FOREWORD

This document is the Final Environmental Impact Statement (FEIS) for the 770 Eleventh Avenue Mixed-use Development Rezoning project. The Draft Environmental Impact Statement for the proposed action was accepted as complete by the New York City Department of City Planning as lead agency and issued for public review and comment on 24 October 2008. A public hearing on the DEIS was held on February 4th, 2009 by the City Planning Commission at Spector Hall, 22 Reade Street. Oral and written comments were accepted at that hearing and throughout the public comment period, which was held open until February 17th, 2009.

This FEIS reflects any changes to the proposed project since publication of the DEIS, revisions made to impact studies, and all substantive comments made during the public review period of the DEIS. Notable changes made between the DEIS and the FEIS include the following:

* Community Facilities - Schools: The DEIS disclosed that the proposed action would result in a significant adverse impact on elementary schools within the half-mile radius study area. The DEIS discussed possible mitigation measures for this impact and stated that additional work would be done to explore these measures with the School Construction Authority (SCA) between the DEIS and the FEIS. Between the DEIS and the FEIS, the applicant explored the potential mitigation measures in consultation with the School Construction Authority (SCA). At the time of issuance of this FEIS, the applicant, lead agency and SCA were discussing the terms of a potential funding mechanism to provide SCA with funding that would partially mitigate this impact. In the event a funding mechanism is developed and implemented, the significant adverse impact would be partially mitigated, and in the event a funding mechanism is not established, the significant adverse impact would remain unmitigated. The FEIS was revised to describe this mitigation measure in Chapter 19, "Mitigation" and Chapter 22, "Unavoidable Adverse Imapcts."

* Community Facilities - Day Care: The DEIS identified the potential for significant adverse day care impacts but did not quantify the effects of the proposed project as new generation ratios for calculating the number of day care eligible children per dwelling unit were pending at the time of the release of the DEIS. Between the DEIS and FEIS new generation rates were adopted and a day care analysis was prepared as the proposed action would exceed the screening threshold. This analysis identifies that the proposed action would result in significant adverse day care impacts in the one-mile radius study area. The applicant contacted the Administration for Children's Services (ACS), to explore the feasibility of the potential mitigation measures. This effort identified a measure that would mitigate the significant adverse impact. The FEIS was revised to provide the day care analysis in Chapter 4 and to describe this mitigation measure in Chapter 19, "Mitigation."

* Shadows: The DEIS identified a significant adverse shadow impact on stained glass rose window above the entryway to Centro Maria, a former church located at 539 W. 54th Street that is eligible for listing on the State and National Registers of Historic Places.

The DEIS stated that between the DEIS and FEIS mitigation measures would be explored to identify possible measures to fully or partially mitigate this impact, but if no mitigation could be identified it disclosed that the impact would remain unmitigated. It was determined that these possible measures are not feasible. The FEIS has been revised to disclose that the significant adverse shadow impact would remain unmitigated, in Chapter 19, "Mitigation," and Chapter 22, "Unavoidable Significant Adverse Impacts."

* Traffic and Parking: Between the DEIS and the FEIS changes in Chapter 13, "Traffic and Parking," to the baseline Existing and No-Build traffic volume networks for all analyzed peak hours were made to provide uniformity among the traffic analyses prepared for other projects located in this area of the City that are undergoing environmental review.

* Transit and Pedestrians: Between the DEIS and the FEIS the analyses of crosswalk operating conditions for pedestrian levels of service in Chapter 14, "Transit and Pedestrians," were updated to reflect the changes made to the traffic volume networks.

* Air Quality: Between the DEIS and the FEIS the text of Chapter 15, "Air Quality," has been updated to note that the change to baseline Existing and No-Build traffic volumes (described above under Traffic and Parking) would not materially affect the air quality mobile source analysis provided in the DEIS as the changes in emissions levels would be minimal.

* Mitigation and Unavoidable Significant Adverse Impacts: As discussed above, between the DEIS and the FEIS, mitigation measures were explored for the significant adverse impacts related to elementary schools, day care centers, and shadows. The Chapter 19, "Mitigation," and Chapter 22, "Unavoidable Significant Adverse Impacts," have been revised to reflect these changes.

* Alternatives: The Unmitigated Impact Alternative has been updated to reflect changes in the feasibility of potential mitigation measures identified in the DEIS.

The FEIS reflects all substantive comments made on the DEIS during the public hearing and subsequent comment period. The comments are summarized and responded to in Chapter 25 "Response to Comments." Changes to the text and graphics of the FEIS were also made when appropriate to comments.

Except for this Foreword and Chapter 25 (which are new), all additions made to the text since publication of the DEIS are indicated by double-underlining the text.