BOUSQUET HOLSTEIN PLLC

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July 22, 2020

Via Federal Express Overnight Delivery

Honorable Rossana Rosado
Secretary of State
New York State Department of State
One Commerce Plaza, 99 Washington Avenue
Albany NY 12231-0001
Attn: BOA Program

Re: Bronx Point Owner LLC (the "Requestor")
Bronx Point
Brownfield Opportunity Area Application for Program Determination

Honorable Rossana Rosado:

Requestor intends to submit a Brownfield Opportunity Area ("BOA") Program Determination of Conformance Application relating to its plan for redeveloping the brownfield site located at 575 Exterior Street, Bronx, New York (the "Property"). As part of that Application, Requestor is providing your office with a copy of the application materials. Enclosed please find:

1. The completed BOA Program Determination of Conformance Application Form;
2. Exhibit A – Decision Document
3. Exhibit B – Tax Map
4. Exhibit C – Project Description
5. Exhibit D – Letters of Support:
   a. Letter dated March 2, 2020 from Nicholas Molinari, Chief of Planning of NYC Parks
   b. Letter dated February 26, 2020 from Ruben Diaz Jr., President of the Office of the Bronx Borough
   c. Letter dated February 18, 2020 from Hester Muis, Executive Vice President of New York City Economic Development Corporation

Note that included with the application are copies of the proofs of receipt of the application to Mr. Ruben Diaz, Jr. and Council Member Diana Ayala.

Additionally, enclosed please the required thumb drive with an electronic copy of the completed application. Should you require any additional information or have any questions regarding the enclosed materials, please contact our office.

Very truly yours,

BOUSQUET HOLSTEIN PLLC

Kevin M. Sayles

Enclosures

cc: Josue Sanchez

4696618_1

NEW YORK STATE OF OPPORTUNITY.
Office of Planning and Development

New York State
Department of State
Office of Planning and Development
One Commerce Plaza
99 Washington Avenue
Albany, NY 12201-2001
(518) 474-6000
www.dos.ny.gov

The Brownfield Opportunity Area Program Determination of Conformance Application Form

Applicability/Purpose: This application should be used to request a Determination of Conformance from the Secretary of State for a project located on a real property site that is (1) enrolled in and subject to the remediation requirements of the Brownfield Cleanup Program (BCP) as determined by the Department of Environmental Conservation (DEC), and located within a designated Brownfield Opportunity Area (BOA) that has been designated by the Secretary. Eligible taxpayers of a real property site, or the agent(s) of an "eligible taxpayer", must complete this application before applying to the New York State Department of Taxation and Finance to claim up to 5% increase of the tangible property tax credit for expenditures related to a qualified site pursuant to §21 of the New York State Tax Law.

This application may be submitted at any time after DEC has issued a BCP Final Decision Document approving a Remedial Work Plan as described in section 375-3.8(g) of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR §375-3.8(g)) for the real property site proposed for development.

Please do not complete this application if you wish to claim tax credits for expenditures related to these other components of the brownfield redevelopment tax credit: (1) site preparation and cleanup tax credit component, and (2) on-site groundwater remediation tax credit component. New York State Department of Taxation and Finance can provide more information on how to apply for these two tax credit components of the brownfield redevelopment tax credit.

Section 1: Applicant/Requestor Information

Is the Requestor the Property Owner? ☐ YES or ■ NO

Name of Requestor: Bronx Point Owner LLC

Address: 1865 Palmer Avenue, Floor 2, Larchmont, NY 10538

Phone: (646) 527-7205

Email: jsanchez@lmdevpartners.com

Name and Contact Information of Authorized Representative (if different):
David Dishy, 212-233-0495 x101, ddishy@lmdevpartners.com

Name and Contact Information of Property Owner (if different):
City of New York (Bronx Point Owner LLC is remediating the Site under an access agreement with the City of New York)

Section 2: Brownfield Cleanup Program (BCP) Application Information

A. BCP Project Site Number: C203117

B. Date that the DEC executed the Brownfield Cleanup Agreement (BCA) for the project: 02/19/2019

C. Provide date of the Final Decision Document: 05/29/2020
(Attach Final Decision Document for the DEC BCP site per application instructions DOS-2015-INST.)

D. Has DEC issued a Certificate of Completion (COC) for the BCP site?
☐ YES (If yes, date of COC: _____) or ☒ NO

Section 3: Property Information

A. Proposed Project Name: Bronx Point

B. Address/Location: 575 Exterior Street

City/Town/Village and Zip: Bronx, NY 10451

Municipality(ies): Bronx

County(ies): Bronx

C. Size of Site to be Developed (acres): 4.5

D. Tax map information for all tax parcels included within the project boundaries. Attach required maps per the application instructions.
Block 2356 Lot 2

Section 4: Brownfield Opportunity Area (BOA) Information

A. Name of Designated BOA: Harlem River Brownfield Opportunity Area

B. Municipality or municipalities, including any county, in which the BOA is located. If more than one, list all.
Bronx; Bronx County

C. Is the proposed development located on a Strategic Site as described in the BOA Nomination document?
☒ YES or ☐ NO If yes, list the page(s) in the BOA Nomination where this information is referenced:

	Strategic Site Information	BOA Nomination Page(s)
1	SA #1 - Pier 5	5, 13, 18, 34, 51, 56-58, 63, 70, 74, 90
2		100, 122-124, 126-127,133, 134, 137-139, 152
3		174-175, 177, 197-198, 200, 208-209, and 211
4		

The Brownfield Opportunity Area Program Determination of Conformance Application Form

Section 5: Project Information

A. Project Narrative. Describe the proposed development, including location, uses and density, site layout and relationship of development to surrounding uses. (Attach additional sheets if necessary.)

The Bronx Point site is located on the Harlem River waterfront in the Lower Concourse area of the Bronx. The Lower Concourse North area is undergoing a major transformation as several major residential developments, representing thousands of new units, are in pre-development near the waterfront. The City rezoned the area and created the Special Harlem River Waterfront District in 2009, which was expanded to include the Bronx Point site in 2017. The City's Lower Concourse Infrastructure Investment Strategy represents an approximately $200,000,000 investment to further encourage development in the area. This includes reconstructing key intersections, updating water and sewer lines, upgrading streetscape, and installing commercial-grade broadband access. The City is also supporting the creation of new open spaces, supporting a new park and esplanade at Bronx Point as well as creating an additional park nearby at 144th St. and Exterior St.

Bronx Point includes approximately 542 units of permanently affordable housing, including apartments for formerly homeless households as well as for low- and moderate-income families. There is also additional land that allows for a second phase to be developed for a total of 1,045 units.

Anchoring the development is a museum that celebrates hip hop history and culture. The new museum will draw a significant number of guests to the waterfront and offer visitors an interactive experience featuring immersive exhibits, film screenings, seminars, and demonstration labs. Bronx Point will also advance business development with dynamic retail opportunities on Exterior Street. The new building also includes an early childhood center and community services programming led by BronxWorks, a local nonprofit that has been serving the Bronx community for over 40 years.

Adjacent to the Bronx Point building will be a new waterfront park and esplanade that will be separately financed and owned and operated by the City. Visitors will be drawn to the waterfront to experience the new playground, outdoor fitness areas, waterfront walkways, and expanded BBQ grilling area.

Bronx Point will be a unique destination in New York City. It will not only be a catalyst for the Bronx Harlem River waterfront but will serve as an iconic inspiration for ambitious yet thoughtful community building in the years to come.

B. List of maps and documents attached to the application: (Refer to instructions DOS-2045-INST.)

- [x] Property base map
- [x] Site plan
- [x] Renderings
- [ ] Other (Describe: _____)

Section 6. Project Conformance to Criteria

A. How are the uses proposed for the site consistent with the vision statement, goals and objectives for revitalization as described in the BOA plan? (Attached additional sheets if necessary.)

The BOA Nomination Report, Community Vision, Goals and Objectives states: "The community vision that was clearly and powerfully summarized in the 2007 Harlem River BOA Step 1 report, "Harlem River Waterfront: Linking River's Renaissance to its Upland Neighborhoods" still resonates with the Harlem River BOA Steering Committee and with community participants eight years later. (p. 20) The overarching vision for the Bronx waterfront of the Harlem River is a contiguous waterfront park. This is a fundamental consensus embraced by several generations of city and state agencies, elected officials, and their constituents. It has been outlined in some 25 plans that have been developed, refined, and reissued, all with public participation over the same number of years. It is understood today that this means future development of the waterfront itself must be primarily recreational."

