

Appendix I
Notice of Availability of DEIS

FULTON AND ELLIOTT-CHELSEA HOUSES REDEVELOPMENT PROJECT RESPONSE TO COMMENTS ON THE DRAFT SCOPE OF WORK FOR A DRAFT ENVIRONMENTAL IMPACT STATEMENT

A. INTRODUCTION

The scoping process provides an opportunity for comment with respect to the identification of issues to be addressed in the Draft Environmental Impact Statement (DEIS). This document summarizes and responds to comments on the Draft Scope of Work (DSOW) for the DEIS for the Fulton and Elliott-Chelsea Houses Redevelopment Project (the “Proposed Project”). The DSOW was issued on January 5, 2024, and oral and written comments on the DSOW were received during three public scoping meetings held by the New York City Housing Authority (NYCHA) and the New York City Department of Housing Preservation and Development (HPD) on February 1, 2024 at Fulton Houses, February 5, 2024 (online), and February 7, 2024 at Elliott-Chelsea Houses. Written comments on the DSOW were accepted through the close of the public comment period, which ended on March 8, 2024. Appendix III of the FSOW contains the written comments received on the DSOW and transcripts of the public meetings.

The Final Scope of Work (FSOW) was issued on March 28, 2025 incorporating comments received on the DSOW where relevant and appropriate, as well as other background and project updates that were made subsequent to publication of the DSOW. All revisions are indicated in the FSOW by ~~striking out~~ the text deleted from the DSOW and double underlining new text.

Section B lists the elected officials, organizations, and individuals that provided relevant comments on the DSOW. Section C contains a summary of and a response to comments relating to the identification of issues to be addressed in the DEIS. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DSOW.

B. LIST OF ELECTED OFFICIALS, ORGANIZATIONS, AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

Elected Officials and Government Agencies

1. Hon. Erik Bottcher, City Council Member, District 3; Hon. Brad Hoylman-Sigal, State Senator, District 47; Hon. Mark Levine, Manhattan Borough President; Hon. Jerrold Nadler, Member of Congress, District 12; Hon. Tony Simone, State Assembly Member, District 75; written submission dated March 3, 2024 signed by all five elected officials [Bottcher, et al.]
2. Manhattan Community Board Four; written submission dated March 8, 2024 [CB4]
3. New York State Office of the Attorney General, Housing Protection Unit; written submission dated March 8, 2024 [NYSOAG]
4. United States Environmental Protection Agency, Region 2; written submission dated March 8, 2024 [US EPA]

Organizations and Interested Public

5. Olga Abrashkina, written submission dated February 29, 2024
6. Miguel Acevedo, oral statement delivered at February 1, 2024 public scoping meeting

7. Arianna Adabachi, written submission dated February 20, 2024
8. Diane Alexander, oral statement delivered at February 5, 2024 public scoping meeting and written submission dated February 5, 2024
9. Lydia Andre, oral statement delivered at February 1, 2024 public scoping meeting and written submission dated March 7, 2024
10. Marisa Anna, written submission dated March 7, 2024
11. Carlos Bachon, oral statement delivered at February 7, 2024 public scoping meeting
12. Lu Barnes-Lee, written submission dated February 19, 2024
13. Panchanan Bhattacharjee, written submission dated March 6, 2024
14. Viren Brahmabhatt, written submission dated March 8, 2024
15. Simone Cadojas, oral statement delivered at February 7, 2024 public scoping meeting
16. Caitlin Cahill, oral statement delivered at February 5, 2024 public scoping meeting
17. Octavia M Campbell, written submission dated January 27, 2024
18. Chelsea Reform Democratic Club (CRDC), written submission dated February 11, 2024
19. Jennifer Chowdhury, written submission dated March 5, 2024
20. Mary Citarella, written submission dated February 1, 2024
21. Katrina Clark, written submission dated February 20, 2024
22. David Coloka, oral statement delivered at February 1, 2024 public scoping meeting
23. Lizette Colon, oral statement delivered at February 5, 2024 public scoping meeting
24. Maureen Connor, oral statement delivered at February 1, 2024 public scoping meeting
25. Alexa Cruz, oral statements delivered at February 1 and 7, 2024 public scoping meetings
26. Michelle Dawson, oral statement delivered at February 1, 2024 public scoping meeting
27. Tito Delgado, oral statement delivered at February 5, 2024 public scoping meeting
28. Katie Draeger, written submission dated February 28, 2024
29. David Eleon, oral statement delivered at February 1, 2024 public scoping meeting
30. Paul Epstein and Cheryl Pahaham (Inwood Legal Action Co-Chairs), written submission dated March 8, 2024
31. Rachel Federman, written submission dated February 5, 2024
32. Ramona Ferreyra (Save Section 9), oral statement delivered at February 5, 2024 public scoping meeting and written submission dated February 8, 2024
33. George Figaroa, oral statement delivered at February 1, 2024 public scoping meeting
34. Lewis Friedman, written submission dated March 8, 2024
35. Fulton Elliott Chelsea (FEC) Tenants Against Demolition, written submission dated March 8, 2024
36. Rosemary Garcia, oral statement delivered at February 5, 2024 public scoping meeting
37. Roberta Gill, oral statement delivered at February 1, 2024 public scoping meeting
38. Cesar Goldwell, aka CA Goldwell, aka NYC Billionaire, oral statement delivered at February 1, 2024 public scoping meeting and written submissions dated February 6 and 12, 2024
39. Victoria Green, oral statement delivered at February 7, 2024 public scoping meeting
40. Kate Grunin (NYC Department of Sanitation), written submission dated January 17, 2024
41. Marni Halasa, oral statement delivered at February 1, 2024 public scoping meeting
42. Francine Hasselport, oral statement delivered at February 1, 2024 public scoping meeting
43. Caitlin Hickerson, written submission dated February 15, 2024
44. Mary Hicks, written submission dated February 1, 2024
45. Vanessa Hollingshead, written submission dated February 1, 2024
46. David Holowka, written submission dated March 8, 2024
47. Lisa Ighomuaye, oral statement delivered at February 7, 2024 public scoping meeting
48. Susan Immergut, written submission dated March 6, 2024
49. Danielle Iturra, written submission dated January 14, 2024 [see also Sonia Miranda]
50. Christopher Johnson, oral statements delivered at February 1, 5, and 7, 2024 public scoping meetings
51. Mary Jones, oral statement delivered at February 1, 2024 public scoping meeting

52. Adi Kashyap, written submission dated March 7, 2024
53. Swati Kashyap, written submission dated March 8, 2024
54. Shane Keena, written submission dated February 2, 2024
55. Renee Keitt, oral statements delivered at February 1 and 5, 2024 public scoping meetings
56. Susan Kenny, oral statement delivered at February 7, 2024 public scoping meeting
57. Tim Kim, oral statement delivered at February 5, 2024 public scoping meeting and written submissions dated January 10 and February 1, 2024
58. Caitlin Kissane, written submission dated March 4, 2024
59. Bennett Kremen, oral statement delivered at February 1 and 7, 2024 public scoping meeting
60. Vita Kurland, written submission dated February 20, 2024
61. Layla Law-Gisiko (Democratic District Leader AD75/A), oral statement delivered at February 1, 2024 public scoping meeting and written submission dated February 1, 2024
62. Ashley Lawson, aka, Ashley Woodring, written submission dated March 6, 2024
63. Christopher Leon, oral statement delivered at February 1, 2024 public scoping meeting
64. Tamara Litt, written submission dated March 4, 2024
65. Monia Mahmood, written submission dated March 7, 2024
66. Amelia Martinez, oral statement delivered at February 7, 2024 public scoping meeting
67. Mary McGee, written submission dated February 8, 2024
68. Ruth Medina, oral statement delivered at February 7, 2024 public scoping meeting
69. Xecua Mel, written submission dated January 9, 2024
70. Ruben Melendez, written submission dated February 18, 2024
71. Cynthia Millman, written submission dated February 5, 2024
72. Celines Miranda, oral statements delivered at February 1, 5, and 7, 2024 public scoping meetings and written submission dated February 26, 2024
73. Norma Miranda, oral statement delivered at February 7, 2024 public scoping meeting
74. Sonia Miranda c/o Danielle Iturra, written submission dated February 26, 2024
75. Ramiro Morales, oral statement delivered at February 1, 2024 public scoping meeting
76. John Mudd (Midtown South Community Council), oral statement delivered at February 1, 2024 public scoping meeting
77. Mike Noble (Member of Residents Review Committee), oral statement delivered at February 5, 2024 public scoping meeting
78. Susan Ackoff Ortega, oral statement delivered at February 5, 2024 public scoping meeting
79. Alexis Ortiz, oral statement delivered at February 7, 2024 public scoping meeting
80. Maria Ortiz, oral statement delivered at February 7, 2024 public scoping meeting and written submission dated February 14, 2024
81. Carol Ott, written submissions dated February 26 and March 6, 2024
82. Martha Panchoa, oral statement delivered at February 7, 2024 public scoping meeting
83. Julia Polkova, oral statement delivered at February 7, 2024 public scoping meeting
84. Walkiris R., written submissions dated January 20, February 1, and 20, 2024
85. Jonathan Ranaldi, oral statement delivered at February 1, 2024 public scoping meeting
86. Nancy Rivera, oral statement delivered at February 7, 2024 public scoping meeting
87. Raul Rivera, oral statement delivered at February 1, 2024 public scoping meeting
88. Matthew Robinson, oral statement delivered at February 5, 2024 public scoping meeting
89. Kayla Rodriguez, oral statement delivered at February 7, 2024 public scoping meeting
90. Waki Rosado, oral statement delivered at February 7, 2024 public scoping meeting
91. Gerry Russo, oral statement delivered at February 5, 2024 public scoping meeting
92. Amanda Saechao, written submission dated March 5, 2024
93. Maria Sanchez, oral statement delivered at February 7, 2024 public scoping meeting
94. Jackie Savaliero, oral statement delivered at February 1, 2024 public scoping meeting
95. Rachel Schnipper, written submission dated March 8, 2024
96. Phyllis Shanley, written submission dated March 3, 2024

97. Motoko Shoboji, written submissions dated March 2 and (on behalf of PS 33 PTA EB team) March 7, 2024
98. Raymond Shaffer, written submission dated March 6, 2024
99. Not signed, written submission
100. Wendy Solem, oral statement delivered at February 5, 2024 public scoping meeting
101. Yui Sori, oral statement delivered at February 7, 2024 public scoping meeting
102. Laura Stackhouse, written submission dated February 4, 2024
103. Donna Stevenson, oral statement delivered at February 7, 2024 public scoping meeting
104. Diana Stewart, oral statement delivered at February 5, 2024 public scoping meeting
105. Evelyn Suarez, oral statement delivered at February 1, 2024 public scoping meeting
106. IZIAH Thompson (Community Service Society) and Lucy Newman (The Legal Aid Society), written submission dated March 8, 2024
107. Leon Toerock, oral statement delivered at February 5, 2024 public scoping meeting
108. Marianne Tortoro, oral statement delivered at February 1, 2024 public scoping meeting
109. Hector Vasquez, oral statements delivered at February 1 and 5, 2024 public scoping meetings
110. Julio Vega, oral statement delivered at February 7, 2024 public scoping meeting
111. Carol Weinstein, written submissions dated January 31 and February 2, 2024
112. Lakia White, oral statement delivered at February 7, 2024 public scoping meeting
113. Katherine Williams, PhD, oral statement delivered at February 5, 2024 public scoping meeting and written submission (undated)
114. Duncan C. Wilson, written submission dated March 7, 2024
115. Simone Wolff, written submission dated February 19, 2024
116. Zool Zulkowitz, oral statement delivered at February 5, 2024 public scoping meeting and written submission dated February 5, 2024
117. Allison, written submission dated February 20, 2024

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

1. Project Description/Development Scenario Comments

Comment 1.1: Provide and Analyze Action Alternatives Using a Different Model of Change, Including Fully Funding Repairs and Renovations without RAD-PACT The two current “Action Alternatives” are completely the same in concept. They only vary in size based on whether the area would be rezoned. The DSOW does not consider adding a different concept, fully funding needed repairs and renovations at Fulton Houses and Elliott-Chelsea Houses without imposing RAD-PACT. (Epstein and Pahaham)

Response 1.1: The EIS will address the following alternatives and consider whether they meet the purpose and need of the Proposed Project: (1) a No Action Alternative without any demolition of existing units or PACT conversions; (2) a Rezoning Alternative with new Section 8 Project-Based Voucher (PBV), affordable housing and market rate housing; (3) a Non-Rezoning Alternative with new Section 8 PBV DUs, affordable and market rate housing; (4) a Midblock Bulk Alternative that would be a variation of the Rezoning Alternative but would shift bulk to the middle of the Fulton Houses Project Site; (5) a Rehabilitation and Infill Alternative which would involve the rehabilitation of existing NYCHA dwelling units (DUs) and conversion to

Section 8 PBV DUs through PACT as well as two new infill buildings on the Fulton Houses Project Site and one new infill building on the Elliott-Chelsea Houses Project Site; and (6) a No Significant Adverse Impacts Alternative, to determine if an alternative that can meet fully or in part the purpose and need for the Proposed Project can be implemented without resulting in any significant adverse impacts. Also see the responses to comments 1.5 and 1.13.

Comment 1.2: F.2.4 ALTERNATIVE 4: NO SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE: we note it's highly unlikely there will be No Significant Adverse Impacts. (CB4)

Response 1.2: Comment noted. For projects in New York City that are subject to SEQRA/CEQR (such as the Proposed Project) that are expected to result in significant adverse impacts that cannot be mitigated, it is often the practice to determine if a No Significant Adverse Impacts Alternative or a No Significant Adverse Unmitigated Impacts Alternative can be identified.

Comment 1.3: My health has been enhancing due to the abundance of trees that we have. They filter out the pollution of the city. The demolition of buildings and destroying our trees will do the exact opposite on my health. (Sanchez)

Response 1.3: As noted in the DSOW, "Chapter 05.08: Natural Resources" of the EIS will analyze potential impacts that may occur as a result of the Proposed Project, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, it should be noted that the Proposed Project's new buildings would be subject to NYC street tree planting requirements.

Comment 1.4: I do see a lot of positive in the demolition from friends of mine who do live there and who are actually in favor of it. I do see that there are issues if they do not demolish that would still need to be addressed that would probably be quite pricey. Sidewalks, I'm afraid of losing the trees when they talk about the heights of the new buildings going up. I'm kind of afraid of losing any sun that I can...please save my little trees and fix the sidewalk. (Solem; Stevenson)

Response 1.4: See response to comment 1.3.

Comment 1.5: Evaluate the previously agreed to work through the Chelsea-NYCHA Working Group plan, which was full building renovation via the PACT/RAD agreement. (CB4)

Response 1.5: In October 2019, stakeholders including residents, elected officials, Manhattan Community Board 4, the Mayor's Office, housing and legal advocates, and NYCHA formed the Chelsea NYCHA Working Group (hereafter "the Working Group") to research, evaluate, and make recommendations to systematically and effectively address the capital needs of Fulton, Elliott, Chelsea, and Chelsea Addition Houses. The Working Group participated in an extensive public engagement process from 2019 to 2021 that included consultations with NYCHA residents, elected officials, community

representatives, and housing organizations and advocates. More information about the Working Group February 2021 findings can be found in the Working Group Final Report here: <https://www.nyc.gov/assets/nycha/downloads/pdf/Chelsea-NYCHA-WG-Report-Final.pdf>. After the Working Group published its recommendations in February 2021, NYCHA, with support from the Citizens Housing & Planning Council (CHPC), continued working with resident leadership at both Fulton and Elliott-Chelsea to issue a Request for Proposals ("RFP") and select a PACT Partner team. As the PACT Partner team, led by Essence Development and Related Companies, conducted their investigations of buildings at the Fulton and Elliott-Chelsea Project Sites, the conditions that prompted the creation of the Working Group and the subsequent issuance of the RFP were better understood and, in fact, were far worse and much more costly than originally anticipated by a Physical Needs Assessment (PNA) issued by NYCHA in 2017, as discussed in the DSOW. The increased cost estimate was due to the extensive comprehensive, five-month, pre-design due diligence process conducted by the PACT Partner in conjunction with NYCHA. In addition, NYCHA's 2023 PNA for the Project Sites estimated that the 20-year need across the Project Sites was comparable to what was found through the PACT partner's investigation. The increase in the 20-year need cost estimate between 2017 and 2023 was due to several factors, including faster than expected deterioration, a more rigorous inspection methodology, an increase in NYCHA obligations (such as compliance with Local Law 11, decarbonization requirements, or additional security needs), and an industry wide increase in construction costs. In addition, residents began to express frustration that the new residential building to be constructed at Elliott-Chelsea, which was part of the PACT Partner's original RFP response, would not be dedicated to current FEC residents.

In response to these concerns, and in coordination with resident leaders and NYCHA, the PACT Partner proposed several approaches to address the needs of the building and the community. These options included one rehabilitation plan (inclusive of one new residential building at Elliott-Chelsea, as originally proposed in response to the RFP) and two comprehensive rebuilding plans. In early 2023, NYCHA and the PACT Partner led a robust resident engagement process to educate residents about their options and to conduct a survey to identify their desired direction.

NYCHA's approach to centering resident expertise, goals, and priorities in decision-making as part of the PACT program is in keeping with the spirit of the RFP and the Working Group recommendations. Since the resident surveys were completed, NYCHA and the PACT Partner have been engaging with members of the Working Group, including elected officials, community stakeholders, tenant advocates, and others, to solicit feedback on how a rebuilding plan could be successfully implemented.

The purpose and need for the Proposed Project is to improve the quality of life and housing stability for existing public housing residents of the Fulton

and Elliott-Chelsea Houses. It would do so by constructing new Section 8 PBV DUs for all existing residents, while also preserving permanent affordability and residents' rights under the PACT program. The purpose of the Proposed Project is also to facilitate the construction of additional affordable and market rate housing units to address the critical shortage of affordable housing and housing in general in New York City. The additional market rate housing will financially support the PACT portion and new affordable housing component of the project. The new affordable units would directly address the shortage by increasing New York City's affordable housing stock while the new market-rate units increase the overall supply of housing in New York City. The Proposed Project would also facilitate the development of additional community facility and commercial space for the benefit of NYCHA residents and the surrounding community.

In response to this comment, the EIS will address an alternative involving rehabilitation of all existing FEC buildings and limited new infill development that is consistent with the preliminary development program identified by the Working Group and PACT Partner in its RFP response. The FSOW has been amended to reference a discussion of a Rehabilitation and Infill Alternative in the EIS.

Comment 1.6:

The DSOW asserts that under the No-Action Alternative, “the Project Sites would remain in their current condition” and “major capital improvements, rehabilitation, or renovations subject to discretionary approvals such as the PACT/RAD rehabilitation program, would not occur.”. However, this ignores the fact that NYCHA, through the PACT program, chose a developer through a Request for Proposal (“RFP”) procurement process with an intention to rehabilitate, not demolish, FEC. This plan was predicated, in part, on a Physical Needs Assessment (“PNA”) that found that FEC needed \$366M of rehabilitation work. NYCHA and the Developer have subsequently claimed that the physical needs of FEC have increased to over \$1.5B and that rehabilitation is not financially feasible. While NYCHA and the Developer have provided high level accounts of the increases, no analysis of either why the initial PNA was incorrect or why the current PNA has increased exponentially has been provided. Accordingly, the EIS should include either a rehabilitation alternative in the EIS or explain why such a plan is no longer feasible, including a detailed analysis of the two PNAs and comparing them to each other to pinpoint why the physical needs assessment of the buildings in a three-year intervening period between the PNAs are so different. (NYSOAG)

Response 1.6:

See response to comment 1.5.

Comment 1.7:

PROPOSED ALTERNATIVE 6: Evaluate a plan that studies a combination of renovation and infill via new construction. Both the Fulton and Elliott Chelsea campuses already have “infill” buildings, developed as part of affordable housing commitments by New York City under the West Chelsea Points of Agreement (WCPOA) through the West Chelsea rezoning. This study should explore a combination of renovation of some NYCHA buildings, potential-demolition of

other NYCHA buildings, and a series of infill buildings which would bring additional housing and help pay for the renovations and new construction. (CB4)

Response 1.7: **As discussed in the response to comment 1.5, based on comments provided by several commenters, the FSOW has been revised to reflect the inclusion of a Rehabilitation and Infill Alternative to be discussed in the EIS, which combines renovation and partial demolition with new construction. See response to comment 1.5 for more information.**

Comment 1.8: EPA understands that earlier in the planning process a “rehabilitation” option, rather than demolition, was being considered. EPA suggests that the Draft EIS include this rehabilitation option as an alternative for comparison with the other proposed alternatives. The document should compare each alternative in its capacity to meet the purpose and need and environmental impacts. (EPA)

Response 1.8: **See response to comment 1.5.**

Comment 1.9: While walking through the Elliott and Chelsea Houses this morning...I noticed that there was a considerable number of mature trees...these trees provide a vital source of oxygen, capture rainwater, and are places where birdlife flourishes. Where will the birds live when the buildings are demolished?.Not only does NYCHA at Chelsea and Elliott Houses provide the neighborhood with a diverse socio-economic environment, but it also provides open spaces and beneficial trees. (Shaffer)

Response 1.9: **See response to comment 1.3.**

Comment 1.10: Any Development Alternative considered must, at a minimum, comply with the Working Group requirement of no demolition, and must presume that NYCHA will fully comply with its legal obligations to provide safe and healthy homes to its residents. (FEC Tenants Against Demolition)

Response 1.10: **See responses to comment 1.5.**

Comment 1.11: (Rezoning Alternative) This Alternative must be rejected. The Working Group expressly rejected demolition in its development proposal. The RFP for development partners for this project expressly stated that this was a no demolition project. And, presumably, the development team selected in response to the RFP submitted a no-demolition application for this project. Demolition has never been on the table for this project, and no demolition alternative should be allowed to be considered. In the event demolition alternatives are maintained, any analysis MUST lay out realistic and complete year-by-year timelines, and fully assess the impact of each stage of development. (FEC Tenants Against Demolition)

Response 1.11: **See response to comment 1.5 regarding the identification of alternatives involving staged demolition of current units and replacement with new units. An analysis of construction impacts will be included in EIS “Chapter 05.19, Construction.” If the potential for significant adverse impacts is identified, mitigation measures will be explored.**

- Comment 1.12:** A draft EIS must -- since this scope has entirely changed, the scope of work is the opposite of the residential Working Group. (Cahill)
- Response 1.12:** See response to comment 1.5.
- Comment 1.13:** First and foremost, why doesn't the scope include no demolition with refurbishment and investment in the existing apartments as an alternative that retains Section 9? This must be considered...Rebuild our building and try and see if it works, if it doesn't then tear it down. (Cahill; Delgado; Ighomuaye; Friedman; Gill; Hasselport; Hickerson; Kremen; Miranda; M. Ortiz)
- Response 1.13:** **“Chapter 02.0: Project Alternatives” of the EIS will describe a No-Action Alternative that would assume the existing units on the Project Sites would remain Section 9 NYCHA housing and routine maintenance and repairs would occur, which will be further analyzed throughout the DEIS.**
- Comment 1.14:** Consider a hybrid approach, retaining/renovating/reconfiguring the existing NYCHA buildings and adding new high-density, low-rise housing on all blocks perimeters... contextual urban design considerations. (Brahmbhatt)
- Response 1.14:** See response to comments 1.5 and 1.7.
- Comment 1.15:** So what all that does without demolishing the building like that, you have money just get that without relocating people. There's ... citizens that can't move. This could be done. It's been done... When they do your floor, they don't have to relocate you. When they paint your apartment, they don't need to relocate you. So why do they have to relocate you now? It doesn't make sense. (Eleon)
- Response 1.15:** **See response to comments 1.5 and 1.13. Without implementation of the Proposed Project, due to the current state of the buildings on the Project Sites, there is insufficient funding available for the extensive repairs that are required to maintain or improve the existing conditions on the Project Sites.**
- Comment 1.16:** Community discussion of the project's scope at Community Board 4 meetings and at scoping hearings yielded meaningful feedback, such as the need to include rehabbing of current buildings, different AMI mixes, and senior-only housing in the scoping, among other suggestions. We ask that you give careful consideration to all the thoughtful comments submitted by the public, and Community Board 4 in particular. (Bottcher, et al.)
- Response 1.16:** **As demonstrated through this response to comments document, all comments provided on the Draft Scope of Work are being considered by the lead agencies. Where appropriate, revisions have been incorporated in the Final Scope of Work (FSOW) and the Draft Environmental Impact Statement (DEIS) including analyses of new project alternatives such as the Midblock Bulk Alternative and the Rehabilitation and Infill Alternative.**
- Comment 1.17:** We are confident that the proposal will not lead to an improvement in quality of life for the existing public housing tenants. We have engaged tenants from Fulton Elliott and Chelsea Houses since 2019. While some need cosmetic repairs, folks

are happy with their homes and love their community. Like other NYCHA properties Fulton Elliott and Chelsea need capital investments in pipes, elevators and roofing. Remediating these issues would reverse the deterioration. (Ferreyra)

Response 1.17: **See response to comment 1.5. The existing buildings on the Project Sites are severely deteriorated and continued use of these buildings will lead to further deterioration. The Proposed Project will provide all existing residents of the Project Sites with new Section 8 PBV DUs.**

Comment 1.18: The final scope must include a no-demolition with refurbishment alternative. The fact that such alternative is not included violates the spirit and it might even violate the letter of the law regarding PACT, RAD and Section 8 conversions as well as procurement laws... Widespread opposition to demolition exists among residents and the community, opposition expressed in the Working Group recommendations, testimonies, and rallies. Disregarding these voices is an assault on democracy and erodes public trust. (Law-Gisiko)

Response 1.18: **See response to comments 1.1, 1.5, and 1.13. The EIS includes a No-Action Alternative that contemplates the existing DUs remaining as Section 9 with routine maintenance and repairs. Additionally, an alternative has been added to incorporate initial recommendations made by the CWG, referenced as the Rehabilitation and Infill Alternative.**

Comment 1.19: Additional Alternative 1: Zero/Low Embodied and Operational Carbon Alternative:

Both New York State and New York City have set ambitious greenhouse gas (GHG) emission reduction targets to combat climate change, reflecting their commitment to environmental sustainability and leadership in climate action. The State's Climate Leadership and Community Protection Act (CLCPA) of 2019 is one of the most ambitious climate laws in the United States, setting legally binding targets for reducing GHG emissions of 40% reduction in GHG emissions from 1990 levels by 2030; 85% reduction in GHG emissions from 1990 levels by 2050; and a goal to achieve net-zero emissions across all sectors of the economy as soon as practicable, with the remaining 15% of emissions to be offset by 2050, making the state's economy carbon-neutral. New York City has its own set of ambitious GHG reduction goals through the OneNYC 2050 strategy, aiming to align with the Paris Agreement and prevent the worst impacts of climate change. It sets a target of 40% reduction in GHG emissions by 2030 from a 2005 baseline and 80% reduction in GHG emissions by 2050 from a 2005 baseline. Additionally, New York City has enacted Local Law 97 as part of the Climate Mobilization Act, which requires buildings over 25,000 square feet to meet strict GHG emissions limits starting in 2024, contributing significantly to the city's reduction targets. Both New York State and New York City have outlined comprehensive strategies and policies to meet these targets, including transitioning to renewable energy sources, increasing energy efficiency, and investing in sustainable infrastructure and transportation. These targets are part of broader efforts to mitigate climate change impacts, improve public health and air quality, and promote environmental

justice. Page 50 and 51 of the DSOW cites HUD's 2021 Climate Action Plan and states that the EIS will contain an analysis of GHG emissions because it exceeds the 350,000sf development threshold. An analysis which simply estimates operational carbon emissions of the Proposed Project is insufficient and does not take seriously the aforementioned climate goals. An alternative that includes Silver-Platinum LEED certifications, Passive House Certification, solar panels, VRF HVAC systems, Mass Timber and/or prefabricated construction would more adequately consider the GHG emissions and impact of the Proposed Project. Further, this alternative has major differences in terms of other impacts, most of which are a result of changes to the timeline for construction. A briefer timeline means a decrease in the magnitude of environmental impacts and impacts on traffic and transportation, air quality, hazardous materials and waste, noise, changes to socioeconomic characteristics, environmental justice, and energy. We are aware of a significant quantity of projects both stateside and abroad where developers have GHG emissions (and health and environmental justice impacts) as central concerns. NYCHA did not issue an RFP that contemplates the resources (including thousands of market rate units without the usual land costs) and massive scope of the Proposed Project and its alternatives. This prevented more capable project teams from proposing more innovative plans, and consideration of an alternative that fits the policy goals of the City, State, and Federal governments is necessary for the EIS. (Thompson)

Response 1.19:

In compliance with CLCPA, "Chapter 05.15: Greenhouse Gas Emissions and Climate Change" and "Chapter 05.20: Environmental Justice" of the EIS will consider GHG emissions, as well as potential impacts from construction including their potential effects as they relate to disadvantaged communities. New buildings constructed as part of the Proposed Project would be fully electrified and meet the requirements of New York City Local Law 97 and therefore would result in a lower embodied and operational carbon emissions compared to the No-Action Alternative. While a specific Zero/Low Embodied and Operational Carbon Alternative will not be considered as an additional alternative, if the potential for significant adverse GHG impacts is identified, then mitigation measures will be explored.

Comment 1.20:

Additional Alternative 2: Increased Affordability Alternative

The EIS should include an alternative that centers affordability: only building enough market rate housing needed to operate the developments without worries of insolvency and using additional space for rent-restricted, affordable housing, with a large portion serving homeless and low-income elderly populations. This alternative will require an understanding of the projected cash flows from the Proposed Project and operating costs of buildings (information which has been requested from NYCHA at multiple junctures). This alternative would not only have a more positive impact on the socioeconomic character of the New York City and the neighborhood, but it would also decrease segregation and align more closely with the Working Group Report and the stated purposes cited in the DSOW. Also, for the sake of public resources, this alternative could provide an

opportunity to utilize an entity like the New York Preservation Trust, which would allow federal and other dollars to be most efficiently used. The Preservation Trust is a public entity that was created to allow for more successful financing and construction during RAD conversions, while allowing NYCHA to remain as the operator. Because this alternative includes market rate units as a means of offsetting costs and bringing in financing, it could present a great opportunity for the Trust to be the receiver of a RAD disposition and save the local, state, and federal government from wasting resources by sending cash flows to a private company. (Thompson)

Response 1.20: All of the alternatives to be considered in the EIS for implementation of the Proposed Project include permanently affordable housing for all existing NYCHA residents on the Project Sites. In addition to the rebuilding of all existing NYCHA apartments, the Rezoning, Non-Rezoning, and Midblock Bulk Alternatives would provide up to 1,038, 536 and 1,038 permanently affordable DUs, respectively, using affordability percentages and income distributions that are standard for mixed-income housing throughout New York City and that meet the purpose and need of the Proposed Project. An additional alternative involving a higher percentage of affordable housing than those contemplated in the alternatives under consideration in the EIS and/or different levels of affordability among the new units would not provide enough market rate housing to financially support both the PACT portion and new affordable housing component of the Proposed Project and would not meet the purpose and need of the Proposed Project and as such will not be considered in the EIS.

