Draft and Final EIS, the applicant considered, in consultation with NYCDPR and NYCDCP, whether there are additional mitigation measures that are feasible and practicable that could be implemented to further alleviate the significant adverse shadows impact. As noted above, additional partial mitigation measures for the significant adverse shadows impact have been identified and are described the Final EIS.

Historic and Archaeological Resources

71. The Proposed Project was reviewed by DASNY in accordance with the provisions of the *State Historic Preservation Act of 1980 ("SHPA")*, especially the implementing

[15] Bulkhead repair and rebuilding would include the area adjacent to the project site and the area extending approximately 222 feet south of the project site (approximately mid-block between East 62nd and East 63rd Streets and demapped East 68th Street).

regulations of Section 14.09 of the *Parks, Recreation and Historic Preservation Law ("PRHPL")*, as well as with the requirements of the Memorandum of Understanding ("MOU"), dated March 18, 1998, between the Dormitory Authority and the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP"). Consultation with OPRHP is ongoing; however, the Proposed Project was reviewed by the New York City Landmarks Preservation Commission ("LPC").

72. As described in the November 2012 Phase 1A Archaeological Documentary Study[16] of the Rockefeller University campus, which was submitted to and approved by LPC on April 16, 2013, the Laboratory Building Site and North Terrace Site have no sensitivity for archaeological resources. Therefore, the Proposed Project would have no adverse impacts on archaeological resources in these areas of the project site.

73. The Fitness Center Site has no sensitivity for archaeological resources dating to the precontact period and low sensitivity for archaeological resources dating to the historic period, therefore, development of the fitness center on the Fitness Center Site would have no adverse impacts on archaeological resources. It should be noted that the Fitness Center Site is adjacent to an area of moderate archaeological sensitivity. The findings of the Phase 1A report recommend that if project plans are altered in such a way that impacts would occur in the location of archaeological sensitivity, a Phase 1B archaeological investigation should be undertaken to confirm the presence or absence of archaeological resources associated with the nineteenth century occupation of the Fitness Center Site. The Proposed Project would not impact potential human remains associated with the late-eighteenth/early-nineteenth century cemetery located on the campus of Rockefeller University. However, if project plans are altered in such a way that impacts would occur in this archaeologically sensitive area, a Phase 1B archaeological investigation is recommended to confirm the presence or absence of human remains and archaeological resources associated with the cemetery. In addition, an unanticipated discoveries plan was prepared in response to a LPC comment letter dated April 16, 2013. The unanticipated discoveries plan was submitted to LPC on May 1, 2013. As requested by LPC in a March 6, 2014 comment letter, the unanticipated discoveries plan would be incorporated into the Construction Protection Plan ("CPP"), as described below. The CPP would be included in the Restrictive Declaration.

74. The proposed laboratory building would directly affect five buildings identified as contributing to the significance of the Rockefeller University Historic District which is State/National Register-eligible ("S/NR-eligible") and New York City Landmark-eligible ("NYCL-eligible") — the Flexner Hall Extension, Welch Hall, the Nurse's Residence, the Hospital, and the Boiler House. The eastern facades of the basement and subbasement levels of these four historic buildings, part of the eastern wall of the Boiler House, in addition to part of the eastern wall of the Smith Hall Annex, the Hospital Extension, and Gasser Hall, would be modified to connect to the laboratory building.

[16] Phase 1A Archaeological Documentary Study, Rockefeller University campus, New York, New York. AKRF, November 2012.

Two segments of the upper portion of the schist wall, immediately north and south of Welch Hall, would also be removed.

75. The Proposed Project would include two exhaust stacks on the roof of the laboratory building that would be integrated into the building's overall design, with one stack adjacent to the south façade of the Flexner Hall Extension and the other stack adjacent to the Hospital. As described in LPC's October 30, 2013 comment letter, LPC determined that the addition of exhaust stacks to both the south façade of the Flexner Hall Extension and the north façade of the Hospital would constitute a significant impact to these S/NR- and NYCL-eligible properties "due to their location, size, and direct physical connections to the buildings."

76. The proposed North Terrace and ICC would be located at the north end of the platform structure spanning the FDR Drive. The ICC pavilion would be a small-scale structure that would not compete visually with the President's House or any other buildings within the historic district. The segment of the schist wall adjacent to the President's House would be modified to connect to the North Terrace but no physical connections or alterations would be made to the President's House.

77. The proposed one-story fitness center with a covered parking lot and landscaping would be small in scale and would complement the design of the 1958-1959 expansion buildings. Based on the original Dan Kiley Plans and the National Register criteria for evaluation (36 *Code of Federal Regulations ["CFR"]* 60 and 63), LPC has determined that the canopy structure and parking area are contributing elements to the Rockefeller University Historic District's Dan Kiley-designed landscape, the proposed removal of the canopy structure and parking area would result in an adverse impact to the historic district. As partial mitigation for the removal of these landscape elements, a restoration plan for the Philosopher's Garden, which is located immediately south of the Fitness Center Site, would be prepared and implemented prior to construction of the fitness center. The restoration plan would be included in a Restrictive Declaration.

78. The Proposed Project would affect a total area of approximately 236 square feet (sf) within the western portion of the East River Esplanade immediately adjacent to the FDR Drive where 10 columns and footings for the new laboratory building and the North Terrace would be located. The East River Esplanade is not a historic or cultural resource; therefore, the proposed modifications to the small portions of the esplanade would not affect any historic or cultural resources.

79. The proposed developments sites are located within 90 feet of contributing elements of the Rockefeller University Historic District. Therefore, a CPP would be developed in consultation with LPC and implemented prior to construction to avoid inadvertent construction-related damage to the contributing elements in the historic district located within 90 feet of the development sites. As noted above, the unanticipated discoveries

plan would be incorporated into the CPP. The CPP would be included in the Restrictive Declaration.

80. The new laboratory building and ICC would primarily replace air space over the FDR Drive, placing the bulk of the footprint of the proposed laboratory building and ICC outside the boundaries of the Rockefeller University Historic District. Modifications to five contributing buildings of the Rockefeller University Historic District to connect these structures to the proposed laboratory building would be restricted to alterations required to either seal certain existing openings or to extend existing window openings to doorways in the basements and sub-basements to create connections. As described above, the placement of the two exhaust stacks has been developed after close consideration of their potential effects on Founder's Hall and the historic district. The proposed stacks have been designed to both minimize their actual footprint and visibility and also to be sited away from Founder's Hall. The proposed stack locations would eliminate direct impacts to Founder's Hall by siting the stacks away from Founder's Hall, limit their visibility, and minimize effects to the adjacent Rockefeller University Historic District buildings. However, LPC has determined that the two proposed stacks would result in a significant impact to historic and cultural resources. Through consultation with LPC, the stacks have been redesigned in terms of their materials and surface articulation to better harmonize with the historic properties. LPC has determined these design changes to be acceptable and serve as partial mitigation for the significant impact, as discussed below.

81. The proposed laboratory building, ICC, and fitness center are sited at or near the edges of the historic district boundary. The proposed laboratory building and ICC would be at the eastern perimeter of the historic district, which has historically been the rear of the campus, with the primary facades of the original campus buildings facing west. The fitness center would remove the canopy structure and parking area from the north end of the campus, replacing them with a low-rise structure designed to complement the buildings of the 1958-1959 campus expansion. Though the three project structures would alter the setting of the historic district to the north and east, the Proposed Project would not introduce incompatible visual, audible, or atmospheric elements to the setting of the district, isolate the district from the streetscape, or obstruct significant public views of the resource such that it would affect the characteristics of the Rockefeller University Historic District that qualify it for listing on the S/NR or for designation as a NYCL.

