

Final Draft CAC Proposal and Amendments for Bally's Bronx Casino and Resort 9/15/25

The following proposals are submitted by the Community Advisory Committee (CAC) for discussion with Bally's. Some points may already overlap with commitments referenced in the RFA process or in the Community Benefits Agreement. The CAC seeks confirmation and clarity on these items to ensure accountability and alignment with community priorities. "CB10" refers to Bronx Community Board 10's zip codes which are hyperlocal and directly impacted by the project: 10461 (Pelham Bay and parts of Westchester Square), 10464 (City Island), 10465 (Throggs Neck and Country Club), and 10475 (Co-op City).

Community Benefit Fund Board

Will Bally's agree to establish a Community Benefit Fund Board composed of eleven voting seats, modeled after Hudson River Park Trust or other successful trust agreements?

- Four seats would be reserved for appointments by local elected officials representing the Bally's resort area: the Assembly Member, State Senator, Borough President, and City Council Member, or their appointed designees.
- Two nonvoting seats should be designated for agency representatives, including the Bronx Borough Commissioner of NYC Parks or designee, and a representative from another relevant NYC or NY State agency.
- The remaining seven seats would be allocated to local community leaders and representatives, with at least four residing in, or owning a business within, the CB10 zip codes.

Seven board members from the community shall serve four-year terms. Elected officials serving on the board, whether holding two-year or four-year terms, shall not be subject to additional term limits beyond those of their elected office. Their service on the board shall begin and end with their elected term, and if reelected, their board service shall automatically continue without the need for reappointment. If an elected official chooses to appoint a representative to serve in their place, the appointee's service shall run concurrently with the elected official's term and shall end when the appointing official's elected term ends, unless the official is reelected, in which case the appointee may continue to serve for the new term.

1. Will Bally's allow the CAC to play a direct role in selecting the Community Benefit Fund Board's community leader seats through an open nomination and vetting process, with Bronx Community Board 10 serving in an advisory capacity? The CAC could open nominations to local institutions, schools, veterans' posts, senior centers, small business organizations, and other groups, as well as at-large community leaders with strong ties to CB10. The CAC could then vote on a shortlist of nominees to be submitted for final appointment in consultation with the Community Benefit Fund Board once it is formed.

We believe that the four elected officials of the CAC should have an integral role in the selection and management of the 11-member council. While we defer to the Community Benefit Fund Board and elected officials to establish governance structures and set priorities, we want to emphasize the importance of including Bronx Community Board 9 as a key neighbor and participant in this process.

Additionally, based on the information from the Q&A posted by the New York State Gaming Commission and the Gaming Facility Location Board, it's important to note that the CAC's duties and responsibilities conclude following the vote required prior to the September 30, 2025 deadline. As such, with the legal expiration of the CAC, we would support granting the four elected officials specifically from the Bronx represented on the CAC full autonomy in determining its Community Benefit Fund Board terms and conditions for board membership selection and duration. This approach ensures that the board can effectively represent and address the needs of the community while maintaining flexibility in its self-governance.

2. Will this same board (Community Benefit Fund Board) also serve as the governing board for any Bally's Bronx Conservancy or Trust established to manage Ferry Point Park and related parkland and green spaces such as the AFC Rapids Soccer Field, ensuring a single point of accountability and consistent priorities?

Our role is strictly limited to that of a licensee of the NYC Parks & Recreation Department, managing the Ferry Point golf course under a specific license agreement for the operations and maintenance of the golf course. Our responsibilities and influence are confined to this licensed area. We do not have ownership, control, or any decision-making authority over any non-licensed areas of the Ferry Point premises and thus cannot establish a Conservancy or Trust for the management of parkland by which we do not have any right to, or control over.

3. Will Bally's provide all operational support including but not limited to staffing, accounting, and legal support to this board through the Bally's Foundation and, if necessary, create a Bronx- specific arm of the Foundation to administer and help facilitate the local Community Benefit Funds? Bally's should designate a hired company representative, ideally a CB10 resident with deep knowledge of the surrounding neighborhoods, to work with the board and the community.