Comment 1.21: The scope should be revised to include the following additional alternatives for study: 1) An additional no demolition Renovation Alternative, holding NYCHA responsible to comply with legal obligations to maintain our homes in a safe and healthy condition; and 2) a 100% Affordable Alternative, in which any new units would be affordable to households with incomes at 80% of AMI and below. (FEC Tenants Against Demolition)

Response 1.21: See responses to comments 1.5 and 1.20.

Comment 1.22: Evaluate a plan that secures permanent affordability through regulatory agreements and deed restrictions between NYCHA and the developer instead of rezoning and delivering permanent affordability through mandatory inclusionary housing, to allow a greater affordability range with no gaps in AMI eligibility. (CB4)

Response 1.22: See response to comments 1.1, 1.5, and 1.20.

Comment 1.23: Evaluate a plan that studies the use of Middle-Income housing (serving people and families from 120-165% AMI) instead of just market rate housing to subsidize the renovation/reconstruction of NYCHA housing. Middle-income housing was in the original Working Group plan and has now been eliminated. (CB4)

Response 1.23: **The Rezoning Alternative and Midblock Bulk Alternative would require zoning map amendments and therefore, consistent with City policy, they also would include a zoning text amendment designating the rezoning area as Mandatory Inclusionary Housing (MIH) areas. Under MIH, including amendments adopted under the City of Yes for Housing Opportunity (CHO) application approved by the City Council in December 2024, all of the options applicable to the Project Sites require affordable housing for households at lower average AMI to those indicated in the comment. These include MIH Options 1 (weighted average of 60 percent AMI), 2 (weighted average of 80 percent AMI), and 3 and (weighted average of 40 percent AMI). Although the Non-Rezoning Alternative would not require the designation of the Project Sites as MIH areas, the Proposed Project includes a commitment to provide affordable housing units under requirements comparable to MIH. The inclusion of middle-income housing in addition to the MIH (or equivalent) units would be not be financially feasible as the inclusion of market-rate housing is necessary to financially support the PACT portion of the project and the new affordable housing units.**

Comment 1.24: The EIS should include an Alternative plan that consists of 100% Affordable units in the non-NYCHA buildings. At a minimum, NYCHA, through the EIS, must explain in detail why it has chosen to allow market rate housing on public land. If NYCHA needs the revenue from market rate housing to support the development of newly constructed NYCHA buildings, it should explain in detail the underwriting of both developments showing capital contributions from the developer and why development without market rate housing is not feasible. This information is especially important since the market rate buildings are not slated for completion until years after the NYCHA buildings are completed. NYCHA should explain how the market rate buildings will cross-subsidize the NYCHA buildings when there will be no revenue stream from the market rate buildings for years after the NYCHA buildings are operating. (NYSOAG)

Response 1.24: **See response to comment 1.20. An analysis of financial underwriting associated with the Proposed Project is outside the scope of the EIS and will not be included in the EIS for the Proposed Project.**

Comment 1.25: This is a quote from the 197-a plan adopted as the Contextual Chelsea Development Plan by Community Board 4 and the City Planning Commission and City Council by resolution on April 10, 1996 and May 22, 1996 respectively “The 197-a Plan states the sponsor's goals: to provide for orderly growth and change; to provide opportunities for new, economically-integrated housing; to preserve the existing low- income housing stock; to prevent significant displacement of residents and businesses; to preserve ethnic and economic diversity; to protect residential areas from commercial intrusion ; to preserve the character and visual unity of Chelsea; to preserve the traditional urban form and scale of the community; and to protect the [Chelsea] Historic District and other areas of historic character.” There is no question that the current Rezoning plan on the table is in direct conflict with every single one of these stated community and council-

approved goals. From the ratio of affordable to luxury and market rate housing (2 to 1 favoring the latter), to the lack of context for 39 story towers on the avenue in what is a low-rise neighborhood with an adjacent historic district, to the idea that the new market rate and luxury housing will no doubt dramatically change the nature of the businesses that currently serve the neighborhood, the Rezoning plan is a slap in the face to EVERY resident of the neighborhood...Developers are proposing that the NYCHA residents be placed in the planned, rezoned 36-39 story towers on 9th avenue. Their purported rationale, as I understand it, is that this plan will allow residents to occupy their new apartments more quickly. But in reality, this an egregious segregation by income that effectively creates ‘poor buildings’ on the avenue, and places ‘rich’ buildings closer to the open space. It is an affront to the 197a Plan goals, as well as a terrible way to develop any neighborhood. Shame on anyone who even considers this as a viable option. (Wilson)

Response 1.25: **“Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS will assess the consistency of the Proposed Project with applicable public policies including Manhattan Community Board 4’s Chelsea 197-a Plan, “A Contextual Zoning Proposal to Create Housing Opportunities.”**

Comment 1.26: The No-Action Alternative MUST presume that any owner of the developments will comply with applicable laws— including the warranty of habitability, and applicable city, state and federal laws and regulations, including HUD rules, about the health and safety of federally-subsidized homes. The No-Action Alternative CANNOT presume that NYCHA will fail to comply with legal obligations to maintain our homes in a safe and healthy condition. (FEC Tenants Against Demolition)

Response 1.26: **All alternatives for analysis assume compliance with all applicable city, state and federal requirements.**

Comment 1.27: Study an alternative that reduces height and density on the avenues and protect the character of the surrounding Chelsea Historic District. (CB4)

Response 1.27: **In response to this comment, the EIS will identify and analyze an alternative that shifts height and density from Ninth Avenue to the midblock at the Fulton Houses Project Site. The FSOW has been amended to add the inclusion of this Midblock Density Alternative in the EIS. At the Elliott-Chelsea Houses Project Site, the Rezoning and Non-Rezoning Alternatives already place substantial bulk at the mid-block and as such, this will not change with the addition of the Mid-Block Density Alternative for the Fulton Houses Project Site.**

Comment 1.28: In addition to taking up each of the 20 points of Affected Environment and Environmental Consequences in detail, which are further outlined below, MCB4 also asks that the study include naturally occurring displacement and extend the study date to 2050. (CB4)

Response 1.28: **“Chapter 05.02: Socioeconomic Conditions” will study displacement effects that may occur as a result of the Proposed Project and if the potential for**

significant adverse impacts is identified, then mitigation measures will be explored. The study date will not be extended to 2050, but rather will remain as 2041, consistent with the *CEQR Technical Manual* guidance.

Comment 1.29:

In addition to taking up each of the 20 points of Affected Environment and Environmental Consequences in detail we will also ask that:

- No development should proceed without public review, including any As of Right demolition.
- No reduction in current number, apartment distribution, or total square footage of NYCHA dwelling units. MCB4 requests the current preponderance of units for large extended families, especially 4 and 5 bedrooms be maintained.
- All parking be sited underground.
- MIH units be distributed throughout at least 80% of the building.
- Increase grocery store square footage, including back of house and loading space.
- Medical offices must be operated by a not-for-profit, public, or federally qualified healthcare facility. (CB4)

Response 1.29:

The EIS process provides an opportunity for public review of all of the alternatives that are being considered for the Proposed Project. Following a public comment period for the DEIS, the FEIS will identify a Preferred Alternative for the Proposed Project. The NYCHA Board will then make a final determination as to the Preferred Alternative, in which it will consider the findings of the environmental review process in its decision-making. Additionally, NYCHA and the PACT partner look forward to continuing to engage residents on the design and programming of the future buildings, including the community facility spaces. All alternatives to be considered in the EIS for implementation of the Proposed Project would provide Section 8 PBV DUs on a 1-to-1 basis with existing Section 9 NYCHA units, square footages and unit mix may vary depending on existing and anticipated resident needs and all new mixed-income buildings being introduced on the Project Sites will include affordable units and market-rate units. The Proposed Project also contemplates parking being underground, and further NYCHA and PACT Partner will continue to work with residents to refine the design of the campus. Additionally, all alternative to be considered in the EIS for implementation of the Proposed Project considers an increase of supermarket space across the Project Sites.

Comment 1.30:

Evaluate a plan that includes the creation of superblocks of the development area. Height is a significant concern, yet to increase housing this plan relies on a lot of new height that is out of character to the surrounding neighborhood. However, density could play a greater role in building more housing were superblocks to be considered: a standard practice in cities around the world. The design could also provide additional open and green space, preserve light and air on the campus and

surrounding community, and preserve site lines in and around the adjacent historic districts. (CB4)

Response 1.30: An alternative involving “superblocks,” which would require demapping of streets, relocation of utilities, and acquisition of additional land, is not considered to be an appropriate option for the future of the Project Sites. Furthermore, this “superblock” development pattern has not been pursued in New York City in recent decades as the City has encouraged the retention of the traditional street grid as a preferred form of urbanism. Therefore, this alternative will not be incorporated into the EIS.

Comment 1.31: The Draft Environmental Impact Statement (Draft EIS) should include an executive summary to give a summary of the purpose and need, project alternatives, and a table which allows for the comparison of impacts between alternatives. (EPA)

Response 1.31: As noted in the DSOW, the EIS will provide an executive summary, which “will utilize relevant material from the body of the EIS to describe the proposed development and actions, their potential environmental impacts, measures to mitigate those potential impacts, and alternatives to the proposed development and actions.” The executive summary will include text identifying the potential impacts for each alternative.

Comment 1.32: When developing the EIS, the description of the alternatives should indicate the motivation and rationale for developing each alternative. The EIS should state what the alternatives are proposing in terms understandable to the public, including the expected costs of each alternative. (EPA)

Response 1.32: “Chapter 01.0: Purpose and Need for the Proposed Project” of the EIS will describe the purpose and need for the Proposed Project, and the EIS will analyze the potential environmental impacts of each alternative that meets the purpose and need. Additionally, “Chapter 02.0: Project Alternatives” will provide further detail on each identified alternative. Expected costs of each alternative are outside the scope of the EIS and will not be included in the EIS for the Proposed Project.

Comment 1.33: It's fallacious to assume that the option not to demolish would mean that only capital repair would take place from now until 2040. For instance, last year, HUD announced a program to support projects that will electrify buildings. Such programs are available for application. Other financing possibilities for renovation would be possible, as for instance that financing proposed by the Working Group. (Zulkowitz)

Response 1.33: Comment noted. The purpose of an EIS is to analyze the environmental impacts anticipated as a result of a proposed project and possible measures to avoid, minimize, or mitigate such impacts. Identifying funding sources for different kinds of capital projects is outside the scope of the EIS. For information regarding extent of capital repair needed across Fulton and Elliott-Cheslea Houses, please see response to comment 1.5.

Comment 1.34: The NEPA regulations state that effects or impacts include ecological, aesthetic, historical, cultural, economic, social, or health impacts, whether direct, indirect, or cumulative. (EPA)

Response 1.34: As noted in the DSOW, the EIS will comply with NEPA and will address these categories of potential impacts in the following chapters in the EIS; “Chapter 05.07: Urban Design and Visual Resources”, “Chapter 05.06: Historic and Cultural Resources”, “Chapter 05.08: Natural Resources”, “Chapter 05.02: Socioeconomic Conditions”, and “Chapter 05.17: Public Health.”

Comment 1.35: EPA encourages transparency regarding the programs which are guiding this project, specifically the Rental Assistance Demonstration (RAD) and Permanent Affordability Commitment Together (PACT) programs. EPA recommends the document include an overview of the PACT program, links to where NYCHA’s previous projects using the PACT program can be found, a description of the differences between past projects and this project, and the significance of those differences. EPA also recommends including a summary of existing affordable rent and utility costs, changes in these costs for new replacement units, and measures implemented through the PACT program to ensure tenants do not have any increases in rent and utility costs over the life of the development. If there are any planned differences, such as architectural specifications, of the project-based section 8 units, affordable units, and market rate units, those differences should be included in the document. EPA recommends development of mitigation measures to address any impacts to changes in the affordable housing, such a PACT reserve fund administered by HPD to ensure that Section 8 tenant’s rents are not increased in the event that federal Section 8 payments from the U.S. Department of Housing and Urban Development (HUD) are interrupted. (EPA)

Response 1.35: Comment noted. Information regarding the RAD/PACT program is available here:

<https://www.nyc.gov/site/nycha/about/pact.page>;

Information regarding rent calculation and utility payment under the PACT program is available here:

<https://www.nyc.gov/assets/nycha/downloads/pdf/srp-english.pdf>

NYCHA’s Transparency Review is available here:

<https://www.nyc.gov/assets/nycha/downloads/pdf/nextgen-nycha-transparency-review.pdf>;

and NYCHA’s 2023 PNA Report is available here:

<https://www.nyc.gov/assets/nycha/downloads/pdf/2023-PNA-Report-Physical-Needs-Assessment-NYCHA.pdf>.

Comment 1.36: The collaboration of the partners in the development will be key to the success of the program and the protection of the tenants. EPA suggests the document include background on the roles and responsibilities between HPD, NYCHA, the private developers, and the social services. EPA suggests the specific social services that will be involved throughout (before, during, and after) be identified. EPA suggests

that a structure for tenant engagement with the building management be included (e.g., regular meetings with tenant representatives, hiring a community liaison as a point of contact between residents and the project leads). EPA also suggests considering standing up an EJ advisory workgroup composed of residents to provide input throughout the NEPA process, including during the development of any potential temporary relocation plans for residents, the identification of potential disproportionate impacts, and the during the development of potential mitigation measures. EPA also recommends that HPD has a dispute resolution plan for when there are differing priorities between parties (ex. numerical occupancy targets vs case-by-case support, patience, and flexibility in order to achieve the best outcome for that household). (EPA)

Response 1.36:

NYCHA and the PACT Partner are in ongoing consultation with Hudson Guild, the existing social service provider operating facilities on the Project Sites. In addition, NYCHA and the PACT Partner continue to engage in ongoing consultation with FEC residents to address a range of concerns including temporary relocations, building and apartment design, open space design, property management, safety and security, and social services. There are also existing procedures in place for NYCHA to consider disputes from residents, including the right to initiate grievance hearings with a third-party mediator, which remain in place under all NYCHA RAD/PACT projects. These consultations have preceded, run concurrently with, and will continue after the environmental review process. "Chapter 03.0: Process, Coordination, and Public Participation" of the EIS will summarize these and other consultations with project stakeholders. NYCHA and the PACT partner will continue to engage NYCHA residents throughout the various stages of the Proposed Project. A Social Services Plan will be created through input from residents that includes partnerships with social service providers that help improve on-site services and programming. Residents will be engaged in the creation of the Social Services Plan. Further, public participation in the environmental review process includes, as required by applicable legal requirements, public hearings on the DSOW and DEIS, public comment periods, and the provision of response to comment documents such as this.

Comment 1.37:

EPA recommends the Draft EIS identify mitigation measures consistent with EO 14096, which directs agencies to consider mitigation measures for disproportionate impacts to the maximum extent practicable. Additionally, CEQ EJ Guidance states agencies should identify and give heightened attention to "alternatives (including alternative sites), mitigation strategies, monitoring needs, and preferences expressed by the affected community or population" when addressing disproportionate impacts. While the purpose and need of the project is to improve the quality of life for current residents due to the current conditions of the buildings, there still may be unavoidable impacts to the tenants. EPA recommends that mitigation measures to address impacts to quality of life for the tenants are developed with direct input from tenants to identify preferred community benefits,

which may include but are not limited to access to affordable childcare and continued community services. (EPA)

Response 1.37: While EOs 14148 and 14154 of January 20, 2025 revoked EO 14096, nonetheless the EIS will provide an Environmental Justice analysis pursuant to the standards set forth in EO 14096 and State and City guidance. The EIS will also identify potential significant adverse impacts and feasible measures to avoid, minimize, or mitigate impacts. A public comment period, with opportunities to provide written and oral testimony will enable the public, including affected residents, to provide input on both the impact determinations and the proposed mitigation measures. In addition, in parallel, the ongoing consultations with stakeholders discussed above in response to comment 1.36 provide an additional means for gaining input on the Proposed Project. A reference to a chapter outlining mitigation from each potentially impacted technical analysis area has been added into the FSOW and the EIS will include “Chapter 05.21: Mitigation.”

Comment 1.38: If mitigation measures are proposed, the Draft EIS should include details as to how measures will be implemented, and which public agencies will be responsible for ensuring mitigation is deployed and assessed. This could be achieved through a Community Benefits Agreement or other standard industry practice. (EPA)

Response 1.38: “Chapter 05.21: Mitigation” of the EIS will outline legal mechanisms for ensuring the implementation of measures required to avoid, mitigate, or minimize potential impacts. The nature of such legal mechanisms will be determined by the lead agency in consultation with expert agencies.

Comment 1.39: Everyone's talking about the amount of units, 2,000 units, 5,000 units, 3,800 units. I have not heard what that relates to in terms of total amount of occupancy, meaning, is that 2.3 people per unit, meaning, that it's 15,000 people, is it 20,000 people. (Robinson)

Response 1.39: The Proposed Project would result in an incremental increase of approximately 5,803 residents under the Rezoning and Midblock Bulk Alternatives, or approximately 2,995 residents under the Non-Rezoning Alternative. The estimated number of residents is based on the average household size in Manhattan Community District 4 (1.68 persons per household) per the 2020 Decennial Census.

Comment 1.40: No one knows how many square feet of the entire development will be Section 8, and whether it is a net gain or loss of square feet in terms of the previous NYCHA buildings. (Schnipper)

Response 1.40: All development alternatives propose 2,056 Section 8 PBV DUs to be provided, which is equivalent to the existing 2,056 Section 9 units on the Project Sites. The FSOW and “Chapter 02.0: Project Alternatives” of the EIS will identify the anticipated square footage to be developed under each project alternative.

Comment 1.41: If the proposed project moves forward, in order to dispose of public housing properties, tenants would fall under Section 8 and no longer under Section 9 of the United States Housing Act of 1937, which could diminish tenants' rights and protections... CRDC urges HUD, NYCHA and HPD to consider a non-demolition alternative where Public Housing properties stay under federal ownership and tenants remain under the statute of Section 9 of the United States Housing Act of 1937 and other financial methods are utilized to rehabilitate Fulton and Elliott/Chelsea & Chelsea Addition Houses. (CDRC)

Response 1.41: As noted in the DSOW, the EIS will analyze a No-Action Alternative in which all existing units on the FEC Project Sites remain Section 9 units.

In 2012, the Obama administration created the Rental Assistance Demonstration (RAD) program to allow public housing authorities to transition their properties to a better funded and more stable program called Section 8 PBV. The RAD program requires public housing authorities to preserve all resident rights and also grants some new rights. NYCHA's implementation of the RAD program is called PACT, and PACT offers additional rights and protections above and beyond what the federal government requires, and NYCHA retains ownership of the land and buildings. Following the transition to Section 8 PBV, lease agreements automatically renew, residents cannot be evicted without cause, and households continue to pay 30% of their adjusted gross income towards rent. These and other key rights and protections are codified in the new tenant leases, the RAD Statute and Implementing Notices, and other federal regulations. For more information regarding the RAD/PACT program, please see the "Facts about PACT" document [here: https://www.nyc.gov/assets/nycha/downloads/pdf/PACT-facts-english.pdf](https://www.nyc.gov/assets/nycha/downloads/pdf/PACT-facts-english.pdf) and the "PACT Protects Residents Rights" document [here: https://www.nyc.gov/assets/nycha/downloads/pdf/PACT_ResidentRights_2024_english.pdf](https://www.nyc.gov/assets/nycha/downloads/pdf/PACT_ResidentRights_2024_english.pdf).

2. Land Use, Zoning, and Public Policy

Comment 2.1: Comment 2.1: It is unclear how negative impacts will be mitigated. It is of utmost importance that a careful evaluation be made in the context of other land use actions, including but not limited to the proposed zoning proposal to convert buildings to residential use in South Midtown, as well as in the context of City of Yes various land use actions. (Law-Gisiko)

Response 2.1: Response 2.1: As noted in the DSOW, if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Any mitigation that is proposed will be identified in the associated chapters as well as in "Chapter 05.21: Mitigation" of the EIS. In addition, all applicable policies and land use actions and other land use study area developments will be accounted for within the EIS.

- Comment 2.2:** Comment 2.2: It is absolutely critical that the most up-to-date data related to climate change is used in the EIS response, and that there is absolute clarity about the efforts made to ensure the safety of residents in/around the floodplain. According to the DSOW (p.51), “portions of the Project Sites are located within the 0.2 percent annual chance floodplain.” Yet there is data that is conflicting (Commenter goes on to list conflicting data about whether or not the site is within the 500-year floodplain). (CB4)
- Response 2.2:** **Response 2.2:** As noted in the DSOW, an analysis of Floodplain risks will be included in “Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS using guidance outlined in the *CEQR Technical Manual*. Specifically, this will be provided in Waterfront Revitalization Program (WRP) consistency assessment for WRP Policy 6.2, which concerns integrating consideration of the latest New York City projections of climate change and sea level rise into project planning. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.
- Comment 2.3:** In addition, the analysis should consider co-located projects and how concurrent development of the Proposed Project and these other projects may impact resource categories in the study area. (EPA)
- Response 2.3:** “Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS will include an analysis of concurrent developments within the secondary study area (1/4 mile). Additionally, each chapter will consider the future without the Proposed Project, which would include No-Action development projects within the secondary study area, and layer the potential impacts of the Proposed Project over that future condition to determine the potential impacts of the Proposed Project along with other planned development in each of the resource categories.
- Comment 2.4:** Extend the study area boundary to within ½ mile radius, instead of the stated ¼ mile. The same logic that stipulates a ½ mile study radius for indirect displacement should apply for the general land use and zoning actions, which only study up to ¼ mile. (CB4)
- Response 2.4:** According to the *CEQR Technical Manual* (Chapter 4, Section 311), a study area radius must be at least 400 feet, and it notes that too large a land use study area could “dilute or obscure a project’s effects”. Therefore, given the geographic scope of the Proposed Project and that it is limited to specific site actions, and the scale of the proposed development relative to the density of the surrounding area, a quarter-mile radius from the Project Sites has been selected as the basis for a secondary study area.

3. Socioeconomic Conditions

- Comment 3.1:** There is potential for a displacement of population by 2040 in a major NORC (Naturally Occurring Retirement Community) named Penn South that exists within a ½ mile radius of the study parameters. The aging population in that

campus is likely to be replaced by a younger generation which will have a significant impact on the community. We urge that the EIS study the impact of the aging-out of residents in Penn South and the impact on the community's demands on community facility space and public infrastructure needs. (CB4)

Response 3.1: While the aging out of residents in Penn South, located within the blocks bound by W. 29th Street, 8th Avenue, W. 23rd Streets, and 9th Avenue, is outside the scope of the EIS, in accordance with *CEQR Technical Manual* guidance, the EIS will study and assess projected trends within the study area, from existing conditions until the 2041 analysis year (originally anticipated to be 2040) .The EIS will address numerous substantive areas, including but not limited to socioeconomic conditions, community facilities, and transportation.

Comment 3.2: I just see what's going on in the neighborhood in terms of buildings being constructed in every available inch of space and it is of great concern that we are losing our middle class and lower-class folks who keep the City running. (Russo)

Response 3.2: The Proposed Project would replace all existing NYCHA units with permanently affordable Section 8 PBV housing for existing NYCHA residents and would provide additional permanently affordable housing to address the critical shortage of affordable housing in New York City. The Proposed Project would also result in the construction of new market-rate housing. Pursuant to *CEQR Technical Manual* guidance, “Chapter 05.02: Socioeconomic Conditions” of the EIS will analyze the potential effects of the Proposed Project on the socioeconomic conditions study area. If the potential for significant adverse impacts is identified, then potential mitigation measures will be identified.

Comment 3.3: Analyze Direct and Indirect residential displacement by race and ethnicity...Census data indicate that residents of the census tracts in which Fulton Houses and Elliott-Chelsea Houses are located possess demographic characteristics (low-income, limited proficiency in English, racial and ethnic minorities) that are associated with a greater vulnerability to the risk of displacement. For example, data from the Equitable Development Data Explorer for the district including Chelsea indicate that Black Non-Hispanic median income was only about 36% of that of the total population, and that Hispanic median income was only about 41% of that of the total population. Therefore, we request that the DEIS conduct a detailed analysis of the risk of indirect displacement by race and ethnicity over the proposed development period and consider mitigations to indirect displacement. In sum, the DEIS should include a detailed study of direct and indirect residential displacement, by race and ethnicity, and which considers eviction risk and causes for evictions, and estimates projected evictions during the development period. Additionally, we request that the DEIS identify and examine the feasibility of eviction prevention measures, including discussing which entities will be responsible for implementing and reporting on these measures and evictions, generally. (Epstein and Pahaham)

Response 3.3: As noted in the DSOW, the EIS will include analysis of these issues in “Chapter 05.02: Socioeconomic Conditions” and “Chapter 05.20: Environmental Justice”. If significant adverse socioeconomic conditions or environmental justice impacts potentially would occur, then mitigation measures will be explored. For more information regarding resident protections ensured through the RAD/PACT program, please see the PACT Protects Resident Rights document [here: https://www.nyc.gov/assets/nycha/downloads/pdf/PACT-test-english.pdf](https://www.nyc.gov/assets/nycha/downloads/pdf/PACT-test-english.pdf) as well as additional information regarding PACT on NYCHA’s webpage [here: https://www.nyc.gov/site/nycha/about/pact/resident-resources.page](https://www.nyc.gov/site/nycha/about/pact/resident-resources.page). Additionally, it should be noted that, pursuant to *CEQR Technical Manual (CTM)* methodology, the NYCHA residents of the Fulton and Elliott-Chelsea Houses are considered to live in protected housing, and are therefore not considered to be a vulnerable population at risk of displacement. Under the Proposed Project, all existing FEC residents will be provided with new Section 8 PBV DUs on the Project Sites. All temporarily relocated residents of the Project Sites (approximately 120 households) will return to their newly constructed Section PBV DUs on the Project Sites, and would therefore not be subject to permanent displacement. NYCHA and the PACT Partner will work closely with resident leaders and stakeholders to develop a Relocation Plan that complies with all applicable federal requirements and minimizes the need for off-site temporary relocations.

Comment 3.4: What happens to the people while construction is going on? Where do people go? Will the construction be going on while people are living in their apartments? (Savaliero)

Response 3.4: As currently designed, up to approximately one hundred and twenty (120) households, or less than six percent (6%) of all 2,056 apartments, will be required to temporarily relocate during the initial stage of the Proposed Project before moving into their new permanent homes. Information about these temporary relocations will be provided in the EIS. The remaining ninety-four percent (94%) of households will only move once – directly into their newly built Section 8 PBV DUs in the new Proposed Project buildings. Construction of new units would occur at the same time as people are living in their existing units. “Chapter 05.19: Construction” will analyze the potential impacts of active construction on the residents on site, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. The PACT Partner will provide assistance with packing and moving needs for households requiring temporary relocation and will provide assistance to all households for their move into their new permanent homes. As these households would be temporarily relocated to housing units and then housed in new units upon completion, this would not be considered a “direct displacement” pursuant to established standards in the *CEQR Technical Manual*, but rather housing in different accommodations, as occurs whenever a NYCHA unit is temporarily vacated due the need for unit rehabilitation or major repairs. Federal regulations

provide relocation protections and a right to return. Households that are temporarily relocated will sign a temporary relocation agreement that guarantees the right to return once construction is complete. The temporary relocation agreement also provides additional benefits, including free packing and moving support. NYCHA and the PACT Partner will work closely with resident leaders and stakeholders to develop a Relocation Plan that complies with all applicable federal requirements and minimizes the need for off-site temporary relocations. Additionally, see response to comment 3.3.

Comment 3.5: The displacement of public housing residents can have a significant implication for health disparities. Social destruction: displacement often results in the breaking of social ties and community connections. Uncertainty about housing: disruption of routine and the loss of familiar surroundings contribute to elevated stress levels. Access to healthcare: displacement may result in residents moving away from their established healthcare provider and facilities. (Keitt)

Response 3.5: See response to comment 3.3. Additionally, “Chapter 05.17: Public Health” will analyze related effects that may occur because of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Pursuant to CTM methodology, the NYCHA residents of the Fulton and Elliott-Chelsea Houses are considered to live in protected housing, and are therefore not considered to be a vulnerable population at risk of displacement. All existing FEC households at Fulton and Elliott-Chelsea Houses will automatically qualify for the new Section 8 PBV DUs at the Project Sites and will be offered a new PACT tenant lease without the need to be re-screened. The Section 8 PBV DUs will preserve permanent affordability and preserve residents’ rights and protections, which will not result in displacement of existing residents. As all temporarily relocated residents of the Project Sites will be residing in their newly constructed residences on the Project Sites by the completion of the Proposed Project, no public housing residents would be subject to permanent displacement as a result of the Proposed Project.

Comment 3.6: A study of the impact of busing on any student directly or indirectly displaced so they may remain in their home school should take place. (CB4)

Response 3.6: See response to comment 3.3. This type of analysis lies outside the scope of the EIS. However, such concerns will be addressed as part of the services NYCHA provides to temporarily relocated families. As also noted in response to comment 4.16, the number of children in the 120 households (6% of the total) that would be affected by temporary relocations and may potentially relocate to other schools is minimal.

Comment 3.7: We should be discussing how demolition will displace tenants and adversely affect them. Many legitimate organizations have studied the privatization and the demolition of public housing, and the tenants never win. (Halasa)

- Response 3.7:** See response to comment 3.3 and 3.4. All existing NYCHA DUs will be replaced with newly constructed Section 8 PBV DUs reserved for existing NYCHA FEC residents. Therefore residents would not be subject to permanent displacement and would receive tenant protections under Section 8 PBV.
- Comment 3.8:** Please also provide guidance as to what the plan is for, pertaining to existing families who occupy the Elliott Housing Project Buildings, moving or relocating back into the community. We are advocating that no such project will interfere with student learning. Long-term construction may disrupt family routines. A vast population of our students have a short commute to the school buildings, which naturally increases attendance. We would like to understand the process of their living circumstances, and ensure they are not being displaced permanently. (Saechao)
- Response 3.8:** See response to comment 3.4.
- Comment 3.9:** I worry about the scope of the project, especially given the amount of construction the neighborhood is already experiencing, and the displacement of the people who currently live there. (Hickerson)
- Response 3.9:** See response to comment 3.4.
- Comment 3.10:** You guys will be kicked out and once those buildings are rebuilt again, you guys are not to back to let in. You know why? Because of rent. (Johnson)
- Response 3.10:** See response to comment 3.3.
- Comment 3.11:** I want to stay at my two-bedroom apartment because I have Multiple Sclerosis (MS). If I have to relocate, I would like to go to the Baruch Houses (on the East Side) on a TEMPORARY BASIS. I need a GUARANTEE that when the redevelopment of Fulton ends, I can return to my original apartment. (Melendez)
- Response 3.11:** See response to comment 3.4 and 3.5.
- Comment 3.12:** Please study this area (indirect residential displacement) whether or not it exceeds 5%... (on the topic of) Relocation of 120 families p29; Which development would this be from? How many individuals is this? How many children and teens? Where will they be relocated to? Can children and teens continue to attend schools in the community, assuming they currently do? (M. Ortiz)
- Response 3.12:** See response to comment 3.3.
- Comment 3.13:** They want to demolish the buildings and put you on Section 8 to take your rights away. Why aren't they giving you Section 9 when they develop these new buildings, I want to know? Because they want to kick all of you out. They're going to take your rights away and you will get nothing for free. (Ranaldi)
- Response 3.13:** See response to comment 3.3 and 3.4. Additionally, Permanent Affordability Commitment Together (PACT) is a program that allows NYCHA to unlock

funding to complete comprehensive repairs or build new, modern homes at NYCHA properties. Through PACT, developments are included in the federal Rental Assistance Demonstration (RAD) and transition to a more stable, federally funded program called Section 8 PBV. PACT ensures that homes remain permanently affordable and resident rights are fully preserved.

