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July 22, 2019

By Electronic Mail (boroughplan@doc.nyc.gov)

Howard Judd Fiedler, A.I.A.
Director of Design Unit
New York City Department of Correction
75-20 Astoria Boulevard, Suite 160
East Elmhurst, NY 11370

Re: Comments On Draft Environmental Impact Statement: Borough-Based Jail System: Manhattan Site

Dear Mr. Fiedler:

This firm represents Neighbors United Below Canal ("NUBC") in the above-referenced matter. NUBC is a coalition of residents and small businesses that live, work and play in the communities below Canal Street in the Borough of Manhattan that would be deeply affected by the New York City Department of Correction's ("DOC") proposal to demolish the existing buildings located at 124-125 White Street (the "Site") and to construct and maintain a new detention facility (the "Manhattan Detention Center," "MDC" or the "Project") thereon. This letter supplements the oral and written comments presented by members of NUBC at the Public Hearing held by the New York City Planning Commission ("CPC") on July 10, 2019, with respect to the purported Draft Environmental Impact Statement ("DEIS") for the Borough-Based Jail Project ("BBJ Project"), with particular emphasis on the Manhattan Detention Center.[1]

Given the inchoate and evolving character of the BBJ Project, it is unfortunately unsurprising that the DEIS completely fails to identify and take the requisite "hard look" at the intense and severe significant adverse environmental impacts that its poses both in the short term and the long term. With all due respect, it is misleading to even refer to the document as a DEIS,

[1] In preparation of this comment letter, NUBC retained George M. Janes & Associates ("GMJ Associates"). A copy of the Technical Memo prepared by GMJ Associates is attached hereto as Exhibit "A."

since it is so lacking in the essential elements that would allow the lead reviewing agency and the public to rationally identify, consider, assess, and comment upon all potential significant adverse environmental impacts resulting from the Project. Many of the adverse impacts that would result from the Project, moreover, completely negate benefits given to the Chinatown community to make up for burdens imposed upon it when the existing structures at 124-125 White Street were constructed over thirty years ago. The notion that the City would nullify these benefits by siting a Project that would remove sunlight, cast shadows, increase air pollution, disrupt use of recreational rooftop space, displace tenants, cause loss of revenue, and subject the community to long-term construction impacts, without any acknowledgement that they are doing so, is unjust and unlawful.

As discussed herein, the DEIS does not satisfy DOC's basic legal obligations pursuant to the State Environmental Quality Review Act ("SEQRA") and/or the City Environmental Quality Review Act ("CEQR")[2] to identify and study the potential significant adverse cumulative impacts associated with the overall BBJ Project, as well as the site-specific impacts relating to construction of the proposed nearly 50-story MDC, which would contain approximately 1,270,000 gross square feet above-grade floor area, and require demolition of two existing buildings, de-mapping of streets, and additional parking. The purported DEIS is devoid of basic supporting environmental studies and scientific data, which are necessary under the law to satisfy the "hard look" requirement. Failure to prepare, consider, disclose, and to make available for public review and comment this information and studies is a fundamental and fatal flaw.

Moreover, the information that is provided in the DEIS makes clear that the document's overall conclusions with respect to the Manhattan Detention Center are unsubstantiated, lacking in empirical foundation, irrational by any standard, and cannot be supported by law or fact. By way of example, the DEIS discussion and analysis of public health impacts is threadbare, at best, and fails to take into account the baseline condition of the Manhattan study area, which continues to suffer from poor air quality after the terrorist attack on September 11, 2001, the significant adverse health impacts on the vulnerable elderly population of Chung Pak, or the residents of the tenement buildings on Baxter Street, Centre Street, Lafayette Street, Walker Street, Canal Street, Mulberry Street, Mott Street, Bayard Street and Worth Street, or the fact that DOC lacks any information on the hazardous contaminants that the DEIS recognizes underly the Site, much less a plan to remediate that contamination.

Ultimately, as one CPC Commissioner aptly noted, the various detention facilities included in the BBJ Project are "moving targets." In fact, in violation of SEQRA's mandate for strict compliance with its procedural requirements, the Scoping session for the MDC considered a completely different location (80 Centre) than the site proposed for Manhattan in the DEIS (124-

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[2] Except as specifically stated otherwise herein, all references to SEQRA shall be deemed to also refer to CEQR. See Akpan v Koch, 75 N.Y.2d 561, 567, 555 N.Y.S.2d 16, 18 (1990) (noting that CEQR "implements SEQRA in the City of New York"); N.Y.C. Coalition to End Lead Poisoning v Vallone, 100 N.Y.2d 337, 347, 763 N.Y.S.2d 530, 534 (2003) ("As relevant here, the challenges made under CEQR are indistinguishable from the state law [i.e., SEQRA] claims.").

125 White). Moreover, at the CPC work session held on July 8, 2019, DOC announced that the number of detainees to be relocated as part of the BBJ Project would drop by 1,000, from 5,000 to 4,000 detainees. When asked what this change meant to each of the respective facilities, DOC responded that the impact was still being "worked out." At the July 10, 2019 Public Hearing, the City admitted that it still did not know the space requirements for the new projected population of 4,000. The City's inability to define the BBJ Project and the Manhattan Detention Center prevents reasonable assessment of both projects' likely effects, and is contrary to the fundamental purpose and intent of SEQRA. It is manifest that in order to assess environmental impacts, a project must first be defined. (See N.Y.C. Mayor's Office of Environmental Coordination, CEQR Technical Manual at 1-11 (March 2014) (emphasis added) ("CEQR Technical Manual"), at 2-3).

The "DEIS" is severely deficient and, at a minimum, must be supplemented to include additional critical information and analysis, which must be considered by all involved agencies[3] and subject to public review, before any government action may be taken with respect to the BBJ Project.

Failure To Hold Scoping Session for the Actual Manhattan Site Violates Both SEQRA's Mandate for "Strict Procedural Compliance" As Well As Basic Precepts of Environmental Justice

The entire DEIS for the MDC is fatally flawed by DOC's failure to strictly comply with SEQRA's procedural requirements with respect to issuing a Positive Declaration and Scoping. The Positive Declaration requiring the preparation of the DEIS and the Draft Scope of Work for the DEIS concerned a different location for the Project than the Site. (See DEIS at 1-16 ("The Manhattan Site at 80 Centre Street was identified in the Draft Scope of Work, but was subsequently removed from consideration after further evaluation and public review.") As such, the Positive Declaration and the Draft Scope of Work fail to rationally "address[] the interplay between the proposed [P]roject *in its particular location* and conditions in the surrounding area." (See CEQR Technical Manual at 4-14 (emphasis added).)

Moreover, in violation of SEQRA, the Scoping Session here did not actually cover the proposed action that is the subject of the DEIS. See 6 N.Y.C.R.R. § 617.2(ag) (defining "scoping" as the "process by which the lead agency identified the potentially significant adverse impacts related to the *proposed action* that are to be addressed in the draft EIS" (emphasis added)). In fact, the Draft Scope of Work circulated to the public violates the basic objective of a Draft Scope of "describ[ing] the proposed project with sufficient detail about the proposal *and its surroundings* to allow the public and interested and involved agencies to understand the environmental issues." (See CEQR Technical Manual at 1-11(emphasis added.)) The Site that is

[3] All agencies with discretionary authority over the BBJ Project and the MDC Project (i.e., the involved agencies), such as the City Council, must issue their own written SEQRA Findings Statements before making any determinations on the Project. See 6 N.Y.C.R.R. § 617.11(d). If their concerns are inadequately addressed in the EIS, each involved agency "may take such deficiencies into account in making its own decision regarding the action which could result in negative SEQR Findings and a denial." N.Y.S. D.E.C., SEQR Handbook, at 67 (3d ed. 2010)

the subject of the DEIS poses distinct potential significant adverse impacts from the site that was the subject of the Positive Declaration and Draft Scope of Work, and DOC failed to identify these impacts because of its effort to engage in an improper procedural short cut.

It is axiomatic that "SEQRA's policy of injecting environmental considerations into governmental decisionmaking is 'effectuated, in part, through strict compliance with the review procedures outlined in the environmental laws and regulations.'" N.Y.C. Coalition to End Lead Poisoning v Vallone, 100 N.Y.2d 337, 348, 763 N.Y.S.2d 530, 535 (2003), citing Coca–Cola Bottling Co. v. Bd. of Estimate of City of N.Y., 72 N.Y.2d 674, 679, 536 N.Y.S.2d 33 (1988) & quoting Merson v McNally, 90 N.Y.2d 742, 750, 665 N.Y.S.2d 605 (1997).

The judicial mandate for "strict compliance" with SEQRA is not a "meaningless hurdle," but instead is intended to "insure that agencies will err on the side of meticulous care in their environmental review" and not be tempted to "cut corners":

> [T]he requirement of strict compliance and attendant spectre of de novo environmental review insure that agencies will err on the side of meticulous care in their environmental review. Anything less than strict compliance, moreover, offers an incentive to cut corners and then cure defects only after protracted litigation, all at the ultimate expense of the environment

N.Y.C. Coalition to End Lead Poisoning, 100 N.Y.2d 337, 348, 763 N.Y.S.2d 535-536, quoting King v. Saratoga County Bd. of Sup'rs, 89 N.Y.2d 341, 347, 653 N.Y.S.2d 233, 235 (1996)("The [statutory] mandate that agencies implement SEQRA's procedural mechanisms to the 'fullest extent possible' reflects the Legislature's view that the substance of SEQRA cannot be achieved without its procedure, and that departures from SEQRA's procedural mechanisms thwart the purposes of the statute." (quoting N.Y. Envtl. Conserv, L. § 8-103(6).)

Here, by holding a Scoping Session on the wrong location, DOC violated its most basic obligation to present the location of the project. (See CEQR Technical Manual, at 2-8 (stating that for "site specific" actions, "[t]he location and physical dimensions of the project must be presented, including the blocks and lots affected (or, if relevant, GIS shapefiles may also be provided)"); see generally CEQR Technical Manual, at 2-1 (stating that "site specific" projects "are those proposed for a specific location, where approvals specific to the site are required to allow a particular project to proceed.").

DOC's procedural noncompliance in this regard has caused it to fail to fulfill its fundamental SEQRA obligation of identifying the relevant areas of environmental concern. See, e.g., Akpan v. Koch, 75 N.Y.2d 561, 555 N.Y.S.2d 16, 20 (1990) (holding that "[i]n assessing an agency's compliance with the substantive mandates of the statute, the courts must 'review the record to determine whether the agency *identified the relevant areas of environmental concern*, took a 'hard look' at them, and made a 'reasoned elaboration' of the basis of its determination'" (citation omitted, emphasis added). By way of example, unlike the 80 Centre Street site, the Site that is discussed in the DEIS is immediately adjacent to the Chung Pak Senior Centre, which

houses over 100 low income seniors. We understand that NUBC made several requests that another Scoping Session be held on the correct location, all of which were ignored.

Due to the DOC's failure to hold a Scoping Hearing for the actual Manhattan Site that is under consideration, the DEIS provides little, if any meaningful analysis, on how the Project would affect the tenements on and around Baxter, Bayard and Mulberry Streets, Columbus Park, Transfiguration School, Chatham Towers and other residential buildings, or the seniors who reside at Chung Pak, including but not limited to, how these residents, children, and seniors would be impacted by the effects of this massive demolition and construction project. The DEIS's failure to seriously consider the potential air, noise, hazardous materials exposure and other impacts that could foreseeably result from the construction of the Project is particularly egregious with respect to the vulnerable seniors who reside in Chung Pak. Moreover, as the result of the DOC's procedural violation, the DEIS also fails to consider the potential impacts to Chung Pak and other affected residents once the Project is constructed. Chung Pak residents, for example, have access to and regularly use a roof garden, which the Project would place in shadows for much of the year.

Similarly, as the result of the lack of Scoping for the subject Site, the DEIS fails to fully identify and rationally consider the Project's potentially significant impacts on the residents, business, and buildings right across from the Site on Baxter Street. The DEIS fails to consider the impacts of Project construction on these residents, businesses, and buildings, as well as the impact of the Project on them following construction. The DEIS, for example, fails to identify and rationally address the potential construction vibration impacts to these buildings, which are in the Chinatown and Little Italy Historic District, notwithstanding the specific protections afforded to these defined Adjacent Historic Structures. Indeed, the DEIS also does not rationally address how pile driving on the Site, which is located on the former Collect Pond and is affected by "unstable soils," (see DEIS at 4.5-8), could be conducted in compliance with Department of Buildings Technical Policy and Procedure Notice ("TPPN") #10/88, or how, if pile driving is prohibited by TPPN #10/88, the Project could be constructed.

The DEIS concedes that its lacks basic required analyses, including "a Phase II Investigation, and the resulting Remedial Action Plan (RAP), and Construction Health and Safety Plan (CHASP)" because the "Manhattan Site was changed." (See DEIS at 4.7-1.)

DOC's procedural failing also violates basic Environmental Justice precepts, which are aimed, in significant part, in overcoming "the lack of meaningful public participation by minority and low-income communities in the permit process, the unavailability or inaccessibility of certain information to the public early in the permit process, and the failure of the permit process to address disproportionate adverse impacts on minority and low-income communities." (See N.Y.S. D.E.C., Commissioner Policy 29, "Environmental Justice and Permitting" (March 2003) ("DEC Environmental Justice Policy"), at 1); see also https://www1.nyc.gov/site/sustainability/onenyc/environmental-justice.page (explaining that the City's strategic OneNYC plan aims to promote Environmental Justice, stating that "it is imperative that we empower communities through public dissemination of data and the creation of venues for participatory planning. We need the help of community stakeholders to identify at-risk

populations, toxic 'hot spots', research gaps, and effective implementation strategies. Only through the joint deployment of scientific expertise and local knowledge will we achieve clean, healthy, livable, and sustainable communities across the city.").

To the extent DOC would contend that its so-called "Neighborhood Advisory Committees" ("NACs") substituted for the required public Scoping process, it should remember that the DEIS makes clear that the NACS were not open to the public, but, rather, were limited to select "community leaders" as a sort of ill-defined task force. (See DEIS at 1-15.) In fact, NUBC members who tried to attend NACs Meeting regarding the Site were shut out. We understand that even reporters were asked to leave because these were "not public meetings." This sort of invitation only process violates SEQRA. See Williamsburg Around the Bridge Block Assn. v. Giuliani, 223 A.D.2d 64, 67, 644 N.Y.S.2d 252 (1st Dept. 1996) (rejecting City's use of a "Task Force" to develop a protocol for measures to contain lead dust from bridge project, and characterizing this process as "something of an ersatz EIS" that "only allowed limited public participation and scrutiny").

Finally, we note that even the Scoping conducted for 80 Centre Street was flawed. We understand that many members of the public were prevented from attending and otherwise denied the opportunity to meaningfully participate in the Scoping process because the location of that Scoping Session reached overcapacity for fire safety purposes.

It is axiomatic that the "[o]pportunity for public participation and engagement is an essential and mandatory part of the SEQRA process. At each step, the agency must provide for public comment, usually through a written public comment period." Friends of P.S. 163 v Jewish Home Lifecare, 30 N.Y.3d 416, 426 68 N.Y.S.3d 382, 386 (2017). DOC must issue a new Positive Declaration for the Site, a Draft Scope of Work tailored to the actual Site that is under consideration, and then hold a public Scoping Session on this Draft Scope. See 6 N.Y.C.R.R. 617.8(d) ("Scoping must include an opportunity for public participation."); Ordonez v City of N.Y., 60 Misc. 3d 1213(A), 2018 WL 3385054, at *3 (Sup Ct. N.Y. Cty. July 11, 2018) ("The scoping procedure that is permissible under SEQRA is mandatory under CEQR."), citing 62 R.C.N.Y.).[4]

[4] The SEQRA/CEQR process for the Site would be subject to the SEQRA regulations as revised effective January 1, 2019 since a new Positive Declaration will have to be issued here. See N.Y.S. D.E.C., SEQRA Findings Statement for Amendments to 6 NYCRRR Part 617 (2018), at 26, ¶ VII. Of relevance to this discussion, the SEQRA regulations as amended require scoping for all environmental impact statements. See 6 N.Y.C.R.R. § 617.8(a); see N.Y.S. D.E.C., Final Generic Environmental Impact Statement on the Proposed Amendments to the Regulations that Implement SEQRA, at 122 (accepted June 13, 2018) (stating that regulations would be amended to make Scoping mandatory because "Scoping is a critical step in identifying issues that must be discussed in the EIS").

Supplemental Draft Environmental Impact Statement is Required to Correct Deficiencies In DEIS, Which Cannot Be Corrected in an FEIS

Where, as here, new relevant information or analyses are developed and/or there are changes proposed for a project subsequent to the filing of a DEIS, a supplemental environmental impact statement ("SEIS") containing this information must be circulated to provide the public and relevant agencies with the opportunity to review and comment upon it. Horn v. Int'l Bus. Machines Corp., 110 A.D.2d 87, 493 N.Y.S.2d 184, 192 (2d Dept. 1985), appeal denied, 67 N.Y.2d 602, 499 N.Y.S.2d 1027 (1986); 6 N.Y.C.R.R. § 617.9(a)(7). Of particular relevance here, DOC cannot evade public review by inserting the voluminous missing materials into a final environmental impact statement ("FEIS"):

> [C]ourts have cautioned that the omission of required information from a draft EIS cannot be cured by simply including the required data in the final EIS since the abbreviated comment period for the final EIS "is not a substitute for the extended period and comprehensive procedures for public and agency scrutiny of and comment on the draft EIS."

Id. at 192, quoting Webster Assoc. v. Town of Webster, 59 N.Y.2d 220, 228, 464 N.Y.S.2d 431 (1983).

DOC Cannot Make "Reasonable Assessments" and the Public Cannot Fairly Participate in the Project Review in the Absence of an "Adequate Definition" of the Project

The City's own guidance for agency environmental review under CEQR establishes that DOC cannot make "reasonable assessments" about the Project's potential significant adverse impacts because the Project's characteristics are inadequately defined. As the CEQR Technical Manual states, "*[w]ithout adequate definition of project characteristics, reasonable assessments cannot be made as to the project's likely effects.*" (CEQR Technical Manual, at 2-3 (emphasis added).) Moreover, as the CEQR Technical Manual further establishes, an ill-defined project critically inhibits the public's opportunity to participate in the environmental review process. (See id. ("The project definition also serves to inform all interested and involved persons and agencies about the proposal and is typically contained in a 'Project Description.'")); DOC's failure to abide by the plain language of the CEQR Technical Manual is, in itself, irrational. Cf. Mid Island Therapy Assocs., LLC v N.Y.S. Educ. Dept., 129 A.D.3d 1173, 1175, 10 N.Y.S.3d 688, 690 (3d Dept. 2015) ("[A]n agency determination arrived at in a manner inconsistent with its own regulations is not supported by a rational basis. Although 'an agency's interpretation of its own regulation is entitled to deference,' 'courts are not required to embrace a regulatory construction that conflicts with the plain meaning of the promulgated language.'" (citations omitted).

In any event, the DEIS is fundamentally flawed by its inability to define the Project, much less to rationally assess its potential significant adverse impacts, which prevent the public from considering and commenting upon it. See Coalition Against Lincoln West v City of New

York, 60 N.Y.2d 805, 807, 60 N.Y.2d 805, 807 (1983) (holding that DEIS must "provide an adequate basis for public consideration of [project] impact[s]").[5]

Here, the entire DEIS is flawed by its inability to provide meaningful details about the Project. As the DEIS acknowledges, "detailed plans for the proposed detention facility and detailed construction logistics" "are not known at this time." (See DEIS at 4.14-2.) The lack of information about the Project prevents the DEIS from providing reasonable assessments about its potential significant adverse impacts, and also violates the public's right to informed decisionmaking that incorporates public input. DOC's decision to initiate public review of a DEIS so lacking in basic information violates the public's right to Due Process. See CBF Industria de Gusa S/A v. AMCI Holdings, Inc., 316 F.Supp.3d 635, 652 (S.D.N.Y. 2018) ("In this Circuit, '[t]he fundamental requirement of due process is the opportunity to be heard' at a meaningful time and in a meaningful manner." (citations omitted).)

The only Project characteristic that the DEIS does make clear is its magnitude, and on this point it is extremely misleading. While the DEIS "Project Description" states that "[t]he maximum zoning height for the purposes of analysis would be approximately 450 feet," (see DEIS at 1-9), as stated elsewhere in the DEIS, the 450 foot reference is to habitable space only. (See DEIS at 4.1-14.) The Project would actually have "a maximum base and building height above the curb level of each street frontage of *490 feet*, for rooftop mechanical bulkheads, parapets, and rooftop horticultural and related spaces." (See id.)

This lack of an adequate Project description further confirms DOC's obligation to re-start the SEQRA process for the Project. As the City's own CEQR Technical Manual makes clear, "the first step in an environmental assessment is to define project characteristics." (CEQR Technical Manual, at 2-3.) Here, however, DOC has failed to define basic characteristics of the Project, including, but not limited to basic information such as: Project design; Project lighting; the size and manner of the purported street level retail spaces; whether there would be community space at the ground level; the location of vehicular access points to the Project, the number of emergency generators, how much fuel would have to be stored on Site for each generator, the location of each generator and fuel supply source, consistency of fuel storage in a projected flood zone with the New York City Waterfront Revitalization Program, Lower Manhattan Coastal

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[5] See also Glen Head--Glenwood Landing Civic Council v Town of Oyster Bay, 88 A.D.2d 484, 494–95, 453 N.Y.S.2d 732, 739 (2d Dept. 1982) (requiring supplemental environmental impact statement ("SEIS") where "significant information [was] received by the [reviewing agency] after completion of the environmental impact statement," noting that SEQRA's "circulation and comment requirements insure 'informed decision making by providing procedural inputs for all responsible points of view on the environmental consequences of a proposed * * * action,' guard against lead agency error or bias, and help the lead agency identify problems, thereby improving its evaluation of a proposed project" (citations omitted)).

Resiliency Project and other applicable programs, whether variances are required to store the amount of fuel needed, and whether the amount of fuel needed could be safely secured.[6]

With reference to the overall BBJ, DOC should clarify where women and people with mental and physical issues be located, as well as the contagious disease unit, and when the potential environmental impacts of those facilities will be addressed. DOC should also address the potential impacts of its apparent plan to close the Vernon C. Bain Correctional Center, which we understand houses approximately 800 individuals and many employees.

This is not a complete list of all failures of the DEIS to define the Project's characteristics, which trigger DOC's obligation to, at a minimum, prepare and circulate for public comment an adequate SEIS.

"Mitigation Measures of Undisputed Importance" and other Analyses That are "Essential to an Understanding of the Environmental Impact" of the Project Cannot Escape Public Review under SEQRA

The Court of Appeals has unambiguously held that "mitigation measures of undisputed importance" and other analyses that are "essential to an understanding of the environmental impact" of a project cannot escape public comment and agency review under SEQRA. Bronx Comm. for Toxic Free Sch. v. N.Y. City Sch. Const. Auth., 20 N.Y.3d 148, 958 N.Y.S.2d 65, 69 (2012). Bronx Committee concerned a proposal to locate public schools on a contaminated site. Id. at 152, 958 N.Y.S.2d at 66. The EIS prepared for the project, however, "fail[ed] to discuss [] the methods [the agency] adopted for long-term maintenance and monitoring of the controls it used to prevent or mitigate environmental harm." Id. at 153, 958 N.Y.S.2d at 66. The Bronx Committee Court rejected as "without merit" the respondent agency's argument that "it should not have to describe the long-term maintenance and monitoring measures in a supplemental EIS because (1) it reasonably chose not to decide on those measures before its EIS was filed and (2) it adequately described them in the site management plan approved by the DEC as part of the Brownfield Program." Id. at 156, 958 N.Y.S.2d at 68.

Rejecting the agency's argument, the Court of Appeals held that "[w]here important decisions about mitigation can only be made after the initial remedial measures are complete, a supplemental EIS may be called for, as it is here." Id. at 156, 958 N.Y.S.2d at 69. The Court flatly rejected the agency's argument, which is similar to statements made by DOC in the DEIS, that "submission of the site management plan to the DEC, or the approval of that plan as part of the Brownfield process" would in any way "justify short-circuiting SEQRA review." Id. As the Court held, "[t]he Brownfield Program and SEQRA serve related but distinct purposes." Id.

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[6] The potential dangers from storing what will undoubtedly be many thousands of gallons of fuel for a building of the size proposed are completely ignored. The DEIS only notes that the proposed facilities are intended to "remain fully operational" in the event of a power loss and that "the proposed detention facilities would be equipped with emergency electrical generators and fuel storage to provide power for several days of power outages." (DEIS at 6-18.)

Rather, of critical importance for DOC to understand here, "SEQRA is designed to assure that the main environmental concerns, and the measures taken to mitigate them, are described in a publicly filed document identified as an EIS, as to which the public has a statutorily-required period for review and comment." Id. at 156-157, 958 N.Y.S.2d at 69.[7]

Here, the DEIS fails to fulfill DOC's fundamental "hard look" obligation under SEQRA to take seriously the potential significant adverse impacts posed by the Project. See Nash Metalware Co. v Council of City of New York, No. 400331/06, 14 Misc. 3d 1211(A), 836 N.Y.S.2d 487, 2006 WL 3849065, at *14 (Sup Ct. N.Y. Cty. Dec. 21, 2006) ("While the term 'hard look' may be infelicitous, it recognizes the intent of the Legislature in SEQRA that its concerns that environmental issues are serious and that in making decisions which may have the potential to cause a material adverse environmental effect, they should take such concerns seriously. The 'hard look' requirement is an attempt to implement such intent.".)[8]

The DEIS on its face admits that critical analyses that are essential for the public and other agencies to understand the environmental impact and that are necessary to the development of mitigation measures of undisputed importance have been omitted, including, but not limited to:

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[7] See also Merson v. McNally, 90 N.Y.2d 742, 750, 665 N.Y.S.2d 605, 609 (1997) ("A SEQRA review process conducted through closed bilateral negotiations between an agency and a developer would bypass, if not eliminate, the comprehensive, open weighing of environmentally compatible alternatives both to the proposed action and to any suggested mitigation measures."); AC I Shore Road, LLC v Inc. Village of Great Neck, 43 A.D.3d 439, 442 841 N.Y.S.2d 344, 347 (2d Dept. 2007) (invalidating SEQRA review where "while the DGEIS noted that the soil in the area to be rezoned is potentially contaminated, and referred to an environmental report describing contamination on the petitioner's property, the DGEIS and the SEQRA findings statement simply concluded that the petitioner's property will be remediated in accordance with applicable standards and requirements, without examining whether the area can be remediated to residential standards"); Penfield Panorama Area Community v. Town of Penfield Planning Bd., 253 A.D.2d 342, 349, 688 N.Y.S.2d 848, 853 (4th Dept. 1999) (invalidating SEQRA review following preparation of an EIS in which a the respondent agency "conditioned its approval of the project on [the applicant's] agreement to get approval of a site remediation plan from the [the New York State Department of Environmental Conservation and the county department of health] before any construction begins," holding that "deferring resolution of the remediation was improper because it shields the remediation plan from public scrutiny").

[8] See generally Bronx Committee for Toxic Free Schools, 20 N.Y.3d at 155, 958 N.Y.S.2d at 68 (holding that agency's SEQRA record must evidence, inter alia, that the agency "took a 'hard look' at" at the "relevant areas of environmental concern" (citation omitted)); see also Halperin v. City of New Rochelle, 24 A.D.3d 768, 809 N.Y.S.2d 98, 105 (2d Dept. 2005) (holding agency land use determinations must have "some objective factual basis"), leave to appeal denied by 6 N.Y.3d 890, 817 N.Y.S.2d 624 (Table), and by 7 N.Y.3d 708, 822 N.Y.S.2d 482 (Table) (2006).

1. **Hazardous Materials**: The DEIS forthrightly states that "a Phase II Investigation, and the resulting Remedial Action Plan (RAP), and Construction Health and Safety Plan (CHASP) have not yet been completed for the Manhattan Site." (See DEIS at 4.7-1.) DOC cannot seriously deny that these analyses and mitigation measures are of critical public importance. Indeed, DOC prepared these studies for the proposed sites in Queens, Brooklyn and the Bronx. Additionally, the Phase I Environmental Site Assessment ("ESA") for 124-125 White Street "revealed evidence of recognized environmental conditions (RECS)," which signifies "'the presence or likely presence of hazardous substances or petroleum products in, or, or at the property.'" (See DEIS at 4.7-2, quoting ASTM E1527-13, Standard Practice for Environmental Site Assessments.)

As the DEIS acknowledges, potential contaminants of concern on the Site include volatile organic compounds ("VOCS"), semivolatile organic compounds ("SVOCS"), polychlorinated biphenyls ("PCBs"), pesticides, herbicides, rodenticides, metals, fuel oil, fill material of unknown origin, asbestos, and lead-based paint. (See DEIS at 4.7-3 to 4.7-8.) Other RECs at 124 White Street include its former use as a filling station for thirty (30) years, and the presence of fuel oil storage tanks. The DEIS further acknowledges that the Phase I ESA was incomplete, as certain areas that "could be associated with RECs "were inaccessible," and that many businesses that formerly operated at the site potentially used hazardous materials, which could also be associated with RECs. Because no Phase II has been conducted, it remains unknown whether and to what extent these prior uses, as well as the "numerous" petroleum spills from Con Edison equipment, have impacted the existing conditions. Further, DOC has not identified the scope of remediation and safety measures that are necessary to protect human health and the environment during both demolition or construction. Id. at 4.7-4.

The DEIS provides two reasons for DOC's failure to document existing conditions and analyze the impact of hazardous materials on human health and the environment, neither of which cures its unquestionable violation of SEQRA. First, DOC claims that it could not complete the requisite studies because, after the Final Scoping Session, DOC changed the location of the Manhattan Site. (DEIS at 4.7-1.) DOC also claims that it needed approval from New York City Transit (NYCT) before it could access and conduct subsurface investigations, and that this necessary approval delayed its investigation.[9]

Excuses aside, the law is clear -- an agency's failure to assess existing environmental conditions and to disclose for public review proposed plans for remediation and

[9] DOC's attempt to excuse these glaring deficiencies in the DEIS is disingenuous. SEQRA cannot be short-circuited because DOC decided at the last minute, *after* the Scoping Session, to change the detention facility location from 80 Centre Street to 124-125 White Street. In addition, the DEIS does not explain what efforts DOC made to obtain access from NYCT (another City agency) for purposes of performing a Phase II investigation, and when those discussions were held. DOC presumably would have needed to commence the same discussions for access from NYCT regardless of the change in the location since subway infrastructure exists in proximity to the former 80 Centre location as well.

management of hazardous materials, violates SEQRA.[10] See Bronx Comm. for Toxic Free Sch., 958 N.Y.S.2d at 69; see also, Penfield Panorama Area Community, 253 A.D.2d at 349-50, 688 N.Y.S.2d at 853-54 (holding that the failure to conduct a hazardous materials assessment on a project site owned by a municipality was a violation of SEQRA).

As explained above, moreover, due to DOC's failure to hold a Scoping Hearing for the actual Manhattan Site that is under consideration, the DEIS provides no analysis on how exposure to hazardous materials during and after demolition and construction would affect the senior population residing at Chung Pak or other residents in the area. The DEIS, for example, does not discuss the impacts resulting from exposure to hazardous materials on Chung Pak senior residents, whose age and health make them particularly vulnerable to significant adverse impacts resulting from the demolition of the existing structure, which will involve "extensive excavation," and construction of a massive structure. (See "Negative Impacts of Major Construction in Senior Communities and The Building of New York City's Borough-Based Jail System, prepared by Sienna Trice, dated February 2019, annexed hereto as Exhibit "B," which is incorporated herein by reference). Nor does the DEIS discuss adverse impacts on children at nearby schools, or workers in local businesses.

Thus, without any understanding of: a) the extent of hazardous materials present at the Site; b) the remediation that will be required; or c) the effects of hazardous materials exposure on vulnerable populations in the study area, the DEIS remarkably concludes that there are no significant adverse hazardous materials impacts from or following construction. (DEIS at 4.7-6.) This is absurd and fatal to the DEIS. DOC must, at the very least, supplement the DEIS to address the omissions concerning hazardous material conditions and impacts.

2. **Public Health Assessment**: The DEIS's public health analysis is completely deficient. There is no basis for accepting the conclusion that no public health assessment is warranted, which is based solely upon flawed hazardous materials, noise, and air quality analyses.

The DEIS irrationally relies upon the generic statement in the CEQR Manual that "for most proposed projects, a public health analysis is not necessary" where no significant unmitigated adverse impact is found in other CEQR impact areas. (DEIS at 4.12-1; CEQR Technical Manual, 20-2.) This general statement presumes that the technical analysis in the other impact areas took a 'hard look' at the potential significant adverse impacts. Unfortunately, the DEIS in this case falls woefully short of the 'hard look' mandated under SEQRA/CEQR.

For example, despite the fact that DOC has not conducted a Phase II ESA on a site that its Phase I ESA recognizes almost certainly is contaminated, (see DEIS at 4.7-1 & 4.7-3 to 4.7-8), the DEIS audaciously asserts that "the proposed project at the Manhattan Site would not result in unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality or noise)." (See DEIS at 4.12-1.) The

[10] It is also clear that the failure to complete a Remedial Action Plan for the MDC is inconsistent with the New York City Waterfront Revitalization Program policies 7.1-7.3. (DEIS at 4.1-20-21.)

CEQR Technical Manual however, sets forth a low threshold triggering the obligation to conduct a public health analysis, stating that "[w]hen significant adverse hazardous materials impacts are identified . . . and *may not be fully mitigated*, that hazardous materials impact should be evaluated for its potential impact on the health of the potentially affected population." (CEQR Technical Manual, at 20-5 (emphasis added)); see also Silvercup Studios v Power Authority of N.Y, 285 A.D.2d 598, 600, 729 N.Y.S.2d 47, 49 (2d Dept. 2001) ("'Because the operative word [in SEQRA] triggering the requirement of an EIS is 'may', there is a relatively low threshold for the preparation of an EIS.'" (citation omitted)). Here, the DEIS recognizes that the Site is affected by multiple RECs, which the DOC has not even begun to evaluate, much less mitigate. (See DEIS at 4.7-1 & 4.7-3 to 4.7-8.) DOC must conduct a public health evaluation, which must be subject to public review and comment. (See CEQR Technical Manual, at 20-5.)

A public health assessment must be conducted for the additional, independent reasons that the proposed MDC may have a potential significant adverse effect on air quality and noise during construction and/or operation. The DEIS, for example, wholly failed to consider the age of the affected population, including, but not limited to, the Chung Pak seniors living directly adjacent to the Site, the children attending Transfiguration and other nearby schools, including PS 1, PS 124, PS 130, St. James/St. Joseph's, and Murray Bergtraum High School, workers in surrounding small businesses, or the physical and mental health impacts of the air and noise from the proposed Project on a population which has already uniquely suffered the impacts from 9/11. The air quality and noise analyses are flawed, as is the conclusion that the Project would not result in any potential significant adverse air quality or noise impacts. Accordingly, the determination that no public health assessment is warranted has no legitimate rationale or support.

3. **Construction Impacts**: In light of the DEIS's forthright admission that "detailed plans for the proposed detention facility and detailed construction logistics" "are not known at this time," (see DEIS at 4.14-2), the DEIS's entire Construction section has no factual or empirical basis, and generally fails to seriously address the potential significant impacts that the Project's construction would cause. Moreover, to the extent the DEIS purports to set forth the required Preliminary Construction Assessment ("PCA") for the Project's concededly "long-term" (i.e., more than two year) construction, it is extraordinarily deficient. (See CEQR Technical Manual at 22-2 to 22-4.) A legitimate PCA must be produced and be subject to public review.

Other critical analyses and mitigation measures that are absent from the DEIS include, but are not limited to:

a. **Construction Protection Plan**: The DEIS concedes that DOC has deferred consideration of a Construction Protection Plan ("CPP"), which it recognizes is necessary "to avoid inadvertent construction-related impacts, and states that DOC improperly intends to develop a CPP "in consultation with" the Landmarks Preservation Commission ("LPC") without any opportunity for public review and input. (See DEIS at 4.5-3 to 4.5-4.)

A CPP must be presented that addresses the potential the impacts of construction activities, including upon portions of the Chinatown and Little Italy Historic District that are within 400 feet of the Site. (See CEQR Technical Manual at 22-7 ("If a project's construction activities are within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site."). Portions of the Chinatown and Little Italy Historic District are within 400 feet of the Site, and as the DEIS recognizes, there are thirteen (13) historic buildings within ninety feet (90') of the Project Site, including three (3) buildings on Bayard Street (104-108 Bayard Street), two (2) buildings on Canal Street (218-220 Canal Street), and seven (7) buildings on Baxter Street (79-93 Baxter Street). (See DEIS at 4.5-18 & Fig. 4.5-1.)

The CPP must also address the extreme engineering practices required for demolition and construction activities for the Project. The DEIS also recognizes that, as evidenced by the construction of the Louis J. Lefkowitz State Office Building, the Site is encumbered by "unstable soils" as the "result of filling in the Collect Pond." (See DEIS at 4.5-8.) Indeed, photographs of the existing MDC on the Site show evidence of extreme settling, highlighting the precarious nature of subsurface conditions and the need for extreme engineering practices to construct there. (See Photographs annexed hereto as Exhibit "C".)

The DEIS notes that as the result of the unstable soils affecting the area above the former Collect Pond, "[t]he construction efforts required to complete the [State Office] building's foundation and ensure stability of the building were extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles." (DEIS at 4.5-8.) The construction of the jail and criminal court at 125 White Street "faced similar engineering difficulties," such that its support columns . . . were reportedly designed to extend through fill material and unstable soils associated with the pond and marshes." (Id.) As discussed in further detail below, the DEIS does not explain how pile driving could be conducted in compliance with TPPN #10/88, and does not otherwise address how the Project could be constructed without adversely impact sensitive structures and residents in the affected area.

b. **Disruption of Traffic/Pedestrian Operations From Construction Activity**: The DEIS is forthright that it contains no analysis of "the extent to which traffic operations" and "pedestrian operations would be disrupted as a result of construction activity," stating:

> Because detailed plans for the proposed detention facility and detailed construction logistics, including any necessary street or sidewalk closures, are not known at this time, the level of specificity necessary to quantify the extent to which traffic operations would be disrupted as a result of street network access accommodations requested to facilitate the construction effort cannot be made at this time.

(See DEIS at 4.14-2.)[11] The adverse impacts associated with the disruption of traffic and pedestrian flow as the result of the Project's construction are of obvious public importance. Such disruption could, inter alia, result in substantial residential and/or business displacement. The businesses along Baxter Street, for example, stand to be tremendously adversely impacted by the construction of the Project, and have a right to understand the potential impact and to review and comment upon any measures aimed at avoiding and/or mitigating these impacts. DOC must explain how vehicular and pedestrian traffic along Baxter Street, Centre Street, Bayard Street and White Street will be affected by Project related demolition and construction activities, including, but not limited to, describing any proposed lane closures and their duration.