The proposed development is consistent with the vision of the BOA plan and has created a clear path to bring affordable housing and revitalization to the waterfront area. In the Nomination Report, the City Economic Development Corporation states, "that they will devise multiple development scenarios for the site that will seek to balance the goals of maximizing open space and affordable housing objectives ... " (p.63) The Bronx Point project checks both of those boxes and includes the development of approximately 2.8 acres of publicly accessible park and open space, including a new waterfront playground and esplanade separately financed and owned by the City. This is an inclusive project that works with the City to maximize private development and underutilized public space that would otherwise lay fallow due to its Brownfield designation.

B. How are the density and configuration of the proposed development and associated buildings and structures consistent with the objectives, desired redevelopment, and priorities for investment as stated in the BOA plan? (Attach additional sheets if necessary.)

There is a market demand for residential and retail development as well as desire to beautify the waterfront and make it more accessible to the public. The BOA Nomination Report specifically discusses the fact that any residential development within or near the Harlem River BOA will have an affordable housing component, which Bronx Point does as 100% of the units in Phase 1 are designated as affordable. The Bronx Point project also contains the elements consistent with the Harlem River BOA's desire to maximize public space while also increasing "the economic impact of private investment on strategic development sites". (p.115) By bringing much needed retail and community facility venues to an under-served area, Bronx Point will be an attraction to the waterfront and an infusion to the neighborhood economy that will most likely promote additional investment in the area.

C. Please explain whether zoning and other land use regulations are applicable to your proposed development and if such applicable zoning or other land use regulations are set forth or proposed in the related BOA Nomination(s). How does the proposed development comply with the zoning and other land use regulations that were provided for or proposed in the BOA Nomination (if applicable)? (Attach additional sheets if necessary.)

The proposed development complies with existing zoning. The development site was rezoned, approved by New York City's Department of City Planning, to facilitate the proposed development.

Section 7: Municipal Notification

For each municipality receiving notification, provide contact information and date the application was sent. (Attach proof of delivery as per instructions DOS-2045-INST.)

Municipality	Mailing Address	Date Application Sent
Ruben Diaz Jr., President Office of the Bronx Borough	851 Grand Concourse, #301 Bronx, NY 10451	7/1/2020
Diana Ayala, NYC Council	District 8, 214 St. Ann's Avenue, Bronx, NY 10454	7/1/2020

The Brownfield Opportunity Area Program Determination of Conformance Application Form

Statement of Certification and Signatures

(By requestor who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable under law, which may include punishment as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Signature: _____

Print Name: _____

Date: _____

(By a requestor other than an individual)

I hereby affirm that I am Authorized Signatory (title)

of Bronx Point Owner LLC (entity);

that this application was prepared by me or under my supervision and direction. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable under law, which may include punishment as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature: _____

Print Name: David Dishy

Date: 6/29/2020

SUBMISSION INSTRUCTIONS

Submit one (1) hard copy of this completed application form with original signatures and all required attachments. In addition, transmit one (1) complete electronic copy of the completed application with all required attachments in Portable Document Format (PDF). The hard copy documents, together with a thumb drive, compact disk (CD), or DVD containing the electronic PDF copy of the completed application, should be sent to:

Honorable Rossana Rosado
Secretary of State
New York State Department of State
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
Attn: BOA Program

Exhibit A
Decision Document

DECISION DOCUMENT

Bronx Point
Brownfield Cleanup Program
Bronx, Bronx County
Site No. C203117
May 2020

NEW YORK
STATE OF
OPPORTUNITY.

Department of
Environmental
Conservation

Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

Bronx Point
Brownfield Cleanup Program
Bronx, Bronx County
Site No. C203117
May 2020

Statement of Purpose and Basis

This document presents the remedy for the Bronx Point site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Bronx Point site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings will include, at

a minimum, a 20-mil vapor barrier/waterproofing membrane on the foundation to improve energy efficiency as an element of construction.

2. Excavation

The existing on-site structures(s) will be demolished and materials which can't be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy.
Excavation and off-site disposal of contaminant source areas, including:

- grossly contaminated soil, as defined in 6 NYCRR Part 375-1.2(u);
- soils which exceed the protection of groundwater soil cleanup objectives (PGWSCOs), as defined by 6 NYCRR Part 375-6.8 for those contaminants found in site groundwater above standards; and
- soils that create a nuisance condition, as defined in Commissioner Policy CP-51 Section G.

All soils in the upper two feet which exceed the restricted residential soil cleanup objectives (SCOs) will be excavated and transported off-site for disposal. In addition, excavation and removal of petroleum-contaminated source material, as defined above, will be extended to the groundwater table. Approximately 26,700 cubic yards of contaminated soil will be removed from the site.

3. Excavation Dewatering and Treatment

Dewatering will be required to allow for excavation of petroleum-contaminated source material under dry conditions. Dewatering fluids will be treated as necessary prior to discharge to the storm sewer system under a SPDES permit equivalent.

4. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

5. Cover System

A site cover will be required to allow for restricted residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable SCOs. Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

6. In-Situ Chemical Oxidation

In situ chemical oxidation (ISCO) will be implemented to treat remaining petroleum contaminants in groundwater. A chemical oxidant will be injected into the subsurface to destroy the contaminants in the areas of deeper source-area excavations via injection wells or direct soil

mixing. The method and depth of oxidant delivery will be determined during the remedial design.

7. Vapor Mitigation

Any proposed on-site buildings will be required to have a sub-slab depressurization system, or other acceptable measures, to mitigate the potential migration of vapors into the building.

8. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or NYCDOHMH; and
- require compliance with the Department approved Site Management Plan.

9. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

   - Institutional Controls: The Environmental Easement discussed in Paragraph 7 above.
   - Engineering Controls: The cover system discussed in Paragraph 4, the ISCO discussed in paragraph 5 and the vapor mitigation system(s) discussed in Paragraph 6.

   This plan includes, but may not be limited to:

   - an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
   - descriptions of the provisions of the environmental easement including any land use, and groundwater water use restrictions;
   - provisions for the management and inspection of the identified engineering controls;
   - maintaining site access controls and Department notification; and
   - the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

   - monitoring of groundwater and soil vapor to assess the performance and effectiveness of the remedy;
   - a schedule of monitoring and frequency of submittals to the Department;
   - monitoring for vapor intrusion for any buildings on the site, as may be required by the

Institutional and Engineering Control Plan discussed above.

c. an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, optimization, monitoring, inspection, and reporting of any mechanical or physical components of the remedy. The plan includes, but is not limited to:
   - procedures for operating and maintaining the remedy;
   - compliance monitoring of treatment systems to ensure proper O&M as well as providing the data for any necessary permit or permit equivalent reporting,
   - maintaining site access controls and Department notification; and
   - providing the Department access to the site and O&M records.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

May 29, 2020

Date

Gerard Burke, Director
Remedial Bureau B

DECISION DOCUMENT

Bronx Point
Bronx, Bronx County
Site No. C203117
May 2020

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

DECInfo Locator - Web Application
https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C203117

New York Public Library - High Bridge
High Bridge Library
78 West 168th street
Bronx, NY 10452
Phone: (718) 293-7800

Bronx Community Board 4

1650 Selwyn Avenue, Suite 11A
Bronx, NY 10457
Phone: 718-299-0800

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location:
The site is located at 575 Exterior Street and identified on the Tax Map as Block 2356, Lot 2, in the West Concourse neighborhood of the Bronx, NY. The site is about 194,772 square feet (4.47 acres) and bounded by Mill Pond Park to the north; the elevated Major Deegan Expressway and Exterior Street to the east; East 149th Street/145th Street Bridge followed by a recycling facility to the south; and a railroad right-of-way followed by the Harlem River to the west.

Site Features:
The site is currently comprised of a vacant, milled asphalt-paved lot with one remnant steel loading structure on the western portion of the site.

Current Zoning and Land Use:
The site is currently unoccupied and located in a R7-2 (residential)/C2-5 (commercial) mixed-use district and is within the Special Harlem River Waterfront District. The adjoining parcels are used for commercial and light industrial purposes, with the surrounding area generally consisting of residential, commercial, light industrial, and institutional (schools and churches) use.