Comment 3.14: Relocating residents, even temporarily, can cause a disruption, loss of social ties, and potentially increase exposure to environmental harm. Therefore, EPA recommends using a trauma-informed approach to relocation and service provision and providing case management and support; especially for the most vulnerable; before, during, and for at least 12 months after relocation. EPA suggests that the Draft EIS document provide a clear overview of the redevelopment timeline for each building and relocation plan for existing tenants along with the efforts that will be undertaken to ensure tenants will be best protected and offered the support to return. EPA suggests the document include:... (EPA)

Response 3.14: See response to comment 3.3 and 3.4.

Comment 3.15: The DSOW states that the relocation of the 120 households under the Proposed Projects “will adhere to requirements of applicable statutes and regulations, including but not limited to the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA) and implementing regulations at 49 CFR 24, Notice H 2016-17; PIH 2016-17, as may be amended from time to time (“RAD Fair Housing, Civil Rights, and Relocation Notice”), Section 18 of the Housing Act of 1937, as amended and implementing regulation, 24 CFR part 970 and all applicable state and local regulations.” Unfortunately, the history of government plans to “temporarily” relocate low-income residents is filled with inaccuracies and unfulfilled promises. In an effort to gain public support for its proposal, NYCHA has stated that it intends to provide relocation protections that are broader than those required under federal law. These intentions must be explained in detail in the EIS so that the impacts of relocation can be accurately analyzed and more generally, the public can be reassured that NYCHA has been thoughtful about all that could go wrong when relocating families. At a minimum, the EIS must answer these questions with exacting detail:

- How is NYCHA matching the NYCHA tenant with their specific relocation apartment in FEC?
- How is NYCHA choosing which tenants will go off-site if not enough NYCHA relocation apartments are available as is currently projected?
- How will NYCHA address tenant circumstances where relocation could be overly burdensome or complicated, such as:
 - tenants who have “extraordinary needs” including, for example, 24-hour home care?
 - disabled tenants who need ground floor apartments and/or wheelchair accessible units?
 - families with school aged children and district eligibility?

- elderly tenants who need proximity to affordable sources of food, senior centers where meals are obtained, or food pantries?
- How is NYCHA going to handle a tenant that objects to relocation?
- How is NYCHA going to handle a tenant that objects to a specific relocation apartment?
 - What criteria will NYCHA create to determine whether an objection to a relocation apartment is valid or not?
 - What appeal processes will be created to adjudicate tenant objections?
- How is NYCHA going to handle pending tenant requests for permission to add family members to their household compositions during relocation, particularly where a family member is a potential caregiver?
- How is NYCHA going to handle tenants who are unable to move themselves or cannot pay for the move to the relocation apartment?
- How will NYCHA ensure that tenants are not required to pay security deposits or application fees for relocation apartments?
- How is NYCHA intending to codify the tenant's right to return to the newly built buildings?
- How is NYCHA choosing which apartments tenants will receive in the newly built buildings?
 - What rights will tenants have to reject an assigned apartment in the newly built buildings?
 - What processes will be put in place to adjudicate these rejections?
- How will NYCHA consider tenant' requests to return to particular units or floors in newly constructed housing, which may restore naturally occurring support systems or retirement groups?
- What standards will NYCHA use to allow a tenant not slated for relocation to relocate? (NYCHA should set out explicit benchmarks for reasonable accommodations beyond the general deliberative process).
- What provisions will be made for re-housing the 120 displaced households back to FEC if the two new replacement buildings are not built or are unreasonably delayed (e.g., for unforeseen economic infeasibility, bankruptcy, pandemic, force majeure)? (NYSOAG)

Response 3.15:

Consistent with *CEQR Technical Manual* guidance, “Chapter 05.02, Socioeconomic Conditions” of the EIS will assess whether the Proposed Project would result in significant adverse socioeconomic conditions impacts to due to direct residential displacement. In addition, while the questions raised by the commenter are outside the scope of the EIS, they are addressed in the “Summary of policies preserving resident rights under NYCHA’s Permanent Affordability Commitment Together Program (PACT),” dated June 8, 2023, which presents information organized into three categories: (1) rent and fee policies; (2) tenancy-related policies; and (3) access to information, services and tenant organizing. The document, along with other PACT related materials, is available online in English, Spanish, Chinese (Traditional), Chinese (Simplified), and Russian at

<https://www.nyc.gov/site/nycha/about/pact/resident-resources.page>. Also see response to comment 3.4 and 3.6.

Comment 3.16:

Under the Proposed Project, the PACT Partner will demolish 96 public housing units—the homes of approximately 110 seniors—first, meaning that those seniors will need to relocate to another area. Citing the *CEQR Technical Manual*, the DSOW notes that because under 500 individuals will be displaced, the Project can be assumed not to alter the socioeconomic character of a neighborhood, and assessment of direct displacement is “not warranted.” Concerningly, neither the DSOW nor the Notice of Intent to Prepare an EIS mentions the plan is to demolish a senior housing building, forcing relocation of every single senior resident. The seniors who live in the designated senior buildings in FEC are an important part of the community. Displacing them will change the character of the neighborhood, even if they number fewer than 500 people. Additionally, if the seniors are unable to secure replacement housing in the immediate vicinity of their homes and must move to neighborhoods that are more segregated, their displacement may raise Fair Housing Act concerns. Therefore, the EIS should use a lower threshold and analyze direct displacement. The EIS should analyze the following questions, among others, to adequately gauge the potential displacement created by the Proposed Project:

The DSOW states that “approximately 120 households would be relocated either in vacant existing units in other buildings on the Project Site or housing units nearby.” This raises the following questions, among others:

- On-site relocation: How many vacant units are on site? How many of them are accessible? Will repairs and modifications be made to them to ensure that they meet the seniors’ needs?
- Relocation “nearby”: What “nearby” housing units would the households move to? Has the Project Partner secured, or even identified, these units? Are their rents within Section 8 voucher payment standards? Do the Project Partner or affiliated entities own these units? If not, are they rent stabilized? If they are not rent stabilized, what guarantees can the Project Partners provide that the senior households do not have to move multiple times during the temporary displacement period? How will the PACT Partner combat source of income discrimination? What is the feasibility (vacancy rates of units within the applicable payment standards) and cost of securing replacement units in Chelsea? What social and healthcare services are available near the relocation units?
- Success of relocation and move to new unit: Relocation counseling and assistance programs often fail to provide adequate services to displaced households, meaning that the households are left on their own to find housing, likely in lower opportunity areas. What types of services will be provided, and on what timeline, to ensure that the relocation counselors and relocating households can establish a successful working relationship? How will NYCHA and the PACT Partner ensure that displaced households will return to FEC when construction is complete? (Thompson)

- Response 3.16:** “Chapter 05.02: Socioeconomic Conditions” will analyze both direct and indirect effects that may occur as a result of the Proposed and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Also, see response to comment 3.3 and 3.4.
- Comment 3.17:** Cash funds as well as vouchers should be given to those to cover expenses if they choose elsewhere. (Alexander)
- Response 3.17:** See response to comment 3.4.
- Comment 3.18:** We strongly disagree that the low percentage of residents being relocated from their existing home to temporary housing before being finally placed into their new home doesn’t trigger an assessment of direct residential displacement. (p.29) The 6% being temporarily relocated are senior citizens, and greater consideration should be given to that population given their needs and the challenges that come with relocation. The disruption to the lives of a vulnerable population is significant and merits further study. The EIS must study the impact of relocating senior citizens with unique social service needs; and urge the study of a new construction timetable to leave the majority of senior citizens out of the displacement plan. We reiterate how critical it is that purpose-built senior housing be included in the study. (CB4)
- Response 3.18:** See response to comment 3.4. Chapter 05.02 “Socioeconomic Conditions” will analyze any potential indirect or direct residential displacement impacts as a result of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.
- Comment 3.19:** Where are residents expected to go and live, while their homes are being demolished and reconstructed? Will NYCHA be paying for these tenants temporary homes? Will NYCHA be providing moving services for these tenants? What resources and services is NYCHA paying for and providing while thousands of people and their homes are being displaced? Will NYCHA keep track of who is living in which homes and how will NYCHA ensure that these residents will have a new home in the new developments? (Russo)
- Response 3.19:** See response to comment 3.3 and 3.4.
- Comment 3.20:** What you're doing is you're inviting the developers to make a lot of money at the expense of the people and a lot of these people aren't going to return. (Mudd)
- Response 3.20:** See response to comment 3.3 and 3.4.
- Comment 3.21:** With regard to direct residential displacement, we ask that the Scope include an analysis of the possible impact of over a decade of multi-site construction on residential displacement. Specifically, within the NYCHA developments, we ask that the potential of displacement through development related relocations— move outs, transfers, and relocation with portable Section 8 vouchers which will be available to current residents—be considered. Such displacement has been observed in other multi-year demolition projects, such as Related’s disastrous

Liberty Square development in Miami, where only 5 out of 234 public housing households returned to the newly constructed buildings, despite promises that all families would be able to return. We additionally ask that such analysis include an analysis of the race, ethnicity and income of families who would be displaced especially since they comprise a protected class under the Fair Housing Act of 1968. (FEC Tenants Against Demolition)

Response 3.21: See response to comment 3.3 and 3.4.

Comment 3.22: The following commenters expressed concerns and asked questions about the possibility that they and other Fulton Elliott-Chelsea Houses tenants would face displacement as result of the Proposed Project. (Ekomanai; Garcia; Thompson; Cadojas)

Response 3.22: See response to comment 3.3 and 3.4.

Comment 3.23: We ask for a study of displacement if no development occurs in addition to a study of displacement if Alternative 2 (Rezoning Alternative) occurs. (CB4)

Response 3.23: See response to comment 3.3 and 3.4. Also note that analysis of the No-Action Alternative and a Rehabilitation and Infill Alternative will be included in the EIS. “Chapter 05.02: Socioeconomic Conditions” of the EIS will study displacement effects that may occur as a result of the Proposed Project and if the potential for significant adverse impacts is identified, mitigation measures will be explored.

Comment 3.24: I just see what's going on in the neighborhood in terms of buildings being constructed in every available inch of space and it is of great concern that we are losing our middle class and lower-class folks who keep the City running...It will lead to the displacement of many low-income tenants with few or no options for alternate housing. (Savaliero; Millman)

Response 3.24: See response to comments 3.3 and 3.4.

Comment 3.25: NYCHA’s guarantee that any residents who are required to be temporarily relocated will have the right to return to their apartments is critical. We agree with Manhattan Community Board 4 on the importance of protecting NYCHA tenants’ rights, including guaranteeing that seniors can choose between a studio or 1 bedroom should there be ‘rightsizing’ in the development, a guarantee that there will be no credit checks or background checks, ensuring that any fees or other non-rent charges are higher than those for public housing, recognizing transfer fees already paid, clarifying the tailored grievance procedures for residents in PACT conversions, and notifying residents of lease changes so that they have an opportunity to comment prior to NYCHA issuing approval, among many others. (Bottcher, et al.)

Response 3.25: See response to comments 3.3 and 3.4. Any temporary relocation of residents or businesses will adhere to requirements of applicable statutes and regulations, including but not limited to the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA) and

implementing regulations at 49 CFR 24, Notice 2016-17; PIH 2016-17, as may be amended from time to time (“RAD Fair Housing, Civil Rights, and Relocation Notice”), Section 18 of the Housing Act of 1937, as amended and implementing regulation, 24 CFR part 970 and all applicable state and local regulations. More information on the URA policy can be found here: <https://www.nyc.gov/site/housingrecovery/programs/tenant-resources.page>.

Comment 3.26: Now, the problem we have here is we got a lot of elected officials that need to be voted out. Erik Bottcher, Tony Simone, Brad Hoylman-Sigal, Jerry Nadler, Mark Levine... We will be displaced, you need to be organized or you'll be displaced. (Leon)

Response 3.26: See response to comment 3.3 and 3.4 regarding temporary relocations. In addition, the issue of indirect residential displacement will be addressed in “Chapter 05.02: Socioeconomic Conditions” of the EIS.

Comment 3.27: Do not demolish people’s homes. These are low-income people, mostly old, who have nowhere to go. There is so much homelessness, joblessness, and immigrants on the streets of NYC. One of the richest cities in the world. As a native New Yorker, I am appalled what has happened to NYC. It used to be welcoming to all and helpful to many. Now it’s for the rich, bought up by foreigners because of our greed and buildings are abandoned. When are people going to matter? (Hollingshead)

Response 3.27: See response to comment 3.4.

Comment 3.28: An analysis of population growth should be conducted, including proposed and potential development of sites within the ½ mile radius inclusive of any residential developments through 2040. (CB4)

Response 3.28: This type of analysis will be conducted as part of the socioeconomic and open space analyses in the EIS and will be discussed in “Chapter 05.02: Socioeconomic Conditions” and “Chapter 05.04: Open Space”. The EIS will project population growth and will consider the potential impacts of the Proposed Project in all areas in which population growth is a relevant factor. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 3.29: The study should include how legacy businesses will be affected by the development; how new residents could affect existing and new businesses, as well as understand how an increase in market-rate housing could drive up costs further for goods in the community... Bringing market-rate housing into the middle of public housing buildings could have an adverse impact on small local businesses that operate on Ninth Avenue and cater to NYCHA residents. We request that the potential effects be studied, and conversely, how a change in economic incomes would benefit existing and new businesses in the area. (CB4)

Response 3.29: An analysis of the Proposed Project’s potential impacts on socioeconomic conditions will be evaluated in “Chapter 05.02: Socioeconomic Conditions” of

the EIS, including an assessment of the potential for indirect business displacement if warranted under *CEQR Technical Manual* guidance. An analysis of how market rate housing could affect the cost of goods, however, is outside of the scope of the EIS and will not be included in the EIS for the Proposed Project.

Comment 3.30:

The DSOW states the Proposed Projects will not result in the direct displacement of businesses, so an assessment is not required. However, upon completion of the new NYCHA buildings, NYCHA, its union employees, and all vendors and contract employees, will no longer be employed at FEC and management services will be assumed by the developer. At a minimum, an assessment of these losses must be contained in the EIS to determine if it will be a significant impact. CEQR, Chapter 5, Section 331.3 (“For all projects, the type and extent of businesses and workers to be directly displaced by a project should be disclosed, whether or not there would be a significant displacement impact.”) Any assessment of job losses created by the replacement of NYCHA employees and contractors by the developer should also examine whether the plan can mitigate against those losses by ensuring that existing NYCHA union employees and NYCHA residents are given priority for available construction work opportunities, as a mitigation strategy against job loss and pursuant to NYCHA’s Resident Employment Program (“REP”) and/or the requirements of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3). (NYSAG)

Response 3.30:

As of November 2024, there are currently 68 NYCHA employees across the Project Sites – 31 at Fulton Houses Project Site and 37 at Elliott-Chelsea Houses Project Site. Prior to the commencement of construction affecting their employment, these NYCHA employees will receive an information package explaining the activities occurring on the Project Sites. Existing NYCHA employees will continue to work in their current roles until construction in their places of employment occurs. As the scheduled staged demolition of each of the work locations proceeds, NYCHA will redeploy employees into existing NYCHA job vacancies elsewhere, using seniority order based on the amount of time served in the current civil service title. NYCHA will deploy staff to the closest vacancy to their home, based on availability and seniority. Based on NYCHA’s experience with other PACT projects, it is anticipated that all 68 employees will find employment at other NYCHA locations. Existing NYCHA staff is also encouraged, if interested, to apply for open Property Management positions with the PACT Partner at their current development. PACT requires economic opportunities generated by the conversion to be directed to public housing residents through a federal project called Section 3. PACT Partner will provide residents with long-term employment prospects, job training, and opportunities for resident-owned businesses. Through the Section 3 program, residents have access to job opportunities in the following occupational areas: Construction, Management, and Contract. Additional discussion regarding business displacement will be included in “Chapter 05.02: Socioeconomic Conditions” of the EIS.

- Comment 3.31:** There are many who are concerned about the 30 percent. Is it going to stay the same or are they going to move and then it's going to jump up to, you know, the \$1,000 or over \$1,000 a month because so many of us are living on fixed incomes. ... It's a concern of many people. We make this move, what's going to happen? Are we going to be rendered homeless in the long run down the line...Manhattan high rent amounts would be impossible for us to pay. (Banchon; Savaliero; Alexander; Russo)
- Response 3.31:** **The Proposed Project would replace all existing NYCHA housing units with Section 8 PBV DUs pursuant to PACT. As outlined in the “PACT Protects Resident Rights” document, the PACT program unlocks Section 8 PBV funding to complete comprehensive repairs or build new modern homes through partnerships with private and non-profit partners. In addition, PACT keeps rent permanently affordable and preserves all resident rights and protections. These protections include an automatic lease renewal, where households will sign a new PACT Section 8 PBV lease, which is similar to the Public Housing Lease and will automatically renew each year and cannot be terminated except for good cause. Additionally, residents will continue to pay 30% of their adjusted gross household income towards rent.**
- Comment 3.32:** NYCHA buildings are some of the only affordable housing stock left in the city, especially in the now hyper-wealthy neighborhood of Chelsea. Along with neighboring Penn South, these buildings make up some of the only vestiges of working-class and middle-class life in the neighborhood. These buildings are valuable community assets that deserve protection, as do their residents. (Adabachi)
- Response 3.32:** **See response to comment 3.31. The purpose of the Proposed Project is to improve the quality of housing for residents of the Project Sites by constructing new housing for all existing residents while preserving permanent affordability and preserving residents’ rights under the PACT program. The Proposed Project will also provide additional affordable and market-rate housing units, as well as accessory open space for residents of the Project Sites and expanded community facility and retail space for the benefit of Project Site residents and the surrounding Chelsea community.**
- Comment 3.33:** Ensure that the new proposals and plans at both locations provide matching, exact same total sq ft of Residential Floor Area as in existing NYCHA developments at both locations. (Brahmbhatt)
- Response 3.33:** **“Chapter 02.0: Project Alternatives” of the EIS will identify the proposed square footage of residential and other uses for each alternative under consideration. While the alternatives would provide Section 8 PBV DUs on a 1-to-1 basis with existing Section 9 NYCHA DUs, square footages and unit mix may vary depending on existing and anticipated resident needs.**
- Comment 3.34:** How can Fulton and Elliott-Chelsea residents assess whether this Proposed Project will improve their quality of life and their housing stability? For these reasons, we

ask that the Socioeconomic Section of the Draft Environmental Impact Statement (DEIS) consider the operation and performance of NYCHA developments that have been converted to RAD-PACT. Such an analysis should provide building-level and development-wide metrics of key importance to public housing residents, such as complaint response times, repeat complaints, the qualitative disposition of complaints (did response address the problems reported?), evictions, rent levels, rent collections, the incidence and amount of fines and fees to residents, resident turnover (how many units were voluntarily vacated or how many residents chose to leave?), the financial condition of the developments, and more. Additionally, whenever possible, the trends should be compared to a period before RAD-PACT was implemented, and through the most current data available. (Epstein and Pahaham)

Response 3.34: **The EIS for the Proposed Project is intended to identify the potential for significant adverse environmental impacts of the project as proposed on the Project Sites. Analysis of the operation and performance of other PACT projects in other locations is outside the scope of the EIS and therefore will not be included in the EIS.**

Comment 3.35: We ask that the Socioeconomic Section of the Draft Environmental Impact Statement consider the operation and performance of NYCHA developments that have been converted to RAD PACT. Such an analysis should provide building-level and development-wide metrics of key importance to public housing residents, such as complaint response times, repeat complaints, the qualitative disposition of complaints (did response address the problems reported?), evictions, rent levels, rent collections, the issuance of fines and fees to residents, resident turnover (how many units were voluntarily vacated or how many residents chose to leave?), the financial condition of the developments, and more. Additionally, whenever possible, the trends should be compared to a period before RAD PACT was implemented, and through the most current data available. (Ferreya)

Response 3.35: **See response to comment 3.34.**

Comment 3.36: Comment 3.36: There are 4,800 vacant apartments in the 5 boroughs that can be offered to those who want to stay in NYCHA. The time should come to ask all individual families what they want, what would serve them best. (Alexander)

Response 3.36: **Comment noted.**

Comment 3.37: Address segregation in the proposed plans...particularly that 70% of NYCHA's land is proposed to be used for the new market rate and mixed income housing...Please ensure equitable development that provides quality housing for all NYCHA residents, and more inclusive forms of affordable housing. Consider NYCHA's long 175,000+ applications for low-income rental housing on their current waiting list. (Brahmbhatt)

Response 3.37: **"Chapter 05.02: Socioeconomic Conditions" of the EIS will study potential effects within the study area. It should be noted that under all of the development alternatives, the Fulton and Elliott-Chelsea Project Sites would**

remain as cohesive campuses with accessory open spaces as common areas open to all residents of the Project Sites. New market-rate and affordable units would be located within the same buildings across both campuses with the new buildings for current NYCHA residents located adjacent to these mixed-income buildings. Additionally, “Chapter 05.20: Environmental Justice” of the EIS will analyze any potential impacts of the Proposed Project on the human health and environmental effects on minority and/or low-income populations and disadvantaged communities. NYCHA and the PACT Partner are committed to centering resident voices and expertise in the planning and design of each campus and continuing existing and creating new partnerships with public and private stakeholders, businesses, non-profits, and voluntary organizations for the benefit of NYCHA residents and the project goals.

Comment 3.38: If it must be torn down, then do what we did on the Lower East Side in Delancey, we guarantee that every building will be a mixed income because if you put a separate building aside, in effect it will be a poor building because they will be neglected. (Delgado)

Response 3.38: See response to comment 3.37.

Comment 3.39: At both the Fulton Houses and Elliott-Chelsea Houses sites (critical subareas in the project study area), the potential population increase is certain to exceed 10%, which warrants a detailed analysis direct and indirect displacement that "would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of direct and indirect displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Project on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk. The detailed analysis would distinguish areas within the broader study area, utilizing data from census tracts or other smaller geographies within the study area and provide comparative data for the borough and city" (pages 30 - 31 DSOW). Such analysis should determine whether the population that is vulnerable to displacement, which includes residents of public housing, exceeds 5% of the study area population. (Epstein and Pahaham)

Response 3.39: These issues will be considered in “Chapter 05.02: Socioeconomic Conditions” and “Chapter 05.20: Environmental Justice” of the EIS. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. See response to comment 3.3 and 3.4.

Comment 3.40: We ask that the DEIS identify and propose potential mitigations either in social and health services (such as home health aides, social workers, and people who can do the work of pruning, packing, and moving for seniors),... Finally, we ask for mitigations that include social workers who will communicate individually and in groups with seniors about the project, keeping them informed through the 16-year development period, and preparing seniors for this massive change. (Epstein and Pahaham)

Response 3.40: “Chapter 05.02: Socioeconomic Conditions” will analyze the potential for significant adverse impacts to result from the displacement of residents as a result of the project, and will explore practicable mitigation for any identified impacts. In addition, “Chapter 05.03: Community Facilities and Services” of the EIS will analyze the effects of the Proposed Project on publicly funded community facilities pursuant to the *CEQR Technical Manual* and NEPA guidance and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Finally as discussed in response to comment 1.36, it should be noted that, independent of the conclusions of the aforementioned areas of analysis, the PACT partner team will create a Social Services Plan and has hired relocation specialists to work with vulnerable populations, including seniors, in anticipation of and during any required moves.

Comment 3.41: With regard to indirect residential displacement, we ask that the Scope include study of a sub-area within the Study Area, consisting of Census blocks with an average income below 100% of AMI. This is initially appropriate because the Study Area as a whole includes very wealthy neighborhoods, as well as more mixed-income and working-class neighborhoods. It is particularly worth noting that, using data from the Equitable Development Data Explorer for the district including Chelsea, the Black (Non-Hispanic) median income was only about 36% of that of the total population, and the Hispanic median income was only about 41% of that of the total population. This racialized income disparity in the Study Area demands a more focused analysis of indirect displacement on the remaining low-income population in the Study Area. (FEC Tenants Against Demolition)

Response 3.41: See response to comment 3.3.

Comment 3.42: I've not heard anything in terms of what the present demographics are, what they've been over the last 20 years in terms of floating; how many are elderly, how many are handicap, how many are young, which I think is very important and to see how it has changed over the years and that we're not catering just the elderly when there's a whole youth surge...I'm not sure how many people are elderly presently. I'm not sure how many of the units are slated for elderly, but that's very important. (Robinson)

Response 3.42: “Chapter 05.02: Socioeconomic Conditions” will analyze demographic conditions and identify any potential effects of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 3.43: A detailed analysis of direct residential displacement, including a robust analysis of the mitigation that NYCHA intends to use to guard against direct displacement, will be required by CEQR with more than 500 NYCHA residents being displaced by the construction. The EIS must explain in exacting detail all mitigation steps that will be taken, and rights tenants will have when being relocated, including those that need to be relocated off-site due to an accommodation from the potential

dust and hazardous materials related to construction. The explanation must include a detailed description of:

- how NYCHA intends to engage in outreach to all FEC tenants, so they know they have the option to relocate to accommodate a medical condition;
- how NYCHA intends to address any necessity to move tenants to areas outside the community; and
- how NYCHA intends to deal with tenants who refuse to initially relocate or refuse to move back to the newly constructed NYCHA units.

All rights and protections must be laid out so that residents understand how NYCHA will go about moving tenants and how they will address tenants who refuse to move voluntarily. As part of this analysis, the EIS must explain where residents will be relocated if there are not enough relocation units within the study area. The EIS must provide a robust description of these units that include who owns them, how the tenants will be paying for the rents, and what rights the tenants have to remain until they are able to return back to the study area. CEQR Chapter 5, Section 331.2 (“...the detailed analysis then would determine whether relocation opportunities exist within the study area for these displaced households.”). (NYSOAG)

Response 3.43:

As noted in the DSOW, one building on each of the Project Sites would be vacated and up to approximately 120 households would be relocated either in vacant existing units in other buildings on the Project Sites or housing units nearby. The goal of the Proposed Project is to relocate all of the up to 120 temporarily relocated households in new buildings on the Project Sites. These units have an estimated population of approximately 224 residents. NYCHA and the PACT Partner will provide accommodations when residents are required to temporarily relocate from their apartment. The PACT Partner will cover all expenses related to moving, storage, and/or other reasonable requests. Although a detailed analysis of direct residential displacement is not required per the *CEQR Technical Manual* guidance, the EIS will nonetheless provide an analysis of, and more information on, the temporary relocations, including in “Chapter 05.02: Socioeconomic Conditions” and in “Chapter 05.19: Construction”. If the potential for significant adverse socioeconomic or construction impacts are identified, mitigation measures will be explored. See also responses to comment 3.4, 3.18 and 3.42.

Comment 3.44:

While the Proposed Project contemplates a one-to-one replacement of the public housing units at FEC with Project-Based Voucher units, the EIS should consider the possibility that shifting market conditions or other changes over the next sixteen years may render the PACT Partner unable or unwilling to pursue the Project or pursue it on the same terms, meaning that the number of replacement Project-Based Voucher units would be substantially reduced, and FEC residents would be forced to move. This has happened before with public housing demolition and redevelopment projects, including the ABLA Homes redevelopment project in Chicago involving Related and Related Midwest. The

Chicago Housing Authority (“CHA”) forced thousands of public housing residents to move from the ABLA Homes, and in 2003, CHA selected an affiliate of Related and Related Midwest to lead a ten-year redevelopment project involving the construction of 2,441 units, including 750 units of public housing. By 2008, “Related Midwest already was years behind on delivering the units it had committed to. Then the housing market crashed, and progress stalled around the city.” Between 2008 and June 2022, the developers constructed just one new building, and “[e]ven after that project was finished, the [Chicago Housing Authority] still needed to build 1,773 more units, including 469 for public housing residents, to fulfill its commitments.” The EIS should consider the risks of a Proposed Project that involves demolition and not treat the forecasts of a one-to-one replacement of the public housing units as a foregone conclusion, especially given Related’s history with the ABLA Homes project. (Thompson)

Response 3.44:

The type of analysis discussed in this comment is outside the scope of the EIS. It should be noted that the Proposed Project has been designed to ensure that most residents would not be required to vacate their existing units until and unless their new units are ready for occupation. Additionally, the phasing of the Proposed Project would ensure that the replacement units for existing NYCHA residents would be provided first prior to any new affordable or market-rate units.

