State Environmental Quality Review
Findings Statement

Project:	Staten Island North Shore Bus Rapid Transit (BRT) Project (the "Proposed Action")
Date:	February 29, 2024

This notice is issued in accordance with Article 8 (State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law and its implementing regulations, promulgated at Part 617 of Title 6 of the New York Codes, Rules, and Regulations (NYCRR), which collectively contain the requirements for the State Environmental Quality Review (SEQR) process. The Metropolitan Transportation Authority (MTA), as Lead Agency, makes the following findings.

Name of Action:	Staten Island North Shore Bus Rapid Transit Project
Location:	North Shore and South Avenue, Staten Island, Richmond County, New York
SEQR Classification:	Type I Action
Date FEIS Filed:	January 25, 2024

Pursuant to SEQRA, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection online via the Staten Island North Shore Bus Rapid Transit project website available at: https://new.mta.info/project/staten-island-north-shore-bus-rapid-transit. Written comments on the DEIS were requested and received and considered by the Lead Agency between October 25, 2023, and 5:00 pm on December 22, 2023. The FEIS incorporates responses to the public comments received on the DEIS.

Description of Proposed Project

The Proposed Project would implement new BRT service between West Shore Plaza and St. George Terminal. The approximately 8-mile alignment would comprise approximately 4.8 miles of right-of-way from the former North Shore Railroad, and a total of 3.2 miles of City streets such as Richmond Terrace (0.5 miles) and South Avenue (2.7 miles). The proposed alignment includes at-grade, elevated viaduct, and below-grade open-cut sections, with street-running portions along South Avenue and an exclusive two-lane median busway on Richmond Terrace. On the portion of the proposed alignment that uses the former North Shore Railroad right-of-way, BRT service would operate within a two-lane, dedicated busway with the potential for passing lanes at certain stations. Access to the proposed busway would be provided at four locations: in Arlington, at Bard Avenue, at an extended Alaska Street, and at Nicholas Street. Life safety service providers would also be able to utilize these access points to gain access to the busway in an emergency situation.

The North Shore Railroad right-of-way and the affected streets are under City ownership. However, in several locations the acquisition of additional right-of-way would be required to accommodate the proposed busway and/or stations.

The proposed BRT service would re-purpose and utilize the existing infrastructure on the bus deck of the St. George Terminal as its eastern terminus and the existing West Shore Plaza shopping center as the western terminus. In between these termini, seven new BRT stations, with amenities such as platforms and shelters, and three existing, on-street South Avenue stops would be served. Commuter parking lots would be provided at the proposed Livingston and Arlington stations and at West Shore Plaza. A passenger pickup/drop-off and taxi staging area would also be provided at Arlington Station.

The Proposed Project would address the existing transportation needs in the North Shore of Staten Island and meet the demand for expanded transportation capacity through improved and priority transit service. Use of the former North Shore Railroad ROW would provide more consistent and reliable travel times and would improve transit access, capacity, and connectivity between North Shore and West Shore activity, residential centers, and the St. George Terminal. St. George Terminal provides on-island transfers between the Staten Island Railway (SIR) and connections to MTA bus routes, as well as off-island transfers to Lower Manhattan via the New York City Department of Transportation's (NYCDOT) Staten Island Ferry, and to Battery Park City and Midtown West via the NYC Ferry service immediately adjacent to the St. George Terminal.

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

Purpose and Need for the Proposed Project

The MTA Staten Island North Shore Alternatives Analysis (SINSAA), completed in 2012, and the 2019 Supplement to the 2012 SINSAA, as well as several concurrent and subsequent planning studies, have identified key, pervasive transportation issues that continue to exist in the North Shore and West Shore areas of Staten Island. The Proposed Project would address the existing transportation needs in the North Shore of Staten Island and meet the demand for expanded transportation capacity through improved and priority transit service.

The purpose of the Proposed Project is to:

- Provide frequent, efficient, and reliable transit to serve growing demand on the North and West Shores of Staten Island.
- Facilitate improved connections between Staten Island neighborhoods and existing North and West Shore activity centers, industries, and employment centers.
- Offer a reliable and cost-effective transportation solution that supports adopted City and community-endorsed public policy initiatives pertaining to economic growth and development, such as the North Shore 2030.
- Maximize transportation use of the currently unused North Shore Railroad ROW while minimizing property acquisition and disruption to the community and businesses.

The need for the Proposed Project is due to the high demand for public transit on the North and West Shores that is not effectively served by existing transit routes; the high demand for public transit is expected to grow in the future. Conditions influencing the need for transit improvements include:

- Public transportation demand is higher on the North Shore than the rest of Staten Island.
- The demographic characteristics of the North Shore—including a higher poverty rate and lower car ownership than Staten Island overall—are consistent with high use of transit.
- Commutes on Staten Island and the North Shore are longer and more circuitous than those in

New York City as a whole.

- Transit demand will increase in the future as growth continues in North Shore communities and as the population ages.
- Adopted plans for the North Shore and all of Staten Island have established economic development goals that require efficient, reliable transportation.
- The existing transportation network is physically constrained and limits mobility for general-purpose and transit vehicles.

The Proposed Project's goals and objectives were developed to improve transit accessibility and mobility, reduce travel time, improve reliability, and cost effectively support Staten Island's growth objectives within a reasonable timeframe. They were also designed to provide benefits to the community character and avoid or minimize impacts on the environment.

State Environmental Quality Review Process

The MTA, as Lead Agency, conducted an environmental review of the Proposed Project pursuant to SEQRA, codified at Article 8 of the ECL, and its implementing regulations (6 NYCRR Part 617), which collectively contain the requirements for the SEQR process. The *2021 City Environmental Quality Review (CEQR) Technical Manual* generally served as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the effects of the Proposed Project.

A *Positive Declaration* and *Notice of Intent to Prepare a Draft Environmental Impact Statement* as well as the Draft Scoping Document were published on September 18, 2019. A Public Scoping Meeting on October 17, 2019, and the record was held open for a period of 30 calendar days following the close of the Public Scoping Meeting. The MTA issued a *Notice of Completion* for a DEIS and a *Final Scoping Document* on October 25, 2023. The North Shore BRT Draft EIS comment period began on October 25, 2023, and concluded on December 22, 2023, which was nearly double the amount of time required under SEQRA.