Past Use of the Site:
Historic operations at the site include a lumberyard and sawmill (1891-1908), a machine shop (1908), a coal yard (1908-1935), a New York Edison Company facility (1922), and a railroad freight yard (1908-1980). Records indicate that from about 1977 through 2007 three buildings were located on the eastern side of the site, which have since been demolished.

Site Geology and Hydrogeology:
According to the United States Geology Survey (USGS) 7.5-Minute Quadrangle Map, the site elevation is about 3 feet above mean sea level. The general stratigraphy of the site, from the surface down, consists of up to 24 feet of historic fill, followed by alternating layers of clay, silt, sand and bedrock. The historic fill layer consists of black, brown and gray sand with varying amounts of gravel, silt, concrete, brick, and shell fragments. Bedrock was encountered at about

67 feet below ground surface (bgs) in the central and southeastern portion of the site and at about 78 feet bgs in the southwestern portion of the site. Groundwater flows north/north west towards the Harlem River and was encountered at depths of about 6 to 13.05 feet bgs at the site during the Remedial Investigation (RI).

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant(s) under the Brownfield Cleanup Agreement is a/are Volunteer(s). The Applicant(s) does/do not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

benzo(a)pyrene
benzo(a)anthracene
benzo(k)fluoranthene
benzo(b)fluoranthene
chrysene
dibenz[a,h]anthracene
indeno(1,2,3-CD)pyrene
arsenic
cyanides(soluble cyanide salts)
lead
mercury
chromium
barium
naphthalene
vinyl chloride
tetrachloroethene (PCE)
1,2-dichloroethene
trichloroethene (TCE)

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), pesticides, and emerging contaminants (ECs). Based upon investigations conducted to date, the primary contaminants of concern include petroleum-related SVOCs and metals in soil, and petroleum-related SVOCs in groundwater.

Soil - No VOCs were detected above the restricted residential use soil cleanup objectives (RRSCOs). Eight SVOCs, mainly polycyclic aromatic hydrocarbons (PAHs), were detected at concentrations above the RRSCOs in 29 soil borings. These PAHs were associated with visually petroleum-impacted soil and in historic fill collected at depths from 0 to 24 feet below ground surface (bgs). The maximum concentrations include benzo(a)anthracene at 16.6 parts per million (ppm) (RRSCO is 1 ppm), benzo(a)pyrene at 17.5 ppm (RRSCO is 1 ppm), benzo(b)fluoranthene at 14.1 ppm (RRSCO is 1 ppm), benzo(k)fluoranthene at 12 ppm (RRSCO is 3.9 ppm), chrysene at 14.2 ppm (RRSCO is 3.9ppm), dibenzo(a,h)anthracene at 3.43 ppm (RRSCO is 0.33 ppm), indeno(1,2,3-cd)pyrene at 9.98 ppm (RRSCO of 0.5 ppm), and naphthalene at 14.40 ppm (RRSCO is 100 ppm).

Several metals were detected at concentrations above the RRSCOs in soil, including arsenic at 41.9 ppm (RRSCO is 16 ppm), barium at 2,710 ppm (RRSCO is 400 ppm), cadmium at 6 ppm (RRSCO is 4.3 ppm), cyanide at 1,290 ppm (RRSCO is 27 ppm), lead at 6,600 ppm (RRSCO is 400 ppm), and mercury at 24.6 ppm (RRSCO is 0.81 ppm). They were primarily found in historic fill at depths from 0 to 24 feet bgs. No PCBs, pesticides or herbicides were detected above RRSCOs.

No standards currently exist in New York State for 1,4-dioxane or per- and polyfluoroalkyl substances (PFAS) in soil, so soil sample concentrations were compared to NYSDEC screening values of 0.1 ppm for 1,4-dioxane and 1 part per billion (ppb) for PFAS. 1,4-dioxane was not detected in soil samples. One or more of eight individual PFAS compounds were detected in 18 of 22 soil samples analyzed for PFAS. Perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) were detected above the NYSDEC PFAS screening value of 1 ppb at a maximum concentration of 5.39 ppb.

Data does not indicate any off-site impacts in soil related to this site.

Groundwater - One VOC, 1,2,4-trimethylbenzene, was detected at a concentration above the ambient water quality standards (AWQS) of 5 parts per billion (ppb) at a concentration of 7.57 ppb. Seven PAHs namely, benzo(a)anthracene at 1.32 ppb (AWQS is 0.002 ppb), benzo(a)pyrene at 1.52 ppb (AWQS is non-detect), benzo(b)fluoranthene at 1.21 ppb (AWQS is 0.002 ppb), benzo(k)fluoranthene at 1.3 ppb (AWQS is 0.002 ppb), chrysene at 1.39 ppb (AWQS is 0.002 ppb), indeno(1,2,3-cd)pyrene at 0.871 ppb (AWQS is 0.002 ppb), and naphthalene at 14.2 ppb (AWQS is 10 ppb) were detected in nine monitoring wells. Iron, magnesium, manganese, selenium and sodium were the only metals detected above AWQS, but these are associated with the site's proximity to saline surface water. Levels of PFOS and/or PFOA was detected above the NYSDEC screening level of 10 ppt in all groundwater wells with PFOS at a maximum concentration of 86.9 parts per trillion (ppt) and PFOA at 45.7 ppt. 1,4-dioxane was detected above the NYSDEC screening level of 1 ppb in one groundwater sample collected from monitoring well MW06 at 2.2 ppb.

Data does not indicate any off-site impacts in groundwater related to this site. Data does not indicate that the site is a possible source of PFOS or PFOA contamination.

Soil Vapor - Chlorinated VOCs including tetrachloroethene (PCE) and vinyl chloride were detected in soil-vapor samples. PCE was detected at a maximum concentration of 7.3 micrograms per cubic meter ($\mu g/m^3$). Vinyl chloride was detected at a maximum concentration of 60 $\mu g/m^3$. As no occupied structures exist at the site, no subslab or indoor air samples were taken.

Data does not indicate any off-site impacts in soil vapor related to this site.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Since the site is partially fenced and covered by asphalt, people will not come into contact with site-related soil and groundwater contamination unless they dig below the surface. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in soil vapor (air spaces within the soil) may move into buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because there is no on-site building, inhalation of site contaminants in indoor air due to soil vapor intrusion does not represent a concern for the site in its current condition. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. In addition, sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Prevent the discharge of contaminants to surface water.
- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 4: Restricted use with site-specific soil cleanup objectives remedy.

The selected remedy is referred to as the Excavation, Groundwater Treatment, Site Cover and Soil Vapor Mitigation remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings will include, at a minimum, a 20-mil vapor barrier/waterproofing membrane on the foundation to improve energy efficiency as an element of construction.

2. Excavation

The existing on-site structures(s) will be demolished and materials which can't be beneficially reused on site will be taken off-site for proper disposal in order to implement the remedy.
Excavation and off-site disposal of contaminant source areas, including:

- grossly contaminated soil, as defined in 6 NYCRR Part 375-1.2(u);
- soils which exceed the protection of groundwater soil cleanup objectives (PGWSCOs), as defined by 6 NYCRR Part 375-6.8 for those contaminants found in site groundwater above standards; and
- soils that create a nuisance condition, as defined in Commissioner Policy CP-51 Section G.

All soils in the upper two feet which exceed the restricted residential soil cleanup objectives (SCOs) will be excavated and transported off-site for disposal. In addition, excavation and removal of petroleum-contaminated source material, as defined above, will be extended to the groundwater table. Approximately 26,700 cubic yards of contaminated soil will be removed from the site.

3. Excavation Dewatering and Treatment

Dewatering will be required to allow for excavation of petroleum-contaminated source material under dry conditions. Dewatering fluids will be treated as necessary prior to discharge to the

storm sewer system under a SPDES permit equivalent.

4. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

5. Cover System

A site cover will be required to allow for restricted residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable SCOs. Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

6. In-Situ Chemical Oxidation

In situ chemical oxidation (ISCO) will be implemented to treat remaining petroleum contaminants in groundwater. A chemical oxidant will be injected into the subsurface to destroy the contaminants in the areas of deeper source-area excavations via injection wells or direct soil mixing. The method and depth of oxidant delivery will be determined during the remedial design.

