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Unavoidable Significant Adverse Impacts

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Introduction

This chapter summarizes unavoidable significant adverse impacts resulting from the With-Action condition. According to the *2020 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 16, Mitigation**, the Proposed Action has the potential to result in significant adverse traffic, transit, and pedestrian impacts. 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, and there are no reasonable alternatives to the Proposed Action that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

Transportation

Traffic

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation**, the Proposed Project would result in significant adverse impacts at the intersection of Madison Avenue

and East 44th Street (impacts to the northbound right turn movement) that could not be fully mitigated during the AM and PM peak hours. Even though the increase from project-generated traffic to the impacted movement would only be six vehicles in the AM peak hour and one vehicle in the PM peak hour, due to prevailing background traffic conditions and high volumes of pedestrian traffic, this would be sufficient to preclude full vehicular traffic mitigation. The three other intersections analyzed could either be fully mitigated or would not be impacted, and the Madison Avenue and East 44th Street intersection could be fully mitigated during the midday peak hour.

The proposed mitigation measures are subject to review and approval by the New York City Department of Transportation (~~NYC DOT~~NYC DOT). ~~If certain proposed, prior to implementation, NYC DOT determines that an identified mitigation measures are deemed measure is~~ infeasible by NYC DOT, ~~practical alternative measures, if any, may be analyzed and presented in, the Final Environmental Impact Statement (FEIS). If no other alternative mitigation measures can be identified, those additionally impacted locations~~impact would be remain unmitigated.

Transit

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation**, the results of the analyses of transit conditions show that, while overall transit conditions for pedestrians would improve by virtue of the Proposed Action's transit improvements, the additional subway trips from the Proposed Action would result in one significant adverse impact at the 42nd Street Grand Central subway station ES208 escalator (at the west end of the Flushing platform) that would remain unmitigated. This impact, resulting from approximately 94 additional users of that escalator during the PM peak hour, could potentially be mitigated by increasing the escalator operating speed from 90 feet per minute to 100 feet per minute; ~~the practicability of implementing this measure, given potential operation and safety concerns, would be explored between the Draft EIS and Final EIS. If that measure proves impractical, this impact would remain unmitigated unless and until other longer-term transit improvements were approved and implemented by the MTA in the future.~~ Replacement of the ES208 escalator as part of MTA's Capital Program is expected to be completed by 2025 and would allow for the increase of the escalator operating speed to 100 feet per minute. However, if in future it is determined that there is crowding in the immediate switchback landing as passengers transfer between escalators, then NYCT would have to potentially lower the escalator operating speed back to 90 feet per minute, in which case, the impact would remain unmitigated.

Pedestrians

As discussed in **Chapter 9, Transportation** and **Chapter 16, Mitigation** the Proposed Project would result in significant impacts at four pedestrian elements during the AM and midday peak hours (two crosswalks and two corners), and two pedestrian elements during the PM peak hour (two crosswalks). Pedestrian related improvements could potentially fully mitigate these impacts during all peak hours analyzed and would result in no significant impacts to any sidewalk areas analyzed in any of the peak hours analysis periods.

Implementation of these measures would be performed by the Applicant, subject to review and approval by ~~NYC DOT~~NYC DOT. If, prior to implementation, ~~NYC DOT~~NYC DOT determines that an identified mitigation measure is infeasible, the impact would remain unmitigated.