Chapter 23: Unavoidable Adverse Impacts

A. INTRODUCTION

Following the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this chapter summarizes unavoidable significant adverse impacts resulting from the proposed actions. 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 1, Project Description, the applicants, the New York City Department of City Planning (DCP) and SJC 33 Owner 2015 LLC, are proposing a series of discretionary actions (the proposed actions) that would facilitate the redevelopment of St. John's Terminal Building at 550 Washington Street (Block 596, Lot 1) (the development site) with a mix of residential and commercial uses, and public open space (the proposed project) in Manhattan Community District 2.

As described in Chapter 22, "Mitigation," unavoidable significant adverse impacts resulting from the proposed project have been identified in the areas of open space and transportation (only for traffic), as well as the potential for construction-period air quality and noise impacts.

B. OPEN SPACE

With the proposed project, the study area's total open space ratio would decrease by 5.66 percent, and the active open space ratio would decrease by 6.96 percent. According to the *CEQR Technical Manual*, an action may result in a significant adverse open space impact if it would reduce the open space ratio by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. Therefore, these reductions in the total and active open space ratios would result in a significant adverse open space impact based on quantitative analysis of indirect effects as set forth in the *CEQR Technical Manual*.

Potential partial mitigation measures for these significant adverse impacts are currently being explored by the private applicant in consultation with the lead agency, DCP, and the New York City Department of Parks and Recreation (DPR) and will be refined between the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS). The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. These measures may include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional active open space facilities. If feasible mitigation is found, the impacts will be considered partially mitigated. As the significant adverse impact on open space would not be fully mitigated, the proposed actions would result in an unavoidable adverse impact on open space.

C. TRANSPORTATION

As described in Chapter 14, "Transportation," traffic conditions were evaluated at 18 intersections for the weekday AM, midday, PM, and Saturday peak hours. In the 2024 With Action (the proposed project) condition, there would be the potential for significant adverse traffic impacts at seven intersections during the weekday AM peak hour, two intersections during the weekday midday peak hour, six intersections during the weekday PM peak hour, and four intersections during the Saturday peak hour. In the 2024 With Action (the proposed project with big box retail) condition there would be the potential for significant adverse traffic impacts at five intersections during the weekday AM peak hour, six intersections during the weekday midday peak hour, nine intersections during the weekday PM peak hour, and five intersections during the Saturday peak hour.

Table 23-1 and Table 23-2 provide a summary of the impacted locations by lane group and analysis time period. Potential measures to mitigate the projected traffic impacts are described in Chapter 22, "Mitigation."

Table 23-1
Summary of Significant Adverse Traffic Impacts
Proposed Project

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
EB/WB Street	**NB/SB Street**				
Clarkson Street	Washington Street	SB-LT		SB-LT	
West Houston Street	Washington Street	SB-TR		SB-TR	SB-TR
West Houston Street	Varick Street			SB-TR (West Lanes)	
Clarkson Street	West Street	SB-L	SB-L	SB-L	SB-L
West Houston Street	West Street	EB-L	WB-R	WB-R	WB-R
Canal Street (North)	West Street	WB-L			
Canal Street	Hudson Street			NB-LT (West Lanes)	
Clarkson Street	Hudson Street	EB-LT			EB-LT
Clarkson Street	Varick Street	EB-TR			
Total Impacted Intersections/Lane Groups		**7/7**	**2/2**	**6/6**	**4/4**

Notes: L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound.

Table 23-2
Summary of Significant Adverse Traffic Impacts
Proposed Project with Big Box Retail

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
EB/WB Street	**NB/SB Street**				
Clarkson Street	Washington Street	SB-LT		SB-LT	
West Houston Street	Washington Street	SB-TR	SB-TR	WB-LT SB-TR	SB-TR
West Houston Street	Varick Street			SB-TR (West Lanes)	
Clarkson Street	West Street		SB-L	SB-L	SB-L
West Houston Street	West Street	EB-L	WB-R	WB-R	WB-R
Canal Street (North)	West Street		WB-LR WB-R		WB-LR WB-R
Canal Street	Hudson Street		NB-LT (West Lanes)	NB-LT (West Lanes)	
Clarkson Street	Hudson Street	EB-LT	EB-LT	EB-LT	EB-LT
Clarkson Street	Varick Street	EB-TR			
Spring Street	West Street			WB-R	
Spring Street	Washington Street			SB-LTR	
Total Impacted Intersections/Lane Groups		**5/5**	**6/7**	**9/10**	**5/6**

Notes: L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound.

The majority of the locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal timing changes, approach daylighting, and lane restriping). However, for the proposed project, the significant adverse impacts at the intersection of West Houston Street at Varick Street and at the intersection of Canal Street at Hudson Street could not be fully mitigated during the weekday PM peak hour. For the proposed project with big box retail, the significant adverse impacts at the intersections of West Houston Street at Varick Street, West Houston Street at West Street, Canal Street at Hudson Street, Spring Street at West Street, and Spring Street at Washington Street could not be fully mitigated during one or more analysis peak hours. No significant adverse impacts were identified for transit, pedestrians, vehicular and pedestrian safety, and parking. Between the DEIS and FEIS, additional measures will be explored, where feasible, to further mitigate the impacts identified above. If additional feasible measures can be identified, certain projected impacts may become mitigated. If no additional feasible measures can be identified, the projected impacts would remain unmitigated, and would therefore be considered unavoidable adverse impacts.

As noted in Chapter 1, "Project Description," the South Site could contain either hotel or office use. The EIS analyses are generally based on hotel use as a more conservative assumption and the transportation analyses presented in this chapter assumed a 229,700-gsf hotel use. However, because of different travel patterns between the hotel and office uses, developing the South Site with office instead of a hotel could have the potential to result in additional significant adverse transportation impacts, which will be explored between the DEIS and FEIS. Mitigation measures will be explored in coordination with the New York City Department of Transportation (NYCDOT) to mitigate any additional significant adverse transportation impacts. The proposed mitigation measures are subject to review and approval by the NYCDOT, and if certain proposed mitigation measures are deemed infeasible by NYCDOT, alternate measures will be explored. If no other alternate mitigation is identified, the impacted locations would be unmitigated, and would therefore be considered unavoidable adverse impacts.

D. CONSTRUCTION

As described in Chapter 20, "Construction," the proposed project has the potential to result in construction-period air quality and noise impacts.

Between the DEIS and the FEIS, a detailed analysis will be performed of air quality concentrations at completed and occupied project buildings and proposed open space resulting from construction of the proposed project. The analysis will also include an examination of the practicability and feasibility of implementing additional control measures as necessary to reduce or eliminate any potential exceedances of the National Ambient Air Quality Standards (NAAQS), or applicable *de minimis* criteria. If significant adverse construction-period air quality impacts are identified but no practicable and feasible mitigation measures are available, then these impacts would be considered unavoidable adverse impacts.

Between the DEIS and the FEIS, a detailed analysis will be performed of noise at completed and occupied project buildings and proposed open space resulting from construction of the proposed project. The analysis will include quantitative predictions of the magnitude, time of occurrence, and duration of potential exceedances CEQR recommended noise exposure guidelines at the project buildings. The analysis will also include an examination of the practicability and feasibility of implementing additional control measures as necessary to reduce or eliminate any potential exceedances of CEQR noise exposure guidelines. If significant adverse construction-

period noise impacts are identified but no practicable and feasible mitigation measures are available, then these impacts would be considered unavoidable adverse impacts.

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