82. In the 400-foot-study area, with the Proposed Project, no architectural resources in the study area would be directly or indirectly significantly adversely affected with the Proposed Project.

Urban Design and Visual Resources

83. The Proposed Project would not result in any significant adverse impacts to urban design or visual resources. The proposed platform structure for the laboratory building and

North Terrace, and the sound barrier would affect the pedestrian experience along the adjacent portion of the East River Esplanade; however, those changes would not result in any significant adverse impacts. Further, the sound barrier would result in noise reductions along the esplanade that would improve the pedestrian experience along adjacent areas of the esplanade. The proposed laboratory building, North Terrace, ICC, and sound barrier would be visible from the adjacent portion of the esplanade and from more distant views from Roosevelt Island, the Roosevelt Island tram, and the Queensboro Bridge. Those views would not be adversely affected, because the proposed laboratory building, North Terrace, and ICC would be located among many structures along a densely developed section of the East River waterfront that spans over the FDR Drive, and the sound barrier would be low in height and its visibility would be largely obscured by distance. The visibility of the proposed fitness center would be limited to its immediately surrounding vicinity.

Noise

84. The proposed design for the laboratory platform and ICC includes the construction of an 8-foot-tall barrier along eastern side of the FDR Drive between the FDR Drive and the East River Esplanade[17]. This barrier would reduce noise levels on the esplanade and would result in noise levels on the esplanade that would be less than existing noise levels.

85. Based on noise level measurements at the project site, noise levels at the locations of the proposed buildings fall below the level that would require specific noise attenuation requirements, according to *CEQR Technical Manual* noise exposure guidelines. Therefore, no significant adverse noise impacts would occur on the esplanade as a result of the Proposed Project

Hazardous Materials

86. A Phase I ESA prepared in October 2012 in order to evaluate potential contamination on the project site identified potential sources of contamination, including filling of the eastern portion of the project site (Laboratory Building Site and North Terrace Site) with fill materials of unknown origin, and potential historical releases from hospital/laboratory research facilities at Rockefeller University and elsewhere in the neighborhood. Soil sampling on the Rockefeller University campus in 2007 identified only minor soil contamination typical of urban fill, with no evidence of a spill or release.

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[17] The DEIS analyzed a 5-foot-tall barrier that was sufficient for the purposes of addressing *CEQR* environmental requirements. It should be noted that with the 5-foot-tall barrier analyzed in the DEIS, no significant adverse noise impacts would occur on the esplanade as a result of the Proposed Project. However, after the DEIS was completed, based on comments received from the Community Board, the barrier height was increased to 8 feet, which would result in noise levels on the esplanade that would be less than existing noise levels.

87. Between the Draft and Final EIS, the institutional control (to ensure requirements with respect to hazardous materials would be implemented for Block 1480, Lot 10, i.e., the Fitness Center Site and the on-campus portion of the project site at the eastern edge of the campus) was changed from a Restrictive Declaration to an (E) Designation, administered by the New York City Mayor's Office of Environmental Remediation ("OER"). Implementation of any hazardous materials requirements with respect to the areas that would be disturbed by construction of the column footings would be ensured through a Mapping Agreement that would be executed by the University and the City in connection with the proposed change to the City Map to demap and convey those areas to the University.

88. Based on the findings of the Phase I ESA, to reduce the potential for human or environmental exposure to contamination during and following construction of the Proposed Project, the (E) designation would require a Subsurface (Phase II) Investigation conducted in accordance with an OER-approved Work Plan to determine whether past or present, on-site or off-site activities have affected subsurface conditions. Following implementation of this Phase II investigation and based on its findings, a Remedial Action Plan ("RAP") and associated Construction Health and Safety Plan ("CHASP") would be prepared (and submitted to OER for review and approval) for implementation during proposed construction. The RAP would address requirements for items such as: soil stockpiling, soil disposal and transportation; dust control; quality assurance; and contingency measures should petroleum storage tanks or contamination be unexpectedly encountered. The CHASP would include measures for worker and community protection, including personal protective equipment, dust control and emergency response procedures.

89. Lead-based paint ("LBP"), asbestos-containing materials ("ACM") and polychlorinated biphenyl ("PCB")-containing electrical equipment may be present at the project site. During and following demolition and renovation associated with the Proposed Project, regulatory requirements pertaining to ACM, LBP and PCBs and chemical use and storage would be followed.

90. With the implementation of these measures identified to the satisfaction of the OER, as required by the proposed (E) designation, construction of the Proposed Project would not result in any significant adverse impacts related to hazardous materials.

Coastal Management and Waterfront Revitalization Program

91. As previously noted, and because the Proposed Project is situated within the designated boundaries of New York City's Coastal Zone the Proposed Project was reviewed by the City Coastal Commission for consistency with the policies of the New York City WRP, as amended, approved by the New York City Council on October 13, 1999, and by the New York State Department of State ("NYSDOS") on May 28, 2002, pursuant to the

New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.). The designated WRP number is 13-012.

92. DASNY assessed its consistency with New York City's WRP. The WRP establishes the city's Coastal Zone and includes a set of 56 policy statements — 44 State policies and 12 city policies — that address the waterfront's important natural, recreational, industrial, commercial, ecological, cultural, aesthetic and energy resources.

93. In addition, pursuant to the New York State Coastal Management Program ("NYSCMP"), a NYSDOS Coastal Assessment Form was prepared and filed with NYSDOS on April 3, 2015 (attached). DASNY has determined that the Proposed Project would be consistent with the City's WRP and the NYSCMP. This findings statement serves as the certification, pursuant to Article 42 of the New York State Executive Law and its implementing regulations at 19 *N.Y.C.R.R.* Part 600, Waterfront Revitalization of Coastal Areas and Inland Waterways, that the Proposed Project would comply with the NYSCMP as expressed in the City's WRP, would not substantially hinder the achievement of any state or local coastal policies, and would be conducted in a manner consistent with such programs.

94. The Proposed Project would include the demapped within the western portion of the East River Esplanade. The approximately 236-sf demapped area would be the location of 10 structural columns and footings carrying the new laboratory building and the North Terrace would be located. These paved areas are immediately adjacent to the FDR Drive. The portion of the esplanade adjacent to the project site includes a paved walkway ranging from approximately 13 to approximately 17 feet wide and includes seating areas, lighting, and plantings. The locations for 20 columns and footings along the west side of the FDR Drive are within and adjacent to the campus's existing schist retaining wall.

95. Additionally, the Restrictive Declaration notes that prior to construction of the River Building, including the placement of the Support Columns, the University shall provide written notice to NYCDCP, NYCDPR, and New York City Department of Transportation ("NYCDOT") of the planned reconstruction of the Esplanade between the centerline of demapped 68th Street and a point 150 feet south of the southerly edge of the River Building and shall submit plans and specifications therefor for review and approval by NYCDPR and NYCDOT (the "Esplanade Plans"). In accordance with the *FEIS*, the Esplanade Plans would include improved spatial organization of the walkway/bikeway and seating areas, new planting beds, new shade-tolerant plantings, drinking fountains, water couplers to provide irrigation for the new plantings, and relocation and replacement of damaged lighting fixtures (collectively the "Esplanade Improvements").