Our intention is for all functions for the Bronx Community Benefit Fund to be funded by the Community Benefit Funds via Bally's Bronx.

Additionally, the Bally's Foundation is an entirely separate entity (non-profit) and is not associated with the pledged Community Benefit Fund via Bally's Bronx.

Community Benefit Fund Contributions and Priorities

1. Will Bally's commit to contributing a minimum of seventeen and a half million dollars annually, or one percent of gross gaming revenue, whichever is higher, beginning at the time of licensure rather than waiting until the facility opens?

We commit to an annual contribution of 1% of gross gaming revenue with a minimum of \$12.5 million from the time the gaming facility is opened. We would highlight that this is a minimum commitment to fund solely the Community Benefit Fund, not inclusive of additional commitments.

Bally's has made additional commitments to the Bronx community as part of our Community Benefits Agreement. As outlined [here](#), Bally's is providing **an additional \$12 million in annual support** across workforce development, free or discounted event space offerings, ongoing beautification support for nearby parkland and public safety improvements.

As outlined in additional detail below, Bally's will be increasing the public safety component from \$3 million in support annually to \$5 million annually.

With the above increases included, this entire package will represent a minimum of \$27.5 million of on-going, annual support upon the opening of the project.

2. Will the Community Benefit Fund Board and Bally's codify that projects and institutions within CB10, using it as the nucleus of priority, are funded first before expanding to the broader Bronx, ensuring that CB10 which will be greatly impacted by this project's needs are fully addressed?

Bally's will leave the specific funding directives to be made by the Community Benefit Fund Board to the Board including discretion in selecting investments or other improvements to be made throughout the community.

3. Will all distributions be transparent, with public annual reports and presentations to the community?

Yes, all distributions from the Community Benefit Fund will be conducted with full transparency. Gaming revenue figures, which form the basis for these distributions, are publicly reported, ensuring that the underlying financial data is accessible to all stakeholders. The calculation methods for determining fund distributions are also made public, allowing for open scrutiny and understanding of how funds are allocated.

The Community Benefit Fund Board should provide comprehensive annual reports and presentations outlining the fund's financial performance, distribution outcomes, and the impact of the funded initiatives on the community.

4. Will Bally's commit to continuous permanent funding for neighborhood cleaning and beautification, including litter removal, graffiti cleanup, landscaping, and corridor services through grants? The grants should allow qualified local nonprofits to lead this work, while also permitting experienced providers such as Wildcat and ACE when necessary.

We believe the Community Benefit Fund Board should have the responsibility of selecting and for oversight of the specific initiatives which they fund.

5. Will Bally's fund local institutions within CB10 and adjacent neighborhoods through the Community Benefit Fund, including but not limited to:
 - a. Veterans' posts such as Theodore Korony American Legion Post 253, Throggs Neck Memorial Post 1456, and AMVETS Post 38
 - b. Civic and club organizations including American Turners and the Inter Club Association of the five Clarence Avenue beach clubs and their annual Interclub Day
 - c. Youth and recreation leagues including Co-op City Little League, Throggs Neck Little League, Pelham Bay Little League, Hoops in the Sun, and Legacy Volleyball
 - d. Local public, Catholic, and private schools in CB10

- e. Senior centers and programs including Northeast Bronx Senior Center, JASA Co-op City, JASA Throggs Neck, BronxWorks older adult programs, AARP and NORC programs
- f. Community theater programs and after school programs
- g. Environmental and cultural groups such as City Island Oyster Reef, BioBus, Bronx Council on the Arts, the Throggs Neck St. Patrick's Day Parade, and the Veterans Day Parade, Bronx Net

We believe the Community Benefit Fund Board should have the responsibility of selecting the specific initiatives which they fund as well as developing and managing oversight.

6. Will Bally's fund both capital improvements and programmatic funding for existing CB10 parks rather than purchasing new parkland, including but not limited to Bufano Playground, Ambrosini Playground near Bicentennial Veterans Memorial Park, Pelham Bay Park, and Ferry Point Park?