4. **Phase 2 Archaeological Analysis**: The DEIS recognizes that the Site "would have served as an important resources [sic] to the local indigenous population, (see DEIS at 4.5-8),[12] and concedes that "deeply buried precontact archaeological resources and historic fill may be present within the southwestern corner of Block 198, Lot 1 on the Site, and that the Supplemental Phase 1A Study "recommended that additional archeological analysis in the form of the review of new soil borings," and that this analysis, which "would presumably be completed as part of the project planning and design phase, could warrant "additional archaeological analysis." (See DEIS at 4.5-16 to 4.5-17.) Again, however, the DEIS indicates that DOC improperly intends to undertake this additional analysis solely "in consultation with the LPC," without public review and input. (See DEIS at 4.5-3 to 4.5-4.)

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[11] (See also id. ("Because detailed plans for the proposed detention facility and detailed construction logistics, including any necessary street or sidewalk closures, are not known at this time, the level of specificity necessary to quantify the extent to which pedestrian operations would be disrupted as a result of construction activity (construction worker related and due to potential public infrastructure access accommodations requested to facilitate the construction effort) cannot be made at this time.").)

[12] The DEIS's failure to adequately address the archaeological resources at risk is irrational in light of the fact that it recognizes the important role the Site played in the lives of Manhattan's original inhabitants, stating:

> The Phase 1A Study and Supplemental Phase 1A Study stated that Native American habitation sites in the region are most often located in coastal areas with access to marine resources, near fresh water sources and areas of high elevation and level slopes and are often in close proximity to previously identified archaeological sites. While the majority of the project site was formerly inundated by the waters of the Collect Pond, Native American activity is documented along the shores of the pond, and the Collect Pond itself is known to have been an important source of resources for the local indigenous population. Therefore, while the site was not likely used as a habitation site given the site's inundation, it would have served as an important resource to the local indigenous population.

(DEIS at 4.5-8.)

Even worse, the DEIS does not even offer the promise of further analysis with respect to the Proposed Demapping Area on White Street, incorrectly stating that no analysis is required because "[a]s currently proposed, the project would not result in subsurface disturbance within White Street." (See DEIS at 4.5-17.) First, this statement is flatly contradicted by the DEIS itself, which states that the demapping of White Street is required, "to facilitate the construction of the structure above the streetbed and *a cellar below the streetbed.*" (See DEIS at 1-9 (emphasis added).) This statement in the DEIS is also irrational given: (i) the fact that there is no apparent design for the Project yet, and; (ii) the fact that the Site is encumbered by "unstable soils" as the "result of filling in the Collect Pond," which would likely require "extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles," which may be "designed to extend through fill material and unstable soils associated with the pond and marshes." (See DEIS at 4.5-8; see also DEIS at 4.7-5 ("Construction of the new facility would require extensive excavation of the Manhattan Site").)

5. **Solid Waste Management:** Another shortcoming of the DEIS is that it contains no information or analysis with respect to solid waste production. There is no excuse for this lapse, particularly given the number of additional people that would eat and work at each Site, seven (7) days a week, 52 weeks a year, as well as the "extensive excavation" required to build the MDC Project. (See DEIS at 4.7-1). Solid waste and service demand generated by the Project should be disclosed and evaluated to determine whether the Project "may increase a component of the City's waste stream beyond the projections for that component in the [City's Solid Waste Management Plan]." (CEQR Technical Manual, 14-6.)

The solid waste impacts that would result from the Project are closely linked to other technical analysis, such as traffic, air quality and noise. Id., 14-9. The DEIS must be supplemented to: a) identify the amount of solid waste (including, but not limited to, medical waste) generated at each proposed BBJ site, b) assess whether additional trucks or other sanitation services would be required, and c) determine whether excavation would generate quantities of solid waste that exceed local and regional disposal capacity. Without this information, there is no way a meaningful evaluation of the potential traffic, air quality and noise impacts could be completed, nor any meaningful conclusions regarding such impacts derived.

This is not a complete list of each and every analysis and/or mitigation measure of undisputed importance that has been omitted from the DEIS, which, again, trigger DOC's obligation to, at a minimum, prepare and circulate for public comment an adequate SDEIS.

Specific Comments on DEIS Impact Analysis

The comments above reveal several major defects in the DEIS which, in and of themselves, mandate the commencement of a completely new SEQRA review of the BBJ Project and the proposed MDC. In addition to those defects, there are a number of other significant flaws in the analyses contained in the DEIS, which are discussed below in the order of the impact

categories studied in the DEIS, as well as in the Technical Memo prepared by GMJ Associates, annexed hereto as Exhibit "A," and other Exhibits to this letter.[13]

1. Project Description

In addition to the flaws in the Project Description described above, the DEIS also fails to describe and/or detail the "Zoning Text Amendment" that it states is required for the overall BBJ Project, other than to assert that it would "establish[] a special permit allowing use, bulk, parking and loading modifications for borough-based jails." (See DEIS at 1-1, at Table 1-2.) While the Project itself is "site specific," the Zoning Text Amendment is "generic," and requires a different analysis. (See CEQR Technical Manual at 2-2 (stating that generic actions include "[z]oning changes in or more neighborhoods," and Require Worst Case Development Scenario ("RWCDS") "that captures the upper range of potential development").

Because all four currently proposed detention facility sites would result from the Zoning Text Amendment, their impacts must be cumulatively assessed under SEQRA. Indeed, DOC has presented the BBJ Project as one project under ULURP, and should have considered the cumulative impacts of all four proposed detention centers for purposes of SEQRA/CEQR, in addition to consideration of impacts on a site-specific basis. The BBJ Project is part of a city-wide plan to close Riker's Island Jail. (See *Smaller, Safer, Fairer*, 2017). The four proposed jails are being held out as complementary components of the city-wide plan. As such, consideration of the combined effects of the four jails is required. Vill. of Westbury v. Dept. of Transport., 75 N.Y.2d 62, 550 N.Y.S.2d 604 (1980).

DOC must also address issues including other projected or potential sites that are susceptible to development pursuant to the Zoning Text Amendment, and then develop and publicly present a RWCDS. (See CEQR Technical Manual at 2-10 to 2-11.) To begin with, DOC should clarify whether the Zoning Text Amendment could apply to projects other than the four that are under consideration. We understand that DOC has indicated that size of the Project will be "reduced"; in light of this, DOC should clarify whether the Zoning Text Amendment would still allow the additional 3.15 FAR. DOC should also make available to the public a draft of the Zoning Text Amendment, and consider whether the Amendment will create precedent for other zoning actions throughout the City.

2. Land Use, Zoning and Public Policy

Overall Irrationality of DEIS Land Use Section

The DEIS's entire analysis of the Project's potential adverse land use impacts is flawed, in the first instance, by its inadequate description of the Project, (see DEIS at 4.14-2), which prevents reasonable assessments of the Project's land use impacts and prevents the public from meaningfully commenting on those impacts (see CEQR Technical Manual, at 2-3), and its

[13] All Exhibits to this letter are incorporated herein by reference, and should be treated as comments on the DEIS.

overall failure to rationally assess the interplay between the Project in its particular location and conditions in the surrounding area. (See CEQR Technical Manual at 4-14.)

The DEIS's land use analysis is also flawed by its assumption that "[t]he proposed detention facility would be approximately 450 feet high." (See DEIS at 4.1-13.) On the very next page, the DEIS acknowledges that the Project would actually have "a maximum base and building height above the curb level of each street frontage of *490 feet*, for rooftop mechanical bulkheads, parapets, and rooftop horticultural and related spaces." (See DEIS at 4.1-14.) This additional 40 feet is significant, and DOC's analysis must take it into account.

Irrational Conformance Analysis

The DEIS also fails to seriously address "the [P]roject's compatibility and consistency with surrounding land uses and zoning as they would exist in the future without the [P]roject." (See CEQR Technical Manual at 4-14.) In conducting this "conformance analysis," DOC must identify the extent to which the Project "would be consistent or inconsistent with existing uses," and "whether the proposed development would alter or accelerate existing development patterns." (See CEQR Technical Manual at 4-18.) As its stands, the DEIS fails to rationally "determine whether the [P]roject would have the ability to generate land use change in the study area," including the ¼ mile and ½ mile study area. (See CEQR Technical Manual at 4-14.) DOC must rationally "address[] the interplay between the proposed [P]roject in its particular location and conditions in the surrounding area." (See CEQR Technical Manual at 4-14.)

The DEIS's suggestion the Project would be "consistent with the higher density uses to the west and the south that characterize the current study area" is flawed on multiple counts. (See DEIS at 4.1-13.) First, it simply ignores the areas to the north and the east, with which the Project is entirely inconsistent. This area contains the Chinatown and Little Italy Historic District. (See DEIS, Fig. 4.5-1.) The DEIS recognizes that "[t]he area to the east of the project site contains five-to six-story tenement buildings on smaller parcels, which form the core of the Chinatown neighborhood." (See DEIS at 4.1-4; see also DEIS at 4.1-3 ("The block immediately to the east of the project site contains mixed-use, five to seven-story commercial and residential buildings, with ground-floor retail".) Similarly, "[f]our- to five-story cast-iron buildings . . . make up the southern boundary of the SoHo District." (See DEIS at 4.1-3.) Moreover, as the DEIS also acknowledges, "lower density residential and retail uses are planned for the northeastern portion of the study area within the Lower East Side neighborhood." (See DEIS at 4.1-10.) DOC must perform a rational conformance analysis, which analyzes the patent incongruity between the 490-foot Project and the low-rise areas in to the north and east of the Site.

This statement also irrationally misrepresents the character of the community to the west, which includes the Tribeca East Historic District. (See DEIS, Fig. 4.5-1.) As the DEIS recognizes, Tribeca contains moderately sized buildings, which are predominantly 7 to 11 stories in height. (See DEIS at 4.1-3.) Again, DOC must rationally assess the clear nonconformance of its nearly 50-story Project with the moderately sized area to the west.

Ultimately, as shown in three-dimensional models of the Project prepared by NUBC members, which DOC should address, the Project would stand in stark nonconformance to the communities to the west, north, and east. (See Photographs of three-dimensional models, annexed hereto as Exhibit "D.").

The DEIS's statement that the Project "would not substantially change the land use character in the With Action condition as the project site already contains an existing detention facility" ignore that fact that the Project is substantially larger than the existing MDC. (See DEIS at 4.1-13.)

Failure to Consider Fair Share Analysis

Although the DEIS recognizes the importance of "Fair Share" analysis "to site [City] facilities in a thoughtful, deliberative manner that takes community input seriously and aims to avoid the uneven distribution of these essential City facilities and services," the DEIS lacks any consideration of the Fair Share analysis performed by HR&A on behalf of the City for the BBJ Project. (See DEIS at 4.1-9; see generally 62 R.C.N.Y. § 6-07(c) (requiring CPC to consider "the fair share criteria adopted pursuant to § 203 of the City Charter in weighing any recommendation with respect to proposed city facilities"); N.Y.C. Charter § 203 (requiring Fair Share criteria "to further the fair distribution among communities of the burdens and benefits associated with city facilities, consistent with community needs for services and efficient and cost effective delivery of services and with due regard for the social and economic impacts of such facilities upon the areas surrounding the sites").

"A basic principle of a fair city is that, to the greatest extent possible, all communities should have their fair share of municipal facilities – whether those are schools, libraries, shelters, parks, *prisons* or waste transfer stations." (N.Y. City Council, "Doing Our Share, Getting Our Fair Share: Reforming NYC's System for Achieving Fairness In Siting Municipal Facilities" (Feb. 2017), at 3.)

DOC should assess whether the Project exacerbates the disproportionate location of city facilities, including, but not limited to, detention facilities in the area abutting the Chinatown community. (See id. ("Unfortunately, in New York City (and most other places as well), facilities that bring environmental burdens to communities like waste transfer stations, sometimes referred to as 'local unwanted land uses' or 'LULUs' – are disproportionately located in low-income communities of color. At the same time, some wealthier – and whiter – communities often have less than their fair share of such facilities.").) In addition, DOC should address the disproportionate placement of detention facilities in Manhattan, and Community Board 1, in particular. (See Memorandum prepared by Christopher Marte, Democratic State Committeman, 65 Assembly District, and New York Director of Arena Political Action Committee, annexed hereto as Exhibit "E," which identifies numerous deficiencies in City's Fair Share Analysis). DOC should consider detention facilities regardless of which level of government operates them in its analysis, as well as the disproportionate placement of City run detention facilities in Manhattan. DOC should also:

- address the fact that the area around the Site is already overburdened with municipal facilities[14];

- consider whether the entire BBJ concept of locating jails in proximity to existing courthouses constitutes a *per se* violation of basic Fair Share principles by, in effect, overburdening particular areas in the City by design;

- explain the omission of a Staten Island facility from the BBJ sites, and how this corresponds to Fair Share requirements[15]; and

- explain the proposed location of equally-sized facilities in Boroughs that are of different sizes and how this corresponds to the Fair Share requirement.[16]

Failure to Comply with ULURP and City Charter

The combination of four land use actions in four different boroughs into a single Uniform Land Use Review Procedure ("ULURP") is arbitrary, capricious and an abuse of discretion. The unprecedented consolidation of four land use actions serves no legitimate public purpose, and is prompted solely by political motivations. We understand that Mayor De Blasio and City Council Speaker Cory Johnson are on record admitting that the unusual consolidation was intended to sprint through the ULURP process.

The New York City Charter and implementing regulations do not authorize consolidation of four site specific land use actions in separate boroughs into a single ULURP. See N.Y. City Charter §§ 197-c, 197-d, 62 R.C.N.Y. § 5-01 et seq. This is not how the City handled ULURP in 2006 when it selected sites in each borough to house Department of Sanitation and commercial waste transfer stations. The City-wide Solid Waste Management Plan could only be implemented by the siting of transfer stations in each borough, which each underwent its own ULURP review.

By rushing a project as significant and impactful as the BBJ Project through ULURP (as well as through CEQR), the public is deprived of its right for a full and fair opportunity to provide necessary input to decisionmakers. The haste in which the Project has been handled is

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[14] See Exhibit "F" hereto, from the HR&A Fair Share Analysis, illustrating and listing the city facilities within 0.5 miles of the proposed Project Site.

[15] DOC should clarify the basis for the decision not to locate a facility under the BJJ in Staten Island. Related to this, is the basis for locating a facility in a particular Borough and determining its size based on the residence of detainees or where crimes of committed? If it is the former, DOC should provide data relating to the residence of detainees by Borough throughout the City. If it is the latter, DOC should provide data relating to the volumes of crime leading to detention by Borough throughout the City. DOC should also assess whether there is a correlation between where detainees live and where they commit crimes.

[16] See Exhibit "G," listing the number of jails by Borough.

also antithetical to one of the core recommendations in the Lippman Report, which emphasized that the communities within each borough should be integrally involved in the site-selection process. Indeed, in a subsequent report by the Lippman Commission, it rebuked the City, finding that "the City has not been transparent enough about its decision-making process for siting and designing new facilities. (See "A More Just New York City: Progress Report and Legislative Agenda," December 2018, at p. 5). Throughout this process, DOC has eschewed public review and input, and continues to violate CEQR by putting out Requests for Design Build of the BBJ Project when no approvals for the Project have been granted.

The City also violated the City Charter and its implementing regulations by failing to include Community Boards 2 and 3 in the land use review process. A portion of Block 167, Lot 1 is located in Community Board 3. Even though the Project Site constitutes land in two community districts (1 and 3), Community Board 3 was not given the same opportunity as Community Board 1 to participate in the land use review process. (See City Charter 197-c(e), (f)). Similarly, Community Board 2 is an "affected community" within the meaning of the City Charter, but, like Community Board 3 was not given the same opportunity to hold public hearings.

The City Planning Commission should, respectfully, vote against the BBJ Project, send a clear message that the BBJ Project is not a *fait accompli*, and allow stakeholders, who will have to live with the impacts of this unprecedented development for decades to come, to be heard.

Deficient Waterfront Revitalization Program Assessment

The DEIS's assertion that the Project would promote Waterfront Revitalization Program ("WRP") Policy 1 of "[e]ncourag[ing] redevelopment in the Coastal Zone" ignores the potential adverse impacts that the Project would pose, both in the short-term (during construction) and in the long-term (once constructed), to redevelopment in the area. (See DEIS at 4.1-16.)

WRP Policy 6.2.1(a) requires Flood Elevation Worksheets and future flood elevations, which the DEIS acknowledges "have not been completed." (See DEIS at 4.1-17.) The "qualitative analysis" provided is inadequate. The DEIS's evaluation of WRP Policy 6.2.1(b) is also inadequate because, as the DEIS again acknowledges, "development plans for the Manhattan Site under the proposed project are preliminary and conceptual [and] detailed plans with elevations for specific features have not been developed." (See DEIS at 4.1-18.) This is unacceptable, particularly in light of the DEIS's "assum[ption] that the building's lowest floor could contain vulnerable features (enclosed space for building staff, parking) and critical features (water/sewer pump rooms) that could be affected by future flood levels. (See id.) Similarly, the DEIS's inclusion of so-called "adaptive strategies" are irrationally based on unsubstantiated "expect[ations]" about the Project's ground floor level and hopes that "to the extent feasible, future design development for the building on the Manhattan Site would account for future flood level." (See DEIS at 4.1-19.)

The DEIS's analysis of WRP Policy 7 of "minimiz[ing] environmental degradation and negative impacts on public health" from items such as toxic pollutants and hazardous materials is improperly premised on an unseen Phase II ESA and a Remedial Action Plan ("RAP") and a Construction Health and Safety Plan ("CHASP") that do not exist. (See DEIS at 4.1-20 to 4.1-21.) As the DEIS recognizes, "[c]onstruction of the new facility would require extensive excavation of the Manhattan Site" that "could increase pathways for human exposure" to toxic pollutants and hazardous materials. (See DEIS at 4.1-21.)

3. Socioeconomics

The study area selected for the assessment of socioeconomic impacts is flawed. The DEIS states that "the socioeconomic study area boundaries typically are similar to those of the land use study area, which for the proposed project is a ¼ mile radius around the project site." (See DEIS at 4.2-3; see also CEQR Technical Manual at 5-4 (stating that "typically, the socioeconomic study area boundaries are similar to those of the land use study area"). The DEIS Land Use Section actually contemplates a larger study area, stating that it assesses both "the ¼ -mile land use study area as well as within a ½ -mile study area," which it states is "consistent with the study areas for other analyses within this EIS." (See DEIS at 4.1-10.) DOC should explain why it used a smaller study area for its socioeconomic impact analysis and why the ½ mile study area, as used in the DEIS Land Use Section, should not be employed for its socioeconomic analysis.

The DEIS recognizes that "five commercial retail storefronts" would be displaced as the result of the Project, but fails to rationally consider the potential impacts both on these businesses and their employees, as well as on socioeconomic conditions in the immediate area. (See DEIS at 4.2-4.) The DEIS statement that "[t]he City intends to work with affected business on future relocations plans" constitutes improper deferral of an important mitigation measure and also fails to account for the employees of these businesses. (See id.) DOC must consider mitigation measures, including, but not limited to, helping to seek out and acquire replacement space, relocation assistance, moving expenses, payment of brokers' fees, and payments for improvements to replacement space. (See CEQR Technical Manual at 5-22.) Moreover, the CEQR Technical Manual posits as "an example of direct displacement that would warrant additional analysis might be the demolition of buildings on a local retail corridor for a highway or other non-retail use." (See CEQR Technical Manual at 5-6.) The Project here would demolish the retail corridor on the west side of Baxter Street between White Street and Canal Street. DOC must give far more serious public consideration to how the Project would avoid and/or mitigate this adverse impact.

The DEIS's failure to consider potential indirect residential displacement impacts of the Project is also irrational. (See DEIS at 4.2-5.) DOC should address, in the first instance, the indirect residential displacement that would be caused by the adverse, long term noise, air and other impacts associated with the construction of the Project. This analysis should include, but not be limited to, the residents of Chung Pak, Columbus Park, Chatham Towers, and the tenement buildings along Baxter and Mulberry Streets. The DEIS fails to include mitigation measures to assist low-income residents in the study area who would be displaced as the result of Project

construction. DOC should also address how the Project itself, once constructed, would cause indirect residential displacement, including, but not limited to, by saturating the area with LULUs.

The DEIS also fails to rationally address the indirect business displacement impacts that the Project would cause. (See DEIS at 4.2-9 to 4.2-10.) Again, DOC should address, in the first instance, the indirect business displacement impacts that would be caused by the construction of the Project. If, as here, a "project would entail construction for a long duration that could affect the access to and therefore viability of a number of business, and the failure of those business has the potential to affect community character, a preliminary assessment for construction impacts on socioeconomic conditions should be conducted." (See CEQR Technical Manual at 22-7.) The DEIS recognizes, for example, that tourism provides a major basis for the economy in Chinatown and Little Italy, (see DEIS at 4.2-6), but fails to address how the adverse impacts associated with Project construction would adversely impact area business by deterring "visitors who form the base of existing business in the Study Area" or otherwise "impede[] efforts to attract investment to the area, or create a climate for disinvestment." (See DEIS at 4.2-10.) The DEIS also fails to address the loss of revenue to Chung Pak, which relies on rental income from thirteen ground floor commercial tenants, and several other units it leases to non-profit organizations. Loss of such revenue from these tenants would threaten the financial integrity of Chung Pak.

Similarly, the DEIS fails to consider how Project construction would impact businesses located on Worth Street or food vendors in Chinatown. These businesses are already adversely impacted by the City's Worth Street Roadway Reconstruction. DOC needs to consider how Project construction would affect them, including, but not limited to, the cumulative impacts if the Worth Street Roadway Reconstruction is still ongoing while Project construction is taking place. DOC also needs to consider potential adverse impacts from Project construction to businesses on Centre Street and Walker Street, and the impact on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown. (See Letter from Valerie Imbruce, PhD, dated July 18, 2019, annexed hereto as Exhibit "H").

Fundamentally, DOC needs to address how small businesses in the area, including would be displaced by Project construction, and discuss mitigation measures. DOC should also address how the Project itself, once constructed, would cause indirect business displacement, such as by deterring tourists through its looming nature or by overwhelming the area with LULUs.

4. Open Space

The open space analysis significantly underestimates the impact of the Project on public open spaces, and completely ignores the open space along White Street between Centre and Baxter, as well as the impact of the Project on private open space. (CEQR Technical Manual, 7-2, explaining that private open space impacts may be considered in the assessment of open space impacts).

Initially, the DEIS open space analysis is flawed because it includes large open spaces in the study area that are well beyond the ¼ mile specified in the CEQR Technical Manual

for workers. (CEQR Technical Manual, 7-5). This is significant because two of the public open spaces that fall in between the ¼ mile and ½ mile boundaries (City Hall Park and Dinkins Municipal Building Plaza) *double* the acreage of open space inventory. This results in an artificially low impact of the Project on public open space. The DEIS must be supplemented to accurately analyze the potential significant adverse impacts that the Project would have on the public open space resources in the ¼ mile study area, which includes Columbus Park and Collect Pond Parks, discussed below.

It is important for DOC to remember that, at the time the current detention facility was constructed, the City promised that this portion of White Street would be "a community give-back in the form of a public plaza when the City expanded the existing jail." (See Manhattan Borough President's Recommendation dated July 5, 2019 at pp.10-11). DOC took over the public space for parking and has utterly failed to fulfill the promises made to the Chinatown community. Id. at p. 11.

The land where the Chung Pak complex has been constructed was also part of community negotiations in connection with the 1980s expansion of the existing MDC. Id. at p. 17. The complex includes private recreational space on the roof of the building, which should be included in the assessment of potential open space impacts. (CEQR Technical Manual, 7-2). The DEIS must consider whether the Project will result in greater utilization demands of the existing open space resources since Chung Pak elderly residents may be unable and/or disinclined to use the rooftop recreational area due to adverse Project impacts during and after construction, including, but not limited to, significant adverse air quality and noise impacts.

As noted in the Manhattan Borough President's Recommendation on the BBJ Project, the proposed Project "threatens to undo many of the gains the Chinatown community worked for tirelessly." The open space analysis must evaluate the Project's impact on White Street between Centre and Baxter as an open space resource, as well as the impact on the rooftop recreational area at Chung Pak, and avoid significant adverse environmental impacts to the maximum extent practicable.

The DEIS must also consider how adverse noise, air and other impacts caused by the Project's construction would impact area parks, including, but not limited to Collect Pond Park and to Columbus Park, which is widely used by area residents, is only 56 feet away from the Site. Columbus Park is the only public open space in the ¼ mile study area that has playing fields in addition to tree coverage. Columbus Park, together with Collect Pond, are the closest parks to small businesses and residents living in Chatham Towers, Chung Pak, and tenements along Baxter and Mulberry Streets. As explained above, the DEIS's conclusion that there would no significant adverse impact resulting from 676 additional workers and visitors to the MDC on a daily basis, is based upon a skewed analysis. Air (including air quality, dust, and odors) and noise can affect or even prohibit the use of such open spaces. (See CEQR Technical Manual at 7-12; see also id. at 7-17 ("If a proposed project results in a significant physical effect on existing open space by increasing shadow, noise, air pollutant emissions, or odors compared to the future No-Action condition, then there may be a significant impact requiring mitigation.").) If, as appears likely

here, a "project is likely to have a significant noise impact on open space resources," specific technical analyses are required. (See id; see generally id. at 19-13 to 19-20 (outlining the required technical analyses). These analyses must be undertaken here.

DOC must also explain how it proposes staging for demolition and construction activities, including, but not limited to, identifying where it proposes to conduct staging. DOC should identify what streets in the area might be impacted by construction staging, including, but not limited to, identifying if any streetbeds will be used for staging. DOC should also confirm that it has no intention of using either Collect Pond Park or Columbus Park for construction staging. DOC should also explain where cranes for demolition and construction activities would be located.

DOC must also identify what efforts will be made to maintain and preserve artwork by local artists, including, but not limited to, the brick work that comprises the White Street streetbed, and how it will be restored.

5. Shadows

It is important for DOC to remember that the existing MDC was designed to ensure maximum natural sunlight to Chung Pak and the surrounding Chinatown community. The proposed Project would undo that gain. The shadow impact analysis in the DEIS is deficient because it ignores the impact that the Project would have on Chung Pak, whose residents rely on rooftop sunlight for recreational uses and gardening. (CEQR Technical Manual, 8-24, recognizing that sitting, sunning and gardening are uses that are sunlight sensitive resources). The DEIS also ignores the impact to the former New York City Police Headquarters, located at 240 Centre Street. This building is a New York City landmark and is listed on the National Register of Historic Places. The former Police Headquarters building features a stunning and well-recognized dome that allows light to pour into the structure.

The scale of the building will darken the skies of Chinatown and cast a long shadow extending as far north as Spring Street. Even aside from the DEIS's deficient shadow analysis, the DEIS fails to assess impacts caused by the Project's blocking a substantial amount of sky. The DEIS should include day-lighting analysis to demonstrate the impact of the proposal on parks, open space and other publicly accessible areas. For example, we understand that a day-lighting analysis was included in the DEIS for the East 125th Street rezoning. If there was ever a project where day-lighting impacts should be studied and disclosed, it is the MDC Project, which will tower over sensitive resources, including, but not limited to Columbus Park directly to the south. The proposed MDC will block a significant amount of sky and will darken the park, which is intensely used and loved by the Chinatown community. (See DEIS at 4.3-6, noting that Columbus Park "experiences heavy usage."). The darkening of the streets and parks by the proposed Project will impact the character of the neighborhood, which while high density, is low in scale. The Project would impose the scale of Lower Manhattan onto Chinatown, Little Italy, Tribeca, and other impacted areas, and will irreparably and irretrievably change the character of the neighborhood.

The DEIS also fails to seriously consider how the Project's shadow impacts would adversely affect sunlight-sensitive features, including within the Chinatown and Little Italy Historic District and the Tribeca East Historic District. The DEIS also omits at least four (4) additional shadow sensitive resources: the playground at PS130, the plaza at the Jacob K. Javits Federal Building West, the Most Precious Blood Church and the Eldridge Street Synagogue, some of which have distinctive, light dependent stained glass. See Exhibit "I." The DEIS must be supplemented to disclose shadow impacts on these resources.

The DEIS must be supplemented to evaluate the shadow impacts of the Project on historic and open space resources, Chung Pak residents and the residents and business in the surrounding Chinatown and Little Italy communities. This should include the potentially significant adverse impacts that would result from a loss of sunlight.

6. Historic and Cultural Resources

As discussed in greater detail above, the DEIS's archaeological analysis is incomplete and irrational.

In addition, as the DEIS recognizes, adverse impacts to architectural resources can result from items including "altering the setting of a resource," "introducing incompatible visual, audible, atmospheric elements to a resource's setting," or "introducing shadows over a historic landscape or architectural resource with sun sensitive features that contribute to that resource's significance." (See DEIS at 4.5-6.) The DEIS fails to consider adverse shadow impacts on historic landscapes and/or architectural resources, including within the Chinatown and Little Italy Historic District and the Tribeca East Historic District, and at landmarks including the Eldridge Street Synagogue, which has distinctive, light dependent stained glass.

The DEIS should consider how the Project would affect the setting or visual relationships with the streetscape within the Chinatown and Little Italy Historic District and the Tribeca East Historic District. (See CEQR Technical Manual at 9-17.) The CEQR Technical Manual gives as an example of an action that would alter the setting of a historic resource "a proposed project that would result in a new building at the end of a street so that views of a historic park beyond were blocked." (See id.) Similarly, here, the Project would result in a massive building that would block view and affect the setting of these two Districts. As discussed in greater detail below, the DEIS also need to consider the construction impacts of the Project on historic resources. (See id. (establishing that impacts to protected resources include "[c]onstruction-related impacts, such as falling objects, vibration (particularly from blasting or pile-driving), dewatering, flooding, subsidence, or collapse. Such impacts may occur to an architectural resource adjacent to a construction site if adequate precautions are not taken.")).

7. Urban Design and Visual Resources

An urban design assessment must consider "whether and how a project may change the experience of a pedestrian in a project area." (CEQR Technical Manual, 10-1). The DEIS does not provide sufficient information to conduct a meaningful assessment of impacts on the

pedestrian experience. As an initial matter, the photo-renderings which supposedly demonstrate the Project's impact on view corridors, visual resources and the urban design of the area are incorrect, as shown in the attached Technical Memo prepared by GMJ&A.

In addition, aspects of the Project, which are necessary to meaningfully evaluate urban design impacts, are not available. For example, given the purpose of the facility, one would expect there to be a security plan, which would manage pedestrian flow around the building, or possibly security structures, either permanent or temporary, on the sidewalk. This information is not provided, and therefore cannot be considered by the Lead Agency or the public as part of the environmental review process.

The DEIS also fails to disclose information on lighting and the *amount* of transparent materials used. While the "goal" is to provide "transparent frontages on the main entrance and the community spaces," the DEIS admits that "materials are subject to change." (DEIS at 4.6-13.. Again, like the rest of the impact areas, impacts on urban design cannot be understood without knowing what the Project actually consists of.

The conclusion that there will be no no significant adverse impacts on urban design or visual resources is entirely speculative because DOC does not know what it is evaluating. At this juncture, it is possible that there will be long stretches of blank walls outside of the main entrances and community spaces, which would have a significant adverse impact on the neighborhood urban design and pedestrian experience. The Project is a moving target; neither the decision-makers, nor the public know what is being proposed.

8. Water and Sewer Infrastructure

While the DEIS indicates that dewatering may be necessary for Project construction, (see DEIS at 4.1-21), the DEIS lacks any analysis of whether area infrastructure is capable of handling the volumes of water that would be associated with dewatering.

In addition, there is no information about DOC's plan to disconnect the 12-inch water main that runs along White Street, or the existing sewer in White Street. (See DEIS at 4.8-5,6). The DEIS also lacks any support for the assumption that "the sewers in Baxter Street and along Centre Street would be available for connection." (Id. at 4.8-6). DOC's attempt to short-circuit the environmental review process is unlawful. Like the hazardous material RAP and CHASP, the infrastructure abandonment plan must be included in the DEIS and available for public review and comment. It is critically important to understand the impact of infrastructure abandonment on the City's distribution systems. The Chung Pak residents may be uniquely impacted by DOC's undisclosed plan. Deferring it to an indefinite later date is a violation of basic SEQRA/CEQR law.

9. Transportation

The DEIS fails to take the required "hard look" at the expected traffic impacts both during construction of the MDC and its ultimate operation.[17] The DEIS lacks information to support the conclusion that that the Project would result in a potential significant adverse impact at only one intersection (Centre and Walker Streets). (DEIS at 4.9-21.) Not surprisingly, the DEIS disregards this unavoidable adverse impact by claiming, without any rationale or explanation, that it could be mitigated with a signal timing change, which has yet to be evaluated or approved. What, for example, would be the impact of the signal timing change on other intersections? Is the New York City Department of Transportation in agreement that a signal timing change is sufficient mitigation? What mitigation measures will the applicant implement if the DOT does not approve a signal timing change?

Just as baffling is the omission of data or analysis with respect to traffic coming off the Brooklyn Bridge onto Centre Street and then Canal. Canal Street is a receptor of traffic to and from the Manhattan Bridge and also carries traffic to and from the Holland Tunnel. All of this traffic causes back-up into Tribeca long Broadway and Church Street, with cross streets of Leonard, Franklin, White and Walker. These actual traffic conditions must be captured in a supplemental DEIS.

It is remarkable that the DEIS fails to include in its traffic analysis any discussion of impacts resulting from daily deliveries of supplies necessary to operate four jails housing thousands of detainees and staff. Failure of the DEIS to consider this impact area cumulatively, (as well as on a site-by-site basis) presents a classic example of impermissible segmentation under SEQRA. See Village of Westbury v. Department of Transportation, 75 N.Y.2d 62, 69, 550 N.Y.S.2d 604, 607 (1989) (where actions share a common purpose, the design of each is dependent on the other, and each has no independent utility without the other, SEQRA requires consideration of the actions' combined effects); Town of Coeymans v. City of Albany, 284 A.D.2d 830, 835, 728 N.Y.S.2d 797, 802 (3d Dep't), leave to app. denied, 97 N.Y.2d 602, 735 N.Y.S.2d 491 (2001) (where one action is a "fundamental and necessary prerequisite" to another, both actions "must be viewed as an integral part of a single project rather than as an independent action").

With respect to the MDC, the addition of over 500 additional detainees plus staff and visitors will result in a significant amount of additional deliveries to the Site. The DEIS does not analyze the impact on traffic from these deliveries, including idling trucks in streets waiting for one of only two loading berths proposed for a facility housing over 1,400 detainees and nearly 700 additional workers and visitors. (See Recommendation of Borough President, Gale Brewer, at p. 3, requesting additional information on applicant's request for two berths when four are required under zoning).

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[17] Traffic impacts during construction are discussed in the section of this letter relating to Construction Impacts.

The DEIS acknowledges that the MDC Site is in both a Priority Area and in the designated Chinatown Senior Pedestrian Focus Area (DEIS at 4.9-4, 4.9-21.) Other than reciting the initiatives to enhance pedestrian safety under the *Vision Zero Manhattan Pedestrian Safety Action Plan,* the DEIS, however, is silent on the question of whether the Project fulfills any of the Plan's measures to increase pedestrian safety.

The DEIS is also silent regarding impacts resulting from the creation of a proposed bike lane along Centre Street. (DEIS, Figure 4.9-6.) For example, will construction of the Project delay the opening of the bike route? Will the bike route need to be modified once construction is complete?

10. Air Quality

Based upon this stale data from a monitoring station over half-mile away from the Site, the DEIS concludes that mobile and stationary sources of air contaminants would not have the potential to result in any significant adverse air quality impacts. (DEIS at 4.10-11 to 4.10-15.) The DEIS should be supplemented to provide actual background conditions, including the adverse health impact of particulate matter and hazardous air pollutants released into the environment after the World Trade Center collapse, as well as the air quality impacts resulting from the on-going infrastructure project, which is expected to continue through Spring 2021.[18]

There is, moreover, a complete dearth of air quality and associated health impacts that the adjacent Chung-Pak senior residents would suffer as a result of the construction and operation of the MDC. There is no meaningful examination of the assessment of the Project's construction or operation on air quality and human health. The DEIS completely overlooks the adjoining and nearby population, and concludes without sufficient empirical basis that potential air quality impacts would not occur at distances greater than 278 feet (DEIS at 4.10-16.)

A group of individuals representing over ten community and academic institutions, including, NYU, Queens College, and Hunter College, recently met to discuss the impact of long terms construction on the health of older adults in Chinatown. The written testimony submitted on behalf of the NYU Center for the Study of Asian American Health (NYU CSAAH) is summarized in Exhibit "K," and will be set forth in a more comprehensive report, which should also be considered by the City Council.

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[18] Attached hereto as Exhibit "J" is a Memorandum dated July 12, 2019 prepared by Pitta & Baione LLC, which lists studies establishing a correlation between toxin exposure from 9/11 and higher asthma rates in Chinatown after 9/11. See also "Asian Americans and Disproportionate Exposure to Carcinogenic Hazardous Air Pollutants: A National Study", Soc Sci Med. 2017; 185:71-80.doi:10.1016/j.socscimed.2017.05.042. (explaining that there are significant environmental health disparities experienced by Asian Americans which have been neglected, resulting in severe environmental injustices).

The testimony of NYU CSAAH, which is a National Institutes of Health (NIH) National Institute on Minority Health and Health Disparities (NIMHD) funded National Research Center of Excellence based at NYU School of Medicine, is founded upon evidence-based, peer reviewed scientific research. NYU CSAAH identifies physical and mental health risks associated with impacts from long term demolition and construction, and an increased likelihood of harm to the older adults in the Chinatown community. NYU CSAAH concluded, based upon scientific evidence, that older adults are highly vulnerable to particulate air pollution and hazardous air pollutants, and that the standards deemed acceptable for the general population are not protective of the elderly. Indeed, studies show that nearly 3 out of 4 deaths attributable to particulate matter in New York City occur in adults 65 and older. The DEIS must discuss the proven public health impacts caused by the Project on the elderly in the Chinatown community. (CEQR Technical Manual, 20-4, "where concentration-response functions or attributable risks are available in peer-reviewed literature, regulations and/or guidelines, the potential for public health impacts should be quantified.")

In addition to ignoring background conditions and the adverse impacts to the immediately adjacent elderly community caused by the demolition of the old MDC and construction of the new one, the assumptions in the DEIS also conceal from public review the actual air quality and health related impacts. For example, the DEIS reports air pollutant concentrations, which *assume* that restrictions will be placed upon the type of fuel and location of exhaust stacks. (DEIS at 4.10-16.) The facility has not been designed, and therefore, there is nothing to support this erroneous assumption and conclusion, which lacks a rational basis.

11. Noise

The noise impact analysis is defective, and appears to be drafted in a manner purposefully intended to obfuscate and confuse. Although the City has not yet designed the MDC, the DEIS provides that "any recreational yard less than 145 feet above grade along the proposed detention facility's north façade would be recessed at least 34 feet from the lot line shared" with Chung Pak. (DEIS at 4.11-8.) The DEIS also promises that the as yet undesigned building will shield any recreation yard above the height of the north-adjacent residential building. (Id.).

DOC's attempt to avoid disclosure of potentially significant adverse noise impacts by purportedly incorporating design criteria for a building that has not yet been designed, is violative of SEQRA. In addition, there is no data or information regarding how or why DOC believes that the purported setback and shields would actually mitigate noise impacts caused by the Project on Chung Pak or other nearby residents.