Construction

96. Construction of the Proposed Project would result in a significant adverse construction impact related to noise, historic and cultural resources, and open space. Potential mitigation for this significant adverse impact is discussed below in ***"Mitigation."***

97. Construction worker and truck trips associated with the Proposed Project would not result in any significant adverse traffic, parking, transit, or pedestrian impacts. Maintenance and Protection of Traffic ("MPT") Plans would be developed for any lane closures. Coordination with NYCDOT's Office of Construction Mitigation and Coordination ("OCMC") would be undertaken to ensure proper implementation of MPT plans and requirements. These measures would be included in a Restrictive Declaration to be recorded by the Applicant against the property.

98. Construction activities associated with the Proposed Project would not result in any significant adverse stationary or mobile source air quality impacts. To ensure that construction of the Proposed Project would result in the lowest-practicable diesel particulate matter ("DPM") emissions, the applicant would implement, through the Restrictive Declaration an emissions reduction program for construction activities that would include, to the extent practicable: reduction of the amount of diesel equipment to be used; use of clean fuel, best available tailpipe reduction technologies, and newer equipment; placement of emissions sources away from sensitive receptors; implementation of dust control measures; and restriction on vehicle idling.

99. The Proposed Project would have the potential to result in significant adverse impacts with respect to construction noise. Rockefeller University is committed to implementing a program of source controls (*i.e.*, the use of quiet construction equipment) and path controls (*i.e.*, the use of noise barriers and noise shields) that exceed the noise control measures required by the *New York City Noise Control Code*, and which would be included in the Restrictive Declaration. However, even with these measures, elevated noise levels resulting from construction are predicted to occur for an extended duration at two sensitive receptor locations immediately adjacent to the project site: the portion of the East River Esplanade between East 63rd Street and demapped East 68th Street (located immediately east of the project site) and the New York Presbyterian Hospital-Weill Cornell Medical Center ("NYPH-Weill Cornell Medical College") located immediately north of the project site. However, the existing noise levels on the East River Esplanade exceed the 55 dBA $L_{10(1)}$ noise level recommended for open space by *CEQR* noise exposure guidelines. In addition, the East River Esplanade is primarily used for active recreation during daytime hours, while most of the activities associated with the excavation and foundation task for the platform construction would occur during the night time when the esplanade is lightly used.

100. The construction period noise impact has been identified as unmitigated and is described in ***"Unavoidable Significant Adverse Impacts."*** No feasible and practicable measures that could be implemented to mitigate the construction noise impact at this location were identified.

101. No significant adverse impacts to archaeological resources would occur as a result of the proposed actions on the Laboratory Building Site, the North Terrace Site, or the Fitness Center Site during the construction of the Proposed Project. Regarding architectural resources, construction of the proposed fitness center would involve the demolition of the canopy structure and parking area that are contributing elements to the Rockefeller University Historic District's Dan Kiley-designed landscape, resulting in an a significant impact to historic and cultural resources. As partial mitigation for the removal of these landscape elements, a restoration plan for the Philosopher's Garden, which is located immediately south of the Fitness Center Site, would be prepared in consultation with LPC and implemented prior to construction of the fitness center. The restoration plan would be included in the Restrictive Declaration. Since the Proposed Project is located within 90 feet of contributing elements of the Rockefeller University Historic District (S/NR- and NYCL-eligible), a CPP would be developed in consultation with LPC and implemented prior to construction to avoid inadvertent construction-related damage. In addition, as requested by LPC in a March 6, 2014 comment letter, the unanticipated discoveries plan for archaeological resources would be incorporated into the CPP. With these measures in place, construction would not be expected to result in significant adverse impacts on historic or cultural resources. The CPP would be included in the Restrictive Declaration.

102. Implementation of erosion and sediment control measures and stormwater management measures identified in the Stormwater Pollution Prevention Plan ("SWPPP") would minimize potential impacts to water quality of the East River from the discharge of stormwater runoff during land-disturbance construction activities. The SWPPP would comply with New York State Department of Environmental Conservation ("NYSDEC") technical standards for erosion and sediment control and include structural (*e.g.*, silt fencing) and nonstructural (*e.g.*, routine inspection, dust control, cleaning, and maintenance programs) best management practices ("BMPs").

103. With the implementation of these measures, the discharge of runoff and recovered sea water during excavation activities would not result in significant adverse impacts to East River water quality, aquatic biota, and any NYSDEC littoral zone tidal wetlands adjacent to the seawall. Implementation of a SWPPP developed for the in-water construction activities would minimize the potential for discharge of materials to the East River during caisson installation and construction activities conducted from barges. Installation of the caissons would require authorization from the USACE under Section 404 of the *Clean Water Act* and Section 10 of the *Rivers and Harbors Act*, and Section 401 water quality certification from NYSDEC. Therefore, potential impacts to aquatic resources would be limited to minor and temporary increases in suspended sediment. Any localized and temporary increases in suspended sediment and temporary loss of aquatic habitat would not result in significant adverse impacts to water quality, littoral zone tidal wetland, essential fish habitats ("EFHs"), or aquatic biota, including threatened and endangered species.

104. The Proposed Project would require the removal of approximately 23 trees along the East River Esplanade to allow for the construction of the new laboratory building and ICC and 5 to 10 trees would be removed at the Fitness Center Site to construct the fitness center. Tree replacement, protection, and transplanting would comply with the City's applicable rules and regulations. Trees under the jurisdiction of NYCDPR may not be removed without a permit pursuant to Title 18 of the *Administrative Code of the City of New York.* Chapter 5 of Title 56 of the *Rules of the City of New York* establishes rules for valuing trees that are approved for removal in order to determine the appropriate number of replacement trees. The majority of trees on the Rockefeller University campus would remain in place and be unaffected by construction activities. Overall, construction of the Proposed Project would have no significant adverse impacts to the floodplain, ecological communities, and terrestrial natural resources in the area.

105. During the course of construction, the East River Esplanade immediately east of the project site (between East 63rd Street and demapped East 68th Street) may be narrowed or protected for varying periods of time. A minimum 8-foot-wide pathway through the portion of the esplanade adjacent to the project site would be provided except for the very limited times when the East River Esplanade is expected to be closed during specific construction activities to allow for the installation of columns and girders at the esplanade and laboratory building and north terrace steel structure erection activities. In addition, to ensure the safety of East River Esplanade users passing through the area, pedestrian and bike traffic on segments of the esplanade would be stopped briefly by flaggers (occurring for a brief period of time per lift and occurring infrequently) during the day when construction materials are hoisted overhead from barges to the project site. No open space is located at the Fitness Center Site. Construction activities would be conducted in accordance with the New York City Building Code. Air emissions control measures — including watering of exposed areas and dust covers for trucks — would be implemented to ensure compliance with the *New York City Air Pollution Control Code*, which regulates construction-related dust emissions. Construction of the Proposed Project would also include noise control measures as required by the *New York City Noise Control Code*.