While the project is a state action, the City of New York may utilize the SEQRA EIS to make CEQR findings should it be determined that City actions are required to facilitate implementation of the project. In addition to the potential City approvals, several federal and state permits are likely to be required for the project. Potential future City approvals many include: (1) Transfer of property as the ROW is under New York City ownership; (2) Uniform Land Use Review Procedure (ULURP) application to facilitate constructing fill at the Snug Harbor waterfront portion of the proposed alignment; (3) ULURP application to facilitate a change in the City Zoning Map may be required at several locations, including Roxbury Street, portions of Richmond Terrace, and areas where parkland alienation would be required; (4) non-ULURP application from the New York City Department of City Planning for cross access for the potential station surface parking facilities located at Arlington Station and Livingston Station; and (5) ULURP application(s) to acquire private properties and dispose of City-owned properties to facilitate the proposed alignment.

In addition, the MTA may apply for federal funding from the Federal Transit Administration (FTA) to build the Proposed Project. If MTA intends to seek federal funding to support the capital construction of the Proposed Project, it will require a separate analysis under the requirements of the National Environmental Policy Act of 1969 (NEPA). The FTA would be the lead agency for NEPA compliance. MTA and the FTA have agreed that NEPA would occur after and separately from this SEQRA process.

A *Final Environmental Impact Statement (FEIS)* was completed and a *Notice of Completion for a FEIS* was

issued in the NYSDEC's Environmental Notice Bulletin (ENB) on January 24, 2024.

Analysis Framework

The *2021 City Environmental Quality Review (CEQR) Technical Manual* generally served as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the effects of the Proposed Project. As the Proposed Project would be complete and operational in 2035, the environmental setting for analysis is not the current environment but the future environment. For the purpose of the environmental analyses, the No-Action Condition represents the future absent the Proposed Project and serves as the baseline by which the Proposed Project (or With-Action condition) is compared to determine the potential for significant environmental impacts. The difference between the No Action and With-Action conditions represents the increment to be analyzed in the SEQRA process.

No-Action Condition

Under the No-Action Condition, the Proposed Project would not be implemented, and the existing former North Shore Railroad ROW would remain abandoned and unimproved. Bus service on local streets would continue to operate at existing levels on a constrained roadway network, adding to existing congestion, delay, and lack of reliable transit options as the North and West Shores continue to grow. Without the Proposed Project in place, the ability to add enhanced public transit capacity to meet growing demand would be severely hindered. Moreover, there are no other plans to realize the opportunities afforded by the presence of a separate and dedicated transit ROW. As such, the No-Action Condition would fail to meet the Purpose and Need of the Proposed Project

With Action Condition

The Proposed Project would implement new BRT service between West Shore Plaza and St. George Terminal. The approximately 8-mile alignment would comprise approximately 4.8 miles of ROW from the former North Shore Railroad, and approximately 3.2 miles of City streets. The proposed alignment would include at grade, elevated viaduct, and below-grade open-cut sections, with street-running portions along South Avenue and an exclusive two-lane median busway on Richmond Terrace. On the portion of the proposed alignment that uses the former North Shore Railroad ROW, BRT service would operate within a two-lane, dedicated busway.

The proposed BRT service would re-purpose and utilize the existing infrastructure on the bus deck of the St. George Terminal as its eastern terminus and the existing West Shore Plaza shopping center as the western terminus. In between these termini, seven new BRT stations, with amenities such as platforms and shelters, and three existing, on-street South Avenue stops would be served. Commuter parking lots would be provided at the proposed Livingston and Arlington Stations and at West Shore Plaza. A passenger pick-up/drop-off area and taxi staging area would also be provided at Arlington Station.

Analysis Year

The Proposed Project is expected to be complete and fully operational by 2035 (the Build Year).

Probably Impacts of the Proposed Project

Land Use, Zoning, and Public Policy

The Proposed Project would require the conversion of approximately 4.8 acres of public and private property from existing uses to transportation right-of-way to facilitate construction of the Proposed

Project. In addition, zoning in the study area would not change as a result of the Proposed Project, except for a zoning map amendment that could be necessary to facilitate parkland alienation if parkland is acquired and converted to ROW. The Proposed Project would be compatible with and/or actively support all applicable public policies.

As previously mentioned, additional City actions will be required to implement the project, some of which include applications subject to ULURP, which is subject to approval by the City Planning Commission (CPC). With respect to coastal zone consistency compliance, during the ULURP process, CPC, acting as the City Coastal Commission, is required to make a WRP consistency finding. Therefore, once the Proposed Project advances through the final project design process and specific ULURP applications associated with that final design are subject to ULURP, WRP consistency findings will be made by CPC. Should the Proposed Project advance, MTA will continue to coordinate with elected officials, businesses and local, state and federal agencies throughout the planning process to ensure consistency with the goals of the overall WRP with respect to the Proposed Project. Therefore, the Proposed Project would not result in significant adverse impacts on land use, zoning, or public policy.

Socioeconomic Conditions

The Proposed Project would not: directly displace any residents, result in substantial direct changes to existing residential populations, result in new development that differs markedly from the surrounding neighborhood, create retail concentrations that may draw a substantial amount of sales from existing businesses, or affect conditions in a specific industry. The Proposed Project would result in direct business displacement impacts, which was assessed in the FEIS.

