



# 7

## Unavoidable Significant Adverse Impacts

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.

### 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 as a result of a proposed project or action regardless of the mitigation employed, or if mitigation is impossible.

As described in **Chapter 5, Mitigation**, the Proposed Action would result in significant adverse impacts with respect to socioeconomic conditions. To the extent practicable, mitigation will be proposed for ~~these~~the identified significant adverse impacts ~~between the Draft Environmental Impact Statement (DEIS) and Final EIS~~. However, in some instances no practicable mitigation can be identified to fully mitigate significant adverse impacts, and there are no reasonable alternatives to the Proposed Action that would meet the Proposed Action's purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts may not be eliminated.

### Socioeconomic Conditions

As discussed in **Chapter 3, Socioeconomic Conditions** and **Chapter 5, Mitigation**, the Proposed Action under the With-Action condition would result in a loss of as much as 27

percent of the projected No-Action 2035 hotel room inventory. This loss of rooms, and corresponding loss of visitors, may substantially affect the ability of the hotel and tourism industries to grow and meet future anticipated demand. Therefore, there would be potential for significant adverse impact on the hotel and tourism industries. ~~Between the Draft EIS and the Final EIS, mitigation measures such as those outlined in **Chapter 5, Mitigation** will be studied further. Should measures to fully mitigate impacts be determined to be impracticable, significant adverse impacts would then be considered unmitigated in the Final EIS.~~

As described in **Chapter 5, Mitigation**, potential mitigation measures for the identified significant adverse socioeconomic impacts were explored by the NYC Department of City Planning. Potential methods to limit the applicability of the Proposed Action include the Geographic Exclusion Alternative, the Size Exclusion Alternative, and the implementation of a sunset provision. The Geographic Exclusion Alternative and Size Exclusion Alternative have the potential to partially mitigate the adverse socioeconomic impact to the hotel and tourism industries by lessening the anticipated gap between future supply and demand if implemented. However, as discussed in **Chapter 6, Alternatives**, there are ways in which both Alternatives may not meet the intended purpose and need of the Proposed Action by allowing for continued hotel development without site specific review. Furthermore, the Geographic Exclusion Alternative has the potential to result in other adverse impacts to socioeconomic conditions such as direct or indirect displacement, and unmitigated impacts in other analysis areas associated with the potential induced development in Exclusion Districts.

The potential sunset provision would allow for the Proposed Action to be revisited by the CPC in the future given the uncertainty of market conditions due to the COVID-19 pandemic. If implemented, a sunset provision would not eliminate the adverse socioeconomic impact to the hotel and tourism industries, and there would still be a temporary adverse impact. There would be lost opportunity cost from lost growth potential in the industries, but unless the Proposed Action is renewed, the market would revert to the without-action condition and eventually be able to satisfy demand when the Proposed Action sunsets.

Another potential mitigation would be to delay the onset of the Proposed Action and implement a sunrise provision to allow for additional growth of the hotel inventory to promote economic recovery before the Proposed Action take effect. Two sunrise provision scenarios are examined in **Chapter 5, Mitigation**- a one-year sunrise and a six-year sunrise. The one-year sunrise would have minimal mitigation to the identified significant adverse impact, while a six-year sunrise would partially mitigate the impact if implemented. A six-year sunrise would not induce growth that would not occur under the No-Action condition, but given the uncertainty surrounding market conditions for hotels, it is possible that a sunrise provision could lead to more rapid growth in the near future, which would be counter to the stated purpose and need.

Overall, many of the potential mitigation measures, if implemented, would partially mitigate the adverse socioeconomic impact. However, since no mitigation measure can fully mitigate the adverse impact, the Proposed Action would result in an unavoidable adverse impact with respect socioeconomic conditions.