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Alternatives

As described in the *2020 CEQR Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those which are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of this action.

Introduction

As described in **Chapter 1, Project Description**, the Applicant, Commodore Owner, LLC, is seeking several discretionary approvals from the City Planning Commission (CPC)—including special permits and zoning text amendments (the Proposed Actions)—to facilitate approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development space, including a hotel, office, and public space (the Proposed Project). The Development Site would contain approximately 2,108,820 gross square feet (gsf)¹ of office space; an approximately 452,950-gsf, 500-room hotel; public space; and retail space on the cellar, ground, and second floors of the proposed building. The Proposed Project would also include significant public realm improvements, as well as subway and mass transit improvements to enhance circulation and reduce congestion at Grand Central Terminal (GCT, or the Terminal) and the Grand Central – 42nd Street subway station.

¹ Development may also occur under an All Office Scenario. Under this scenario, the overall building square footage and building massing would be the same as under the Proposed Project but would be comprised of approximately 2,561,770 gsf of office space, retail, and no hotel.

This chapter considers the following alternatives to the Proposed Actions:

- › A No-Action Alternative, which is mandated by City Environmental Quality Review (CEQR) and the State Environmental Quality Review Act (SEQRA). The No-Action Alternative is intended to provide the lead and involved agencies with an assessment of the expected environmental conditions in 2030 (the “build year” for the Proposed Project) in the absence of the Proposed Actions.
- › A No Unmitigated Significant Adverse Impacts Alternative, which would eliminate any unmitigated significant adverse impacts of the Proposed Actions. This would involve a reduction of the building program to a size comparable to the No-Action Alternative.

Principal Conclusions

No-Action Alternative

The No-Action Alternative examines future conditions in 2030 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding chapters of the EIS. In the No-Action Alternative, the Development Site would be developed with a 27-FAR development of approximately 1,883,743 gsf (1,546,884 zsf), comprised of approximately 1,682,336 gsf of office space; approximately 18,300 gsf of retail; and an approximately 5,896-sf enclosed publicly accessible space on the ground floor. In addition, approximately 10,220 gsf of MTA circulation space would be provided on the ground floor. The No-Action development would be 69 stories and approximately 1,118 feet tall. In the No-Action condition, the Applicant would provide transit improvements from the Priority Improvement List set forth in ZR Section 81-682 to improve circulation and reduce congestion. These improvements would be located at the 42nd Street – Bryant Park/Fifth Avenue station.

Construction of the No-Action Alternative would require a shorter construction period. Some of the significant adverse impacts associated with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the project goals, and as compared to the Proposed Actions, the intended benefits—the development of significant transit improvements and circulation space, substantial first-class office and hotel space, and an outdoor open space amenity—would be eliminated or substantially reduced with the No-Action Alternative.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Project would result in significant adverse traffic impacts which could not be fully mitigated with standard traffic capacity improvement measures at 10 of the 15 intersections during the AM peak hour, 13 intersections during the midday peak hour, and 13 intersections during the PM peak hour. These impacts would result despite the project’s modest increase in vehicle trips because of prevailing background traffic conditions and high volumes of pedestrian traffic. The Proposed Actions would result in subway transit impacts at five stairways and two escalators in the AM peak hour and one stairway and two escalators

in the PM peak hour; ~~while mitigation measures will be~~explored between the Draft EIS and the Final EIS, ~~it is possible and determined~~that these impacts could~~would~~ remain unmitigated. Replacement of the two escalators 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 which could mitigate the escalator impacts. However, if in the 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.

A sensitivity analysis was conducted and determined that any development increment larger than the No-Action development would be expected to result in unmitigated significant adverse traffic and subway transit impacts. The degree to which the Proposed Project would need to be reduced to avoid these unmitigated impacts would, in effect, reduce the Proposed Project to the same size as the No-Action Alternative and, by so doing, compromise the Applicant's ability to achieve the project goals and objectives of providing new modern and sustainable first-class office space to protect and strengthen East Midtown as one of the world's premier business addresses, improving the area's pedestrian and built environments, and complementing ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space. In particular, the three new, publicly accessible open spaces that would be constructed as part of the Proposed Actions would not be constructed and transit and public realm improvements to enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and sidewalks surrounding the Development Site would not be implemented. Therefore, the No Unmitigated Significant Adverse Impact alternative is not a reasonable alternative as it would not realize the goals of the Proposed Actions.