Comment 3.45:

The unit of measurement— “housing services”. For most goods, you can simply account for price per “something”—\$ per yard of rope, \$ per pounds of flour, etc., but housing is price per “quantity of housing services,” of which there is no standard measurement. A “unit” of housing services can mean a 250 square foot studio in Manhattan or a sprawling home on the Pacific coast. It can be a luxury condo with all the amenities in the hip part of Brooklyn or a shack with no running water. Hence, research that seriously examines the different relationships between properly segmented “housing services” is more useful. This flaw should also be a red flag for policymakers in New York City. Using studies looking at a national data full of single-family homes and to make conclusions about Manhattan development is misguided. When correctly viewing submarkets, the assumption that the cost of rent of new units does not matter, only that the units are built, is false when the goal is to expand affordable housing. The strongest case that supply effects will outweigh any induced demand, as found in Damiano and Frenier, is the idea of migration chains. This theory proposes that even luxury development helps take pressure off of lower-rent units by providing a preferred option for higher-income renters. The proposition is that the higher-income renter’s move to a higher rent unit allows a lower-income person to move into their old unit, which allows a lower income person to move into that person’s unit, and so on until the chain ends, but the decreased demand along the way causes lower prices... Mast is clear that when a migration chain ends, the indirect benefits, especially any impact on low-rent units, are prevented. With high vacancy and out-of-metro migration being the key contributors to the end of a migration chain, it is evident that if there are any neighborhoods where the research would expect chains to end early after construction of new units, Chelsea is one of them. The statement that

the new market rate units included in the Proposed Project would reasonably “address the shortage of affordable housing” is not founded on any empirical or theoretical basis. (Thompson)

Response 3.45: **As stated in the DSOW, “The purpose of the Proposed Project is also to facilitate the construction of additional affordable and market rate housing units to address the critical shortage of affordable housing and housing in general in New York City. The additional market rate housing will financially support the PACT portion and new affordable housing component of the project. The new affordable units would directly address the shortage by increasing New York City’s affordable housing stock while the new market-rate units would address the shortage by increasing the overall supply of housing in New York City.” The Purpose and Need of the Proposed Project does not claim to provide a complete solution to New York City’s ever-present housing crisis, but it does present an opportunity to provide a substantial amount of much-needed housing through a single project.**

Comment 3.46: We propose that the EIS not make an unsubstantiated assumption that the market rate units are addressing affordability by any appreciable magnitude whatsoever. Therefore, analysis of the impacts of the Proposed Project and alternatives should take seriously the differences on socioeconomic demographics and character of the community in each option. New York City is quickly becoming a city of “Haves.” While seeking an additional \$50 Million of funding from the Federal Choice Neighborhoods Initiative for the rehabilitation of FEC , NYCHA has stated that “the Fulton and Elliott-Chelsea community is one of only a few remaining bastions of deeply affordable housing in a community that has seen rapid changes and significant increases to the cost of living in New York City” We believe that this is correct, and there is no question that the Proposed Project will result in a future where this community remains the only affordable housing in the area and will increase white-nonwhite segregation in one of the least racially diverse and most segregated places in NYC. (Thompson)

Response 3.46: **See response to comments 3.32, 3.42 and 3.45.**

Comment 3.47: The DSOW found that the Proposed Project exceeded the threshold for indirect residential displacement and accordingly, an analysis of each alternative was warranted. As part of that analysis, the EIS should consider whether increasing the number of affordable units being built coupled with a combination of prioritizing applications from the existing NYCHA waiting list, applicants from the NYC shelter system and application of a community preference would be mitigation for indirect residential displacement. In addition, the EIS should consider whether making all newly built, non-NYCHA units be covered by rent stabilization would be mitigation for indirect residential displacement. (NYSOAG)

Response 3.47: **See response to comment 3.3.**

Comment 3.48: There was mention of impact related to SES [note: it appears SES is an abbreviation for socioeconomic status]. I think this needs to be explored further...

changing communities and gentrification has wonderful benefits, however, there will be negative impacts and how do we realistically prevent them? To me this means more diversity. The proposed plan, to me, does not have enough affordable units and having the lowest SES folks segregated into only 3 buildings does not seem like diversity and what will the quality of the buildings be in comparison to the buildings with market rate and mixed income units. The diversity of income and ethnicity is what really helped improve the quality of my life along with the condition of the unit and building. (M. Ortiz)

Response 3.48: See response to comment 3.37.

4. Community Facilities

Comment 4.1: School demand should include all planned development proposals within School District 2, not just the addition of the NYCHA Dwelling Units. (CB4)

Response 4.1: As noted in DSOW and in accordance with *CEQR Technical Manual* guidance, the EIS will analyze the effects of the Proposed Project on public schools in “Chapter 05.03: Community Facilities and Services”, using baseline projections of future school enrollment from the New York City Department of Education and School Construction Authority. Such projections account for a variety of factors including anticipated future development within the study area in addition to the Proposed Project.

Comment 4.2: Assess the impact of development on the cultural, racial, and economic diversity of schools in Chelsea. (CB4)

Response 4.2: An analysis of cultural, racial, and economic diversity of schools in Chelsea is outside the scope of the EIS. However, “Chapter 05.02: Socioeconomic Conditions” of the EIS will assess the potential socioeconomic impacts resulting from the Proposed Project. Additionally, as noted in the DSOW, the EIS will include an assessment of the indirect effects of increased student enrollment on public schools in “Chapter 05.03: Community Facilities and Services”.

Comment 4.3: Build a new school for PS33 Chelsea Prep Elementary School within one of the planned buildings as part of the redevelopment project, while considering factors such as space availability, infrastructure challenges of the existing building, and the educational needs of the local Community. Or allocate capital improvements funding for the PS33 to upgrade its building components in disrepair, such as auditorium, plumbing systems, bathrooms, and classroom interiors. (CB4)

Response 4.3: “Chapter 05.03: Community Facilities and Services” will analyze the potential for significant adverse impacts on school capacity pursuant to guidance in the *CEQR Technical Manual*. If the potential for significant adverse impacts is identified, then mitigation measures will be explored and reviewed with DOE and SCA to determine feasibility.

- Comment 4.4:** I would like the City of New York to consider below during scoping and during construction. Please include them in the ULURP points of agreement, or any other relevant documents. Allocate capital improvements funding for the PS33 Chelsea Prep Elementary School to upgrade its building components in disrepair, such as auditorium, plumbing systems and bathroom upgrades, and classrooms' interiors. (Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)
- Response 4.4:** **See response to comment 4.3.**
- Comment 4.5:** Maintain accessibility of the PS33 playground to the local community during weekends. (CB4)
- Response 4.5:** **The PS33 playground is located outside the Project Sites and is not under the jurisdiction of NYCHA or the PACT Partner. Therefore weekend accessibility of the playground will not be addressed in the EIS. Also, see response to comment 4.3.**
- Comment 4.6:** The EIS should also assess environmental impacts considering the closure of Beth Israel Hospital. Once closed, there will only be one emergency room below 23rd street. It is grossly inadequate access to hospital care to serve the existing and future population. (Law-Gisiko)
- Response 4.6:** **An analysis of health care facilities is warranted only where a proposed project would create a sizeable new neighborhood where none existed before. The HUD 24 CFR Part 58 Guidance Document, which advises on the preparation of environmental reviews under HUD's National Environmental Policy Act (NEPA) implementing regulations of 24 CFR Part 58 (Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities), indicates that analysis of emergency medical services would be limited to project locations which do not provide adequate access to police, fire and emergency medical services; which do not provide average response time for police, fire and emergency medical services in the area of the project sufficient to meet the needs of the project; and which do not provide the quality of the police, fire protection and emergency medical services available to the project adequate to meet project need. Regarding these criteria, the Project Sites are served by emergency medical care services including those operated by the Fire Department of the City of New York, Bureau of Emergency Medical Services (FDNY-EMS). FDNY EMS monitors and publishes average response times to emergencies, as required under Local Law 119 of 2013. The sufficiency of emergency medical response times are an issue that the City addresses comprehensively on an ongoing basis. It should be noted that the development alternatives for the Proposed Project include expanded medical office related uses (also referred to as health care).**
- Comment 4.7:** Public Health and Infrastructure - We request that the DEIS examine the need for more healthcare facilities, specifically community-based mental health, women's health, and hospital care. The proposal assumes that healthcare access is already adequate and outside the scope of this project. However, the healthcare system is

in-flux, and area residents will soon face diminished options with the closure of Mount Sinai-Beth Israel. We ask that the DEIS consider the population projections in the study area as a whole, and the need for hospital beds, OB/GYN care, and mental healthcare. Comprehensive, affordable mental healthcare will be critical in helping existing residents adjust to the massive changes imposed on their communities. (Epstein and Pahaham)

Response 4.7: See response to comment 4.6.

Comment 4.8: We strongly disagree that the proposal's potential to add 3,500 dwelling units will have no significant adverse impact on the community. (p.32) With the planned closing of Beth Israel Hospital, Chelsea will lose its closest and only remaining ER. The study must include the potential impact this will have on the community, and the capacity of the hospitals to the north and south who will absorb the population. (CB4)

Response 4.8: See response to comment 4.6.

Comment 4.9: Healthcare facilities should be included in both campuses, especially given the impact of the impending closure of Mount Sinai Beth Israel hospital on the area and services available to new residents should be studied as well. (Bottcher, et al)

Response 4.9: As noted in the DSOW, medical office space, aka, health care space, would be provided under the Proposed Project across both Project Sites, including approximately 13,785 gross square feet (gsf) under the Rezoning Alternative and approximately 12,046 gsf under the Non-Rezoning Alternative. Under the Midblock Bulk Alternative that is being added to the analysis, approximately 13,785 gsf also would be included.

Comment 4.10: I just want to make sure that there's more school space, fire department, police department...if you add more families, we're gonna get congested with lots of kids and they need and deserve a good education. (Acevedo)

Response 4.10: See response to comments 4.3 and 4.7.

Comment 4.11: They're knocking down projects and they promised something good...We paid for their duty...Are you going to pay additional services, police, the courts, the prisons and all of that. Spend the money and fix the houses. (Kremen)

Response 4.11: Comment noted.

Comment 4.12: How will children access the usual services that will be displaced, including daycare and after-school services? These issues must be examined in the DEIS, with mitigations proposed to protect health and maintain services. (Epstein and Pahaham)

Response 4.12: Under all alternatives identified as part of the Proposed Project, the existing Hudson Guild space that provides daycare and after-school services would be replaced in newly constructed buildings. The existing community facility space at the Fulton Houses Project Site operated by Hudson Guild would

move directly from the current space to the newly constructed space once the building is done. There would be minimal interruption in existing service provided by Hudson Guild. “Chapter 05.03: Community Facilities and Services” of the EIS will discuss the temporary relocation to on- and off-site spaces for the Elliott Center community facility at the Elliott-Chelsea Houses Project Site which will be identified and designed in coordination with the Hudson Guild leadership team. These temporary spaces would be provided to house the Elliott Center’s existing programming during construction.

Comment 4.13: I haven't heard anything about any spaces for job retraining or job search for youth or study halls or tutoring halls. Also the probably missed opportunity of having a commercial kitchen. I'm going to say school, but could be anything, where you're training the residents on how to cook so that they can be cooks or how they can wait so that you have the ability to groom people for the hospitality area. (Robinson)

Response 4.13: Comment noted. As noted in the DSOW, there would be an increase in space for community facilities/neighborhood center under both the Rezoning and Non-Rezoning Alternatives. Under the Rezoning Alternative, there would be a total of 144,082 gsf of this use, under the Non-Rezoning Alternative, this would be 175,007 gsf. As discussed in the DSOW, this would include neighborhood center, medical office, and daycare uses. The exact programming of these spaces would be determined at a later date based on a variety of considerations.

Comment 4.14: The Proposed Project calls for the demolition of the Hudson Guild’s physical community space. The DSOW alleges that new spaces will be sourced for those who depend on and are enriched by the services made available by the Hudson Guild. It is difficult to understand how permits are going to be obtained to ensure there are no lapses in these services. The EIS should fully and carefully analyze how the Hudson Guild will be able to effectively and safely continue valuable programming including (1) Early childhood, full-day, center-based child care, head start, and universal pre-kindergarten to 250 children aged two to four years, year-round; (2) Youth programming development and education, including after school programming for K-8 for 250 students from 2:30 PM to 6:00 PM; and (3) Mental health services with twelve social workers providing 8,000 sessions annually. (Thompson)

Response 4.14: “Chapter 05.03: Community Facilities and Services” of the EIS will provide a full analysis of the Proposed Project and its potential impacts to existing community facilities, including existing Hudson Guild community spaces. Under all alternatives identified as part of the Proposed Project, the existing Hudson Guild space that provides daycare and after-school services would be replaced in newly constructed buildings. The existing community facility space at the Fulton Houses Project Site operated by Hudson Guild would move directly from the current space to the newly constructed space once the building is done. During the initial stage of project construction, the Hudson Guild facilities in the Elliott Center would be temporarily relocated until

newly constructed space is completed. Thus, there would be minimal interruption in existing service provided by Hudson Guild.

Comment 4.15: Any temporary relocation of community facilities is significant and MCB4 strongly disagrees with the disregard for that displacement via the DSOW. (p.32) The current community facility, Hudson Guild, not only provides services across FEC, but also serves the larger Chelsea and Hell’s Kitchen community. Their work includes youth programs, after-school programs, senior citizen programs and supportive housing services, and is a vital provider of social and community services in the entire MCB4 district. Any disruption, fragmentation, or reduction in these services due to temporary relocation will have a negative impact on the community and should be studied. The current proposal seeks to temporarily relocate the Hudson Guild off-site from the Elliott-Chelsea campus during redevelopment. If alternative sites are explored and determined a requirement, proximity to the existing services must be within a two-block radius. (CB4)

Response 4.15: **See response to comment 4.14.**

Comment 4.16: We urge that the EIS study an alternative to building a new community facility prior to closing the existing facility. (CB4)

Response 4.16: **See response to comment 4.14 with regard to the temporary relocation of on-site community facility uses, which would occur under the Rezoning Alternative, Non-Rezoning Alternative, and Midblock Bulk Alternative. As noted in that response, there would be minimal interruption in existing service. Accordingly, as this is addressed in the analyses of other alternatives, a distinct alternative as urged in this comment will not be provided in the EIS.**

Comment 4.17: We ask that the Scope be revised to include an analysis of the potential impacts of the temporary relocation of on-site social services providers during the construction period. As the construction period is likely to last over a decade, any temporary relocation could last for a significant period. As the social services offered on site target particularly vulnerable on-site populations— children, the elderly, mental health services, after-school programming, disabled, etc.— temporary relocation has the potential to be very disruptive to these client populations. Further analysis of these impacts is warranted. (FEC Tenants Against Demolition)

Response 4.17: **See response to comment 4.14.**

Comment 4.18: When analyzing the changes to public space and possible indirect displacement caused by the Proposed Project, the EIS should consider the findings of the 2019 Community Service Society report, “New Neighbors and the Over-Policing of Communities of Color.” Even the non-rezoning alternative will result in the number of units on the FEC sites to nearly double. Given that over two-thirds of the new units will be market rate units (under either alternative) and that white residents are disproportionately represented among the population of NYC residents who will be able to afford these market rate units, the Proposed Project

will result in a large influx of white residents into the FEC communities. And the Proposed Project will result in subsidized and other affordable housing construction. If the trends noted in the report continue, FEC residents will likely face an increased number of complaints and resulting NYPD responses due to the Proposed Project. This effect may be exacerbated due to the changes in public space in the development sites. Whereas the outdoor common areas of FEC were previously available to residents of those developments, the Proposed Project will result in the creation of “privately owned public spaces.” In our experience, these spaces are often “public” in name only, and access to and/or enjoyment of them is heavily controlled. To the extent that the spaces are open to the public, this means that non-residents would have equal access to them as current residents. The effect noted in the report would have adverse consequences for the current residents in either case. Therefore, the EIS should seriously consider the warnings in the report, including these ones:

- “City-financed affordable housing is intended, in part, to help long-time residents of marginalized communities stay in the communities they call home. But if staying in these communities means facing a changing cultural landscape that doesn’t resemble the old one and increasingly places long-time residents at risk of heightened police engagement, then city housing policy has failed them.”
- “[E]ven in the absence of an official enforcement action, heightened police engagement that comes with new housing development is part of a broader cycle of disruption and displacement. While the cycle may be triggered by new development and the residential mobility of more affluent residents, it is also fueled by quality-of-complaints that bring more police into communities and leave low-income New Yorkers of color facing more and more police encounters in the neighborhoods they call home—while they can still afford to.” (Thompson)

Response 4.18: **As noted in the DSOW, analyses of socioeconomic conditions, community facilities, and open space are within the scope of and will therefore be included in the EIS. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Comment 4.19: According to the DSOW, about 1,936 FEC households will remain in their homes during the 16 years of construction that will complete the Proposed Project. Under each Proposed Project alternative, NYCHA has authorized the PACT Partner to make improvements “including enhanced security, increased pest control, and proactive maintenance of heating systems.” The DSOW does not mention what, if anything, the PACT Partner or NYCHA would do over the next 16 years to remedy the myriad other serious conditions that residents currently face, including leaking roofs, mold, defective plumbing, crumbling facades, elevator outages, inadequate heat, and lead paint exposure. Poor housing conditions have significant impacts on physical and mental health, especially for children and the elderly. They are also a driver of displacement. Other than the vague statement regarding “improvements” quoted above, NYCHA and the PACT Partner have not published any

commitments regarding what steps they plan to take to ensure that those remaining in FEC during a lengthy estimated construction period have safe and healthy homes. Their commitments must include the investment needed to bring FEC homes into compliance with the standards set by local, state, and federal regulations in the next few months and to maintain those conditions during the EIS process and beyond. Even assuming the project remains on schedule, infants born to current residents will nearly reach adulthood before the development is complete. Unless an adequate plan is put in place, these children will spend their entire childhood living in hazardous conditions, with a demonstrated adverse effect on their health, while a multi-billion-dollar development is constructed next door. Similarly, unless NYCHA and the PACT Partner establish an adequate plan, many residents may feel that they have no choice but to move to protect their families before the development is complete. Such results would be unconscionable. Therefore, when analyzing the various alternatives, the EIS should identify the full array of repairs needed over the life of the project to ensure residents' health and safety. (Thompson)

Response 4.19:

As noted in the DSOW, NYCHA has authorized the PACT Partner to undertake improvements at the Project Sites' existing buildings, including enhanced security, increased pest control, and proactive maintenance of heating systems, intended to improve the safety, security, living conditions, and quality of life for public housing residents prior to the completion of the NYCHA replacement buildings under the Proposed Project. These improvements - referred to as the "Maintenance and Operations Improvements at Fulton, Elliott, Chelsea, and Chelsea Addition Houses" project. are not contingent upon completion of the environmental review and approval process for the Proposed Project. As such they are outside the scope of the EIS. These improvements [and routine maintenance and repairs] would not fully remedy the serious deterioration that is the root cause of many of the building conditions but would ameliorate existing deficiencies. As to the duration of time for replacement of existing buildings, as discussed in Chapter "05.19 Construction" of the DEIS, although the overall construction period for the Proposed Project is 16 years, the period required to replace the existing buildings is shorter, depending on the specific alternative selected. The existing buildings would be fully replaced in six years (Rezoning Alternative or Midblock Bulk Alternative) or nine years (Non-Rezoning Alternative) from start of project construction in 2025. The additional affordable and market rate buildings would be completed later, with the last building to be completed in 2041.

Comment 4.20:

We additionally ask that the Scope include an analysis of the impact on local schools and other community facilities from the likely increase in income the development is likely to bring, and what impact that increase might have on funding the schools and community facilities may currently be receiving based on the existing low-income community and presence of public housing. Further analysis of potential loss of Title I and other related funding to these community services is essential. (FEC Tenants Against Demolition)

Response 4.20: See response to comment 4.3. “Chapter 05.03: Community Facilities and Services” will provide analysis of the Proposed Project and its potential impacts to the existing community facilities, including schools in the study area. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. Studying the potential for loss of funding is outside the scope of the EIS.

Comment 4.21: Study how the potential displacement of families will impact school enrollment, which is tied to funding, at two or more elementary schools in Chelsea. Assess how a potential loss of funding will affect enrollment through the study period, including if new development occurs, and assess the implications of school enrollment with the potential addition of approximately 3,500 new housing units. (CB4)

Response 4.21: As noted in the DSOW, the project would be staged so that approximately 94% of new units would be completed before the occupied units they replace are vacated. This approach allows most NYCHA residents to remain in existing buildings until the replacement buildings are ready for occupancy. “Chapter 05.03: Community Facilities and Services” of the EIS will provide an analysis of community facilities and the potential impacts from the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. The number of children in the up to 120 households (6% of the total) that would be affected by temporary relocations and that therefore may potentially relocate to other schools is minimal. Based on generation rates prescribed in the *CEQR Technical Manual* for Manhattan CD4, 120 households would generate six elementary and intermediate school students. However, of the two affected buildings, only one, existing Fulton 11, houses families while the other, Chelsea Addition, is a senior building. Given that Fulton 11 has 36 DUs, the actual number of elementary and intermediate school students based on the rates would be estimated at one student.

Comment 4.22: Please add the word guarantee when referring to the return of Hudson Guild, as you do when you are referring to residents. (CB4)

Response 4.22: Comment noted.

5. Open Space

Comment 5.1: Any building moving forward should incorporate green and cool roofs as this is now the minimum standard in sustainable building. (CB4)

Response 5.1: The Proposed Project would comply with all relevant laws, including New York City Local Laws 92 and 94. Also, as noted in the DSOW, “Chapter 05.15: Greenhouse Gas Emissions and Climate Change” of the EIS will discuss relevant measures to reduce energy consumption and GHG emissions

that would be incorporated into the Proposed Project. Also, some rooftop areas would provide terraces as accessory open spaces for building residents.

Comment 5.2: Implement Green Roofs. These would give residents urban green space in a neighborhood with hardly any. Perhaps more importantly, these spaces will provide clean, open areas to help mitigate the short-lived climate pollutants in an area that registers some of the worst air pollution in the city. (CB4)

Response 5.2: See response to comment 5.1.

Comment 5.3: Of major importance is the implementation and integration of Green Roofs for wider energy reduction options. It must be examined how green roofs affect urban energy consumption and climate conditions, reducing energy consumption and costs significantly in the proposed development area. (CB4)

Response 5.3: See response to comment 5.1.

Comment 5.4: The proposed plans must design for and plant a robust street and campus tree canopy and provide connectivity throughout the campus with a pedestrian-oriented design with vibrant, safe, and well connected outdoor spaces. (CB4)

Response 5.4: Accessory open spaces would be provided under the Proposed Project and preliminary plans for these will be discussed in the EIS. Further, it should be noted that as part of New York City's Builder's Pavement Plan process, new buildings developed under the Proposed Project would be required to comply with street tree requirements. The EIS will include an analysis of Urban Design, Open Space, and Natural Resources in “Chapter 05.07: Urban Design and Visual Resources”, “Chapter 05.04: Open Space” and “Chapter 05.08: Natural Resources” respectively. If the potential for significant adverse impacts are identified, then mitigation measures will be explored. NYCHA and the PACT Partner will work with resident committees on site to further the design and programming of the outdoor spaces.

Comment 5.5: The summary does not explicitly mention the fate of the basketball court on the Fulton Houses Campus. Please include. (CB4)

Response 5.5: “Chapter 05.04: Open Space” of the EIS will include information and discussion on existing accessory open space facilities and preliminary plans for the proposed accessory spaces. Although the open space design is still evolving, and specific features are subject to change and therefore should be considered illustrative, it is expected that the Proposed Project would include a basketball court on the Fulton Houses Project Site, in addition to other open space amenities. The PACT Partner anticipates working with residents of the site to determine the best location for this basketball court in the Proposed Project.

Comment 5.6: Specifically concerned with young people and elders, the loss of public green spaces and play spaces. (Cahill)

- Response 5.6:** See response to comments 5.4 and 5.5. Additionally, the open space analysis that will be provided in the EIS will include data on the age distribution of the open space indirect effects study area and will consider the open space needs associated with different age groups. The design of the new accessory open space will result in more usable open space for the residents of the Project Sites than the existing condition.
- Comment 5.7:** It seems like there's a lot less greenery, but I'm hoping that there are also spaces where they can be entertained or they can interact with each other so that they're not isolated, because I think isolation, especially for the elderly, is very important to not have. (Robinson)
- Response 5.7:** As noted in the DSOW, “Chapter 05.04: Open Space” and “Chapter 05.08: Natural Resources” in the EIS will analyze the potential impact of the Proposed Project on open space and natural resources. The new open space provided on site is anticipated to be more usable for the residents of the Project Sites than the existing condition.
- Comment 5.8:** I think you would be better off to take care of the maintenance, to make some improvements, to keep the gardens that we already have there because we have a number of garden areas -- I'm talking about Elliott Chelsea Houses. (Toerock)
- Response 5.8:** As noted in the DSOW, the EIS will include both the study of the No Action Alternative as well as an analysis of the Proposed Project’s potential impact on open spaces. NYCHA and the PACT Partner plan to work with residents to best program the outdoor spaces, including gardens.
- Comment 5.9:** The proposed plan will impinge on green and open space that is exclusively set aside for NYCHA residents. What green space now exists will be “shared” with the majority population of renters at market-rate (3,500 total units of which 875 will be “affordable” vs. the current 2073 NYCHA residents)...Handing land intended for NYCHA public housing to for-profit developers will neither solve the New York City housing crisis nor benefit the current NYCHA residents. Instead, it will take away precious green and open space and, given the height of proposed buildings, direct sunlight from NYCHA residents to whom it rightfully belongs. (Dr. Williams)
- Response 5.9:** As discussed in the DSOW, the purpose and need for the Proposed Project is to improve the quality of life and housing stability for existing public housing residents of the Fulton and Elliott-Chelsea Houses. It would do so by constructing new Section 8 PBV DUs for all existing residents, while also preserving permanent affordability and residents' rights under the PACT program. The purpose of the Proposed Project is also to facilitate the construction of additional affordable and market rate housing units to address the critical shortage of affordable housing and housing in general in New York City. The market rate housing will financially support the PACT portion and new affordable housing component of the project. The new affordable units would directly address the shortage by increasing New York

City's affordable housing stock while the new market-rate units would indirectly address the shortage by increasing the overall supply of housing in New York City. The Proposed Project would also facilitate the development of improved community facility and commercial space for the benefit of NYCHA residents and the surrounding community. Open space created as a result of the Proposed Project would be accessible to all residents of the campuses and will be designed to be more usable than the existing open space on the Project Sites. "Chapter 05.04: Open Space" of the EIS will analyze the potential impacts from the Proposed Project on open space. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. See also response to comment 5.4.

Comment 5.10: CRDC acknowledges the potential issues associated with creating infill structures and overbuilding open space, fearing the adverse consequences the increased density may pose, including loss of open space, air, light, and recreational space. (CDRC)

Response 5.10: "Chapter 05.05: Shadows," "Chapter 05.04: Open Space," and "Chapter 05.14: Air Quality" of the EIS will analyze the potential impacts of incremental shadows that would be introduced through the Proposed Project as well as potential impacts on access to open space and light and the potential for reduced air quality.

Comment 5.11: We ask that the Scope include a specific analysis of the impact of the loss of existing green space on the sub-area of the proposed development site. The existing green space is currently exclusively used by the existing public housing residents—creating a lively open space community area that is actively used by the current residents. The proposed development would move all existing units to a small subsection of the current development grounds, with a greatly reduced green space area remaining for use by the current public housing residents. The impact of the drastic reduction of the open space community areas currently available to and consistently utilized by the current development residents must be analyzed. (FEC Tenants Against Demolition; CB4)

Response 5.11: As noted in the DSOW, "Chapter 05.04: Open Space" of the EIS will analyze the potential impact of the Proposed Project on open space. This chapter will include a description of how open space is defined and the methodology for analysis under the *CEQR Technical Manual*.

Comment 5.12: MCB4 objects to the presumption that "a detailed open space analysis is warranted for the residential population only." (pg. 35) (CB4)

Response 5.12: "Chapter 05.04: Open Space" of the EIS will analyze open space for both residential and non-residential populations within the study area, pursuant to screening thresholds specified in the *CEQR Technical Manual*. If the potential for significant adverse impacts is determined, then mitigation measures will be explored.

Comment 5.13: The environmental assessment should include the impact of any change in the open space, not just on residents, but on the entire Chelsea community. The open space evaluation should distinguish between usable open space, such as plazas and playgrounds, and other spaces, and unusable open space, such as lawns that are fenced off and not accessible to residents or the public. Any change in open space should come with a study of the impacts of replacing open space with heat absorbing materials, and the impact of tree loss on carbon absorption. In order to mitigate construction impacts to open space in the developments, the applicant should make every effort to maintain access to some open spaces and commit to providing temporary open spaces that are planned in consultation with the community. (Bottcher, et al)

Response 5.13: See response to comments 5.11 and 5.12.

Comment 5.14: We find the maps on p.36 of the DSOW insufficient to determine how much open space will be lost to the proposed development. Please provide more detailed maps which acknowledge existing open space within the project footprint. (CB4)

Response 5.14: **Comment noted. Maps showing on-site open space will be provided in Chapter 0.5.04 “Open Space” of the DEIS.**

Comment 5.15: EPA acknowledges that the scoping materials mention that land use will be discussed in the scoping document. Greenspace has many environmental, economic, social, and psychological benefits. The DEIS should compare the change in greenspace between alternatives. (EPA)

Response 5.15: **As noted in the DSOW, for each of the analyzed alternatives on-site accessory open space to be provided as part of the Proposed Project will be included in the qualitative assessment to be provided in “Chapter 05.04: Open Space” in the EIS. The design of the new accessory open space will result in more usable open space for the residents of the Project Sites than the existing condition.**

6. Shadows

Comment 6.1: During scoping period, provide detailed daylight and sun studies for each alternative plan with the effect on PS33 classrooms, rooftop and school yards. The 39-story building would block natural light from our school building. Natural light is very important for students’ health and wellbeing. We would like the new buildings to the south of the school to be low-rise so that it limits the shadowing effect. In addition, we would like the building materials to be something that does not create adverse effects such as glare. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji; CB4)

Response 6.1: **Following the guidance of the *CEQR Technical Manual*, the EIS will study the Proposed Project’s potential shading impacts on school yards and rooftop open spaces but not on school classrooms. According to the *CEQR Technical Manual*, “sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource’s usability or architectural integrity.” Under this definition, school**

classrooms are not considered to be sunlight-sensitive resources warranting detailed shadows analyses. More information and discussion of potential impacts from shadows will be provided in “Chapter 05.06: Shadows” of the EIS. The PACT Partner plans to engage NYC Department of Education (DOE) and PS 33 to ensure a good working relationship throughout this project.

Comment 6.2: I've found that they are planning to build housing on the parking lot that faces the south end of the 422 w 20th Building- which may negatively impact livelihood (blocking sunlight) and housing values...Doing so will block sunlight for occupants of the adjacent building to a point where it's not sustainable for occupants. And will block off sunlight for relevant greenery in that area as well - which has environmental impact... Would be preferable if they just make the existing building taller when reconstructing instead of building on the parking lot which will cut off sunlight for all south facing units. (Kim)

Response 6.2: As noted in the DSOW, the potential impact of incremental shadows of the Proposed Project on sunlight sensitive open spaces, historic resources, and natural resources will be studied in “Chapter 05.05: Shadows”, of the EIS. Apart from these sunlight sensitive resources, an analysis of the effects of shadows on private property is outside the scope of the EIS.

Comment 6.3: The Ninth Ave blocks, 18th to 20th Streets are lined on the east side with historic three and four-story townhouses with local shops at the ground floors. The NYCHA plan currently intends to build non-contextual high-rise buildings of 37 and 39 stories, directly opposite these 19th century houses on the Avenue, dooming them permanently to a life in shadow. If towers must be built, they should be located as now, in the middle of the blocks. (CB4)

Response 6.3: See responses to comments 6.2, regarding shadows, and 1.27, regarding the Midblock Bulk Alternative being added to the FSOW and that will be analyzed in the EIS.

