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Unavoidable Significant Adverse Impacts

Unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impossible.

Introduction

This chapter summarizes unavoidable significant adverse impacts resulting from the With-Action condition. According to the *2021 CEQR Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impossible.

As described in **Chapter 21, Mitigation**, the Proposed Project has the potential to result in significant adverse ~~water and sewer and~~ traffic, transit, and pedestrian impacts[1] at certain locations. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts.

~~Water and Sewer Infrastructure~~

~~As discussed in **Chapter 11, Water and Sewer Infrastructure**, flows from the Proposed Project, which would contribute to an exceedance of the capacity of the 24-inch sanitary main and the 37th Avenue Pump Station, could result in a potential significant impact to sewer infrastructure. Additional analysis will be undertaken between the Draft EIS (DEIS) and Final EIS (FEIS) of the hydraulic capacity of the 24-inch sewer and of the capacity of the 37th Avenue pump station. If it is confirmed that the flow levels in the With-Action condition would exceed operating capacity to an extent considered~~

[1] As described in **Chapter 11, Water and Sewer Infrastructure**, since the publication of the Draft Environmental Impact Statement, the New York City Department of Environmental Protection has coordinated with the Applicant regarding the sanitary sewer infrastructure, and it has been determined that the Proposed Project would not result in a significant adverse impact to sewer infrastructure.

~~significant consistent with *CEQR Technical Manual* guidance, a significant adverse impact would occur. In that event, potential mitigations could include capacity enhancements to the 24-inch sanitary sewer and/or the pump station, or other infrastructure improvements or operational changes that would avoid the impact. Should the capacity or other infrastructure improvements be unable to fully mitigate these impacts, the significant adverse impact would be considered unmitigable to that extent.~~

Transportation

Traffic

As discussed in **Chapter 14, Transportation**, and **Chapter 21, Mitigation**, the Proposed Project would result in significant adverse impacts which could not be fully mitigated with standard traffic capacity improvement measures. On non-gamedays, five~~three~~ of the 50~~48~~ intersections would remain unmitigated during the non-gameday weekday AM peak hour; nine~~seven~~ intersections would remain unmitigated during the non-gameday weekday midday peak hour; 16~~5~~ intersections would remain unmitigated (or partially unmitigated) during the non-gameday weekday PM peak hour; and eight intersections would remain unmitigated (or partially unmitigated) during the non-gameday Saturday PM peak hour. On gamedays, 15 of the 50~~48~~ intersections would remain unmitigated (or partially unmitigated) during the gameday weekday PM peak hour; 15~~6~~ intersections would remain unmitigated during the gameday Saturday PM Pre Game peak hour; nine~~10~~ intersections would remain unmitigated (or partially unmitigated) during the gameday Saturday PM Post Game peak hour; 11~~0~~ intersections would remain unmitigated during the gameday Sunday midday peak hour; and 14 intersections would remain unmitigated (or partially unmitigated) during the gameday Sunday PM peak hour. Mitigation measures, such as signal timing modifications have been proposed and coordinated~~, are being explored and will be studied further in conjunction~~ with the New York City Department of Transportation (NYCDOT) between the DEIS and FEIS. Where~~If~~ no other alternative mitigation measures have~~can~~ be identified, these impacted locations would remain unmitigated. As stated in **Chapter 21, Mitigation**, the traffic monitoring plan would help identify the implementation of specific mitigation measures. Should specific measures be identified as part of the monitoring plan to mitigate traffic impacts, these measures would be implemented where appropriate.

Buses

As discussed in **Chapter 14, Transportation**, and **Chapter 21, Mitigation** the Proposed Project would result in a capacity shortfall for the Q48 bus route during the weekday PM (23 spaces in the eastbound direction, 259 spaces in the westbound direction) and the Saturday PM peak hour (26 spaces in the eastbound direction, 126 spaces in the westbound direction).

Impacts to the Q48 bus route could be mitigated with the addition of one standard bus in the eastbound direction and five standard buses in the westbound direction during the weekday PM peak hour; and one standard bus in the eastbound direction and three standard buses in the westbound direction during the Saturday PM peak hour. The general policy of New York City Transit (NYCT) is to provide additional bus service where demand warrants, taking into account financial and operational constraints. ~~It is therefore anticipated that coordination would occur with NYCT between the DEIS and FEIS to increase service frequency on the Q48 to address its capacity shortfalls. Should~~

~~measures to mitigate these impacts be determined to be impracticable, this significant adverse impact would be considered unmitigated in the FEIS.~~ Based on NYCT's ongoing passenger monitoring program and as new development occurs throughout the study area, a comprehensive service plan would be generated to respond to specific known needs with capital and/or operational improvements where fiscally and operationally practicable. NYCT's capital program is developed on a five-year cycle; through this program, expansion of bus services would be provided as needs are determined. It is therefore anticipated that NYCT would increase service frequency on the Q48 to address its capacity shortfalls.

Pedestrians

As discussed in **Chapter 14, Transportation**, and **Chapter 21, Mitigation**, 41 pedestrian elements were analyzed for the non-gameday: weekday AM, weekday midday, weekday PM, and Saturday PM peak hours; and the gameday: weekday PM, Saturday PM Pre Game, Saturday PM Post Game, Sunday midday, and Sunday PM peak hours. The Proposed Project would result in significant adverse impacts at two pedestrian elements (two crosswalks) during the non-gameday weekday midday, PM, and Saturday PM peak hours; three pedestrian elements (one sidewalk, two crosswalks) during the gameday weekday PM peak hour; five pedestrian elements (two sidewalks, two crosswalks, and one corner) during the gameday Saturday PM Pre Game peak hour; six pedestrian elements (two sidewalks, two crosswalks, and two corners) during the gameday Saturday PM Post Game peak hour; three pedestrian elements (one sidewalk, one crosswalk, and one corner) during the gameday Sunday midday peak hour; and nine~~eight~~ pedestrian elements (four~~three~~ sidewalks, three crosswalks, and two corners) during the gameday Sunday PM peak hour.

Potential improvements that could mitigate the significant adverse impacts ~~are being explored and will be studied further in coordination~~have been explored and coordinated with NYCDOT between the DEIS and FEIS. ~~If no other alternative~~As discussed in **Chapter 14, Transportation**, it is not possible to widen the sidewalk, crosswalk, or corner elements due to the limits of the available right of way. In addition, adjustments to signal timings would result in new or worsened traffic impacts. Because no feasible mitigation measures could~~an~~ be identified, these impacted locations would remain unmitigated.