



**LMDC**

Lower Manhattan Development Corporation  
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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** The Jackie Robinson Museum

**Responsible Entity:** Lower Manhattan Development Corporation

**Grant Recipient** (if different than Responsible Entity): The Jackie Robinson Foundation

**State/Local Identifier:** State

**Preparer:** Daniel Ciniello, President LMDC

**Certifying Officer Name and Title:** Daniel Ciniello, President LMDC

**Consultant** (if applicable):

### **Direct Comments to:**

Daniel Ciniello, President  
Lower Manhattan Development Corporation  
22 Cortlandt Street - 11th Floor  
New York, NY 10007

**Project Location:** 75 Varick Street, New York, New York 10013 (parts of the ground and 2nd floors)

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

LMDC anticipates submitting a request to HUD for the release of Community Development Block Grant program funds to be awarded by LMDC to the Jackie Robinson Foundation (the “Foundation”) for the development of the Jackie Robinson Museum (the “Museum”), located at 75 Varick Street in Manhattan. The building at 75 Varick Street, which was constructed in 1929, is a 17-story office building also known as the Holland Plaza Building and One Hudson Square. The Museum will occupy 19,380 square feet of the southeast corner section of the ground floor of the building, as well as portions of the Foundation’s current headquarters on the second floor. This Project is largely an interior renovation but does include certain exterior modification that the Landmarks Preservation Commission has determined in a Certificate of No Effect will not detract from the building’s significant architectural features. The development of the Museum will involve the following modifications to 75 Varick Street, none of which involves any excavation:

**Interior Work**

- 1) Creation of an exhibition space on the ground floor, including installation of new walls, floor, ceiling, HVAC, private stair and elevator to second floor offices.
- 2) Installation of an elevator going from the ground floor to the second floor offices.
- 3) Installation of or upgrades to ground floor MEP systems and the classrooms and archive rooms on the second floor; and bathrooms will be constructed on both the ground and second floors.

**Exterior Work**

- 1) Modification to Entry Doors.
- 2) Modification to Mechanical Louvers.
- 3) Modification to Storefront Bays.
- 4) Access Actuator for Automatic Doors.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

The Jackie Robinson Museum will celebrate the continuing legacy of one of the most important Americans of the 20th century. On April 15, 1947, Jackie Robinson took a major step for civil rights, breaking the color barrier in Major League Baseball. Robinson also became a key figure in advancing equal opportunity and first-class citizenship for African-Americans. The exhibition will chronicle Robinson’s trailblazing achievements against the backdrop of United States history, from his birth in 1919 to today. Invoking Robinson’s role as a champion for social and economic equality, the Museum’s programming will serve as a catalyst for dialogue on today’s social issues.

The co-location of the Museum and the Foundation's headquarters will create efficiencies and benefits that cannot be replicated elsewhere. Therefore, other Museum locations have not been considered.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

The Project site is the first and second floors of the southeast corner section of 75 Varick Street, a 17-story office that takes up the entirety of the block in lower Manhattan bounded by Canal Street, Varick Street, Watts and Hudson Streets, within the Special Hudson Square district. This Special District was planned around the goal of preserving a former warehouse and manufacturing district with a concentration of large, industrial buildings while encouraging residential and retail development in a vibrant mixed-use district.

The Foundation's offices are currently located on the second floor of 75 Varick Street. The Museum will predominantly have frontage on Varick Street, where street level uses currently include a mix of commercial retail uses. The ground floor of the Projects site has been vacant since 2002.

The Project site is located in the coastal zone and in a FEMA designated flood zone

**Funding Information**

Grant Number	HUD Program	Funding Amount
B-02-DW-36-002	Community Development Block Grant	\$1,000,000

**Estimated Total HUD Funded Amount:** \$1,000,000

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$15,500,000

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6**

<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The Project site is located in a FEMA floodplain and is covered by flood insurance.

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The New York State Department of State (DOS) in a letter dated May 15, 2020 (correspondence with DOS is attached hereto as <b>Exhibit A</b> ) concurred in LMDC's determination that the Project is consistent with the NYC Waterfront Revitalization Program.
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project will not involve any excavation of soils and is predominantly an interior renovation. If the Project should require the disturbance of asbestos-containing materials or lead-based paint, handling and disposal of those materials will be in the manner prescribed under federal and local law. Thus, provided the subrecipient agreement requires compliance with all applicable laws regarding the removal of hazardous substances such as asbestos and lead paint, the Project is not expected to create any exposure pathways to hazardous substances.