7. Vapor Mitigation

Any proposed on-site buildings will be required to have a sub-slab depressurization system, or other acceptable measures, to mitigate the potential migration of vapors into the building.

8. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or NYCDOHMH; and
- require compliance with the Department approved Site Management Plan.

9. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements

necessary to ensure the following institutional and/or engineering controls remain in place and effective:

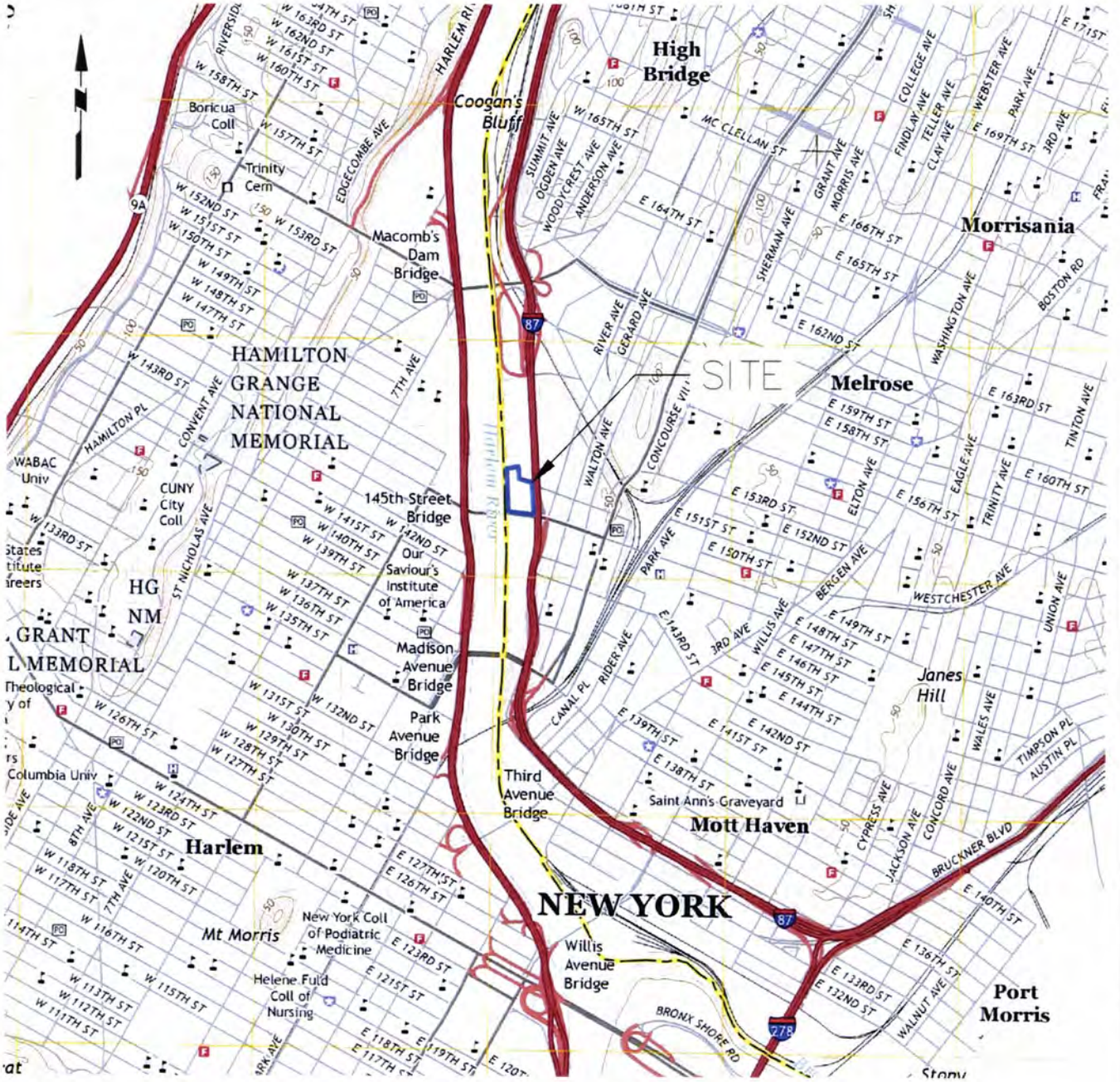
- Institutional Controls: The Environmental Easement discussed in Paragraph 7 above.
- Engineering Controls: The cover system discussed in Paragraph 4, the ISCO discussed in paragraph 5 and the vapor mitigation system(s) discussed in Paragraph 6.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any land use, and groundwater water use restrictions;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
   - monitoring of groundwater and soil vapor to assess the performance and effectiveness of the remedy;
   - a schedule of monitoring and frequency of submittals to the Department;
   - monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

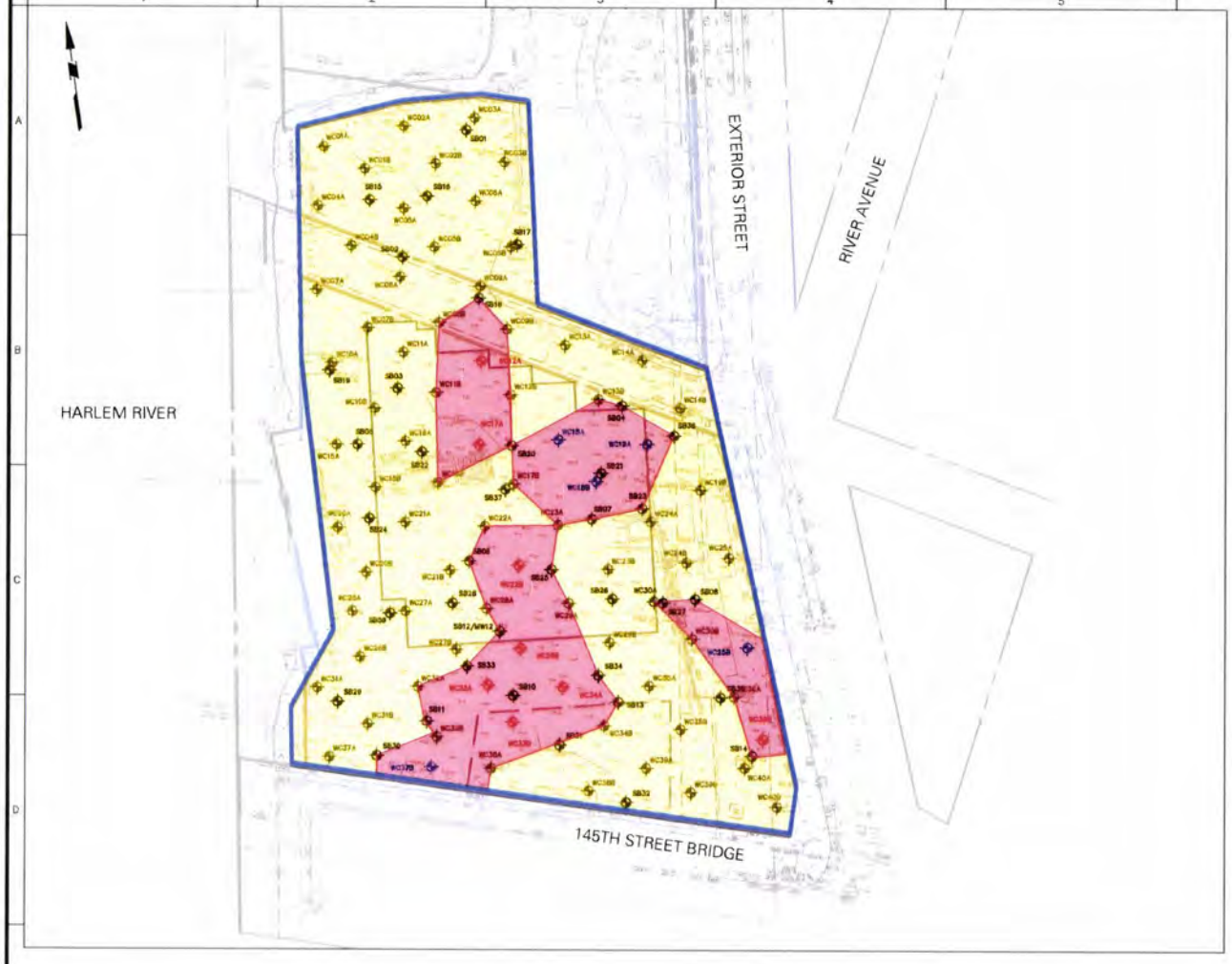
c. an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, optimization, monitoring, inspection, and reporting of any mechanical or physical components of the remedy. The plan includes, but is not limited to:
   - procedures for operating and maintaining the remedy;
   - compliance monitoring of treatment systems to ensure proper O&M as well as providing the data for any necessary permit or permit equivalent reporting,
   - maintaining site access controls and Department notification; and
   - providing the Department access to the site and O&M records.