106. A temporary, significant construction-period impact to open space (*i.e.*, the portion of the East River Esplanade adjacent to the project site) would result from construction activities associated with the Proposed Project. The applicant would provide a minimum 8-foot-wide pathway through the portion of the esplanade adjacent to the project site to serve as partial mitigation for this temporary significant construction period impact to open space. No further measures to partially or fully mitigate the significant construction period open space impact were identified between the Draft and the Final EIS. Construction open space mitigation measures would be included in the Restrictive Declaration.

107. Construction of the Proposed Project would not result in any significant adverse hazardous materials impacts. During and following demolition activities associated with the Proposed Project, applicable federal, state and local requirements pertaining to ACM, LBP, PCB-containing materials, and chemical use and storage would be followed. Between the Draft and Final EIS, the institutional control to ensure requirements with respect to hazardous materials are implemented for the on-campus portion of the project site was changed from a Restrictive Declaration to an (E) designation, administered by the New York City Mayor's Office of Environmental Remediation ("OER"). Implementation of any hazardous materials requirements with respect to the areas that would be disturbed by construction of the column footings would be ensured through the Mapping Agreement that would be executed by the University and the City in connection with the proposed change to the City Map to demap and convey those areas to the University.

108. Based on the findings of the Phase I Environmental Site Assessment "(ESA"), a Subsurface (Phase II) Investigation Work Plan would be conducted in accordance with an OER-approved Work Plan to determine whether past or present, on-site or off-site activities have affected subsurface conditions. Following implementation of this Phase II investigation and based on its findings, a RAP and associated CHASP would be prepared (and submitted to OER for review and approval) for implementation during proposed construction. Consequently, with the implementation of the above measures, no significant adverse impacts related to hazardous materials would be expected during construction of the Proposed Project.

Conditions and Mitigation Measures

109. As noted in the ***"Shadows"*** discussion above, the shadow analysis concludes that the proposed laboratory building and North Terrace would cast between approximately 3 and 5½ hours of new shadows on portions of the East River Esplanade adjacent to the project site in the afternoons in the spring, summer, and fall, and 33 minutes on the winter analysis day. These new shadows would eliminate the remaining areas of direct sunlight on the esplanade adjacent to the project site for between 50 minutes in the early spring and fall and up to 2 hours and 40 minutes on the summer solstice. Therefore, the Proposed Project would cause significant adverse shadow impacts in those seasons to users of the open space seeking direct sun. All affected portions of the esplanade would continue to receive a minimum of 5½ hours of direct sunlight each day throughout the growing season, and, consequently, any vegetation in planters would not be significantly impacted by the new shadows. No other sunlight-sensitive resources would be substantially affected by the Proposed Project.

110. As partial mitigation for the shadow impact to the East River Esplanade, Rockefeller University — in consultation with NYCDCP and NYCDPR — would undertake a substantial upgrade to the portion of the esplanade adjacent to the project site. In addition, an approximately 150-foot-long area of the esplanade south of the project site

would also be substantially upgraded as partial mitigation for the shadow impact.[18] The substantial upgrades include a reconfigured shared-use pathway, new planting beds with shade-tolerant plantings, new flood-resistant trees, seating, drinking fountains, and irrigation improvements. Between the Draft and Final Environmental Impact Statement (EIS), the applicant made changes to the design of the improved esplanade in response to community input, and in consultation with NYCDCP and NYCDPR.

111. As of the date of the *FEIS*, specific esplanade improvements include the following:

- Overall redesign and reconstruction of this portion of the esplanade, with improved spatial organization of the walkway/bikeway and seating areas, new planting beds, and new shade tolerant plantings;
- Creation of a designated shared-use path widened to the desired width of 17 feet, as per consultation with the NYCDPR;
- Planting of approximately 29 four-inch caliper (major) trees that would be resistant to flood waters (currently there are 15);
- Planting of approximately 56 two-inch caliper (minor) trees that would be resistant to flood waters (currently there are nine);
- Installation of new benches to increase seating capacity from the existing 152 to approximately 207 people;
- Installation of approximately seven new in-ground irrigation hydrants;
- Installation of one drinking fountain (currently there are none); and
- Relocation and replacement of damaged lighting fixtures.

112. The final design of the esplanade improvements is subject to approval by NYCDPR and the Public Design Commission ("PDC"). Any new plantings would be shade tolerant. While the proposed upgrades to the esplanade would not reduce or eliminate the extent or duration of shadows cast on the esplanade, they would improve and enhance the user experience of this open space and, therefore, are considered partial mitigation of the shadows impact.

113. In addition to the substantial esplanade upgrades, Rockefeller University would also undertake the repair and rebuilding of the portion of the East River bulkhead adjacent to the project site and the area extending approximately 222 feet south of the project site where deficiencies have been identified in studies undertaken by NYCDPR.[19] The bulkhead repair and rebuilding would serve as additional partial mitigation for the

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[18] Substantial esplanade upgrades would include the portion of the esplanade adjacent to the project site, between the area north of the Rockefeller Research Building north of East 64th Street and demapped East 68th Street, and would include the segment of the esplanade extending an additional approximately 150 feet south of the project site.

[19] Bulkhead repair and rebuilding would include the entire area adjacent to the project site and the area extending approximately 222 feet south of the project site (approximately mid-block between East 62nd and East 63rd Streets and demapped East 68th Street).

significant adverse shadows impacts to the portion of the East River Esplanade adjacent to the project site.

114. The bulkhead repair and rebuilding would begin prior to the start of construction of the laboratory building platform and would continue during the early site preparation and demolition activities associated with the platform construction. The bulkhead repair and rebuilding work is anticipated to take approximately 5 months to complete. Bulkhead work would be undertaken from barges on the East River. No complete closures of the esplanade would be required during the bulkhead repair and rebuilding. The installation of a construction fence adjacent to the bulkhead work area would be required. The construction fence would likely be required for the entire 4-month duration of the bulkhead repair and rebuilding work. Narrowing of the esplanade may be necessary at certain times during bulkhead-related construction; however, a walkway a minimum of 8 feet wide would remain open at all times during the bulkhead repair task.

115. The esplanade reconstruction activities, including the substantial upgrades, are anticipated to be undertaken for nine months, compared to the four-and-a-half months for the esplanade replacement in-kind construction-related activities that would occur with the Proposed Project. The substantial esplanade upgrades would be undertaken between November 2017 and March 2018 for the west portion of the esplanade and between March 2018 and July 2018 for the east portion of the esplanade.

116. The bulkhead repair and rebuilding and the esplanade upgrades that would be undertaken as partial mitigation would not substantially change the construction schedule. Therefore, these mitigation measures — bulkhead repair and rebuilding and the esplanade upgrades — would not result in additional significant adverse construction impacts not identified in the EIS. These mitigation measures — bulkhead repair and rebuilding and the esplanade upgrades — and construction requirements would be included in the Restrictive Declaration.

117. Between the Draft and Final EIS, the applicant considered, in consultation with NYCDPR and NYCDCP, whether there are additional mitigation measures that are feasible and practicable that could be implemented to further alleviate the significant adverse shadows impact. In addition to the measures identified above, partial mitigation would also include at least a 12-year commitment by the applicant to maintain plantings on the portion of the esplanade that would be improved with the Proposed Project. Maintenance would include weeding, watering, pruning, mulching, applying fertilizer, treating plant disease and insect problems, removing debris and dead plant material, and replacing dead, damaged, or irreversibly declining plants. This commitment would be ensured through the Restrictive Declaration and the Mapping Agreement required in connection with the amendment to the City Map. As provided in the project Restrictive Declaration, the University would enter into a Maintenance and Operations agreement with NYCDPR that would govern the maintenance requirements. No further mitigation

measures for the significant adverse shadows impact have been identified beyond those measures described above.