The Proposed Project would result in direct business displacement impacts, with a total of five existing businesses and approximately 46 employees expected to be displaced. These displacements do not represent a majority of study area businesses or employment for any given industry sector and their displacement would not adversely affect socioeconomic conditions the area. MTA would provide relocation assistance and compensation, as appropriate, to affected property and/or business owners in accordance with the Federal Uniform Relocation Act (49 CFR 24.205) and the New York State regulations that govern acquisition and displacements (Article 5, Section 74-B). Relocation assistance could include helping to seek out and acquire replacement space and/or provision of relocation assistance—including lump sum payments, payment of moving expenses, payment of brokers' fees, and payment for improvements to the replacement space (if the new landlord is not providing for improvements). Given the business types and number of employees affected, it is anticipated that appropriate space could be identified to accommodate relocation of the affected businesses in or near the study area. Therefore, the Proposed Project would not result in significant adverse socioeconomic impacts as defined by the *CEQR Technical Manual.*

Community Facilities

The Proposed Project would not introduce new utilization demands on community facilities because it would not increase the number of residents or workers in the area. As such, no changes to or displacement of existing community facilities and services would occur in the study area. Moreover, the Proposed Project would improve transit access which would enhance the ability of North Shore residents, workers and visitors to access community facilities and services. As a result, the Proposed Project would not result in significant adverse impacts to community facilities or services.

Open Space

A direct effects assessment was conducted as part of the open space analysis in the FEIS. The analysis assessed, as appropriate, any potential displacement of open space and recreational resources and potential increases in noise, air pollutants, or shadows from the Proposed Project. The Proposed Project would impact the following open space resources: North Shore Esplanade, Snug Harbor Cultural Center and Botanical Garden, and Heritage Park. Impacts on these three open space resources are described in the sections below. Other open spaces identified in the study area would not experience any impacts as a result of the Proposed Project.

A small area of the North Shore Esplanade (approximately 0.12 acre) would be occupied by the proposed at-grade busway crossing at Nicholas Street. The area is currently paved and does not contain any visitor amenities. The new crossing is not expected to adversely affect the visitor experience, since the former NY Wheel parking garage access ramp already crosses it at this location. This area is owned by NYC Parks, but is not mapped as parkland; hence, its use for the crossing is not subject to parkland alienation regulations.

As currently designed, the Proposed Project would not require the use of designated parkland in Heritage Park. However, the busway would cross the park access road and would displace one of the two parking lots serving the park. This southern parking lot is located partially within the existing North Shore ROW. The lot is striped for eight spaces and is bordered by an unpaved area to the south, adjacent to Richmond Terrace.

Through Snug Harbor, the Proposed Project would include an elevated busway. While the busway would primarily utilize city-owned right-of-way, the alignment through this area would require the conversion of approximately 0.36 acres of existing parkland from the shoreline portion of the Snug Harbor Cultural Center and Botanical Garden to right-of-way. The parkland area, which is located north of Richmond Terrace, would be used because portions of the former North Shore Railroad right-of-way are now submerged in the Kill Van Kull as a result of storm damage and ongoing coastal erosion. The elevated busway would be constructed on piers, and pedestrians would still be able to access the waterfront at Snug Harbor by crossing under the busway. The existing steps alongside the Kill Van Kull overlook are barricaded off which prohibits pedestrian access. However, once the stairs are brought to a state of good repair access would be restored and the busway would not impede this access.

The MTA would work with NYC Parks and Snug Harbor Cultural Center representatives to identify ways to minimize the use of parkland to maintain access to the waterfront, and to implement design measures that would make the busway more compatible with the adjacent park use. Additionally, the elevated busway would not preclude any of the other waterfront access projects that may be planned and/or funded by Snug Harbor, the City, or federal government.

If the final design for the Proposed Project requires the conversion of parkland to ROW for the new busway, the City would initiate parkland alienation legislation, which would identify substitute parkland of similar function and value. If it is not possible to identify the substitute land at the time the alienation legislation is introduced, the need to identify substitute land would be clearly stated in the legislation. Should parkland alienation be required, it would constitute a significant adverse impact to the Snug Harbor Cultural Center and Botanical Garden.

Shadows

A preliminary shadows assessment conducted for the Proposed Project determined that in the With-Action Condition, project-generated shadows could reach two sunlight-sensitive resources: Snug Harbor Cultural Center and the Kill Van Kull. The Tier 3 Screening indicated that the Kill Van Kull would receive

some shading on each of the four analysis days, with the longest shadow durations occurring on the December 21st analysis day. On all four analysis days, the potential shadows cast from the Proposed Project would be confined to the intertidal edge of the Kill Van Kull. The Proposed project would cast shadows within the Snug Harbor Cultural Center parkland that would be confined to the parkland north of Richmond Terrace that lines the Kill Van Kull shoreline. Project-generated shadows would never reach the main campus of Snug Harbor. Moreover, project-generated shadows cast on the sunlight-sensitive resources noted above would be relatively limited in scope and would not impact the viability of marine habitats or vegetation in the area. As such, the Proposed Project would not result in significant adverse impacts to shadows and further analysis is not warranted.

Historic and Cultural Resources

The Proposed Project includes the construction of an elevated busway that would be above the elevation of Richmond Terrace in the vicinity of Snug Harbor. The Proposed Project would be visible from a number of contributing resources within the overall Sailor's Snug Harbor State/National Register of Historic Places (S/NRHP) Historic District including Buildings A-E, the chapel, the two gatehouses, the iron fence and the ferry landing. The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) State Historic Preservation Office (SHPO) has indicated that the Proposed Project would result in an Adverse Effect upon the contextual setting of the National Historic Landmark (NHL) Sailors' Snug Harbor S/NRHP Historic District and therefore a significant adverse impact would occur under SEQRA.

With respect to archaeological resources there is the potential for Adverse Effects on resources in the 90-foot Architectural Area of Potential Effects (APE) in Sections 1-6 depending on the degree of vibration and related physical impact during construction. Potential impacts to archaeological resources in Sections 1, 2, 3, and 6 would be determined by future geotechnical soil borings and/or subsurface testing should the Proposed Project advance.

MTA has met with local, state and federal agencies throughout the planning process to coordinate the proposed design and potential impacts with planned projects. MTA has continued to coordinate with the SHPO on proposed design elements and potential impacts. Additionally, the elevated busway would not preclude any of the other waterfront/access projects currently planned and/or funded by Snug Harbor, the City, or federal government. As the project moves forward beyond the Final EIS, key stakeholders would continue to be involved to advance design solutions and mitigation options if impacts cannot be avoided.

