ACME FISH EXPANSION
Chapter 19: Unavoidable Adverse Impacts

A. INTRODUCTION

This chapter summarizes unavoidable significant adverse impacts resulting from the Proposed Actions. According to the *City Environmental Quality Review* (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 infeasible.

As described in Chapter 17, "Mitigation," the Proposed Actions would potentially result in significant adverse impacts with respect to transportation (traffic) and construction (traffic). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts. However, in some instances (a) no practicable mitigation was identified to fully mitigate significant adverse impacts, and (b) there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need for the Proposed Actions, eliminate the impact, and not cause other or similar significant adverse impacts.

B. TRANSPORTATION

Traffic

As discussed in Chapter 10, "Transportation," the Proposed Actions would result in significant adverse traffic impacts at eight study area intersections (three signalized and five unsignalized) during one or both analyzed peak hours. Specifically, significant adverse impacts were identified to seven lane groups at six intersections during the weekday AM peak hour, and eight lane groups at seven intersections during the weekday PM peak hour. As discussed in Chapter 17, "Mitigation," implementation of traffic engineering improvements such as signal timing changes and the installation of a new traffic signal at the intersection of Franklin Street and Meserole Avenue would fully mitigate the significant adverse impacts to two lane groups at two intersections in the AM peak hour and three lane groups at three intersections during the weekday PM peak hour. As shown in Table 19-1, no practicable mitigation was identified for the impacts to a total of six lane groups at five intersections in one or both analyzed peak hours, and they would remain unmitigated. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions.

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Actions.

TABLE 19-1
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour	
	Weekday AM	**Weekday PM**
Signalized Intersections		
Calyer Street & Franklin Street	NB-LTR, SB-LTR	NB-LTR, SB-LTR
Unsignalized Intersections		
Calyer Street & Lorimer Street	EB-TR	EB-TR
Meserole Avenue & Gem Street	---	NB-L
Norman Avenue & Banker Street	WB-TR	---
Norman Avenue & Dobbin Street	SB-LTR	SB-LTR

Notes:
NB – northbound, SB – southbound, EB – eastbound, WB – westbound
L – left-turn, T – through, R – right-turn, DefL – defacto left-turn

It should be noted that there have also been recent street network changes/closures related to DOT initiatives in response to the COVID-19 pandemic, including the Open Streets Program, the Open Restaurants Program, Open Streets Outdoor Learning, transit initiatives, and new bicycle lanes. However, as these changes are generally a response to an emergency order, and no approvals that would be needed to make the closures permanent have been granted, they are not reflected in the analyses of No-Action or With-Action conditions. ~~Should new information become available indicating that local street closures are permanent, before the FEIS is issued, the FEIS would account for any necessary updates. Additional traffic intersections could be impacted, and if so, additional mitigation measures will be explored, where feasible in consultation with DCP and DOT. If no additional mitigation measures are identified, the project's significant adverse impacts would remain unmitigated, and would therefore be considered unavoidable adverse impacts.~~

C. CONSTRUCTION

Traffic

As discussed in Chapter 16, "Construction," peak construction period traffic increments at each of the study area intersection approaches would be the same or lower than the corresponding peak hour operational traffic increments. Therefore any potential for significant adverse impacts in the construction peak periods would be within the envelope of the significant adverse impacts associated with the operational traffic. As discussed in Chapter 17, "Mitigation," <u>six intersections impacted under the Proposed Actions would experience 50 or more passenger-car equivalent (PCE) trips in the AM and PM construction peak hours and would therefore have the potential for significant adverse impacts during the peak construction period. As was the case for operational conditions, mitigation for four of those intersections—Franklin Street at Calyer Street, Gem Street at Meserole Avenue and Norman Avenue at Banker and Dobbins streets— would likely not be feasible. At the two remaining intersections with operational impacts (Franklin Street at Quay Street, and Franklin Street at Meserole Avenue), recommended mitigation measures (signal timing adjustments and the installation of a new traffic signal, respectively) would fully address the Proposed Actions' significant adverse impacts, and this is also expected to be the case for any significant impacts during the peak construction period.</u> ~~if any mitigation measures that are approved for the operational traffic impacts are advanced for the construction peak periods, then it is anticipated that these measures would be similarly effective at mitigating potential construction period traffic impacts.~~ However, if any of these mitigation measures are not approved for

the construction peak period~~s~~, then any ~~the~~ corresponding construction period traffic impacts would remain unmitigated, and would therefore be considered unavoidable adverse impacts.