118. As discussed above in "Historic and Cultural Resources," the concrete canopy structure and parking area on the Fitness Center Site are contributing elements to the Rockefeller University Historic District which has been determined S/NR- and NYCL-eligible. Therefore, the removal of the canopy structure and parking area that would occur with the construction of the proposed Fitness Center would result in an adverse impact to the historic district. In addition, the proposed laboratory stacks that would be located adjacent to the Flexner Hall Extension and the Hospital would result in a significant impact to historic and cultural resources.

119. Partial mitigation measures for the removal of the canopy structure and parking area include the preparation and implementation of a restoration plan for the Philosopher's Garden, which is located immediately south of the Fitness Center Site. This plan would be developed in consultation with LPC and would be prepared and implemented prior to construction of the fitness center. LPC is in receipt of revised stack drawings indicating that the stacks have been redesigned in terms of their materials and surface articulation to better harmonize with the historic properties. LPC finds these design drawings to be acceptable and partial mitigation for the significant impact. Measures to minimize or partially mitigate these adverse impacts to the Rockefeller University Historic District would be implemented in consultation with LPC and are included in the Restrictive Declaration.

120. In addition, prior to construction of the Proposed Project, and in consultation with LPC, Rockefeller University would develop and implement a CPP for the President's House, Flexner Hall and the Flexner Hall Extension, Welch Hall, Founder's Hall, the Nurse's Residence, the Hospital, and the Boiler House which would either be modified as part of the proposed connection with the new laboratory building or are within 90 feet of the Laboratory Building Site. In addition, Smith Hall, Abby Aldrich Rockefeller Hall, the perimeter campus fence, and the Kiley-designed Philosopher's Garden and Lasker Fountain would be included in the CPP as these contributing elements to the historic district are located within 90 feet of the Fitness Center Site. In addition, as requested by LPC in a March 6, 2014 comment letter, the unanticipated discoveries plan for archaeological resources would be incorporated into the CPP. The CPP would be prepared in coordination with a licensed professional engineer and would follow the guidelines set forth in Section 523 of the *CEQR Technical Manual*, including conforming to LPC's New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings. The CPP would also comply with the procedures set forth in NYCDOB's Technical Policy and Procedure Notice ("TPPN") #10/88.[20] The CPP would also be included in the Restrictive Declaration.

121. As noted within the ***"Construction"*** discussion, a temporary significant construction period impact to open space, *i.e.*, the portion of the East River Esplanade adjacent to the project site, would result from construction activities associated with the Proposed Project.

122. Full mitigation of the construction — open space impact is not feasible due to the close proximity of the project site to the esplanade and the temporary construction-related activities affecting the esplanade. As partial mitigation for the temporary significant construction period impact to open space, the applicant would provide a minimum 8-foot-wide pathway through the portion of the esplanade adjacent to the project site. As discussed in the *FEIS* this pathway would always be maintained to allow for pedestrian and bike movement through the East River Esplanade except for the very limited night time closures during specific construction activities requiring the lifting of construction materials over the walkway/bikeway from barges located in the East River to the project site.

123. The *FEIS* shows the anticipated schedule for the East River Esplanade narrowing and closures during construction, and indicates that the closure periods are anticipated to occur for approximately 43 nights (from 2:00 a.m. to 7:00 a.m. on Sundays for laboratory building and North Terrace waterside operations) during the approximately 4-year overall construction period. In addition, to ensure the safety of East River Esplanade users passing through the area, pedestrian and bike traffic on segments of the esplanade would be stopped briefly by flaggers (occurring for a brief period of time per lift and occurring infrequently) during the day when construction materials are lifted from barges to the project site. This is typical practice with New York City construction projects where pedestrian and/or vehicle traffic is stopped briefly during overhead lifts for safety reasons. Once construction of the platform is complete, the laboratory building is enclosed, and the esplanade is restored, esplanade narrowing and/or closure would no longer be required. Necessary permits and/or approvals would be obtained from the appropriate agencies (*e.g.*, NYCDOB and/or NYCDPR) for all construction activities that would affect the esplanade. Therefore, while the construction of the Proposed Project would have a temporary, significant construction-related open space impact on the East River Esplanade during a portion of the construction period, it would be partially mitigated by the provision of an 8-foot walkway, as described above.

124. No further measures to partially or fully mitigate the significant construction period open space impact were identified between the Draft and the Final EIS. The construction open space mitigation measures described above would be included in the Restrictive Declaration.

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[20] TPPN #10/88 was issued by NYCDOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

Alternatives

125. As per *CEQR* guidance, the alternatives selected for consideration in an EIS are generally those which are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. Five alternatives for the Proposed Project were analyzed in detail:

- A No Action Alternative, which is mandated by the *SEQRA* and *CEQR*, and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part;
- A York Avenue Alternative, in which two new buildings would be constructed along the Rockefeller University campus's west boundary along York Avenue between East 64th Street and demapped East 68th Street in an area currently occupied by parking uses, the Caspary Auditorium, the IT Pavilion, and Sophie Fricke Hall.
- A North-South Alternative, in which the two new buildings would be constructed on the Rockefeller University campus: one building would be located at the northwest corner of the campus at York Avenue and demapped East 68th Street and the other building would replace Sophie Fricke Hall and would be located between the Bronk Building and the Weiss Research Building.
- A Lesser Density Alternative assumes that a smaller laboratory building of approximately 74,000 gsf would be constructed in air space over the FDR Drive, resulting in either a building that only partially spans over the FDR Drive from East 64th to demapped East 68th Streets or a one-story, rather than a two-story, laboratory building spanning the FDR Drive. The Lesser Density Alternative would include a fitness center of the same size and at the same location as with the Proposed Project.
- A No Unmitigated Impact Alternative considers a laboratory building that would avoid impacts to shadows, historic and cultural resources, construction noise, and construction-period open space, which are impacts that would occur with the Proposed Project.

The applicant believes that these alternatives would not fully meet the goals and objectives of the Proposed Project.

Unavoidable Adverse Impacts

126. Unavoidable significant adverse impacts are defined as those that meet the following two criteria: (1) there are no reasonably practicable mitigation measures to eliminate the impacts; and (2) there are no reasonable alternatives to the Proposed Project that would meet the purpose and need of the action, eliminate the impact, and not cause other or

similar significant adverse impacts. The Proposed Project would result in significant adverse noise impacts during construction that would not be fully mitigated.

127. Rockefeller University is committed to implementing a program of source controls and path controls that exceed the noise control measures required by the *New York City Noise Control Code* as identified in the Restrictive Declaration. Even with these measures, elevated noise levels resulting from construction are predicted to occur for an extended duration at two sensitive receptor locations: the portion of the East River Esplanade between East 63rd Street and demapped East 68th Street, and the New York Presbyterian Hospital-Weill Cornell Medical Center.

128. These two receptor locations would likely experience over two years of exceedances of the *CEQR* noise impact criteria resulting from construction of the Proposed Project. However, the existing noise levels on the East River Esplanade exceed the 55 dBA $L_{10(1)}$ noise level recommended for open space by *CEQR* noise exposure guidelines. In addition, the East River Esplanade is primarily used for active recreation during daytime hours, while most of the activities associated with the excavation and foundation task for the platform construction would occur during the night time when the esplanade is lightly used. No feasible and practicable measures that could be implemented were identified to mitigate the construction noise impact at this location.