Comment 6.4: In the NYCHA Plan the 19th Street seven story building that backs up onto the rear yards of the famous Cushman Row is slated to be demolished and replaced with an 11 story building, (plus mechanicals) which will block light and air from the south facades and rear yards of 402 through 424 W 20th Street, especially in the long winter months as the sun passes low on the horizon. This is a major degradation of the historic block, permanently obliterating a feature these houses have enjoyed for nearly 200 years. (CB4)

Response 6.4: See response to comment 6.2. It should be noted that, per *CEQR Technical Manual* guidance, the analysis of shadows to be provided in the EIS does not include private open space. Per Chapter 8, Section 100, in its definition of private open space, resources that are not subject to shadows analyses include, “open spaces that are not publicly accessible such as front and back yards.”

Comment 6.5: Since the proposed new construction will create buildings up to 39 stories (over 50 feet in height), over three times the height of many existing structures, the EIS must examine the shadow consequences. It can do this in three phases, the need for the second dependent on findings in the first, the need for the third dependent on findings in the second. If the findings of the assessments necessitate it, the EIS must elaborate mitigation measures. (CB4)

Response 6.5: As noted in the DSOW, “Chapter 05.05: Shadows” of the EIS will include an analysis of shadows following guidance as described in the *CEQR Technical Manual* and if the potential for significant impacts is identified, mitigation measures will be explored.

7. Historic and Cultural Resources

Comment 7.1: Elliott-Chelsea houses “are eligible for listing on the State and National Registers of Historic Places” p37. I think this is important to consider and perhaps mitigation includes not all buildings being demolished. (M. Ortiz)

Response 7.1: An analysis of historic and cultural resources will be included in the EIS in “Chapter 05.06: Historic and Cultural Resources”, including any buildings that are eligible for listing on the State and National Registers of Historic Places. The New York State Office of Parks, Recreation, and Historic Preservation has determined that Elliott-Chelsea Houses complex is eligible for listing on the State and National Register of Historic Places and, accordingly, the EIS will address the potential for the Proposed Project to result in significant adverse impacts on the Elliott-Chelsea Houses complex. A Section 106 Process in coordination between NYCHA, HPD, and the State Historic Preservation Office is also underway concurrently with the preparation of the EIS. The Section 106 process will identify historic resources potentially affected by the undertaking and consider whether there are any feasible alternatives that will avoid, minimize or mitigate any adverse effects on historic resources. This alternatives analysis will be included in the EIS.

Comment 7.2: I want to make sure that our residences on the historic district around 20th Street are part of the conversation because they will be affected so please have someone reach out to them so they know what's going on. (M. Ortiz)

Response 7.2: “Chapter 05.06: Historic and Cultural Resources” will analyze potential impacts that may occur as a result of the Proposed Project, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 7.3: Ultimately, the buildings proposed for demolition are monuments to a time where NYCHA stood against prevailing winds, and any project to replace these monuments should honor that original effort. NYCHA’s developments in Chelsea were historic for being unlike any development the federal government had ever constructed. The Proposed Project returns this historic block to a state of

conformity, demoting it to serve as no more than an appendage of the nearby Hudson Yards. (Thompson)

Response 7.3: See response to comment 7.2.

Comment 7.4: Two important groups of Greek Revival row houses may be particularly impacted by the project options and deserve additional consideration: Cushman Row at 408-418 West 20th Street; and the group of houses at 437-459 West 24th Street...We ask that the areas where project alternatives rise into the zone of visibility above the rooflines of these two groups are highlighted, applying a line of sight from six feet above the far side of their opposite sidewalks. (CB4)

Response 7.4: See response to comment 7.2.

Comment 7.5: Within the No-Action Alternative, NYCHA should apply for historic designation of Elliott-Chelsea Houses. This action would allocate public monies to the rehabilitation of Elliott Chelsea houses while honoring the history of these buildings. (Ferreira)

Response 7.5: **Comment noted. An analysis of financial underwriting associated with the Proposed Project, including obtaining Historic Tax Credits, is outside the scope of the EIS.**

Comment 7.6: The analysis must provide three-dimensional aerial views of the project options and surrounding areas highlighting these and including all buildings within a 400-foot radius of the project sites. This would be helpful in understanding the impact of design options on these historic resources. Apply shadow studies described under Section F.4.5 to the 3D images. (CB4)

Response 7.6: **“Chapter 05.07: Urban Design and Visual Resources” will provide an analysis of 3D renderings of the Proposed Project from the pedestrian level and “Chapter 05.05: Shadows” will analyze the effects of shadows on sunlight-sensitive resources. If the potential for significant adverse impacts is identified, mitigation measures will be explored.**

Comment 7.7: Cushman Row is also in the area of the Chelsea Historic District that is contiguous with the Fulton Houses development site. Provide an action plan showing how buildings in this zone will be protected from construction impacts including vibration and increased flood risk from loss of permeable ground surface. (CB4)

Response 7.7: **As the Fulton Houses Project Site is within 90 linear feet of the LPC-designated Chelsea Historic District, the Proposed Project would be subject to the New York City Department of Building's Technical Policy & Procedure Notice #10/88. Pursuant to TPPN #10/88, a Construction Protection Plan (CPP) would be provided and approved by the New York City Landmarks Preservation Commission (LPC) prior to construction of the Proposed Project. The CPP would address, among other things, construction-related vibration mitigation measures during the course of the Proposed Project in order to avoid potential significant adverse construction-related impacts to the adjacent landmarked structures. “Chapter 05.06: Historic and Cultural**

Resources” and “Chapter 05.19: Construction” of the EIS will discuss this in further detail.

Comment 7.8: One of the greatest potential impacts on historic resources is their visual diminishment by incongruously large new neighbors. To aid in evaluation of this, provide photomontage street views of all project-adjacent streets and avenues from opposite compass points showing the full project frontages on both sides. For the Elliott-Chelsea alternatives: also provide views facing 437-459 West 24th Street from the far side of the opposite sidewalk; and facing north from the intersection of Tenth Avenue and West 24th Street. For the Fulton Houses alternatives: also provide views facing Cushman Row on West 20th Street from the far side of the opposite sidewalk; facing south from the intersection of Ninth Avenue and West 21st Street; and facing north from Ninth Avenue below West 15th Street capturing the Ninth Avenue frontages of Chelsea Market and 111 Eighth Avenue. (CB4)

Response 7.8: **“Chapter 05.07: Urban Design and Visual Resources” will include photomontage street views as necessary to evaluate potential significant adverse Urban Design and Visual Resource impacts from the Proposed Project.**

Comment 7.9: The DEIS also states all Elliott-Chelsea buildings are eligible for State and National Register of Historic Places (S/NR eligible). We ask to Include studies of how certain portions of that campus can be gut renovated and retained and provide contributions to project financing through use of Historic Preservation Tax Credits. (CB4)

Response 7.9: **This type of analysis will be included in “Chapter 05.06: Historic and Cultural Resources” of the EIS.**

Comment 7.10: EPA encourages early consultation with New York State Historic Preservation Office in the process of considering impacts to cultural resources. (EPA)

Response 7.10: **In compliance with Section 106 of the National Historic Preservation Act, NYCHA and the PACT Partner are in consultation with the New York State Historic Preservation Office regarding potential impacts to cultural resources.**

Comment 7.11: If there are federally recognized Tribes that are expected to be affected by the activities described in the Draft EIS, we recommend the Draft EIS include a description of the process and outcomes of consultations with tribal governments. (EPA)

Response 7.11: **In compliance with Section 106 of the National Historic Preservation Act, NYCHA and the PACT Partner are in consultation with all potentially impacted federally recognized Native Nations regarding potential impacts to cultural resources.**

8. Urban Design and Visual Resources

Comment 8.1: All the empty land you have to fill whatever the neighborhood is now would be unrecognizable. (Hasselpport)

Response 8.1: **As noted in the DSOW, “Chapter 05.07: Urban Design and Visual Resources” of the EIS will analyze the effects that may occur as a result of the Proposed Project, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Comment 8.2: View considerations should be made from sidewalks, the High Line, and current residences in West Chelsea specifically for the Empire State Building and Hudson River. (CB4)

Response 8.2: **See response to comment 8.1.**

Comment 8.3: Provide photographs of residential Manhattan streetscapes with buildings of similar scale to the proposed alternatives, including Sixth Avenue between West 24th and 28th Streets, and Third Avenue between East 58th and 65th Streets, indicating the height of shown buildings over 25 Stories. (CB4)

Response 8.3: **The specific materials requested in this comment are outside the scope of the EIS and will not be provided in the EIS for the Proposed Project. However, in accordance with *CEQR Technical Manual* guidance, “Chapter 05.07: Urban Design and Visual Resources” will provide ground-level photographs from a pedestrian’s eye level of the Project Sites and study area with the immediate context and photographic three-dimensional representation of No-Action Alternative and each of the development alternatives.**

Comment 8.4: Provide Sustainable Design Criteria and design for the entire development in both project locations. (CB4)

Response 8.4: **This comment is outside the scope of the EIS. However, related information about sustainability related requirements applicable to the Proposed Project will be discussed in “Chapter 05.15: Greenhouse Gas Emission and Climate Change” of the EIS.**

Comment 8.5: The buildings should be designed with street level retail, amenities, and community facilities that the current campuses are lacking... (Bottcher, et al)

Response 8.5: **The Proposed Project includes ground floor retail, office, and community facility spaces.**

9. Natural Resources

Comment 9.1: Required study of this topic [natural resources] will occur. (CB4)

Response 9.1: **Comment noted.**

10. Hazardous Materials

Comment 10.1: Similarly, we ask that the DEIS examine the impact of the project staging and long buildout period on children in the entire study area. How will the construction affect their health, specifically, what is the risk of their exposure to lead, construction debris and dust, and any VOCs? How will exposure to harmful contaminants, to noise, and vibration affect their long-term learning? (Epstein and Pahaham)

Response 10.1: As noted in the DSOW, “Chapter 05.09: Hazardous Materials” of the EIS will analyze effects that may occur as a result of the Proposed Project, and “Chapter 5.19: Construction” will take into consideration potential impacts such as air quality, noise and vibration, hazardous materials, and transportation. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. All staged demolition and construction on the Project Sites will be subject to applicable legal requirements related to abatement and remediation of lead-based paint, asbestos, and any other hazardous materials and contamination.

Comment 10.2: There is evidence of lead in and beneath painted surfaces in many of the apartments within the Project Sites. A federal monitor is actively involved in getting the problem resolved. Mold is likely to exist behind every wall that covers water pipes and drainpipes because of the history of leaks throughout nearly every building. These are hazardous materials whose impacts should be specifically identified along with the health risks that they pose in each of the four alternative scenarios presented in the EIS. (CB4)

Response 10.2: See response to comment 10.1.

Comment 10.3: The risks are greatest in the demolition phase of the Proposed Project because of the amount of dust and debris that will be produced. This is a long-term condition that will exist for many years and should be addressed with enhanced air quality monitoring, netting, and proper waste storage and disposal. (CB4)

Response 10.3: See response to comment 10.1.

Comment 10.4: The demolition contractors who work on the demolition phase of the Project must adhere to the protocols that recognize the dangers that might exist in the water tanks that they will be deconstructing. (CB4)

Response 10.4: See response to comment 10.1.

Comment 10.5: Noise, vibration, and dust generated from demolition, excavation, and on-site construction activities should be carefully considered. Care must be taken when disturbing existing buildings and or soil during excavation. If testing determines that hazardous materials are present at the site, several mitigation efforts should be implemented. Air monitoring equipment should be installed both upwind and downwind of the site to continuously check that hazardous materials are not becoming airborne above safe limits. If airborne levels approach thresholds that

are cause for concern, work should stop immediately, and additional controls should be put in place before allowing the work to resume. All contaminated soil, building materials or debris removed from the site should be properly contained, transported, and disposed of at an appropriate facility and nearby residents should be informed about any necessary remediation activities taking place and necessary safety measures. (Bottcher, et al)

Response 10.5: **See response to comment 10.1.**

Comment 10.6: The Proposed Project involves the demolition of 22 existing public housing buildings that... likely all have lead and asbestos. The DSOW makes no mention of these hazardous materials or how they will be disturbed during demolition. A construction analysis is required for hazardous materials when the construction activities would disturb a site. (CEQR Chapter 22, Section 200). The EIS must “consider the possible construction impacts that may result from that contamination and identify measures to avoid impacts.” (CEQR Chapter 22, Section 310). Even if there would not be significant impact, there must still be an assessment. (NYSOAG)

Response 10.6: **See response to comment 10.1.**

Comment 10.7: The EIS must include a discussion of a relocation program for tenants to reduce related air pollutant emissions on them. This strategy must be analyzed in the EIS and include all procedures and protections that will be afforded tenants who need to move due to the construction. The program should provide tenants with the opportunity to apply for relocation either based on medical need or other criteria. NYCHA tenants must be provided with an opportunity to mitigate the harms from construction and those tenants who request temporary relocation must be provided with the same protections and benefits that other tenants who are being forced to temporarily relocate are receiving. (NYSOAG)

Response 10.7: **See response to comment 10.1, 3.3, and 3.4.**

Comment 10.8: Identification of the pollutants and sources of concern: Consider whether the pollutants and sources of concern pose a particular hazard to children’s health (for example, lead or other heavy metals, asbestos, or air pollution from near roadway exposures). (EPA)

Response 10.8: **As noted in the DSOW, air quality analysis will be provided in EIS “Chapter 05.14: Air Quality” and the potential for air quality impacts related to construction will be provided in EIS “Chapter 05.19: Construction”. In addition, potential impacts related to hazardous materials will be provided in EIS “Chapter 05.09: Hazardous Materials” and hazardous materials impacts related to construction will be provided in EIS “Chapter 05.19: Construction”. The DEIS will apply generally accepted federal, state, and city thresholds to determine potential impacts and identify mitigating measures, including standards formulated to protect sensitive populations or sensitive locations.**

Comment 10.9: An asbestos remediation plan should be instituted, and an emergency exposure plan should be prepared for all residences within the 1/2-mile radius. (CB4)

Response 10.9: **The Proposed Project would comply with all applicable regulations on the investigation, and removal and disposal of asbestos containing materials, should they be encountered, during staged demolition of buildings on the Project Sites. These regulations ensure the protection from asbestos exposure of residences in the vicinity of abatement activity.**

Comment 10.10: Exposure Assessment: Describe the relevant demographics of affected neighborhoods, populations, and/or communities and focus exposure assessments on children who are likely to be present at schools, recreation areas, childcare centers, parks, and residential areas in close proximity to the proposed project, and other areas of apparent frequent and/or prolonged exposure. (EPA)

Response 10.10: **Demographics relevant to assessing potential impacts of the Proposed Project to schools, recreation areas, childcare centers, parks, and residential areas will be analyzed in the applicable EIS chapters (such as “Chapter 05.03: Community Facilities and Services”; “Chapter 05.04: Open Space”; “Chapter 05.05: Shadows”; “Chapter 05.19: Construction”).**

11. Water and Sewer Infrastructure

Comment 11.1: Mitigation for protecting against flood water intrusions as well as surge removal plans and systems for stormwater retention, bioswales, and permeable building materials vs. the current standard should be incorporated in the EIS. (CB4)

Response 11.1: **“Chapter 05.10: Water and Sewer Infrastructure” and “Chapter 05.15: Greenhouse Gas Emissions and Climate Change” of the EIS will analyze potential wastewater and stormwater effects that may occur as a result of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. As will be discussed in the EIS, the Proposed Project is required to comply with the Uniform Stormwater Rule in coordination with the New York City Department of Environmental Protection (DEP). The Unified Stormwater Rule provides a comprehensive, citywide stormwater management policy for public and private development and requires that new developments. Also, as required by the NYC Construction Code, a Stormwater Pollution Prevention Plan (SWPPP) would be provided as part of the construction process for the project to address erosion control measures and water quality treatment in accordance with applicable regulations during both the construction and post-construction stages.**

Comment 11.2: Incremental demand is below the CEQR threshold of 1,000,000 gallons but is not insignificant as part of our overall district’s potable water use. The study should still take up the demand, given the change in demand for local infrastructure. (CB4)

Response 11.2: “Chapter 05.10: Water and Sewer Infrastructure” of the EIS will discuss increases in the demand for water as a result of the Proposed Project and evaluate potential impacts.

Comment 11.3: The need to assess wastewater and stormwater conveyance systems is not just incremental assessment, but an evaluation of additional water demand and therefore additional available capacity of the North River Plant. The Plant takes 125 million gallons per dry day, but as much as 340 million gallons on wet days. Its design capacity is 170 million gallons per day. Keeping storm water, even incremental amounts, away from the plant is necessary and should be studied. (CB4)

Response 11.3: See response to comment 11.1 and 11.2.

Comment 11.4: As the proposed project is not far from the estuary, we require an evaluation of diverting stormwater away from the sewage system, including piping it into the estuary should this happen. (CB4)

Response 11.4: See response to comments 11.1 and 11.2.

12. Solid Waste and Sanitation Services

Comment 12.1: DSOW section F.4.11 - Add the following: "If the project would lead to substantial new development resulting in 50 tons of solid waste generation per week, assess whether additional trucks or other sanitation services would be required." (Grunin)

Response 12.1: This edit has been incorporated into the FSOW.

Comment 12.2: DSOW section F.4.11 - Add the following:

“The review should consider whether the proposed project would materially conflict with the following:

- Adherence to the hierarchy of preferred solid waste management, which places waste prevention first, followed by reuse, recycling, or composting, derivation of energy from non-recyclable waste in an environmentally acceptable way, and disposal by landfilling.
- Implementation of the New York City Recycling Law (Local Law 19 of 1989), amended.
- Any element of the SWMP, including a significant delay in achieving one or more milestones identified in the SWMP.” (Grunin)

Response 12.2: This edit has been incorporated into the FSOW, with the addition of text, consistent with *CEQR Technical Manual* guidance, that these items should only be addressed if more detailed analysis is warranted, as indicated by a project that would generate 50 tons of solid waste per week or more.

Comment 12.3: DSOW section F.4.11 - Delete "total increases." (Grunin)

Response 12.3: The phrasing related to this text has been revised as requested in the FSOW.

- Comment 12.4:** DSOW section F.4.11 - "The Rezoning Alternative and Non-Rezoning Alternative are expected to result in solid waste generation levels which exceeds the 50-tons per week screening threshold..." (Grunin)
- Response 12.4:** **The phrasing related to this text has been revised as requested in the FSOW.**
- Comment 12.5:** DSOW section F.4.11 - Delete "to conduct a conservative analysis." (Grunin)
- Response 12.5:** **The phrasing related to this text has been revised as requested in the FSOW.**
- Comment 12.6:** DSOW section F.4.11 - "To conduct a conservative analysis, this chapter will provide an estimate of the additional solid waste expected to be generated by the Project Sites based on an estimate using Table 14-1 of the *CEQR Technical Manual*..." (Grunin)
- Response 12.6:** **The phrasing related to this text has been revised as requested in the FSOW.**
- Comment 12.7:** DSOW section F.4.11 - Don't understand the third bullet ("Describe existing solid waste pickup and carting practices and how these may shift in for each of the development alternatives due to the implementation of pursuant to zoning changes.") (Grunin)
- Response 12.7:** **The phrasing related to this text has been revised for clarity in the FSOW.**
- Comment 12.8:** The increased number of HU's will cause a significant increase of waste. Therefore, the EIS must include:
- Current and anticipated waste generation.
 - Mitigation measures to minimize waste at the point of generation, increasing the amount of waste that will be recycled, mandatory onsite composting, also increasing the capacity of the local waste management infrastructure that will likely be overburdened by this project, not limited to carting services, timing of pick-ups and sealed trash containers to minimize rodent control.
 - Enhance recycling and composting beyond what is required. (CB4)
- Response 12.8:** **As noted in the DSOW, an analysis of potential waste increase will be included in "Chapter 05.11: Solid Waste and Sanitation Services" of the EIS and if the potential for significant adverse impacts is identified, mitigation measures will be explored.**
- Comment 12.9:** MCB4 expects the study to include new means of waste management and study the placement of waste all being inside buildings, large scale compacting, pneumatic tubes, enhanced recycling tactics, and waste monitors throughout the campus. (CB4)
- Response 12.9:** **This type of analysis is outside of the scope of an EIS. It should be noted that as of 2024 NYC Department of Sanitation (DSNY) is advancing plans for residential waste containerization and, at a minimum, the Proposed Project buildings would comply with all applicable containerization requirements. "Chapter 05.11: Solid Waste and Sanitation Services" of the EIS will include**

a description of solid waste that is projected to be generated by the Proposed Project and how it will be managed. The Proposed Project would be developed to provide trash facilities adequate to handle all projected solid waste from buildings. NYCHA and the PACT Partner will continue to work with residents to refine the design of the campuses with respect to waste management.

Comment 12.10: The environmental study should evaluate increased recycling and the use of composting at the site. Modern waste management systems for residential buildings should be considered, including automated waste sorting systems, pneumatic tubes, underground waste collection systems that minimize visual and olfactory impacts, and composting facilities for organic waste, all aimed at improving efficiency, reducing environmental impact, and promoting sustainability. Loading docks for waste should be studied to streamline the waste collection processes, featuring designated areas equipped with compactors or containers for efficient disposal, aimed at ensuring cleanliness and reducing congestion in surrounding areas. Additionally, a project of this scale will have impacts to our water system, which should be evaluated during this process. (Bottcher, et al)

Response 12.10: **Should potential for significant adverse impacts with respect to solid waste or sanitation be identified in the EIS, mitigation measures will be explored. Additionally, “Chapter 05.10: Water and Sewer Infrastructure” will analyze the potential impacts of the Proposed Project on the water and sewer systems serving the site. Also, please see response to comment 12.9.**

Comment 12.11: Your new housing development plan will fail because you do not have a plan to remove the tremendous amount of GARBAGE that litters all the sidewalks adjacent to the buildings on W 17th St between 10th + 9th in Manhattan, also 18th and 19th St... there are 12 little cans in front of a big building housing 200 families! What kind of plan is this? (Not signed)

Response 12.11: **“Chapter 05.11: Solid Waste and Sanitation Services” of the EIS will include a description of solid waste that is projected to be generated by the Proposed Project and how it will be managed. The Proposed Project would be developed to provide trash facilities adequate to handle all projected solid waste from buildings. Also, please see response to comment 12.9.**

13. Energy

Comment 13.1: Energy use requires a description of alternative energy availability, including solar, geothermal, and best energy building operation practices beyond what is required by law. (CB4)

Response 13.1: **“Chapter 05.12: Energy” of the EIS will contain an analysis of energy utilization in accordance with the *CEQR Technical Manual*, and identify practicable mitigation if the potential for significant adverse impacts are identified.**

- Comment 13.2:** Careful consideration and specific calculation needs to be thoroughly conducted on today's usage, vs the anticipated use, and burden on the current infrastructure as well as the proposed infrastructure. This should include a detailed assessment of the estimated amount of energy that would be consumed annually because of the day-to-day operation of the proposed buildings, including all supporting infrastructure and their uses. (CB4)
- Response 13.2:** **As noted in the DSOW, "Chapter 05.12: Energy" of the EIS will include this type of analysis.**
- Comment 13.3:** Study the overall projected energy consumption during long-term construction, and the final overall long term daily use of this operation, based on real examples of similar projects. (CB4)
- Response 13.3:** **As noted in the DSOW, a projection of the anticipated additional energy demand for each alternative will be provided in "Chapter 05.12: Energy" of the EIS. It will disclose the projected energy consumption during long-term operation resulting from the Proposed Project. However, an analysis of energy consumption during construction is outside the scope of the EIS.**
- Comment 13.4:** Con-Edison's ability to recycle heat for the proposed development is theoretical (p.44). We do not know how long it will be before such a plan will be realized and implemented, if ever. Therefore, we ask that all alternative options be studied. (CB4)
- Response 13.4:** **As noted in the DSOW, "Chapter 05.12: Energy" will determine if the Proposed Project will result in the potential for significant adverse energy impacts and if this is the case, then mitigation will be explored.**
- Comment 13.5:** Depending on sunlight based on the building and open space plan, full solar lighting on the outdoor pathways should be a part of the study. (CB4)
- Response 13.5:** **This type of analysis is outside the scope of the EIS. However, NYCHA and the PACT Partner will continue to work with residents to refine the design of the campuses.**
- Comment 13.6:** Further detailed information on a broad range of cost-effective technologies and practices that improve operational efficiency and reduce emissions can be found through EPA's Natural Gas STAR Program. (EPA)
- Response 13.6:** **Comment noted.**

14. Transportation

- Comment 14.1:** These avenues are also frequently used by emergency transportation vehicles such as ambulances and fire trucks. We cannot cause any more blockage than we already have. I've been stuck on the 12th Avenue MTA bus for 20 minutes while waiting for the Lincoln Tunnel traffic to clear up. We cannot obstruct lanes more than there already is. Emergency vehicles must make their way through, and

increasing populations in these blocks of Fulton and Chelsea Houses will be a major obstruction and worsen our traffic condition and the actual destruction project development will cause a massive amount of traffic and will be a lot more problematic than it already is. (Miranda)

Response 14.1: As noted in the DSOW, “Chapter 05.13: Transportation” of the EIS will analyze potential impacts that may occur as a result of the Proposed Project in accordance with the 2021 *CEQR Technical Manual* guidance, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, “Chapter 05.19: Construction” will analyze impacts that construction will have on transportation in the study area, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 14.2: We advocate for a collaborative plan with the MTA to address potential delays and overcrowding on local bus routes. (CB4)

Response 14.2: See response to comment 14.1.

Comment 14.3: A detailed traffic study so as not to disrupt school bus operation during construction of PS33 as hundreds of students, including special education students, commute to school every day. (CB4)

Response 14.3: See response to comment 14.1.

Comment 14.4: Study the potential impacts of the Fulton and Elliott-Chelsea Houses Redevelopment Project alongside initiatives like the Gateway Project, the Port Authority Bus Terminal Replacement, the 9th Ave "super sidewalk" project, and the 10th Avenue Upgrade, featuring an extra-wide protected bike lane, warrant analysis. A cumulative study should evaluate how these projects affect local transportation networks, accessibility, and community welfare. (CB4)

Response 14.4: As noted in the DSOW, the EIS analyses will identify “No-Build” projects within the study area expected to be completed by the analysis year that will affect conditions in the various technical areas studied in the EIS, including Transportation.

Comment 14.5: A comprehensive congestion impact study on 9th Avenue, spanning 14th to 28th Streets, is essential. This study should focus on traffic, noise, and environmental implications during both peak and off-peak hours. (CB4)

Response 14.5: As noted in the DSOW, “Chapter 05.13: Transportation” of the EIS will study the effects of the Proposed Project on congestion at intersections in the study area which is ¼ mile around the Project Sites pursuant to the *CEQR Technical Manual* analysis screening criteria and guidance from the NYC Department of Transportation. Pursuant to these standards, intersections roughly between W. 17th Street and W. 31st Street will be included in the analysis. If the potential for significant adverse impacts are identified, then mitigation measures will be explored.

- Comment 14.6:** An extensive analysis of 10th Avenue, from 23rd to 34th Streets, is necessary to understand the expected alterations in traffic patterns, noise pollution, and air quality. Please note that peak and off-peak hours should be examined, underlining the impact of redevelopment on the current state. (CB4)
- Response 14.6:** See response to comment 14.5.
- Comment 14.7:** Given the projected growing population and increased pedestrian traffic caused by commercial activity, consider the benefits of widening the sidewalks along 9th Avenue and 10th Avenue (from 14th to 30th Streets). A comprehensive analysis of this issue and potential mitigation measures should be included within the EIS. (CB4)
- Response 14.7:** As noted in the DSOW, “Chapter 05.13: Transportation” of the EIS will include an analysis of transportation including an analysis of pedestrian foot traffic. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.
- Comment 14.8:** Accurate and current projections of housing units and demographics are vital, focusing on the balance between affordable and market-rate housing. Understanding how demographic shifts will influence local transportation patterns is essential. (CB4)
- Response 14.8:** As noted in the DSOW, “Chapter 05.02: Socioeconomic Conditions” of the EIS will study foreseeable population changes and “Chapter 05.13: Transportation” will analyze potential impacts of the proposed project on transportation. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.
- Comment 14.9:** The introduction of additional retail spaces and amenities, such as healthcare centers and grocery stores, necessitates an examination of their role as traffic generators. Developing strategies to mitigate potential congestion and manage the increased pedestrian and vehicular flow is crucial. (CB4)
- Response 14.9:** See response to comment 14.8.
- Comment 14.10:** We request strategies for managing the logistics of temporary resident displacement to avoid additional local traffic stress. (CB4)
- Response 14.10:** See response to comments 3.4 and 14.8.
- Comment 14.11:** We propose including a detailed analysis of the feasibility and benefits of integrating shared streets within the project’s framework. Shared Streets prioritize pedestrians, lower vehicle speeds, and create versatile public spaces. Shared Streets present a unique opportunity to enhance our community's livability, safety, and environmental sustainability. (CB4)
- Response 14.11:** The Project Sites do not extend into the public streets or sidewalks, and comprehensive changes to the street network such as those contemplated by Shared Streets are outside the project’s scope. However, if the EIS identifies

the potential for significant adverse transportation impacts, mitigation measures will be explored.

Comment 14.12: The Chelsea Addition, dedicated to senior citizens, requires a targeted analysis of how increased traffic on 27th Street might impact accessibility, safety, and the quality of life for our elderly residents. We urge you to ensure that redevelopment efforts do not adversely affect them. Please include 27th Street in the Shared Street analysis. (CB4)

Response 14.12: See response to comments 14.1 and 14.11.

Comment 14.13: We seek detailed plans for managing construction-related traffic, emphasizing minimizing disruption and ensuring resident safety. (CB4)

Response 14.13: As noted in the DSOW, “Chapter 05.19: Construction” of the EIS will explore construction-related traffic impacts. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. In addition, following the EIS, as with all construction projects in New York City, any traffic lane and sidewalk closures related to project construction will be subject to review and approval by the NYC DOT Office of Construction Mitigation and Coordination (OCMC) after evaluation of traffic and pedestrian conditions.

Comment 14.14: We call for targeted pedestrian and cyclist infrastructure upgrades, focusing on safety and accessibility... Please explore the feasibility of incorporating ample, secure bicycle parking and electric bike charging stations within the underground parking area. (CB4)

Response 14.14: This type of analysis is outside the scope of the EIS.

Comment 14.15: Study increased sidewalk widths along avenues and setbacks along with more accessible pedestrian flows and facilitation for ADA compliance. (CB4; Bottcher, et al)

Response 14.15: The study of increased sidewalk widths is outside the scope of the EIS and will not be included in the EIS for the Proposed Project. However, as noted in the DSOW, the “Chapter 05.13: Transportation” will include an analysis of pedestrian conditions and if the potential for significant adverse pedestrian impacts on sidewalks are identified, mitigation will be explored.