We are actively in discussions with NYC Parks and various other city departments to determine what types of capital improvements should be made as part of the parkland alienation. We will not be utilizing our capital resources from the alienation funds to purchase replacement parkland as requested by the CAC.

We believe the Community Benefit Fund Board should have the responsibility of selecting the programmatic funding of specific initiatives which they wish to support.

Parks, Conservancy, and Parkland Alienation

1. Will Bally's establish a Bally's Bronx Conservancy or Trust with NYC Parks, modeled on successful trust or conservancy structures, to maintain and improve Ferry Point Park on a long-term basis?

Please see the above response in Q2 above in the Community Benefit Fund Board section.

We believe the Community Benefit Fund Board should have the responsibility of selecting the programmatic funding of specific initiatives which they wish to support.

2. Will Bally's agree that the amount required for parkland alienation, for example one hundred million dollars or the final amount determined by the Parks Department, not be diverted into the general NYC Parks budget but instead be invested directly, programmatically and operationally, into Ferry Point Park and other CB10 parks as determined by the Community Benefit Fund Board? This would include purchasing, maintaining, and improving related green and recreational spaces, including the Balcom Avenue soccer fields currently owned by New York State DOT and operated through lease by AFC Rapids Soccer, also mapped as the Will Cintron Soccer Field.

We agree that a vast majority of the amount required for parkland alienation will not be diverted into the general NYC Parks budget but instead invested in capital improvements.

Notably, the Community Benefit Fund Board will not be established prior to the stated deadline by which Bally's is required to finalize its agreements as required pursuant to the RFA process (November 17, 2025), thus we are unable to forge any agreements with the Community Benefit Fund Board to determine these capital improvements.

For further clarity and context, please refer to the reproduced image of the letter, which provides detailed information about the agreements and the necessary timelines.



via electronic transmission to: bheinzen@cityhall.nyc.gov

May 21, 2025

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City of New York
City Hall
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To Whom It May Concern:

This letter references the Gaming Facility Location Board's open Request for Applications to Develop and Operate a Gaming Facility in New York State (the "RFA"), dated January 3, 2023, as amended. At the request of the City of New York (the "City") and in consultation with the Chair of the Gaming Facilities Location Board, the New York State Gaming Commission (the "Commission") is providing this letter to clarify certain expectations relevant to applicants to the RFA who are pursuing licensure in connection with real property that is owned by the City.

The question has been posed to the Commission as to whether a fully executed, binding agreement demonstrating land ownership or property control is necessary at the time of application submission (as per the RFA, due on June 27, 2025). We refer to the guidance provided in the RFA on Page 38, which clarifies that responses to the RFA shall provide "a description of all ownership interest in the land for the past 20 years..." and that an "Applicant must own or acquire the land where the Gaming Facility is proposed to be constructed within 60 days after a License has been awarded." The RFA also provides for situations in which an ownership interest is not yet secured at time of RFA submission, requiring that "if the Applicant does not currently possess an ownership interest in the land" where the Gaming Facility is proposed to be constructed, the Applicant shall "provide an agreement and description of its plan as to how it intends to own or acquire (as defined in [Racing, Pari-mutuel Wagering and Breeding Law, or "PML,"] Section 1316, as incorporated in PML Section 1321-f), within 60 days after a License has been awarded. Further, state whether the land that the Applicant purchased or intends to purchase is publicly owned."

The Commission understands that certain applications to the RFA may contemplate sites that are located on, or make use of, City-owned property, and that, at time of application, the business arrangements for providing property control to the applicants will not be fully negotiated nor fully executed. In particular, the Commission notes that

the City is currently advancing several approval processes required under local law, including but not limited to the Uniform Land Use Review Procedure (or ULURP) and procedures under Chapter 14 and Section 384 of the New York City Charter, that must be completed in order to authorize the City to effectuate necessary transfers in ownership of City-owned property, and that such processes may not be completed before the RFA submission deadline on June 27, 2025.