129. The NYPH-Weill Cornell Medical College building has double-glazed windows and central air-conditioning and would be expected to provide at least 28-35 dBA of attenuation of exterior noise. Consequently, this building would be expected to experience interior $L_{10(1)}$ values during most of the time that are below 45 dBA $L_{10(1)}$ (the *CEQR*-acceptable interior noise level criteria). However, although the NYPH-Weill Cornell Medical College buildings have double-glazed windows and alternate ventilation, during some limited time periods, construction activities may result in interior noise levels that would be above the 45 dBA $L_{10(1)}$ noise level recommended by *CEQR*.

130. Therefore, the construction noise impact at the East River Esplanade would be an unavoidable significant adverse impact as there are no feasible and practicable measures that could be implemented to fully mitigate the construction noise impact at this receptor location. It should be noted that this impact would occur during a limited period of time during project construction and there would be no noise impacts once construction activities are complete. There is no feasible construction approach to the Proposed Project that would eliminate this unmitigated significant adverse impact. Since the DEIS, no further mitigation measures have been identified.

Growth-Inducing Impacts of the Proposed Project

131. As indicated in ***"Project Description"*** above, the Proposed Project would not result in a population increase on the project site, but rather would provide for new state of the art facilities and a decompression of existing Rockefeller University facilities. The surrounding study area is generally fully developed, and the level of development is controlled by zoning. As such, the Proposed Project would not "induce" new growth in the study area. The Proposed Project and related actions are specific to the project site only. In addition, the Proposed Project would not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Project would not induce significant new growth in the surrounding area.

Irreversible and Irretrievable Impacts

132. The Proposed Project would result in new developments to the Rockefeller University campus, an existing institution, and has been designed to optimize the use of the existing campus, rather than expand into a new neighborhood. By building the proposed laboratory building, North Terrace, and ICC over the FDR Drive, space that would be otherwise be underutilized would be put to productive use. Overall, the Proposed Project would expend a modest amount of resources.

CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE

Having considered the *DEIS* and *FEIS*, and having considered the preceding written facts and conclusions relied upon to meet the requirements of the *State Environmental Quality Review Act*, codified at Article 8 of the New York *Environmental Conservation Law*, and its implementing regulations, promulgated at Part 617 of Title 6 of the *N.Y.C.R.R.*, this Statement of Findings certifies that:

1. The requirements of the *State Environmental Quality Review Act*, and its implementing regulations, 6 *N.Y.C.R.R.* Part 617, have been met and fully satisfied;

2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, and that adverse environmental impacts would be avoided or minimized by incorporating as conditions to the decision those mitigative measures which were identified as practicable; and

3. Since the action is in the coastal area, that this agency has made a written finding that the action is consistent with the applicable policies of set forth by 19 *N.Y.C.R.R.* 600.5; and, since the Secretary of State has approved a local government waterfront revitalization program, that the action is consistent with the waterfront revitalization program to the maximum extent practicable.

Dormitory Authority State of New York
(Name of Agency)

Jack D. Homkow

(Signature of Responsible Official)

Jack D. Homkow
(Name of Responsible Official)

Director, Office of Environmental Affairs
(Title of Responsible Official)

April 10, 2015
(Date)

One Penn Plaza, 52nd Floor, New York, New York 10119-0098
(Address of Agency)

A Copy of This Notice Has Been Sent To:

The Honorable Bill de Blasio
Mayor
The City of New York
City Hall
New York, New York 10007

The Honorable Gale A. Brewer
Manhattan Borough President
Municipal Building, 19th Floor South
One Centre Street
New York, New York 10007

The Honorable Ben Kallos
Council Member
New York City Council District 5
The City of New York Council
244 East 93rd Street
New York, New York 10128

The Honorable Liz Krueger
New York State Senator
Senate District 28
1850 Second Avenue
New York, New York 10128

The Honorable Rebecca A. Seawright
New York State Assembly Member
Assembly District 76
1365 First Ave.
New York, New York 10021

Mr. George Candler
Associate Vice President for Planning
and Construction
Rockefeller University
1230 York Avenue
New York, New York 10065

Mr. James Lapple
Vice President of Finance
Rockefeller University
1230 York Avenue
New York, New York 10065

Ms. Nilda Mesa
Director
Mayor's Office of Environmental Coordination
100 Gold Street, 2nd Floor
New York, New York 10038

Mr. Carl Weisbrod, AICP
Chair
New York City Planning Commission
22 Reade Street, Room 4E
New York, New York 10007-1216

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General Counsel
New York City Department of City Planning
22 Reade Street, Room 2N
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Director
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22 Reade Street, Room 4E
New York, New York 10007-1216

Ms. Emily Lloyd
Commissioner
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, New York 11373

Copies of this Notice Sent to (continued):

Mr. David G. Greenfield
Chair, Committee on Land Use
The City of New York Council
250 Broadway, 17th Floor
New York, New York 10007

Mr. Naim Rasheed
Director, Traffic Planning
New York City Department of Transportation
Division of Traffic Operations
55 Water Street, 6th Floor
New York, New York 10041

Ms. Gina Santucci
Director of Environmental Review
New York City Landmarks Preservation Commission
Municipal Building
One Centre Street, Room 9N
New York, New York 10007

Ms. Venetia Lannon
Regional Director, Region 2
New York State Department of
Environmental Conservation
Hunters Point Plaza
47-40 21st Street
Long Island City, New York 11101

Mr. John Bonafide
Director, Bureau of Technical Preservation Services
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island, P. O. Box 189
Waterford, New York 12188-0189

Mr. Nicholas D. Viest
Chair
Manhattan Community Board №. 8
505 Park Avenue, Suite 620
New York, New York 10022-1106

Ms. Latha Thompson
District Manager
Manhattan Community Board №. 8
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One Penn Plaza, 52nd Floor
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Mr. Robert S. Derico
Senior Environmental Manager
Office of Environmental Affairs
Dormitory Authority State of New York
515 Broadway
Albany, New York 12207-2964

Dormitory Authority State of New York

SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: April 10, 2015
Project Name: Rockefeller University
Construction of the River Building and Fitness Center
Project Number: N/A
Completed by: Robert S. Derico, R. A.
Senior Environmental Manager
Office of Environmental Affairs

This Smart Growth Impact Statement Assessment Form ("SGISAF") is a tool to assist you and Dormitory Authority State of New York ("DASNY") Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the State of New York *State Smart Growth Public Infrastructure Policy Act ("SSGPIPA")*, article 6 of the New York State *Environmental Conservation Law ("ECL")*. Not all questions/answers may be relevant to all projects.

Description of Proposed Action and Proposed Project:

The Dormitory Authority State of New York ("DASNY") has been requested by Rockefeller University ("Rockefeller" or the "University") to provide funding for the Construction of the River Building and Fitness Center ("the Proposed Project"). For the purposes of SEQR, the Proposed Action would consist of DASNY's authorization of the issuance of one or more series of fixed- and/or variable-rate, tax-exempt and/or taxable bonds pursuant to DASNY's Independent Colleges and Universities Program in an aggregate amount not to exceed $165,000,000 with maturities not to exceed 31 years are to be sold at one or more times through a negotiated offering and/or a private placement on behalf of the University. The proceeds of the bond issuance would be used, in part, to finance the Construction of the River Building and Fitness Center, as described in this Findings Statement. The bond issuance would also be used to refinance all or a portion of DASNY's The Rockefeller University Revenue Bonds, Series 2005A.