Urban Design and Visual Resources

The Proposed Project wherever possible makes use of the existing North Shore Railroad ROW, and therefore is adapted to the various physical conditions and settings in different sections of the proposed alignment, including at-grade sections, the elevated viaduct, and the below grade open-cut sections. As a result, installation of the proposed busway and various infrastructure improvements necessary to facilitate the BRT service fit within the existing physical context of the ROW. With the use of the existing viaduct structure and open-cut portions of the ROW, changes to physical settings are limited to areas immediately surrounding the proposed alignment and station areas, and in many cases, would not be visible to pedestrians. Within the street-running portions along Richmond Terrace, changes to the physical environment would be mostly limited to reconfiguration of the roadways, and therefore is not anticipated to significantly alter urban design characteristics. Therefore, no significant adverse impacts to urban design and visual resources are anticipated in Sections 1, 3, 4, 5, and 6 of the Proposed Project. In Section 2, the Proposed Project would result in a significant adverse impact to urban design and visual resources

within the Snug Harbor campus, as the historic context of the campus would be altered. Potential mitigation measures are detailed in the Mitigation subsection of this document.

Natural Resources

No significant adverse impacts to natural resources are anticipated due to the implementation of the Proposed Project. There would be no impacts to freshwater wetlands or adjacent areas regulated by NYSDEC. The proposed alignment within the Snug Harbor area would fill 0.001 acre of littoral wetland and 3.1 acres of NYSDEC tidal wetland Adjacent Areas. Minor and temporary impacts to tidal wetlands and adjacent areas would result from staging and other activities during construction. The Proposed Project is not expected to result in any impairments to water resources; would require only minor amounts of permanent fill in wetland-adjacent areas; would not affect significant, sensitive, or designated resources or diminish the habitat of protected species; and would not cause a noticeable decrease in resource functions such as habitat value, recreational use, or commercial productivity. As a result, the impacts of the Proposed Project are not considered to be significantly adverse.

Hazardous Materials

A series of corridor-level Phase I Environmental Site Assessments (ESAs) were prepared for the Proposed Project which documented Recognized Environmental Conditions (RECs) within the study area. Construction of the Proposed Project would require subsurface disturbance along the alignment for construction of the busway, stations, parking areas, and drainage facilities. Excavation would range from approximately 5 to 15 feet below ground surface throughout the proposed alignment. Based on the review of preliminary construction plans for the Proposed Project and the identified RECs and environmental concerns at or in close proximity to the proposed construction area, the potential exists to encounter contaminated soils during construction activities. In addition, based on the planned construction activities and anticipated depth to groundwater, dewatering may be required as part of construction, resulting in the potential for discharge of contaminated groundwater. Asbestos- and PCB-containing building materials and lead-based paints may also be encountered.

In addition, stockpiles of contaminated soil associated with the garage construction at the former New York Wheel site are expected to be removed by the City and/or the future tenant of the former New York Wheel site prior to, and independently of, the Proposed Project. MTA would not be responsible for any contamination associated with these stockpiles.

During detailed project design, Phase II ESAs would be performed for properties identified in the Phase I ESA as having the potential to contain contaminants that would be disturbed during construction. The Phase II ESAs would include subsurface testing of soil, soil gas, and/or groundwater to identify sources of environmental impacts. Based on the results of the Phase II ESAs, appropriate Best Management Practices (BMPs) would be used to address areas of identified contamination within the limits of disturbance. With the implementation of these protocols, no significant adverse impacts related to contaminated materials would result from demolition and/or construction activities related to the Proposed Project. Following construction, there would be no further potential for significant adverse hazardous materials impacts.

Water and Sewer Infrastructure

Water and sewer infrastructure would be replaced and/or relocated in accordance with New York City Department of Environmental Protection (NYCDEP) requirements. Improvements to drainage infrastructure would accommodate anticipated stormwater runoff loads as required under applicable regulations. Accordingly, the Proposed Project would not result in effects that would be considered significant or adverse nor overburden the capacity of the City's water, sewer or stormwater infrastructure.

Solid Waste and Sanitation Services

No New York City Department of Sanitation (DSNY) facilities would be displaced by the Proposed Project. Similarly, the Proposed Project is not anticipated to generate a substantial amount of solid waste that would overburden the city's capacity to handle solid waste or otherwise be inconsistent with the City's Solid Waste Management Plan. The With-Action Condition would result in a nominal amount of solid waste disposal (of waste generated elsewhere) at proposed BRT facilities; however, this would not be new solid waste as a result of the Proposed Project. All refuse would be transported to permitted solid waste disposal facilities in accordance with the City's Solid Waste Management Plan (SWMP). Therefore, the Proposed Project would not result in a significant adverse impact on solid waste and sanitation services.

Energy

The Proposed Project would not substantially affect the transmission or generation of energy and would not result in new building development or BRT operations that require significant utility energy services. Overall, the Proposed Project is not expected to result in significant adverse impacts related to energy. MTA would implement the use of energy-efficient technologies where feasible in implementation and operations of the BRT service, including the use of a fully electrically powered fleet. Therefore, the Proposed Project would align with the MTA's Environmental Management System and the goals and priorities set forth in the relevant policy documents that relate to energy usage in the City and no significant adverse impacts with regard to energy will occur with the Project.

Transportation

Traffic

Of the 32 intersections analyzed during the With-Action condition (30 existing intersections plus two intersections created by the Proposed Project), the Proposed Project would result in significant adverse impacts at 19 different intersections during one or more analyzed time periods. Of these, seven intersections would experience significant adverse traffic impacts during the weekday AM peak hour, 19 intersections would experience significant adverse traffic impacts during the weekday PM peak hour, and six intersections would experience significant adverse traffic impacts during the Saturday midday peak hour.

Parking

The Proposed Project would eliminate about 250 on-street parking spaces along Richmond Terrace between Bay Street and Nicholas Street to accommodate the proposed busway (with the exception of the 90-degree parking on Richmond Terrace associated the NYPD's 120th Precinct). This would result in shortfalls of available on-street parking spaces during the weekday AM, weekday midday, weekday PM, and Saturday midday periods with a maximum shortfall of about 327 parking spaces occurring during the weekday midday peak period. However, there would be enough available off-street parking capacity to accommodate the shortfall in on-street parking spaces under future conditions.