MAP REFERENCE: USGS 7.5 MINUTE CENTRAL PARK NY-NJ TOPOGRAPHIC QUADRANGLE, DATED 2016

APPROXIMATE SITE BOUNDARY

	Project	Figure Title		Figure No.
	BRONX POINT BLOCK No. 2356, LOT No. 2 BRONX NEW YORK	**SITE LOCATION MAP**		1



LEGEND:

- APPROXIMATE SITE BOUNDARY
- APPROXIMATE PHASE I BUILDING FOOTPRINT
- APPROXIMATE PHASE II BUILDING FOOTPRINT
- WASTE CHARACTERIZATION OR REMEDIAL INVESTIGATION SAMPLING LOCATION
- WASTE CHARACTERIZATION SAMPLING LOCATION WITH EVIDENCE OF PETROLEUM IMPACTS (I.E., ODORS, STAINING, ELEVATED PID READINGS) OBSERVED ABOVE THE GROUNDWATER TABLE
- WASTE CHARACTERIZATION SAMPLING LOCATION WITH PETROLEUM-RELATED VOCs AND/OR NAPHTHALENE EXCEEDING THE LOWER OF PROTECTION OF GROUNDWATER AND RESTRICTED USE RESTRICTED-RESIDENTIAL USE SOIL CLEANUP OBJECTIVES ABOVE THE GROUNDWATER TABLE
- HOTSPOT LOCATION TO BE EXCAVATED TO GROUNDWATER TABLE ELEVATION AND AREA OF ISCO GROUNDWATER TREATMENT
- APPROXIMATE AREA OF EXCAVATION OF 2 FEET OF HISTORIC FILL

NOTES:

1. BASEMAP SOURCE: SURVEY PREPARED BY LANGAN DATED OCTOBER 20, 2017.
2. ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. NORTH ARROW SHOWS TRUE NORTH.
4. SAMPLE LOCATIONS WERE FIELD MEASURED USING A GLOBAL POSITIONING SYSTEM (GPS) UNIT BY LANGAN FIELD STAFF.
5. BGS = BELOW GRADE SURFACE
6. VOC = VOLATILE ORGANIC COMPOUND
7. PID = PHOTOIONIZATION DETECTOR
8. ISCO = IN-SITU CHEMICAL OXIDATION

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

100 0 50 100
SCALE IN FEET

Project	Figure Title		Figure No.
BRONX POINT BLOCK No. 2356, LOT No. 2 BRONX NEW YORK	**TRACK 4 CLEANUP PLAN**		**2**

LEGEND:

- APPROXIMATE SITE BOUNDARY
- PROPOSED BUILDING FOOTPRINTS
- VAPOR MITIGATION SYSTEMS

NOTES:

1. BASEMAP SOURCE: SURVEY PREPARED BY LANGAN DATED OCTOBER 20, 2017.
2. NORTH ARROW SHOWS TRUE NORTH.

WARNING: IT IS A VIOLATION OF THE NYS EDUCATION LAW ARTICLE 145 FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS ITEM IN ANY WAY.

100 0 50 100
SCALE IN FEET

Project	Figure Title	Figure No.
BRONX POINT BLOCK No. 2356, LOT No. 2 BRONX NEW YORK	CONCEPTUAL VAPOR MITIGATION SYSTEMS PLAN	3