Nor is there any analysis of the noise that will be generated by the mechanical systems at the MDC. Instead, the DEIS summarily states that the heating, ventilation and air condition systems "would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any potential significant increase in ambient noise levels." (DEIS at 4.12-9.) It seems that DOC is under the impression that SEQRA's mandate does not apply to it, and that the public is simply expected to accept these conclusions without any empirical data. (CEQR Technical Manual, 19-8, explaining that ventilating systems may generate noise that

could affect adjacent buildings). But a DEIS that is replete with conclusory statements masquerading as facts and assumptions that are completely unsupported will not withstand scrutiny.

The predicted noise levels during construction contained in the DEIS are sufficiently high such that the Project would cause potential significant noise impacts on occupants of Chung Pak, school children and small businesses around the Site. (DEIS at 4.14-21, 22.) Rather than forthrightly identify the magnitude of the significant adverse noise impacts during the lengthy construction period, the DEIS masks the actual impacts by discounting the noise levels based upon construction noise control measures even though those supposed measures are impossible to enforce, and would only be where "practical and feasible" and "logistics allow." (DEIS at 4.14-20, 21.) How, for example, will DOC ensure that contractors and subcontractors properly maintain their equipment and mufflers? Who determines whether it is feasible and practicable to use electrically powered equipment or diesel? How will the 3-minute idling rule be enforced?

The DEIS further attempts to mask actual noise impacts by tortured reasoning that generically concludes without any empirical data that "demolition activity at a distance further than 45 feet [from Chung Pak] would result in noise level increases that would be considered barely perceptible." (DEIS at 4.14-22.) This tortured reasoning is the purported basis for the conclusion that a five-year construction period will result in only 8 non-consecutive months of noise impacts that exceed CEQR construction noise screening thresholds, and that noise resulting from construction of the Project would not have the potential to result in a significant adverse impact on Chung Pak. (Id.).

As discussed throughout this comment letter, it is impossible to ascertain the true extent of noise impacts given the lack of basic details relating to the Project, including the construction schedule, the type of equipment that will be located at the MDC Site, the extent of excavation required at the Site, and the details of numerous plans that will govern construction but have yet to be prepared.

12. Neighborhood Character

The DEIS gives short shrift to the Project's potential impacts on neighborhood character, concluding without explanation that the potential significant adverse impacts to historic and cultural resources and transportation, when combined with other "moderate effects would not constitute neighborhood character impacts." (DEIS at 4.13-2.) The Neighborhood Character analysis relies on the technical analyses presented for other impact areas, such as Urban Design and Visual Resources. (CEQR Manual, 21-2). Here, the technical analysis in the Urban Design and Visual Resources, Open Space, Noise and Socioeconomic impact areas are flawed, and cannot support the conclusion in the DEIS that the Project would not have a potential significant adverse effect on Neighborhood Character. Even the Chair of the Independent Commission on New York City Justice and Incarceration Reform and former chief judge of the New York Court of Appeals, Jonathan Lippman, acknowledged that the MDC, and the proposed facilities in other boroughs, are too big, "out of sync" with the neighborhoods, and well beyond the scale of anything else in the

country. (See, "Jail Towers 'Way Out of Scale' Says Head of Commission to Close Rikers," annexed hereto as Exhibit "L.").

The photo-renderings developed for the DEIS, for example, are inaccurate (wrong size, wrong location, inaccurate matching). (See Exhibit "A"). The Open Space impact discussion in the DEIS failed to include all relevant open public space. The Noise analysis did not use an appropriate comparison to estimate the "With Action" noise levels. The Socioeconomic impact section did not look at the possibility of seniors being displaced from Chung Pak given the integrated nature of the MDC with Chung Pak's infrastructure. Before any decision can be made with regard to the potential adverse environmental impacts of the Project, these, as well as other impact areas must be reevaluated so that the aggregate impact on neighborhood character can be properly assessed.

The existing neighborhood character has achieved a balance between the Civic Center and the residential neighborhoods of Chinatown and Little Italy. The scope and size of the proposed jail that places an additional building nearly 500 feet tall within the study area disturbs that balance, affecting the neighborhood character. In addition, the use of passive open space by non-residents is predicated on the assumption that people using the facility would prefer to use passive recreation space within the interior of the jail. There is no empirical support for this assumption, which, if untrue, could impact residents, workers in small businesses and tourists, who may lose access to passive open space during the day, traditionally used by seniors.

The demolition of a S/NR SHPO eligible building at 125 White Street is a major impact on neighborhood character. Despite there being other civic institutions in the area, demolition of 125 White Street would still have a significant adverse impact, especially should other architecturally important resources in the area be impacted during construction.

Further, there is no information provided regarding the security plan, the operational management of the high-rise jail, or how it will integrate into the neighborhood, including security infrastructure that may be located on the sidewalk, in the street, in the area surrounding the jail facility, as well as lighting. If there will be additional semi-permanent structures like guardhouses external to the building, it must be disclosed during public review. When, as here, there is no such plan, the Project is not yet ready for public review.

13. Construction Impacts

Given that the DEIS forthrightly asserts that "detailed plans for the proposed detention facility and detailed construction logistics" "are not known at this time," (see DEIS at 4.14-2), the DEIS's entire Construction chapter has no factual or empirical basis. Moreover, the DEIS Construction section ignores critical impacts that the Project's construction would cause. Because, as the DEIS recognizes, Project construction would last more than two years, (see DEIS at 4.14-8, Table 4.14-3), DOC must prepare a preliminary construction assessment to fully and rationally consider the Project construction's potential air, open space, socioeconomic, community

facilities, land use, neighborhood character, infrastructure and other impacts. (See CEQR Technical Manual at 22-2 to 22-4.)

In any event, because basic details relating to the Project are unknown, the construction schedule set forth in the DEIS has no empirical basis. (See DEIS at 4.14-4.) The DEIS, for example, asserts that demolition would take 20 months, (see DEIS at 4.14), but we understand that at a February 27, 2019 meeting, DOC essentially conceded it did not fully understand how demolition would be effectuated, stating that it intended to demolish 124 White Street first, and then use that experience to develop a plan for demolishing 125 White Street. In light of the fact that DOC apparently lacks any plan for demolishing these buildings, it has no basis for giving a timeline for demolition. DOC must give this subject far more serious consideration. DOC should also address how a sequential demolition effort (as opposed to the simultaneous demolition of both buildings) impacts timing.

Similarly, in the absence of a Phase II ESA or RAP, (see DEIS at 4.1-20 to 4.1-21), DOC has no basis for projecting how Site remedial activities would be accomplished or how this would affect demolition and construction activities for the Project. Also of relevance to timing as well as public health, the DEIS fails to address whether DOC will encapsulate the Site for demolition in a tarp system and use negative air. If so, DOC should detail its encapsulation plan, and also explain: (i) how long it will take to emplace the encapsulation, and (ii) how the facades of the existing buildings will be removed while preserving the encapsulation. If encapsulation is not contemplated, DOC should explain how it plans to protect area residents, workers, and visitors from exposure to hazardous levels of particulate matter during demolition. DOC should also address whether any abatement for asbestos or lead-based paint will occur prior to the demolition of the buildings on-Site.

Ultimately, DOC must provide far greater detail on how it proposes to demolish 124 and 125 White Street. DOC should quantify the amount of debris that would need to be removed from the Site, and explain how this debris would be removed (including, but not limited to, the numbers and types of vehicles that would be used and their routing through City streets). (See, "Analysis of effects of projected demolition and construction of new jail facility at 124-125 White Street, prepared by the Walker Street Block Association, annexed hereto as Exhibit "M," and incorporated herein by reference.)

The DEIS indicates in another section that dewatering may be necessary for Project construction, (see DEIS at 4.1-21), but the DEIS lacks any analysis of: (i) how dewatering would be implemented; (ii) how such an effort would affect construction timing; (iii) whether area infrastructure is capable of handling the volumes of water that would be associated with dewatering, and (iv) how dewatering could impact the structural integrity of other sites, streets, and buildings in the area.

Related to this, DOC should also indicate if it has ascertained that there are any underground streams beneath or in the vicinity of the Site. The presence of a natural resource on the Site, such as a stream system, may trigger the need to prepare a natural resource assessment.

(CEQR Technical Manual, 11-10). Upon information and belief, an historic stream exists under 125 White Street, which flows to the west and north. DOC should consider whether construction of the massive proposed structure is even feasible given the subsurface conditions at the Site, and if it is, how Project construction could affect the underground stream, as well as potential off-site impacts. In addition, DOC should determine whether a natural resource assessment is appropriate.

Similarly, the DEIS's projection of the number of construction workers required for the Project also has no empirical basis. (See DEIS at 4.14-7 to 4.14-8, 4.14-10 & Table 4.14.3.) As such, all discussions regarding the traffic, transit and other impacts that would be caused by construction workers in the DEIS lacks a rational basis. (See DEIS at 4.14-9 to 4.14-10.)

Likewise, the DEIS does not, because it cannot in light of the lack of basic information pertaining to Site Conditions, set forth any rational explanation of construction related traffic impacts. (See DEIS at 4.14-9 to 4.14-10.) The traffic projections provided do not appear to take into account the extensive efforts that would be required to demolish the existing buildings at 124 and 125 White Street. (See DEIS at 4.14-8, Fig. 4.14-3.) DOC should explain how demolition would be effectuated using six (6) trucks a day. (See id.) Because, again, DOC has apparently not yet formulated plans for demolition at the Site, it cannot rationally project the impacts of this effort.

Moreover, because DOC has nothing but historic knowledge regarding the "unstable soils" underlying the Site, (see DEIS at 4.5-8), it necessarily contains no analysis of the amount of fill that would need to be removed from the Site, except that excavation would be "extensive." (DEIS at 4.7-1.) The DEIS's lack of information pertaining to the amount of fill that would need to be removed from the Site means that its construction related truck traffic discussion lacks any empirical basis. (See DEIS at 4.14-9.)

The DEIS's statement that "[a]s the design-build process is initiated, an updated assessment of traffic conditions would be made in coordination with OCMC and DOT as necessary in order to identify feasible measures that could mitigate any potential disruptions" is just another example of the DEIS's improper effort to shield critical assessments and discussions of mitigation measures from the public, in violation of SEQRA. (See DEIS at 4.14-10.)

The DEIS also fails to consider the cumulative impacts of Project construction and the construction of other City sponsored construction projects in the area. We understand, for example, that the City is now undertaking the Worth Street Roadway Reconstruction, which has had a significant adverse impact on the traffic in the affected area, including along Worth Street, Centre Street, and Canal Street. The City must consider whether this and/or other City sponsored construction projects will be ongoing simultaneous with Project construction, and what the cumulative impacts will be.

Similarly, the DEIS also improperly seeks to shield from public scrutiny the construction impacts on pedestrian activity, irrationally asserting that "an assessment of pedestrian conditions would be made in coordination with OCMC and DOT as necessary in order to identify feasible measures that could mitigate these potential disruptions." (See DEIS at 4.14-12.) Because the DEIS lacks the information needed to determine "any necessary street or sidewalk closures,"

its entire discussion of construction related pedestrian impacts lacks a rational basis. Because the DEIS lacks basic information, such as construction logistics and any necessary street or sidewalk closures, its entire discussion of construction related parking impacts lacks any rational basis. (See DEIS at 4.14-12 to 4.14-13.) DOC must detail what roads and sidewalks in the area will be closed or otherwise impacted construction and for how long.

The DEIS recognizes that because the Site is almost certainly encumbered by "unstable soils" as the "result of filling in the Collect Pond," significant pile driving would be required. (See DEIS at 4.5-8.) The DEIS, however, contains no analysis of how long this pile driving would take place, what its noises impacts would be, how these noise impacts would impact vulnerable populations such as those who reside at Chung Pak, how these noise impacts would affect socioeconomic conditions (including, but not limited to residential and business displacement), how pile driving would impact historic and cultural resources), or how it would impact neighborhood character.

"Construction efforts required to complete the building's foundation and ensure stability of the building were extensive and involved excavation to a depth of at least twelve feet followed by the driving of hundreds of piles." (DEIS at 4.5-8.) The construction of the jail and criminal court at 125 White Street "faced similar engineering difficulties," such that its support columns . . . were reportedly designed to extend through fill material and unstable soils associated with the pond and marshes." (Id.)

The DEIS vibration analysis fails to take into account all historic and cultural resources within 90 feet of the Project Site, which are afforded special protections by Department of Buildings Technical Policy and Procedure Notice ("TPPN") #10/88. (Compare DEIS at 4.14-26 with CEQR Technical Manual 22-7 to 22-8.) As recognized elsewhere in the DEIS, the 90 foot zone protecting designated Adjacent Historic Structures, (see DEIS at 4.5-6 n. 3 & TPPN #10/88 at 2 (defining protected "Adjacent Historic Structures")), extends into the Chinatown and Little Italy Historic District, including several buildings along Baxter Street directly across from the Site. (See DEIS at Fig. 4.5-1 & Table 4.5-1.)

The DEIS errs in asserting that "the potential for vibration levels . . . would not be expected to exceed 0.5 in/sec PPV, including during "pile/lagging installation activities" and that these impacts "would occur at least 58 feet from any existing structures." (DEIS at 4.14-26.) First, on the next page of the DEIS, Table 4.12-9 indicates that the upper range for pile driver impact is 1.518 in/sec PPV, and that the typical impact is 0.644 in/sec PPV, which both exceed 0.5 in/sec PPV. As such, by the DEIS's own admission, pile driving on the Site would appear to violate TPPN #10/88. (See TPPN) #10/88, at 3, ¶ 3.1 ("The maximum permissible peak particle velocity shall be 0.5 in./sec (13mm.sec.) with no distance velocity."). DOC must explain how the Project could be developed on this Site without violating TPPN #10/88. Related to this, the DEIS also fails to disclose how protected Adjacent Historic Structures would be monitored for movements or cracking during construction, much less what actions would be taken if movements or cracking is discovered during construction. (See TPPN #10/88 at 3, ¶ 3.2.)

Second, the "58 feet" reference is immaterial, again, as recognized elsewhere in the DEIS, the relevant distance is 90 feet, and there are protected Adjacent Historic Structures in this range. As such, its analysis and consideration of mitigation measures is irrational in this regard.

The DEIS also fails to consider the impacts of construction activities on other areas of the Chinatown and Little Italy Historic District that are within 400 feet of the Site. (See CEQR Technical Manual at 22-7 ("If a project's construction activities are within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site."). Portions of the Chinatown and Little Italy Historic District are within 400 feet of the Site. (See DEIS at Fig. 4.5-1.)

If DOC determines that pile driving cannot and/or will not be used, it should explain what measures it proposes to secure the long-term structural integrity of the Project, and how this would affect construction timing.

DOC should also address what measure it proposes to protect the residents of Chung Pak during construction. We understand, for example, that the existing MDC North was built with an overhanging encroachment over the roof of Chung Pak. We also understand that there is no seismic separation between these two buildings. DOC must assess and subject to public review how both Project demolition and construction would impact this vulnerable population.

14. Mitigation Measures Are Insufficient

As set forth throughout this letter, the DEIS is unacceptably conclusory and vague, and is replete with assumptions that have no rational or empirical basis. It is not surprisingly, therefore, that the mitigation measures are also deficient and do not even begin to provide the level of certainty needed for the City to issue approvals for the BBJ Project, including the MDC. In true fashion and classic improper deferral, DOC has not thought through mitigation and states that "[m]easures to further mitigate the potential for adverse impacts will be refined and evaluated between the Draft and Final EIS." (DEIS at 4.15-1.) The very few mitigation measures contained in the DEIS are half-baked, at best, and supposedly "will be determined" after further investigation and consultation with various agencies and boards, outside of the public eye. (DEIS at 4.15-2-8.)

The omission of actual mitigation is inimical to the purposes of SEQRA, i.e., the full public disclosure of impacts and proposed mitigation and an opportunity for the public to comment thereon. See 6 NYCRR § 617.2(n) ("[a]n EIS provides a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation"). DOC must supplement the DEIS to, among other things, provide mitigation measures that will be subject to public review. In addition, the City's commitment to mitigation must be embodied in a recorded declaration to ensure that such measures will be implemented and not taken back by the City.

15. Deficient Analysis of Alternatives

Alternatives have been described as the "heart of SEQRA," as a real analysis of alternatives allows the lead agency to determine whether the proposed action is, in fact, the best project. Shawangunk Mountain Envtl. Ass'n v. Planning Bd. of Town of Gardiner, 157 A.D.2d 273, 276, 557 N.Y.S.2d 495, 497 (3d Dep't 1990). This DEIS contains no real analysis of alternatives for the Manhattan Detention Center, and instead, claims that site requirements "precluded the locating of the proposed detention facility to another site." (DEIS at 7-18.)

According to the DEIS, "direct adjacency to court facilities is an important factor in site consideration." (DEIS, Exh. J at J-9.) The Lippman Report does not, however, mandate direct adjacency to the courthouses. Indeed, the preferred location in the Bronx facility is not even near the courthouse. Moreover, many of the reasons that other potential locations in Manhattan were deemed unviable also apply to the Site. For example, tenants at 124 White Street would have to be relocated, and 125 White Street is a historic building. Yet, these are the same reasons that 125 Worth Street and 80 Centre were determined to be unviable alternatives. (DEIS at 7-18.)

The Lippman Report called for the construction of five jails, "one in each borough." (See Lippman Report at 17). This recommendation is consistent with the reality that a person is detained where he or she commits the crime. A jail in *each* of the five boroughs is also consistent with the underlying policy that *each* borough should carry its fair share of the burden of housing detainees.

It is apparent that the "site requirements" are merely a pretext to force yet another city facility in the already over-burdened Chinatown neighborhood. DOC did not consider any sites outside of the Chinatown community, and none in Staten Island. DOC must consider sites located outside of Chinatown, which already bears more than its fair share of city facilities, and fulfill fair share requirements and Lippman Report recommendations by providing a jail in Staten Island. See NY City Charter § 203 and RCNY, tit. 62 (agencies making decisions regarding city facility must consider the fair distribution of facilities among communities).[19]

Deficient State of the Record Prevents Rational Decisionmaking

The deficient state of DOC's analysis will prevent the involved agencies from making rational Findings on the BBJ and the MDC Projects. All involved agencies ultimately will need to certify that that they have factored in the relevant environmental, social, economic and other essential considerations to determine whether the action, from among the reasonable alternatives available, avoids or minimizes adverse environmental impacts to the maximum extent practicable, and has incorporated all practicable mitigation measures required to avoid or minimize

[19] DOC cannot avoid assessment and public review of the significant adverse impacts of the MDC by simply reducing the height of the building or number of occupants. Ultimately, because the "DEIS" is procedurally and substantively defective, any alternatives to the Project as currently proposed, regardless of their nature, must be subject to public review and comment, including with respect to the potentially significant adverse environmental impacts they may pose.

the actions' adverse environmental impacts. See 6 N.Y.C.R.R. 617.11(c) & (d)(5); see also N.Y. Envtl. Conserv, L. § 8-103(7) ("It is the intent of the legislature that the protection and enhancement of the environment, human and community resources shall be given appropriate weight with social and economic considerations in public policy. Social, economic, and environmental factors shall be considered together in reaching decisions on proposed activities.").

As set forth above, and in other comments submitted on the DEIS, the DEIS lacks the environmental and social information required for rational decisionmaking. Moreover, because the MDC project's design is, at best, "preliminary and conceptual," (see DEIS at 4.1-18), and the logistics of the demolition of the existing buildings on the Site and Project construction "are not known at this time," (see DEIS at 4.14-2), neither DOC nor any of the involved agencies, including the City Council, can rationally assess the Project's economic costs. None of the involved agencies can rationally assess the Project under SEQRA without the most basic understanding of the Project's likely costs. Moreover, DOC must disclose what the anticipated sources of funding for the Project are.

Conclusion

Ultimately, DOC's rush to push through a Project with such obvious significant adverse short and long-term impacts without proper review and opportunity for public input is unseemly and illegal. DOC's effort to cut procedural corners by not holding a Scoping Session on the actual Manhattan Site under consideration has prevented it from identifying all potential significant adverse impacts and taking the required serious hard look at them. While a Scoping Session on the actual Manhattan Site may have inconvenienced DOC, DOC needs to understand that it is considering a Project that will impact lives, businesses and communities that have been built up over generations and whose impacts will be felt for years.

Similarly, while DOC may have to do more homework to produce an appropriate DEIS that adequately defines the Project's characteristics so that reasonable assessments could be made as to its likely effects, this is what the impacted communities deserve, and this is what they are entitled to by law.

The procedural defects, substantive omissions, and other flaws described above and in other public comments necessitate recommencement of the entire environmental review process for the proposed new Manhattan Detention Center.

Very truly yours,

ZARIN & STEINMETZ

Helen Mauch
Daniel M. Richmond

encs.

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Bob Gormley, District Manager (bgormley@cb.nyc.gov)
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EXHIBIT A

MEMORANDUM

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Date: July 18, 2019

To: Dan Richmond
Helen Mauch
Zarin & Steinmetz

From: George M. Janes, AICP

RE: Technical issues with photo-renderings in Borough-Based Jail DEIS and their impact on Visual Resources and Neighborhood Character

This memo details errors in the photo-renderings included in the Borough-Based Jail DEIS for the Bronx and Manhattan. My office has produced or reviewed hundreds of photosimulations and/or visual resources assessments produced for SEQR & CEQR over the past 20 years. We have also prepared method requirements for photosimulations that several local governments use as guides to instruct applicants on the requirements of their submissions.

Summary

The photo-renderings published in the DEIS show the proposed jail in the wrong location and at the wrong size. The magnitude of the errors vary according by viewpoint, with some grossly in error, while others have smaller errors. It is likely that the photo-renderings are simply estimates of the size and location of the proposed jail from any given viewpoint, developed using the judgment of the individual that made the viewpoint.

Most importantly, they are demonstrably not accurate and cannot be used to disclose the project's impact on the area's visual resources. Since photo-renderings are an important input into Neighborhood Character, the conclusions of that chapter are also tainted. Because of these gross errors, this application should have never been accepted as complete. They clearly need to be redone and the chapters that rely upon this information should be reevaluated with accurate information. I expect that a Supplemental DEIS, which corrects this information, will be necessary so that public comment can be heard on the actual impacts of the project.

The photo-renderings

Existing conditions photographs from each viewpoint studied in Manhattan and the Bronx portions of the DEIS are attached to this memo. Following each existing conditions photograph is the DEIS photo-rendering. Following the photo-rendering is a photosimulation produced by my office. This analysis was only

done on the Bronx and in Manhattan, but it is likely that the Queens and Brooklyn facilities' photo-renderings have the same issues.

To be clear, there is no issue with the representation of the structure, which is a massing model with a generic texture. Massing models with or without textures are an acceptable method of representation when designs are not finalized. But the EIS needs to show the proposed project in the right location at the right size; these simulations do not do that. Further, at least one DEIS photo-rendering in Manhattan does not remove the existing Manhattan Detention Complex, which will be demolished for the new jail: in the DEIS photo-rendering, both jails are shown.

I cannot know why or how these errors were made, but I can speculate and detail how they could have been made accurately.

When performing a photosimulation for environmental review, it is critical that the methods used to produce the photo-simulations are repeatable, meaning that two technicians using the same information should independently produce materially similar results. The public or the Lead Agency should not have to rely upon the artistic judgment of the technician making the image but that's exactly what appears to have happened here.

I believe that the technician used a 3D model of the proposed jail in the DEIS, rendered using a camera that approximated the location of the camera used to take the photograph. However, locating this camera was not precise: sometimes it was close and other times it was off. Further, it also appears that the lens of the camera used to render the image did not match the lens of the camera use to take the photograph. It is likely that the technician scaled the model to approximate its actual size and location using their professional judgment. That's not a method that will produce consistent, repeatable results on which the public can rely.

Since this is an urban area with many existing buildings, the computer camera used to render the image of the jail should have been set to exactly match the camera used to take the photograph. It's not a trivial process as it not only requires XYZ coordinates but also needs to match the yaw, pitch, roll, and lens of the camera. But in urban areas, the match of the camera can be evaluated by including building references that exist in both the 3D computer model and the photograph. That way, when the image of the jail is rendered, it will be in the right location, at the right size and the right orientation; no human judgment is involved.[1]

The simulations produced by my office render a 3D model of the proposed jail (and, in the Bronx, the associated residential building) using a camera that is matched to the camera used to take the photograph by matching it to existing

[1] More detail on how to produce a photosimulation can be found here: http://www.georgejanes.com/PDF/TechnicalMethods/TechnicalMethods002-Photosimulation.pdf

buildings. If the 3D model of existing buildings is correct, then the jail will appear in the right location, at the right size and orientation.

The errors

The following reproduces some of the images to discuss errors and differences between the DEIS photo-rendering and the photosimulations.

Reproduction of DEIS proposed conditons, VP 7 Bronx left, and actual photo-simulation, right

Viewpoint 7 in the Bronx would be a difficult viewpoint to scale using professional judgment: there are trees blocking ground level views to the site and there are no abutting buildings at this location to help guide the location. As a result, the DEIS grossly understates the size of the facility from this location, which it shows peeking above the trees. In reality, the jail (and the associated residential building) will be clearly visible above the trees.

Further, the existing conditions photograph shows leaf-on conditions, which is contrary to CEQR best practices as the DEIS should disclose reasonable worst-case conditions. Leaves on trees provide screening which is not present in the winter season and so photographs with substantial screening from decidious trees cannot show reasonable worst-case visiblity conditions. Oddly, the DEIS does use leaf-off conditions for some views, but not viewpoint 7.

Viewpoint 29 (below) is one of the views that uses a leaf-off conditions photograph.

Reproduction of DEIS proposed conditons, VP 29 Bronx left, and actual photo-simulation, right

While it is odd that some viewpoints are taken during leaf-off conditions while others are taken during leaf-on conditions, at least this photograph shows leaf-off. Here, leaf-off is critical considering the number of trees in the view. However, the simulation shows the jail in the completely wrong place.

Simulations like this and Viewpoint 23 in Manhattan show that the preparer of the DEIS did not intend to deceive or minimize the size of the facility because some photo-renderings show the facility to be more impactful than it will actually be. Rather, the preparer of these photo-renderings was not competent or did not think it important to show the project at the proposed size and location.

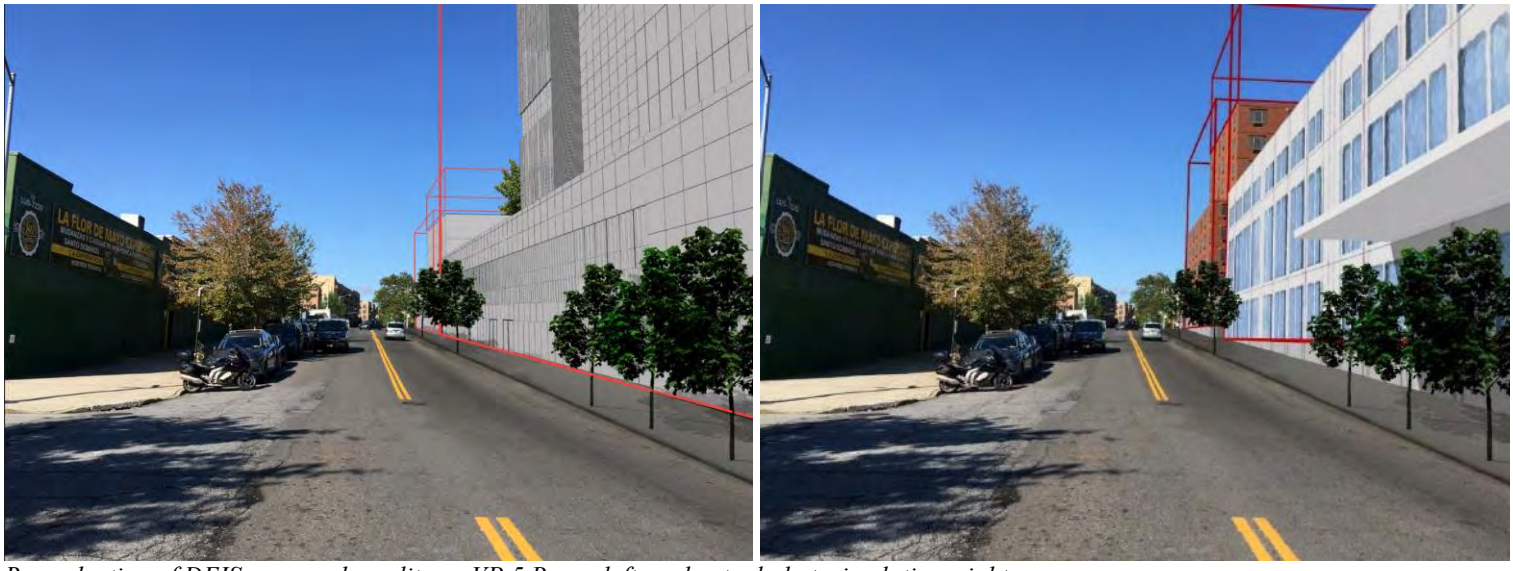
Perhaps the most obvious error of all occurs in Viewpoint 17 in Manhattan. This is the existing conditions photograph for that viewpoint:

Viewpoint 17, Manhattan existing condtions

The existing Manhattan Detention Complex is shown in the photograph, but the photo-rendering in the DEIS still shows the existing Manhattan Detention Complex in the image! It actually helps to partially screen the new jail from this viewpoint.

Viewpoint 17 DEIS photo-rendering, left, Photosimulaiton right. Red outline of DEIS photorendering shows the Manhattan Detention Complex, which will be demolished, still in the DEIS photo-rendering. It should have been removed.

Another obvious error can be found in Viewpoint 5 in the Bronx. The base height of the Bronx facility shown in the photo-rendering is 55 feet or about the equivalent of a five story building.



Reproduction of DEIS proposed conditons, VP 5 Bronx left, and actual photosimulation, right

The base height of the jail is shown to be slightly taller than the single story industrial building across from it. In fact, it will be about twice as tall at the street

line. It will also be a much more imposing presence at street level than what is shown in the DEIS.

The photosimulations

The 3D model shown in the photosimulations were made by my office based upon information from the DEIS. The Bronx images are textured with a generic texture that we believed was consistent with the material descriptions. The Manhattan model was colored according to land use. The difference in representation is not material to the analysis of impacts. Nevertheless, the generic building façade was made so it would be easier for laypeople to understand the photosimulations.

The 3D model was rendered using Autodesk's 3DS using a camera matched to the existing conditions photograph using existing buildings, as described earlier in this document. The rendered image and the existing condition photograph were then combined using Photoshop, which is also where the processing of the images for simulation took place.

If the applicant's consultant is not capable of producing accurate simulations using repeatable methods, I am happy to recommend several capable firms who I would expect to do an excellent job. We are also able to provide the 3D model and the 3DS cameras for auditing should the Lead Agency so desire.

Attached to this document are all the photo-renderings that appear in the Bronx and Manhattan and photosimulations showing the magnitude of the errors in the DEIS.

DEIS Photo-rendering errors
Bronx

The DEIS has photo renderings that are NOT accurate

VP 5 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 5 proposed from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 5 proposed from model

The DEIS has photo renderings that are NOT accurate

VP 7 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 7 proposed from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 7 proposed from model

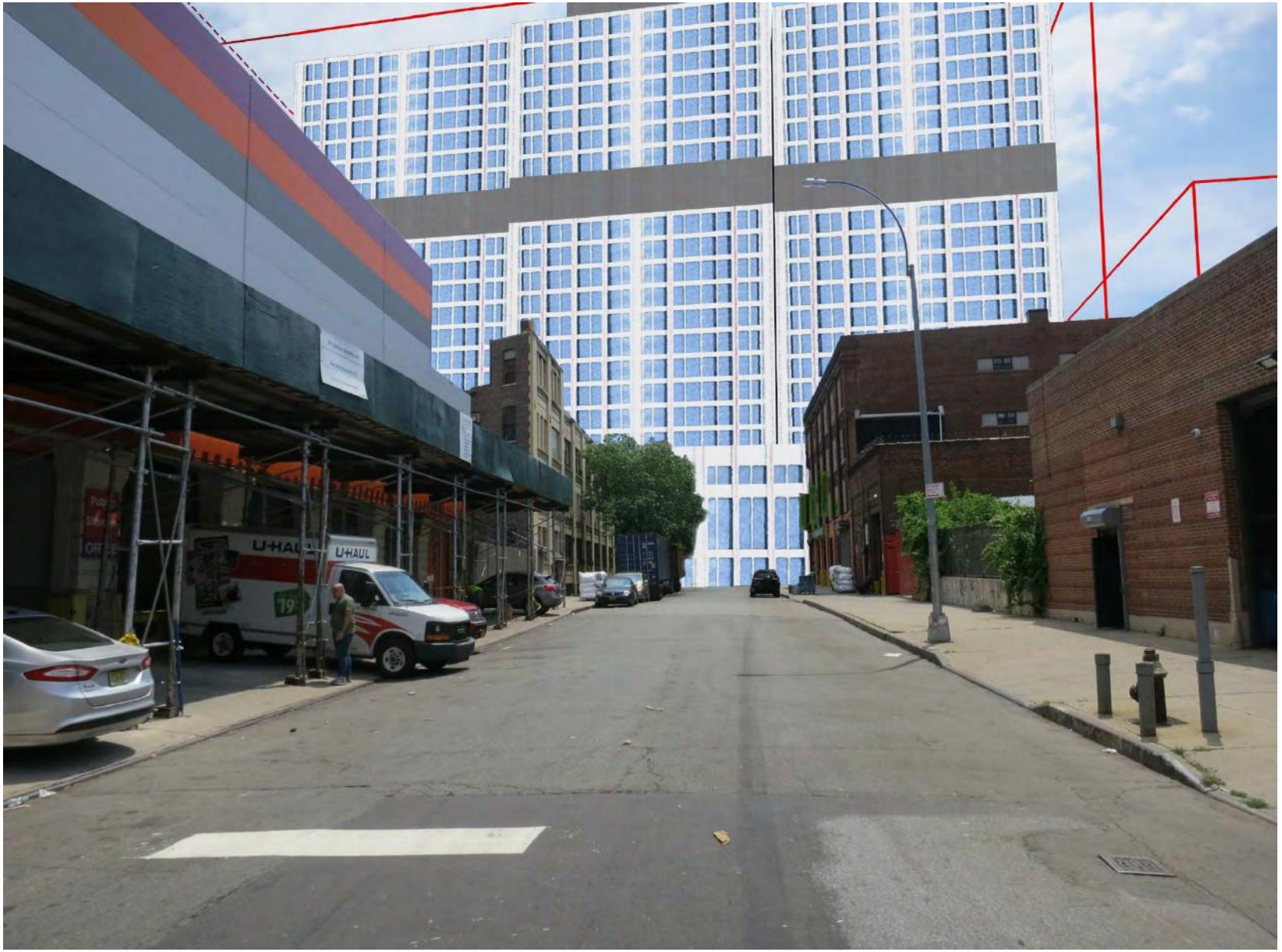
The DEIS has photo renderings that are NOT accurate

VP 9 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 9 proposed from City's DEIS

The DEIS has photo renderings that are NOT accurate



VP 9 proposed from model

The DEIS has photo renderings that are NOT accurate

VP 11 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 11 proposed from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 11 proposed from model

The DEIS has photo renderings that are NOT accurate

VP 13 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate

VP 13 proposed from City's DEIS

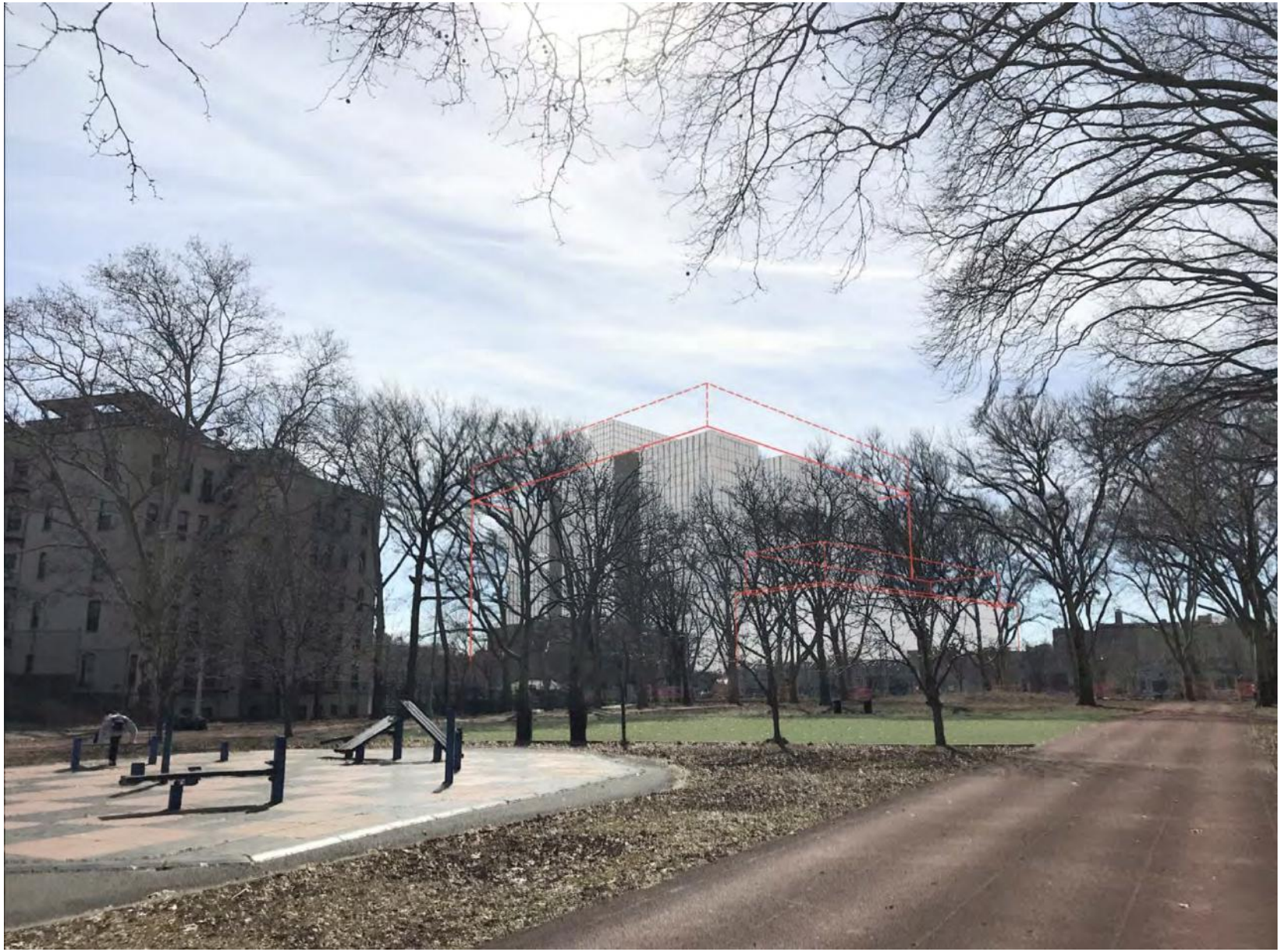
The DEIS has photo renderings that are NOT accurate

