

INTRODUCTION

The analyses presented in this environmental impact statement (EIS) examine the potential for significant adverse impacts as a result of the proposed actions. Where significant impacts have been identified, in accordance with the *CEQR Technical Manual*, mitigation measures are examined to minimize or eliminate these impacts. These mitigation measures are discussed below. Significant adverse impacts that cannot be fully mitigated through reasonably practicable measures are also identified and discussed in Chapter 24, “Unavoidable Adverse Impacts.”

SHADOWS

As described in Chapter 6, “Shadows,” the proposed actions have the potential to result in a significant adverse impact due to shadows on the Orchard Alley Garden, which occupies the full width of the block between East 3rd and East 4th Streets between Avenues C and D. Anticipated 120-foot-tall buildings on development sites along Avenue D to the east would cast incremental shadows on Orchard Alley Garden in the mornings and midday hours throughout the year. Overall, more than four hours of incremental shadows would fall on this community garden daily throughout the year during the mornings and early afternoons. These incremental shadows would have a significant adverse impact on this open space when the weather is cooler and shadows are longer, in the spring, fall, and winter, as they would diminish the attractiveness of this open space. Measures such as locating sun-sensitive features in areas where they would be least affected by shadows, choosing shade tolerant species for vegetation to be planted in areas that would be in shadow, and realignment of benches and seating areas could be implemented as mitigation to avoid such an impact. With such measures in place, the potential significant adverse shadow impacts on the Orchard Alley Garden could be mitigated.

Subsequent to the publication of the DEIS, DCP consulted with the New York City Department of Parks and Recreation (DPR) regarding the potential mitigation measures described above for shadows impacts to Orchard Alley Garden. DPR confirmed that these mitigation measures would be sufficient to fully offset the potential significant adverse shadow impacts to this open space resource. Furthermore, the implementation of these mitigation measures is practicable and feasible. However, funding to implement these mitigation measures has not been programmed although both DPR and DCP are committed to pursue funding opportunities.

In the absence of the implementation of the above mitigation measures, unmitigated conditions would remain for the shadow impacts of the proposed actions. *