In those circumstances, and with the understanding that all applicants must prove compliance with all State and local zoning requirements, as set forth in PML Section 1321-k prior to consideration of applications by the Board, at the time of application, the RFA applicants may demonstrate compliance with the requirements of the RFA by providing (1) the plan description outlined above; and (2) non-binding term sheets or contingent agreements with the City to demonstrate that land ownership or property control will be achieved within 60 days after a license has been awarded. It is the Board's expectation that all binding agreements to convey control of the City property will be fully negotiated and completed, and all non-ministerial City approvals obtained, at least two weeks prior to the date on which the Board makes decisions. That date is currently anticipated to be December 1, 2025, which would mean that the Board expects these steps to be completed by November 17, 2025. The Commission further requests that binding property agreements be signed by all necessary parties, including the applicants and the relevant authorized City official, prior to December 31, 2025, the date on which the Commissions expects to act on licensure. The effectiveness of such agreements may, in the City's discretion, be conditioned on the award of a license by the Commission.

We thank the City for its continued partnership and collaboration and look forward to continued engagement in the months ahead.

Sincerely,

Robert Williams
Executive Director

cc: Vicki Been, Chair, Gaming Facilities Location Board
James Katz, Deputy Secretary for Economic Development
Eric Adams, Mayor, City of New York
Allison Stoddart, Chief Counsel, Office of the Mayor

3. Will Bally's support facilitating the transfer of ownership of the Balcom Avenue fields from DOT to NYC Parks, with the field then maintained and governed by the same trust overseeing Ferry Point Park to ensure consistent long-term operations for community and soccer use?

This topic has not been part of previous discussions with NYC Parks, but we are open to exploring the issue. However, given the complexity and potential scope of such an exploration, we may not have a definitive answer or resolution by the time the CAC's statutory term sunsets.

4. Will Bally's provide multiyear resources through the Conservancy for maintenance, programming, and upgrades, including but not limited to: trails, lighting, shoreline access, athletic fields, universal access improvements, and community programming?

Please refer to the above response in Q2 above in the Community Benefit Fund Board section regarding formation of a Conservancy.

We believe the Community Benefit Fund Board should have the responsibility of selecting the programmatic funding of specific initiatives which they wish to support.

Employment and Hiring

1. Will Bally's adopt a tiered point-based hiring system that is merit based but gives first preference to CB10 residents, second preference to Bronx residents, then to other NYC residents?

We will make best faith efforts develop a number of internal, holistic mechanisms to give preference and access to residents in the order outlined above while also following all laws, rules, regulations and agreements, as required. This could take the form of a number of initiatives, some illustrative versions of which we have outlined below:

Recruitment and Outreach

- Local job boards and publications: Post openings in community newspapers, local websites, and neighborhood boards first
- Community partnerships: Partner with local schools, community colleges, workforce development centers, and job training programs
- Early posting windows: Give local outlets a 1–2-week head start before posting on national job sites
- Community events: Attend local job fairs, career events, and community meetings

Application Process Design

- Local referral programs: Encourage current employees and community members to refer local candidates
- Community involvement consideration: Include volunteer work, civic participation, or local organization membership as relevant experience
- Local knowledge as job-relevant: For customer-facing roles, consider local area knowledge as a valuable qualification

Interview and Selection

- Tie-breaker policy: When candidates are equally qualified, give preference to local residents
- Community impact questions: Ask how candidates plan to contribute to the local community
- Local case studies: Use scenarios relevant to your specific community in interviews

2. Will Bally's publish quarterly hiring data showing hires by geographic tier so the community can track progress?

Yes, we will share geographic hiring data.

3. Will Bally's consider providing childcare assistance, including exploring an on-site childcare option, to support employees and strengthen retention, particularly among working caretakers?

As referenced in our Workforce Development section of our RFA responses, we recognize the critical role that childcare benefits play in attracting and retaining employees, especially for families with young children. Affordable and reliable childcare significantly reduces absenteeism, supports women returning to the

workforce, promotes health and wellness, and ensures business continuity.