Transit

The Proposed Project would not generate a level of new person trips via public bus that would exceed the *2021 CEQR Technical Manual* analysis screening thresholds. Therefore, according to *CEQR Technical Manual* guidelines, the Proposed Project would not result in significant adverse transit impacts. The additional transit demand generated by the Proposed Project will be satisfied by the new BRT service.

Pedestrians

A pedestrian analysis was conducted for 14 pedestrian elements (nine pedestrian elements during the weekday AM peak hour, and five pedestrian elements during the weekday PM peak hour) located in the vicinity of the proposed bus stations. The Proposed Project would not result in significant impacts to the crosswalk and corner reservoir elements in the study area. Significant pedestrian impacts were identified at the following sidewalks:

Weekday AM – Platoon Conditions

- Clinton Ave and Richmond Terrace (E leg, S sidewalk)

Weekday PM – Platoon Conditions

- South Ave and Teleport Dr (E leg, S sidewalk)

Significant impacts to these sidewalk locations were primarily due to the narrow widths of the sidewalks as well as existing obstructions, such as tree pits, building stoops, and utility poles.

Vehicular and Pedestrian Safety

Crash data were obtained for the study area intersections from the New York City Department of Transportation (NYCDOT) for the most recent three-year period (2017 through 2019). This information is based on data provided by the New York State Department of Transportation (NYSDOT), New York State Department of Motor Vehicles (NYSDMV), and New York City Police Department (NYPD). According to the crash data, eight existing intersections analyzed in the study area would be considered high-crash locations as defined by NYCDOT criteria published in the *2021 CEQR Technical Manual*, due to being situated along a Vision Zero Priority Corridor. Potential safety improvements are proposed in the Safety section.

Freight Rail

The Proposed Project would allow for continued operations on the North Shore Railroad ROW in the Arlington Yard area and would not preclude either existing freight train movements or the potential future eastward expansion of Arlington Yard operations to Van Name Avenue accommodate increased activity at the Howland Hook Marine Terminal. As such, no significant adverse impacts to freight rail service are anticipated as a result of the Proposed Project.

Air Quality

Although the BRT buses would be all-electric and, therefore, would not emit air pollutants, the Proposed Project would create dedicated lanes for BRT transit service and thereby free up capacity for general-purpose vehicles on Richmond Terrace. In addition, the Proposed Project may alter traffic patterns on surrounding local streets (e.g., by changing transit local routes to serve as "feeders" to the BRT route). As such, an air quality analysis was conducted to determine the potential microscale and mesoscale impacts from the Proposed Project. A carbon monoxide microscale screening analysis was conducted for intersections and roadways affected by the Proposed Project using the procedures identified in the NYSDOT's Transportation Environmental Manual. The results of these analyses indicated that the Proposed Project is not anticipated to cause or exacerbate a violation of National Ambient Air Quality Standards (NAAQS) for any criteria pollutant on a localized or microscale basis. Similarly, the Proposed Project would not result in an increase in regional emissions. Accordingly, the Proposed Project would not result in any significant air quality impacts once implemented and fully operational.

Greenhouse Gas Emissions and Climate Change

The Proposed Project conservatively assumes that only the two BRT routes would be served by electric buses; however, the MTA anticipates an all-electric bus fleet by 2040. The transit service provided by the

Proposed Project would reduce vehicle trips by providing the public with additional, efficient options for public transit thereby improving air quality.

Some portions of the proposed alignment would be located within year 2050 anticipated flood hazard zones. Where feasible, the conceptually designed BRT roadway alignment would be elevated to mitigate exposure to both potential hazards. There are some sections, especially where the BRT vehicles would use South Avenue, where flooding may occur, as it does today with the existing transit service. Where new construction is proposed, the busway would be designed with drainage systems to manage stormwater. However, in extreme weather events, the busway could flood, and the MTA could decide to temporarily close the busway.

Through implementation of the Proposed Project, MTA would continue to play a significant role in avoiding carbon emissions by enhancing public transit opportunities in a sustainable manner. A recent study released by the MTA noted that by providing a fuel-efficient transportation alternative, the MTA avoids an estimated 20 million metric tons of GHG emissions per year.[1] Moreover, by increasing mass transit options through capital expansions and aggressively reducing its vehicle and facility emissions, the MTA continuously mitigates the local accelerators of climate change. As a result, people living in the MTA's service region are among the most carbon-frugal in the nation. To that end, as a result of transit use in the New York City metropolitan area, the rate of transportation emissions locally is 1.9 metric tons of GHG emissions per capita, compared to the national average of 5.9 metric tons per capita.[2] Building upon this commitment, MTA has committed to reduce emissions from MTA operations by at least 85% by 2040, from a 2015 baseline.[3] Additional information on how MTA avoids emitting GHG emissions, strives for energy efficiency, and planned solar developments, is available online at https://new.mta.info/climate.

MTA's Department of Environmental Sustainability and Compliance, specifically the Climate Adaptation Task Force, is strategically involved in climate adaptation work throughout the MTA system. To increase climate resilience and examine potential adaptive management strategies, the following suggested climate change considerations could be implemented during project design:

- Elevate critical equipment (such as electrical equipment) and other critical transportation assets above FEMA 500-year flood elevations or higher.
- Acquire energy efficient emergency generators and high-capacity pump equipment.
- Develop rapid recovery plans.
- Use water-resistant materials in construction.
- Design stations with interior and exterior flood protections.
- Elevate lighting fixtures, which should also be energy efficient models.
- Independent of the North Shore BRT project, to reduce flood risks, protect fixed assets such as bus depots located at low elevations near the waterfront. Consider evaluating well-engineered floodgates for their feasibility and effectiveness during serious coastal storm surges.

Noise and Vibration

A noise assessment was conducted in the FEIS to determine whether the Proposed Project would

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[1] MTA. MTA Avoids More Than 20 Million Metric Tons of Carbon Emissions Annually. Available at https://new.mta.info/document/109121. Accessed May 20, 2023.