Rockefeller University is seeking a modification to an existing Large Scale Community Facility Development ("LSCFD") plan, a City Map amendment and a special permit from the New York City Planning Commission ("CPC") as well as other discretionary approvals to facilitate the development of: Privately accessible open space; three new community facility buildings containing a total of approximately 181,100 gross square feet ("gsf"); and an approximately 930-foot-long, 8-foot-tall traffic sound barrier (the "New River Building and Fitness Center Project," or the "Proposed Project"). Specifically, the Proposed Project would include development of a new two-story, approximately 157,251 gsf laboratory building with two one-story pavilions and privately accessible landscaped green space on its roof (located on the "Laboratory Building Site"); a one-story, approximately 3,353-gsf conference and meeting pavilion (the "Interactive

Conference Center" or "ICC") located on the North Terrace at the north end of the platform structure (the "North Terrace Site"); a new approximately 20,498-gsf one-story fitness center (located on the "Fitness Center Site"); and a proposed new privately accessible landscaped area on the North Terrace), adjacent to the Rockefeller University's President's House, which is situated on the "superblock" bounded by East 62nd Street and the centerline of demapped East 68th Street, between York Avenue and the bulkhead east of the Franklin Delano Roosevelt ("FDR") Drive and the East River Esplanade. The superblock (Block 1480, Lots 10 and 9010; Block 1475, Lots 5 and 9005) is designated as a LSCFD.

Both the laboratory building and the ICC building would be constructed on an approximately 930-linear-foot platform structure situated largely in air space over the FDR Drive. To structurally support the platform, 20 columns would be located west of the FDR Drive immediately adjacent to and within an existing schist retaining wall, and 10 columns would be located flush with the FDR Drive's eastern edge (within the western portion of the East River Esplanade).

Additionally, the proposed new approximately 20,498-gsf fitness center would be built at the northwest corner of the university campus and an approximately 930-foot-long, 8-foot-tall sound barrier would be constructed along the eastern edge of the FDR Drive (between the FDR Drive and the East River Esplanade) that would extend the entire length of the proposed platform structure.

Smart Growth Impact Assessment: Have any other entities issued a Smart Growth Impact Statement ("SGIS") with regard to this project? (If so, attach same).

☐ Yes ☒ No

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure? Check one and describe:

   ☒ Yes ☐ No ☐ Not Relevant

   The various elements of the Proposed Project would receive water, sewer, gas and electric utilities from the existing municipal infrastructure currently serving the facility. The Proposed Project would maintain and extend the existing infrastructure serving the project site.

2. Is the project located wholly or partially in a **municipal center**, characterized by any of the following: Check all that apply and explain briefly:

   ☒ A city or a village
   ☒ Within the interior of the boundaries of a generally-recognized college, university, hospital, or nursing home campus
   ☐ Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to:

☐ Central business districts (such as the commercial and often geographic heart of a city, "downtown", "city center")
☐ Main streets (such as the primary retail street of a village, town, or small city. It is usually a focal point for shops and retailers in the central business district, and is most often used in reference to retailing and socializing)
☐ Downtown areas (such as a city's core (or center) or central business district, usually in a geographical, commercial, and community sense).
☐ Brownfield Opportunity Areas (http://nyswaterfronts.com/BOA_projects.asp)
☒ Downtown areas of Local Waterfront Revitalization Plan areas (http://nyswaterfronts.com/maps_regions.asp)
☐ Locations of transit-oriented development (such as projects serving areas that have access to mass or public transit for residents)
☐ Environmental Justice areas (http://www.dec.ny.gov/public/899.html)
☐ Hardship areas

DASNY interprets the term "municipal centers" to include existing, developed institutional campuses such as schools, universities, colleges and hospitals. As the Proposed Project site is an existing educational facility, the Proposed Project would be supportive of this criterion.

3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly-defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

The Proposed Project would be located within an existing educational facility within the City of New York.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

The Proposed Project would require modifications to the designated Large Scale Community Facility Development ("LSCFD") to reflect the proposed floor area and lot coverage and would require a special permit for construction in air space over the FDR Drive. These modifications are subject to review under the *City Environmental Quality Review ("CEQR")*. Pursuant to the city's *CEQR* procedures, the University's proposed development required discretionary approval by the CPC in accordance with the *New York City's Uniform Land Use Review Procedure ("ULURP")*. As such, Rockefeller University filed the following application for *ULURP* review: A special permit pursuant to Section 74-682 of the Zoning Resolution to allow the development of the Proposed

Project (*ULURP* Application №. C 140157 ZSM). Additionally, the Proposed Project was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program ("WRP"), as amended, approved by the New York City Council on October 13, 1999, and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is 13-012.

5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe:

   ☒ Yes ☐ No ☐ Not Relevant

   As noted above, the Proposed Project has been reviewed by various New York City agencies and is consistent with the policies of the New York City.

6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe:

   ☒ Yes ☐ No ☐ Not Relevant

   A shadow analysis concluded that the proposed laboratory building and North Terrace would cast new shadows on portions of the East River Esplanade adjacent to the project site in the afternoons during all seasons. These new shadows would eliminate the remaining areas of direct sunlight on the esplanade adjacent to the project site for between 50 minutes in the early spring and fall and up to 2 hours and 40 minutes on the summer solstice.

   As partial mitigation for the shadow impact to the East River Esplanade, Rockefeller University — in consultation with New York City Department of City Planning ("NYCDCP") and New York City Department of Parks and Recreation ("NYCDPR") — would undertake a substantial upgrade to the portion of the esplanade adjacent to the project site. In addition, an approximately 150-foot-long area of the esplanade south of the project site would also be substantially upgraded as partial mitigation for the shadow impact. The substantial upgrades include a reconfigured shared-use pathway, new planting beds with shade-tolerant plantings, new flood-resistant trees, seating, drinking fountains, and irrigation improvements.

   The Proposed Project was reviewed by DASNY in accordance with the provisions of the State Historic Preservation Act of 1980 ("SHPA"), especially the implementing regulations of Section 14.09 of the Parks, Recreation and Historic Preservation Law ("PRHPL"), as well as with the requirements of the Memorandum of Understanding ("MOU"), dated March 18, 1998, between the Dormitory Authority and the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP"). Consultation

with OPRHP is ongoing; however, the Proposed Project was reviewed by the New York City Landmarks Preservation Commission ("LPC").

The proposed laboratory building would directly affect five buildings identified as contributing to the significance of the Rockefeller University Historic District which is State/National Register-eligible ("S/NR-eligible") and New York City Landmark-eligible ("NYCL-eligible") — the Flexner Hall Extension, Welch Hall, the Nurse's Residence, the Hospital, and the Boiler House.