No-Action Alternative

Description of the No-Action Alternative

The No-Action Alternative examines future conditions absent approval of the Proposed Actions. Conditions under this alternative are described under the "Future Without the Proposed Action" in the preceding EIS chapters and summarized below. In the No-Action Alternative, the Development Site would be developed with a 27-FAR development of 1,883,743 gsf (1,546,884 zsf), comprised of 1,682,336 gsf of office space; approximately 18,300 gsf of retail; and a 5,896-sf enclosed publicly accessible space on the ground floor. In addition, approximately 10,220 gsf of MTA circulation space would be provided on the ground floor. The No-Action development would be 69 stories and approximately 1,118 feet tall. This represents the maximum floor area developable on the Development Site through non-discretionary actions. The Development Site would not contain a hotel and would instead contain a mix of office and retail uses, along with ground floor circulation space and enclosed publicly accessible space.

In the No-Action Alternative, the Applicant would provide transit improvements from the Priority Improvement List set forth in ZR Section 81-682 to improve circulation and reduce congestion. Specifically, at the 42nd Street – Bryant Park/Fifth Avenue station, the Applicant

would provide the following Type 1 improvements, which each generate 40,000 sf of floor area (a combined total of 160,000 sf of floor area):

- › ADA elevator between Flushing platform and mezzanine level;
- › A new street entrance from the north side of West 42nd Street;
- › ADA elevator between Sixth Avenue northbound platform and mezzanine level;
- › ADA elevator between Sixth Avenue southbound platform and mezzanine level.

The following non-discretionary approvals would be required for the No-Action Alternative:

- › A joint Zoning Certification from the CPC Chairperson and the MTA as to the size and location of transit easement volumes on the zoning lot (ZR 81-673(a));
- › A joint Zoning Certification from the CPC Chairperson and the MTA as to whether a transit easement volume is required on the zoning lot (ZR 81-673(b));
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-643 as to the amount of non-complying floor area on the Development Site and to reconstruct non-complying floor area on the Development Site;
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-641 to increase the permitted floor area on a qualifying site though the construction of transit improvements from the Priority Improvement List set forth in ZR Section 81-682;
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-642 for the transfer of unused landmark development rights and to verify payment of the contribution to the public realm improvement fund; and
- › A Zoning Certification from the CPC Chairperson to certify compliance of the design for an enclosed publicly accessible space with all applicable requirements of ZR Section 81-681(b).

Conditions under the No-Action Alternative, in comparison to the future with the Proposed Actions, are described below.

Land Use, Zoning, and Public Policy

In the No-Action Alternative, an as-of-right commercial retail and office building would be constructed on the Development Site, pursuant to existing zoning. Unlike the Proposed Project, however, the No-Action Alternative would not include outdoor publicly accessible open space or hotel use and would be comprised of office, retail, MTA circulation space, and enclosed publicly accessible space, as described above. The No-Action Alternative represents the maximum floor area developable on the Development Site through non-discretionary actions. The non-discretionary approvals required for the No-Action Alternative would only apply to the Development Site; the rest of the Project Area would remain unaffected.

Outside of the Development Site, current land use trends toward higher-density commercial construction, and general development patterns would continue. Within 400 feet of the study area, the One Vanderbilt project, at the south end of the Vanderbilt Corridor, and the proposed 250 Park Avenue project—both mixed commercial and retail buildings—would be complete, providing over 2.5 million additional square feet of commercial floor area to the 400-foot study area by 2023. The No-Action Alternative would be in keeping with these trends. However, it would not include the first-class hotel space that would be included in

the Proposed Project. In the No-Action Alternative, zoning and public policies affecting the study area are expected to remain unchanged from existing conditions.

Overall, the With-Action scenario is more responsive to the City's land use policy for Greater East Midtown than the No-Action scenario. However, as both conditions would be supportive of the City's goals and objectives for Greater East Midtown, neither the No-Action Alternative nor the Proposed Actions would result in significant adverse impacts to land use, zoning, or public policy.

Open Space

In the No-Action Alternative, it is anticipated that new development in the study area and on the Development Site would result in a population increase of 31,463 non-residents and 31,655 combined residents and non-residents, compared to existing conditions. Additionally, the supply of publicly accessible passive open space in the study area is expected to increase by 0.92 acres from Existing Conditions, accounting for the five new open space resources described in **Chapter 3, Open Space, Table 3-11** and the anticipated open space under the No-Action development program on the Development Site. Therefore, as shown in **Table 17-1**, the ratio of passive open space in the With-Action condition would be 0.026 per 1,000 non-residents, which remains significantly lower than the DCP guideline of 0.15, but the same as the ratios under existing conditions. The combined open space ratio would be 0.025 acres of passive open space per 1,000 non-residents and residents, which is lower than the weighted average benchmark of 0.167, but a slight improvement over existing conditions. Thus, in the No-Action Alternative, the amount of passive open space available to serve the non-residential population, as well as the combined non-residential and residential population, would continue to be less than the benchmarks established in the *CEQR Technical Manual*, but relatively similar to that of existing conditions.