Exhibit B
Tax Map

EXHIBIT A
SITE MAP

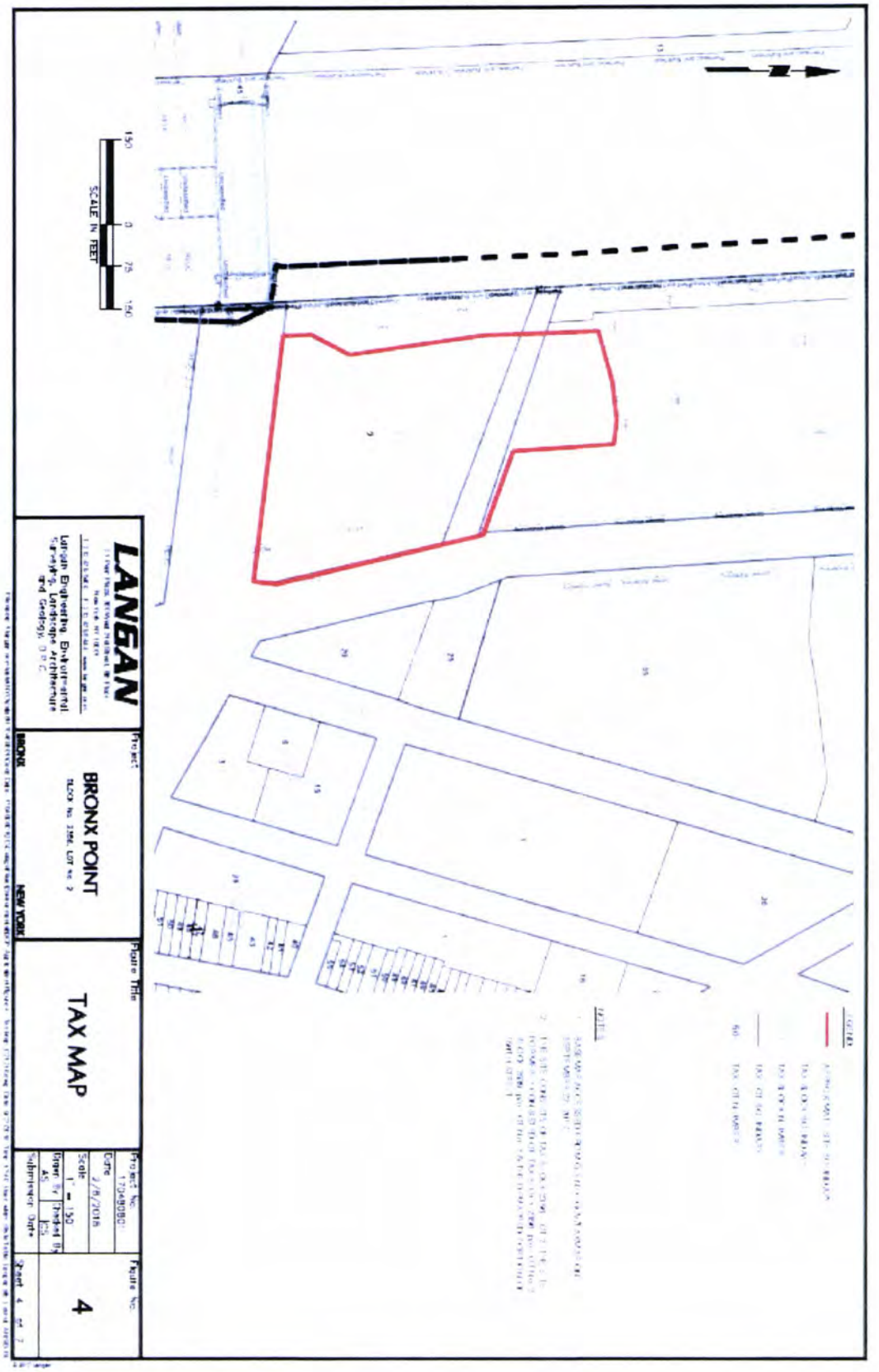


Exhibit C
Project Description

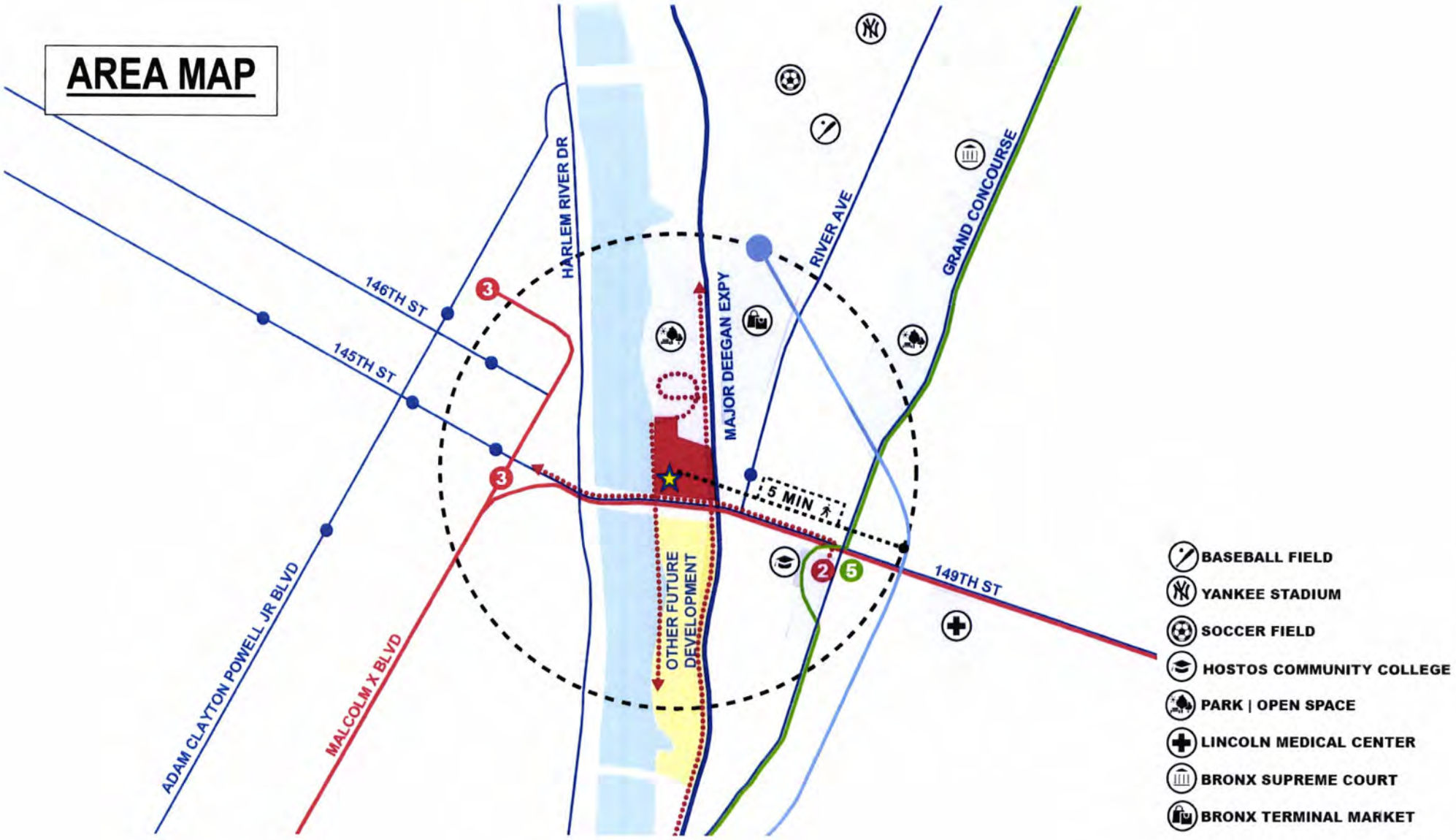
BRONX POINT

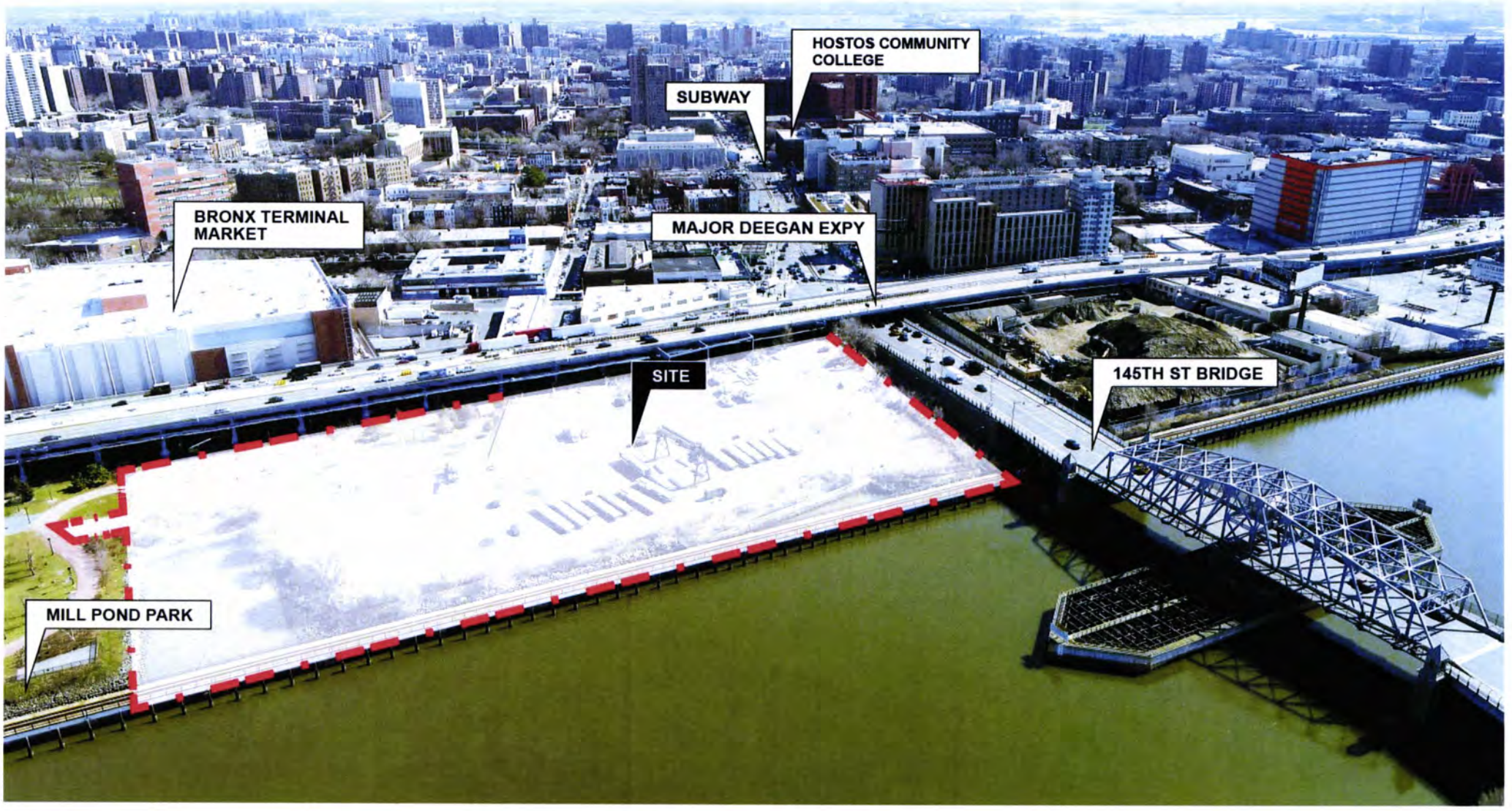
575 Exterior Street

Bronx, NY 10451

PROJECT OVERVIEW

AREA MAP


HARLEM RIVER DR
MAJOR DEEGAN EXPY
RIVER AVE
GRAND CONCOURSE
146TH ST
145TH ST
149TH ST
ADAM CLAYTON POWELL JR BLVD
MALCOLM X BLVD
OTHER FUTURE DEVELOPMENT
5 MIN
3
3
2
5
BASEBALL FIELD
YANKEE STADIUM
SOCCER FIELD
HOSTOS COMMUNITY COLLEGE
PARK | OPEN SPACE
LINCOLN MEDICAL CENTER
BRONX SUPREME COURT
BRONX TERMINAL MARKET

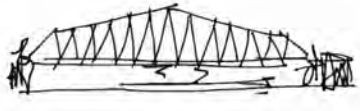

HOSTOS COMMUNITY COLLEGE
SUBWAY
BRONX TERMINAL MARKET
MAJOR DEEGAN EXPY
SITE
145TH ST BRIDGE
MILL POND PARK

SITE OVERVIEW

The Bronx Point site is located on the Harlem River waterfront in the Lower Concourse area of the Bronx. As part of New York City's ongoing effort to activate the Harlem River waterfront and provide affordable housing for City residents, New York City Economic Development Corporation (EDC) and New York City's Department of Housing Preservation and Development (HPD) released a Request for Expressions of Interest (RFEI) in 2016 for the long-term lease and redevelopment of the site. In conjunction with the City rezoning the site, a mixed-use, mixed-income development would provide affordable housing to New York City residents and create a destination for visitors at this long vacant location.