VP 13 proposed from model

The DEIS has photo renderings that are NOT accurate

VP 29 existing from City's DEIS

The DEIS has photo renderings that are NOT accurate



VP 29 proposed from City's DEIS

The DEIS has photo renderings that are NOT accurate

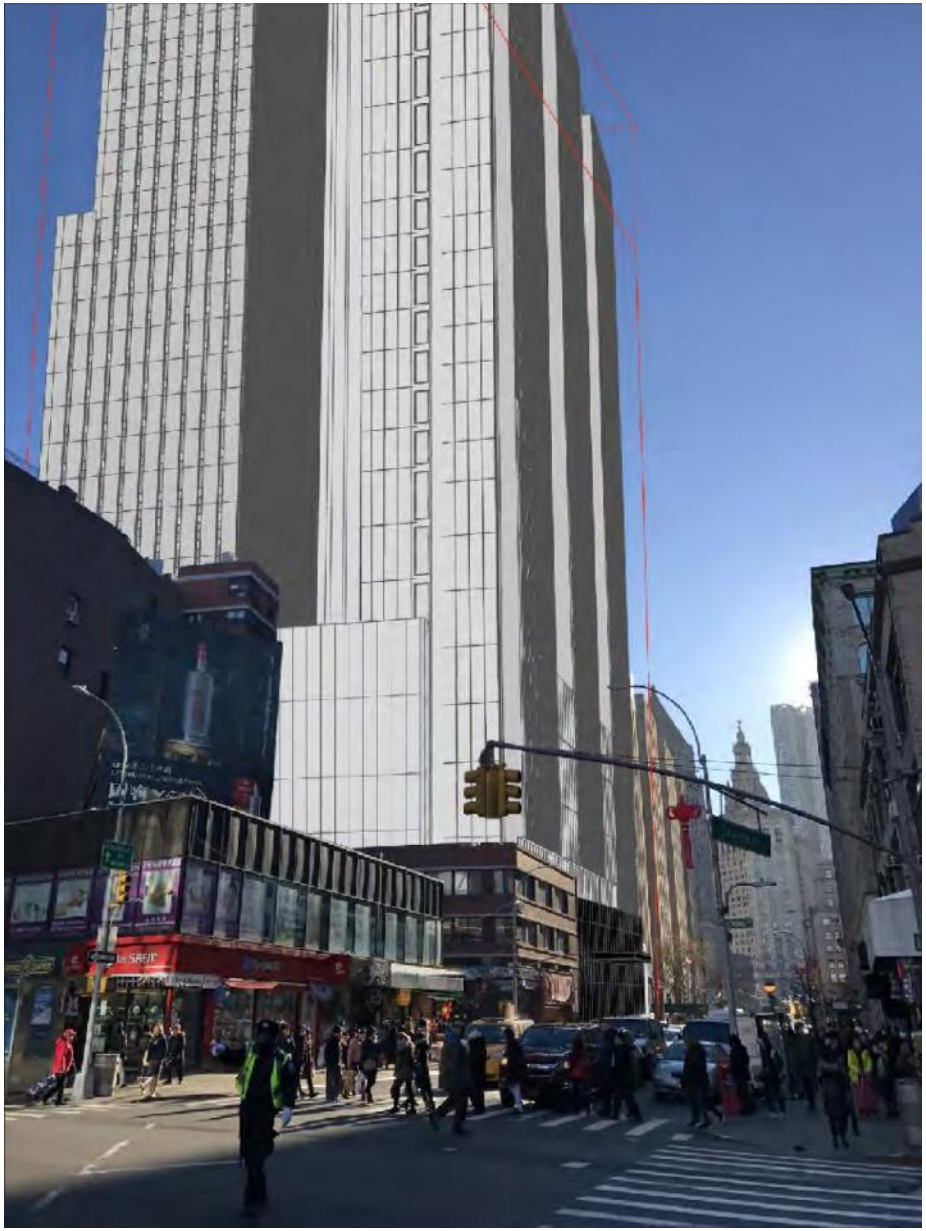
VP 29 proposed from model

DEIS Photo-rendering errors
Manhattan

The DEIS photo-renderings are not accurate

VP 15 existing

The DEIS photo-renderings are not accurate



VP 15 proposed from DEIS

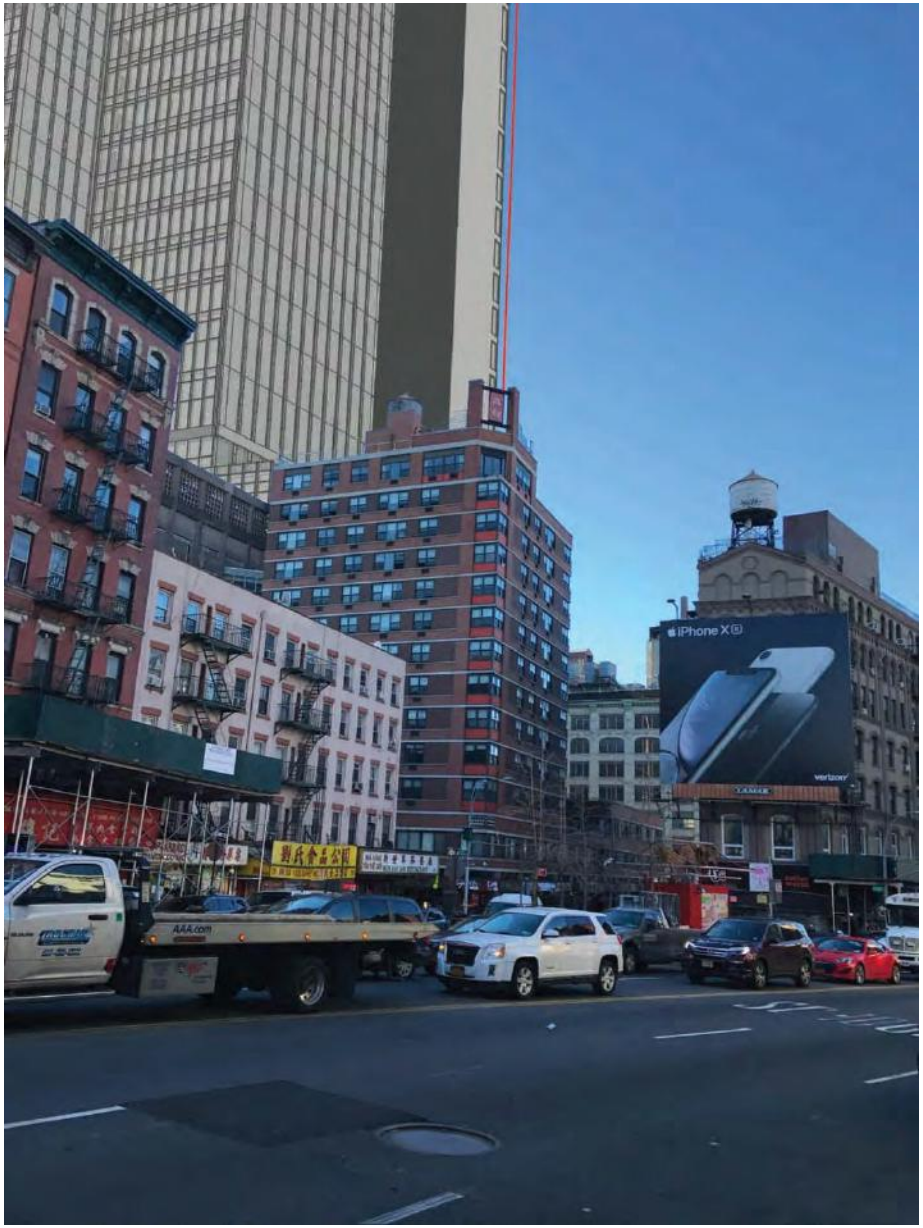
The DEIS photo-renderings are not accurate

VP 5 proposed from model

The DEIS photo-renderings are not accurate

VP 17 existing

The DEIS photo-renderings are not accurate



VP 17 proposed from DEIS

The DEIS photo-renderings are not accurate

VP 17 proposed from model

The DEIS photo-renderings are not accurate

VP 23 Existing

The DEIS photo-renderings are not accurate

VP 23 proposed from DEIS

The DEIS photo-renderings are not accurate

VP 23 proposed from model

The DEIS photo-renderings are not accurate

VP 24 Existing

The DEIS photo-renderings are not accurate

VP 24 proposed from DEIS

The DEIS photo-renderings are not accurate

VP 24 proposed from model

The DEIS photo-renderings are not accurate

VP 28 existing

The DEIS photo-renderings are not accurate

VP 28 proposed from DEIS

The DEIS photo-renderings are not accurate

VP 28 proposed from model

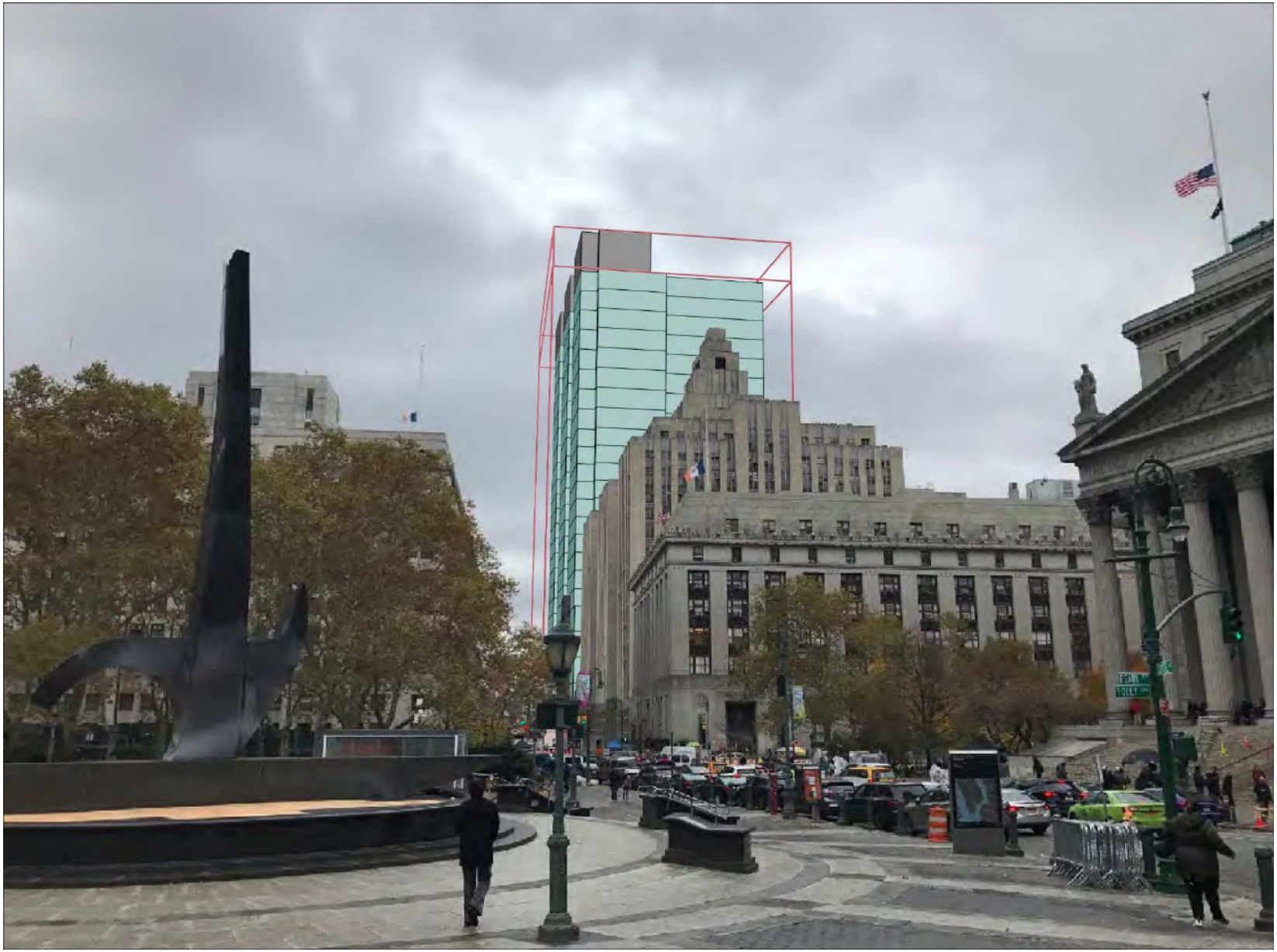
The DEIS photo-renderings are not accurate

VP 43 existing

The DEIS photo-renderings are not accurate

VP 29 proposed from DEIS

The DEIS photo-renderings are not accurate



VP 43 proposed from DEIS

EXHIBIT B

Negative Impacts of Major Construction in Senior Communities and

The building of New York City's Borough-Based Jail System

Prepared by: Sienna Trice

Commissioned by: The Chinatown Core Block Association

February, 2019

Contact: Jan Lee

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917-710-7503

For immediate release

"Construction is going to be a huge impact to us, because it's right next to us. And to the 88 seniors, or actually, talking about 120 seniors that live in 80 units, it would be huge and dramatic impacts to those residents, that range up to 100+ years old."

> ***– Charles Lai, Executive Director of Chung Pak Senior Center****, which is located directly adjacent to the Manhattan Detention Center. The Manhattan Detention Center is slated to be completely demolished. It shares a wall with Chung Pak Senior Center which houses over 100 low-income seniors.*

"This is exactly why we have the ULURP Process. We absolutely value the fact that people are going to be impacted, and we have to address their needs. There's no question about it. And a good ULURP Process front loads all of those questions. It is about the impact of the change, all of the things to do to mitigate the change, and the larger needs of the community. I have seen very productive processes, where issues that have been fought over and struggled over for 30 and 40 years got addressed, once and for all. But I don't want to see seniors put in a horrible situation. We have to make them whole. And if you say, and the community says, our vision of making them whole is that we have to move them somewhere else in the meantime, so they have an absolutely stable environment, and then bring them back and guarantee they get to come back, we can discuss that, and many other options."

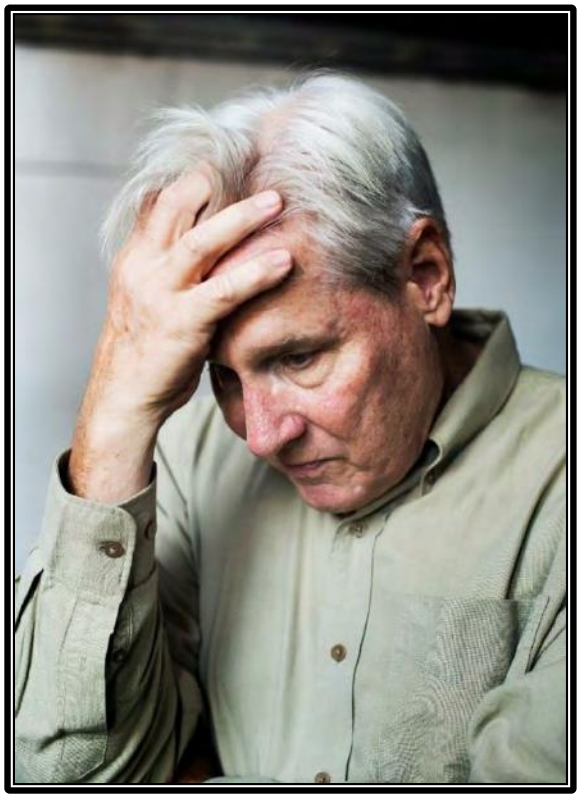
> ***– NYC Mayor Bill Deblasio, Chinatown December 2018***

Move senior residents from Chung Pak	**Demolish MDC& build with seniors in place**
What steps are needed to ensure safe moving?	What steps are needed to ensure safe demolition?
Will seniors suffer from moving from home?	Will seniors suffer from demolition lasting two years?
Where will they be moved to?	Does demolition and construction cause stress to vulnerable seniors?
Will the City build new housing before moving the seniors?	What effects do noise, dust and restricted movement have on vulnerable seniors?
What precedent can we look at where the City has safely moved 120 seniors?	Given that 124/125 are jails, aren't they super strong, and therefore hard to demolish?
Will the temporary location mirror the safe and specialized environment of Chung Pak? How will the City replicate the senior's environment? Language, culture, familiarity?	How will seniors living in a construction site cope with severe change of environment, changes in visitation of doctors and family?

Research on the negative impacts of construction on the community is vast. In major urban areas, these negative effects have the potential to be more drastic, especially to vulnerable populations such as the elderly. In this report, research on relocation stress, air pollution, noise, and psychological impacts of construction can be generalized to the potential and likely detrimental impacts of New York City's Borough-Based Jail System's proposed action to build a new jail at 124 & 125 White Street, Chinatown, Manhattan. When planning a construction project, it is important to take into consideration the effects it will have on nearby communities.

Relocation Stress

Over the past decade, Medical Professionals have increasingly been diagnosing and treating seniors with relocation stress syndrome (RSS), also known as "transfer trauma". The syndrome is characterized by a combination of symptoms including anxiety, confusion and loneliness. Moving is right up there with death, divorce and getting fired when it comes to life's most stressful moments. While a move from one house or state to another may be stressful on anyone, for seniors it can be especially taxing. Relocation stress syndrome is a serious enough syndrome that in 1992, the North American Nursing Diagnosis Association added it as an official diagnosis. Now hospitals and insurance companies across the country are taking it seriously as well.



The “cluster” of diagnoses that characterize RSS include loneliness, depression, apprehension, anxiety, anger, and in older adults, increased confusion. The greatest incidences of RSS occur just before and during a three-month period following relocation. In addition, to determine if a patient is “at risk for RSS,” medical professionals evaluate the following as the transition occurs: changes in eating habits and sleeping patterns, demonstration of dependency, changes in cognition, insecurity or lack of trust, decline in self-care, and change in relationship with family members. Risk of RSS increases if there is (1) little or no time to prepare for an impending move; (2) a lack of predictability about the new environment; and (3) little or no time between notification to move and the move itself.

Involuntary relocation can be worse. Each year, millions of people worldwide are uprooted and relocated to make way for new development. The documented outcomes have been devastatingly negative. Depression has been one of the most commonly reported negative outcomes. The involuntary relocation process is very stressful to the elderly. It disrupts their normal life and to make it worse, the move is often forced by a powerful entity such as the government, further weakening their sense of control (Xi & Hwang, 2011). Forced relocation is widely considered to be a stressful event. Stressed individuals, and particularly members of high risk groups, may be maladapted, presenting deviant behavior patterns and eventually mental health problems (Andre & Jean, 1993).

The effects of relocation on an elderly person's quality of life have been assessed in previous research. In a pre-test/post-test mixed method design by Falk, Wilk and Persson (2011), older persons' quality of life, wellbeing, and perceived person-centeredness are evaluated. Results of this research find significantly larger deterioration in perceived person-centeredness among cognitively intact residents that moved compared to residents in the control group that did not relocate. Interviews with residents that relocated revealed that their experience of the move was uncontrollable and uncertain. See Table 1 for a more detailed analysis of the interviews with the residents experiencing relocation. In addition, it has been concluded that when relocation is forced or imposed, the opportunity for innovation combined with restriction, rather than promotion of one's personal autonomy and right of expression, is the result (Sverdlik & Oreg, 2009).

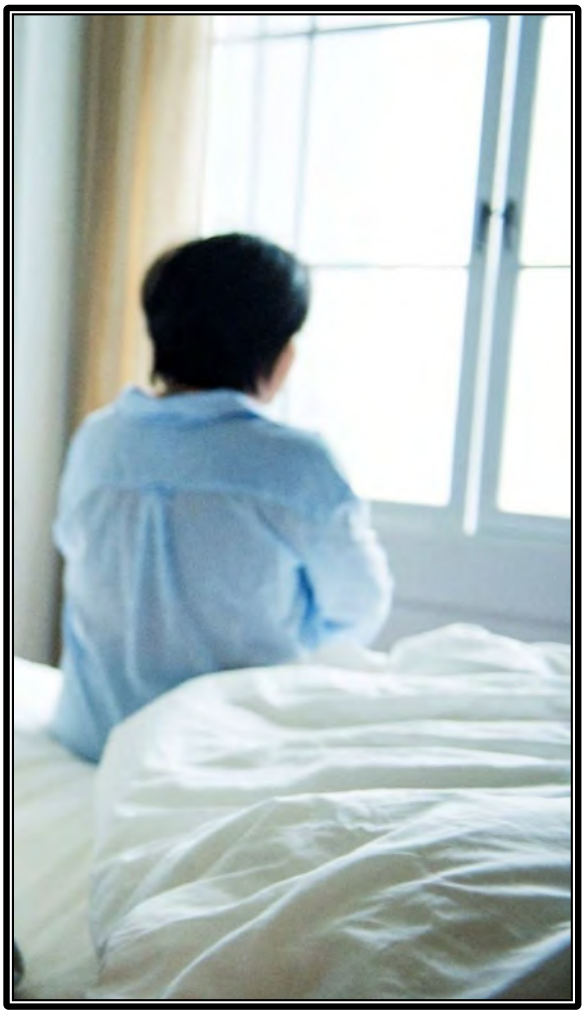


Table 1

Content Area	Code	Subcategory	Category
Experiences related to the actual move	■ It happened so fast ■ Others packed my private stuff ■ The move was sudden ■ To be unprepared ■ To be left outside ■ Not allowed to decide ■ There is no point in complaining ■ To have no saying ■ You have to accept what is happening	■ Being unprepared ■ Feeling insecure ■ Feeling excluded ■ No one cares about your opinion	■ The relocation was experienced as *uncontrollable*
Experiences related to the daily life at the transit facility	■ This is what you can expect from an institution ■ This is where you await death ■ Nothing is in order ■ The environment is unfamiliar ■ The staff seem unhappy ■ Disappointment ■ Sadness	■ Feeling indifferent ■ Feeling anxious ■ Feeling abandoned ■ Feeling disappointed	■ The relocation was experienced as *un-affectable*

A. The Tombs jail
B. Manhattan Detention Center 125 White St.
C. Chung Pak Senior residence
D. Charles B. Wang community health center
E. Chung Pak open air roof top garden

Elderly populations are particularly vulnerable to relocations and renovations due to construction. Research by Gallagher and Walker (1990) researched ninety-nine extended care residents over a fourteen-month period in order to compare outcomes associated with relocation and renovations. One group of residents was temporarily moved to other facilities during renovations, two groups were moved internally, and a control group in a similar home experienced neither relocation nor renovations. Results of this study concluded that the group of residents that remained near the construction and renovations showed the most negative changes. These residents showed sharp increases in PRN medicine use, diminished activities of daily living (ADL) functioning, and increased symptoms of pain while facing the multiple stressors as

a product of construction. The most aggressive symptoms occurred with ADL functioning as many residents' ability to eat, bathe, get dressed, and use the toilet decreased.

A frightening aspect of involuntary relocation is its relationship to mortality rates. According to Ann Laughlin (2005), mortality rates one year after relocation were significantly higher when compared to a control group that was not forced to relocate due to construction. Not only did the group that relocated have higher mortality rates, but they also reported feeling powerless, angry and had a sense of loss. In a later study by Laughlin (2007), she aimed to identify all risk factors associated with higher mortality rates among older adults who involuntarily relocate and found that the only variable to achieve significance in predicting mortality was relocation itself.

Mortality rates are a frequently studied outcome measure of forced relocation. Recent studies show a 50% increase in mortality among older persons after relocation. It has also been shown that relocation disrupts routines and social relations among residents, which are vital to their mental health. These disruptions are shown to potentially increase confusion and depression in those residents with dementia. Most researchers in this field agree that institutional relocation is major life change, and consequently, a stressful event (Hodgson, Freedman, Granger & Erno, 2004). We must recognize that a change in home environment does have a significant impact on older adults and their sense of place in the world.

The local Councilmember, Margaret Chin, who represents the District where the project is to take place, and the Manhattan Borough President Gale Brewer have been adamant that "The seniors will not be moved out." However, community members are concerned that demolition may force the removal of the Chung Pak residents if structural failure should occur at or near the

residence as a result of destabilizing the foundation of Chung Pak during underpinning as the construction of a foundation for the jail proceeds. They cite numerous examples where this has happened in the area. One such catastrophic failure occurred at the corner of Mott Street and Hester Street, causing a residential tenement to be completely evacuated in haste. In that case, a building on Mott Street suffered a huge crack in the foundation due to the neighboring lot being excavated.

Although discussion about senior safety can include measures to keep the seniors at Chung Pak in place during demolition and subsequent construction, the concern remains that forced relocation due to structural damage or environmental changes is a reality facing the seniors in and around 124 and 125 White Street and Baxter Street.

Close Proximity to Construction and Health Risks

The Association for Professionals in Infection Control and Epidemiology (APIC) warns against construction and renovation projects in or near health care facilities. Risks include environmental distribution of microorganisms such as airborne contaminants and infectious agents, which are detrimental to the health of older populations.

In 2007, following a public controversy accompanying the construction proposal of a large-scale building on the edge of Boston Chinatown, a resident commented to researchers Brugge and Dhar (2008) that she noticed an abnormal number of elderly people in her building had died during the construction, thus motivating the researchers to further investigate the unexplored hazards of major construction projects. Brugge and Dhar found relationships between pulmonary and cardiac diseases and air pollution released from construction sites, concluding that more research needs to be done to investigate these risks at a larger scale.

Major construction sites are sources of gaseous and particulate matter, pollution, vibrations, and noise. These are byproducts of diesel engines, welding, abrasive processes, jackhammers, and pile driving, all necessary for large-scale building construction, such as prisons. Past literature has proposed that fine particulate matters are dangerous toxins that negatively affect cardiac and pulmonary health, which are among the top 3 leading causes of death among people over 65 years (Centers of Disease Control, 2017).

Virtually all vehicles, demolition machinery and construction equipment are powered by diesel engines; these are sources of gaseous and particulate matter, pollution, vibrations, and noise.

Fine particles released during major construction are more hazardous than larger particles as they can pass through the nose and throat and finally settle in the lungs, resulting in severe lung damage and premature death in persons with preexisting conditions such as heart or lung disease. Individuals with preexisting conditions only need one to seven days of exposure to particulate matter to increase the risk of cardiovascular morbidity and mortality. Recent research

suggests that elevated levels of particulate air pollution, even below the current limits set by the United States, increase health risk and mortality rates (Brugge and Dhar, 2008).

Noise is another harmful byproduct of construction and can be even more life-threatening to older populations. It is commonly accepted that excessive noise is unpleasant and affects the quality of life. It disturbs and interferes with activities of the individual including concentration, communication, relaxation and sleep. Aside from the psychosocial effects of community noise, there is concern about the impact of noise on public health, particularly regarding cardiovascular outcomes. Non-auditory health effects of noise have been studied in humans for a couple of decades using laboratory and empirical methods. Biological reaction models have been derived, which are based on the general stress concept.

Among other non-auditory health metrics, short-term changes in circulation including blood pressure, heart rate, cardiac output and vasoconstriction as well as stress hormones (epinephrine, norepinephrine and corticosteroids) have been studied in experimental settings for many years in relation to construction and urban noise. Classical biological risk factors have been shown to be elevated in subjects that were exposed to high levels of noise. In an overview of epidemiological studies carried out in the field of community noises, cardiovascular risk was

assessed. Researcher Wolfgang Babisch (2006), measured blood pressure, hypertensions, ischaemic heart disease, and myocardial infarctions. Evidence of an association between noise and cardiovascular risk increased as constant noise increased. Older populations are at an even higher risk when exposed to increased levels of noise. It is vital we keep in mind the vulnerable population in senior centers, and that the research shown has the potential to be even more detrimental to the seniors in this case.

What are the hazards of dust?

In construction, demolition, and renovation situations, dust from a variety of sources poses serious and recognized health risks to workers, causing acute and chronic respiratory diseases such as silicosis, sarcoidosis, asbestosis, coal miner's pneumoconiosis, and other pneumoconiosis-type ailments. In addition to potential health problem for workers, dust emissions in some sectors also create another threat by increasing the probability of fires or explosions.

Health risks occur when workers and residents around construction sites are exposed to excessive amounts of harmful dust. The harmfulness is based on the composition of the dust (i.e. chemical or mineralogical), the size and shape of the particle (i.e. fibrous or spherical), the concentration of the dust (either by weight or quantity of dust particles), and lastly, the exposure time.

For occupational health purposes, dust is categorized by its composition. There are two main types of dust that exist on a work site. The first of the two is fibrogenic dust. Fibrogenic dust has fiber-like qualities, making it biologically toxic. If retained in the lungs, fibrogenic dust can impair the lungs' ability to function properly. Examples of this kind of dust include asbestos dust and free-crystalline silica.

The second type of dust is inert dust, which is essentially any dust containing less than 1% of quartz. Typically, health effects caused by inert dust are potentially reversible, as opposed to the more permanent effects of fibrogenic dust. However, inert dust has the potential to obscure visibility, cause unpleasant deposits in exposed bodily orifices, and potentially injure mucous membranes or the skin through chemical action.

Additionally, dust is classified by size into three categories: respirable dust, inhalable dust, and total dust. Respirable dust is small enough to penetrate deep into the lungs and bypasses the nose, throat, and upper respiratory tract. It is defined as being less than or equal to 5µm, which is about 1/12th the width of the average human hair. Inhalable dust has a median size of 10 µm and, when inhaled, becomes trapped in the nose, throat, and upper respiratory tract. Total dust includes all airborne particles, without regard to size or composition.

Long-term exposure to certain harmful respirable dusts can cause a condition known as pneumoconiosis. Pneumoconiosis is a general name for dust-related respiratory diseases that are

categorized by a tissue response to the buildup of mineral and/or metallic dust particles in the lungs.

There are varieties of pneumoconiosis that are much more prominent and common in industrial situations. The first—and most prevalent ailment in the concrete industry—is silicosis,

which is a chronic, irreversible disease resulting in shortness of breath and eventually, death, due to scarring of the lung tissue. Crystalline silica is naturally present in some construction materials including many abrasives used for blasting, brick and refractory brick, concrete, concrete block, cement and mortar *(present at 124 and 125 White Street),* granite, sandstone, quartzite and slate *(present at 124 and 125 White Street).*

Personal Perspectives

Below are two perspectives from caretakers of older populations including the effects on them personally due to construction and relocation, as well as their view on the detrimental effects of construction on seniors.

Case 1:

> "My crash course in care giving began in 2010, after my grandmother took a bad fall and broke her neck. While she retained limited mobility in her legs, she was unable to stand unaided and became wheelchair-bound. In addition to her physical limitations, she also suffered from mini-strokes and experienced speech difficulties. While I had assisted

her with some short-term needs in the past, care giving for days at a time was a new level of responsibility, helping with wheelchair transfers, restroom visits, and meals. No matter how helpless or frustrated she must have felt at times, she always treated me and other caregivers with such grace and respect.

Several family members were involved in the caregiving effort for the first few years, but as time passed and the task became more challenging, most began to step away from that role. My mother and I agreed that we both would continue our mission for as long as we were physically and financially able, and we also hired additional caregivers to meet what had become a 24-hour need.

By 2014, my grandfather's health had begun to deteriorate quickly as well. As his physical strength declined, he also began to suffer from some dementia. After sunset his mental state changed, and he could be particularly challenging to manage. We learned how to interact with him in this condition, playing along and redirecting his attention instead of arguing when he was perfectly convinced that we were all at his childhood home or in some other memory.

The confusion provoked a great deal of anxiety in my grandfather. While he was never violent or inappropriate, he would worry and fret over anything out of the ordinary. He was quite mobile with his walker, so we had to keep close tabs on him or he might

find his way to another room, investigating movement outside the window or attempting to escape the house to “go home.”

One of the most stressful changes to occur for both of my grandparents was their transition to hospital beds. The new beds were in the same bedroom, but they were on opposite walls. The couple had shared a bed for over 70 years, and suddenly, they were separated. Every night for weeks, we would hear one call out the other’s name throughout the night, as it was no longer possible to simply reach out to the person lying beside them. It took a long time for them to adjust to the altered environment, which negatively affected their health as they were not getting quality rest.

The following year, my grandfather passed away peacefully at the age of 93. My grandmother was sad but stoic, and while some in the family expected that she might pass on quickly, she actually regained some of the strength that had been sapped by constant anxiety during her husband’s last few weeks. There was some discussion of moving her into an assisted living facility, but we were able to keep her at home with the same care giving staff. I contributed as much time as I could while working full-time, and my mother also remained very involved. For over eighteen months, she continued to thrive at home, surrounded by loving caregivers and her sweet cat.

In late spring of 2017, the rest of the family decided that my grandmother should be in a nursing home. The morning of the move, my uncles arrived to explain the situation to my grandmother, and a short time later she was transported to her new home. The transition was difficult; while family members visited frequently over the course of the next few weeks, she was very withdrawn and did not interact much with anyone. Her speech difficulties increased her isolation; visiting family generally held conversations around her rather than with her. It took several months for my grandmother to really begin engaging with staff and visitors, but eventually she recovered her warm demeanor. Now 94 years old, she still resides in that facility."

Jennifer E., Michigan

Case 2:

"I work as a social worker in a personal care unit in a large retirement community. From my years of experience, I have seen facilities expand and adapt to the cultural demands of long-term care. The need to advance the structural environment is met with ongoing challenges when striving to be a lead provider of retirement living. With this demand also come repercussions and negative effects for the resident group which the advancements are intended to benefit.

The personal care unit where I work can house up to 96 residents; the unit is not currently at full capacity. The renovation goal is to build a new secure dementia unit. For this renovation, the rooms which lined the hallways have not been affected, only the large common area is being transformed. This area was barricaded off by makeshift structural points.

The first step in this process was to move out all residents who currently reside in the unit that needed to be renovated. A formal resident meeting was held to announce details of the plan. During the meeting, many residents became angry and upset as they looked upon the plan and realized their rooms were the ones being affected by the renovation. Power of Attorneys and families were later notified and then the scheduling of moving out began. I can tell you with confidence that 100% of the residents who were asked to move were not happy with this decision. All residents wished to remain in their familiar and comfortable environment because it had become "home" to them. One 94-year-old resident, who has a diagnosis of anxiety, reporting that she "could not sleep" the night before the move because of how much she was not looking forward to it. This resident also was one who became tearful immediately when the initial announcement was made. Another 84-year-old resident, who is alert and oriented, became extremely irate at the announcement meeting. She self-propelled her wheelchair out of the meeting yelling at the CEO and Administrator. This particular resident was upset for several weeks until she was "convinced" that she had to move.

Within two months, the initial relocation of the residents was completed. It was recommended by Administration to begin moving in the residents who were going to require this secure dementia unit. The common area that was being transformed had been the central hub for gatherings and activities. This area had to be relocated to the south side of the unit. Residents were

greatly affected by this change in location. They still verbalize uncertainty about where to go. They also express the new location is “too far away” and will sometimes opt not to engage in an activity that is taking place there due to location.

A handful of residents were chosen to move into this new unit as the construction was ongoing. They are now surrounded by drywall in pieces, spackle along the hallway, and light fixtures hanging from the bare and open ceilings. The construction crew walk back and forth with tools making loud drilling, hammering or sanding sounds. The noise does not only affect this 2nd floor north unit, it is heard on the lower level, where other residents reside. These sounds are distressing, which increases confusion to already cognitively-impaired residents, often causing fear and increased wandering. I have heard statements from an 87-year-old resident of “I hate coming out of my room. I hate seeing the construction.” This particular resident has a diagnosis of dementia and the daily use of construction was increasing her confusion. She ultimately had to move once again to another secure unit in our facility due to her increase in wandering behaviors.

One 80-year-old resident has exhibited signs of paranoia with statements such as "men are coming into my room." She does not wish to be left alone. Another 79-year-old resident has vocalized concern about the walking distance. Her room was on the other side of the makeshift barricade. Before the construction, she would walk through the common area to get to her room, but now has to walk all the way around the makeshift pathway. I have heard her state, "I am tired. This is too long."

The physical environment of noise and materials all over the area is distressing and poses potential safety hazards, despite educating the construction crew. Sanding down the drywall within a closed space has also placed an increased amount of dust in neighboring rooms. One 80-year-old resident living in the renovated unit was noted to have dust accumulating on the filter of her oxygen concentrator. Residents are always encouraged to keep their doors open to enhance socialization, but the effects of dust particles can be extremely hazardous for many residents especially with respiratory issues. Keeping the room doors closed was better for the health of the resident, although increases isolation and withdrawal. For this particular resident, it also increased her paranoia and anxiety.

The construction at the personal care unit is ongoing with tentative plans of completion in March 2019."

Bobbi Jo C., Pennsylvania

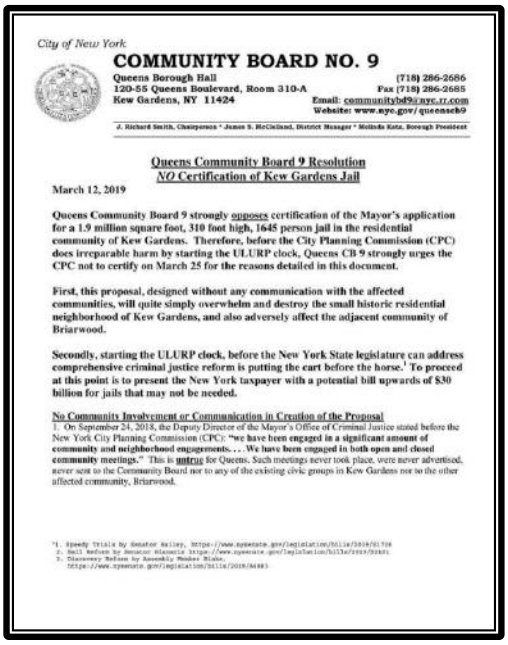
Other communities oppose disruptive construction projects

On March 11, 2019, the New York Daily News reported that residents of the Bronx and Queens were raising questions about impacts to their neighborhoods as a result of the city's plan to replace Rikers Island with new jail facilities. The presidents of the two boroughs sent a letter to Mayor DeBlasio raising "substantial concerns" with the current plan. South Bronx and Kew Gardens are each slated to house a new jail as part of DeBlasio's plan. The full article can be viewed at https://www.nydailynews.com/news/politics/ny-metro-bps-jail-letter-031119-story.html.

Bronx, Queens leaders slam de Blasio over plans to close Rikers by adding jails to their neighborhoods

By MICHAEL GARTLAND | NEW YORK DAILY NEWS | MAR 12, 2019 | 5:00 AM

(L-R) Queens Borough President Melinda Katz, Mayor Bill de Blasio and Bronx Borough President Ruben Diaz Jr. (Todd Maisel, Jeff Bachner, Shawn Inglima for New York Daily News)



City of New York

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Queens Community Board 9 Resolution
***NO* Certification of Kew Gardens Jail**

March 12, 2019

Queens Community Board 9 strongly opposes certification of the Mayor's application for a 1.9 million square foot, 310 foot high, 1645 person jail in the residential community of Kew Gardens. Therefore, before the City Planning Commission (CPC) does irreparable harm by starting the ULURP clock, Queens CB 9 strongly urges the CPC not to certify on March 25 for the reasons detailed in this document.