[2] MTA. Climate and the MTA. Available at https://new.mta.info/climate. Accessed May 20, 2023.

[3] MTA. MTA Commits to Slash Greenhouse Gas Emissions by 85%. Available at https://new.mta.info/press-release/mta-commits-slash-greenhouse-gas-emissions-85-2040. Accessed May 20, 2023.

significantly increase sound levels from mobile and stationary sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment.

Ambient measurements were conducted at 16 locations throughout the study area. The ambient sound levels range from 50 to 69 dBA (Ldn). No-Action morning peak, afternoon peak, and Saturday noise levels would increase up to 1.6, 2.3, and 1.1 dBA, respectively, due to increases in traffic volumes. The greatest increase in noise would occur at the intersection of Richmond Terrace and Wall Street.

With-Action noise conditions were assessed including changes to traffic and the introduction of BRT service. With-Action traffic noise levels would be within a few tenths of a decibel of the No-Action conditions at most intersections. There would be no noise impacts in Sections 1, 2, 3 or 7 of the Proposed Project. There would be a total of 20 severe noise impacts at residences (35 dwelling units) primarily along the Viaduct (Section 4) and at upper floor receptor locations. Fifteen of these severe noise impacts would have project noise levels 65 dBA (Ldn) or greater. There would be a total of 141 moderate noise impacts at 135 residences (337 dwelling units) and at six institutional land uses primarily along the Viaduct and Open-Cut (Section 5 and Section 6) portions of the Proposed Project.

Based on the above findings, the Proposed Project would have significant adverse impacts for noise in the study area prior to mitigation. Refer to Mitigation subsection of this document for details of potential mitigation measures.

According to the FTA's generalized surface vibration curves, rubber-tired vehicles operating at 30 mph only generate vibration levels exceeding 72 VdB (the criterion for residential uses) within approximately 15 feet from the center of the travel lane. There are no vibration-sensitive receptors within 15 feet of the proposed BRT alignment. Accordingly, there would be no operational vibration impact due to the Proposed Project and no need for vibration mitigation.

Public Health

As described in the relevant analyses of the FEIS, the Proposed Project would not have adverse impacts to public health. With the implementation of the identified mitigation measures and protocols, no significant adverse impacts related to contaminated materials would result from demolition and/or construction activities related to the Proposed Project. Following construction, there would be no further potential for significant adverse hazardous materials impacts. The Proposed Project is not expected to result in any impairments to water resources. With regard to stormwater infrastructure, the Proposed Project would have an overall beneficial impact through improvements to existing infrastructure and additional treatment of stormwater prior to discharge. The Proposed Project would not result in any significant air quality impacts once implemented and fully operational. The Proposed Project would improve air quality by providing transit alternatives that moderate the increase of vehicle emissions. With implementation of mitigation measures, there would be no significant adverse impacts to public health because the Proposed Project would not have residual significant adverse noise impacts.

Neighborhood Character

The Proposed Project would not result in significant adverse impacts to neighborhood character. The Proposed Project makes use of the former North Shore Railroad ROW, and therefore would not significantly alter the existing physical setting within which the Proposed Project would be constructed. Although adverse impacts related to certain contributing elements of neighborhood character were identified in the relevant technical analyses, these impacts are anticipated to be localized to the visual and

historic context of the Snug Harbor Cultural Center and Botanical Garden and are not anticipated to alter the features that make the Snug Harbor campus a defining feature of the study area. The Proposed Project would not result in a combination of moderate effects to the contributing elements of neighborhood character. Overall, the Proposed Project would not result in a significant change to the defining features of neighborhood character.

Construction

The Proposed Project would be designed, scheduled, and staged to minimize disruption to abutting neighborhoods and the environment. Although some interference is unavoidable due to the nature of construction, the duration and severity of these effects would be minimized by implementing strong controls and best management practices (BMPs). Potential construction-related impacts of the Proposed Project would be temporary. The overall construction period of the Proposed Project is anticipated to commence in early 2032 and be completed in late 2034. While the overall construction period could take up to three years, no one location along the proposed alignment is anticipated to experience construction activities for the full duration of the three-year construction period. The construction duration would vary across locations extending for longer or shorter durations depending on the complexity of the work effort. Other than the construction-related impacts identified below, no significant adverse construction-related impacts are expected as a result of the Proposed Project. The following sections summarize the potential for significant adverse impacts, as well as mitigation measures, for construction-related traffic, vibration, and noise.

Transportation

The traffic analysis assessed construction-generated traffic at nine key intersections during the peak construction quarter (Q2 2033) for the AM and PM construction peak hours. The traffic analysis assumes that construction workers would follow typical arrival and departure patterns. Construction-related traffic impacts are not anticipated during the AM construction peak hour. Seven intersections would experience significant impacts during the PM construction peak hour. Significant impacts at six intersections would be mitigated with signal timing modifications, while impacts at the intersection of Richmond Terrace and Jewett Avenue would not be able to be mitigated. A traffic monitoring program would be implemented at the intersections that are anticipated to experience significant construction-related traffic impacts during the peak quarter of construction, and traffic enforcement agents would be deployed where deemed necessary in consultation with NYCDOT. If severe adverse impacts continue, construction efforts would result in short-term unavoidable adverse impacts to the affected intersections.

Noise

According to the FTA construction noise guidelines, impacts from construction noise would occur prior to mitigation at residences within approximately 75 to 125 feet, commercial properties within approximately 50 to 80 feet, and industrial receptors within approximately 30 to 50 feet of the proposed BRT alignment. The construction noise mitigation measures described in NYCDEP's rule for Citywide Construction Noise Mitigation would fulfill the New York State Department of Environmental Conservation (NYSDEC) noise policy to provide BMPs for construction and meet the FTA guideline criteria.

Vibration

There would be the potential for construction vibration impacts prior to mitigation at nearby structures based on the type of building and their proximity to vibration-generating construction activities, such as pile driving or impact equipment. Construction vibration control measures would be implemented to reduce the risk of damage to all buildings and structures that are within the vibration screening distances or for historic properties that are within 90 feet of construction activities.