To assist our working families, we have partnered with Upwards, the largest childcare network in the United States, to offer high-quality childcare options **including for Bally's Bronx employees**. Our employees have praised Upwards for its convenience, dependability, and comprehensive range of services, making it one of the most valued benefits in our workforce. This partnership offers flexibility for working parents and eliminates the need for on-site daycare, allowing us to optimize revenue-generating space at our properties.

Upwards provides a membership that offers a variety of childcare solutions, including connecting parents with licensed providers through its marketplace, facilitating tours and enrollment, and partnering with government entities to improve access to sponsored care. The service includes 24/7 concierge matchmaking, scheduling tours, and arranging placement for various childcare needs, whether full-time, part-time, or drop-in care. The Upwards app supports families with messaging, updates, and health and safety features in over 20 languages. Members also receive priority placement at Upwards facilities, which are plentiful near our proposed sites, and the program is increasingly popular among our employees.

We fund every employee membership to the Upwards network and offer financial assistance to ease the burden of childcare costs. This includes contributing to a Dependent Care FSA or providing "credits" for free childcare days.

The partnership with Upwards also aligns with our commitment to diversity, as the network is predominantly composed of female and minority-run businesses. Founded by Jessica Chang, Upwards is a technology company led by a diverse team, and their in-home childcare services are 40% more affordable than traditional options. They offer small, curriculum-based classes that can accommodate children from 6 weeks to 12 years of age, including care during nights and weekends.

For more information on Upwards and the services they provide, please visit [Upwards' website](#).

Traffic and Infrastructure

1. Will Bally's and NYC DOT configure the new overpass to include a dedicated one-way turnaround lane, separated by appropriate traffic engineering measures such as Jersey barriers, stanchions, or other physical dividers, so that vehicles can only proceed straight through the lane and merge approximately one hundred feet downstream? This lane would provide direct access to Ferry Point Park, reentry southbound toward the Whitestone Bridge, and Ring Road access to the Bally's resort and casino. By creating a dedicated loop or turnaround, traffic could flow without the need for a stoplight at the overpass. Vehicles seeking to access other local facilities would instead use Lafayette Avenue overpass to enter from alternate approaches. Final design should be determined in coordination with DOT and traffic engineering experts.

Based on multiple discussions with (and recommendations from) New York State

Department of Transportation (NYSDOT) and New York City Department of Transportation (NYCDOT), the proposed overpass has been conceptualized to be one-way with a traffic signal installed at its western terminus (along the southbound Hutchinson River Parkway Service Road). The proposed free-flowing overpass described in the comment is not viable based on existing geometric and height constraints over the Hutchinson River Parkway. However, the configuration suggested by the Committee will be brought by Bally's to NYCDOT and NYSDOT for further discussions during the final design phase of the overpass. Bally's has committed to preparing a Transportation Monitoring Plan (TMP) after the proposed project is constructed and operational to evaluate the efficacy of transportation improvement measures identified in the FEIS and to potentially identify additional improvement measures. The overpass intersections would be included in the scope of the TMP traffic analyses.

2. The Committee proposes that the planned bike lane on Ring Road and within Ferry Point Park not be implemented. Instead, the space should be used to create a third lane dedicated to buses, bicycles, and emergency vehicles. Ring Road and Ferry Point Park already experience severe congestion, particularly on weekends, and local police note the area requires all-day staffing on Sundays in the summer. There is an existing bike lane on Brush Avenue serving the area. Dedicating a third lane to buses, bicycles, and emergency vehicles would address safety, improve traffic flow, and ensure reliable access for first responders to both Ferry Point Park and the Bally's Project site.