First, this proposal, designed without any communication with the affected communities, will quite simply overwhelm and destroy the small historic residential neighborhood of Kew Gardens, and also adversely affect the adjacent community of Briarwood.

Secondly, starting the ULURP clock, before the New York State legislature can address comprehensive criminal justice reform is putting the cart before the horse.[1] To proceed at this point is to present the New York taxpayer with a potential bill upwards of $30 billion for jails that may not be needed.

No Community Involvement or Communication in Creation of the Proposal

1. On September 24, 2018, the Deputy Director of the Mayor's Office of Criminal Justice stated before the New York City Planning Commission (CPC): **"we have been engaged in a significant amount of community and neighborhood engagements. . . . We have been engaged in both open and closed community meetings."** This is untrue for Queens. Such meetings never took place, were never advertised, never sent to the Community Board nor to any of the existing civic groups in Kew Gardens nor to the other affected community, Briarwood.

Queens Community Board 9 (CB9) recently passed a resolution opposing certification of the Mayor's application for the Kew Gardens jail project. Citing concerns about a lack of community involvement in the planning as well as negative impacts on their historic neighborhood, the board voted unanimously to advise the City Planning Commission to deny ULURP certification of the project. The full resolution can be found on the CB 9 Facebook page at https://www.facebook.com/CommunityBoard9/posts/2125197247588621.

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"I have experience with statistical analyses using a variety of software including, SPSS, SAS, R and Excel. I have research consulted with hundreds of clients on a myriad of research topics including quantitative, qualitative, mixed-methods, and psychometric designs.

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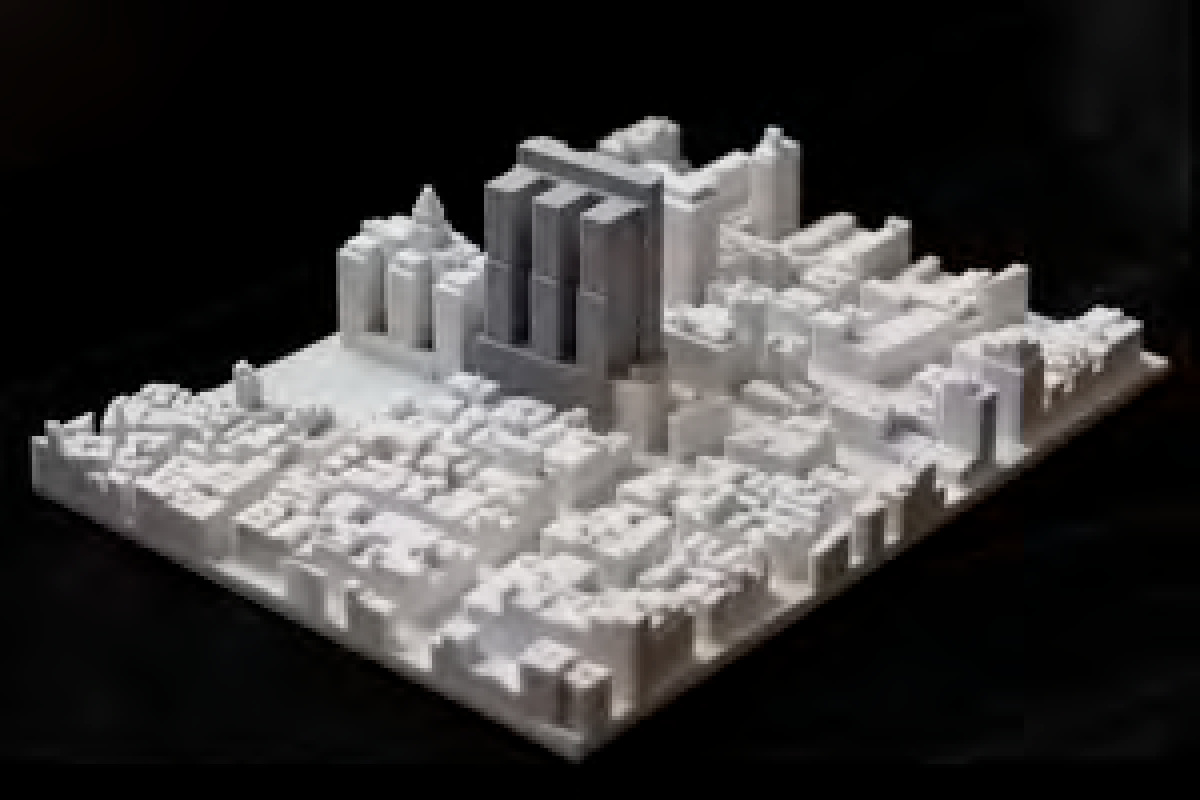
EXHIBIT C


DEPUTY
WARDEN


Crystal


RRECTION
NEW YORK CITY

EXHIBIT D



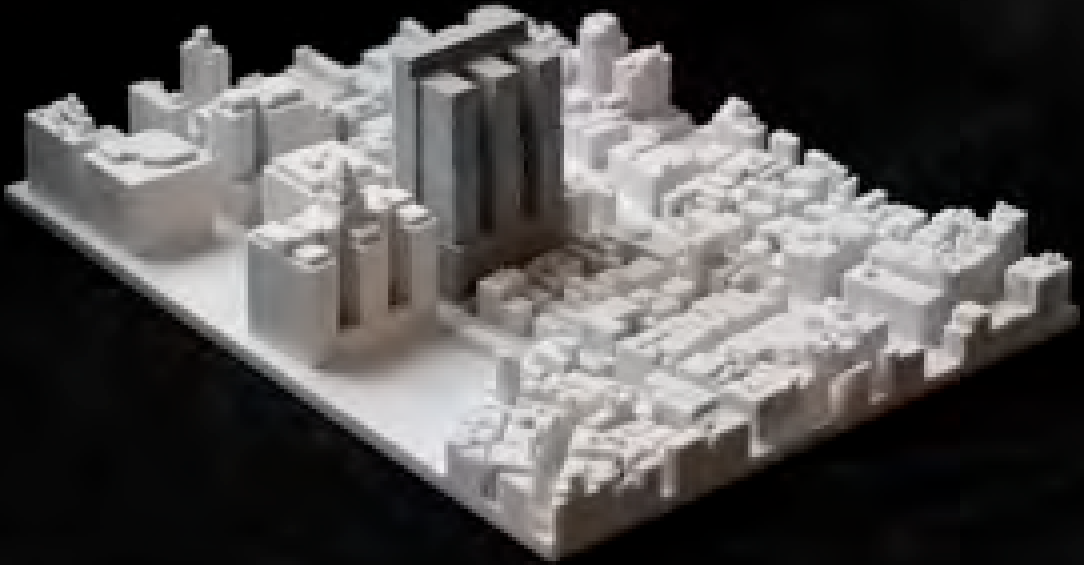


EXHIBIT E

Fair Share. The fair share ordinance was passed to further the fair distribution of the burdens and benefits associated with City facilities. The primary objective is to foster an equitable distribution of public facilities throughout the City by encouraging community consultants and by establishing a set of considerations that must be taken into account by City agencies when they select sites for new facilities or substantially change existing facilities. The City noted in the BBJs application that the proposed jail site selection is subject to Fair Share. However, site selection criteria did not list this as a factor that was evaluated. The City's analysis is inadequate and in complete disregard of the fair share requirements.

Specifically, in the case of residential facilities – which includes correctional facilities, nursing homes, group foster homes, inpatient mental health treatment centers and inpatient chemical dependency treatment centers, homeless shelters, and transitional housing – the City and DOC is required to apply stricter scrutiny to sitings in the 9 community districts with a high ratio of "residential beds" to population (defined in terms of beds per 1,000 residents, which allows for comparisons between communities of different sizes by adjusting for population).

The City and DOC's stricter scrutiny must explain whether alternative sites were considered and, for alternative sites in community districts with lower beds-to-population ratios, if those sites would be considerably more expensive to build or operate or would impair service delivery. The City did NOT do this analysis, as only 2 sites were evaluated, 80 Centre and 125 White Streets, both in the same district. Moreover, the City Planning Commission requires DCP to publish an annual index of the "beds-to-population" ratio for each community district, inclusive of City, State, federal, and private facilities. Although the criteria only requires alternative site analysis for proposed sites in communities with high beds-to-population ratios, DCP's own "Fair Share Criteria: A Guide for City Agencies" suggests its use for all sites. Unfortunately, this index has not been produced since 2003.

Without this information, the CPC and City still needs to address the below:

1. **Jails/Detention Centers –** On February 14, 2018, the Mayor and Council Speaker Corey Johnson announced only 4 of the 5 boroughs would shoulder the burden of closing Rikers Island. The explanation that it would be too costly to build a 5th site in Staten Island is contrary to statements made by City officials who said that "money is no object" when it comes to protecting the seniors. A cost analysis was requested but have not been provided by NUBC at the NAC meetings. The explanation that Staten Island did not contain the numbers of detainees to justify a jail there is equally illogical. Every county in New York State has a jail, except for one, Richmond County, Staten Island and almost all counties with populations over 400,000 have two. An explanation was requested of the Mayor and the City.

   On January 16, 2019, at the first NAC meeting, Dana Kaplan disclosed that the City and Perkins only evaluated 2 sites for Manhattan – 125 White and 80 Centre Street. The criteria used did not include fair share or impact to communities/neighborhoods, in violation of the fair share ordinance and in clear discrimination of the impacted community. Proximity to the courts and transit and convenience were cited as the primary factors. There was no mention of the impact to the communities or fair share were presented to justify the 1,500 beds slated for downtown Manhattan.

   Currently, lower Manhattan has 3 jails within close proximity of each other. The downtown area already has jails totaling more than 1,600 beds (800+ in MDC and another 800+ in the federal correction center), more than any other community in the city, which is nearly 34% of all the beds in Manhattan. To add another 700 beds, totaling 2,300 beds or detainees, would EXCESSIVELY overburden this community. 23%

of the impacted community live below the poverty line. We have more than borne our fair share and shouldered the burden for the City. This is an unfair and unequal distribution.

2. **Municipal Buildings**

    a. Council District 1 has 49 different municipal buildings, ranging from administrative offices, courts, detention facilities, etc. more than any other district in the borough of Manhattan. Many of these municipal buildings are a few blocks away from the proposed new jail on 124-125 White Street and next to residential buildings.

    b. This includes NYPD Headquarters, which closes off Park Row to public traffic, nine firehouse/engines, two police percincts and pier 35/36 Ambulance Station.

    c. This doesn't include the dozens of City offices and spaces used in private buildings and lots.

3. **Solid Waste**

    a. Council District 1 has two of the seven (or 29%) solid waste processing centers in Manhattan

    b. Council District 1 has the second most solid waste transferring and carting facilities in Manhattan

    c. Zip code 10013 has 2 solid waste transfer and carting centers (Section Station 11/13 on 7 North Moore Street and Empire State Environmental Company on 81 Worth Street) and 1 wastewater pumping station (Grand Canal Court Park on Thompson Street)

4. **Courts**

    a. City Council District 1 has 51 courthouses and judicial offices out of a **total of 70 boroughwide.**

    b. Please see list below

Name	Address	Borough	Type
New York County Supreme Court - Civil Term	71 Thomas Street	Manhattan	Courthouse
James L. Watson United States Court of International Trade Building	1 Federal Plaza	Manhattan	United States Court of International Trade Librarian
New York County Grand Jury	60 Centre Street	Manhattan	Courthouse
Office of Court Administration	111 Centre Street	Manhattan	Courthouse
Office of Court Administration	100 Centre Street	Manhattan	Courthouse
Supreme Court / Foley Sq Plots	500 Pearl Street	Manhattan	Courthouse
OCA-Office of Deputy Chief Administrative Judge Within NYC	100 Centre Street	Manhattan	Courthouse
New York City Housing Court - New York County Branch	111 Centre Street	Manhattan	Courthouse
New York County Jury Operations	100 Centre Street	Manhattan	Courthouse

Neighbors United Below Canal

Thurgood Marshall United States Courthouse	40 Centre Street	Manhattan	Second Circuit Court of Appeals Clerk
New York County Jury Operations	60 Centre Street	Manhattan	Courthouse
Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Manhattan	New York Southern Probation Office
Office of Court Administration	61 Broadway	Manhattan	Courthouse
New York County Supreme Court - Civil Term	100 Centre Street	Manhattan	Courthouse
New York County Clerk - NYCCOA	60 Centre Street	Manhattan	Courthouse
Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Manhattan	New York Southern District Court
New York City Criminal Court - Citywide Administration	100 Centre Street	Manhattan	Courthouse
New York City Civil Court - New York County Branch	111 Centre Street	Manhattan	Courthouse
Office of Court Administration	80 Centre Street	Manhattan	Courthouse
New York County Supreme Court - Civil Term	60 Centre Street	Manhattan	Courthouse
Alexander Hamilton Custom House	1 Bowling Green	Manhattan	New York Southern Bankruptcy Court
Appellate Division 1st Department - Appellate Term	60 Centre Street	Manhattan	Courthouse
New York County Supreme Criminal Law Library	100 Centre Street	Manhattan	Courthouse
Office of Court Administration	346 Broadway	Manhattan	Courthouse
New York County Supreme Court - Criminal Term	111 Centre Street	Manhattan	Courthouse
New York County Supreme Court - Civil Term	80 Centre Street	Manhattan	Courthouse
New York City Criminal Court - New York County Branch	100 Centre Street	Manhattan	Courthouse
New York City Criminal Court - Citywide Summons Part	346 Broadway	Manhattan	Courthouse
Office of Court Administration	60 Lafayette Street	Manhattan	Courthouse
Office of Court Administration	60 Centre Street	Manhattan	Courthouse
Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Manhattan	New York Southern Pretrial Services
First Judicial Department Appellate Term	60 Centre Street	Manhattan	Courthouse
Federal Defenders of New York, Inc.	52 Duane Street	Manhattan	Federal Defenders of New York, Inc.
Office of Court Administration	26 Broadway	Manhattan	Courthouse

New York County Jury Operations	111 Centre Street	Manhattan	Courthouse
Office of Court Administration	25 Beaver Street	Manhattan	Courthouse
New York County Surrogate's Court	31 Chambers Street	Manhattan	Courthouse
New York County Jury Operations	71 Thomas Street	Manhattan	Courthouse
James L. Watson United States Court of International Trade Building	1 Federal Plaza	Manhattan	United States Court of International Trade
New York County Family Court	60 Lafayette Street	Manhattan	Courthouse
New York County Supreme Court - Criminal Term	100 Centre Street	Manhattan	Courthouse
New York City Criminal Court - Human Resources	111 Centre Street	Manhattan	Courthouse
New York City Criminal Court - Treatment Court Offices	60 Lafayette Street	Manhattan	Courthouse
OCA-Executive Direction	25 Beaver Street	Manhattan	Courthouse
Office of Court Administration	123 William Street	Manhattan	Courthouse
Appellate Division 2nd Department - Chambers	60 Centre Street	Manhattan	Courthouse
New York County Supreme Court - Civil Term	111 Centre Street	Manhattan	Courthouse
Thurgood Marshall United States Courthouse	40 Centre Street	Manhattan	Second Circuit Librarian
Court of Claims	26 Broadway	Manhattan	Courthouse
New York County Supreme Civil Law Library	60 Centre Street	Manhattan	Courthouse
Appellate Division 1st Department-Departmental Disciplinary Comm	61 Broadway	Manhattan	Courthouse

5. **Substance abuse rehabilitation center**

   a. Council District 1 houses four Opioid Outpatient Treatment Chemical Dependency and four Outpatient Clinic Chemical Dependency.

   b. RevCore Recovery Ctr / Manhattan OP is only two blocks away at 181 Canal Street

6. Homeless Shelters

The City's overreliance on Emergency Contracting Charter Section 315, which exempts emergency contracts from the Fair Share process, has kept hidden the City's severe homelessness problem and the related information available to the public for fair share analysis. We are well aware that many, if not all, of the hotels

in District 1 currently house a number of homeless beds. The number needs to be made public for a proper analysis.

Given the inadequate disclosures of data, the fair share analysis is incomplete. The Department of City Planning did not release enough data for the public or community boards to evaluate the fairness of a proposed siting or make objective comparisons between communities. It has woefully failed to release a ranking of community beds-to-population ratios, an annual requirement under the Fair Share Criteria, since 2003.

Family Homeless Shelters

Number and Type of Family Shelters and Units, by City Council District
December 2015

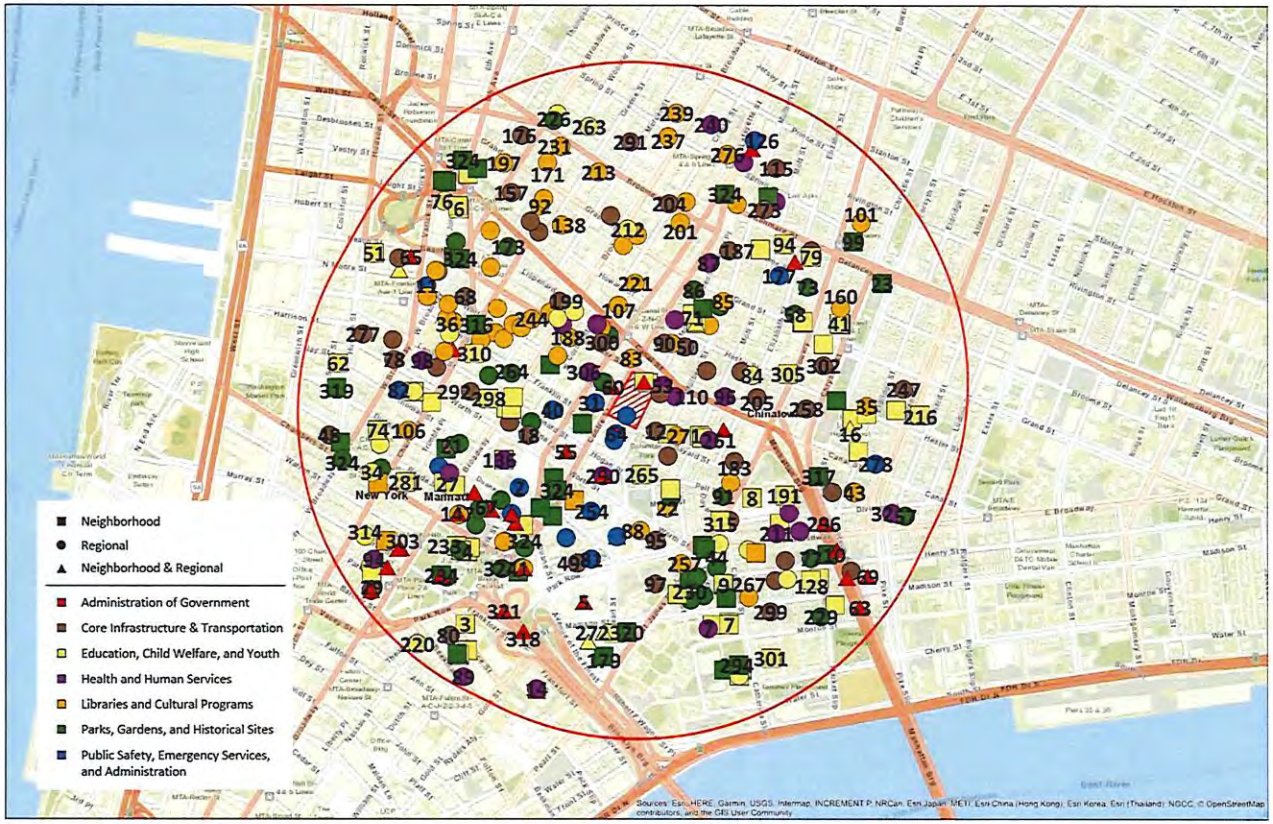
City/Borough/ Community District	Total Number of Shelters	Total Number of Shelter Units	Most Common Shelter Unit Type	Number of Tier II Shelter Units	Number of Cluster Site Units	Number of Hotel Units
New York City	**308**	**10,952**	**Tier II**	**6,711**	**2,275**	**1,966**
Manhattan	36	1,780	Tier II	1,174	99	507
Bronx	168	4,702	Tier II	2,183	1,827	692
Brooklyn	87	2,870	Tier II	2,151	349	370
Queens	16	1,554	Tier II	1,157	0	397
Staten Island	1	46	Tier II	46	0	0
1	1	16	Tier II	16	0	0
2	3	310	Tier II	310	0	0
3	0	0	-	0	0	0
4	0	0	-	0	0	0
5	0	0	-	0	0	0
6	1	54	Tier II	54	0	0
7	7	558	Tier II	363	15	180
8	24	931	Tier II	660	144	127
9	21	606	Hotel	195	84	327
10	0	0	-	0	0	0
11	9	135	Cluster Site	0	135	0
12	6	264	Tier II	185	17	62
13	3	137	Tier II	129	8	0
14	21	507	Tier II	209	201	97
15	35	774	Cluster Site	206	356	212
16	30	1,106	Tier II	668	406	32
17	25	812	Tier II	362	288	162
18	18	272	Cluster Site	0	272	0
19	0	0	-	0	0	0
20	0	0	-	0	0	0
21	3	268	Tier II	268	0	0
22	2	179	Hotel	79	0	100
23	0	0	-	0	0	0
24	3	166	Tier II	106	0	60
25	1	209	Tier II	209	0	0
26	0	0	-	0	0	0
27	2	125	Tier II	125	0	0
28	1	161	Hotel	0	0	161
29	0	0	-	0	0	0
30	1	76	Hotel	0	0	76
31	2	337	Tier II	337	0	0

https://www.icphusa.org/reports/map-dynamics-family-homelessness-new-york-city-2017/#family-homelessness-in-new-york-city

City Council District 1
https://www.icphusa.org/wp-content/uploads/2017/04/ICPH_OntheMap_DynamicsofFamilyHomelessness2017_CCD1.pdf

