

## **U. Alternatives**

### **100. Definitions**

CEQR requires that alternatives to the proposed action be identified and evaluated in an EIS. EASs do not require alternatives analyses, but examination of alternatives can point to ways to adjust the proposal to reduce or eliminate impacts. As under SEQRA, alternatives considered should reduce or eliminate impacts of the proposed action while substantively meeting the goals and objectives of the action. Alternatives and the rationale behind their selection are important in the disclosure of environmental effects of a proposed action. Alternatives demonstrate to the decision-makers the possible options to the proposed action and provide a framework for comparison of potential impacts and project objectives. The range of alternatives to be considered is determined by the nature of the specific action and its potential impacts. If the environmental assessment and consideration of alternatives identify a feasible alternative that eliminates significant adverse impacts, the lead agency may want to consider adopting that alternative as the proposed action. In some cases, this change could permit the agency to issue a negative declaration on the action.

### **200. Identification of Alternatives**

As discussed above, the selection of alternatives to a proposed action is linked to both the anticipated impacts and the objectives of the project sponsor. The following presents the types of alternatives that may be appropriate and the rationale used to determine their reasonableness.

#### ***210. NO ACTION (NO BUILD) ALTERNATIVE***

As required by SEQRA, a no action (no build) alternative must be examined. The no action alternative demonstrates environmental conditions that would exist if no action were implemented. This analysis essentially represents the analysis of the future without the project that is undertaken to provide a baseline for the evaluation of impacts associated with the proposed action.

#### ***220. ALTERNATIVE USE***

Consideration of different uses could be reasonable alternatives to an action with impacts related to the actual proposed use. For example, a local retail use, with daytime hours and moderate

associated traffic, might be considered as an alternative to an action that would develop a movie theater resulting in traffic, pedestrian, community character, and noise adverse impacts.

The different use alternative is often considered when the proposed action involves a use change to an existing building. For example, an alternative use of a historic structure more in keeping with the physical and/or historic integrity of the resource could be considered for an action that proposes a use that would cause potentially significant adverse impacts on the resource. Where the proposed action involves demolition of a building, a variation of the no action alternative could include maintaining the building with a different use.

#### ***230. AS-OF-RIGHT ALTERNATIVE***

Typically, an "as-of-right" alternative is examined under CEQR. This alternative demonstrates the reasonable worst-case development scenario for a given site or area under existing regulatory and land use policy conditions. This alternative is particularly important for actions where a change in zoning is proposed, because it presents the range of development potential on the site without that change.

#### ***240. ALTERNATIVE SIZE***

This alternative may be reasonable for actions where the degree of potential impact is related to the size of the action. Such an alternative reduces the magnitude of activity generated by a proposed action to a point where objectives of the project sponsors are still met, if possible, but impacts are lessened or eliminated. For example, traffic and associated air quality impacts are often related to the size of the project because of the magnitude of activity generated. An alternative of identical use, but smaller than the proposed action, could result in lesser traffic generation and associated air quality impacts while still meeting the major objectives of the action. Identifying the balance between size and meeting objectives is an integral factor in defining the alternative.

#### ***250. ALTERNATIVE DESIGN OR CONFIGURATION***

An alternative design or configuration should be considered for actions where potential adverse impacts are related to the proposed action's bulk,

visual character, contextual or direct effect on historic or other environmentally sensitive resources, or its physical relationship to another use, such as a power plant stack, a noise generator, or an area of soil contamination. Consideration of alternative designs or configurations may also be required by other processes, such as the New York City Landmark Preservation Commission's consideration of an application for a Certificate of Appropriateness when a project directly affects a New York City Landmark. Some examples of design or configuration alternatives include changing a building footprint to reduce interference with a historic building; changing the location, orientation, and height of a building in relation to an existing stack to reduce or eliminate a potential air quality impact; altering design elements such as setbacks, materials, and fenestration to relate the building(s) to the surrounding area; or configuring the site plan to avoid excavation in an area containing contaminated soils or archaeological resources.

#### **260. ALTERNATIVE SITE**

The consideration of one or more alternative sites for a proposed action is appropriate where the objectives of the proposed action are not site-dependent, and it is required where the action is a site selection. Consideration of alternative sites may not be appropriate for private developments, since the applicants may not own other sites. Actions for which alternate site analyses may be appropriate include proposals for siting public facilities, such as a municipal garage, or actions where identified significant impacts could be reduced or eliminated on a different site without compromising project objectives. For example, if a project would result in significant impacts because of its proximity to a wetland, choosing an alternative site not near any wetlands would eliminate those impacts.

#### **270. ALTERNATIVE TECHNOLOGY**

Alternative technology should be considered when potential impacts of the proposed action could be reduced by adopting an alternative technology, and/or the alternative technology would be less costly and adequately efficient to meet the objectives of the project. For example, if significant odor impacts were associated with a technical process of a particular action (e.g., solid waste management), an alternative that applies a different technique that is reasonably effective and reduces the identified impact might be analyzed.

#### **280. PHASING ALTERNATIVE**

Phasing alternatives are most often considered when an action is proposed in phases, or is of large magnitude, of uncertain timing, or contains several components with impacts related to the timing of their implementation. For example, an environmental assessment may assume for ease of analysis that half of a large-scale residential and commercial development will be constructed within five years, with full build-out in ten years. However, it is known that the actual timing of construction could possibly lag or speed up, so that only a quarter or as much as three-quarters of the development would be built in five years. In this case, it may be prudent to consider any differences in impact that might occur within this timing range.