The proposal raised by the Committee will be taken into consideration during the final design of the Ring Road and in consultation with NYCDOT and NYC Parks. The Ring Road concept plan as currently proposed, which includes two (2) travel lanes, one (1) curbside parking lane, and pedestrian and bicycle accommodations, are the product of extensive coordination between the Bally's team, NYCDOT, MTA, and NYC Parks. Based on comments received from NYCDOT in preparation of the Final Environmental Impact Statement (FEIS) prepared for this project, the Ring Road is part of the Mayor's Greenway Expansion Plan, specifically the South Bronx Greenway, and would require protected bike lanes. Accordingly, the Ring Road is identified by NYCDOT as a future bicycle route within Ferry Point Park. The existing bike lane on Brush Avenue, noted in the Committee's comment, would connect to the proposed bike lanes along Ring Road. The proposed cross-section of Ring Road, which provides two (2) travel lanes and one (1) curbside parking lane would be a significant operational improvement over the existing cross-section, which provides one (1) wide travel lane with no designated on-street parking areas. It is also noted that the Bally's off-street parking garage would be free of charge, allowing park users to park in the garage and would allow for improved operations along Ring Road that is blocked by illegally parked vehicles on weekends in the summer.

3. The Committee requests a traffic study at Lafayette Avenue and the Cross Bronx Expressway westbound. There is a school at this intersection, and six schools within one mile of the proposed resort and casino. The study should include drop-off and pickup windows during school days.

The Final Environmental Impact Statement (FEIS) prepared for this project included an analysis of the intersection at Lafayette Avenue and the Cross Bronx Expressway westbound service road. Traffic analyses were conducted for the

weekday morning, weekday midday, weekday evening, Saturday midday, and Saturday evening peak periods. The findings, as reported in the FEIS, indicate that the proposed project would not result in a significant impact at the subject intersection. It is important to note that the proposed facility would generate the highest volumes of traffic during the weekday evening and Saturday midday and evening periods, which are outside of the school's peak weekday morning drop-off and weekday afternoon pick-up times. It is also important to note that the majority of project-generated traffic would not be expected to travel to/from the site through the subject intersection. Bally's has committed to preparing a Transportation Monitoring Plan (TMP) after the proposed project is constructed and operational to evaluate the efficacy of transportation improvement measures identified in the FEIS and to potentially identify additional improvement measures. The subject intersection would be included in the scope of the TMP traffic analyses.

Transparency and Accountability

1. Will Bally's provide quarterly public updates on hiring, Community Benefit Fund distributions, park improvements, and traffic mitigation?

We are committed to work with the Community Benefit Fund Board to provide quarterly public updates or whatever the appropriate cadence of updates is that naturally follows the progression of the project. These updates will cover the key areas outlined above.

2. Will Bally's designate one or more representatives to present updates directly to Community Board 10 leadership and local civic group leaders?

We will work with the representatives of the Community Benefit Fund Board to determine who the appropriate representatives from Bally's are to provide a fulsome update.

3. Will Bally's host at least one annual public forum, with materials posted online for public review?

We agree to work with the Community Benefit Fund Board to determine what the appropriate materials and dissemination of content is as well as the best method by which to hold a public forum.

Environmental and Water Quality

1. Will Bally's commit to installing enhanced onsite stormwater management and treatment systems, such as permeable pavement, bioretention, oil grit separators, and green roofs, to ensure no untreated runoff from parking lots, garages, or other impervious surfaces enters the East River at Ferry Point Park, where the Bally's Bronx resort will be located, and Eastchester Bay?

We will follow all requirements of NYCDEP and NYSDEC in regard to stormwater management and treatment systems.

2. Will Bally's adopt Save the Sound's Eastchester Bay water quality report card grades as benchmarks and publish annual updates showing contributions to improving local water quality?

Monitoring groundwater quality is currently being conducted regularly under the Post Closure Custodial Care Plan for the site. The groundwater monitoring program will continue during and following development. Discharges to Eastchester Bay at stormwater outfall can be sampled by Bally's engineering team and data can be disseminated to the public.

3. Will Bally's work with NYC DEP to identify and fund mitigation of specific combined sewer overflows tied to Eastchester Bay, particularly those from the Hunts Point Water Pollution Control Plant, SPDES Permit NY0026191, Outfall Numbers 28 and 29 (CSO IDs NY0026191- 028 and NY0026191-029), which discharge and pollute directly into Eastchester Bay?

