

## EXHIBIT A-9

### LOWER MANHATTAN ENVIRONMENTAL PERFORMANCE COMMITMENTS

*In addition to measures required by applicable environmental laws and regulations, these environmental performance commitments are required on construction projects funded by the Lower Manhattan Development Corporation through its Community Development Block Grant from the United States Department of Housing and Urban Development. Additional environment-specific measures may be included as part of the project's governmental entities coordination plan, construction environmental protection plan, design documents and contracts.*

#### **Air Quality:**

<b>Commitments</b>
Use ultra low sulfur diesel fuel in off-road construction equipment with engine horsepower (HP) rating of 60 HP and above.
Where practicable, use diesel engine retrofit technology in off-road equipment to further reduce emissions. Such technology may include diesel oxidation catalyst / diesel particulate filters, engine upgrades, engine replacements, or combinations of these strategies.
Limit unnecessary idling times on diesel powered engines to 3 minutes.
Locate diesel powered exhausts away from fresh air intakes.
Control dust related to construction site through a soil erosion sediment control plan that includes, among other things: <ul style="list-style-type: none"><li>a. spraying of a suppressing agent on dust pile (non-hazardous, biodegradable);</li><li>b. containment of fugitive dust; and</li><li>c. adjustment for meteorological conditions as appropriate.</li></ul>

#### **Noise and Vibration:**

<b>Commitments</b>
Where practicable, schedule individual project construction activities to avoid or minimize adverse impacts.
Coordinate construction activities with projects under construction in adjacent and nearby locations to avoid or minimize impacts.
Consider condition of surrounding buildings, structures, infrastructure, and utilities as appropriate.
Prepare contingency measures in the event established limits are exceeded.

#### **Cultural and Historic Resources:**

<b>Commitments</b>
Establish coordination among projects to avoid or minimize interruption in access to cultural and historic sites.
Initiate public information and involvement outreach with sensitivity to local cultural resources.
Receive and provide current information to public about access during construction.

Monitor noise and vibration during construction as appropriate at any culturally significant sites identified by New York State Office of Historic Preservation and New York City Landmarks Preservation Commission.

**Access and Circulation:**

<b>Commitments</b>
Establish a project-specific pedestrian and vehicular maintenance and protection plan.
Promote public awareness through mechanisms such as: <ul style="list-style-type: none"><li>a. signage;</li><li>b. telephone hotline; and</li><li>c. web site updates.</li></ul>
Ensure sufficient alternate street, building, and station access during construction period.
Coordinate construction efforts by and among appropriate agencies of the City of New York.

**Economic Effects:**

<b>Commitments</b>
Undertake coordination and communication efforts to minimize residential and retail impacts.
Add appropriate signage for affected businesses and amenities.

**Conservation:**

<b>Commitments</b>
Conserve water and other materials and resources as appropriate and practicable.
Incorporate environment-friendly operations and maintenance as appropriate and practicable.
Manage and recycle waste as appropriate and practicable.