<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>LMDC completed the decision-making process required in 24 CFR § 55.20. Note that while the section 55.20 process applies generally, the Project is not specifically subject to section 55.20(b), (c), and (g) (<i>i.e.</i>, Steps 2, 3, and 7), which includes the public notice provisions. These provisions are not applicable because the project involves “the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures,” and does not qualify as a “substantial improvement” because the renovations to 75 Varick Street will not “exceed[] 50 percent of the market value of the structure.” 24 CFR § 55.12(a)(4), 55.2(b)(1).</p> <p>LMDC engaged in the decision-making process set forth at 24 CFR § 55.20, and determined that the Project is unlikely to have adverse effects on water resources, living resources, cultural resources and agricultural resources. The site is currently developed as a 17-story office building and is designated as a landmark by the Landmarks Preservation Commission. Because the Project is located in the 100-year floodplain, LMDC acknowledges the potential for adverse flood impacts on the building, a cultural and historic resource. 24 CFR § 55.20(d). These risks have been thoroughly considered in analyzing the</p>

		Project's consistency with New York City's Waterfront Revitalization Program. <i>See</i> Attached Letter from LMDC to New York State Department of State dated April 28, 2020 (correspondence with DOS is attached hereto as <b>Exhibit A</b> ). However, risks associated with ground floor flooding at 75 Varick Street exist whether or not the Project is undertaken, and there are significant programmatic benefits to having the Museum co-located with the Foundation's existing offices. Further, the Project proposes no change in use that would increase the site's vulnerability and any flood risks will be adequately mitigated by a flood prevention plan (which will include flood barriers) that will be implemented by the building in the Fall of 2020. <i>See Id.</i>
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	LMDC made a finding that the Project will have no potential for adverse effects on historic resources, and the State Historic Preservation Office (SHPO) concurred with that finding, in a letter dated April 13, 2020 (correspondence with SHPO is attached hereto as <b>Exhibit B</b> ).
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Project is a rehabilitation of an existing, non-residential structure, and no further analysis is required.
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	

ENVIRONMENTAL JUSTICE		
Environmental Justice	Yes    No	
Executive Order 12898	<input type="checkbox"/> <input checked="" type="checkbox"/>	

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The renovations to 75 Varick Street are as-of-right under the City's Zoning Resolution. The exterior modifications have been approved by the Landmarks Preservation Commission through the issuance of a Permit and Certificate of No Effect. Further, this Project is located in the Special Hudson Square District, which was created to preserve a former warehouse and manufacturing district with a concentration of large, industrial buildings while encouraging residential and retail development in a vibrant mixed-use district. This Project would preserve the historic elements of 75 Varick Street, while introducing a new community facility use consistent with the district's mixed-use character.</p> <p>As discussed above, LMDC made a finding that the Project will have no potential for adverse effects on historic resources, and the State Historic Preservation Office (SHPO) concurred with that finding, in a letter dated April 13, 2020 (correspondence with SHPO is attached hereto as <b>Exhibit B</b>).</p>

Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	This Project is an interior renovation, with minor modifications to the exterior of 75 Varick Street, therefore it will have no impact on this factor. This Project will involve no excavation.
Hazards and Nuisances including Site Safety and Noise	2	<p>This Project will not involve any excavation of soils and is predominantly an interior renovation. If the Project should require the disturbance of asbestos-containing materials or lead-based paint, handling and disposal of those materials will be in the manner prescribed under federal and local law. Thus, provided the subrecipient agreement requires compliance with all applicable laws regarding the removal of hazardous substances such as asbestos and lead paint, the project is not expected to create any exposure pathways to hazardous substances. All construction will be conducted in accordance with the Department of Building Code</p> <p>While this project is located in a designated FEMA Floodplain, the New York Department of State and the New York City Department of City Planning has determined that this Project is consistent with the City's Waterfront Revitalization Program. <i>See Exhibit A.</i> Flood risks will be adequately mitigated by a flood prevention plan (which will include flood barriers) that will be implemented by the building in the Fall of 2020. <i>See id.</i></p>
Energy Consumption	2	

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	
Demographic Character Changes, Displacement	2	This Project does not add a residential use or displace existing residential uses, and thus the Project will not affect the demographics of the surrounding area.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	1	There is no potential for significant adverse impacts with respect to this factor. This Project will have a beneficial impact by providing the surrounding community and the City at large with a new museum offering historical, cultural and educational benefits. This Project will impose no burden on existing educational and cultural facilities.