We will commit to studying the potential mitigation needs and the specific conditions and further commit to working with NYCDEP to identify viable mitigation measures that can be commercially reasonably executed or implemented.

4. Will Bally's publicly document its contribution to any DEP or equivalent project so the community can track measurable reductions in CSO discharges and improvements to water quality?

Yes, we are committed to transparency and will publicly document our contributions to any DEP or equivalent projects. This will allow the community to track measurable reductions in Combined Sewer Overflow (CSO) discharges and improvements in water quality.

5. Will the Ring Road reconstruction incorporate stormwater and flood mitigation features, including nature-based solutions near Ferry Point Park wetlands?

Yes, the Ring Road design will incorporate NYCDEP requirements for stormwater management and flood mitigation including green infrastructures measures such as bioswales, tree planting and permeable paving. The design will also include improvements to nearby wetlands.

6. Will Bally's consider achieving sustainability standards higher than LEED Gold, including LEED Platinum and shoreline resilience measures?

We are currently positioned to secure a LEED Gold certification at a minimum, reflecting our commitment to sustainability and high performance. While we recognize the prestige associated with a LEED Platinum certification, pursuing it may not be feasible within our current project scope, however we will study the possibility of an upgrade. There are unique challenges and requirements of operating a casino facility, which often involve complex energy and resource management needs. Additionally, the time, funds, and real estate available impose practical limitations on what can be achieved.

7. Will Bally's support independent monitoring with third-party experts such as Save the Sound to measure East River and Eastchester Bay water quality before and after project implementation, ensuring transparency and accountability?

Bally's will commit to supporting monitoring programs as required under New York State and New York City law and in conformance with all requirements under any DEP and DEC care plans for the existing conditions of the site.

8. Will Bally's conduct a comprehensive study of the existing wildlife and habitats at Ferry Point Park, in coordination with NYC Parks and relevant environmental agencies, and ensure that construction and operations avoid complete disruption, displacement, or harm to protected or sensitive species, consistent with applicable environmental protection laws and standards?

Bally's has conducted wildlife and habitat surveys within the project area and Ferry Point Park as part of the CEQR process. The collected data is sufficient to support the CEQR report's conclusion that the proposed project is unlikely to result in significant adverse impacts to rare, threatened or endangered species. The data collected also suggests the project area does not serve as habitat for large populations of terrestrial wildlife. Where required, Bally's will coordinate with NYC Parks or other relevant environmental agencies that may have additional information within the project area or across other areas of the Park that could inform or influence the sequence of construction or facility operations to avoid the potential disruption, displacement, or harm to resident species, consistent with applicable environmental protection laws and standards.

Public Safety Plan Amendment Proposal

Bally's could host a dedicated Ferry Point Park Detail/Substation housed within the resort and casino. This would be modeled after proven deployments at Yankee Stadium and Orchard Beach, providing a direct, visible presence on site and at Ferry Point Park.

The mission of this detail would be to:

- Respond to quality-of-life complaints, including noise, illegal parking, loitering, and disorderly conduct.
- Maintain a consistent police presence within Ferry Point Park and the Bally's campus, addressing high-traffic areas and presence during peak event times.
- Provide rapid response capability for incidents at both the resort and the surrounding public spaces.

A staffing example could include two sergeants and eight officers during peak hours, though final levels would be determined by NYPD leadership. Bally's would fund outfitting of the space and all operational essentials, such as a briefing room, staging area, radios, communications, RMPs, scooters, or bikes for patrol.

NYPD Paid Detail and Overtime Program Options (Supplementing the 45th Precinct)

Recognizing that the 45th Precinct is already stretched thin across a wide area, Bally's could support additional support and coverage through one or both of the following proven models. The exact structure would be determined in consultation with NYPD leadership:

NYPD Paid Detail Program: Bally's would fund off-duty, uniformed NYPD officers through the Paid Detail Program, as currently deployed at Hudson Yards and Rockefeller Center. Paid Detail officers would provide a strong visible presence and if possible, handle condition-based

assignments such as traffic enforcement, noise complaints, and deterrence patrols in high-crime or high-traffic corridors.