15. Air Quality

Comment 15.1: We require a survey of all existing mature trees on the project sites and calculate their total carbon absorption based on size and species. The effects of tree loss should be factored into adverse impacts under Section F.4.14, Air Quality. Provide comparative figures for each alternative and the time required to achieve full carbon absorption. (CB4)

- Response 15.1:** An analysis of microscale effects on greenhouse gases such as carbon absorption by trees is outside the scope of the EIS. However, as noted in the DSOW, the EIS will include an assessment of greenhouse gas emissions and climate change factors. Further, it should be noted that as part of the City's Builder's Pavement Plan process, new buildings developed under the Proposed Project will be required to comply with street tree requirements.
- Comment 15.2:** Impacts from Mobile Source Air Pollutant Emissions: Consider exposure and impacts to children from mobile source air pollution from project construction and operations, including significant increases in traffic predicted as a result of the project. Children are believed to be especially vulnerable due to higher relative doses of air pollution, smaller diameter airways, and more active time spent outdoors and closer to ground-level sources of vehicle exhaust. Identify children's proximity to project emission sources, including transportation corridors, transportation hubs, ports, and construction sites. (EPA)
- Response 15.2:** As noted in the DSOW, potential impacts on all residents at the Project Sites and surrounding area in regard to traffic and other transportation areas, air quality, and construction will be assessed in the respective chapters of the EIS: "Chapter 05.13: Transportation", "Chapter 05.14: Air Quality", and "Chapter 05.19: Construction".
- Comment 15.3:** The NAAQS are often used as threshold for "significant impacts"; however sensitive populations may experience adverse effects of air pollution at lower levels than the NAAQS. Compliance with the NAAQS also does not equal NEPA compliance. (EPA)
- Response 15.3:** As noted in the DSOW, the National Ambient Air Quality Standards (NAAQS) will be used in the "Chapter 05.14: Air Quality" and the air quality section of "Chapter 05.19: Construction" as impact thresholds, consistent with federal guidance and the *CEQR Technical Manual*. As will be discussed in the EIS, primary and secondary NAAQS have been established for six major air pollutants: CO, NO₂, ozone, respirable PM (both PM_{2.5} and PM₁₀), SO₂, and lead. The primary standards represent levels that are requisite to protect the public health, allowing an adequate margin of safety. The secondary standards are intended to protect the nation's welfare, and account for air pollutant effects on soil, water, visibility, materials, vegetation, and other aspects of the environment. The primary standards are generally either the same as the secondary standards or more restrictive. Per 40 CFR 50.2, "National primary ambient air quality standards define levels of air quality which the Administrator judges are necessary, with an adequate margin of safety, to protect the public health." According to the US EP "NAAQS Table" webpage, <https://www.epa.gov/criteria-air-pollutants/naaqs-table>, last updated on February 7, 2024, "Primary standards provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly." Therefore, consistent with guidance from NYC DEP, and EPA's NAAQS Table, the NAAQS are appropriate impact threshold standards. It should be

noted that, consistent with the *CEQR Technical Manual* Chapter 1, Section 222, the lead and expert agencies will consider other factors when evaluating the significance of an impact, including its probability of occurrence, its duration, its irreversibility, its geographic scope, its magnitude, and the number of people affected.

Comment 15.4: I am worried about the air quality in Chelsea during the planned demolition of NYCHA buildings. (It's also so terrible they are being destroyed and residents tricked into agreeing to it.) Thanks for your help. We already have so many massive projects going on here, including on our block. (Federman)

Response 15.4: See response to comments 15.2 and 15.3.

Comment 15.5: And so we know that the demolition and construction is also a major contributor to air quality issues, which is a problem in this neighborhood already. What remediations would be put in place to protect residents, not only NYCHA, but the whole community. (Cahill)

Response 15.5: “Chapter 05.19: Construction” will analyze effects that may occur as a result of the Proposed Project in regard to air quality during construction, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 15.6: Air quality monitoring and reporting must consider the large population of residents around the Project Sites and those who visit the area for work and recreation. (CB4)

Response 15.6: See response to comment 15.5.

Comment 15.7: Regarding air quality, the NOIS and DSOW are inconsistent...We ask that the line “No significant adverse air quality” be struck from the Draft Scope. (CB4)

Response 15.7: The text in question from the DSOW is as follows: “The Proposed Project is anticipated to utilize electric-powered heating and hot water systems to provide heating and cooling and domestic hot water to the proposed buildings. No fossil fuel-fired heating and hot water equipment would be utilized. Therefore, no significant adverse air quality impacts would occur from stationary sources associated with the Proposed Project.” As the new buildings generated by the Proposed Projects would not include fossil-fuel fired boilers for heating/HVAC and hot water, the statement regarding no stationary source impacts is correct and a change to the wording is not warranted. It should be noted that this statement does not obviate the potential for other types of air quality analyses, including with respect to mobile sources, as is noted in the DSOW. This is consistent with the more general language of the “Notice of Intent to Prepare an Environmental Impact Statement for the Fulton Elliott-Chelsea Houses Redevelopment Project in Manhattan, New York,” published in Federal Register on January 8, 2024, which indicates that the potential for significant environmental impacts will

be addressed in the EIS for various environmental areas of concern, including air quality.

Comment 15.8: It is also worth noting that the land surrounding the Elliott-Chelsea Houses Project Site (Notice of Intent, p.5) includes a US Postal Service Vehicle Maintenance Facility and a Department of Sanitation Repair Shop. (CB4)

Response 15.8: **Comment noted. Existing land uses on the Project Sites and in the surrounding neighborhood study area are detailed in “Chapter 05.01: Land Use, Zoning, and Public Policy” in the EIS.**

Comment 15.9: We are especially sensitive to the impact of the existing "mobile sources" of air pollutants and the additional ones brought on by construction. According to the Environment and Health Data Portal, Chelsea-Clinton is identified as having WORSE outdoor pollutants (except Ozone), heating fuel admissions, outdoor air toxics, and traffic density compared to other neighborhoods. (CB4)

Response 15.9: **Existing air pollution conditions will be discussed and analyzed in “Chapter 05.14: Air Quality” before analysis of potential impacts of the Proposed Project is conducted.**

Comment 15.10: We recommend that the Draft EIS assess children’s potential exposures and susceptibilities to the pollutants of concern. (EPA)

Response 15.10: **As stated in the DSOW, a screening analysis will be conducted on each alternative. According to EPA guidance, the NAAQS (discussed above in the response to comment 15.3), which serve as impact determination thresholds for pollutants of concern that will be considered in the air quality analyses in the EIS, have been decided on by the EPA in order to provide public health protection. This includes protecting the health of "sensitive" populations such as asthmatics, children, and the elderly.**

Comment 15.11: To determine if project activities would result in potential air quality impacts, we recommend the Draft EIS consider sources of pollution that would cause potential violations of any state or federal ambient air quality standards; and assess exposure of nearby populations to increased level of air toxins. (EPA)

Response 15.11: **Any source of pollution which may violate State or Federal ambient air quality standards will be described in “Chapter 05.14: Air Quality”. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Comment 15.12: We have consulted with our Air and Radiation Division to review the proposed scope and would like to follow up with comments at a later date regarding other Air Quality support for this project. (EPA)

Response 15.12: **Comment noted.**

Comment 15.13: Respiratory Impacts/Asthma: Within the discussion on air pollution impacts, consider data on existing asthma rates and asthma severity among children and the

general community living, working, playing, and attending school and daycare near the project site. To the extent feasible, identify potential for increased health risks of the project with respect to asthma rates and severity in children near the project site and discuss associated potential costs. (EPA)

Response 15.13: As noted in the DSOW, the potential for air quality impacts will be analyzed in “Chapter 05.14: Air Quality”, and impacts to air quality from construction will be analyzed in “Chapter 05.19: Construction”. Also see response to comments 10.8.

16. Greenhouse Gas Emissions and Climate Change

Comment 16.1: Comment 16.1: All power, including heat and hot water, should be generated by electric and/or on-site, self-sustaining green energies with naturally occurring resources (solar, wind, etc.). The use of electricity has a lower carbon content per unit of energy than other fuels reducing greenhouse gas emissions. (CB4)

Response 16.1: Identification of the specific energy sources for the generation of electricity that will be used on site is outside the scope of the EIS. However, as noted in the DSOW, new buildings constructed in all of the Development Alternatives are anticipated to utilize electric-powered heating and hot water systems to provide heating and cooling and domestic hot water to the proposed buildings. The proposed development would comply with New York City Local Law 97, which sets stringent limits on the greenhouse gas emissions of large buildings and sets requirements for energy efficiency. Furthermore, as also noted in the DSOW, relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Proposed Project will be discussed and the potential for those measures to reduce GHG emissions from the Proposed Project will be assessed to the extent practicable in the EIS’s Greenhouse Gas Emissions and Climate Change chapter.

Comment 16.2: To meet the expectation of Green Build, all power, including heat and hot water, should be generated by electric and/or on-site, self-sustaining green energies with naturally occurring resources (solar, wind, etc.). The use of electricity has a lower carbon content per unit of energy than other fuels reducing greenhouse gas emissions. (CB4)

Response 16.2: See response to comment 16.1.

Comment 16.3: We seek an analysis of each alternative’s impact on urban heat-island effect. (CB4)

Response 16.3: An analysis of urban heat island effects is outside the scope of the EIS and will not be included in the EIS for the Proposed Project.

Comment 16.4: MCB4 asks that the study look at the resource (carbon in particular) savings of the new multifamily dwellings in the rezoning and non-rezoning options when compared with the average footprint of someone living in a single-family home in the region. (CB4)

Response 16.4: **Comparative resource savings analysis is outside the scope of the EIS and will not be included in the EIS for the Proposed Project.**

Comment 16.5: Just as the plan would deprive residents of green space and sunlight, so would it create pollution and CO₂ emissions in the immediate area and beyond. Demolishing some 18 existing buildings and replacing them with an unknown number of larger buildings will squander “embodied carbon” and add to global climate change...No LCA (life-cycle assessment, which the commenter briefly describes) relating to any of the proposed new buildings has been shared with the public. No mention has been made of voluntary compliance with Mayor Adams’ EO 23, which requires “Capital Project Agencies” to “annually submit an LCA report to the office of environmental coordination” (NYCHA is not named as a capital agency in the order)...It would be reasonable to assume that at some point before that date the United States will require LCA studies of all new construction. It would also be reasonable to expect that, like the current EU push for “retrofit,” the gratuitous demolition of perfectly viable buildings will be forbidden...It is true that, as stated in the EIS Notice of Intent, the “buildings and units within these developments have seriously deteriorated and require substantial repair and rehabilitation.” The NYCHA buildings require and deserve exactly that: repair and renovation. They do NOT require or deserve demolition. (Dr. Williams)

Response 16.5: **As noted in the DSOW, study of potential greenhouse gas emissions and other environmental effects are within the scope of the EIS and will be provided in “Chapter 05.15: Greenhouse Gas Emissions and Climate Change” and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Note that NYCHA is a state public benefit corporation and is not a New York City agency to which EO 23 is applicable.**

Comment 16.6: I speak to the disastrous impact of demolition and new construction on the climate. ... It is estimated that embodied carbon constitutes 11 to 14 percent of global emissions. It goes without saying that to reach net 0 we must not create unnecessary new construction, even for the benefit of for-profit developers. Indeed HUD itself was part of the COP-28 initiative that lead the USA to joining UNEP Buildings Breakthrough. Explicit in that UN agenda is the requirement to account for any buildings carbon footprint using a whole life cycle assessment. (Zulkowitz)

Response 16.6: **As noted in the DSOW, the impact of the Proposed Project on greenhouse gas emissions and climate change will be studied within the EIS. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Comment 16.7: Require analysis of 500-year flood impact (.2% annual chance flood hazard area), not 100-year since by 2040 the impact will be more significant than current regulations protect. (CB4)

Response 16.7: **An analysis of 500-year flood impact is included in the scope of the EIS. This will be addressed as part of the WRP Policy 6.2 assessment discussed in response to comment 2.2.**

- Comment 16.8:** The baseline measures for greenhouse gas emissions and climate change study are wholly insufficient...Greater study and consideration must be given to these factors. (CB4)
- Response 16.8:** As discussed in the DSOW, the analysis to be provided in “Chapter 05.15: Greenhouse Gas Emissions and Climate Change”, will be prepared in accordance with the guidance of the *CEQR Technical Manual*, including the methodologies prescribed therein.
- Comment 16.9:** Due to the massive scope and size of this project - and the above air quality issues -We ask for an absolute commitment to the GHG reduction goal of 30 percent below 2005 levels by 2025, at a minimum. (CB4)
- Response 16.9:** This is outside the scope of the EIS. The project is not set to begin construction until 2025, so any reduction in GHG emissions would not be feasible to be reduced by 2025. The Proposed Project would replace buildings that are reliant on fossil fuels and follow all applicable city, state and federal mandates for greenhouse gas reduction including PlaNYC (as outlined in the *CEQR Technical Manual*).
- Comment 16.10:** We require adherence to LL97 end goals and make all buildings net zero upon completion. (CB4)
- Response 16.10:** The Proposed Project would follow all applicable city, state and federal mandates for greenhouse gas reduction, including Local Law 97.
- Comment 16.11:** We also request that a rooftop stormwater management plan be included in the study. (CB4)
- Response 16.11:** Stormwater management will be assessed in “Chapter 05.10: Water and Sewer Infrastructure” in accordance with *CEQR Technical Manual* guidance. Furthermore, it should be noted that new buildings on the Project Sites would be required to comply with NYC’s 2022 Unified Stormwater Rule, which, compared to previous regulations, increased the amount of stormwater required to be managed on-site and further restricted the release rates for all new and redevelopment projects that require a DEP House or Site Connection Proposal. As will be discussed in the EIS, a broad range of best management practices (BMPs) could be implemented in the Project Sites to comply with the Unified Stormwater Rule. BMP measures could include blue and green roofs, subsurface detention and infiltration, porous pavement, enhanced tree pits, and rain cisterns, depending on site conditions.
- Comment 16.12:** Executive Order 13990 (E.O. 13990, 86 FR 7037; January 20, 2021) urges agencies to “consider all available tools and resources in assessing GHG emissions and climate change effects of their Proposed Projects, including as appropriate and relevant, the 2016 GHG Guidance”. We recommend the EA identify sources of emission associated with the project, quantify projected short-term and long-term GHG emissions (including the CO2 equivalent quantity), and identify methods that would minimize GHG emissions from construction and operational activities.

Estimated emissions serve as a useful proxy for assessing effects and comparing alternatives. Helpful tools that can be applied to estimate GHG emissions can be found <https://ceq.doe.gov/guidance/ghg-tools-and-resources.html> at (EPA)

Response 16.12: “Chapter 05.15: Greenhouse Gas Emissions and Climate Change” will analyze the potential for the Proposed Project to impact greenhouse gas emissions. If the potential for significant impacts is identified, mitigation measures will be explored. It should be noted that EOs 14148 and 14154 of January 20, 2025, revoked EO 13990. Nonetheless, analysis of greenhouse gas emissions will be provided in the EIS.

Comment 16.13: EPA recommends the Draft EIS estimate and analyze potential upstream and downstream GHG emissions to fully disclose the estimated direct and indirect emissions, broken out by GHG type, associated with the Proposed Project. (EPA)

Response 16.13: Upstream greenhouse gas emissions will be analyzed in “Chapter 05.19: Construction”. Neither CEQR nor NEPA provide guidance on analyzing the downstream effects of a project. Accordingly, an analysis of downstream greenhouse gas emissions will not be included in the EIS.

Comment 16.14: EPA recommends utilizing the interim social cost of greenhouse gas (SC-GHG) estimates established by the Interagency Working Group on SC-GHG. Monetizing the net climate damages of GHG emissions from net changes in direct and indirect emissions provides useful information to the public and decisionmakers. (EPA)

Response 16.14: An analysis of the interim social cost of greenhouse gas emissions is outside the scope of the EIS.

Comment 16.15: The EPA recommends that the Draft EIS include a discussion of reasonably foreseeable effects that changes in the climate may have on the proposed project and the project area. This could help inform the development of measures to improve the resilience of the proposed project. If projected changes could notably exacerbate the environmental impacts of the project, EPA recommends these impacts also be considered as part of the NEPA analysis. (EPA)

Response 16.15: An analysis of the potential impacts of climate change on the proposed project will be discussed in “Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS. See response to comment 2.2 for additional information.

Comment 16.16: To outline what environmental engineering considerations are required from a regulatory perspective, EPA recommends the document describe the Local, State, and/ or Federal regulations which serving as the baseline for measures such as energy use and LEED rating, potential fossil fuel combustion on-site, building materials, etc. This project as an opportunity to improve the quality of life for members of the Fulton & Elliott Chelsea communities and EPA urges HPD to not set the minimum design requirements as the “bar” for design and construction goals. (EPA)

Response 16.16: Consistent with *CEQR Technical Manual* guidance and recent practice on NYC environmental reviews, “Chapter 05.15: Greenhouse Gas Emissions and

Climate Change” in the EIS will provide information on local, state, and federal regulations and policies related to the reduction of greenhouse gas emissions.

Comment 16.17: EPA encourages that the project use contractors that specialize in green construction practices whenever possible including recycling of construction material for both use and disposal, environmentally friendly landscaping, green infrastructure and incorporation of energy-efficient technologies. (EPA)

Response 16.17: **Comment noted.**

17. Noise

Comment 17.1: We ask that the DEIS identify... [mitigation measures for] the design of the new buildings (such as modern HVAC with centralized air filtering and regulating, or noise-reducing windows), and noise and vibration mitigations for any construction and demolition. (Epstein and Pahaham; Ferreyra)

Response 17.1: **As noted in the DSOW, “Chapter 05.16: Noise” of the EIS will analyze noise, vibration, and related effects impacts that may occur as a result of the Proposed Project and if the potential for significant adverse impacts on sensitive receptor located on or in the vicinity of the Project Sites is identified, then mitigation measures will be explored. Potential impacts related to temporary construction noise are analyzed in “Chapter 05.19: Construction” of the EIS.**

Comment 17.2: Noise Impacts: Consider impacts from noise on health and learning, especially near homes, schools, and daycare centers. (EPA)

Response 17.2: **See response to comment 17.1.**

Comment 17.3: This project is estimated to take ten years to complete. Therefore, in addition to the sites and times of study in the DSOW, noise should also be studied from inside the classrooms and activity centers of the locations mentioned above during school and recreation hours. Noise should also be studied from the Highline during various times of the day. (CB4)

Response 17.3: **See response to comment 17.1.**

Comment 17.4: The 7:00 a.m. to 6:00 p.m. noise allowance will not work in a residential site because the ones that live here will feel a full effect of the noise pollution, including those who are at home the whole day, such as the retired, the elderly, the unemployed, and those who are disabled. Regarding the kids going to school in this vicinity, such as PS 33 or PS 11, will expose them to the noise pollution the entire day. Let's not forget the FEC tenants who work night shift and need to sleep during the day. It will also cause stress-related illnesses such as high blood pressure, speech interference, hearing loss, respiratory agitation, headache, and in case of extremely loud constant noise, (inaudible) and even heart attack. There will

be plenty loss of productivity among us FEC tenants and high risk of obtaining all sorts of health conditions. (Miranda)

Response 17.4:

“Chapter 05.19: Construction” of the EIS will analyze the potential for significant adverse noise and other impacts to result from construction of the Proposed Project under currently established City regulations. As is the case with all construction projects in New York City, construction noise is regulated by the requirements of the New York City Noise Control Code (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) and the DEP Notice of Adoption of Rules for Citywide Construction Noise Mitigation (also known as Chapter 28). These requirements mandate that specific construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7 AM and 6 PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. On limited occasions when weekend or after-hour work would be necessary (e.g., deliveries, weather catch-up), the issuance of permits would be required, as specified in the New York City Noise Control Code. As required under the New York City Noise Control Code, a site-specific noise mitigation plan for the Proposed Project would be developed and implemented. This is in addition to the construction noise analysis which will be provided in the EIS. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 17.5:

Our natural environment will be disrupted and disturbed in many ways, where an increase of 10 isn't a lot, we will be crowded in...There's always all sorts of unwanted and disturbing noise in a construction site. I want to know what type of noise restriction will be made and for whom? The 7:00 a.m. to 6:00 p.m. noise allowance will not work in a residential site because the ones that live here will feel a full effect of the noise pollution, including those who are at home the whole day, such as the retired, the elderly, the unemployed, and those who are disabled...Regarding the kids that lived in Ground Zero, this construction site, going to school in this vicinity, such as PS 33 or PS 11, will expose them to the noise pollution the entire day. People who are at home the whole day will have to endure all of the burdens that take place in a construction site...I already have an anxiety disorder and I know that this will increase my nervous condition and cause a lot of emotional stress. I'm concerned for myself and many more such as myself who will be onsite the whole time construction is in process. (Miranda)

Response 17.5:

See response to comments 17.1 and 17.4.

Comment 17.6:

It (DSOW) does not seem to concern itself with noise associated with the construction process because the "mechanical equipment" used outdoors has its own existing noise abatement requirements (p.51). We ask for a detailed analysis of potential noise impacts due to outdoor mechanical equipment for both the residents of NYCHA and the adjacent Chelsea community. The nature of this project has multiple phases and would therefore be potentially disruptive to the community for many years. (CB4)

Response 17.6: See response to comment 17.1 and 17.4.

18. Public Health

Comment 18.1: A study should be made of resident preferences as to the types of medical practices that will occupy these offices. Given the high number of children and seniors who live there, it may be that pediatric and family medicine are preferred. There might be a preference for nonprofit organizations over private facilities because of the likelihood that a wider range of health insurance might be accepted. (CB4)

Response 18.1: **Analysis of resident preferences as to the types of local medical practices is outside the scope of the EIS. Please also see response to comment 1.36.**

Comment 18.2: Impacts from Other Chemical or Physical Exposures: Consider potential impacts to children from other site activities, such as pesticide application, demolition, etc. (EPA)

Response 18.2: **As noted in the DSOW, analyses for the potential impacts related to Hazardous Materials and Construction, as well as the identification of any significant adverse impacts, will be provided in EIS “Chapter 05.09: Hazardous Materials” and “Chapter 05.19: Construction”.**

Comment 18.3: ...the potential loss of social services to seniors during the development period; the health status of seniors in the study area, especially the seniors living in public housing who are the most vulnerable; the extent and health impacts of noise, vibrations, construction dust and debris; the health risks and the likelihood of unearthing contaminants such as VOCs, with a special focus on the seniors in public housing...(Epstein and Pahaham; Ferreyra; Cadojas)

Response 18.3: **“Chapter 05.19: Construction” of the EIS will analyze effects related to construction, “Chapter 05.16: Noise” will analyze effects related to noise and vibrations, and “Chapter 05.09: Hazardous Materials” will analyze effects related to unearthing contaminants that may occur as a result of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Current community facility uses located on the Project Sites are expected to operate without significant impact to service due to construction. The existing community facility space at the Elliott-Chelsea Project Site would be temporarily relocated to an appropriate space that could accommodate existing programming while the replacement space is being constructed. The existing community facility space at Fulton Houses Project Site would remain in its current space while the replacement community facility space is being constructed, so the existing community facility space would move straight into the newly built space. However, “Chapter 05.03: Community Facilities and Services” will analyze effects that may occur as a result of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 18.4: Here are a few reasons I oppose the demolition of the Chelsea, Elliott, and Fulton NYCHA Houses:

1. Loss of open space, light, air
2. Loss of old trees
3. Release of dust, airborne particulate matter, and asbestos fibers on a large scale.
4. Gas exhaust from demolition and excavation machinery on a large scale
5. Noise - long term
6. Displacement of neighbors
7. Demolition creates huge amounts of waste

All of the above have a negative effect on human health. No demolition, please.
(Immergut)

Response 18.4: “Chapter 05.02: Socioeconomic Conditions”, “Chapter 05.04: Open Space”, “Chapter 05.16: Noise”, “Chapter 5.17: Public Health”, “Chapter 05.19: Construction” and “Chapter 05.08: Natural Resources” will analyze potential impacts that may occur as a result of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 18.5: EPA researchers are developing a better understanding of how social determinants of health, together with poor environmental quality, can contribute to inequities in health and well-being. We encourage the Lead Agencies to incorporate these social determinants of health into the Draft EIS in order to establish a transparent connection between the project outcomes and the community that will be directly impacted by the Proposed Project. (EPA)

Response 18.5: The EIS will consider existing conditions as well as the potential for impacts of the Proposed Project to various elements of the environment that contribute to health and well-being of the surrounding study area. The technical analysis areas, including but not limited to “Chapter 05.14: Air Quality”, “Chapter 05.17: Public Health”, “Chapter 05.20: Environmental Justice”, and “Chapter 05.15: Greenhouse Gas Emissions and Climate Change” will address the potential impacts on the community resulting from the Proposed Project.

Comment 18.6: EPA recommends Draft EIS include a health impact assessment to explore a detailed analysis of the health impacts from the air pollution anticipated from the project. We therefore recommend that the Lead Agencies consult with the Pediatric Environmental Health Specialty Unit (PEHSU) of Mount Sinai University Hospital to institute a Health Impact Assessment to specifically address lead in ambient dust that may result from construction. (EPA)

Response 18.6: The DEIS will rely on established standards to assess air quality and related public health impacts from the project and to identify appropriate mitigation measures. “Chapter 05.19: Construction” discusses the potential for air quality impacts due to construction, including from dust. Additionally, as

noted in the DSOW, “Chapter 05.17: Public Health” will include a public health assessment.

Comment 18.7: Baseline health conditions: Consider obtaining and discussing relevant, publicly available health data/records for the populations, neighborhoods, and/or communities of concern. (EPA)

Response 18.7: An analysis of potential significant adverse impacts to public health will be analyzed as compared to existing conditions. If the potential for impacts is identified, then mitigation measures will be explored.

19. Neighborhood Character

Comment 19.1: Ladies and Gentlemen, the above is a neighborhood destruction clause. It will forever change the character and quality of our neighborhood and make a mockery of the 197a principles. You must not allow it to go forward! (Wilson)

Response 19.1: As noted in the DSOW, “Chapter 05.18: Neighborhood Character” of the EIS will include a neighborhood character assessment and will also assess the Proposed Project's consistency with public policies including the Chelsea 197a Plan. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 19.2: We don't need 9th Avenue to look like Hudson Yards or 10th Avenue. And I ask you to please consider when you're doing this review why the developers want to put 38-story or 39-story towers on the avenue, and why they're asking for a change in zoning, which is not necessary for them to do this project...we all owe it to the historic character of the neighborhood and to do what is right now to preserve it. (Andre)

Response 19.2: See response to comment 19.1. As also discussed in response to comment 1.10, based on comments provided on the DSOW, the lead agencies have determined that an alternative massing for the Fulton Houses Project Site with the same development program as proposed under the Rezoning Alternative will be analyzed as an alternative in the EIS. This is referred to as the Midblock Bulk Alternative.

Comment 19.3: This development will negatively change the character of Chelsea. (Millman)

Response 19.3: “Chapter 05.18: Neighborhood Character” will analyze potential impacts to neighborhood character that may occur because of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 19.4: I'm writing to express our deep concern over the development proposal. The scope of the construction has grown enormously from what was proposed years ago, and the scale and development time-line will overwhelm this low-rise, historic neighborhood... the very large buildings proposed on the 9th Ave corridor should be scaled back so these enormous structures are built mid-block. It seems like the

scale of the project is akin to building another Hudson Yards in the middle of a low-rise historic district. (Ott)

Response 19.4: See response to comment 19.3. Additionally, see response to comment 1.10 which notes that the FSOW has been revised to add the study of an additional alternative in the EIS involving an arrangement of project bulk where generally the tallest buildings would be located in the midblock while comparatively shorter buildings would be located closer to 9th Avenue.

Comment 19.5: I am utterly supportive of creating more affordable housing and ensuring that the NYCHA residents have safe, clean, habitable and well-maintained living spaces. But I believe it can, and must, be done according to the principles of contextual zoning and development. The residents of West 20th street and all residents of the surrounding blocks will be on the ground, living through this demolition, construction and redevelopment for 10-20 years. It will cast a shadow, both literally and figuratively, on our daily lives and the lives of our children and their families. Therefore, I respectfully request that you address the following concerns. (Schnipper)

Response 19.5: See response to comment 19.3. Additionally, “Chapter 05.05: Shadows”, will assess the potential shadow impacts from the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 19.6: The building planned for the north side of 19th street will consume a well-used neighborhood park and green space, and because of its height, it will loom over and block light and air to the backyards of the historic Cushman Row townhouses on the south side of 20th street between 9th and 10th Avenues. This cannot be allowed, given the goal in the 197a Contextual Zoning plan ‘to protect the Chelsea Historic District and other areas of historic character.’ (Schnipper)

Response 19.6: As noted in the DSOW, the potential impact of the Proposed Project on open space, shadows, historic resources, urban design, and neighborhood character will be studied in the EIS.

Comment 19.7: We thank you for your early and ongoing engagement with NYCHA residents regarding the design and layouts of future buildings. It is critical that this engagement must also include the broader Chelsea community. The buildings must be designed to integrate with the existing neighborhood fabric, including using similar materials and achieving similar street wall heights wherever possible. (Bottcher, et al)

Response 19.7: Comment noted.

Comment 19.8: EPA recommends that the Lead Agencies conduct analyses that are reflective of the lived realities of all residents, employees, businesses, and visitors are reflected in the impact assessment. We encourage that all data be assessed at both a macro and micro demographic and geographic scope, especially considering that the population density of the Chelsea neighborhood is 61,000 people per square mile.