The proposed one-story fitness center with a covered parking lot and landscaping would be small in scale and would complement the design of the 1958-1959 expansion buildings. Based on the original Dan Kiley Plans and the National Register criteria for evaluation (36 Code of Federal Regulations ["CFR"] 60 and 63), LPC has determined that the canopy structure and parking area are contributing elements to the Rockefeller University Historic District's Dan Kiley-designed landscape, the proposed removal of the canopy structure and parking area would result in an adverse impact to the historic district. As partial mitigation for the removal of these landscape elements, a restoration plan for the Philosopher's Garden, which is located immediately south of the Fitness Center Site, would be prepared and implemented prior to construction of the fitness center.

The Proposed Project would not affect visual resources on the campus or nearby. The Project Site is not within the viewshed of any State or National Registered structure. The campus itself is largely composed of buildings of various era's and degrees of architectural significance from a historic resources standpoint. Therefore, the Proposed Project is generally supportive of this criterion.

7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe:

   ☒ Yes ☐ No ☐ Not Relevant

   The Proposed Project would be supportive of this criterion. The existing facility is located within a mixed-use area of New York City and is owned by the University. Rockefeller would allow for the property to be accessed by the community at large during specific hours of the day.

8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe:

   ☒ Yes ☐ No ☐ Not Relevant

   The Proposed Project is located within the Borough of Manhattan. Extensive existing public transportation serves the surrounding area and entire city.

9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials? (Demonstration may include *State Environmental Quality Review ["SEQR"]* coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System ["SPDES"] permit issuance/revision notices, etc.). Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

The New York City Planning Commission ("NYCPC") acted as lead agency, conducting a coordinated review of the Proposed Project in accordance with CEQR and New York's *State Environmental Quality Review Act ("SEQRA").* Other involved agencies and interested parties include, but are not limited to, New York City Mayor's Office of Environmental Coordination, Manhattan Borough President, New York City Planning Commission, New York City Department of City Planning, and New York City Department of Transportation.

10. Does the project involve community-based planning and collaboration? Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

The Proposed Project was approved by Manhattan Borough President and Manhattan Community Board №. 8. As a result, the Proposed Project has involved community-based planning and collaboration and was approved by the municipality.

11. Is the project consistent with local building and land use codes? Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

As noted previously, the Proposed Project require modifications to the designated LSCFD to reflect the proposed floor area and lot coverage and would require a special permit for construction in air space over the FDR Drive. The Proposed Project would also conform to the New York State *Uniform Fire Prevention and Building Code* and all NYC Building and statutory requirements. The Proposed Project is consistent with neighboring land uses within this area of the city and would not result in changes in land use outside the parcel. Therefore, the Proposed Project would be generally supportive of this criterion.

12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations?

☒ Yes ☐ No ☐ Not Relevant

Based on the preliminary screening assessments outlined in the CEQR Technical Manual and as detailed in the Final Scope of Work, the following environmental areas would not

require detailed analysis for the Proposed Project in the FEIS: socioeconomic conditions, community facilities, natural resources, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, and greenhouse gas emissions.

The Proposed Project would expand the existing laboratory facilities of a world-renowned research university within New York City. Therefore the Proposed Project would enhance the existing facility and benefit future generations.

13. During the development of the project, was there broad-based public involvement? (Documentation may include *SEQR* coordination with involved and interested agencies, SPDES permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, Environmental Notice Bulletin ("ENB") or other published notices, letters of support, etc.). Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

As previously noted, NYCPC, acting as lead agency, conducted a coordinated review of the Proposed Project in accordance with *SEQRA*. Other involved agencies and interested parties include, but are not limited to: New York City Mayor's Office of Environmental Coordination, Manhattan Borough President, New York City Planning Commission, New York City Department of City Planning, and New York City Department of Transportation. Hence, the Proposed Project would be generally supportive of this criterion.

14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe:

☒ Yes ☐ No ☐ Not Relevant

The University's governance structure consists of a 40 members Board of Trustees. Through it Communications and Planning Department, the University provides outreach to the city and community at-large.

DASNY has reviewed the available information regarding this project and finds:

☒ The project was developed in general consistency with the relevant Smart Growth Criteria.

☐ The project was not developed in general consistency with the relevant Smart Growth Criteria.

☐ It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria for the following reasons:

ATTESTATION

I, President of DASNY/designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.

Signature

Jack D. Homkow, Director, Office of Environmental Affairs

Print Name and Title

April 10, 2015

Date

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.

2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.

3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

(a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) _____
(b) Financial assistance (e.g. grant, loan, subsidy) __X__
(c) Permit, license, certification _____

2. Describe nature and extent of action: **The Dormitory Authority State of New York ("DASNY") has received a funding request from Rockefeller University ("RU") for its *Construction of the River Building and Fitness Center* as part of DASNY's Independent Colleges and Universities Program. The Proposed Action would involve DASNY's authorization of the expenditure of an aggregate amount not to exceed $165,000,000 of bond proceeds for the Proposed Project, which would involve the construction of an approximately 157,251-gross-square-feet of new laboratory and support space located on a platform spanning the FDR Drive, an approximately 3,353-gsf conference and meeting pavilion, the ICC, located on the North Terrace of the platform spanning the FDR Drive, and a new, approximately 20,498-gsf fitness center at the northwest corner of the campus. Additionally, due to its location primarily over the FDR Drive, the Laboratory Building site and North Terrace site also encompass small areas of the eastern portion of the Rockefeller campus (west of the FDR Drive) and locations where columns for the laboratory building platform and North Terrace platform would be located along the western edge of the East River Esplanade and within and adjacent to the campus's existing schist retaining wall along the western, southbound FDR Drive. RU would also utilize the bond issue to refund existing outstand debt.**

3. Location of action:

New York	New York	1230 York Avenue
County	City, Town or Village	Street or Site Description

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

(a) Name of applicant: **Rockefeller University**
(b) Mailing address: **1230 York Avenue, New York, New York 11963**
(c) Telephone Number: Area Code **(212) 327-8000**
(d) State agency application number: **N/A**

5. Will the action be directly undertaken, require funding, or approval by a federal agency?
Yes **X** No ___ If yes, which federal agency? **United States Army Corps of Engineers, United States Coast Gaurd**

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

		YES	NO
(a)	Significant fish or wildlife habitats?	X	
(b)	Scenic resources of statewide significance?		X
(c)	Important agricultural lands?		X

2. Will the proposed activity have a significant effect upon:

(a)	Commercial or recreational use of fish and wildlife resources?		X
(b)	Scenic quality of the coastal environment?	X	
(c)	Development of future, or existing water dependent uses?		X
(d)	Operation of the State's major ports?		X
(e)	Land and water uses within the State's small harbors?		X
(f)	Existing or potential public recreation opportunities?	X	
(g)	Structures, sites or districts of historic, archeological or cultural significance to the State or nation?		X

3. Will the proposed activity involve or result in any of the following:

(a)	Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?	X	
(b)	Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?		X
(c)	Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area?		X
(d)	Energy facility not subject to Article VII or VIII of the Public Service Law?		X
(e)	Mining, excavation, filling or dredging in coastal waters?		X
(f)	Reduction of existing or potential public access to or along the shore?	X	
(g)	Sale or change in use of state-owned lands located on the shoreline or under water?		X
(h)	Development within a designated flood or erosion hazard area?	X	
(i)	Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?		X

4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program? X

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
Office of Coastal, Local Government and Community Sustainability
One Commerce Plaza
99 Washington Avenue, Suite 1010
Albany, New York 12231-0001

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

The Proposed Project was reviewed by the New York City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is 13-012.

Preparer's Name: Robert S. Derico, RA
(Please print)

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