NYPD Overtime Program: Bally's would fund overtime for active-duty NYPD officers to conduct targeted conditions based and other assignments, adding coverage to the precinct's regular deployment. Overtime assignments could include patrols and enforcement including traffic enforcement along East Tremont Avenue, Bay Plaza and Baychester Avenue, approaches to the Throggs Neck and Whitestone Bridges, and other identified hotspots.

These models could be used separately or in combination, giving flexibility to expand resources during peak demand periods (holidays, events, weekends) while ensuring long-term, scalable supplemental coverage.

Funding Commitment

Bally's should commit a minimum of five million dollars annually for either or both the NYPD Paid Detail Program and or the NYPD Overtime Program, indexed for inflation and aligned with NYPD pay scales, to fund the program(s), vehicles, radios, and operational needs. Allocations would be determined in coordination with NYPD leadership, Bally's, and community stakeholders, depending on which model or combination of models is selected.

Oversight and Integration

Bally's should provide funding for new NYPD RMPs and essential precinct equipment and hire an External or Community Security Director. This Director would serve as a liaison among the 45th Precinct, Bally's security, Community Board 10, the Throggs Neck BID, and local stakeholders.

The guiding principle is that Bally's contributions must supplement, not replace, existing NYPD resources. By hosting a substation on-site, Bally's would directly support public safety response for the project and its surrounding area. Through funding either or both the NYPD Overtime and NYPD Paid Detail Programs, Bally's would go above and beyond by helping address conditions not directly caused by the project, while also strengthening the capacity of the already understaffed 45th Precinct. These programs would allow officers to focus on traffic, quality-of-life, and other condition-based assignments without pulling from the 45th Precinct's limited regular deployment. At the same time, precinct leadership could continue to allocate roll-call officers to other community needs. This framework effectively addresses the present challenge of the 45th Precinct's low staffing levels, which are currently not increasing through traditional allocations due to its relatively low crime ranking, while still providing the additional coverage necessary for such a large geographical area. It ensures the 45th Precinct can keep its roll called officers focused on residential patrols and other duties, while also expanding coverage at Ferry Point Park, the Bally's site, and key corridors. By creating both an on-site detail and supplemental officer programs, Bally's would directly and tangibly address community concerns about safety, traffic, and overall quality of life.

As outlined in our RFA responses, particularly those addressing operational safety, security, and our Community Benefits Agreement, we are committed to supporting public safety through significant investments in local law enforcement infrastructure and personnel. A key component of this commitment is our up to \$10 million capital contribution towards the construction of a new NYPD substation for the 45th Precinct. This new facility will serve as a crucial hub for local law enforcement operations, enhancing their ability to maintain safety and security in the area. Throughout the initial design process of the facility, we worked directly with leadership at the 45th

Precinct to ensure that the design optimized for rapid response times within the facility and in the broader community to support full-time operational staff at the substation.

In addition to this substantial upfront capital investment, we will provide ongoing funding for additional NYPD support staff/officers. This was outlined in our Community Benefits Agreement, where we initially intended to fund up to \$3 million dollars annually for purposes of staffing. Hearing the request from the CAC, we will amend our commitment to provide \$5 million dollars annually for the purposes of staffing and support. Through these initiatives, we aim to create a safer community environment, demonstrating our dedication to enhancing public safety and fulfilling our commitments as outlined in our Community Benefits Agreement.

Parks in CB10 (to be included in all park-related commitments)

- Pelham Bay Park, including Orchard Beach
- Ferry Point Park
- Givans Creek Woods in Co-op City
- Ambrosini Field and Playground on City Island
- Bufano Park and Playground in Pelham Bay and Middletown
- Bicentennial Veterans Memorial Park in Throggs Neck
- Colucci Playground