This is compared to the US national average of 96 people per square mile. This means any change in the Chelsea neighborhood must be specifically understood within this context and accounted for in the mitigation for any adverse impacts identified throughout the NEPA process. (EPA)

Response 19.8: **“Chapter 05.18: Neighborhood Character” of the EIS will analyze the potential for combined impacts related to land use, zoning, and public policy, socioeconomic conditions, open space, shadows, and other categories, per guidance identified in the *CEQR Technical Manual*.**

Comment 19.9: Impacts Regarding Obesity Factors: Consider potential impacts that could influence childhood obesity factors, such as impacts on opportunities for children to exercise outdoors, including opportunities to walk or bicycle to school, and potential impacts on the accessibility of neighborhood parks, green spaces, and recreation areas. (EPA)

Response 19.9: **While not specifically addressing obesity factors, “Chapter 05.17: Public Health” will address public health concerns that lie within the scope of the EIS.**

Comment 19.10: Changes in enabling resources can impact access to healthy food options, exacerbating existing nutritional disparities. Financial constraints further limit residents’ ability to access nutritious food...Public housing residents already face high rates of chronic health conditions which may worsen due to disruption of continuity of care during displacement. (Cadojas)

Response 19.10: **Comment noted. It is assumed in the EIS analyses that all development alternatives could include the introduction of supermarket uses, which is intended as part of the development program, at the Project Sites, with facilities anticipated to be located on each of the two Project Sites.**

20. Construction

Comment 20.1: Low carbon and carbon negative building materials should be used in construction. (CB4)

Response 20.1: **The selection of building materials is outside the scope of the EIS.**

Comment 20.2: Consider measures to protect harming birds during migration and reduce energy use, bird-friendly glass and windows with a frit-dot pattern should be used in all buildings, and non-essential outdoor lighting should be turned off between 11PM and 5AM to reduce light pollution which disrupts migration patterns. (CB4)

Response 20.2: **The Proposed Project is required to comply with Local Law 15 of 2020, which took effect January 10, 2021. It identifies requirements for “Bird Friendly Building Design” including that new buildings and alterations employ glazing and other materials that reduce bird strike fatalities.**

- Comment 20.3:** Study a design for dense above street and vertical greenery. This will provide both important environmental benefits and a pleasing aesthetic. (CB4)
- Response 20.3:** **Study of design for dense above street and vertical greenery is outside the scope of the EIS. However, as part of the City's Builder's Pavement Plan process, new buildings developed under the Proposed Project will be required to comply with street tree requirements. Also, see response to comment 5.1 regarding measures to reduce energy consumption and GHG emissions, such as green roofs.**
- Comment 20.4:** During scoping period, provide a detailed traffic study to be performed so as not to disrupt the school bus operation during construction. Hundreds of students, including special education students, commute to school every day. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)
- Response 20.4:** **As noted in the DSOW, “Chapter 05.19: Construction” of the EIS will analyze the traffic effects of construction, in consultation with NYC DOT. Also, see response to comment 14.13 regarding the NYC DOT OCMC review.**
- Comment 20.5:** During construction, please do not allow construction vehicles on 9th Avenue during peak commute hours (8-9am, 2:15-3:15pm). (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)
- Response 20.5:** **“Chapter 05.19: Construction” of the EIS will analyze construction traffic as a result of the Proposed Project, and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.**
- Comment 20.6:** During construction, allowable construction noise and vibration limit to be 50% more stringent than what is required by law, and all noisy / vibrating work to be done non-school hours so as not to disrupt the school operation and learning activities. Provide weekly environmental monitoring reports to the School SLT and PTA. Especially for the special education students, this is very important. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)
- Response 20.6:** **“Chapter 05.19: Construction” of the EIS will analyze the effects of construction, including noise and vibration, that may occur as a result of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. In addition, NYCHA and the PACT Partner plan to work with residents to identify the best way to provide timely construction updates.**
- Comment 20.7:** During construction, provide a community construction liaison who can communicate weekly construction schedules, listen to any immediate concerns that could come up during construction and relay it to the appropriate people. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)
- Response 20.7:** **See response to comment 20.6. If a potential significant adverse impact is determined, providing a community liaison to communicate construction**

schedules and act as a contact person for concerns could be considered as a potential partial mitigation measure.

Comment 20.8: During construction, if scaffolding is used, use the urban umbrella type scaffolding. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)

Response 20.8: **Comment noted. While the potential impact of construction will be analyzed in the EIS, the determination of the type of scaffolding used during construction is outside the scope of the EIS.**

Comment 20.9: During construction, temporary protective structures such as construction fencing visible from the school to be covered by PS33 students' artwork, utilizing NYC's City Canvas program. (Anna; Bhattacharjee; Kashyap; Kissane; Lawson; Litt; Mahmood; Saechao; Shoboji)

Response 20.9: **While the potential impact of construction will be analyzed in the EIS, decisions around the decoration of construction fencing are outside the scope of the EIS. However, NYCHA and the PACT Partner will coordinate with DOE and P.S. 33 during the construction of the Proposed Project.**

Comment 20.10: Project Staging - We believe it will be impossible to assess the likely diverse environmental hazards all residents may face during the full development period unless a complete, step-by-step, time period by time period (at the very least year-by-year in the 16-year development period), map and schedule of building and demolition, is provided, including construction of both the NYCHA and non-NYCHA buildings. We request this information be provided to the public before the DEIS is completed. And we request a detailed analysis of the public health, environmental, and infrastructure impacts of the project staging in the DEIS, on a period-by-period basis, mapped for each time period. That will enable residents and decision makers to see the likely environmental hazards in each time period where people now live, in the new buildings where they will eventually live, and in surrounding areas where they will need to move about the housing campuses to get on with their lives. The "Construction" chapter of the DEIS, in particular, will require such a mapped, time period by time period, impact analysis of air quality, noise and vibration, open space, transportation systems, other infrastructure, hazardous materials, and public health. Also, assuming a year-by-year analysis, impacts of each type should not only be averaged for each year, but peak impacts should be shown for each year for each mapped location. (Epstein and Pahaham)

Response 20.10: **As noted in the DSOW, "Chapter 05.19: Construction" will analyze the potential impacts from construction of the Proposed Project. This chapter of the EIS will provide a preliminary assessment for each development alternative. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. If the preliminary assessments indicate the potential for a significant impact during construction, a detailed construction impact analysis for each development alternative, as warranted, will be undertaken and described.**

This includes the provision of a preliminary schedule for staged demolition and construction. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, the construction activities would adhere to the provisions of the New York City Construction Codes and other applicable regulations. Throughout the construction period, measures would be implemented to control noise, vibration, and air emissions including dust.

Comment 20.11: We ask for a comprehensive analysis and mitigation of noise levels, air quality, and other environmental factors that could potentially affect neighboring schools, including Quest to Learn (M422), Hudson High School of Learning Technologies (M437), Humanities Preparatory Academy (M605), James Baldwin School (M313), Landmark High School (M419), Manhattan Business Academy (M392), Hudson Guild Children’s Center and Chelsea Prep (PS33), which are both adjacent to the demolition and new construction on West 26th Street. As well as Chelsea Park, and Chelsea recreation center. (CB4)

Response 20.11: See response to comment 20.10.

Comment 20.12: The environmental impacts will be legion. Chelsea is already steeped in an unprecedented amount of construction. This is contributing to air and noise pollution, overcrowding, and traffic issues. With the upcoming and massive projects planned for Penn Station and Port Authority, these problems will only get worse. (Millman)

Response 20.12: “Chapter 05.14: Air Quality”, “Chapter 05.16: Noise”, “Chapter 05.02: Socioeconomic Conditions”, and “Chapter 05.13: Transportation” of the EIS will analyze effects that may occur as a result of the Proposed Project and if the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, “Chapter 05.19: Construction” will analyze potential effects on Air Quality, Noise, Open Space, and Transportation, because of the construction of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.

Comment 20.13: Chelsea Park and PS 33 should be given special attention because of their proximity to the proposed development project. The EIS should focus on the best ways to shield both the park and the school from demolition dust and the pollution caused by construction equipment and vehicles. (CB4)

Response 20.13: See response to comment 20.12.

Comment 20.14: Study how construction will impede access to community and facility space, such as Chelsea Park, and outline mitigation. (CB4)

Response 20.14: See response to comment 20.12.

Comment 20.15: How can you guarantee that the demolition of so large a campus in such a dense residential area will not negatively affect the air quality or public health? Will

residents have a mechanism for weighing in when they have issues with air quality, noise, traffic, or rodent infestation? Who will hear our voices and protect us during this process? Who will monitor the noise and air quality for the adjacent schools? How will this increase in density affect sewers, stormwater drainage, sanitation, and all of the essential systems? Where will the traffic go when so many streets need to be closed or constrained by construction materials and vehicles? (Schnipper; Stewart)

Response 20.15: See response to comment 20.12. Additionally, “Chapter 05.10: Water and Sewer Infrastructure” and “Chapter 05.11: Solid Waste and Sanitation Services” will also analyze effects that may occur as a result of the Proposed Project and if the potential for significant adverse impact is identified, then mitigation will be explored.

Comment 20.16: I'm very concerned about the effect on the surrounding area, including PS 33, of all this huge amount of construction will have, in particular the noise and the pollution. The breathing quality is going to go down. ... Also Hudson Guild and the preschool that they have there, how is that going to affect them? You didn't go into much detail about that. ... I think it's going to be very sad and disruptive and take an awfully long time. You haven't talked about how long all this construction that you're suggesting would actually take and the impact. (Toerock)

Response 20.16: See response to comment 20.12.

Comment 20.17: For the 3 and 4 story brownstones on 20th St. between 9th and 10th Ave, this amount of building and tear down will surely impact the brownstone structures, not to mention how asbestos, vermin, lead and building debris will impact our entire neighborhood... what is being proposed is so much more than this, and I'm concerned that those of us who own and maintain brownstones and small buildings in this neighborhood will be overtaken by this development if it is allowed to proceed. (Ott)

Response 20.17: “Chapter 05.19: Construction” of the EIS will study the potential impacts of construction of the Proposed Project on transportation conditions, archaeological resources and the integrity of historic resources, community noise levels, air quality conditions, and hazardous materials. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, it should be noted that any project located within 90 feet of a New York City Landmark, a National Register-listed property, or within a New York City Historic District is required to comply with DOB Technical Policy and Procedure Notice (TPPN) #10/88. TPPN #10/88 supplements the standard building protections afforded by New York City Building Code Section C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and National Register-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures may be changed.

- Comment 20.18:** NYCHA and the applicant development team must develop a plan to protect neighboring buildings, including landmarked historic buildings from potential construction impacts. (Bottcher, et al)
- Response 20.18:** **See response to comment 20.17.**
- Comment 20.19:** The EIS should evaluate lost embodied carbon in addition to resource expenditure through construction...The environmental cost of demolition must be evaluated especially in contrast with the no-demolition refurbishment alternative. (Law-Gisiko)
- Response 20.19:** **This type of analysis is outside the scope of an EIS.**
- Comment 20.20:** NYCHA claims that it is holding over 100 FEC public housing apartments vacant to prepare for the relocation of over 130 households if the Proposed Project receives approval. The EIS should audit and determine exactly how many units within FEC are vacant, and whether those units align with the needs—for example, the number of bedrooms and accessibility features—of each household that is going to be displaced due to demolition. NYCHA and the PACT Partner have confirmed that not every household displaced due to demolition will be able to remain onsite within FEC during the demolition and lengthy construction period. We are concerned about where those households will live and the impact of relocating the senior residents of Chelsea Addition, many of whom are advanced age seniors and have disabilities. NYCHA is not currently receiving rent revenue or a federal operating subsidy for the approximately 100 units (about 5% of all FEC apartments) that are sitting vacant in anticipation of the Proposed Project. The EIS needs to examine, as part of the consideration of all alternatives, the cost of keeping units “off-line” for multiple years, as well as the impact on NYCHA and the households on the NYCHA waitlist that cannot access these valuable units, including homeless households, veterans, and survivors of domestic violence. During the lengthy proposed construction period, there are likely to be many households within FEC who need and are entitled to transfer to another apartment within FEC to address health concerns and/or as a reasonable accommodation. The demolition of 130 apartments at FEC will obviously reduce the number of apartments available to accommodate transfer requests within FEC. The EIS needs to examine data about transfer requests at FEC and apartment turnover rates to determine the impact of such demolition on the ability of NYCHA to accommodate residents’ needs. (Thompson)
- Response 20.20:** **“Chapter 05.02: Socioeconomic Conditions” and “Chapter 05.03: Community Facilities and Services” of the EIS will assess the potential for significant adverse impacts as a result of all components of the project, including the temporary relocation of a small number of existing NYCHA households. Also please see response to comment 3.4 regarding the up to 120 households that will be temporarily relocated during construction.**
- Comment 20.21:** When evaluating the project's construction impacts, the applicant should specifically assess the effects on residents, as well as on nearby P.S. 33. The

applicant must mitigate all construction impacts, including noise, vibration, dust from demolition and excavation work, as well as from trucks and stationary equipment operating throughout the day. Heavy truck traffic and the temporary loss of on-street parking would affect not only residents, but also nearby businesses...Additionally, we recommend that the construction plan includes designated pick-up and drop-off zones for seniors utilizing services in the area...the Applicant should, to the extent possible, use quieter equipment, especially for any late-night and early morning work, install temporary noise barriers such as sound curtains, and notify nearby residents and businesses of construction and equipment test times as well as any service disruptions. Additionally, residents would benefit from the restriction of loud activities like demolition, pile driving or heavy equipment operation to normal working hours on weekdays, when possible, and the routing of truck traffic away from sensitive receptors where feasible. The development team must establish a noise complaint protocol and quick response system to address any issues. (Bottcher, et al)

Response 20.21: **Potential impacts from construction activities will be analyzed in “Chapter 05.19: Construction”, of the EIS. If the potential for significant adverse construction impacts is identified, measures to avoid or mitigate fully or in part will be identified based on the results of the analysis and through city review processes like OCMC and Noise Mitigation Plan.**

Comment 20.22: According to the DSOW, an assessment of direct residential displacement is not necessary because the Proposed Action would not directly displace more than 500 residents. The DSOW asserts that only approximately 120 households will need to be temporarily relocated. According to NYCHA’s own statistics, the average NYCHA household is 2.2 persons, which means that approximately 264 people are being temporarily relocated. However, the DSOW fails to account for NYCHA residents, both in current and newly constructed buildings, who will be living in a demolition and construction zone for many years... Thus, as an initial matter, the EIS must accurately account for NYCHA tenants with higher levels of health issues living in a construction zone for a very long time and provide an accurate number of residents who may be directly displaced that includes those that request relocation due to construction or that self-evict due to construction... This analysis should also include a detailed description of the procedures and protections that will be afforded tenants who need to move due to the construction. In addition, the EIS must include a detailed description of what NYCHA will do if any of the 120 residents that are slated for required relocation refuse to move. This description must explain all efforts NYCHA will take to convince the resident to move and all potential legal actions that NYCHA could take if the resident refuses to move. Without a detailed explanation of these factors, it will be impossible to make an accurate determination of the number of people who will be directly displaced, as required by CEQR Chapter 5, Section 331.1 (“For all projects the number of residents to be directly displaced by a project should be disclosed, whether or not the displacement impact is considered significant.”). (NYSOAG)

- Response 20.22:** **As noted in the DSOW, “Chapter 05.19: Construction”, “Chapter 05.02: Socioeconomic Conditions”, and “Chapter 05.17: Public Health” of the EIS will include these analyses and if the potential for significant adverse impacts is identified, then mitigation measures will be explored.**
- Comment 20.23:** EO 14096 highlights the need to “provide opportunities for the meaningful engagement of persons and communities with environmental justice concerns who are potentially affected by Federal activities including by providing timely opportunities for members of the public to share information or concerns and participate in decision-making processes, fully considering public input provided as part of decision-making processes, ... and providing notice of and engaging in outreach to communities or groups of people who are potentially affected and who are not regular participants in Federal decision-making.” EPA recommends the forthcoming NEPA document include information describing what was or will be done to inform communities about the project and the potential impacts it will have on their communities, what input has been received to date from the communities, and how that input was or will be used in decision-making. (EPA)
- Response 20.23:** **“Chapter 03.0: Process, Coordination, and Public Participation” of the EIS will summarize the public involvement process in the Proposed Project. Throughout the development of the Proposed Project, from establishing the Chelsea Working Group to continuously engaging residents on site, NYCHA and the PACT Partner have prioritized, and will continue to prioritize, engagement of residents throughout the Proposed Project. As noted in response to comment 1.37, EO 14096 has been revoked.**
- Comment 20.24:** Air quality concerns related to demolition include, but are not limited to, potential dust, lead, and asbestos. EPA suggests the Draft EIS include the measures that will be taken to ensure the construction workers and nearby tenants and residents will be protected from exposure to the pollutants of concern. The Draft EIS should also include a description of how and hazardous materials found on site such as lead and asbestos are stored while on site and how they will be disposed of. (EPA)
- Response 20.24:** **The potential air quality and hazardous materials impacts on construction workers and residents will be analyzed in “Chapter 05.09: Hazardous Materials”, “Chapter 05.14: Air Quality”, and “Chapter 05.19: Construction” of the EIS.**
- Comment 20.25:** The Draft EIS should incorporate options that explore diesel controls, cleaner fuel and construction practices for on-road and off-road equipment used for transportation, soil movement, or other activities, including the use of clean diesel through add-on control technologies such as diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment. (EPA)
- Response 20.25:** **“Chapter 05.14: Air Quality” and “Chapter 05.19: Construction” of the EIS will analyze the potential significant adverse impacts associated with the output of construction equipment and if the potential for significant adverse impacts are identified then mitigation measures will be explored.**

- Comment 20.26:** I am a concerned mother who lives near the Chelsea and Elliott Houses. Like other mothers in our community, I worry about the potential adverse effects of the planned demolition on our children's health. The demolition and construction process will worsen air quality, with dust, particulate matter, and asbestos fibers being released into the atmosphere. Additionally, the accompanying noise from demolition and subsequent construction poses a significant challenge, especially for young children. Our area is surrounded by schools equipped with open-air yards and playgrounds. As demolition activities commence, I wonder if it will be necessary to confine our children indoors to shield them from this environmental upheaval. The prospect of two entire neighborhoods being dismantled raises grave concerns about the well-being of our community's children. (Chowdhury)
- Response 20.26:** **As noted in the DSOW, “Chapter 05.19: Construction” of the EIS will assess the potential construction impacts of the Proposed Project regarding air quality, noise, and open space.**
- Comment 20.27:** Conduct a comprehensive analysis of noise levels, air quality, and other environmental factors that could potentially affect neighboring schools, including Quest to Learn (M422), Hudson High School of Learning Technologies (M437), Humanities Preparatory Academy (M605), James Baldwin School (M313), Landmark High School (M419), Manhattan Business Academy (M392), Hudson Guild Children's Center and Chelsea Prep (PS33), which are both adjacent to the demolition and new construction on West 26th Street. (CB4)
- Response 20.27:** **As noted in the DSOW, “Chapter 05.19: Construction” of the EIS will include an assessment of the potential for construction of the Proposed Project to result in air quality or noise impacts related to construction. If impacts are identified, mitigations will be explored.**

21. Environmental Justice

- Comment 21.1:** While New York City faces a housing affordability crisis, with the average rent in Manhattan reaching \$4,662 in January 2024, the Proposed Action does not attempt to center affordability or fair housing goals. Throughout the city, NYCHA has constructed or is in the process of constructing approximately 2,275 units of either “affordable” or market rate housing on NYCHA property. The overwhelming majority of these projects have only 100% affordable buildings, and the mixed income projects reflect the housing needs of our communities. For example, the Wyckoff Gardens plan includes 250 market rate and 250 affordable units, with the latter restricted to households making less than 60% of AMI (\$51,540). The Proposed Project represents the bare minimum of affordability — the basic Mandatory Inclusionary Housing for a rezoning — in one of New York’s most expensive and exclusive neighborhoods. Manhattan’s District 3’s lack of racial diversity is matched by its class homogeneity. The district has a median annual household income of almost \$170,000 and has a significant number of expiring affordable units over the next half-decade, with more than 3,800 rent restrictions ending between 2023 and 2027. The Proposed Action reflects no consideration of

fair housing goals in a construction project with a massive public subsidy in the form of zero land costs for the developer. Given the public investment that will go into this project, most crucially public land facilitating 1,581,871 gross square feet of private development, the EIS should perform a cost-benefit analysis of the potential ground lease including reasonable alternatives that provide more affordability or, in the alternative, cash flows that will be used to significantly increase affordability. Further, the Proposed Action requires “right sizing” for current household composition meaning that the sizes of units that are rebuilt could be significantly smaller (both in terms of bedroom size and square footage) than those that will be demolished. The loss of bedrooms and apartment square footage should be included in the scope of an EIS analysis. (Thompson)

Response 21.1: **A cost benefit analysis is outside the scope of an EIS. The Proposed Project proposes the complete replacement of the existing 2,056 existing NYCHA DUs with Section 8 PBV DUs for existing residents of the Project Sites. In addition to the replacement of units, under all development alternatives, the Proposed Project will introduce additional affordable units equating to 30% of the incremental units introduced on site. Of the total units proposed, the replacement of the 2,056 units plus the additional affordable units together will represent more than half of the total DUs proposed. While the size of units is outside the scope of the EIS, it should be noted that “right-sizing” is a federal requirement that applies to both Section 9 and Section 8 PBV housing.**

Comment 21.2: There is strong and tried guidance on how to analyze environmental justice (EJ) impacts during NEPA reviews. Executive Order 12898 directed federal agencies to develop guidance on addressing impacts on low-income and minority populations, after which the Council on Environmental Quality (CEQ) produced regulations. The NEPA Committee of the Federal Interagency Working Group on Environmental Justice’s Promising Practices for Environmental Justice Methodologies in NEPA Reviews provides sound methodologies to navigate the consideration of EJ during the NEPA process. We recommend that the EIS include:

- Consideration of EJ and use of Promising Practices for Environmental Justice Methodologies in NEPA Reviews when developing the EJ section of the DEIS;
- What sources will be used to measure demographics; and
- Definitions of the “reference community” and the “affected community”—definitions which are each used to analyze whether there are disproportionately high and adverse human health or environmental impacts by comparing the impacts to the affected community with the impacts to the reference community. (Thompson)

Response 21.2: **“Chapter 05.20: Environmental Justice” of the EIS will analyze the effects of the Proposed Project and consider all applicable guidance and precedents when conducting the environmental justice analysis. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. It should be noted that EO 14173 of January 21, 2025 revoked EO**

12898. Nonetheless, an environmental justice analysis will be provided in the EIS.

Comment 21.3: I am appalled firstly at the negligence that NYCHA has shown toward Fulton and Elliott, which is clearly motivated by racism and greed. Now that you have allowed buildings that hundreds of multigenerational, mostly Black families live in to fall into dangerous disrepair, the only option you present is to displace residents, possibly permanently, privatize development and further gentrify the neighborhood. This course of action is racist, cynical, and corrupt. (Wolff)

Response 21.3: **Comment noted. Please see response to comment 1.35 for information regarding the PACT Program.**

Comment 21.4: Required study of this topic [Environmental Justice] will occur. (CB4)

Response 21.4: **See response to comment 21.2.**

Comment 21.5: Executive Order 12898 Federal Actions to Address Environmental justice in Minority Populations and Low-Income Populations, February 11, 1994 was supplemented by Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All, April 26, 2023 which directs federal agencies, as appropriate and consistent with applicable law: to identify, analyze, and address disproportionate and adverse human health and environmental effects (including risks) and hazards of Federal activities, including those related to climate change and cumulative impacts of environmental and other burdens on communities with environmental justice (EJ) concerns. Agencies are directed to consider historic inequities and barriers to receiving equitable access to health and environmental benefits in communities with EJ concerns (including persons with disabilities). EO 14096 also directs EPA to assess whether each agency analyzes and avoids or mitigates disproportionate human health and environmental effects on communities with EJ concerns in carrying out its Clean Air Act Section 309 responsibilities. EPA recommends that relevant provisions of EO 14096 are incorporated in the development of the Draft EIS... EPA recommends the Draft EIS identify communities with EJ concerns and analyze disproportionate impacts that communities may experience from the project and proposed alternatives, including changes to quality of life that may occur as intended by the purpose and need of the project, consistent with the Council on Environmental Quality's Environmental Justice Guidance (CEQ EJ Guidance). (EPA)

Response 21.5: **The EIS will analyze the potential environmental impact of the proposed project on minority and low-income populations. This analysis will be described in "Chapter 05.20: Environmental Justice". As noted in response to comment 1.37, EO 14096 has been revoked and as noted in response to comment 21.2, EO 12898 has also been revoked. Nonetheless, an environmental justice analysis will be provided in the EIS.**

Comment 21.6: As a general guidance for the purposes of NEPA review, a project is considered to be in an area of potential EJ concern when the area shows one or more of the twelve

EJ Indexes at or above the 80th percentile in the nation and/or state. However, scores under the 80th percentile should not be interpreted to mean there are definitively no EJ concerns present... EPA also encourages the use of EJScreen when conducting EJ scoping efforts. This tool is a useful first step in highlighting locations that may be candidates for further analysis... EJScreen can help identify vulnerable populations that have higher sensitivity to pollution impacts, such as elderly populations and youth... EJScreen can also help focus outreach efforts by identifying potential language barriers, meeting locations, tribal lands and indigenous areas, and lack of broadband access. (EPA)

Response 21.6: **“Chapter 05.20: Environmental Justice” of the EIS will utilize EJScreen. The FSOV has been revised to add a reference to EJScreen in the discussion of the Environmental Justice analysis to be provided in the EIS.**

Comment 21.7: EPA recommends that the draft EIS include analysis of environmental justice issues related to equitable development, including, but not limited to, the potential gentrification impacts of this project. EPA recommends consulting EPA resources on equitable development and environmental justice (found here: <https://www.epa.gov/environmentaljustice/equitable-development-and-environmental-justice>) to guide analysis of this issues. (EPA)

Response 21.7: **“Chapter 05.02: Socioeconomic Conditions” of the EIS will analyze the potential impacts to socioeconomic conditions, including displacement, from the Proposed Project. If the potential for significant adverse impacts is identified, mitigation measures will be explored.**

22. Indirect and Cumulative Effects

Comment 22.1: As part of this cumulative impacts analysis, we recommend the document clearly identify communities that may be experiencing existing pollution and social/health burdens and consider how the Proposed Project may potentially result in disproportionate impacts within that context. Toward this end, EPA recommends considering conducting a baseline survey of environmental and public health concerns currently existing in the community. (EPA)

Response 22.1: **The EIS will identify existing conditions for each technical analysis area, including Air Quality, Noise and Public Health, and identifies anticipated impacts in the future without the Proposed Project (No-Action Alternative), and potential anticipated impacts in the future under the proposed development scenarios. The conditions identified in the No-Action Alternative may be considered as a baseline scenario for analysis and review in this context. As noted in the DSOV, the EIS will also consider the project’s potential for disproportionately high and adverse impacts on minority and low-income populations, which will be presented in “Chapter 05.20: Environmental Justice” of the EIS. If these assessments identify that significant adverse environmental justice impacts would occur, the EIS will explore measures to fully or partially mitigate such impacts.**

Comment 22.2: The Council on Environmental Quality's (CEQ) NEPA regulations define indirect impacts as those "which are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable."... The CEQ NEPA regulations define cumulative impacts as " ... the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."... The EIS should include and analyze direct, indirect, and cumulative impacts, to assess anticipated impacts from past, present and foreseeable future actions and the incremental impacts the proposed project would add to this... To inform the consideration of cumulative impacts, EPA recommends consulting CEQ's cumulative effects guidance, Considering Cumulative Effects Under the National Environmental Policy Act. (EPA)

Response 22.2: **“Chapter 06.0: Indirect and Cumulative Effects” of the EIS will include an analysis of the potential for cumulative or indirect impacts.**

G. General/Other

Comment G.1: The following made general statements of support for the Proposed Project, with some explicitly mentioning support for the demolition of existing buildings and replacement by new buildings. See Appendix III for the specific details of each comment of support. (Alexander; Bachon; Campbell; Dawson; Figaroa; S. Kashyap; Keena; Martinez; Medina; Morales; Noble; A. Ortiz; M. Ortiz; Panchoa; N. Rivera; Robinson; Vasquez; Kearny; Jones; White)

Response G.1: **Comment noted.**

Comment G.2: The following made general statements of opposition to the Proposed Project, with some explicitly mentioning they oppose demolition and advocate for keeping existing buildings with repairs. See Appendix III for the specific details of each comment of opposition. (Adabachi; Citarella; Clark; A. Cruz; Delgado; Goldwell; Johnson; Kremen; Kurland; Ortega; R. Rivera; Sanchez; Schnipper; Toerock; Barnes-Lee)

Response G.2: **Comment noted.**

Comment G.3: Transparency regarding timing, community notification, affordability ranges, tenants' rights, project financing, and more, is critically important to residents and neighbors. NYCHA and the development team must be transparent, communicative and engaging throughout this process. (Bottcher, et al.)

Response G.3: **The lead agencies, in partnership with the PACT Partner, have engaged in extensive and regular outreach and public communication with tenant groups, the Community Board, the general public, and other stakeholders. This outreach will continue during the environmental review process; and through other public approval processes, as applicable. Additional information regarding engagement with residents, community members, and**

community groups as well as general protections under the PACT program will be discussed in the EIS. “Chapter 03.0: Process, Coordination, and Public Participation” will outline all outreach and public communication the lead agencies facilitated as part of the Proposed Project. See also response to comment 1.3.

Comment G.4: We suggest that the Lead Agencies establish monthly community stakeholder engagement meetings to address ongoing development of the Draft EIS and receive ongoing feedback from community partners throughout the NEPA process to continue practice of meaningful engagement to meet CEQ guidelines. (EPA)

Response G.4: See response to comment G.3 regarding ongoing consultations with project stakeholders.

Comment G.5: I was on the Section 8 Housing Voucher list in VA, FFX County. I am writing to ask you, if I am eligible for the properties at the NYCHA: Chelsea, Chelsea Addition, Elliott & Fulton Houses, since I am planning to reside in NYC upon graduation from the Made in NY Post Production. (Abrashkina)

Response G.5: Under the Proposed Project, existing NYCHA FEC residents will be provided with new Section 8 PBV DUs on the Project Sites. All inquiries concerning current public housing residents, Section 8 voucher holders and landlords, and applicants should contact the NYCHA Customer Contact Center by calling (718)-707-7771 or by visiting one of NYCHA’s Customer Contact Center Walk-In locations. For more information, please visit: <https://www.nyc.gov/site/nycha/about/contact.page>.

Comment G.6: Steven Ross is a certified criminal. (Kremen)

Response G.6: Comment noted.

Comment G.7: The real estate market in New York is collapsing. Today, major banks related to it are over selling. Everybody who knows and pay attention to it, the New York real estate market is in trouble. (Kremen)

Response G.7: Comment noted.

Comment G.8: I will limit my comments to the financial aspects of the scope of work. What follows are simple and direct questions that emerge from the complete lack of information about MONEY in any material that has been available to the community. It is a schematic offering for the need of data and analysis. Each question raises the need for a host of specific factual details. These must be addressed before moving forward with this or any real estate project. The alternatives presented by the NYCHA Redevelopment Proposal ignores any consideration of dollars and cents. There is not a single reference to the numbers. How can a decision be made without consideration of the cost? There are two sides to each and every investment decision. Here the benefit/gain is not measured in percentage return of the capital invested; but that does not eliminate the requirement to assess the benefits. (Friedman)

Response G.8: As required by the relevant environmental statutes and regulations, the EIS will assess the reasonably foreseeable environmental effects of the Proposed Project, as well as a reasonable range of alternatives to the Proposed Project that are technically and economically feasible, and meet the purpose and need of the Proposed Project. After completion of the final EIS, the joint lead agencies (HPD and NYCHA) will issue a Record of Decision that will discuss all factors that the agencies balanced in making a final decision and state how those considerations entered the decision. Financial analyses are outside the scope of the EIS.