Environmental Justice

The Environmental Justice assessment indicated that there are higher rates of low income and minority the study area corridor as compared to Staten Island, as a whole. However, the potential effects associated with the Proposed Project would not represent any potential for significant adverse impacts that would affect the surrounding environmental justice community(ies) in any way that would be appreciably more severe or greater in magnitude than non-EJ community areas. Additionally, the Proposed Project would represent an improvement to MTA bus operations in Staten Island, specifically benefitting at-risk communities. As such, the Proposed Project would not result in any disproportionate burden to environmental justice communities but would result in benefits to the communities served by MTA buses in Staten Island.

Mitigation Measures

The Proposed Project has the potential to result in significant adverse impacts to open space, historic and cultural resources, urban design and visual resources, transportation, and noise, as well as traffic, noise, and vibration during the construction period. A number of the potential impacts identified for the Proposed Project could be mitigated. However, as summarized below, in some cases, impacts from the Proposed Project would not be fully mitigated. Potential mitigation measures for each of the technical areas are summarized as follows:

Open Space

In the Snug Harbor area, if the final design for the Proposed Project requires the conversion of 0.36 acres of parkland to ROW for the proposed busway, the City would initiate Parkland Alienation legislation, which would identify substitute parkland of similar function and value. If it is not possible to identify the substitute land at the time the alienation legislation is introduced, the need to identify substitute land would be clearly stated in the legislation. MTA will continue to coordinate with NYC Parks and the Snug Harbor Cultural Center to identify ways to minimize the use of parkland, to maintain access to the waterfront, and to implement design measures that would make the busway more compatible with the adjacent park use. Additionally, the elevated busway would not preclude any of the other waterfront/access projects currently planned and/or funded by Snug Harbor, the City, or federal government.

Historic and Cultural Resources

The Proposed Project would have one or more Adverse Effects to architectural resources in the Sailors' Snug Harbor S/NRHP listed Historic District, which would constitute a significant adverse impact. If these impacts cannot be avoided, then mitigation would need to be developed to address these visual and contextual impacts. MTA is working with SHPO to identify ways to minimize the Adverse Effect under the Proposed Project. Further mitigation options will be explored with SHPO. If mitigation is determined to not be feasible, the construction of a raised busway would constitute an unavoidable adverse impact. Should the Proposed Project move forward beyond the FEIS, SHPO and key stakeholders would continue to be involved to advance design solutions and mitigation options.

As previously noted, MTA may apply for federal funding from the Federal Transit Administration (FTA) to build the Proposed Project. Many funding programs and approvals by FTA are subject to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800), which mandates that federal agencies consider the effects of their actions on any properties listed on or determined eligible for listing on the National Register and afford the federal Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. If the SHPO finds that

there is an adverse effect, the Section 106 process requires consultation to seek ways to avoid, minimize, or mitigate the adverse effects. Agency consultation to resolve adverse effects involves the SHPO and potentially other entities called "consulting parties," which may include Native American tribes, local governments, permit or license applicants, and members of the public. Consultation usually results in a Memorandum of Agreement (MOA), which outlines measures that the agency will take to avoid, minimize, or mitigate the adverse effects. In some cases, the consulting parties may agree that no such measures are possible, but that the adverse effects must be accepted in the public interest. The agency proceeds with its undertaking under the terms of the MOA. If the Section 106 process is initiated in the future (if the MTA ultimately seeks federal funding for the Proposed Project), the MTA will coordinate with SHPO regarding alternatives and mitigation. If the Section 106 process results in design changes that warrant additional SEQR review, MTA will conduct same at that time.

Urban Design and Visual Resources

The Proposed Project's raised busway north of Richmond Terrace would be visible from locations within Snug Harbor and would block some existing views of the Kill Van Kull. The Proposed Project would also obstruct a unique view and diminish the quality of the experience for pedestrians walking along the shoreline in this area. Potential mitigation options for the significant adverse impacts on the urban design characteristics and visual resources of the study area may include the following: modification of the proposed concrete safety barrier of the busway with a bridge-style railing that would allow for views through the structure to the water; or reduction in the lower elevation of the elevated structure to the Design Flood Elevation (DFE) to reduce its visual impact. If mitigation is determined to not be feasible, the construction of a raised busway would constitute an unavoidable adverse impact.

Transportation

Traffic Street Network

Significant adverse impacts are anticipated at 19 different intersections during one or more analyzed time periods. Where significant impacts were identified, potential traffic improvement measures, such as signal timing changes, were evaluated to determine whether these impacts could be mitigated during the traffic analysis peak hours. Implementation of these measures would be subject to review and approval by NYCDOT. If any of these measures are deemed infeasible and no alternative mitigation measures could be identified at a particular location, then the identified significant adverse traffic impacts at such location would be unmitigated. Significant adverse traffic impacts would be mitigated at nine intersections; however, 10 intersections during at least one of the peak hours analyzed could not be mitigated during at least one of the peak hours analyzed: five of these intersections are in St. George at the eastern end of the proposed alignment; one is along Richmond Terrace in the midsection of the alignment; and three are along South Avenue at the western end of the alignment. At these intersections, traffic impacts would not be fully mitigated due to the projected increase in background traffic volumes from trips generated by background development projects expected to be constructed and occupied by the Proposed Project's build year, as well as limited physical right of way to provide additional roadway capacity. For intersections along Richmond Terrace within the St. George area, the Proposed Project would reduce capacity for general purpose traffic in order to accommodate the proposed busway. However, as a mobility enhancement project, the Proposed Project would provide frequent, efficient, and reliable transit; facilitate enhanced connections between neighborhoods and activity nodes along the North and West Shores of Staten Island; and facilitate the adaptive reuse of the abandoned North Shore Railroad ROW for the public good.

