Chapter 23: Unavoidable Significant Adverse Impacts

A. INTRODUCTION

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in Chapter 22, "Mitigation," some of the potential impacts identified for the Proposed Project could be mitigated. However, as described below, in some cases, project impacts would not be fully mitigated.

B. TRANSPORTATION

TRAFFIC

As discussed in Chapter 13, "Transportation," traffic conditions were evaluated at 31 intersections for the four conventional operational peak hours—weekday AM, midday, and PM and Saturday midday/afternoon peak hours, and at 42 intersections for the two event day peak hours—weekday evening and Saturday evening peak hours. Significant adverse traffic impacts were identified at 11 intersections in the weekday AM peak hour, six in the weekday midday peak hour, 10 in the weekday PM peak hour, 23 in the weekday evening peak hour, nine in the Saturday midday/afternoon peak hour, and 20 in the Saturday evening peak hour. In total, significant adverse traffic impacts during one or more analysis peak hours were identified at 25 study area intersections. Potential improvement measures will be explored between Draft and Final EIS to mitigate these identified impacts to the extent practicable. For this Draft EIS, the impacts identified for the 25 study area intersections are all considered unavoidable impacts of the Proposed Project.

TRANSIT

As discussed in Chapter 13, "Transportation," the Proposed Project is not expected to result significant adverse transit impacts during the conventional operational peak hours that are typically studied for transit operations—weekday AM and PM. The analysis of the weekday and Saturday evening event peak hours, however, concluded the potential for significant adverse impacts at one of the stairways serving the Kingsbridge Road (No. 4) Station. Additionally, the between Draft and Final EIS analysis of line-haul conditions

on the No. 4 and/or B/D subway lines during these evening event peak hours may conclude additional significant adverse line-haul impacts.

Potential improvement measures will be explored between Draft and Final EIS to mitigate these identified impacts to the extent practicable. For this Draft EIS, the impacts identified for the one stairway at the Kingsbridge Road (No. 4) Station and those possibly for the No. 4 and/or B/D subway lines are all considered unavoidable impacts of the Proposed Project.

PEDESTRIANS

As discussed in Chapter 13, "Transportation," pedestrian conditions were evaluated at 18 sidewalks, 17 corners, and 8 crosswalks for the weekday AM, midday, and PM and Saturday midday/afternoon peak hours. For the weekday and Saturday evening event peak hours, additional analysis locations were included to assess conditions along paths event attendees would likely traverse to/from potential off-site parking locations, resulting in total 25 sidewalks, 19 corners, and 12 crosswalks analyzed for these study time periods. Significant adverse pedestrian impacts were identified at 1 pedestrian element (i.e., sidewalk, corner, or crosswalk) in the weekday PM peak hour, 12 in the weekday evening peak hour, 1 in the Saturday midday/afternoon peak hour, and 11 in the Saturday evening peak hour. In total, significant adverse pedestrian impacts during one or more analysis peak hours were identified at six study area sidewalks, one corner, and seven crosswalks. Potential improvement measures will be explored between Draft and Final EIS to mitigate these identified impacts to the extent practicable. For this Draft EIS, the impacts identified for the 14 study area pedestrian elements are all considered unavoidable impacts of the Proposed Project.

C. AIR QUALITY—MOBILE SOURCE

- As described in Chapter 14, "Air Quality," mobile source annual $PM_{2.5}$ increments are predicted to potentially exceed the *de minimis* criterion of 0.1 $\mu g/m^3$ for the annual averaging period at West Kingsbridge Road and Reservoir Avenue, and West 195th Street and Reservoir Avenue. Therefore, at these locations, the Proposed Actions would result in a significant adverse mobile source air quality impact. Between the DEIS and FEIS, additional review and evaluation will be performed, which is expected to determine that the identified significant adverse impact related to the mobile source annual $PM_{2.5}$ increments will be avoided. The additional review is expected to include a more refined microscale analysis which incorporates all of the traffic peak periods and accounts for the relative frequency of events that would take place. If required, additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) will be performed using more refined or comprehensive analysis procedures to determine the magnitude and extent of neighborhood-scale $PM_{2.5}$ impacts from mobile sources. It is expected that these additional measures will reduce $PM_{2.5}$ concentrations below the annual *de minimis* criterion threshold. However, if the additional review and evaluation determines that there would still be a significant adverse mobile source air quality impact at one or more of the analyzed locations and there is no feasible or practical mitigation for these impacts, then they would constitute an unavoidable adverse impact of the Proposed Actions.

D. CONSTRUCTION

CONSTRUCTION NOISE

The detailed analysis of construction noise in Chapter 19, "Construction," concluded that construction of the Proposed Project has the potential to result in noise levels that would exceed the 2021 *City Environmental Quality Review (CEQR) Technical Manual* construction noise impact criteria for an extended period of time at receptors surrounding the proposed construction work areas, including residential and school receptors. Construction noise levels of this magnitude and duration would constitute a significant adverse impact. Possible mitigation measures would be explored by the Applicants in more detail between the DEIS and FEIS in consultation with the lead agency, but could include receptor control measures (i.e., offer of improved façade attenuation) at building façades that are predicted to experience impacts. Even with these measures or at buildings that already have insulated glass windows and/or alternate means of ventilation, interior $L_{10(1)}$ values would, at times during the construction period, exceed the 45 dBA guideline recommended for residential and community spaces according to CEQR noise exposure guidelines. The potential mitigations will be explored to determine if there are feasible and practicable measures that could minimize, avoid, or mitigate the potential construction noise impacts listed above. Source or path controls for the construction of the Proposed Project would not be effective in fully mitigating the predicted construction noise impacts at these receptors. Because these impacts cannot be fully mitigated, the impacts would constitute an unavoidable significant adverse impact of the Proposed Actions. ✷