Using the same large-scale project as an example, it could be that the commercial component, scheduled for early completion, would create a traffic impact on a nearby congested intersection for which public improvements are planned, but not yet implemented. A project phasing alternative that schedules construction of this project element after implementation of the street improvement would be appropriate to consider in this case, assuming it meets the project's objectives. Finally, on large projects where construction of the second phase will take place during operation of the first phase, it may be appropriate to consider altering phasing to reduce, say, a traffic and air quality impact of combined construction and operation.

#### **290. NO UNMITIGATED IMPACT ALTERNATIVE**

When an action would result in significant adverse impacts that cannot be mitigated, it is often CEQR practice to include an assessment of an alternative to the action that would result in no unmitigated impacts. For example, if the proposed action would result in significant adverse impacts on a local subway station because of the new users it would send to the station during rush hour, and physical conditions at that station make mitigation of this impact impracticable, the unmitigated impact alternative would consider a project small enough to avoid that impact. This alternative demonstrates what measures would have to be taken to eliminate all of the action's unmitigated impacts. It can serve as an analytical tool and can sometimes demonstrate effectively that no other action would meet the goals of the proposed action without resulting in unmitigated impacts.

### **300. Assessment Methods**

Evaluation of alternatives comprises three steps: (1) framing and describing the alternatives for consideration; (2) assessing impacts of alternatives; and (3) comparing the effects of the alternatives to those of the proposed action, as discussed below.

#### ***310. FRAMING AND DESCRIBING ALTERNATIVES***

The selection of alternatives to be considered depends on the nature of the proposed action and its impacts. As noted above, a no action (sometimes called the no build) alternative must be selected and it is CEQR practice to select an as-of-right alternative and, often, a no unmitigated impact alternative where applicable. Other alternatives are selected in response to the significant adverse impacts identified during the technical assessments; to account for a range of possibility, such as the example in the phasing alternative noted in Section 280 above; or to meet the requirements of another federal, state, or City process as described in Section 250 above.

When the alternatives are selected, each must be described adequately so that its impacts can be considered. The level of detail in the description depends again on the type of alternative and the impacts to be assessed. The no action alternative is well described as "The Future without the Proposed Action" in each technical assessment area and it can be summarized in the alternatives section. Other alternatives to the proposed action should be described using text and graphics including such information as program elements and square footages, site plans, bulk drawings, elevations, axonometric drawings, discretionary actions and approvals additional to or different from those of the proposed action that might be required to implement the alternative, and any other information pertinent to its comparison with the proposed action.

#### ***320. ASSESSING IMPACTS OF ALTERNATIVES***

In general, impacts of alternatives need not be assessed to the same level of detail as that of the proposed action. In those areas where no significant impact of the proposed action was identified, a qualitative assessment will suffice. However, where a significant impact of the proposed action has been identified or where the alter-

native may show a significant impact in an area where the proposed action had none, it is usually appropriate to quantify the impact of the alternative, so that a comparison can be meaningful. This is usually accomplished by applying the same methodology as that used for assessment of the proposed action. Sometimes it is possible to estimate the difference between the alternative and the proposed action by applying a ratio; this technique is used where impacts are directly proportional to the size of the project, such as trip generation and transportation analysis. Where the alternative has impacts in different technical areas from those of the proposed action (school impact for a residential alternative to a commercial project, for example), the assessment should follow the techniques set forth in the appropriate Technical Guidance Chapters 3A through 3T, above.

The impacts of the alternatives are assessed for the same Build years as was the proposed project. If the project would be built in phases and the other technical areas consider interim Build years for those phases, it may be appropriate to consider the alternatives for those interim years as well.

#### ***330. COMPARING THE EFFECTS OF THE ALTERNATIVES TO THOSE OF THE PROPOSED ACTION***

The environmental effects of all alternatives, including the no action alternative, are compared to the proposed action without mitigation. For example, if in the no action alternative, five intersections near the site of the proposed action would have moderately congested traffic conditions, the proposed action would have significant traffic impacts at all five intersections, the as-of-right alternative would have significant adverse traffic impacts at three of those intersections, and a lesser-density alternative would eliminate all significant traffic impacts, the comparison would note that under all alternatives, traffic conditions would be congested at those intersections, and would compare the number of significant traffic impacts that would result in each case. Quantitative information should be presented for each alternative, including the no action—in the example given above, the volume-to-capacity ratios or levels of service for each of the five intersections for each alternative would be compared with those of the project. The comparison does not refer to the difference between the no action alternative and the other alternatives. Also, no alternative is compared with existing conditions.

After addressing relative impacts without mitigation, the comparison may go on to discuss the techniques and level of mitigation required to reduce the significant impact of the proposed action and its alternatives. If the same mitigation would suffice in all cases, then the difference in impact may not be important for decision making. If more mitigation is required for the proposed action, compared with the other alternatives, then that difference may be important to decision-makers.

## **400. Regulations and Coordination**

### **410. REGULATIONS AND STANDARDS**

There are no specific statutory City, state, or federal regulations or standards governing the analysis of alternatives, other than CEQR's requirement that they be assessed in all Environmental Impact Statements (Executive Order 91).

### **420. APPLICABLE COORDINATION**

The various technical guidance chapters in this Manual describe the coordination that may be appropriate for each technical area. Because the same technical areas are assessed for the analysis of alternatives as for that of the proposed action, similar coordination will be appropriate for alternatives. The alternatives analysis also requires coordination between the different technical areas, so that appropriate technical assessments can be performed for a given alternative and so that within each technical area analyzed, appropriate methodologies are used and enough information is provided to compare the effects of different alternatives with each other and with those of the proposed action.