Pedestrians

Due to a mix of increased pedestrian activities that would result from the Proposed Project, as well as existing obstructions and narrow sidewalk widths, significant impacts to pedestrian travel would occur at two locations: Clinton Avenue and Richmond Terrace (E leg, S sidewalk) and South Avenue and Teleport Drive (E leg, S sidewalk). Significant impacts at these sidewalk locations would not be able to be mitigated without widening the sidewalk and reducing the adjacent roadway width. Therefore, these potential impacts would remain unmitigated.

Noise

Prior to mitigation, there would be a total of 20 severe noise impacts and 141 moderate noise impacts along the proposed alignment. Severe noise impacts represent the most compelling need for mitigation to reduce the potential for significant adverse reactions. For moderate noise impacts, the change in noise level is noticeable to most people, but may not cause strong, adverse reactions from the community. Mitigation of moderate noise impacts is based on the overall noise level, the types and numbers of noise-sensitive receptors, effectiveness of mitigation measures, and mitigation costs. Most of the severe noise impacts would occur at residential buildings in close proximity (i.e., within approximately 20 feet) of the viaduct (Section 4). Severe noise impacts would generally occur at upper floor receptors where the viaduct would not be effective in reducing noise from the buses. Two potential options to mitigate severe noise impacts include constructing noise barriers along the BRT alignment or implementing building sound insulation improvements. Should the design of the Proposed Project advance, two noise mitigation options would include:

- Noise Mitigation Option 1: Noise barriers along the edge of the viaduct near the impacted receptors would be effective in mitigating potential severe impact. The noise barriers would need to be approximately eight to 10 feet above the roadway surface. A total of seven noise barriers constructed along the edge of the viaduct near the affected receptors would mitigate potential severe noise impacts. With the introduction of noise barriers, visual conditions would still include an elevated viaduct structure within Section 4. Therefore, it is not anticipated that Noise Mitigation Option 1 would significantly alter existing visual conditions in Section 4.

- Noise Mitigation Option 2: Building sound insulation improvements such as replacing windows and doors with ones that provide greater outdoor-to-indoor noise reduction and providing air-conditioning systems to allow homeowners to keep their windows closed, would be effective in mitigating potential severe noise impact. Such building improvements would generally be needed just for upper floors at residences with severe noise impact.

Alternatives

No-Action Alternative

Both SEQRA and CEQR require the evaluation of a No-Action Alternative, under which the Proposed Project would not be constructed. This alternative serves as a baseline against which the environmental effects of a proposed project can be compared. The No-Action Alternative is evaluated for a future year in which the project would be fully operational, referred to as the "build year." For the Proposed Project, the build year is 2035, when the new transit system is planned to be complete and operating. The No-Action Alternative incorporates development and projects that can reasonably be expected to be in place at that time as well as traffic improvements anticipated to be in place by 2035.

Under the No-Action Alternative, the Proposed Project would not be implemented, and the existing former North Shore Railroad right-of-way would remain abandoned and unimproved. Bus service on local streets would continue to operate at existing levels on a constrained roadway network, adding to existing

congestion, delay, and lack of reliable transit options as the North and West Shores continue to grow. Without the Proposed Project in place, the ability to add enhanced public transit capacity to meet growing demand would be severely hindered. As such, the No-Action Alternative would fail to meet the purpose and need of the Proposed Project.

No-Action Alternative Relative to Proposed Project

In the No-Action Alternative, a new Bus Rapid Transit (BRT) system would not be implemented, and the former North Shore Railroad right-of-way would remain unused as in its existing condition. As this abandoned transportation infrastructure would not be developed, significant adverse impacts related to open space, traffic, noise, urban design and visual resources and historic context alterations at Snug Harbor as well as construction-period traffic would not occur under the No-Action Alternative. However, as compared to the Proposed Project, the intended benefits associated with Proposed Project, including improved transit access, more consistent travel times and enhanced connectivity between established communities, activity, and business centers along the North and West Shores and the St. George Terminal, would not be realized.

Unavoidable Adverse Impacts

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

The Proposed Project has the potential to result in significant adverse open space, historic and cultural resources, urban design and visual resources, noise, transportation, and construction impacts. To the extent practicable, mitigation has been identified to mitigate the significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Project that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

Growth-Inducing Aspects of the Proposed Project

The Proposed Project, as a proposed transportation improvement project, would not add new residential or commercial development and therefore it would not induce additional development of a similar kind or of support uses. The Proposed Project serves an area with unaddressed transportation needs and meets the demand for expanded transportation capacity through enhanced and priority transit service. The Proposed Project, which strengthens the transit system, provides an alternative transportation mode to the single-occupancy vehicle, thus reducing the potential for additional congestion on Staten Island's North Shore roadway network. Additionally, the Proposed Project would not introduce or greatly expand infrastructure capacity. While providing a more reliable transportation alternative, the Proposed Project still would not stimulate development or result in induced growth.

Irreversible and Irretrievable Commitments of Resources

The Proposed Project constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. Furthermore, funds committed to the design, construction, rehabilitation and operation of the Proposed Project would not be available for other projects. Natural and man-made resources would be expended in the construction and operation of the Proposed Project. These natural resources include the use of land and energy while man-made resources include the effort required to develop, construct, and operate the Proposed Project; building materials; financial funding; and vehicle use. These resources are considered irretrievably committed because it is

highly unlikely that they would be used for some other purpose. The Proposed Project would result in irreversible clearing and grading of vegetation within the North Shore Railroad ROW as well as modification to topography along the right-of-way.

These commitments of resources and materials are weighed against the benefits of the Proposed Project. The provision of a reliable, direct transit connection across the North Shore to St. George would address existing transportation needs by improving transit access, providing more consistent travel times, and supporting economic growth, thereby improving the overall quality of life for North Shore residents.

Certification of Findings

Having considered the FEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, MTA finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the New York State Department of Environment Conservation, 6 NYCRR Part 617, have been met; and

2. Consistent with the social, economic, and other essential considerations described above, from among the reasonable alternatives available, the significant adverse environmental impacts associated with the Proposed Project which were identified in the FEIS and in this Findings Statement will be avoided or minimized to the maximum extent practicable by incorporating the mitigation measures described in the FEIS and in this Findings Statement.

Date: February 29, 2024

Metropolitan Transportation Authority

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