Comment G.9: All choices must involve an analysis and comparison of costs in relationship to the resulting benefits. Is it worth to spend the money without documenting the benefits? Are there other options to achieve the same results and outcomes at a lower cost? Perhaps the repair and rehab of the existing structures meets that criteria. (Friedman)

Response G.9: See response to comment G.8.

Comment G.10: More specifically the Scope of Work does not present the following information: Total Budget for the project– on a per square foot and per unit basis.; Hard construction costs; Soft Costs; Professionals – architects, engineers, lawyers accountants and a host of other specialized experts; Developers Overhead – usually from 10% to 20% of the budget; Is the developer’s pre approval costs to be included within the budget and thus reimbursed ?; Tenant Relocation – individual and family basis; Financing; Who’s paying for all of this?; What institutions are proving the capital?; Will government debt mechanism be utilized?; Will Low Income Tax Credits be utilized?; Are direct public expenditures Involved?; Is there any equity participation by the developer?; What are the terms of the 99 year lease of the land?; What guarantees exist that the project will be completed?; How realistic are the multi-year financial projections, given the multi-year length of the work? (inflationary increases in labor and materials); How will the debt/bonds be paid annually and how are they then to be eventually paid off?; What is the profit/gain for each option? I hope the “preferred” alternative is not the most lucrative for the developer. (Friedman; Holowka)

Response G.10: See response to comment G.8.

Comment G.11: Given that the project is motivated by fostering this public private partnership, we request that the funding and financing aspects of the project be encompassed with the project scope and that a comprehensive financial analysis into both, the environmental impact statement and any subsequent documents...Detailed cost analysis should be provided in the project documentation to offer a more detailed picture of the expenses in this endeavor so that we can compare and we can see where this money is going. (Gill)

Response G.11: See response to comment G.8.

Comment G.12: Provide a detailed Financing Plan and potential strategies if ever there is a breakdown or any unforeseen future financial hardships that may leave the project in limbo. (Brahmbhatt)

Response G.12: See response to comment G.8.

Comment G.13: We need a detailed independently clear reviewed explanation of how the renovation budgets skyrocketed from 487 million to well over a billion dollars...A new RFP or any environmental impact statement should include a rehabilitation alternative that saves as many existing buildings as possible and verifiably estimates their repair costs... What outside agency certified the numbers quoted by the developer for the costs of renovation?... I have no idea, nor does anyone, how much profit the developer expects to make, or even a reasonable plan of what the apartments will look like. (Coloka; Schnipper; Thompson)

Response G.13: Please see the responses to comments 1.3, 1.5, 1.13, and G.8.

Comment G.14: Specifically, on the scope of work, given that one of the goals of the project is to raise funds and leverage capital, the funding and financing schemes must be deemed in scope and fully analyzed in the EIS, including a Resident Management Corporation option. Fiscal implications and the PILOTs agreements must also be within scope and fully analyzed. (Law-Gisiko)

Response G.14: See response to comment G.8.

Comment G.15: The following commenters noted problems with their existing apartments and/or common areas in the Fulton and Elliott-Chelsea Houses. (Green; Polkova; Rodriguez; Rosado; Sori; Stevenson; Jones; White)

Response G.15: The DSOW recognizes that the buildings and units on the Project Sites are severely deteriorated. The need to address this deterioration is noted in the DSOW discussion of the Purpose and Need for the Proposed Project and will be further discussed in the EIS.

All inquiries, comments, or complaints concerning current NYCHA tenants should be directed to the NYCHA Customer Contact Center by calling (718)-707-7771 or by visiting one of NYCHA's Customer Contact Center Walk-In locations. For more information, please visit: <https://www.nyc.gov/site/nycha/about/contact.page>.

Comment G.16: It will further tear at the already fragile fabric of tenants' right in New York City. (Millman)

Response G.16: Comment noted. Please see response to comments 1.35 and 3.3.

Comment G.17: It will increase market rate housing density at a time when low and middle income housing needs to be increased. (Millman)

Response G.17: In addition to replacing the existing affordable NYCHA units, it is currently anticipated that in the Rezoning, Non-Rezoning, and Midblock Bulk Alternatives, 30% of the newly constructed units (not including NYCHA

replacement units) would be permanently affordable for households making an average of approximately 80% of the Area Median Income (AMI).

Comment G.18: In a despicable move, it captures public assets for private profit in a city that is desperate for low and middle income housing and support for public programs. (Millman)

Response G.18: As noted in the DSOW, the Purpose and Need for the Proposed Project is to improve the quality of life and housing stability for the existing residents of the Fulton and Elliott-Chelsea Houses by providing all current residents with new permanently affordable residences on the Project Sites, and also to facilitate the construction of additional affordable and market rate housing on the Project Sites to address the critical shortage of affordable housing and housing in general in New York City. The market rate housing will financially support the PACT portion and new affordable housing component of the Proposed Project.

Comment G.19: Finally, to dupe NYCHA residents with false promises of improved housing in a sneaky and misleading deal is morally corrupt. There is sure to be terrible publicity for those responsible for this scheme. (Millman)

Response G.19: Comment noted.

Comment G.20: So I'm asking you, okay, find ways of making -- securing people out of homelessness. All this development we're talking about, we have the same problems decades and decades in and out. (Mudd)

Response G.20: As noted in the DSOW, the EIS will include an assessment of the consistency of the Proposed Project with public policies, including those related to housing, including Housing Our Neighbors: A Blueprint for Housing and Homelessness, issued by the City in 2022. Also see response to comment 3.15.

Comment G.21: I'm looking for some change and because -- and the safety in housing here. (N. Rivera)

Response G.21: Comment noted.

Comment G.22: But the people that lives here sicken me to my stomach that you're busy up here, want changes, but you are the problem because you help them. (Stevenson)

Response G.22: Comment noted.

Comment G.23: This year, there's a party for the non-demolition, they're writing letters, not even doing research, they didn't even do a survey and everybody that's in the club, they live in Penn South...So if you want to come to our development and tell us what we should have... We're not uneducated people that live in Fulton or Elliott...I don't see nobody else coming here and entertaining our kids and educating us. It's good to criticize when you live in a nice home, in a nice area...So I want to see the people come live with us for a week and see how you like living here. (Suarez)

Response G.23: **Comment noted.**

Comment G.24: There are those against the revitalization who are taking advantage of the situation and are not looking out for residents here. They express concerns about potential impacts on illegal activities that they themselves are committing. (Vasquez)

Response G.24: **Comment noted.**

Comment G.25: I am a member of Penn South writing about our neighbors' housing. (Allison)

Response G.25: **Comment noted.**

Comment G.26: While the OAG's comments will address deficiencies [of the DSOW] under the National Environmental Policy Act of 1969, the State Environmental Quality Review Act ("SEQRA") and City Environmental Quality Review ("CEQR"), the OAG strongly encourages NYCHA to disclose more than what is technically required by these statutes and their implementing regulations due to the unique nature of this demolition project. (NYSOAG)

Response G.26: **Comment noted. Throughout the EIS process it will be noted where the PACT Partner has gone above and beyond typical NEPA protocols (such as holding three scoping meetings in three different settings in order to be the most accessible for the most people).**

Comment G.27: Why does she (Garcia's daughter) have to be on a five-year waiting list to apply for Fulton when she was previously on the lease when she was growing up here? (Garcia)

Response G.27: **All inquiries, comments, or complaints concerning current NYCHA tenants should be directed to the NYCHA Customer Contact Center by calling (718)-707-7771 or by visiting one of NYCHA's Customer Contact Center Walk-In locations. For more information, please visit: <https://www.nyc.gov/site/nycha/about/contact.page>.**

Comment G.28: If you need evidence for environmental hazard look no further than the NYCHA management office and those who are in charge of hiring and retention.... The environmental damage that my home has been intentionally, incompetently and catastrophically been through recently and through tremendous effort the situation is corrected though the cause of the environmental damage currently remains in the NYCHA management and hiring office. Remedial action needs to be taken and qualified replacements must be made TODAY, NYCHA residents deserve competent management who do not intentionally try to destroy resident's homes, thanks dear friends and neighbors! (Goldwell)

Response G.28: **Comment noted. See response to comment G.27.**

Comment G.29: If we move to a new building, are we still going to have the same bad people doing bad things in the building and stuff? (Kenney)

- Response G.29:** **This type of analysis is outside the scope of the EIS. See response to comment G.27. All existing NYCHA FEC residents will be offered a Section 8 PBV DU in the new buildings on the Project Sites.**
- Comment G.30:** We request that NYCHA and/or the project owners immediately begin tracking tenants who vacate their homes, seemingly voluntarily, and conduct exit interviews to determine the causes for their departures. It is possible that people feel forced to leave because of the drastic physical and emotional toll of this project, beginning with the government's refusal to maintain their homes without extortion, and ending with the transformation of their community into an unrecognizable and alienating place. Tracking and reporting such data will help to establish a measure of indirect displacement. (Epstein and Pahaham)
- Response G.30:** **This type of analysis is outside the scope of the EIS. See response to comment G.27 and 3.3.**
- Comment G.31:** I do expect that you tell us how are you going to make judgment about what is the best, how? Who is going to come, take all these comments and who's going to read it?. This is supposed to be about public housing but here you are having many more luxury apartments than anything else. Somebody's planning to make a lot of money here. (Hasselport)
- Response G.31:** **It is the purpose of environmental review to study the potential environmental impacts of the Proposed Project and different alternative scenarios. The analysis is conducted according to the standardized federal, state and city guidance regarding environmental review (NEPA, SEQRA, CEQR). All comments made during Public Scoping are being reviewed, considered, and responded to in the FSOV and comments made during the DEIS public review period will be reviewed, considered, and responded to in the FEIS. Decision-makers will rely on the findings of the EIS when considering whether to approve the discretionary approvals required to facilitate the Proposed Project.**
- Comment G.32:** If the decision is to rehabilitate Fulton, Elliott and Chelsea developments, where would the new management get additional funding to continue to maintain the major issues of these developments? Why shouldn't residents with disabilities have 504 units that meet all standards and regulations? (McGee)
- Response G.32:** **All new building units (including the replacement NYCHA units as well as the additional affordable units) would meet accessibility requirements under the NYC Building Code and any other applicable accessibility requirements. Through PACT, developments are included in the federal Rental Assistance Demonstration (RAD) and convert to a more stable, federally funded program known as Section 8 PBV. This program unlocks additional funding to make comprehensive investments while also ensuring that homes remain permanently affordable and residents retain the same basic rights they possess in the Section 9 public housing program. In addition, the Proposed Project will include additional permanently affordable housing as well as**

market rate units that will financially support the affordable housing created by the Proposed Project.

Comment G.33: I'm just concerned that every time we go to this meeting all over again, same topics, same details, same (inaudible). And some they take three, they take four and nothing constructive. Nothing is done. So why are we going to the meetings if it's the thing, same topics. (Miranda)

Response G.33: **Comment noted.**

Comment G.34: I feel that we need more affordable supermarkets for us and more diversified restaurants. (N. Rivera)

Response G.34: **As noted in the DSOW, each of the development alternatives for the Proposed Project is expected to include supermarket spaces, one on each of the two Project Sites. This is intended to be locally oriented establishment serving the community including residents of the Project Sites. NYCHA and the PACT Partner will work with residents to understand how to attract establishments for these spaces.**

Comment G.35: Please note, p31, second paragraph - Did ACS actually mean Administration for Children's Services or American Community Survey? If the former, why? (M. Ortiz)

Response G.35: **This has been corrected in the FSOW.**

Comment G.36: Robert Moses parking spaces shouldn't be limited and adjusted pricing will free up street spaces. Parking garages are already limiting the business statements. (Coloka)

Response G.36: **Comment noted.**

Comment G.37: Commenter left a comment promoting an unrelated event. (Connor)

Response G.37: **Comment noted.**

Comment G.38: Produce a Racial Equity Report - In the spirit of accountability, we ask that a Racial Equity Report be produced as per Local Law 78 of 2021, whether Alternative 2 or 3 in the DSOW are selected. This information will be useful in assessing the risk of indirect displacement, how neighborhood character might change, and the impact on rents in the neighborhood. This information will be useful to all residents in the study area, not just NYCHA residents. Based on Local Law 78-2021, if Alternative 2, the rezoning alternative, is ultimately selected, a Racial Equity Report will be required. For purposes of accountability to the residents of NYCHA and the entire study area, a Racial Equity Report should be prepared and made public no matter which alternative is selected. (Epstein and Pahaham; Ferreyra)

Response G.38: **As of June 1, 2022, certain applicants with projects subject to New York City's Uniform Land Use Review Process (ULURP) must complete a Racial Equity Report on Housing and Opportunity ("RER") pursuant to Local Law 78 of**

2021. As such, the Rezoning Alternative or the Midblock Bulk Alternative (see response to comments 1.5 and 1.20), if selected, would be required to prepare a RER during the ULURP process. While an RER is outside the scope of the EIS. It should be noted that “Chapters 05.02: Socioeconomic Conditions” and “Chapter 05.20: Environmental Justice” of the EIS will include analyses that address some of the same concerns as raised by the comment.

Comment G.39: Analyze Compliance with AFFH Rule - We ask that the DEIS explore how this proposed project complies with federal policy to affirmatively further fair housing for protected classes, including Asian, Black, and Latino people, and people with limited English proficiency. How does the proposed alternatives affect their housing stability and their housing opportunity? Similarly, we ask the DEIS to explore how this project meets the City's fair housing goals. We ask for translation and interpretation services for Spanish and Chinese speakers at all meetings, in all documents, and in all forms of oral and written communication concerning this project. (Epstein and Pahaham)

Response G.39: The EIS will include an analysis of applicable public policies, including those regarding housing. The DSOW was published in English, Spanish, Russian, traditional Chinese, and simplified Chinese. Simultaneous interpretation services were provided at the three public scoping hearings in Spanish, Russian, Cantonese, Mandarin, and American Sign Language. The public notice for the scoping hearings were published in newspapers of general circulation in English, Spanish, Russian, traditional Chinese, and simplified Chinese. Additionally, the scoping hearing public notices indicated that requests for accommodation of additional languages could be made up to 10 days before the hearing and every effort would be made to accommodate such requests. Any other required publications and future meetings as required by the NEPA EIS process will include publications in the identified languages and meetings will have simultaneous translation. The Executive Summary of the DEIS will be translated into those four languages.

Comment G.40: This proposal will not be part of the solution to New York’s housing shortage. Any affordable homes developed via this proposal will be priced based on the current AMI of the neighborhood. The AMI model is currently used as part of NYC’s affordable housing marketplace and that is not serving the most vulnerable New Yorkers. This proposal will only increase the number of luxury apartments available in this community. Finally, the creation of public spaces and retail spaces is possible within the current infrastructure of Fulton Elliott Chelsea and permissible with Section 9 of the US housing code. (Ferreyra)

Response G.40: Comment noted. AMI is set by HUD based on the NYC region. However, income levels and rents have not yet been set for the additional affordable units that will be developed under the Proposed Project, and the setting of these is outside the scope of the EIS. Also please see response to comment 1.41.

Comment G.41: There is already enough market rate and luxury housing in Chelsea; we need to put our efforts toward affordable and subsidized housing. This mixed market option

stinks of real estate giveaways to investors looking to cash in. This is a public asset that should not be given away to private interests. (Hickerson)

Response G.41: **As discussed in the DSOW, one of the purposes of the construction of market rate housing units is to financially support the PACT portion and new affordable housing component of the project.**

Comment G.42: Lastly, we urge NYCHA and HPD to embrace transparency by immediately making the Obsolescence Report, all the detailed RFP bids, as well as what is referred to in the RFP as the “NYCHA Documents” publicly accessible. (Law-Gisiko)

Response G.42: **Requests for the release of the documents mentioned in this comment are outside the scope of the EIS.**

Comment G.43: In 2019 I was one of the major protestors against demolition of the 2 buildings at Fulton. That plan was unacceptable and was decided behind closed doors without informing residents of these plans...I have spoken with NYCHA, Essence, Elected Officials, CB4, Legal Aid and asked them to ensure these replaced NYCHA units shall always remain PACT Section 8 and never be considered market rate units, all residents are guaranteed to move in and have the right to an appropriate sized unit. They continue to have their rights and protections, their leases are clear, residents and kept informed and involved and they have the safety and security they deserve. Keep the Working Group’s recommendations and make improvements on behalf of the residents. NYCHA, Essence and elected officials have attended these meetings and residents have the opportunity to talk with them. (McGee)

Response G.43: **See response to comments 1.35, 3.3, 3.4 and 3.25.**

Comment G.44: These are rich and greedy developers who are past the millionaire status, they're billionaires and want more at the expense of us. The new and much taller high-rise buildings will cause strain on those of us who look up seeking to see the sky. The new layout will not look residential. It will feel industrial like living in a hospital...This is not a retail zone. This is residential. A community of individuals and families that Related and Essence is intruding upon and outright violation of our peace. I hope you can see how this is an absurd idea and if you approve this, you will only be catering to the winds of greedy and careless developers. Related do not care about the NYCHA tenants. They are not social workers nor doctors. They are real estate developers. Please do not include yourself in the plot to push us out. This is our home...Yes, we do need maintenance and upkeep. Some upgrades are needed also. But demolishing well-built buildings is a crime. A part of history will be ruined... We are NYCHA buildings but we are part of an important history here in Chelsea. Demolishing our buildings will also be a huge mistake and regret just as Penn Station has been when it got taken down in 1963; a piece of artwork taken down for the sake of profit... (Miranda)

Response G.44: **Comment noted.**

Comment G.45: Since the rightsize has been lifted, would those residents who have been on the transfer list for more than 5 or 10 years to be rightsized before building gets build? (Walkiris)

Response G.45: **This type of analysis is outside the scope of the EIS. Also see response to comment G.27.**

Comment G.46: This is a quote from the 197-a plan adopted as the Contextual Chelsea Development Plan by the Community Board and the City Planning Commission and City Council by resolution on April 10, 1996 and May 22, 1996 respectively “The 197-a Plan states the sponsor's goals: to provide for orderly growth and change; to provide opportunities for new, economically integrated housing; to preserve the existing low-income housing stock; to prevent significant displacement of residents and businesses; to preserve ethnic and economic diversity; to protect residential areas from commercial intrusion; to preserve the character and visual unity of Chelsea; to preserve the traditional urban form and scale of the community; and to protect the [Chelsea] Historic District and other areas of historic character.” The current Rezoning plan on the table is in direct conflict with every single one of these stated community and council-approved goals. From the ratio of affordable to luxury and market rate housing (2 to 1 favoring the latter), to the lack of context for 39-story towers on the avenue in what is a low-rise neighborhood with an adjacent historic district, to the fact that the new market rate and luxury housing will no doubt dramatically change the nature of the businesses that currently serve the neighborhood, the rezoning plan an affront to EVERY resident of the neighborhood. (Schnipper)

Response G.46: **As noted in the DSOW, “Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS will include an assessment of the potential effects of the Proposed Project related to public policy. Consistent with *CEQR Technical Manual* guidance, this will include an assessment of the effects related to Manhattan Community Board 4’s Chelsea 197-a Plan, “A Contextual Zoning Proposal to Create Housing Opportunities.” The purpose of the EIS is to analyze potential environmental impacts and determine whether they will be significant. If the potential for significant adverse impacts is identified, then mitigation measures will be explored.**

Comment G.47: I wonder how the land mass the NYCHA Projects now occupy can be successfully used for the proposed development project. The land is not Manhattan schist. It is Hudson River marsh. The original coastline of Manhattan was 10th Avenue right where the 2 projects are located. 10th Avenue to the River is man-made land fill. When THE ‘Sandy’ struck the River came in as far as ½ way to 9th Avenue. The boilers were nonusable. No power. I also question who the developments will be built for. Does Chelsea need sky high market rate housing ? Build it elsewhere on Manhattan schist. So many of the community need permanent affordable housing. Redo not demolish the current NYCHA buildings and also build low rise affordable housing on the same land. Why not use the Community Trust model ? Isn’t it being used in Brooklyn at the Nostrand NYHA housing BTW the Nostrand

Houses are built on marsh not the Hudson River marsh but rather the Coney Island marsh. PS- & how to insure a dramatic reduction in bird-kill? (Shanley)

Response G.47: “Chapter 02.0: Project Alternatives” of the EIS will discuss the considered alternatives. “Chapter 05.08: Natural Resources” of the EIS will include an assessment of the Proposed Project’s potential effects related to bird collisions with built structures. Additionally, “Chapter 05.01: Land Use, Zoning, and Public Policy” of the EIS will include an assessment on the Proposed Project’s potential impacts on the floodplain, including the Waterfront Revitalization Program (WRP), which is the City’s principal coastal zone management tool. Finally, “Chapter 05.19: Construction” will discuss methodologies for analyzing construction air quality, construction noise, and construction transportation.

Comment G.48: I am a neighbor of the Elliott-Chelsea houses and I wanted to voice my opposition to the current plan to demolish these housing projects. The plan seems like a cash-grab, the displaced community will almost certainly not be fully restored to their apartments in Chelsea, and the ensuing noise, pollution, traffic issues and chaos that will happen once construction starts is a nightmare for our neighborhood. (Stackhouse)

Response G.48: Comment noted. “Chapter 05.19: Construction” of the EIS will include an analysis of the potential effects of the Proposed Project. If the potential for significant adverse impacts is identified, then mitigation measures will be explored. Additionally, please see response to comment 3.3 and 3.20

Comment G.49: Page 9 of the DSOW states that the purposes of the Proposed Project are to improve the lives of residents of FEC and to “facilitate the construction of additional affordable and market rate housing units to address the critical shortage of affordable housing and housing in general in New York City and financially support the PACT portion of the project.” The EIS should include the latter purpose as an area of analysis as part of a review of the socioeconomic characteristics and commitments of federal resources required by the National Environmental Policy Act (NEPA) Section 102 and various sections of Part 40 of the Code of Federal Regulations (CFR). A review of economic research shows that the Proposed Project is unlikely to result in decreased housing prices for those who need them most. (Thompson)

Response G.49: As noted in the DSOW, “Chapter 05.02: Socioeconomic Conditions” and “Chapter 05.20: Environmental Justice” of the EIS will include analyses of the potential effects of the Proposed Project. It should be noted that the DSOW does not indicate that the Proposed Project is intended or expected to result in lower market rate housing prices. The Proposed Project would preserve the supply of existing public housing units, replacing existing units with new ones, in which residents will still pay no more than 30% of their income as long as they continue to meet the qualifications for assistance (refer to: <https://www.nyc.gov/site/nycha/eligibility/eligibility.page> for more details about eligibility). The Proposed Project also would provide additional

permanently affordable housing units as well as market rate housing units in the face of historically low housing vacancy rates in New York City, as indicated by the 2023 New York City Housing and Vacancy Survey (NYCHVS).

Comment G.50: Well defined impact level categories (for example negligible, minor, moderate, significant) for each resource area are essential in analyzing impacts across alternatives. EPA suggests that the beginning of each resource area chapter defines these impact levels and includes the justification for the selected definition. (EPA)

Response G.50: **In the “Methodology” section of each EIS chapter, the threshold requiring a detailed analysis of the Proposed Project on the technical analysis area is identified as determined by NEPA, SEQRA, or CEQR guidance. From there, the detailed analysis is performed, and an impact determination is made. There is either no significant adverse impact to a technical area, or there is significant adverse impact. If the analysis identifies the potential for a significant adverse impact, the EIS will explore measures to fully or partially mitigate such impacts.**

Comment G.51: Is it reasonable to sacrifice the well-being of the entire neighborhood for 10-20 years so that Related can take control of the campus? Do we all have to suffer because NYCHA is a criminally negligent landlord? (Wilson)

Response G.51: **Comment noted.**

Comment G.52: I urge you to release the obsolescence report as well as all NYCHA documents related to the RFP immediately and to respect the wishes of NYCHA residents and our community as you re-evaluate this project. (Zulkowitz)

Response G.52: **Comment noted.**

Comment G.53: It's fallacious to assume that the option not to demolish would mean that only capital repair would take place from now until 2040. For instance, last year, HUD announced a program to support projects that will electrify buildings. Such programs are available for application. Other financing possibilities for renovation would be possible as for instance that financing proposed by the Working Group. (Zulkowitz)

Response G.53: **Comment noted.**

Comment G.54: No development, including those proposed as-of-right under the proposed plan, should proceed without being part of the full public review process. This will ensure there is no segmentation of the proposed project and assure a unified site plan to benefit NYCHA tenants and the community. (CB4)

Response G.54: **Comment noted.**

Comment G.55: We recommend using EPA’s NEPAAssist web-based application tool for this project as well as for future projects to facilitate the environmental review process and aid in project planning. NEPAAssist is a useful tool for identifying

environmental resources in the area and can indicate potential environmental issues at the earliest stage of project development. Please visit the NEPAassist website at: <https://www.epa.gov/nepa/nepassist>. (EPA)

Response G.55: **Comment noted.**

Comment G.56: EPA requests that the Lead Agencies identify and communicate any proposed mitigation with EPA and community stakeholders prior to the publication of the Draft EIS to establish a feedback loop to properly address potential impacts through an iterative engagement process. (EPA)

Response G.56: **Comment noted.**

Comment G.57: The commenter requested information related to a school research paper. (Draeger)

Response G.57: **Comment noted.**

Comment G.58: There are many illegal tenants aiming to be transferred "under the table" to new apts. As Housing do 2024 recertifications, we must be getting tickets or secured bracelets as official tenants for transferring. At 264 10th Ave. Bldg. there are illegal tenants at [commenter refers to specific apartments]. If NO screening is done, the fires, the garbage making, the noise the unsafe issues will continue in the new bldgs. A tragedy in public housing! (Mel)

Response G.58: **Comment noted.**

Comment G.59: The surveys conducted at Fulton and Elliott houses regarding their redevelopment were intentionally misleading. There was no mention of total demolition nor the development of 2500 market rate units under the option of new construction - omitting this information is grossly misleading and manipulative. The low voter turnout of residents means that there is by no means a majority participation nor understanding of the situation proposed. Residents want repairs and improvements for the benefit of their own families and communities - not displacement and capitulation to the wealthy. ... Environmental justice demands that the residents of the FEC campuses have agency and that the planning process be transparent. Yet the process has failed to give residents a real voice and has been opaque rather than honest. ... The people who are in the housing now, they should have the first word about what is going to happen to them, and I haven't heard that. I haven't heard the majority of people who come to the meetings opposed to it.; Please conduct a new independent certified survey for NYCHA residents for their signoffs on potential redevelopment and demolition at both locations. Release the results of the survey at both campuses that shows that a majority of respondents "approved" the redevelopment and demolition of NYCHA buildings. Make that survey results public. (Adabachi; Barnes-Lee; Colon; Toerock; Dr. Williams; Kurland; M. Ortiz; Thompson; Brahmbhatt)

Response G.59: As noted in the DSOW, and as will be further described in DEIS "Chapter 01.0: Purpose and Need for the Proposed Project," in February 2023, resident association leadership from Fulton and Elliott-Chelsea Houses met with city, state, and federal elected officials, local stakeholders, NYCHA leadership, and

the PACT Partner to express their desire to commence a robust resident engagement process at the two campuses to explore resident interest in rebuilding all 2,056 apartments. The resident association leadership requested that NYCHA and the PACT Partner work with them to design the engagement process and a strategy for gauging resident preferences for rebuilding or rehabilitation.

Over a 60-day period beginning in March 2023, with the support of resident association leaders, NYCHA and the PACT Partner hosted 35 scheduled town hall sessions in multiple languages; canvassed thousands of residents across both campuses; provided weekly Saturday tours of new affordable construction developments at Hunter's Point South and Roosevelt Island; and distributed information packets to every apartment. In addition to the 35 scheduled town hall meetings, smaller groups of residents requested meetings with NYCHA and the PACT Partner to ask additional questions.

NYCHA and the PACT Partner surveyed residents of Fulton and Elliott-Chelsea Houses to understand whether they preferred to move forward with the rehabilitation of the existing buildings, as originally planned, or proceed with a new proposal that would replace all existing buildings through new construction. Residents 18 years of age and older on leases could indicate their preference using either an online or paper survey.

The survey, town halls, and tours were all designed to function as an integrated program. Residents were encouraged to attend a town hall session – during which all aspects of staged demolition, rebuilding, temporary relocation, and rehabilitation were discussed – before completing the survey. The survey was intended to serve as an engagement tool that would inform the direction of the project and future community engagement processes. To support the integrity of the process, the CHPC served as an independent third party that reviewed and tabulated the survey results. CHPC received all online and paper surveys, verified resident eligibility, performed QA functions, and summarized the results, which are presented in the tables below. Based on CHPC's analysis, 969 residents participated in the survey, which represents approximately 29% of the total eligible population across both campuses. Approximately 37% of all households had at least one individual who submitted a survey response. Of those residents who submitted a response, 57% indicated a preference for new construction/full replacement of existing units. Please visit this link under the Resident Survey section for more information regarding the resident survey and responses: <https://www.nyc.gov/site/nycha/about/pact/chelsea-fulton.page>.

Comment G.60:

CRDC urges a thorough reevaluation of the proposed NYCHA Chelsea Campuses project, emphasizing the need for comprehensive and inclusive community input...CRDC calls for a careful examination of the survey methodology and advocates for alternative solutions that prioritize the integrity of the campuses and the rights of tenants as well as the well-being and stability of the Chelsea community. (CDRC)

Response G.60: **See response to comment G.59.**

Comment G.61: Our Chelsea Elliott and Fulton Housing neighbors have been asking for years to be treated with dignity by the federal housing authorities and elected officials in New York. They have been fully neglected by the aforementioned...Nobody voted for demolition. There was a survey that was administered that did not have that choice. You should take into account also the quality of life of the entire Chelsea neighborhood...We want a scope to look at alternatives to demolition. (Colon)

Response G.61: **See response to comments 1.5 and G.59.**

Comment G.62: Additional resources to inform identification of communities with EJ concerns and analysis of disproportionate impacts include Promising Practices for EJ Methodologies in NEPA Reviews report, quantitative and qualitative information. EPA understands there was a tenant survey completed prior to the scoping period. EPA suggests the Draft EIS include a thorough background related to this survey, a summary of potential concerns and impacts raised by tenants and analysis of how these may be addressed by project alternatives and or mitigation measures... EPA offers to provide any support regarding community engagement throughout the entire NEPA process and implementation if desired by the Lead Agencies to support the needs of those with environmental justice concerns within the immediate scope and extended study area of the project, specifically those who will be displaced before, during and after the construction phase. Given that this project directly addresses housing in a city with a severe housing shortage (the vacancy rate in NYC as of February 2024 reached a historic low of 1.4%, the lowest since the 1968 New York City Housing and Vacancy Survey), a community benefit agreement or plan should include full commitments to relocation efforts both temporary and long-term. (EPA)

Response G.62: **Regarding the survey, see response to comment G.59. This information also will be provided in the EIS. See response to comment 3.4. for more information regarding the temporary relocation process and legal protections afforded to NYCHA residents.**