EXHIBIT F

MAP C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET



Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
1	Municipal Building	1 Centre Street	Historical Sites	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Municipal Plaza	1 Centre Street	Parks and Plazas	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Manhattan Municipal Building	1 Centre Street	Other Property	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
1	Big Apple Greeter, Inc.	1 Centre Street	Cultural Institutions	
1	Manhattan Municipal Building	1 Centre Street	Offices, Training, and Testing	
2	James L. Watson United States Court of International Trade Building	1 Federal Plaza	Justice and Corrections	
2	James L. Watson United States Court of International Trade Building	1 Federal Plaza	Justice and Corrections	
3	P226m At Pace University	1 Pace Plaza	Child Services and Welfare	
3	Pace University - NYC Campus	1 Pace Plaza	Higher Education	
3	USDA-CEO P226m At Pace University	1 Pace Plaza	Child Services and Welfare	
4	The Peck Slip School	1 Peck Slip	Day Care and Pre-Kindergarten	NYCDOE: 36
5	NYPD Headquarters/Police Plaza	1 Police Plaza	Offices, Training, and Testing	
6	Chung Pak Day Care Annex (A.K.A Tribeca Early Learning Center)	1 York Street	Day Care and Pre-Kindergarten	
6	Tribeca Early Childhood Lrn Cr	1 York Street	Day Care and Pre-Kindergarten	NYCACS: 39
7	Smith	10 Catherine Slip	Human Services	
7	Hamilton Madison House	10 Catherine Slip	Day Care and Pre-Kindergarten	
8	Transfiguration Kindergarten	10 Confucius Plaza	Day Care and Pre-Kindergarten	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
9	Sophie Irene Loeb Plyg	10 Henry Street	Parks and Plazas	
10	Sophie Irene Loeb	10 Market Street	Parks and Plazas	
11	Lad 8	10 North Moore Street	Emergency Services	
12	Margaret E. Pescatore Parking, Inc.	100 Bayard Street	Transportation	NYCDCA: 12
13	Office of Court Administration	100 Centre Street	Justice and Corrections	
13	Manhattan Forensic Psychiatry Court Clinic	100 Centre Street	Health Care	
13	OCA-Office of Deputy Chief Administrative Judge Within NYC	100 Centre Street	Justice and Corrections	
13	New York County Jury Operations	100 Centre Street	Justice and Corrections	
13	New York County Supreme Court - Civil Term	100 Centre Street	Justice and Corrections	
13	New York City Criminal Court - Citywide Administration	100 Centre Street	Justice and Corrections	
13	New York County Supreme Criminal Law Library	100 Centre Street	Justice and Corrections	
13	New York City Criminal Court - New York County Branch	100 Centre Street	Justice and Corrections	
13	Detention Facility	100 Centre Street	Offices, Training, and Testing	
13	New York County Supreme Court - Criminal Term	100 Centre Street	Justice and Corrections	
14	Hamilton Madison House Inc	100 Gold Street	Human Services	
14	Office Bldg	100 Gold Street	Offices, Training, and Testing	
14	Office Bldg	100 Gold Street	Offices, Training, and Testing	
14	Office Bldg	100 Gold Street	City Agency Parking, Maintenance, and Storage	
14	Office Bldg	100 Gold Street	Offices, Training, and Testing	
14	Hamilton Madison House Inc	100 Gold Street	Human Services	
15	Chinatown YMCA	100 Hester St	Child Services and Welfare	
16	Pace High School	100 Hester Street	Schools (K-12)	NYCDOE: 0,0,636
16	M.S. 131	100 Hester Street	Schools (K-12)	NYCDOE: 0,578,0
16	IS 131	100 Hester Street	Youth Services	
16	Emma Lazarus High School	100 Hester Street	Schools (K-12)	NYCDOE: 0,0,312
16	Chinese American Planning Council/Manhattan	100 Hester Street	Youth Services	
17	Gymboree Play & Music -Tribeca	100 Reade Street	Camps	NYCDOHMH: 90
18	Central Parking System Of New York, Inc.	101 Worth Street	Transportation	
18	Sp Plus Corporation	101 Worth Street	Transportation	NYCDCA: 226
19	Eng7,Lad1,Bat1,Man Boro Cmd	104 Duane Street	Emergency Services	
20	Cary Building	105 Chambers Street	Historical Sites	
21	Tribeca Tower	105 Duane Street	Parks and Plazas	
21	Kids Parking Corp.	105 Duane Street	Transportation	
22	Greater Chinatown Community Association	105 Mosco Street	Cultural Institutions	
23	Sara D. Roosevelt Park	106 Chrystie Street	Parks and Plazas	
24	Hester Parking Corp.	106 Mott Street	Transportation	
24	106 Mott Street Parking Corp	106 Mott Street	Transportation	
25	Parabola Arts Foundation, Inc.	108 Franklin Street	Cultural Institutions	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
26	Field Office-MN Family Ct Divn	109 Leonard Street	Other Property	
26	Field Office-MN Family Ct Divn	109 Leonard Street	Offices, Training, and Testing	
26	Field Office-MN Family Ct Divn	109 Leonard Street	City Agency Parking, Maintenance, and Storage	
27	Lang School (The)	11 Broadway-Ste 300	Schools (K-12)	
28	New York Career Institute	11 Park Pl	Higher Education	
29	New York Foundation For Senior Citizens Inc	11 Park Place	Human Services	
29	Office Of The Appellate Defender	11 Park Place	Human Services	
29	Day One	11 Park Place	Human Services	
29	NYfscgs	11 Park Place	Human Services	
29	SHOP Architects	11 Park Place	Youth Services	
29	Park Place Office	11 Park Place	Human Services	
29	New York Foundation For Senior Citizens Home Atten	11 Park Place	Human Services	
30	Archive Of Contempory Music	110 Chambers	Libraries	
31	Office of Court Administration	111 Centre Street	Justice and Corrections	
31	Civil Municipal Court	111 Centre Street	City Agency Parking, Maintenance, and Storage	
31	New York City Housing Court - New York County Branch	111 Centre Street	Justice and Corrections	
31	Civil Municipal Court	111 Centre Street	Justice and Corrections	
31	New York City Civil Court - New York County Branch	111 Centre Street	Justice and Corrections	
31	Civil Municipal Court	111 Centre Street	City Agency Parking, Maintenance, and Storage	
31	New York County Supreme Court - Criminal Term	111 Centre Street	Justice and Corrections	
31	Civil Municipal Court	111 Centre Street	Other Property	
31	New York County Jury Operations	111 Centre Street	Justice and Corrections	
31	Civil Municipal Court	111 Centre Street	Other Property	
31	Manhattan Housing Court Office	111 Centre Street	Human Services	
31	New York City Criminal Court - Human Resources	111 Centre Street	Justice and Corrections	
31	New York County Supreme Court - Civil Term	111 Centre Street	Justice and Corrections	
32	Aafe Division St Office	111 Division Street	Human Services	
33	The New York Acad Of Art	111 Franklin St	Higher Education	
34	Abi School Of Barbering And Cosmetol	113 Chambers St	Vocational and Proprietary Schools	
35	Hester Street Collaborative	113 Hester Street	Cultural Institutions	
36	South Asian International Film Festival, Inc.	114 Franklin Street	Cultural Institutions	
37	Kennee Parking Corp.	114 Mulberry Street	Transportation	NYCDCA: 42
38	Garment Industry DCC	115 Chrystie St	Day Care and Pre-Kindergarten	NYCDOE: 18
39	Chinese American Planning Council. Inc.	115 Chrystie Street	Day Care and Pre-Kindergarten	NYCDOHMH: 79
39	Chinatown Medicaid Office	115 Chrystie Street	Human Services	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
39	Garment Ind Dc Chinatown	115 Chrystie Street	Day Care and Pre-Kindergarten	NYCACS: 65
39	Garment Industry Daycare	115 Chrystie Street	Day Care and Pre-Kindergarten	
39	OCSE Man./SI Borough Office	115 Chrystie Street	Human Services	
40	Field Office-MN Family Ct Divn	115 Leonard Street	Offices, Training, and Testing	
40	Field Office-MN Family Ct Divn	115 Leonard Street	Offices, Training, and Testing	
41	Chinatown Pc DCC& Open Door Sr	117 Chrystie Street	Offices, Training, and Testing	
41	Chinatown Pc DCC& Open Door Sr	117 Chrystie Street	Human Services	
41	Chinatown Pc DCC& Open Door Sr	117 Chrystie Street	City Agency Parking, Maintenance, and Storage	
41	Chinatown Pc DCC& Open Door Sr	117 Chrystie Street	Other Property	
41	Chinatown Pc DCC& Open Door Sr	117 Chrystie Street	Day Care and Pre-Kindergarten	
42	Museum At Eldridge Street	12 Eldridge St	Cultural Institutions	
43	Eldridge Street Synagogue	12 Eldridge Street	Historical Sites	
43	Museum at Eldridge Street	12 Eldridge Street	Cultural Institutions	
44	Mariner's Temple	12 Oliver Street	Historical Sites	
45	USDA-CEO P094m At PS 397m	12 Spruce St	Child Services and Welfare	
45	Spruce Street School	12 Spruce St	Day Care and Pre-Kindergarten	NYCDOE: 36
46	P.S. M094	12 Spruce Street	Schools (K-12)	NYCDOE: 29,10,5
46	Spruce Street School	12 Spruce Street	Schools (K-12)	NYCDOE: 342,104,0
47	Detention Facility	120 White Street	Justice and Corrections	
48	Sky Parking Corp.	121 Reade Street	Transportation	
49	Irt Substation #11	122 Park Row	Transportation	
50	125 Vertical Parking Group, LLC	123 Baxter Street	Transportation	NYCDCA: 68
51	Tribeca Community School	124 Hudson Street	Day Care and Pre-Kindergarten	NYCDOHMH: 75
52	Chung Pak DCC	125 Walker St	Day Care and Pre-Kindergarten	NYCDOE: 18
53	Chinese-American Planning Council Inc.	125 Walker Street	Day Care and Pre-Kindergarten	NYCDOHMH: 66
53	Chung Pak Pre-School	125 Walker Street	Day Care and Pre-Kindergarten	NYCACS: 65
53	Chung Pak Day Care	125 Walker Street	Day Care and Pre-Kindergarten	
53	Walker St Chung Pak Ldc	125 Walker Street	Other Property	
53	Charles B Wang Community Health Center Inc	125 Walker Street	Health Care	
54	Detention Facility	125 White Street	Offices, Training, and Testing	
54	Detention Facility	125 White Street	Offices, Training, and Testing	
54	Manhattan Detention Complex (MDC)	125 White Street	Justice and Corrections	
54	Detention Facility	125 White Street	Other Property	
54	Detention Facility	125 White Street	Offices, Training, and Testing	
54	Detention Facility	125 White Street	Offices, Training, and Testing	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5- MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
54	Detention Facility	125 White Street	Other Property	
54	Detention Facility	125 White Street	City Agency Parking, Maintenance, and Storage	
55	Health Building-125 Worth St	125 Worth Street	Offices, Training, and Testing	
56	Camera Club of New York, Inc.	126 Baxter Street	Cultural Institutions	
57	United States Post Office-Knickerbocker Station	128 East Broadway	Historical Sites	
58	Bowery Savings Bank	130 Bowery	Historical Sites	
59	Sanit Print Shop/Dep Repair Yd	132 Madison Street	City Agency Parking, Maintenance, and Storage	
59	Sanit Print Shop/Dep Repair Yd	132 Madison Street	City Agency Parking, Maintenance, and Storage	
59	Sanit Print Shop/Dep Repair Yd	132 Madison Street	City Agency Parking, Maintenance, and Storage	
60	137 Centre Street-Office Bldg	133 Centre Street	Other Property	
60	137 Centre Street-Office Bldg	133 Centre Street	City Agency Parking, Maintenance, and Storage	
60	137 Centre Street-Office Bldg	133 Centre Street	Other Property	
60	137 Centre Street-Office Bldg	133 Centre Street	Offices, Training, and Testing	
60	137 Centre Street-Office Bldg	133 Centre Street	Offices, Training, and Testing	
60	137 Centre Street-Office Bldg	133 Centre Street	City Agency Parking, Maintenance, and Storage	
61	Art For Progress	133 Mulberry Street	Cultural Institutions	
62	The Washington Market School	134 Duane Street	Day Care and Pre-Kindergarten	NYCDOHMH: 84
63	Corporation Yard Addition	134 Madison Street	City Agency Parking, Maintenance, and Storage	
64	Detention Facility	138 Centre Street	Other Property	
65	1st Pct Pol Stat	14 Beach Street	Public Safety	
65	1st Pct Pol Stat	14 Beach Street	Public Safety	
66	Buzz Parking & Mgmt Corp.	14 Kenmare Street	Transportation	
67	NYC Commission on Human Rights Office	14 Reade Street	Offices, Training, and Testing	
68	512 Parking Corp.	14 White Street	Transportation	NYCDCA: 42
69	Bwso Water Sewer & Repair Fac	141 Madison Street	City Agency Parking, Maintenance, and Storage	
70	P.S. 130 Hernando De Soto	143 Baxter St	Day Care and Pre-Kindergarten	NYCDOE: 18
71	P.S. 130 Hernando De Soto	143 Baxter Street	Schools (K-12)	NYCDOE: 923,0,0
71	P.S. 130 Hernando Desoto School	143 Baxter Street	Youth Services	
72	PS 130 & Playground	145 Baxter Street	Schools (K-12)	
72	PS 130 & Playground	145 Baxter Street	Parks and Plazas	
73	Westchester House	146 Bowery	Historical Sites	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
74	The Jewish Community Project Of Lower Manhattan	146 Duane Street	Day Care and Pre-Kindergarten	NYCDOHMH: 123
75	Van Rensselar, Stephen, House	149 Mulberry Street	Historical Sites	
76	Gateway New York	15 Laight Street	Vocational and Proprietary Schools	
77	Sea and Land Church	15 Market Street	Historical Sites	
78	Edison NY Parking LLC.	15 Worth Street	Transportation	NYCDCA: 139
79	Cpc Chungpak	150 Elizabeth Street	Day Care and Pre-Kindergarten	
79	Cpc Jacob Riis	150 Elizabeth Street	Day Care and Pre-Kindergarten	
79	Cpc Garment Industry	150 Elizabeth Street	Day Care and Pre-Kindergarten	
79	Cpc Little Star	150 Elizabeth Street	Day Care and Pre-Kindergarten	
79	Cpc Chungpak Annex	150 Elizabeth Street	Day Care and Pre-Kindergarten	
80	Imperial Parking (U.S.), LLC	150 Nassau Street	Transportation	NYCDCA: 25
80	NY Foundation For Senior Citizens	150 Nassau Street	Human Services	
80	Quik Park Nassau LLC	150 Nassau Street	Transportation	NYCDCA: 25
81	MCC New York	150 Park Row	Justice and Corrections	
82	NYC Department of Youth and Community Development Office	151 West Broadway	Offices, Training, and Testing	
82	Courthouse	151 West Broadway	Other Property	
83	Yangtze Repertory Theatre of America, Inc.	153 Centre Street	Cultural Institutions	
84	Oversea Chinese Mission	154 Hester Street	Camps	NYCDOHMH: 100
85	Italian American Museum	155 Mulberry Street	Cultural Institutions	
86	Odd Fellows Hall	165 Grand Street	Historical Sites	
87	Chinese-American Planning Council Inc	168 Grand Street	Human Services	
88	170 Park Row Parking Corp	170 Park Row	Transportation	NYCDCA: 130
88	Music from China	170 Park Row	Cultural Institutions	
89	New York-Presbyterian/Lower Manhattan Hospital	170 William Street	Health Care	
90	Edison NY Parking LLC	174 Centre Street	Transportation	NYCDCA: 93
91	Mooney, Edward, House	18 Bowery	Historical Sites	
92	Swiss Institute	18 Wooster Street	Cultural Institutions	
93	Chinese Community Concerns Corp.	180 Mott St	Day Care and Pre-Kindergarten	NYCDOE: 36
94	Chinese Community Concerns Corp.	180 Mott Street	Day Care and Pre-Kindergarten	NYCDOHMH: 96
94	Mott Street Senior Center	180 Mott Street	Day Care and Pre-Kindergarten	
94	New York Foundation For Senior Citizens Inc	180 Mott Street	Human Services	
95	Chatham Parking Systems Inc.	180 Park Row	Transportation	
96	RevCore Recovery Ctr / Manhattan OP	181 Canal Street	Health Care	
97	One Police Plaza	185 Park Row	Transportation	
98	New York Law School	185 West Broadway	Higher Education	
98	Safe Passage Project/NYIs	185 West Broadway	Human Services	
99	citizenM Bowery	189 Bowery	Parks and Plazas	
100	5th Precinct Station House	19 Elizabeth Street	Public Safety	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
101	Earth Celebrations, Inc.	199 Bowery	Cultural Institutions	
102	Champion Confucius LLC	2 Division Street	Transportation	NYCDCA: 300
103	Queens Community Center, Inc.	2 East Broadway	Vocational and Proprietary Schools	
103	Queens Community Center, Inc.	2 East Broadway	Vocational and Proprietary Schools	
103	Olia, Inc.	2 East Broadway	Vocational and Proprietary Schools	
104	District 2 Pre-K Center At 2 Lafaye	2 Lafayette St	Child Services and Welfare	
105	Court Square Bldg	2 Lafayette Street	Other Property	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	City Agency Parking, Maintenance, and Storage	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Other Property	
105	Court Square Bldg	2 Lafayette Street	Other Property	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
105	Court Square Bldg	2 Lafayette Street	Offices, Training, and Testing	
106	Center For Traditional Music Dance	200 Church St	Cultural Institutions	
107	Urban Arts Partnership	21 Howard Street	Cultural Institutions	
108	Chinese American Planning Council Inc.	21 St Johns Lane	Day Care and Pre-Kindergarten	NYCDOHMH: 39
109	Center Annex (Tribeca ECC)	21 St Johns Ln	Day Care and Pre-Kindergarten	NYCDOE: 18
110	Greenwich House Children's Safety Project	210 Canal Street	Health Care	
111	Chinatown Dialysis Center, LLC	213 Hester Street	Health Care	
112	Tribeca Community School	22 Beach Street	Day Care and Pre-Kindergarten	NYCDOHMH: 52
113	NYC Office of the Mayor Office	22 Reade Street	Offices, Training, and Testing	
114	Chinese American Planning Council	220 Church Street	Youth Services	
115	224 Mulberry Street Condominium	224 Mulberry Street	Transportation	NYCDCA: 13
116	Surrogate Court	23 Chambers Street	Offices, Training, and Testing	
116	Surrogate Court	23 Chambers Street	Offices, Training, and Testing	
116	Surrogate Court	23 Chambers Street	City Agency Parking, Maintenance, and Storage	
116	Surrogate Court	23 Chambers Street	Other Property	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
116	Surrogate Court	23 Chambers Street	Offices, Training, and Testing	
116	Surrogate's Court (Hall of Records)	23 Chambers Street	Historical Sites	
117	Church of the Transfiguration	23 Mott Street	Historical Sites	
118	Victoria Children's Group	230 Grand St 2nd Floor	Day Care and Pre-Kindergarten	NYCDOE: 16
119	Victoria Children's Group, Inc.	230 Grand Street	Day Care and Pre-Kindergarten	NYCDOHMH: 54
120	American Institute of Graphic Arts	233 Broadway	Cultural Institutions	
120	Woolworth Building	233 Broadway	Historical Sites	
120	Barclay Street Parking LLC	233 Broadway	Transportation	NYCDCA: 150
120	Investigative Support Units	233 Broadway	Offices, Training, and Testing	
121	Lafayette Medical Approach, LLC OTP	233 Lafayette Street	Health Care	
121	Lafayette Medical Approach, LLC	233 Lafayette Street	Health Care	
122	Pf Parking Corp.	24 Leonard Street	Transportation	NYCDCA: 160
122	24 Leonard Parking LLC	24 Leonard Street	Transportation	NYCDCA: 217
122	Louis Provenzano Inc.	24 Leonard Street	Transportation	NYCDCA: 217
123	Former Police Headquarters Building	240 Centre Street	Historical Sites	
124	Summer Academics Prog At Wossing	243 Grand St 3rd Fl	Child Services and Welfare	
125	Lad 20,Div 1,Pkg,Vehicle Storg	243 Lafayette Street	City Agency Parking, Maintenance, and Storage	
126	Lad 20,Div 1, Bfi Spec Inv	247 Lafayette Street	Emergency Services	
127	Red Apple Child Development Center	25 Market St	Child Services and Welfare	
128	Preschool Of America (Usa) Inc.	25 Market Street	Day Care and Pre-Kindergarten	NYCDOHMH: 19; NYCDOHMH: 168
129	Smith, Alfred E., House	25 Oliver Street	Historical Sites	
130	City Council	250 Broadway	Offices, Training, and Testing	
130	City Council	250 Broadway	Offices, Training, and Testing	
130	City Council	250 Broadway	Offices, Training, and Testing	
130	City Council	250 Broadway	Offices, Training, and Testing	
131	Hra/Dss Central Office	250 Church Street	City Agency Parking, Maintenance, and Storage	
131	Hra/Dss Central Office	250 Church Street	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #2	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	City Agency Parking, Maintenance, and Storage	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Other Property	
132	Home Life Insurance Bldg	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	Offices, Training, and Testing	
132	Commercial Condominium Unit #1	253 Broadway	City Agency Parking, Maintenance, and Storage	
133	254-260 Canal Street	254 Canal Street	Historical Sites	
134	Beach Street Park/Tribeca Park	256 West Broadway	Parks and Plazas	
135	Asian American Arts Centre, Inc.	26 Bowery	Cultural Institutions	
136	Fedkids Child Care Center Managed By Horizons	26 Federal Plaza	Day Care and Pre-Kindergarten	NYCDOHMH: 58; NYCDOHMH: 51
136	Federal Immigration Court	26 Federal Plaza	Human Services	
137	Bridge View Auto Service Center Inc.	26 Forsyth Street	Transportation	NYCDCA: 42
138	Location One, Inc.	26 Greene Street	Cultural Institutions	
139	Leslie-Lohman Museum of Gay and Lesbian Art	26 Wooster Street	Cultural Institutions	
140	Dova, Inc.	260 West Broadway	Cultural Institutions	
140	Performing Artservices, Inc.	260 West Broadway	Cultural Institutions	
140	Ontological-Hysteric Theater, Inc.	260 West Broadway	Cultural Institutions	
140	House Foundation for the Arts, Inc.	260 West Broadway	Cultural Institutions	
140	Music at the Anthology, Inc.	260 West Broadway	Cultural Institutions	
140	American Thread Building	260 West Broadway	Historical Sites	
141	Sara D. Roosevelt Parkway Plgd	263 Grand Street	Parks and Plazas	
142	Canopy, Inc.	264 Canal Street	Cultural Institutions	
143	Charles B Wang Comm Health Care Center	268 Canal Street	Health Care	
144	Acare Training Incorporated	27 E Broadway	Vocational and Proprietary Schools	
145	Portfolio School	27 N Moore St	Schools (K-12)	
146	Ice House Parking Corp.	27 North Moore Street	Transportation	NYCDCA: 76
147	Sun Building	280 Broadway	Offices, Training, and Testing	
147	280 Broadway Car Park, LLC	280 Broadway	Transportation	NYCDCA: 149
147	Rogar LLC	280 Broadway	Transportation	NYCDCA: 149
147	Stewart, A. T., Company Store	280 Broadway	Historical Sites	
147	Dance New Amsterdam, Inc.	280 Broadway	Cultural Institutions	
147	Sun Building	280 Broadway	Other Property	
147	Sun Building	280 Broadway	Offices, Training, and Testing	
148	One to World, Inc.	285 West Broadway	Cultural Institutions	
149	Transfiguration School	29 Mott St	Schools (K-12)	
150	Transfiguration School	29 Mott Street	Day Care and Pre-Kindergarten	
151	Custodial	290 Broadway	City Agency Parking, Maintenance, and Storage	
151	African Burial Ground National Monument	290 Broadway	Historical Sites	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
151	Security	290 Broadway	Other Property	
152	Advanced Software Analysis	291 Broadway	Vocational and Proprietary Schools	
152	My Little School	291 Broadway	Day Care and Pre-Kindergarten	NYCDOHMH: 39
153	Apex Art Curatorial Program	291 Church Street	Cultural Institutions	
153	ApexArt Curatorial Program	291 Church Street	Cultural Institutions	
154	P.S. 137 John Bernstein School	293 Broadway	Youth Services	
155	Future Media Concepts, Inc.	299 Broadway	Vocational and Proprietary Schools	
155	Advocacy	299 Broadway	Health Care	
155	Mfy Legal Services Inc.	299 Broadway	Human Services	
155	New York Paralegal School	299 Broadway	Vocational and Proprietary Schools	
155	MFY - CSS Program	299 Broadway	Health Care	
155	Mfy	299 Broadway	Human Services	
155	MFY - Reinvestment	299 Broadway	Health Care	
155	Mfy Legal Services Inc	299 Broadway	Human Services	
156	Surrogate Court	31 Chambers Street	Offices, Training, and Testing	
156	Municipal Ref & Research Center	31 Chambers Street	Cultural Institutions	
156	The New York Archival Society, Ltd.	31 Chambers Street	Cultural Institutions	
156	New York County Surrogate's Court	31 Chambers Street	Justice and Corrections	
156	Surrogate Court	31 Chambers Street	Offices, Training, and Testing	
156	NYC Municipal Archives	31 Chambers Street	Cultural Institutions	
157	Quik Park 311 Wb LLC	311 West Broadway	Transportation	
158	Drama League of New York, Inc.	32 Avenue Of The Americas	Cultural Institutions	
159	St. James Church	32 James Street	Historical Sites	
160	White Box, Ltd.	329 Broome Street	Cultural Institutions	
161	Chatham Square	33 East Broadway	Libraries	
162	Canal Parking Mgmt, LLC	335 Canal Street	Transportation	NYCDCA: 89
163	95 Worth, LLC	336 Broadway	Transportation	NYCDCA: 114
164	Judson Health Center	34 Spring Street	Health Care	
164	Judson Health Center	34 Spring Street	Health Care	
165	Office of Court Administration	346 Broadway	Justice and Corrections	
165	New York City Criminal Court - Citywide Summons Part	346 Broadway	Justice and Corrections	
165	Former New York Life Insurance Company Building	346 Broadway	Historical Sites	
165	Center for Alternative	346 Broadway	Youth Services	
166	Court Employment Project	346 Broadway 6th Fl	Child Services and Welfare	
167	Alternative Detention	346 Broadway 6th Fl-West	Child Services and Welfare	
168	Wooster Parking Corp.	349 Canal Street	Transportation	NYCDCA: 225
169	Chinatown DCC, Inc.	35 Division St	Day Care and Pre-Kindergarten	NYCDOE: 60
170	Duane Street Park	35 Hudson Street	Parks and Plazas	
171	Drawing Center, Inc.	35 Wooster Street	Cultural Institutions	
172	The Fathers Center	350 Broadway	Youth Services	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
173	United States Post Office-Canal Street Station	350 Canal Street	Historical Sites	
174	City Owned Property	356 Broome Street	Other Property	
175	Hamilton Madison House Inc	36 Monroe Street	Human Services	
176	Sam Parking, L.L.C.	360 West Broadway	Transportation	NYCDCA: 180
177	Eng 55	363 Broome Street	Emergency Services	
178	Transfiguration Upper School	37 St James Pl	Child Services and Welfare	
179	Verizon Building	375 Pearl Street	Parks and Plazas	
180	Make-Up Designory	375 West Broadway	Vocational and Proprietary Schools	
181	Mandarin Plaza	376 Broadway	Parks and Plazas	
182	Foundation For Filipino Artists	378 Broome St	Child Services and Welfare	
183	Quik Park Mia Garage LLC	38 Bowery	Transportation	
183	Quik Park Regent LLC	38 Bowery	Transportation	
184	10 St. Parking Corp.	38 Henry Street	Transportation	NYCDCA: 150
185	Blue Coyote Theater Group, Inc.	380 Broadway	Cultural Institutions	
185	Battery Dance Corporation	380 Broadway	Cultural Institutions	
185	Access Theater	380 Broadway	Cultural Institutions	
186	Red Apple Education Center	39 Eldridge St	Child Services and Welfare	
187	395 Parking Corp.	395 Broome Street	Transportation	NYCDCA: 85
188	Asian American Activity Center, Inc.	396 Broadway	Cultural Institutions	
189	Thurgood Marshall United States Courthouse	40 Centre Street	Justice and Corrections	
189	Thurgood Marshall United States Courthouse	40 Centre Street	Justice and Corrections	
190	P.S. 124 Yung Wing	40 Division St	Day Care and Pre-Kindergarten	NYCDOE: 90
191	P.S. 124 Yung Wing	40 Division Street	Schools (K-12)	NYCDOE: 823,0,0
191	P.S. 124	40 Division Street	Health Care	
191	Cpc Confucius Plaza Compass At PS124m	40 Division Street	Youth Services	
192	Rl Mercer Street LLC	40 Mercer Street	Transportation	NYCDCA: 100
193	Main Office	40 Worth Street	Human Services	
193	Buckle My Shoe	40 Worth Street	Day Care and Pre-Kindergarten	NYCDOHMH: 30
193	Legal Services NYC's Executive Office (Central Office)	40 Worth Street	Human Services	
193	Design Trust for Public Space, Inc.	40 Worth Street	Cultural Institutions	
193	South Brooklyn Legal Services	40 Worth Street	Human Services	
193	Aka 220 Church Street	40 Worth Street	Offices, Training, and Testing	
193	Manhattan Legal Services (Downtown Office)	40 Worth Street	Human Services	
193	Tribeca Nursery Center, Inc.	40 Worth Street	Day Care and Pre-Kindergarten	NYCDOHMH: 68
194	APICHA Community Health Center	400 Broadway	Health Care	
195	Independent Curators International	401 Broadway	Cultural Institutions	
195	Able Technologies, Inc.	401 Broadway	Vocational and Proprietary Schools	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
195	Chinese American Culture & Art Association	401 Broadway	Cultural Institutions	
195	Soho Repertory Theatre, Inc.	401 Broadway	Cultural Institutions	
195	New York Computer Institute, Inc.	401 Broadway	Vocational and Proprietary Schools	
196	Professional Business College	408 Broadway	Higher Education	
197	Primary Information, Inc.	41 Grand Street	Cultural Institutions	
197	Recess Activities, Inc.	41 Grand Street	Cultural Institutions	
198	Flea Theater, Inc.	41 White Street	Cultural Institutions	
199	Champion Parking 700 LLC	411 Broadway	Transportation	NYCDCA: 60
200	Murry Bergtraum HS	411 Pearl Street	Youth Services	
200	Murry Bergtraum High School For Business Careers	411 Pearl Street	Schools (K-12)	NYCDOE: 0,0,1590
200	Murray Bergtraum HS	411 Pearl Street	Youth Services	
200	Manhattan Early College School For Advertising	411 Pearl Street	Schools (K-12)	NYCDOE: 0,0,173
200	The Urban Assembly School For Emergency Management	411 Pearl Street	Schools (K-12)	NYCDOE: 0,0,150
200	Urban Assembly Maker Academy	411 Pearl Street	Schools (K-12)	NYCDOE: 0,0,209
201	Center for Italian Modern Art	421 Broome Street	Cultural Institutions	
202	Theater Talk Productions, Inc.	426 Broome Street	Cultural Institutions	
203	Kimlau Square.Park	427-55 Park Row	Parks and Plazas	
204	Lpark 1, LLC	432 Broome Street	Transportation	NYCDCA: 40
205	44 Elizabeth Street Parking Corp	44 Elizabeth Street	Transportation	
205	Ramp Parking Corp.	44 Elizabeth Street	Transportation	NYCDCA: 150
206	Preschool Of America	44 Market Street	Day Care and Pre-Kindergarten	NYCDOHMH: 26; NYCDOHMH: 104
207	DeSalvio Playground	44 Spring Street	Parks and Plazas	
208	NYC Elite	44 Worth Street	Camps	NYCDOHMH: 200
209	Seward Park Extension (1)	45 Allen St	Child Services and Welfare	
210	Chinese American Arts Council, Inc.	456 Broadway	Cultural Institutions	
211	Lower East Side Service Center, Inc OP	46 East Broadway	Health Care	
211	Clinic III OTP	46 East Broadway	Health Care	
211	Lower East Side Service Ctr OTP	46 East Broadway	Health Care	
211	Lower Eastside Service Center Inc	46 East Broadway	Health Care	
211	Lower East Side Service Center CDTP	46 East Broadway	Health Care	
212	French Culinary Institute (The)	462 Broadway	Vocational and Proprietary Schools	
212	International Culinary Center (The)	462 Broadway	Vocational and Proprietary Schools	
212	Women Make Movies, Inc.	462 Broadway	Cultural Institutions	
212	Italian Culinary Academy (The)	462 Broadway	Vocational and Proprietary Schools	
213	Ardea Arts	463 Broome Street	Cultural Institutions	
214	Henry Operating Corp.	47 Henry Street	Transportation	NYCDCA: 8
215	Supreme Court / Foley Sq Plots	474 Pearl Street	City Agency Parking, Maintenance, and Storage	
215	Supreme Court / Foley Sq Plots	474 Pearl Street	Other Property	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
216	Chinese Christian Herald	48 Allen St 6th Fl	Child Services and Welfare	
217	Jubilee Summer Program	48 Henry Street	Camps	NYCDOHMH: 100
218	Emigrant Industrial Savings Bank	49 Chambers Street	Historical Sites	
219	Synagogue for the Arts	49 White Street	Cultural Institutions	
219	TribecArts, Inc.	49 White Street	Cultural Institutions	
220	Advanced Software Analysis Inc	5 Beekman Street	Vocational and Proprietary Schools	
221	Judd Foundation	5 Crosby Street	Cultural Institutions	
222	Underground Development Foundation	5 White Street	Cultural Institutions	
223	Hamilton-Madison House (Headstart)	50 Madison St	Day Care and Pre-Kindergarten	
224	Smith	50 Madison Street	Human Services	
224	Smith	50 Madison Street	Human Services	
224	Smith	50 Madison Street	Human Services	
224	Smith	50 Madison Street	Human Services	
224	Hamilton Madison House Inc	50 Madison Street	Human Services	
225	T.O.A.S.T.	50 White Street	Cultural Institutions	
226	Haughwout, E. V., Building	500 Broome Street	Historical Sites	
227	Supreme Court / Foley Sq Plots	500 Pearl Street	Justice and Corrections	
227	Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Justice and Corrections	
227	Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Justice and Corrections	
227	Daniel Patrick Moynihan United States Courthouse	500 Pearl Street	Justice and Corrections	
228	Foley Square/ T. Paine Park	501 Centre Street	Parks and Plazas	
229	Market Street, House at 51	51 Market Street	Historical Sites	
230	St. James Triangle	51 St James Place	Parks and Plazas	
230	St James Square Park	51 St James Place	Parks and Plazas	
231	Alarm Will Sound, Inc.	51 Wooster Street	Cultural Institutions	
232	Foley Square / T.Paine Park	517 Lafayette Street	Parks and Plazas	
233	NYC Central Setrc	52 Chambers St	Schools (K-12)	
233	Tweed Center	52 Chambers St	Child Services and Welfare	
233	Pre - K Center At 52 Chambers Street	52 Chambers St	Day Care and Pre-Kindergarten	NYCDOE: 54
234	City Hall/Tweed Crths/Park	52 Chambers Street	Offices, Training, and Testing	
234	District 2 Pre-K Center	52 Chambers Street	Day Care and Pre-Kindergarten	NYCDOE: 0,0,0
234	City Hall	52 Chambers Street	Historical Sites	
234	City Hall Park	52 Chambers Street	Parks and Plazas	
234	Tweed Courthouse	52 Chambers Street	Historical Sites	
234	City Hall/Tweed Crths/Park	52 Chambers Street	Other Property	
234	City Hall/Tweed Crths/Park	52 Chambers Street	Offices, Training, and Testing	
234	City Hall/Tweed Crths/Park	52 Chambers Street	City Agency Parking, Maintenance, and Storage	
234	City Hall/Tweed Crths/Park	52 Chambers Street	Offices, Training, and Testing	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
235	NYC Law Department Office	52 Duane Street	Offices, Training, and Testing	
235	52 Duane Street	52 Duane Street	Justice and Corrections	
235	Indoor Storage (Warehouse)	52 Duane Street	City Agency Parking, Maintenance, and Storage	
236	Thomas Paine Park/Foley Square	520 Pearl Street	Parks and Plazas	
237	CityArts, Inc.	525 Broadway	Cultural Institutions	
238	Archive Of Contemporary Music	54 White Street	Cultural Institutions	
239	Rio Grande Union, Inc.	541 Broadway	Cultural Institutions	
240	Workshop Program CSS	548 Broadway	Health Care	
241	The Washington Market School	55 Hudson Street	Day Care and Pre-Kindergarten	NYCDOHMH: 143
242	Columbus Park	55 Mulberry Street	Parks and Plazas	
242	Columbus Park	55 Mulberry Street	Parks and Plazas	
243	First Shearith Israel Graveyard	55 St James Place	Historical Sites	
244	Artists Space	55 Walker Street	Cultural Institutions	
245	56 Leonard Garage LLC	56 Leonard Street	Transportation	NYCDCA: 29
246	CityKids Foundation, Inc.	57 Leonard Street	Cultural Institutions	
247	59 Allen Street Garage Corp.	59 Allen Street	Transportation	NYCDCA: 200
248	East Broadway Mall, Inc	59 Division Street	Other Property	
249	Street Lab, Inc.	6 Varick Street	Cultural Institutions	
250	Hamilton Madison House Earlylearn Center 2	60 Catherine St	Day Care and Pre-Kindergarten	NYCDOE: 21
251	Hamilton Madison House	60 Catherine Street	Day Care and Pre-Kindergarten	
251	Hamilton Madison House #2	60 Catherine Street	Day Care and Pre-Kindergarten	NYCACS: 57
251	Hamilton Madison House, Inc.	60 Catherine Street	Day Care and Pre-Kindergarten	NYCDOHMH: 60
251	Smith	60 Catherine Street	Human Services	
252	NY County Clerk's Office, Hist Recs	60 Center St Rm 161	Cultural Institutions	
253	Historical Records NY Cnty Clerk	60 Centre St Rm 161	Libraries	
254	New York County Grand Jury	60 Centre Street	Justice and Corrections	
254	New York County Jury Operations	60 Centre Street	Justice and Corrections	
254	New York County Clerk - NYCCOA	60 Centre Street	Justice and Corrections	
254	New York County Supreme Court - Civil Term	60 Centre Street	Justice and Corrections	
254	Appellate Division 1st Department - Appellate Term	60 Centre Street	Justice and Corrections	
254	Office of Court Administration	60 Centre Street	Justice and Corrections	
254	First Judicial Department Appellate Term	60 Centre Street	Justice and Corrections	
254	Appellate Division 2nd Department - Chambers	60 Centre Street	Justice and Corrections	
254	New York County Supreme Civil Law Library	60 Centre Street	Justice and Corrections	
255	NYS Family Court - Manhattan	60 Lafayette Street	Health Care	
255	Office of Court Administration	60 Lafayette Street	Justice and Corrections	
255	New York County Family Court - Cases Office	60 Lafayette Street	Human Services	
255	Field Office-MN Family Ct Divn	60 Lafayette Street	Offices, Training, and Testing	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
255	New York County Family Court	60 Lafayette Street	Justice and Corrections	
255	New York City Criminal Court - Treatment Court Offices	60 Lafayette Street	Justice and Corrections	
255	Field Office-MN Family Ct Divn	60 Lafayette Street	Justice and Corrections	
256	Smith	60 Madison Street	Human Services	
256	Smith Houses	60 Madison Street	Parks and Plazas	
257	Chinatown Partnership Local Development Corp	60 St James Place	Cultural Institutions	
258	T & K Parking Inc.	61 Chrystie Street	Transportation	NYCDCA: 54
259	Lower Eastside Service Center Inc	62 East Broadway	Health Care	
260	Chinese Consolidated Benevolent Association of New York	62 Mott St	Youth Services	
260	NY Chinese School	62 Mott St	Child Services and Welfare	
261	Nmic- Ccba	62 Mott Street	Human Services	
262	62 Mulberry Parking Corp	62 Mulberry Street	Transportation	
262	Park Mulberry Corp	62 Mulberry Street	Transportation	
262	Champion Mulberry LLC	62 Mulberry Street	Transportation	NYCDCA: 191
263	Glasgow Caledonian New York College	64 Wooster Street	Higher Education	
264	Broadway, Building at 361	67 Franklin Street	Historical Sites	
265	Columbus Park	67 Mulberry Street	Child Services and Welfare	
266	Albert Capsouto Park	68 Varick Street	Parks and Plazas	
266	Cavala Park	68 Varick Street	Parks and Plazas	
267	Chinese Methodist Center Corporation	69 Madison Street	Cultural Institutions	
268	Section Station 11/13	7 North Moore Street	Solid Waste	
269	Chinatown Manpower Project, Inc.	70 Mulberry St	Vocational and Proprietary Schools	
269	Chinatown Manpower Project, Inc.	70 Mulberry St	Vocational and Proprietary Schools	
270	Chinatown History Museum	70 Mulberry St 2nd Fl	Cultural Institutions	
271	Chinatown Manpower Project, Inc.	70 Mulberry Street	Youth Services	
271	Former Chinatown School	70 Mulberry Street	Other Property	
271	H.T. Dance Company, Inc.	70 Mulberry Street	Cultural Institutions	
271	Museum of Chinese In the Americas	70 Mulberry Street	Cultural Institutions	
271	Chinese-American Planning Council Inc	70 Mulberry Street	Human Services	
272	Success Academy Cs - Washington Hgts	701 Fort Washington Ave	Schools (K-12)	
273	Park In Auto Services, Inc.	71 Kenmare Street	Transportation	NYCDCA: 190
274	New York County Supreme Court - Civil Term	71 Thomas Street	Justice and Corrections	
274	New York County Jury Operations	71 Thomas Street	Justice and Corrections	
275	Henry Street Garage	72 Henry Street	City Agency Parking, Maintenance, and Storage	
275	Henry Street	72 Henry Street	Solid Waste	
275	Henry Street Garage	72 Henry Street	City Agency Parking, Maintenance, and Storage	
276	National Video Resources, Inc.	73 Spring Street	Cultural Institutions	
277	74 Hudson Street Parking Corp.	74 Hudson Street	Transportation	NYCDCA: 99
278	Eng 9, Lad 6	75 Canal Street	Emergency Services	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
279	Health Building-125 Worth St	75 Centre Street	Other Property	
279	Health Building-125 Worth St	75 Centre Street	City Agency Parking, Maintenance, and Storage	
279	Health Building-125 Worth St	75 Centre Street	Offices, Training, and Testing	
279	Health Building-125 Worth St	75 Centre Street	Offices, Training, and Testing	
280	75 East Broadway	75 East Broadway	Other Property	
280	75 East Broadway	75 East Broadway	Other Property	
281	Reade Street Prep	75 Reade Street	Day Care and Pre-Kindergarten	NYCDOHMH: 94
282	Hamilton Madison House	77 Market Street	Day Care and Pre-Kindergarten	
282	Hamilton Madison House, Inc.	77 Market Street	Day Care and Pre-Kindergarten	NYCDOHMH: 38
283	Alfred E. Smith Playground	78 Catherine Street	Parks and Plazas	
284	P.S. 001 Alfred E Smith	8 Henry St	Day Care and Pre-Kindergarten	NYCDOE: 72
285	P.S. 001 Alfred E. Smith	8 Henry Street	Schools (K-12)	NYCDOE: 567,0,0
286	New York by Gehry	8 Spruce Street	Parks and Plazas	
286	Sp Plus Corporation	8 Spruce Street	Transportation	NYCDCA: 175
287	Thomas Street, Building at No. 8	8 Thomas Street	Historical Sites	
288	P.S. 126 Jacob August Rils	80 Catherine St	Day Care and Pre-Kindergarten	NYCDOE: 46
289	PS 126	80 Catherine Street	Youth Services	
289	P.S. 126 Jacob August Rils	80 Catherine Street	Schools (K-12)	NYCDOE: 531,408,0
289	Alfred E. Smith Happy Warriors Day Camp	80 Catherine Street	Camps	NYCDOHMH: 50
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	Manhattan Family Justice Center	80 Centre Street	Human Services	
290	Manhattan, NYC Family Justice Center	80 Centre Street	Human Services	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	City Agency Parking, Maintenance, and Storage	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	BRC - HH NonMed CM	80 Centre Street	Health Care	
290	Office of Court Administration	80 Centre Street	Justice and Corrections	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	New York County Supreme Court - Civil Term	80 Centre Street	Justice and Corrections	
290	Brc - Hh Cm	80 Centre Street	Health Care	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	NYC Family Justice Center, Manhattan	80 Centre Street	Human Services	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
290	Family Justice Center	80 Centre Street	Human Services	
290	Manhattan Fjc	80 Centre Street	Human Services	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Other Property	
290	Former NYs Motor Vehicle Bldg	80 Centre Street	Offices, Training, and Testing	
291	Park Mercer LLC	81 Mercer Street	Transportation	NYCDCA: 21
292	Empire State Environmental Company, LLC	81 Worth Street	Solid Waste	
293	Leonard Street, Building at 85	85 Leonard Street	Historical Sites	
294	PS 126 & Alfred E. Smith Park	86 Catherine Street	Parks and Plazas	
295	Downtown Community Television Center	87 Lafayette Street	Cultural Institutions	
295	Fire House, Engine Co. 31	87 Lafayette Street	City Agency Parking, Maintenance, and Storage	
295	Firehouse, Engine Company 31	87 Lafayette Street	Historical Sites	
296	East Broadway Mall, Inc	88 East Broadway	Other Property	
296	East Broadway Mall, Inc	88 East Broadway	Material Supplies and Markets	
297	NY Preschool Tribeca	88 Leonard St	Day Care and Pre-Kindergarten	NYCDOE: 18
298	Leonard Street Parking, LLC	88 Leonard Street	Transportation	NYCDCA: 225
298	NY Preschool Tribeca	88 Leonard Street	Human Services	
298	NY Kids Club	88 Leonard Street	Day Care and Pre-Kindergarten	NYCDOHMH: 30
299	Madison Street Operating Corp.	88 Madison Street	Transportation	NYCDCA: 50
300	Chinatown Parking Corp.	88 Walker Street	Transportation	NYCDCA: 35
301	University Settlement Society Of New York	89 Catherine Street	Day Care and Pre-Kindergarten	NYCDOHMH: 8
302	Mtp Operating Corp.	89 Chrystie Street	Transportation	NYCDCA: 116
303	New Amsterdam	9 Murray Street	Libraries	
304	Armitage Foundation, Ltd.	9 North Moore Street	Cultural Institutions	
305	Shuang Wen Academy Network At Bowery	90 Bowery 2nd Fl	Child Services and Welfare	
306	New York City Rescue Mission	90 Lafayette Street	Human Services	
306	New York City Rescue Mission	90 Lafayette Street	Human Services	
307	Collect Pond Pk/Leonold St Fld	93 Centre Street	Parks and Plazas	
307	Collect Pond Pk/Leonold St Fld	93 Centre Street	Transportation	
307	Collect Pond Park	93 Centre Street	Parks and Plazas	
308	Box Turtle Press/Attitude Art, Inc.	94 Franklin Street	Cultural Institutions	
309	Chung Pak Parking Corp	95 Baxter Street	Transportation	NYCDCA: 28
310	Playgarden	95 Franklin Street	Camps	NYCDOHMH: 100
310	Playgarden Associates, LLC	95 Franklin Street	Day Care and Pre-Kindergarten	NYCDOHMH: 40
311	Storefront for Art and Architecture	97 Kenmare Street	Cultural Institutions	
312	98 Bayard Parking LLC	98 Bayard Street	Transportation	NYCDCA: 12
313	512 Parking Corp.	98 Franklin Street	Transportation	NYCDCA: 36
314	International House New York Incorpo	C/O St Johns University	Vocational and Proprietary Schools	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

TABLE C3: MANHATTAN | FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Key	Facility Name	Facility Address	Facility Type	Capacity
315	NYC Parks-Alfred E. Smith Rec. Ctr	Catherine St	Child Services and Welfare	
316	Church & White Plaza	Church St	Parks and Plazas	
317	Forsyth St Plaza	Forsyth St	Parks and Plazas	
318	Brooklyn Bridge	Frankfort Street	Other Property	
319	Bogardus Plaza	Hudson Street	Parks and Plazas	
319	Duane Park	Hudson Street	Parks and Plazas	
320	James Madison Plaza	Madison Street	Parks and Plazas	
320	Playground One	Madison Street	Parks and Plazas	
320	James Madison Plaza	Madison Street	Parks and Plazas	
320	PS 1&Playground (Jop)	Madison Street	Parks and Plazas	
321	Enclosed Area Beneath Bklyn Br	Park Row	Other Property	
322	Vesuvio Pool	Thompson St	Child Services and Welfare	
323	Grand Canal Court Park	Thompson Street	Water and Wastewater	
323	Grand Canal Court	Thompson Street	Parks and Plazas	
323	Grand Canal Court Park	Thompson Street	Parks and Plazas	
324	Chambers Street Subway Station (Dual System IRT)		Historical Sites	
324	Brooklyn Bridge - City Hall Subway Station (IRT)		Historical Sites	
324	Duarte Square		Parks and Plazas	
324	African Burial Ground		Historical Sites	
324	Petrosino Square		Parks and Plazas	
324	Tribeca Park		Parks and Plazas	
324	Kimlau Square		Parks and Plazas	
324	Chambers Street Subway Station (BMT)		Historical Sites	
324	Thomas Paine Park		Parks and Plazas	

Source: Department of City Planning Facilities Explorer, downloaded February 2019

The table below provides the name, facility type, and capacity of NYC Department of Homeless Services shelters within a 0.5-mile radius of the proposed Manhattan site. Capacity numbers for single adult shelters refer to number of beds. Capacity numbers for family shelters refer to the number of units. Addresses have been withheld due to privacy concerns, and sites do not appear in the Facilities Map C3 above.

TABLE C3.2: MANHATTAN | DHS SHELTER FACILITIES WITHIN 0.5-MILE OF 124-125 WHITE STREET

Facility Name	Facility Type	Capacity
NAICA Bronx Park Ave	Adult Family Hotels	149
Catherine Street Women's Shelter	Single Adult Shelters	300
CCS Manhattan Hotels	Hotels for Families with Children	24
Manhattan Hotels	Hotels for Families with Children	43
The Andrews Safe Haven	Special Population Housing	138

Source: NYC Dept. of Homeless Services, February 2019

EXHIBIT G

Facility	Agency	Capacity	Borough
Ella McQueen Reception Center	State OCFS	33	Brooklyn
Crossroads Juvenile Center	NYC ACS	105	Brooklyn
Horizon Juvenile Center	NYC ACS	98	Bronx
Queens Detention Facility	U.S. Marshals	222	Queens
Metropolitan Correctional Center New York	Federal BOP	833	Manhattan
Metropolitan Detention Center Brooklyn	Federal BOP	1878	Brooklyn
Edgecombe Residential Treatment Facility	State DOCCS	183	Manhattan
Lincoln Correctional Facility	State DOCCS	284	Manhattan
Queensboro Correctional Facility	State DOCCS	424	Queens
Vernon Bain Correctional Center (Barge)	City DOC	815	Bronx
Metropolitan Detention Complex (The Toom	City DOC	898	Manhattan
Brooklyn Detention Complex	City DOC	687	Brooklyn
Bellevue Hospital Prison Ward	City DOC	53	Manhattan
Elmhurst Hospital Prison Ward	City DOC	14	Queens
		6527	

Fair Share Capacity by Borough		
Bronx	**14%**	913
Brooklyn	**41%**	2703
Manhattan	**34%**	2251
Queens	**10%**	660
Staten Island	**0%**	0

EXHIBIT H

BINGHAMTON
UNIVERSITY
STATE UNIVERSITY OF NEW YORK

Environmental Studies Program

Department of Geological Sciences and
Environmental Studies
PO Box 6000
Binghamton, NY 13902-6000
607-777-0000, Fax: 607-777-0000

Gail Brewer
Manhattan Borough President
431 West 125th Street
New York, NY 10027
gbrewer@manhattanbp.nyc.gov
mwashington@manhattanbp.nyc.gov

July 22, 2019

Re: Testimony on the Borough-Based Jails – Manhattan

Dear Madam Brewer,

Please accept this testimony on the Manhattan Borough-Based Jail based on my expertise about Chinatown's food system that has most comprehensively published in my book, *From Farm to Canal Street: Chinatown's Alternative Food Network in the Global Marketplace* (2015, Cornell University Press).

I would like to share one main comment: **the impact of long-term demolition, construction and possible relocation on the provision of fresh fruits and vegetables and resultant food security of residents in Chinatown should be taken into consideration when coming to a decision on the Uniform Land Use Review Procedure and plan for the borough-based jail in Manhattan.**

Disruption of Pedestrian Activity and Transportation due to Construction

One of the unique features of Chinatown's food system is that it is comprised of many small vendors. In the mid-2000s there were 88 vendors clustered along Grand Street, Mott, Mulberry, Canal and Walker Streets spanning the Grand Street and Canal Street subway stations. The small scale, no frills vendors keep prices very low.[1] The vendors supply over 100 types of fresh fruits and vegetables, many of which are not sold elsewhere in the city and hold cultural importance to people of East, Southeast, South Asian, African, Afro-Caribbean and Hispanic descent. Tropical fruits like jackfruit, durian, mangosteen, litchi and longon are highly sought after, as well vegetables such as bitter melon, winter melon, lotus root, chrysanthemum leaves, Malabar spinach, among many other green leafy vegetables in the mustard family Brassicaceae (such as bok choy and its relatives). Residents, tourists, and restaurant owners from the tri-state area make regular trips to Chinatown for culturally appropriate and low-priced foods, sustaining a food industry cluster that has supplied up to 23% of the jobs in Chinatown.[2]

The dispersal of fresh fruit and vegetable street vendors, storefronts and small grocers ensures access to nutritious, affordable and culturally appropriate foods, contributing to the food security of Chinatown. Food security is considered a basic human right by the United Nations. The 2030 Agenda for Sustainable Development holds to goal to eradicate hunger.[3] Reducing food insecurity is also a tenet of New York City food policy, and Local Law 52 was added in 2011 to require the Mayor's Office of Long-term Planning and Sustainability to prepare and submit an annual city food system metrics report to the mayor and city council speaker regarding the production, processing, distribution and consumption of food in and the city to enable evidence based decision making.[4] Distance from consumers to market and

income of consumers are key indicators of food security. Since Chinatown is comprised of multiple low-income census tracts, increasing pedestrians' distance to markets with nutritious food by over 0.5 mile is considered to be detrimental to food access and security, and can have detrimental impacts on health.[5] The proposed jail site is at a distance that is just under 0.5-mile mark from an anchor grocery store on Mott St. Produce vendors on Canal, Centre and Walker Streets have already been disrupted (see below). **Disruption to pedestrian walkways, especially for the elderly, children and other vulnerable populations could increase the distance they must walk for the foods they need, challenging their food access.**

Indirect Business Displacement due to Construction

Since the mid-2000s, there has been a decline in the number of retail and wholesale fresh fruit and vegetable vendors in Chinatown. Increasing rents, property taxes, and compliance pressure exerted by the city's inspectors and police department are potential causes of this change.[6-7] From 2004-2019, I have observed that there are 58% fewer produce carts, 33% fewer produce stores, 58% fewer storefront vendors. The bulk of these changes are stores and storefronts along Mott Street and East Broadway, and street vendors on Canal, Walker, and Centre Streets. Coupled with this shift in the retail structure is a shift in the wholesale structure of Chinatown. The multiplicity of small markets used to be supported by eight wholesale produce vendors located in Chinatown who supply then by truck on a regular basis and provide refrigerated storage. Today, only three of these wholesalers remain. Increasing costs of operation and transportation have led to movement of wholesalers to the outer boroughs. **Further disruption to transportation and the pedestrian activity that these businesses rely on may further reduce the heterogeneity in food items, employment in Chinatown's food industry cluster, and attraction of out of neighborhood shoppers to this unique marketplace.**

In summation, changes in pedestrian activity and indirect impacts on business activity could lead to the following:

- *Reduced access to low-cost and nutritious food in Chinatown*
- *Reduced food security for Chinatown and non-Chinatown residents who rely on Chinatown food markets for culturally appropriate foods*

Scientific research has documented negative environmental and social impacts of a vertically and horizontally integrated food system that we are currently reliant on.[8-10] Food may cost less than international averages, but Americans are suffering from more diet related diseases like obesity and diabetes because of the lack of wholesome diets. Chinatown has remained immune to these trends that disproportionally impact low-income communities, in part, because of its decentralized food market structure. New York City has been a leader in sustainability; food access and food security are fundamental parts of any sustainable community.[11] I urge you to consider this evidence base in the ULURP and plan for the borough-based jail.