Bronx Point Owner LLC, a joint venture between L+M Development Partners and Type A Projects (a woman-owned business enterprise), submitted a response to the RFEI in 2016 and was awarded the site in 2017. The City has since completed the site's rezoning and approvals for the development are well underway.

The Lower Concourse North area is undergoing a major transformation as several major residential developments, representing thousands of new units, are in predevelopment near the waterfront. The City rezoned the area and created the Special Harlem River Waterfront District in 2009, which was expanded to include the Bronx Point site in 2017. The City's Lower Concourse Infrastructure Investment Strategy represents an approximately $200mm investment to further encourage development in the area. This includes reconstructing key intersections, updating water and sewer lines, upgrading streetscape, and installing commercial-grade broadband access. The City is also supporting the creation of new open spaces, supporting a new park and esplanade at Bronx Point as well as creating an additional park nearby at 144th St. and Exterior St.

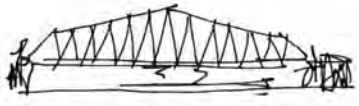


PROJECT OVERVIEW

Bronx Point includes approximately 542 units of permanently affordable housing, including apartments for formerly homeless households as well as for low- and moderate-income families. There is also additional land that allows for a second phase to be developed for a total of 1,045 units.

Anchoring the development is a museum that celebrates hip hop history and culture. The new museum will draw a significant number of guests to the waterfront and offer visitors an interactive experience featuring immersive exhibits, film screenings, seminars, and demonstration labs. Bronx Point will also advance business development with dynamic retail opportunities on Exterior Street. The new building also includes an early childhood center and community services programming led by BronxWorks, a local nonprofit that has been serving the Bronx community for over 40 years.

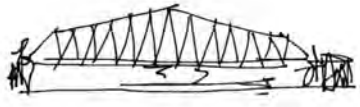
Adjacent to the Bronx Point building will be a new waterfront park and esplanade that will be separately financed and owned and operated by the City. Visitors will be drawn to the waterfront to experience the new playground, outdoor fitness areas, waterfront walkways, and expanded BBQ grilling area.



PROJECT OVERVIEW

Bronx Point will have high standards of environmental sustainability. It will adhere to Enterprise Green Communities certification standards, incorporating many sustainable features including high efficiency boilers and Energy Star appliances and lighting. The site is also participating in the NYSDEC Brownfield Cleanup Program, which will ensure a clean remediated site. The site incorporates shoreline resiliency and flood mitigation measures, having no basement or below grade spaces and placing the boiler and other mechanical equipment on the roof. Additionally, Bronx Point will follow NYC Active Design Guidelines, incorporating strategies to create a healthier building for residents.

Bronx Point will be a unique destination in New York City. It will not only be a catalyst for the Bronx Harlem River waterfront but will serve as an iconic inspiration for ambitious yet thoughtful community building in the years to come.



PROJECT SUMMARY

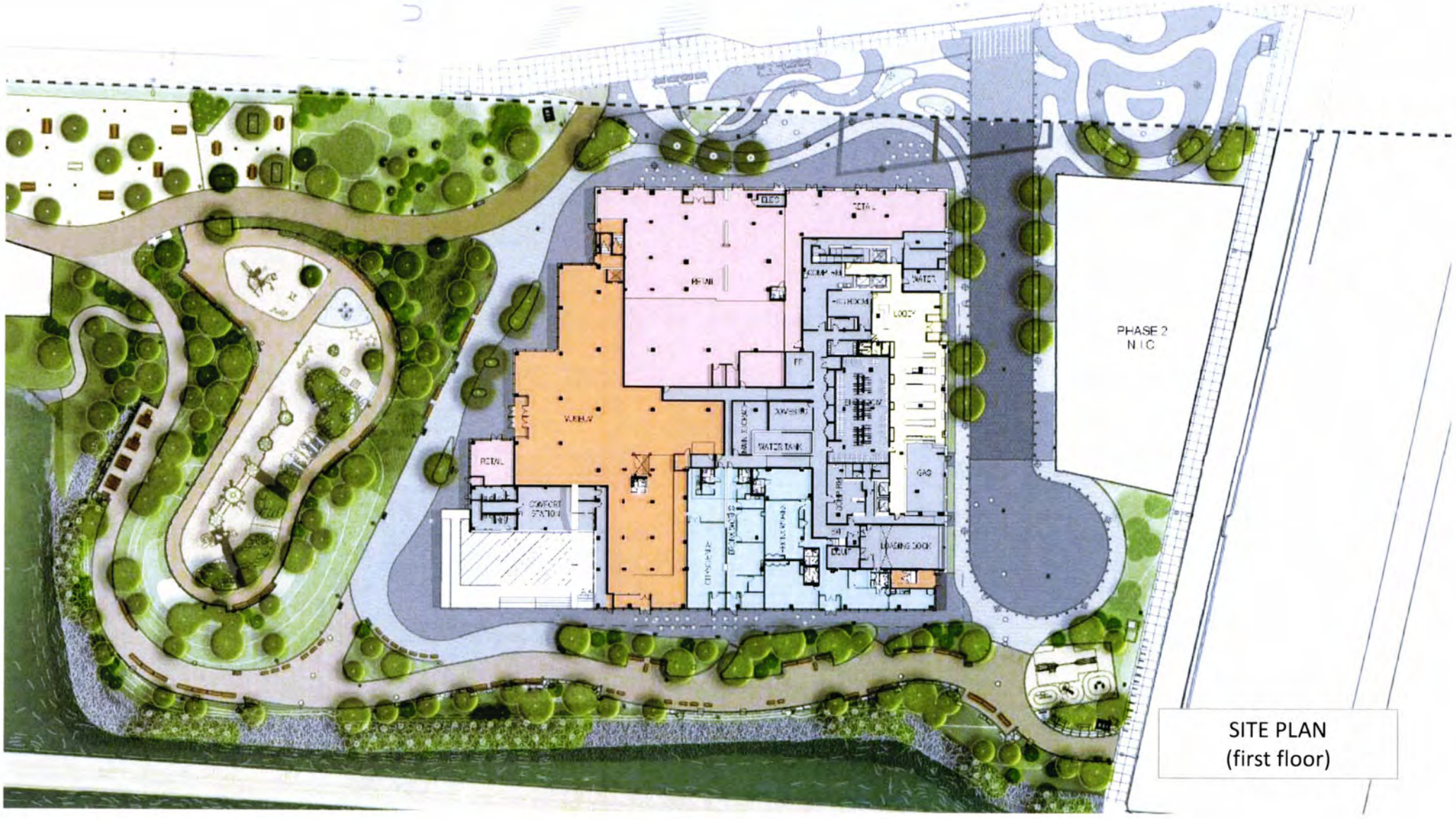
- New building of approximately 530,000 SF
- 542 units of permanent affordable housing
  (15% formerly homeless households serviced by BronxWorks)
- Over 57,000 SF of Educational and Community Facilities
  - BronxWorks Supportive Services Space and Early Childhood Center
  - CityScience Educational Programming Space
  - Billion Oyster Project Outdoor Education
  - Universal Hip Hop Museum as Cultural Anchor with Community-Based Programming in approximately 50,000 SF
- Over 15,000 SF of Engaging Retail
- New Publicly Accessible Park and Open Space, including New Playground and Waterfront Esplanade

PERSPECTIVES

BRONX
TENANT
TENANT
TENANT
BRONX

BRONX MUSEUM

Bronxwork



SITE PLAN
(first floor)