Commercial Facilities	2	
Health Care and Social Services	2	
Solid Waste Disposal / Recycling	2	
Waste Water / Sanitary Sewers	2	
Water Supply	2	
Public Safety - Police, Fire and Emergency Medical	2	
Parks, Open Space and Recreation	2	
Transportation and Accessibility	2	<p>Significant adverse transportation and accessibility impacts are not anticipated, nor does this Project warrant a transportation analysis. Under the City Environmental Quality Review Technical Manual a transportation analysis is only required in this part of the City for community facility development projects that add in excess of 25,000 square feet. <i>See</i> <a href="https://nydms.clm.com/work/web/r/libraries/CLMDOCS/folders/CLMDOCS!2050665?exclude_emails=true&amp;type=WORD,WORDX,WORDXT,DOTX,PAGES,RTF,WPF&amp;p=1">https://nydms.clm.com/work/web/r/libraries/CLMDOCS/folders/CLMDOCS!2050665?exclude_emails=true&amp;type=WORD,WORDX,WORDXT,DOTX,PAGES,RTF,WPF&amp;p=1</a>. This Project is a renovation that will not add square footage, and the renovation will only affect 19,380 square feet. The project is served by safe pedestrian access and adequate public transportation.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	
Vegetation, Wildlife	2	
Other Factors		

**Additional Studies Performed:** not applicable

**Field Inspection** (Date and completed by):

On October 15, 2019, Daniel Ciniello (President) and Nnamudi Amobi (Project Manager) of LMDC completed a full site visit.

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

- New York State Historic Preservation Office
- New York State Department of State
- New York City Landmarks Preservation Commission
- New York City Department of City Planning

**List of Permits Obtained:**

- Permit and Certificate of No Effect from the New York City Landmarks Preservation Commission.
- Permit from the Department of Buildings.

**Public Outreach** [24 CFR 50.23 & 58.43]:

The environmental review will comply with the public participation requirements of 24 CFR 58.43 and 58.45. A FONSI notice and NOI/RROF will be made available for public comment.

**Cumulative Impact Analysis** [24 CFR 58.32]:

There are no other “activities which are related either on a geographical or functional basis” to this project or that “are logical parts of a composite of contemplated actions” that include the Project site. 24 CFR 58.32. Accordingly, no cumulative impact analysis is warranted here.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

In light of the fact that there is no potential for significant adverse environmental impacts, the only alternative considered was the no project alternative (below). Although the Museum could in theory be located elsewhere, its co-location with the Foundation’s offices at 75 Varick Street creates efficiencies and benefits that cannot be replicated elsewhere.

**No Action Alternative** [24 CFR 58.40(e)]:

The no project alternative would not have any significant adverse impacts, although without the Project, the community would be deprived of important historical, cultural and educational benefits.

## Summary of Findings and Conclusions:

LMDC has carefully considered the social, economic and environmental evaluations contained in the Environmental Assessment, the input received from other agencies, and other factors and project commitments. There is no potential for significant adverse impacts on the quality of the human environment. Instead, the Project is likely to have a beneficial impact on the quality of the human environment. Based upon the Statutory Checklist contained in this Environmental Assessment, LMDC approves the Project in accordance with the applicable statutory and regulatory requirements.

## **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

- Although no mitigation measures are required, the Foundation will cooperate with the owners of the Project site in regard to the implementation of a building wide flood prevention plan to be implemented in the Fall of 2020.

Law, Authority, or Factor	Mitigation Measure

**Determination:**

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Nicholas W. Tapert

Date: 6/10/2020

Name/Title/Organization: Nicholas W. Tapert, Esq., Carter Ledyard & Milburn, Counsel to LMDC

Certifying Officer Signature: Daniel A. Cinello

Date: 6/10/2020

Name/Title: Daniel A. Cinello, President

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).