Sincerely,

Valerie Imbruce, PhD
Director, External Scholarships and Undergraduate Research Center
Research Associate, Environmental Studies
Binghamton University

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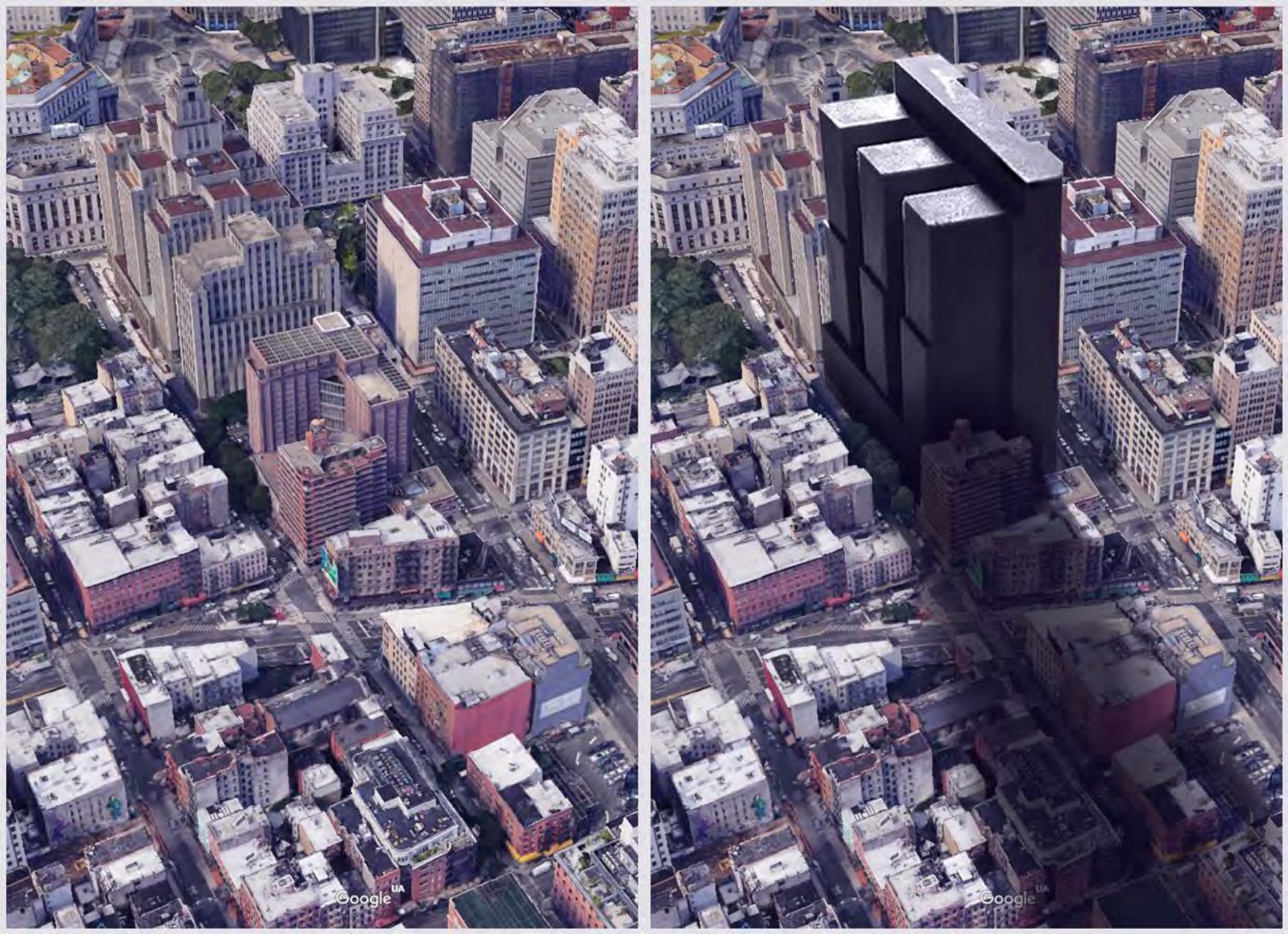
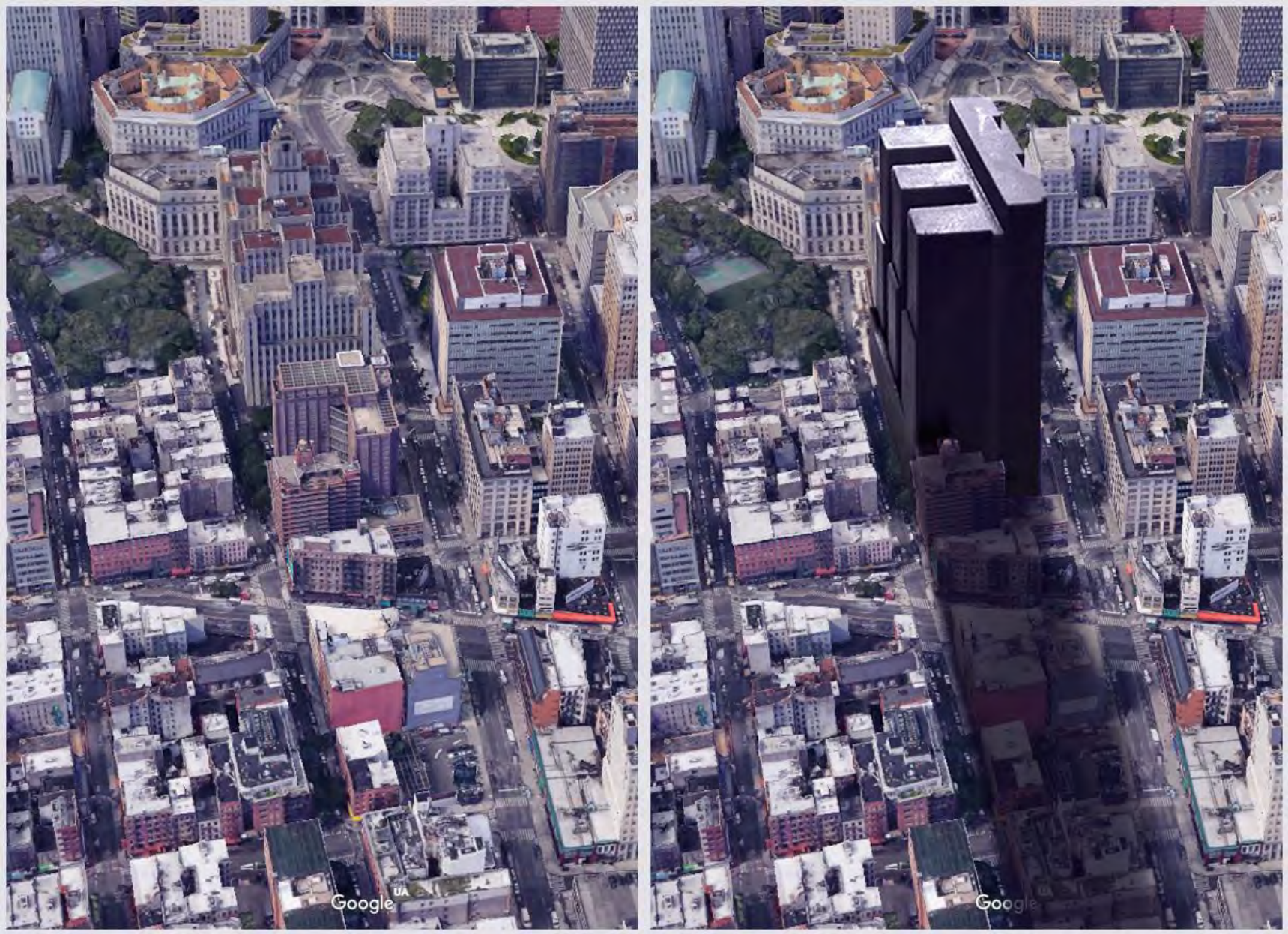
EXHIBIT I

July 2019 Images provided by Neighbors United Below Canal N.U.B.C. twitter: @nubcanal www.neighborsunitedbelowcanal.com nubc2019@gmail.com



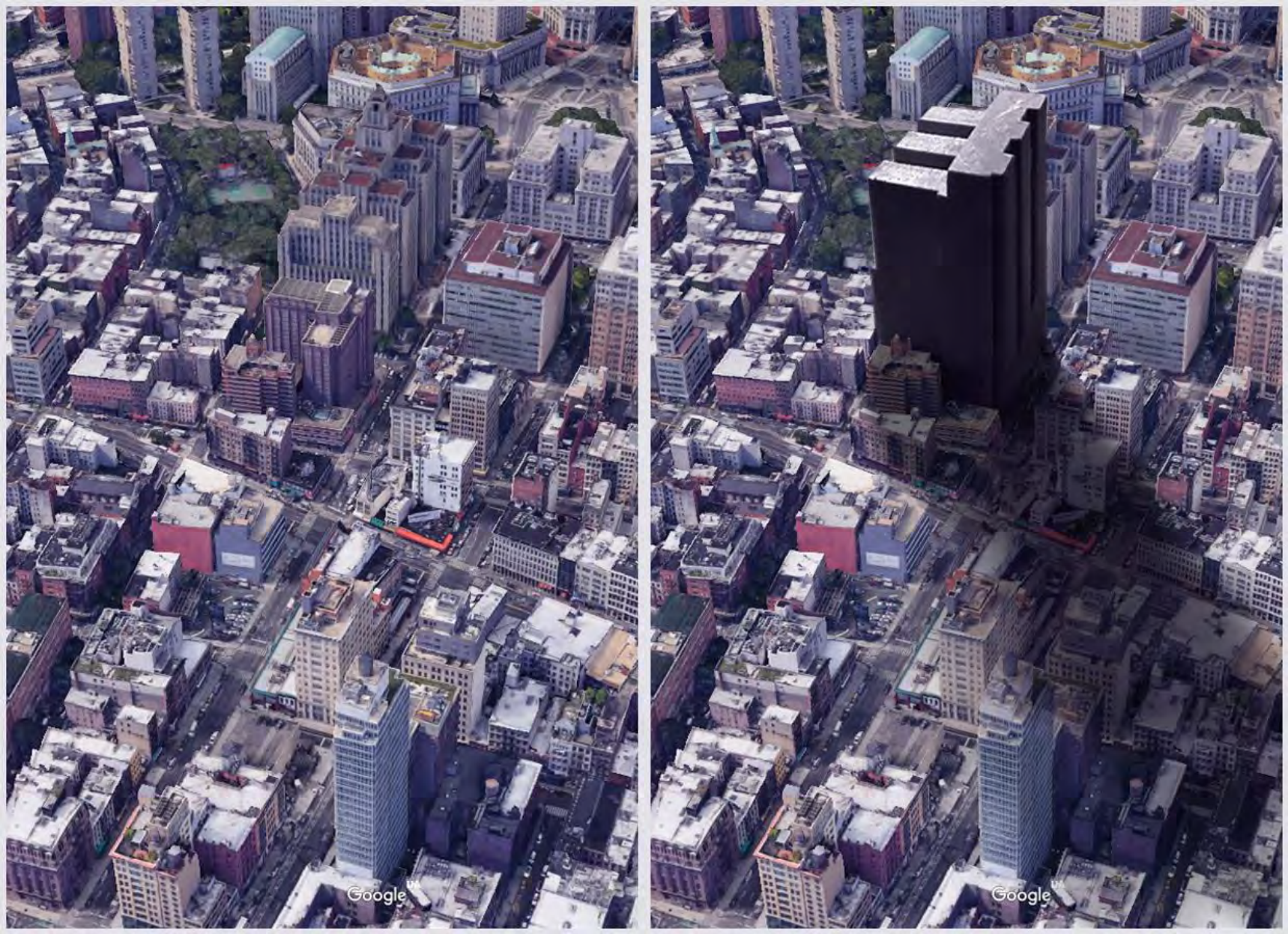
124-125 White St. Manhattan, before and after images showing the shadow cast by the 490 Ft. jail tower – Corresponds to shadow diagrams in CEQR No. 18DOC001Y Environmental Impact Study 2019

July 2019 Images provided by Neighbors United Below Canal N.U.B.C. twitter: @nubcanal www.neighborsunitedbelowcanal.com
nubc2019@gmail.com

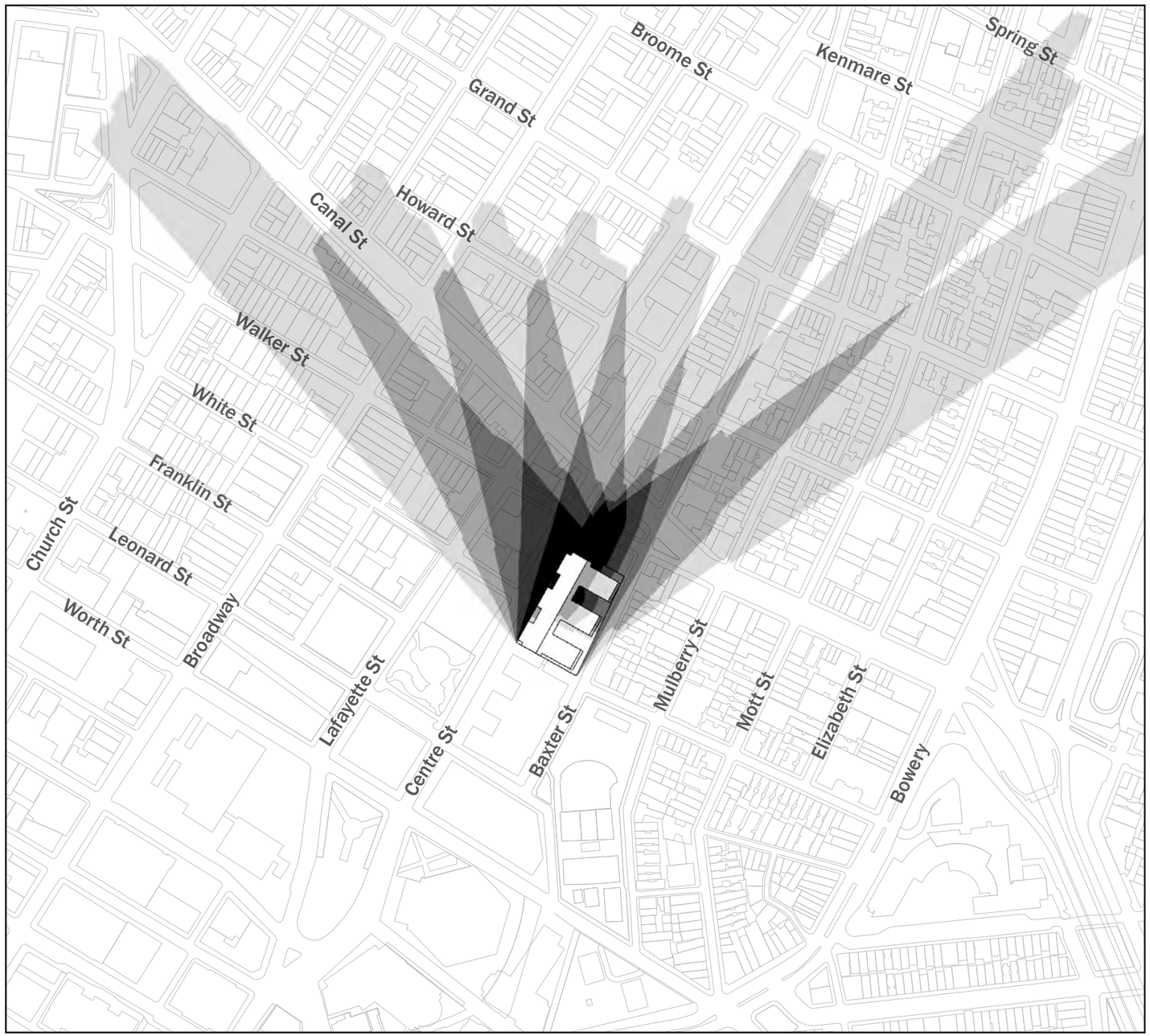


124-125 White St. Manhattan, before and after images showing the shadow cast by the 490 Ft. jail tower – Corresponds to shadow diagrams in CEQR No. 18DOC001Y Environmental Impact Study 2019

July 2019 Images provided by Neighbors United Below Canal N.U.B.C. twitter: @nubcanal www.neighborsunitedbelowcanal.com nubc2019@gmail.com



124-125 White St. Manhattan, before and after images showing the shadow cast by the 490 Ft. jail tower – Corresponds to shadow diagrams in CEQR No. 18DOC001Y Environmental Impact Study 2019



Winter

December, 21st
From 9am to 5pm

Spring / Fall

September, 21st
From 9am to 5pm

Summer

June, 21st
From 9am to 5pm

EXHIBIT J

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MEMORANDUM

July 12, 2019

To: Vera Sung, Esq.

From: Matthew Baione, Esq. and Emma Theis, Law Clerk

Re: Chinatown Air Quality

Information on the air quality in Chinatown post 9/11 has been collected and reviewed in a number of studies. High air pollution, due to particulate matter emitted from the World Trade Center collapse, has left both immediate and long-term health risks for those in Chinatown. Key data and conclusions from various resources have been summarized below in support of this assertion.

The collapse of the World Trade Center resulted in the release of high levels of particulate matter. Particulate matter, also known as particle pollution, is the term for airborne mixed micro particles that can be made up of hundreds of diverse chemicals. Particulate matter can be further classified by their size, as either PM10 or PM2.5. PM10 is a particle with a diameter of 10 micrometers or less. PM2.5 is a microscopic particle with a diameter of 2.5 micrometers or less. For reference, an average human hair has a diameter of 70 micrometers; even the largest PM2.5 is nearly 30 times smaller than that. The smaller the particle, the easier it is to be inhaled; potentially reaching one's lungs, or even one's blood stream.[1] The U.S. Environmental Protection Agency (EPA) monitors these inhalable particles regularly to ensure that their concentration levels are not harmful to public health and the environment. Following the attacks of 9/11, the EPA conducted extensive, albeit not entirely comprehensive, evaluations of the resulting influx of particulate matter.

[1] Particulate Matter (PM) Basics, EPA (2018), https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#PM.

The EPA monitored the air concentration and found increase measures of contaminants, such as particulate matter (PM), metals, polychlorinated biphenyls (PCBs), asbestos, dioxin, and volatile organic compounds (VOCs) undoubtedly due to the WTC's disintegration. Those exposed to the surrounding particulate matter, resulting from the collapse were found at risk of immediate, and possibly chronic, symptoms such as respiratory and cardiovascular issues. The first air samples were taken September 14, 2001, and Asbestos was detected; while other contaminants including Benzene PCBs, Lead, PM2.5, and Dioxin were detected for the first time in air monitoring conducted on later dates that month.[2] The first measure for all contaminants was also their highest.

These contaminants have been shown to have an adverse impact on the health of those within Chinatown and other parts of lower Manhattan. Hospital admission records from 1991 to 2001 of Lower Manhattan found an immediate increase in respiratory admissions after 9/11 and a delayed increase in cardiovascular (heart) and cerebrovascular (stroke) admissions, as well, compared to Queens (used as a control variable in this study).[3]

Another study found asthma rates of 14.4% in those who lived 1 mile from the WTC and a rate of 4.9% in those who lived farther, based on the survey of 352 parents and children coupled with spirometry tests conducted on 202 students from Chinatown elementary schools.[4]This study

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[2] U.S. Environmental Protection Agency (EPA). (2003) Summary Report of the U.S. EPA Technical Peer Review Meeting on the Draft Document Entitled: *Exposure and Human Health Evaluation of Airborne Pollution from the World Trade Center Disaster*. The National Center for Environmental Assessment, Washington, DC; EPA/600/R-03/142. Available from: National Technical Information Service, Springfield, VA. file:///C:/Users/theis/Downloads/WTCPEERREVIEWREPORT.PDF.

[3] Shao Lin PhD, Marta I. Gomez MS, Lenore Gensburg MS, Wei Liu MS & Syni-An Hwang PhD (2010) *Respiratory and Cardiovascular Hospitalizations After the World Trade Center Disaster*, Archives of Environmental & Occupational Health, 65:1, 12-20, https://www.tandfonline.com/doi/figure/10.1080/19338240903390230?scroll=top&needAccess=true.

[4] Anthony M. Szema et al., Post 9/11: *High asthma rates among children in Chinatown, New York,* 30 Allergy and Asthma Proceedings 605–611 (2009), https://www.ncbi.nlm.nih.gov/pubmed/19772715.

further indicated that in 2003, the WTC health registry showed asthma prevalence in children. This is a strong contrast to the 2000 US census that showed "ethnic Chinese in New York City...were reported to have the lowest levels of asthma compared with other ethnic NYC neighborhoods." Furthermore, Chinatown's asthma rates are higher than other groups at 29% versus the general NY reference rate of 13%. The study concluded that the high air pollution, exacerbated by the toxin exposure on 9/11 may account for the increased asthma rates. The authors of these findings repeated this experiment seven years later to show the persisting rates of asthma increase affected by air pollution concentration.[5]

One study found that WTC PM2.5 was proven to have an inflammatory effect on cytokine. Cytokines are small proteins that play a large role in cell signaling. This inflammation of cytokine that resulted from the WTC's particle pollution levels may be a cause of airway injury and their presence a possible indicator of lung injury. The resulting cytokine development due to WTC PM2.5 levels may be the basis of the severe long-lasting health effects for those within the Exposure Zone.[6]

In an interview conducted by Lan Trinh with concerned Chinatown residents, Jeanie Chan expressed her feelings on the way air quality control was handled in her area after the attacks.[7] Chan details her personal experience with the thick cloud of toxic air she encountered in her neighborhood. She states that the port authority had high readings of contaminants and that information was hidden from the public. There was a strong desire to get Wall Street, an economic powerhouse, up and running, but these efforts to expedite this process was to the

---

[5] Am Szema et al., *Persistently Increased Asthma Rates among Children in Chinatown near Ground Zero*: Air Pollution Data., C61. Pediatric Asthma (2009). https://www.atsjournals.org/doi/abs/10.1164/ajrccm-conference.2009.179.1_MeetingAbstracts.A4819.

[6] Bushra Naveed et al., *WTC PM2.5 Stimulates A More Intense Inflammatory Response In Human BAL Cells Than Other Ambient PM2.5 From NYC And Surrounding Environs,* American Journal of Respiratory and Critical Care Medicine (2010), https://www.atsjournals.org/doi/abs/10.1164/ajrccm-conference.2010.181.1_MeetingAbstracts.A1158

[7] Jeanie Chan as interviewed by Lan Trinh, *Air Quality/Health In Chinatown*, Ground One: Voices of Post 9/11 Chinatown, (2010), http://911chinatown.mocanyc.org/videos.html.

detriment of those living in the area of Chinatown. In attempts to bring about economic normalcy, there was insufficient address to the environmental issue at hand. The EPA and Department of Environmental Protection (DEP) showed where air testings were conducted at a community hearing that she attended, but Chan was not satisfied with their claims. Chan lamented that her residential building, one of the largest in the neighborhood, was never monitored.

Another testimony, from Pam Chin, detailed her experience with the poor air quality. Chin recalled being awaken by the smell of smoke.[8] She worked and lived in the area. She, along with countless others, was breathing in the toxic air for three months, not receiving air purifiers until January. She was told there was no Asbestos but questioned that claim. She was right, considering that Asbestos was the first contaminant the EPA detected back on September 14, 2001. There was clearly either poor communication or deception involved when informing the public of these issues. The smell of burning metal lingered and winds brought the plume of smoke further into the Chinatown area. Stories, such as this, have been documented in a myriad of oral histories shared from those within the community.

Chinatown had already been dealing with air quality issues, having the highest levels of diesel pollution in all of New York City back in 1996. Communities with high levels of diesel particles are already susceptible to high asthma rates and the further contamination from the WTC collapse exacerbated these environmental issues the community was already facing. The Chinese Progressive Association (CPA) has addressed a variety of issues that Chinatown faces, including this one at hand. The CPA surveyed the community and found an extremely high concern within the community for the environment and an expressed desire to make a change. The CPA's study also found one in five households had a member who was suffering from Asthma (508 households studied).[9] The CPA championed the cause by testifying at a hearing regarding post 9/11 air quality and asthma in Chinatown, which resulted in the EPA expanding the borders

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[8] Kenny Lam & Edmund Lee, *Oral History*, The Air Quality, http://911chinatown.mocanyc.org/reflection/131_Student_Project/Air Quality_Book 6 website.swf.

[9] Mae Lee, *Clearing the Are in Chinatown,* Reimagine Movements Making Media, http://www.reimaginerpe.org/node/166.

of their post 9/11 residential environmental testing to include lower income residents. A feat that was far more accommodating to Chinatowns demographics, with thirty-one percent of residents live below the poverty level.

EXHIBIT K

June 27, 2019

Gale Brewer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, NY 10007

Re: Testimony on the Borough-Based Jails – Manhattan

Dear Madam Brewer,

This testimony on the Manhattan Borough-Based Jail is submitted on behalf of the NYU Center for the Study of Asian American Health (NYU CSAAH), a National Institutes of Health (NIH) National Institute on Minority Health and Health Disparities (NIMHD) funded National Research Center of Excellence based at NYU School of Medicine.

We are limiting ourselves to one comment**: the impact of long-term demolition, construction and possible relocation on the health of older adults in Chinatown should be taken into consideration when coming to a decision on the Uniform Land Use Review Procedure (ULURP) and plan for the borough-based jail in Manhattan.**

On June 21, 2019, NYU CSAAH convened a meeting of interdisciplinary experts and Chinatown-based community stakeholders focused on reviewing the evidence-based, peer-reviewed scientific research of the impact of long-term demolition and construction on the health of older adults in New York City (NYC). The conclusions of the meeting are summarized below:

Construction Site Emissions
Particulate matter (PM) refers to the mixture of small and extremely small particles and liquid droplets suspended in the air. Fine particles, such as exhaust from diesel-powered construction equipment, are invisible and can penetrate deep into the alveoli in lungs, affecting both respiratory and cardiovascular system functions.
PM can cause and exacerbate chronic diseases. Exposure to such particles has been associated with the following acute and long-term health conditions(1):

- Cardiovascular disease
- Lung cancer
- Increased blood pressure
- Aggravation of respiratory diseases, such as asthma
- Decreased lung function
- Irritation of the respiratory system, eyes and skin
- Early onset dementia
- Premature death in people with heart or lung disease

The World Health Organization states that PM pollution causes 8% of all lung cancer deaths, 5% of cardiopulmonary deaths, and 3% of respiratory infection deaths. People with heart or lung diseases, children, and older adults are considered highly vulnerable for the adverse effects of PM

pollution. Concentrations deemed acceptable for the general population may not adequately protect the very elderly(2). Elderly subjects appear more vulnerable to PM, with particular effect on daily cardio-respiratory mortality and acute hospital admissions for pneumonia and asthma/Chronic Obstructive Pulmonary Disease(3). In NYC, nearly 3 out of 4 deaths attributable to fine particulate matter occur in older adults(4).

In summary, increases in exposure of the elderly to elevated levels of PM from construction sites, even short-term, can not only worsen co-morbidities, including cardiovascular and respiratory disease, but also result in hospitalizations, acute disease episodes, and/or death.

Noise

There is growing evidence that noise can lead to adverse physiological and psychological effects that degrade both health and well-being. Permanent hearing damage can be sustained when levels of sound exceed 85 decibels (dBA), especially when exposure lasts longer than 8 hours. However, it is important to note that sound does not have to be loud to be harmful. Sound that is deemed obtrusive and unwanted can lead to elevated stress, anger, agitation, mood swings, interference with concentration and communication, diminished productivity, and social conflict.

Repeated, long-term exposure to noise can lead to the following long-lasting physiological changes(5, 6):

- Blood pressure elevation and hypertension
- Sleep disturbances
- Cardiovascular and cerebrovascular diseases
- Cognitive decline in school-aged children

Lower-frequency sounds, especially those coming from industrial machines, are often accompanied by vibrations. Whole-body vibration can cause or exacerbate the following(7):

- Lower back pain (damage to vertebrae and discs, ligaments loosened from shaking)
- Motion sickness
- Bone damage
- Variation in blood pressure from vibration
- Stomach and digestive conditions
- Respiratory, endocrine and metabolic changes
- Impairment of vision, balance or both

Older adults are at increased risk to noise pollution due to sensory changes that take place in the aging process. Individuals' auditory perceptions change over time, and as they get older, their tolerance for loudness and high frequencies decreases, and low frequencies are magnified(8).

Health-Related Quality of Life

Long-term major demolition and construction will negatively affect the components of the physical environment that contribute to a "livable", aging-friendly community.
Construction could adversely affect walkability and safety through blocked or broken sidewalks, missing or loose handrails, elevator shutdowns and inadequate lighting due to scaffolding or renovations. Transportation routes and route frequency could be changed. Increased traffic would cause congestion, blocked access roads, and contribute to poor parking access for older adults

with disabilities, to whom accessibility is critical for maintaining routine care. Construction-related water run-off and ice may lead to increased fall risk for seniors. Access to services and facilities such as community parks, retail stores, health centers and vendors selling affordable, nutritious, culturally desirable foods could be compromised.

These changes in the physical environment could lead to the following:

- *Increased fall risk*: Falls are the leading cause of injury-related hospitalizations and deaths in older adults in NYC(9).
- *Restricted movement and reduced physical activity*: Long-term major construction may block off access to safe walking areas and other outdoor activities, exacerbating existing health conditions and increasing new ones(10).
- *Increased wandering*: People living with dementia who rely on routine and familiarity may find routes rendered unfamiliar by construction scaffolding and detours, leading to increased risk for wandering and becoming lost(11).
- *Disruption of established daily routine and social relationships*: There is substantial scientific evidence that social isolation significantly increases the risk for premature mortality in older adults(12).
- *Reduced sense of control, dignity and autonomy*: Older adults may feel disempowered and stripped of their decision-making capacity(12).

Construction activities may necessitate the relocation – planned or otherwise – of residents living in adjacent buildings. Relocation threatens people's sense of control and comfort, and may reduce environmental access to essential components of healthy aging. Involuntary relocation and displacement, especially in later life, are well-known predictors of depression, anxiety and deterioration in mental health (13, 14).

Scientific research has identified the significant influence that long-term demolition, construction and possible relocation may have in undermining and negatively affecting the health of older adults in NYC's Chinatown communities, a vulnerable population. As a global leader in the Age-Friendly Cities movement, NYC has invested significantly in innovative programs and supports for older New Yorkers. We hope that your office will strongly consider these scientific research findings in consideration of the ULURP and plan for the borough-based jail.

Sincerely,

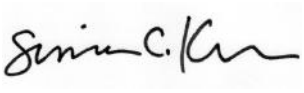

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EXHIBIT L

THE TRIBECA TRIB

Jail Towers 'Way Out of Scale' Says Head of Commission to Close Rikers

Jonathan Lippman, chair of the Independent Commission on New York City Criminal Justice and Incarceration Reform, speaks on Jan. 18 at New York Law School. Photo: Carl Glassman/Tribeca Trib

By CARL GLASSMAN
Posted Jan. 20, 2019

The distinguished head of the commission that authored a blueprint for closing Rikers Island and replacing it with a jail in each borough says he strongly opposes the height of the facilities proposed by the city, calling them “way too tall” and “out of scale.”

That includes the one proposed for White Street, the site of the current Manhattan Detention Center, that could rise as high as 50 stories at the border of Tribeca and Chinatown.

Jonathan Lippman, former chief judge of the state’s highest court, said on Friday that his independent commission, which convinced Mayor Bill de Blasio to embark on an ambitious plan for creating a borough-based jail system, never envisioned the kind of high-rise facilities that now have communities up in arms.

"Those buildings are way too tall. I don't think you have to be a nuclear scientist or a jail designer to get it," said Lippman, who chairs the Independent Commission on New York City Criminal Justice and Incarceration Reform—more commonly known as the Lippman Commission.

"And you know what?" he continued. "I've gone and spoken to these architects who build jails around the country and they're very smart and they know how to do these things. They know how to do it in ways that serve the community. But yet they are not just so huge that they dwarf the community."

Under the city's plan, the north and south towers of the Manhattan Detention Center (24 White Street, right, and 125 White Street) would be demolished and replaced by a jail as tall as 50 stories. Photo: Carl Glassman/Tribeca Trib

Responding to questions at New York Law School's CityLaw Breakfast, Lippman said the city is trying to pack too many services and spaces into the buildings, which will house re-entry and other programs as well as space for visitation and recreation. "Those jails are many times the size, square footage per inmate, of anything in the country," he said. "So what we've recommended to [the city] is that it's a noble goal to put more community services and meeting rooms and whatever, but we can't have buildings that are out of sync with where they are."

De Blasio and other administration officials have said they are "working" to reduce the height of the Manhattan building, which could be triple the square footage of the current Manhattan Detention Center complex's two buildings, 124 and 125 White Street. But so far they have cited only the maximum allowable height of 520 feet as a starting point.

A spokesman for the Mayor's Office, Raul Contreras, declined to repond directly to Lippman's remarks. In a statement, he said: "Our borough-based jails will integrate with the community and include space for some of the most innovative programs that will help overhaul a justice system that has failed too many. We're working with the community to scale the project in a way that won't sacrifice space for those innovative programs."

Lippman, the former chief judge of the New York Court of Appeals, said he has spoken to "the highest levels of people in the city" about creating much lower buildings and he is optimistic that

they will agree. He also encouraged opponents of the towers to voice their concerns at upcoming hearings that are part of the city mandated land use approval process.

The city's plans, which call for a capacity of 1,500 detainees at each jail, have been met with heavy opposition in all four boroughs where new jails are proposed. The Queens House of Detention could triple in size and rise to more than 300 feet, while the Brooklyn Detention Complex could be replaced with a structure as tall as 430 feet. Many of the fiercest opponents of the Manhattan jail, first proposed for a potential 40-story facility at 80 Centre Street, are not mollified by the city's decision to scrap that plan and potentially build a skyscraper jail on the site of the Manhattan Detention Center.

Despite his opposition to the towers, Lippman gave cold comfort to those who totally oppose the jails in their community, calling them "dead wrong."

"To me, if you're against local jails, you're for Rikers Island," he said. "And Rikers Island is an abomination."

By excluding Staten Island in the jail plan, the city ignored the Lippman Commission's recommendation for a jail in all five boroughs. Critics say that belies the notion of equity in the borough-based system, and results in the need for bigger jails in the other four boroughs. The administration argues that fewer than 200 detainees will be coming from Staten Island, making a jail there logistically impractical and wasteful. (They also cite the desire for detainees to be close to family members, though they say they have yet to decide whether inmates will be housed in the borough where they live or where they are charged.)

Lippman offered his own reason why officials are keeping Staten Island out of the fray.

"It certainly doesn't help when the administration, for political purposes, says they're not going to build a jail in Staten Island," he said.

A draft environmental impact statement, an analysis of potential neighborhood impacts from the proposed jail project, will be issued on March 25. The six-month-long land use review begins in April, with public hearings before the community boards, borough presidents, City Planning Commission, and City Council.

Printer-friendly version

EXHIBIT M

Analysis of effects of projected demolition and construction of new jail facility at 124-125 White Street

Prepared by the Walker Street Block Association

Analysis of effects of projected demolition and construction of new jail facility at 124-125 White Street

V-6 May 6th, 2019

Please Note:

A number of assumptions were necessary to be made due to incompleteness of information, and also the highly technical nature of construction and engineering. The assumptions made herein are based on what we have been told to date, public information, and industry experience. Despite the City's more than 6-month failure to respond to numerous FOIL [1] requests for construction documentation on the prior jail facilities construction, our field observations, research, experiences in building in the area and public information allow us to draw reasonable inferences. Through independent sources we have recently obtained original plans, soil borings and water table surveys from the original construction of Chung Pak Plaza and partial plans of the MDC North site, which allow us to make more accurate assessments of the structures and challenges attendant to this process. Additionally, we have built or managed more than 5 projects in a close radius around the subject premises and have a practical hands on familiarity with the technical and logistical problems this particular site will need to overcome. This relevant knowledge coupled with decades of industry experience and archival data is used as a basis for our evaluations. We are conservative in methodology, however inferences drawn from information deliberately withheld from the Manhattan DEIS or missing due to incompleteness of the DEIS can ultimately lead to significant variations from practical implementation that ultimately occurs during construction. For the basis of the of some of the computations of volumes, time, etc. shown herein, see the excel sheet attached in index.

Goal:

This evaluation seeks to provide a 3rd party technical report for residents, stakeholders and effected parties to have an educated overview of what the demolition and construction of 124-125 White Street will entail, and the effect it will have on adjoining properties, streets, and their everyday lives.

[1] NAC Meeting minutes January 16th 2019 document an outstanding earlier prior request by NUBC which is yet fulfilled

Overview:

The Mayors Borough Wide Jail proposal calls for the construction of 4 new jail facilities to be built to replace the Rikers Island facilities. In the specific case of Manhattan, the proposal calls for the temporary relocation of prisoners housed at 124-125 White Street in Chinatown/Five points to Rikers Island jail. The decommissioning of the MDC North and South jail, and the demolition of the existing 2 jail structures will follow. The two structures will be demolished sequentially, 124 first, and 125 after. The current structures are 165 feet tall[2] (MDC North, 174'to bulkhead, MDC South is taller by an unknown amount), and 435,000sq[3]. ft in area. Thereafter, construction of the new facilities will commence. The new structure is proposed to be 450 feet tall (or the equivalent of a 45-story tall building) plus an additional 50-foot-tall structure on top to house mechanical equipment, and elevator bulkheads. The new structure will be 490 feet tall, and about 1,300,000[4] square feet in interior footage. White street from Baxter to Centre will be closed off during demolition and construction for several years, and be built overtop of. White street will be converted into a tunnel, and it is represented that it will be reopened to the public after completion. The new facility will be the tallest jail facility ever constructed in history[5]. We anticipate numerous logistical and construction challenges at this site. It is an enormous building on a tight and constricted site. It is directly conjoined to the NY County Court House which functions as the primary Criminal Court for Manhattan, and it is expected that this court house will continue to function without hinderance and relocation during the jail project. The site is also inches away from the Chung Pak senior citizens home and directly across the street from 8 low rise apartment buildings on the east side of Baxter street which house ground floor businesses and residential apartments above. All the surrounding buildings will experience significant and prolonged effects from proximity to the construction site. Many will require protection and monitoring protocols in order to insure their survival.