PHASE 2
N.I.C
MUSEUM FLOOR
(second floor)

PHASE 2
N.I.C
TYPICAL
RESIDENTIAL
FLOOR

BRONX POINT

http://bronxpoint.nyc/

Type A Projects

L+M

S9ARCHITECTURE

Marvel Architects

abb

Exhibit D
Letters of Support

NYC Parks

Alyssa Cobb Konon
Deputy Commissioner
for Planning and Development

T 212.360.3402 E alyssa.cobb@parks.nyc.gov

City of New York
Parks & Recreation

The Arsenal
Central Park
New York, NY 10065
www.nyc.gov/parks

March 2, 2020

Honorable Rossana Rosado
Secretary of State
New York Department of State
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231-0001
Attn: BOA Program

Re: Bronx Point - 575 Exterior Street, also known as Pier 5
Brownfield Opportunity Area (BOA) Application for Program Determination

Dear Secretary Rosado:

I am writing to express NYC Parks' support of the mixed-use project at Bronx Point in the Harlem River BOA. This project is part of an ongoing collaboration between Parks and the NYC Economic Development Corporation to enhance public waterfront access and open space along the Harlem River in the Bronx, as part of a broader effort to provide more affordable housing and address other community needs.

Parks partnered with the Bronx Council for Environmental Quality to complete a BOA Step 2 Report for the Harlem River Waterfront. The report, which identified Pier 5 as Strategic Site 1, was finalized in December 2015. The Bronx Point project is consistent with the BOA report's findings and its recommendation that this site, easily accessible to residents and adjacent to Mill Pond Park, be developed with public open space. It will advance the City's and the community's shared vision of more and better waterfront access on the Bronx side of the Harlem River.

In addition to the public open space on the waterfront, the Bronx Point development will include affordable housing, a museum, and retail space for the benefit of the surrounding community.

If you have any additional questions or would like to discuss this project further, please do not hesitate to contact me.

Sincerely,

Nicholas Molinari
Chief of Planning

CC: Josue Sanchez, L+M Development Partners
Lee Ilan, NYC Mayor's Office of Environmental Remediation

OFFICE OF THE BRONX BOROUGH PRESIDENT
THE BRONX COUNTY BUILDING
851 GRAND CONCOURSE
BRONX, NEW YORK 10451

RUBEN DIAZ JR.
BOROUGH PRESIDENT

TEL. 718-590-3500
FAX. 718-590-3537
E-MAIL: rdiazjr@bronxbp.nyc.gov

February 26, 2020

Honorable Rossana Rosado
Secretary of State
New York Department of State
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001

Dear Madam Secretary:

I am writing to express my support for the Bronx Point development, and their application to receive the Brownfield Cleanup Program's property credit. The Bronx Point development is located at 50 East 150th Street in the Lower Concourse South area of the South Bronx, which places it within the jurisdiction of the Harlem River Brownfield Opportunity Area. The Pier 5 site that encompasses Bronx Point, was identified as one of the primary "strategic sites" of the original Harlem River BOA report.

As part of this, the site is recognized for its immense potential as an economic driver of the Bronx. The Bronx Point-Pier 5 project will bring affordable housing, activated public space, and new employment to an area of the Harlem River that is within the Brownfield Opportunity Area. This project also features the Universal Hip Hop Museum which will be a highly-anticipated attraction that preserves and celebrates part of The Bronx's rich history and culture. Likewise, its impact and scope will yield these economic and quality of living benefits, all throughout The Bronx. The development of Pier 5 has a high chance for success due to its ease of access, waterfront location, and a pattern of previous investment in the area. Civic engagement towards the project has been frequent and positive, which indicate the holistic and community driven process that they are utilizing.

Given the benefits that this project can generate for the local community, in conjunction with meeting the parameters to qualify for BOA credit, I respectfully ask that you please accept my support of their application.

If you have any additional questions or would like to discuss this project further, please do not hesitate to contact me.

Sincerely,

Ruben Diaz, Jr.

NYC / EDC

One Liberty Plaza
New York, NY 10006
T: 212 619 5000
edc.nyc

February 18, 2020

Honorable Rossana Rosado
Secretary of State
New York Department of State
One Commerce Plaza
99 Washington Avenue
Albany, New York 12231-0001
Attn: BOA Program

Re: Bronx Point - 575 Exterior Street
Brownfield Opportunity Area Application for Program Determination

Dear Madam Secretary:

I am pleased to write in support of the development at Bronx Point as part of the Harlem River Brownfield Opportunity Area. The New York City Economic Development Corporation ("NYCEDC") fully supports this project as it is an anchor project that bolsters community access and development on the Harlem River. The project site is a critical component of NYCEDC's revitalization plan for the Bronx.

We enthusiastically support this project. If you have any additional questions or wish to speak on this matter further, please do not hesitate to contact me.

Sincerely,

Hester Muis, Executive Vice President
New York City Economic Development Corporation

IMPORTANT!
We are continuing to respond to the impact of COVID-19 around the world. See our latest updates. For COVID-19-related recipient closures, you can redirect packages, Ask FedEx, or contact the shipper.

770859471345

Delivered
Monday 7/06/2020 at 9:28 am

DELIVERED

Signed for by: M.WONG

GET STATUS UPDATES

OBTAIN PROOF OF DELIVERY

FROM	TO
SYRACUSE, NY US	BRONX, NY US

Shipment Facts

TRACKING NUMBER 770859471345	**SERVICE** FedEx Priority Overnight	**WEIGHT** 1 lbs / 0.45 kgs
DELIVERED TO Mailroom	**TOTAL PIECES** 1	**TOTAL SHIPMENT WEIGHT** 1 lbs / 0.45 kgs
TERMS Shipper	**SHIPPER REFERENCE** B2231L.01	**PACKAGING** FedEx Envelope
SPECIAL HANDLING SECTION Deliver Weekday	**STANDARD TRANSIT** 7/03/2020 by 10:30 am	**SHIP DATE** Thu 7/02/2020
ACTUAL DELIVERY Mon 7/06/2020 9:28 am		

Travel History

Local Scan Time

Monday , 7/06/2020		
9:28 am	BRONX, NY	Delivered
7:26 am	BRONX, NY	On FedEx vehicle for delivery
6:04 am	BRONX, NY	At local FedEx facility
Friday , 7/03/2020		
2:53 pm	BRONX, NY	At local FedEx facility

10:14 am	BRONX, NY	Delivery exception Customer not available or business closed
9:01 am	BRONX, NY	On FedEx vehicle for delivery
8:16 am	BRONX, NY	At local FedEx facility
6:15 am	NEWARK, NJ	Arrived at FedEx location
3:07 am	MEMPHIS, TN	Departed FedEx location
Thursday , 7/02/2020		
11:09 pm	MEMPHIS, TN	Arrived at FedEx location
8:38 pm	NORTH SYRACUSE, NY	Left FedEx origin facility
7:04 pm	NORTH SYRACUSE, NY	Picked up
10:35 am		Shipment information sent to FedEx

FedEx

July 20, 2020

Dear Customer,

The following is the proof-of-delivery for tracking number: 770966014732

Delivery Information:

Status:	Delivered	**Delivered To:**	Receptionist/Front Desk
Signed for by:	M.MICHELLE	**Delivery Location:**	105 E 116TH ST 10029
Service type:	FedEx Priority Overnight		New York City, NY, 10029
Special Handling:	Deliver Weekday; Residential Delivery	**Delivery date:**	Jul 17, 2020 09:57

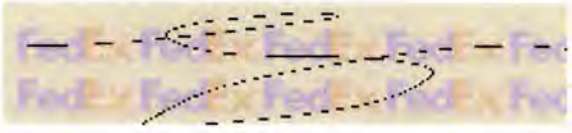
Shipping Information:

Tracking number:	770966014732	**Ship Date:**	Jul 16, 2020
		Weight:	1.0 LB/0.45 KG

Recipient:
Diana Ayala,
105 East 116th Street
New York City, NY, US, 10029

Shipper:
Marjorie Pepe, Paralegal, Bousquet Holstein PLLC
110 W. Fayette St.
Suite 1000
SYRACUSE, NY, US, 13202

Reference B2231L.001



Thank you for choosing FedEx