Demolition:

Time-

Prisons and detention facilities are built robustly to prevent escape and maintain integrity of the structure during their occupation. They are difficult to build and present even bigger challenges to dismantle because they were meant to be resistant to dismantling[6]. During the NAC meeting of 3/6/19 it

[2] From Plan Z-4 Edelman Partnership/Architects, September 14th 1984
[3] DEIS page S-8
[4] DEIS page S-8
[5] An internet search reveals that the tallest current jail structures are the Chicago Federal MCC 28 stories, San Diego Federal MCC 23 stories- Wikipedia- All significantly smaller than the new proposal
[6] [PDF]

Standards for building materials, equipment and systems used in ...*https://www.gpo.gov/.../GOVPUB-C13-ad8ba3a070b1f04734434258918cdbaf.pdf*

was posited by DDC that taking apart a structure was akin to putting it together only in reverse. This is very far from true. The current facility at 124-125 White street is likely steel reinforced cast concrete[7], with a combination of cast concrete interior walls, concrete block walls and steel. This material is very strong and hard to break. The exterior of 125 White Street is precast concrete, the exterior of 124 White is stone, metal and masonry. The sum of these structures is much greater than their original constituent parts, especially when concrete and steel is involved. Concrete when first installed was pumped, and poured into forms in a semi liquid form. It initially had a compressive PSI strength of effectively zero. Once the chemical process of hydration took place an inexorable march to 4000-6000 PSI[8] strength ensued. What was once too weak to even support itself, very akin to a mud patty, now takes powerful mechanized equipment to break. When steel reinforcing is woven into the concrete prior to casting, the two materials synergistically combine the best attributes of themselves and eliminate their weakest, making the equation worse for removal. The steel adds strength and resistance to the concrete for impact, tension, shear, flexure and torsional resistance.

As a result, it is estimated that the process of removal of this structure down to foundation level will take in excess of 2 years from the time the scaffolding goes up until the building is down to grade level. This is a revised time line predicated upon NYC DDC statements during the meeting of 2/27/19, that they intend to demolish 124 White street first, and then use the experience gained on that project to develop a plan for dismantling 125 White street.

This admission on the part of DDC is revelatory and concerning. First because it indicates that DDC does not have confidence in, or a cogent methodology worked out for demolition of 125 White due to its technical challenges. Second, the time line has been revised by us to reflect a sequential demolition as opposed to a simultaneous demolition, as was originally assumed. If they were done simultaneously it would be theoretically possible to do the demolition in 1 year, but unlikely. Subgrade structures (basement) probably exist, removal of these sections will add months to that time. It is doubtful any existing foundation is reusable. The current building is equivalent to 15+ stories, the new one is projected as the equivalent of 45+. Buildings are not designed with load factors allowing them to be increased by a factor of 3 allowing them to be enlarged on existing foundations, the current ones should not be different. New additional piles will be necessary to support the dramatically increased size. At the least, drilling through the existing foundation or basement slabs will need to happen to install these piles. At the worst, the existing foundation needs to be completely broken out. Removal of existing foundation will add significantly to the above time line because foundation concrete is always cast thicker and heavier than upper floor structures and therefor harder to break. and this extra time is not factored in.

Demolition Methodology and Impacts-

The current state of the art for demolition from a technological stand point can best be considered primitive. It is by its nature, a noisy and dirty job. Demolition requires excavators, some mounted with crushers and hydraulic hammers, smaller robotic remote-controlled jack hammers, hand operated jack

[7] This is predicated upon plans for Chung Pak which is steel reinforced concrete and consistent with industry practices

[8] Page 24-25 The Strength of Concrete- International Code Council

hammers (powered by large and loud compressors), rotary drills, as well as men with sledge hammers. Concrete saws and wire cutting saws may be used as well. Front end loaders, excavators and skid steer loaders are necessary to load out the broken debris. There is no technology that makes this process quiet or vibration free. There are technologies which reduce the noise by small incremental amounts, but most noise mitigating strategies have in practical application only nominal impacts. Noise mitigation strategies produce scientifically measurable results in decibels reduction, but by civilian standards would be difficult to differentially discern or tolerate. There is no process of vibration reduction that does not also dramatically increase the duration of vibration, hence a harsh calculus is imposed on the process. Reduce the noise or vibration severity, increase the time.

Implosion will not be used at this site. Wrecking balls have not been used in NY in generations, and will not be used here either.

Dust and air borne particulate from demolition is significant and the constituents of it are considered by OSHA to be toxic. The most common toxic component created during concrete and masonry demolition will be silica. Silica is linked to lung cancer and silicosis[9]. Workers within the site will need to wear Personal Protective Gear (PPE), which will include respirators. They will likely also need to have medical baseline monitoring.[10] Typically, particulates are suppressed with water hoses, which decreases air borne contaminants but nothing short of encapsulation reduces it close to 100%. Encapsulating the site in a tarp system and using negative air (similar to an asbestos or lead remediation) is possible but expensive. Encapsulation can get air borne particulate close to zero. Without encapsulation there is no way to be sure that nearby residents will not be exposed to long term secondary silica and airborne particulate exposure at hazardous levels. Encapsulation will increase the job duration and expense significantly. Without encapsulation, baseline medical monitoring should be done for residents surrounding the site in a 1 block radius for safetys sake.

Originally It was not likely that total site encapsulation would be done, because it is not common industry practice. However pursuant to the NAC 2/27/19 meeting, the Deutsche Bank Building demolition project was twice cited as a model. During part of the demolition of the Deutsche Bank building encapsulation was used to contain toxic airborne particulates. It is not very encouraging that they have chosen that particular project as a paradigm. The Deutsche Bank[11] is an *infamous* example in the construction industry because of its calamitous history, and because it cost more in time and money to demolish than it did to originally build. This is a terrible inversion of best practices and industry standards. It represents a questionable role model.

124 White Street represents its own challenges. According to available public records, it was built in the 1940's (prior to 1978), and unless it has already undergone an abatement process, it will contain lead of various varieties, and possibly asbestos as well[12]. If that is the case, an abatement (with its own interior engineering controls) will need to take place **prior** to any other on-site demolition activities, and could add an additional year to the overall demolition schedule. Due to the highly regulated nature of

[9] OSHA 29 CFR 1929.1153 OSHA Respirable Crystalline Silica Standard for Construction
[10] Same as 7
[11] Demolition Progressing at Former Deutsche Bank Site Nov. 14th 2010
[12] DEIS page S-54

abatements and their environmental protection protocols, typically little to no other activities take place on site simultaneously, hence the time addition.

Please note that an encapsulation protocol does not reduce noise or vibration enough to be significant.

The demolition equipment on site also generates their own noise and air pollution even when in idle mode. Excavators, compressors and robotic breakers run off of diesel and gasoline engines and the most modern of them produce noxious exhaust fumes and noise as soon as their engines are activated. This will be a minimum of an 8-10 hour a day problem. Low Sulphur fuels as recommended by the DEIS do not provide complete mitigation. Particulates, and NOx are still produced[13]. If the site is encapsulated the machines will all need to be electric. It is unlikely there is a viable air filtration/negative air system that has the capacity to keep up with the exhaust from non-electric equipment and prevent critical toxification of the interior encapsulated environment.

It is possible to use electric machines. Electric machines are slower and much more expensive than their combustion engine equivalents, (and most often used only in mines or other confined space environments where nothing else works). Electrical equipment while not generating exhaust at the source individual machines locations, often *requires very large remote diesel-powered generators* to provide the electrical power to operate them. If that is the case then diesel particulate generation is relocated from inside the confines of the site to local street level which shifts their harmful effect more directly to the public.

[13] WWW.air-quality.org.uk/26.php

Table 7-4. Average maximum noise levels at 50 feet from common construction equipment.

Equipment Description	Impact Device?	Actual Measured Average L_{max}* at 50 feet
Auger Drill Rig	No	84
Backhoe	No	78
Blasting (rock slope production) *	Yes	126
Blasting (mitigated rock fracturing) *	Yes	98
Boring Jack Power Unit	No	83
Chain Saw	No	84
Clam Shovel (dropping)	Yes	87
Compactor (ground)	No	83
Compressor (air)	No	78
Concrete Mixer Truck	No	79
Concrete Pump Truck	No	81
Concrete Saw	No	90
Crane	No	81
Dozer	No	82
Drill Rig Truck	No	79
Drum Mixer	No	80
Dump Truck	No	76
Excavator	No	81
Flat Bed Truck	No	74
Front End Loader	No	79
Generator	No	81
Generator (<25KVA, VMS signs)	No	73
Gradall	No	83
Grader *	No	89
Grapple (on backhoe)	No	87
Horizontal Boring Hydr. Jack	No	82
Impact Pile Driver-*	Yes	110
Jackhammer	Yes	89
Man Lift	No	75
Mounted Impact Hammer (hoe ram)	Yes	90
Pavement Scarafier	No	90
Paver	No	77
Pickup Truck	No	75
Pneumatic Tools	No	85
Pumps	No	81
Refrigerator Unit	No	73
Rivet Buster/chipping gun	Yes	79
Rock Drill	No	81
Roller	No	80

Table of noise from typical construction equipment- Note that many are at or above the threshold of inflicting permanent hearing damage (85db)

As a real-world example: Rinaldi Construction the contractors responsible for the construction of 396 Broadway, 3 blocks from the subject site had insufficient electrical capacity within their site to power electric heaters necessary to heat their site. Their solution was to bring in a 600-Kilowatt diesel powered generator and park it on the street curb next to the site. This machine ran 24 hours a day, 7 days a week for a bit more than 3 months. It used 600 gallons of diesel fuel a day, and subjected the surrounding neighborhood to its noise and particulate exhaust for the duration.[14] Based upon two independent

[14] The author personally inspected and documented this site, with interviews of contractors Construction Site Superintendent, and Construction Site Safety Manager.

decibel meter readings conducted, it ran at 80 dB, just a bit under the threshold of permanent hearing damage. It was audible from 1.5 blocks away, and residents complained to no effect.

It is theoretically possible that with enough planning, care and maintenance, utility power can be brought in to the site in sufficient quantities to power the on-site machines.

A noise and dust mitigation plan will be filed prior to permits being issued for the work. They are largely pro forma and under the topic of noise, the remedy listed is often 'use least noisy version of x tool'. The problem is this is subjective and largely rubber stamped and seldom enforced. The least noisy version of any of these tools are still really, really loud, (see table above). Even a quiet jack hammer is still a jack hammer. The DEIS states that:

NOISE AND VIBRATION

Construction of the proposed project would be expected to have the potential to result in elevated noise levels at nearby receptors, and noise due to construction would at times be noticeable. However, noise from construction would be intermittent and of limited duration, and total noise levels would be in the "marginally acceptable" or "marginally unacceptable" range. Consequently, noise associated with the construction of the proposed project would not have the potential to rise to the level of a significant adverse noise impact. In terms of vibration, construction of the proposed

The characterization of intermittent is misleading. If "intermittent" means 10 hours a day, 5-6 days a week, for several years then it would be an accurate statement. If by "marginally acceptable or marginally unacceptable", they mean at the threshold of causing permanent hearing loss, then they are accurate. The author of the DEIS assessment has either no practical connection to or understanding of what happens on a large-scale demolition and construction site, or they are untruthful.

There is no practical way to make most any of the necessary operations anything else but loud without concurrently rendering them ineffective.

Encroachments and Seismic separation:

The existing MDC North was built with an overhanging encroachment over the roof of Chung Pak. Also, it was built prior to the mandating of seismic separation in the building code. There is only a caulk joint between the buildings. This makes the transmission of vibration, and damage during demolition far more likely. See photos taken by author next page.

Overhang Encroachment, and butt joint without separation.

Logistics-

The entire site will be surrounded with a fence, and a scaffolding system from sidewalk level to roof should be installed in accordance with best practices, although this does not always take place. This will take about at least 1-3 months to install and will be in place for the duration of the demolition. The shed/side walk scaffold will pass and cover the entrance of Chung Pak on Baxter because their distance is less than 20' from edge of demolition/construction. If standard demolition protocols are used it will be brought down in increments to match the demolition. However, if it is, airborne dust will not be contained. If the existing slabs are 12" there will be about 1440 truckloads of debris to cart away the demolished concrete from the slabs alone. There are columns and concrete beams which exist in unknown quantities which will add significantly to that count. The exterior of the building will likely be lifted off in sections by a crane (for 125 White) which in turn *precludes encapsulation,* at least 633 trucks will be needed for façade removal. There are additional hundreds of miscellaneous truck deliveries in this process to bring in and remove support equipment as necessary. Interior concrete shear walls and other interior constructions are unknown but certainly exist, and will add significantly to the truck count. Ultimately it is not unreasonable to expect almost 2440 trucks needed to clear the site prior to the commencement of construction.

As a revised note based upon the NAC meeting of 2/27/19, the architects for the project have expressed that likely the façade of 125 White will be lifted off, not broken. However, it is important to reiterate, there is *no practical way to do that and simultaneously keep the site encapsulated, so at some point the site will be relatively unprotected and public will be more exposed.* Also, as noted prior the larger pieces require more trucks to remove them.

Debris out will go west on Canal via the tunnel to New Jersey where the preponderance of waste transfer stations are located.

During demolition (and later during construction) provisions will need to be made for protection of the public, and pedestrian and vehicular traffic. Sidewalks will need to be closed, adjacent road/parking lanes will need to close, and travel lanes on Baxter, Centre and White street will be impacted. The enormous amount of trucks coming to and from the site, cranes and access for demolition equipment will need staging areas. The most logical traffic flow will be from the Manhattan Bridge to Baxter Street. The Centre Street side can only be partially obstructed because the city plans to keep the court house operational, and its main entrance is midway on Centre street. Also, Centre Street does not have a good logical flow for large trucks from Manhattan Bridge. White street from Baxter to Centre will almost certainly be completely closed for the duration of the entire project, about 4-6 years. Lanes along Baxter street will probably be closed on the west side to accommodate waiting, loading and unloading. The 2 straightest and most likely routes into/out of the site are Manhattan Bridge to Canal Street to Baxter and out to Worth, Bowery and to Manhattan bridge. It is also possible that Baxter roadway is closed in its entirety to non-construction related traffic, and a portion of the corner of Hogan Place and Baxter is cut off (at the edge of Columbus Park), and the current direction of traffic on Baxter from Worth street to Hogan place is reversed to aid egress. The other possible direction is from Broadway to White street (reversing White Streets current direction). Staging heading north bound on Centre from Worth to White is difficult due to street width, turn angles, and traffic congestion as noted above.

Baxter street is likely to face at a minimum, 1-2 lanes of road closure from the west curb edge going eastward. This situation will be in place from demolition until the project is very near completion, or at least 6 years.

During the NAC meeting of 3/6/19 it was proposed by DDC that 'off hours scheduling' might be employed to alleviate logistic congestion and impact on the quality of life of residents, restaurants and retail. For highway road work and in remote locations away from the population this might be viable. But, at this location it is both illogical and untrue for several reasons.

First, by law, all construction takes place between 7am and 6pm Monday to Friday. By special variance permits, earlier and later starts are permitted. A special variance permit is also needed for Saturday work which is typically restricted to 9am-3pm if the site is within 200 foot of a residence[15]. This site is within 1 inch of a residence. Peak logistic demand at the site will ***by necessity*** be within those window periods. Concrete, demolition, trucking, crane operation and other major activities are most often governed by concrete plant operation hours, refuse station hours, daylight, and weather. They are much less (if at all) at the control or convenience of the scheduler. Peak demand at the site *directly coincides* with peak demand of the adjacent roads and sidewalks and cannot effectively be uncoupled.

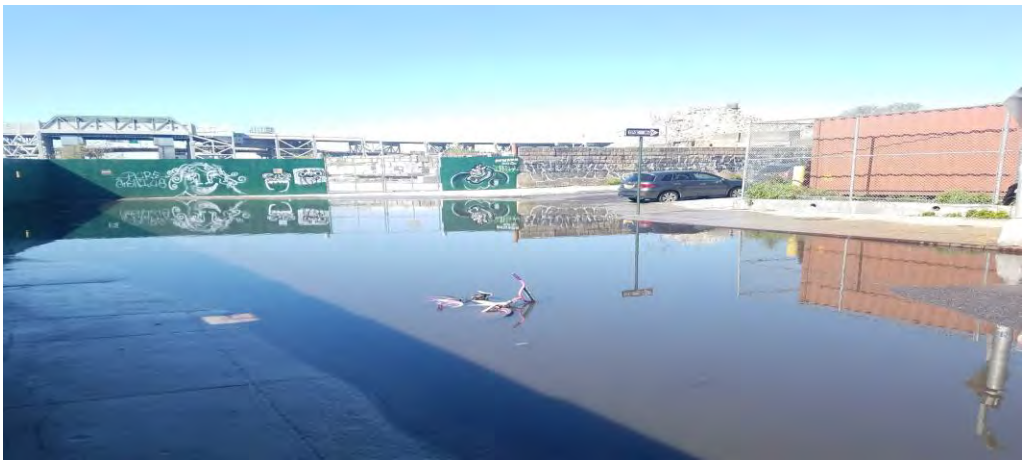
Second, shifting logistics to 'off hours' effectively *means expanding the working hours* of the site, while adjacent to residences, restaurants and retail. *Expanding deliveries and removals from the site to 'off hours' does NOT alleviate the problem, it exacerbates the problem.* No one could reasonably think it is a relief to see a crane unloading steel at 6am or 8pm, to make traffic on Baxter street better. To expand this idea to its most logical but silly conclusion, shifting the site to a 24-hour day, or working exclusively at night will certainly ease logistic concerns, but everything else becomes exponentially worse.

[15] DEC Noise Code – Understanding the Most Common Sources of Noise in the City pg. 3

Unfortunately, the site offers very little in the way of logistical flexibility. Flexible scheduling will yield no benefit.

Impacts on Infrastructure:

The DEIS methodology for environmental impacts on Manhattan and other Boroughs uses a flawed logic. Pursuant to DEIS pages S-54-S-55, the DEIS proposes that there will be no significant effects on Water and Sewer infrastructure based upon CITY WIDE resources, NOT local resources. The question which is most pertinent, is not that the new Jail will use up all NY City's water, but more so that the local infrastructure can support the demand. As an example: Gowanus NY uses ***a tiny*** percentage of NYC's sewage treatment plant resources, however it infamously has insufficient local sewage capacity. During heavy to moderate rains it is a routine and prolific polluter of the Gowanus Canal and generated so much CSO's that ultimately the Federal Government designated it a Super Fund Site, outside of NY City's control[16].



Above is a photo of the flooded public sidewalk and street in Gowanus Brooklyn in front of a NYC owned Construction site. Not exactly inspiring stewardship. Taken 5/6/19 at Hoyt and 2nd Street.

Foundations/Pile driving:

Foundation piles will be necessary. There are likely to be hundreds of new piles needed. There are three basic ways piles are installed. Driven, vibrated and drilled. Driven piles involve hitting a pile with a large hydraulic, pneumatic or dropped hammer of some sort and creates enormous noise and vibration impulses which can be felt and heard blocks away. Vibratory piles use a vibrating head to drive down piles and are just as noisy and vibratory (in a different way) as the driven piles. The first two systems would render Chung Pak and adjacent residential tenement buildings on Baxter Street unbearable for habitation immediately.

[16] Gowanus Canal Gets Super Fund Status – NY Times March 2nd 2010

The third system is drilled, which is the probable system which will be used. Drilling is noisy due to size of machines used, but less vibration is created, (unless they hit obstructions) and is less noisy than the other 2 alternatives[17]. It is usually the most expensive and time consuming of the 3 options. The pile drilling operations will be several months at a minimum. Piles will need to be long because the building is projected to be very tall, and based upon our experience excavating in the neighborhood, there is underground water, and sand underlaying the current jail site. This is confirmed by the soil borings taken by the City in 1971. Water begins about 12'-17'below street level. Fractured Schist (rock) is

Pile drilling rig at Newark Airport. A rig of this size is necessary to drill to sufficient depth for the jail site. (authors file)

approximately 75'-90' below street grade.[18] Stability for the new building will not be obtained without a deep foundation. Piles will need to go to at least the above depths or more to get sufficient support. Since piles will need to be long, the trucks bringing them in will be equivalently so. Sections can (and probably will) be welded to make longer piles/casings on site. This will add up to large truck traffic, and fumes from steel welding. After drilling and pile casing installation, there will be concrete trucks, and concrete pump trucks on site filling the piles.

During pile installation and foundations, the site will be impractical to encapsulate. Noise, and exhaust fumes will emanate from the site unabated. There are no electric versions of large pile machines.

A Special Note on Chung Pak and Adjacent Baxter Street structures

We have been involved in 5 different projects in close proximity to the proposed site, and are familiar with sub surface conditions from observations, test borings, and excavations we have done in the area. We have also recently obtained soil borings from the site conducted by the City in 1971.

[17] Table 7-4 Average Maximum Noise levels at 50' Pile Driver 110 Db. -https://www.nrc.gov>docs United State Nuclear Regulatory Commission

[18] Soil borings 12-10-1971- City Of New York Municipal Services Administration Department of Public Works, Division of Engineering Services – Subsurface Exploration Section- Courtesy of Chung Pak

The extent of the deep foundation necessary to support a 45-story building directly adjacent to Chung Pak is problematic, and exacerbated by the existing sub surface soil conditions. Subsurface water and sandy non-cohesive soils can and will move and flow in response to adjacent excavation, vibration and disruption caused by pile installation, foundation construction, and dewatering (ground water pumping) operations associated with foregoing. Soils under adjacent structures can subside (collapse, move or shrink) by ground water removal from locations a block or more away. Differential settlement, where adjacent structure sink unevenly is a frequent and dangerous by product of this condition. Please see the debacle caused by excavation and dewatering a block away from the Millennium Tower In San Francisco as an example of how that can happen[19], and effect structures.

The new foundations for the 49-story equivalent structure will be deeper and significantly more extensive than Chung Pak's foundation, and much, much deeper than tenement structures across the street and create this destabilization risk. This will necessitate a comprehensive monitoring program to survey and bench mark potential movement of Chung Pak and especially their neighbors. Many buildings have been fatally compromised and rendered uninhabitable by excessive differential settlement or undermining caused by adjacent construction. It can happen very quickly, sometimes within a span of minutes to hours, sometimes over a period of years.

The buildings east of 124-125 White Street on Baxter are primarily brick masonry construction with wood joists and beams bearing on the masonry. Their foundations were almost always stone spread footings resting a little below basement grade. These structures date from the mid to late 1800's and this construction methodology represented the technologically best practices available in their time. However, these structures are particularly vulnerable. Their foundations are on sand/clay overlaying a high-water table. Their strength is primarily in compression, and have little ability to resist tension or torsional forces. Vibration, soil compaction and consolidation due to vibration and subsurface water disruption can cause the buildings to sink down. If they sink unevenly, which is often the case they do not have the leeway to resist the uneven forces applied upon them that modern steel and cast concrete structures do. In the simplest and most benign form, small cracks appear in the masonry. Progressively, (and dependent upon the degree of settlement and the degree of unevenness of settlement), windows and doors stop opening and closing properly, boilers crack, and floors become uneven. In their worst-case scenarios, masonry begins to crack apart and fail, wood joists pull out of their masonry pockets and the building becomes uninhabitable, or worse falls.

(A similar collapse took place in Chinatown on the north east corner of Canal and Lafayette decades ago). 80 White Street was partially destabilized, and had to undergo millions of dollars of repairs due to the adjacent 84 White street construction contractor undermining its foundation by digging too deep into the water table during foundation construction[20]. The leaning Tower of Pisa is the world's most

[19] Businessinsider.com "A 58 Story luxury condo skyscraper in San Francisco is tilting and sinking…" December 9th 2018

[20] The writer is personally familiar with the facts of this case. It is immediately adjacent to our property. Statements of the adjacent site owner, his representatives and the contractor involved, as well as direct personal observation provide the basis of this account.

famous settlement example. If it is not caught in time, or adequate bracing structures are not in place before hand, remediation may not be an option.

Surveying/positional monitoring will be critical to warning of destabilization. Previously this was (and often still is) done by actual surveyors being on site daily to check and maintain reference benchmarks. This system presents a risk that a structure can move very slowly, sometimes so slowly that measurements taken in quick succession will not be accurate enough to detect it. However, a dangerous amount of movement may cumulatively take place in off hours while the site is dormant and not be detected or remedies instituted until too late because no human surveyor was present to notice. The current industry best technical practices are to use a robotic total station surveying instrument (theodolite) semi-permanently mounted at a location far enough away from the site to preserve its accuracy and integrity, but close enough to read benchmarks to a high resolution, and transmit survey movement data at timed intervals via cellular internet to site engineers and individuals who are identified as 'competent persons'. The survey time intervals should be under 30 minutes. The threshold alarm limit should be under .25" cumulatively. This data set should be made public and live streamed in alarm mode to a third-party engineer who represents Chung Pak, and the parties doing engineering oversite to all the adjacent structures on the east side of Baxter street. *We cannot overstate the value that this protective protocol will provide to the safety and security of the adjacent structures.*

This surveying will be in addition to live surveyors who are routinely on site for layout and control point measurements.

Vibration monitoring will also be a mandated and critical aspect of this project, however the functional efficacy of what this entails was very misleadingly characterized by DDC in the NAC meeting of 3/6/19. Vibration monitoring is calibrated to be triggered by a specific amplitude or velocity of vibratory wave. This threshold is chosen to try to prevent cumulative or catastrophic structural damage. Work and vibration up to, but just infinitesimally below this threshold will continue completely unabated. This threshold has NOTHING to do with environmental or comfort aspects, and is almost exclusively an adjunct to stability monitoring.

The contractors of the new jail will need to negotiate a legal access agreement with Chung Pak in order to proceed with demolition. The access agreement will be necessary to install the vibration monitoring equipment, survey benchmarks and depending on the massing and set backs of the new building, roof top protection. Chung Pak will have expenses related to retaining a lawyer to review and approve (or disapprove) the terms of this agreement. They also should retain their own 3rd party engineer to review and provide oversight of their property. This will also be an additional expense to them. They may negotiate compensation terms with the builders to offset their expenses. It may well be necessary that the builders also need to underpin the foundation of Chung Pak due to the adjacent structure foundation going deeper. Access may be needed for that as well.

Soil subsidence and Differential settlement: 2 Case studies

The current MDC complex at White Street is historically one of 4 jails consecutively constructed at the same site over the last 181 years, each a replacement of the last (except MDC North which is an addition

and enlargement). The first and second jails were constructed on the infilled remains of Collect Pond, which really was just a polluted marshy swamp. Both of the previous 2 jails sank into the ground and had tilting and leaking problems due to insufficient foundations bearing on poor soils. The 3rd jail, MDC South was built in 1941, and the 4th , MDC North was largely completed in 1989[21]. A preliminary survey and transit measurements indicate that both MDC South and MDC North have also experienced some degree of settlement and tilting. Optical instrument observations of the site indicate a tilt of about 1-1 ½" for MDC South[22]. Additionally, a visual inspection of the plaza between MDC North and South indicates they have experienced significant settlement as decorative towers installed there are tilting precipitously and their stone bases have cracked apart. This most likely because they have no actual foundation piles.

Millennium Tower is a 58-story luxury condominium constructed in San Francisco in 2009. It is constructed upon friction piles embedded through bay mud into dense Colma sand. By 2016, seven years after completion, the building was disclosed to be sinking. Measurements indicated it had sunk 16" and had a tilt of 6" at the top (due to differential settling). By 2018 the building had sunk 18", and the tilt at top had increased to 14". The developer and its engineers blame the settlement on the soil being disturbed at the adjacent Transbay Transit Center excavation[23]. The curve of settlement is increasing, indicated by a more than doubling tilt in a 2-year time frame, compared to the original 6" in prior 7 years. While whom is ultimately responsible for the cause of the tilt is very much up for debate, it is worthwhile to note that the developer and builder employed at least 3 prominent engineering firms to provide engineering design services to build this structure, DeSimone Consulting Engineers, Arup, and Langan Engineering.

[21] Wikipedia https://en.wikipedia.org/wiki/The_Tombs
[22] Site survey checking plumb condition was conducted by author 4/23/19
[23] Same as 19 above

Why are all these facts important? It is revealing and troubling to note that with all our scientific advancement, and a deep historical understanding of the White Street site, after 4 iterations of jail, 181 years of experience, and uncounted millions in construction costs (including in inflation adjusted dollars) our municipal authorities have yet to successfully build a stable jail on this site. We are perpetually reminded in NAC meetings by consultants Perkins-Eastman, and NYC Department of Design and Construction engineers and officials that we need not be concerned about technical construction issues because they are knowledgeable professionals and know what they are doing. However, they have submitted little compelling evidence that suggests they have learned enough to do better. There is a significant trust and credibility issue inherent in their assurances.

Further, it is worthwhile to note that a subsidiary of Langan Engineering, a firm with a world wide hi-rise portfolio, which includes NY notable projects, Hudson Yards, 30 Park Place, and 56 Leonard was also the engineers on Millennium Towers. Ironically, they are also the engineers on another hi-rise sinking and tilting in San Francisco, the FDIC building[24]. So, the question remains, which infallible super competent engineering firm was DDC and Perkins-Eastman hoping to hire so that the new jail doesn't sink into the ground the 5th time?

Construction

The new jail facility is proposed to be 45+ stories or equivalent. This is by construction standards, a high-rise building. There are certain challenges to a structure of extreme verticality. They are time consuming to build because the logistics become more daunting as the site rises (a crane takes 10 times as long to lift its load 40 stories as 4 stories) A tower crane will be necessary, and will be on the site from at least the time of the 1st few floors, until almost 75% completion of the job, about 3-4 years. Its location could be either at Centre or Baxter Street sides.

The new facility will likely be steel reinforced cast concrete just like the structure it replaces, only much larger, and requiring 3-4 times as much concrete. The concrete will be delivered most likely to the Baxter street side because it will be coming from concrete batching plants in Gowanus Brooklyn via the Manhattan Bridge. (Most trucks will come via Manhattan Bridge and avoid the Battery Tunnel, even if it is faster and more direct due to tunnel height restrictions and toll expenses) Between concrete and rebar trucks there will be well in excess of 4150 trucks required for the floors solely. There will be upwards of 17 concrete trucks on site simultaneously on concrete pour days, all running their engines at top rpms as they are mixing, dumping out, and washing out respectively. There will need to be a bit more than 70 of them per day for concrete delivery for the typical floor slab, on days concrete operations are taking place. Typically, they will cycle themselves back to the plant to refill with concrete and return to the site as many a 4 times per day. This will happen twice weekly, once for floor slabs, and later in the same week for columns, and interior walls. In between, dozens of trucks bringing forming and reinforcing materials will cycle into the site.

[24] New San Francisco Tower Project Tied to Newly Tilting FDIC Building- https://www.nbcbayarea.com/investigations

In our industry it is considered fast to produce 1 floor of structure per week. At a bare minimum this building super structure will require 53 weeks (a bit more than a year) to do. However, this milestone is only achievable in the private sector, generally by working 7am-6pm (or later), 6 days a week. It is more plausible from experience that this structure will require 1.5-2 years just for concrete operations in the public sector. It should be noted that at the 3/6/19 meeting DDC executives cited a **3**-year concrete superstructure time line, contradicting their earlier shorter 1year projections.

Logistically for the over all structure construction there will need to be no less than about 15,300 trucks coming to the site and leaving (by NYC DOT measurement parlance, a minimum of 30,600 discrete truck trips).

Construction Expenses , Scheduling and Efficiency

Typical 45 story apartment and office buildings do not require the robust interior and exterior walls that a detention facility does, because no one worries about their occupants escaping, deliberately destroying or dismantling structural or interior building elements or turning the building structure itself into weapons. Detention buildings must resist all those things and must also be built to prevent the intentional spread of fire and sabotage of mechanical and plumbing systems by their occupants, which is also not the case in the private sector. A lot of engineering thought, construction redundancy and expense are built into that process.

Often materials used are highly specialized, toilets and sinks as a very small example. In a detention facility all toilets and sinks are stainless steel, not porcelain. Porcelain can (and will) be broken and turned into weapons. Stainless fixtures cost 10 times as much as home owners typical fixture. They need to be custom made and take months of pre-order waiting. Any mistake in the production or ordering process, and the time line of the project stretches out commensurately[25]. This necessary hyper attention to detail manifests itself into every single screw, nut, bolt and material in the construction process. In many respects building a high-rise residential apartment building is easier. Substitutions can be made in the high-end residential market to adjust for material scarcity, labor shortages, engineering problems, manufacturers production problems etc. In the detention structure, many if not most items are custom made. Little to no substitutions are possible. Options and flexibility are engineered out of the process by the necessities of the detention mission paradigms.

There is also much less competition in the jail equipment and materials supplier markets[26]. Everything is much more expensive, time consuming and inflexible relative to the equivalent sized private sector structures. As a result, this facility will take a very long time to build, and be very expensive. It is not unreasonable to expect a 6-year time line from demolition to completion. Note, that completion does not equate to occupation. There will be a significant ramp up time for training, and testing to be sure the facility is functioning properly and personnel are educated about new protocols and procedures. New

[25] We installed one of these toilets on a residential project for a client. Everyone was sorry.
[26] http://correctionalnews.com/2018/01/19/detention-market-needed-another-dec/

buildings are routinely occupied prior to final Certificates of Occupancy, this will not happen with this structure, because it would be too dangerous to do so.

This proposed jail facility represents several egregious attributes of inefficiency.

There are significant loss factors in tall buildings. In residential and commercial buildings these loss factors are tolerated because they are offset by better and more lucrative value returns from the higher floors. (No one is benefitting from the penthouse views on a jail facility).

They require large stair cores and multiple elevator banks to transport occupants. In a detention center, there will need to be segregated, redundant and secure cores to allow personnel, corrections officers, food service etc. to move independently of the incarcerated.

Tall buildings cost more for their plumbing, mechanical systems and electrical systems due to long service runs of piping, wiring, and over sizing and derating of capacities for their lengths. Pumps need to be added to compensate for heights, and the taller the structure the bigger and more expensive the pumps, and the pipes and electrical wiring supplying them.

Their foundations need to be stronger (especially on soft ground where this one is located) to carry a non-disbursed load in the smaller footprint. There is further an aggregation of expenses built into stacking a progressively taller building on lower floors because they need to get stronger to hold the progressive aggregated load. As an example, a 10-story building may have the same 12”x24” columns for its full height, but stack 10 more floors on it, and those columns on the lower floors need to be much bigger (and more expensive, and take up more floor area). Stack 40 floors on 10, columns may become 48”x48”. So, an eightfold increase occurs in the columns (2 sq. ft of column vs. 16 sq. ft.). Expenses multiply and aggregate quickly and become more exaggerated.

Structures taller than 75 feet require temporary construction elevators, and a pressurized fire department standpipe system. Taller than 125’ add a full-time site safety manager and a fire safety manager to the list[27]. Past 150’ or so, add expense to building systems for sway, and expansion and contraction, because the building and it’s parts will move, sway, and expand and contract enough to damage itself if you do not. Past 300’ or so a tower crane becomes essential. These expenses alone add millions to the budget over the life span.

All of the above is compounded by being located in the dense urban environment of Manhattan, one of the most difficult and expensive construction marketplaces in the United States.

Prison and detention facilities in general are historically primarily located in rural, remote areas, or islands for several reasons. Land is less expensive, remote locations restrict escape options, and there is room to build larger foot print low-rise structures, which are less expensive to construct. Typical prison and detention centers seldom exceed 6 stories in height for reasons of efficient constructability (and possibly efficiency in correctional officer facility control). Most of the detention structures on Rikers

[27] Per chapter 33 NYC Building Code

Island are 6 stories and under[28]. In urban environments prison and detention facilities do go taller for reasons of land scarcity, efficient allocation of land foot prints available, and proximity to courthouses.

Research has indicated that the 45-story proposed new jail facility at 124-125 White street is quite literally without precedent. We find no reference to any detention facility anywhere in the world in excess of 27 stories tall (MCC San Diego, a federal facility), there is as well a 23 Story tall facility in Chicago. When MDC North was constructed in 1989 it was (and is still) considered one of the tallest detention centers built.

The plans as submitted to us to date indicate that the building is taller than it needs to be completely aside from evaluating its occupancy level. Typical floor slab to floor slab heights in this structure are 10' (20' in double height pods). In normal residential apartment construction floor to floor heights are 8'-6"-8'-9". Luxury residential is more often 9'-2"-10'-2" to create a sense of rich expansiveness. No such expansiveness is useful in a jail facility. The differential of 1'-6" does not seem like much but aggregates to be 75' extra feet in height (or the equivalent of reducing the proposed structure by 7-8 stories).

The inefficiencies in construction of extreme vertical structures are recovered in the private sector by the offset of increased valuation of upper floor area to residential and commercial tenants and purchasers. There is no opportunity to recover the increased cost of construction in this facility, it is plain waste, funded by citizens taxes. It has been projected that this project will cost in excess of 11 billion collectively, and paid for in bonds over 30 years, costing ultimately closer to 30 billion. There has been no break out of how much the new MDC will represent of that number.

Conclusions

From a constructability stand point this proposal represents the worst of all possible attributes. It is in an urban environment, in the very heart of the city center of the largest US city. NYC is one of the most expensive construction environments in the world, and the most expensive environment in the US. It is a logistically challenging location, with narrow streets and high pedestrian and vehicular traffic. It is surrounded by residences, retail stores and parks with little to no buffer between. It is proposed for a site which is already occupied by two exceptionally large structures which were originally carefully designed and constructed with the express purpose of being difficult to deconstruct. The proposed new structure is twice the height of any prison ever constructed anywhere.

It is located directly adjacent to a senior citizens housing facility, which makes demolition and construction at best invasive and disturbing, and at worst destabilizing. There are 8 occupied tenement buildings directly across the street which are even more vulnerable due to their structural weaknesses. Assuming the senior housing facility building and its neighbors survives the 6 plus year ordeal unscathed, the inhabitant's lives will be miserable, and constantly at risk during the process. A significant technical risk factor is attached to the 125 White demolition and construction.

[28] Via satellite survey imagery conducted on Google Earth

Due to numerous technical misrepresentations, misleading characterizations, retractions and contradictions of their prior statements, it is difficult to trust the competence, planning or honesty of the agencies proposing to undertake this construction. The plan feels in flux and lacks cogency.

The height, and location of the proposed structure, coupled with its design mission as a detention facility would make it an expensive, inefficient exercise in engineering excess, which present genuine risks to stability of adjacent structures. It is difficult to believe there are not better options.

Note on the authors:

This report was created by the Walker Street Block Association.

Eric Dillenberger Abra Construction Corp.- The author has 34 years of full-time construction and construction banking experience. He is a NYC DOB licensed project superintendent, and holds numerous other public agency licenses and certifications. His career has been spent building projects in the private, and public sector across a diverse array of projects. Most of these have been in Manhattan near the subject area, and the balance distributed in Brooklyn and Westchester.

Professional peer review of technical content was graciously provided by;

William Bialosky of Bialosky+Partners New York - William Bialosky is an Architect, founder and principal in his firm. He has been responsible for building sand designing scores of large projects around the country and NYC. As one of his smaller commissions he was the project architect of MOCA (Museum of Chinese in America), in collaboration with Maya Lin Studio, a few blocks from the subject site. His practice and home for more than 20 years has been 3 blocks from the proposed jail site and he is intimately familiar with it.

Harry Hong of H2 Consulting PEPC – Harry Hong has been a licensed professional structural engineer working in the public and private sector for over 40 years. He has designed and built new construction projects all over the city, with several in a radius around the proposed jail site.

Special thanks are given to **Charles Lai of Chung Pak Plaza** for graciously providing archival copies of original borings and building plans of Chung Pak, and MDC for analysis.