Table 17-1 No-Action Condition – Adequacy of Open Space Resources for Quarter-Mile Non-Residential Study Area

	Non-Residential Population	Open Space Acreage		Ratios ¹	DCP Guidelines
Non-Residents	202,026	Active	N/A	N/A	N/A
		Passive	5.30	0.026	0.15
		Total	N/A	N/A	N/A
Combined Non-Residents and Residents	212,151	Active	N/A	N/A	N/A
		Passive	5.30	0.025	0.167 ²
		Total	N/A	N/A	N/A

Notes:

¹ Acres per 1,000 people

² Based on a target open space ratio established by creating a weighted average of the amount of open space necessary to meet the CEQR benchmark of 0.5 acres of passive open space per 1,000 residents and 0.15 acres of passive open space per 1,000 non-residents

Shadows

Although shadows resulting from implementation of the No-Action Alternative would have the potential to reach sunlight-sensitive open space resources, like the Proposed Actions, the

No-Action Alternative would not result in any significant adverse shadows impacts. In the No-Action Alternative, the Development Site would be redeveloped with a 1,118-foot-tall building. As compared to the Proposed Actions, the No-Action Alternative would be approximately 528 feet shorter and would therefore result in shadows of a shorter duration and reduced coverage. As detailed in **Chapter 4, Shadows**, incremental shadows resulting from the Proposed Actions would be limited in extent and duration and would not substantially reduce the quality of direct sunlight or alter the utilization of the sunlight-sensitive resources. As the No-Action Alternative building would be shorter, the same conclusions would hold true as under the With-Action.

Historic and Cultural Resources

The Landmarks Preservation Commission (LPC) has determined that the Development Site does not possess archaeological sensitivity. Therefore, like the Proposed Actions, the No-Action Alternative would not affect archaeological resources.

The No-Action Alternative would involve development and implementation of a construction protection plan (CPP) for historic resources located within 90 feet of the Development Site, a distance considered close enough to construction activities for the No-Action building for it to potentially cause construction-related effects from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. The four historic resources located within 90 feet of the Development Site include GCT, the Park Avenue Viaduct, the Graybar Building, and the Chrysler Building. As described in **Chapter 5, Historic and Cultural Resources**, a CPP would be prepared for these four sites to avoid inadvertent construction-period damage to the resources.

As described in **Chapter 5, Historic and Cultural Resources**, the low-rise GCT building, the bulk of which is set back behind the elevated Park Avenue Viaduct, is largely visible only in its immediate vicinity, with some longer views north on Park Avenue. GCT and the Park Avenue Viaduct are surrounded by tall commercial buildings, and on 42nd Street the Terminal is only visible from close proximity. From farther away, existing buildings block views of the Terminal. The existing building on the Development Site partially obscures existing westward views of the Terminal on East 42nd Street from Third Avenue. The cantilevered balcony at the second-floor further obscures views of the Terminal from the east. As the No-Action building would have a 150-foot-tall base and would maintain the existing streetwalls, the No-Action building would also obscure westward views of the Terminal from Third Avenue, but slightly less so than existing views as the second-floor balcony would be removed. Views would improve slightly in the No-Action Alternative. In views east on East 42nd Street, the No-Action building would be one of many tall buildings in the background of GCT. Overall, the No-Action building would not change the scale, visual prominence, or visual context of GCT, or screen or eliminate any publicly accessible views of GCT and may improve it slightly from the east. From Madison Avenue, the Chrysler Building is visible above the existing building on the Development Site. From Madison Avenue, the No-Action building would largely block this eastward view of the Chrysler Building, and these blocked views would be more pronounced from farther west. As seen from the New York Public Library and Bryant Park on East 42nd Street, the existing view of the Chrysler Building is largely obscured. At this distance, the No-Action building would further obscure the eastward view of the Chrysler Building. Therefore, as with the Proposed Actions, it is

expected that the No-Action Alternative would not result in any contextual impacts on architectural resources, as it would not adversely change the scale, visual prominence, or visual context of any building, structure, object, or landscape feature, or screen or eliminate publicly accessible views of any architectural resources that would not be screened or eliminated in the With-Action condition. However, as described in **Chapter 5, Historic and Cultural Resources**, the Proposed Development would provide views not available under existing or No-Action conditions.

The shadows analysis presented in **Chapter 4, Shadows**, concluded that while the No-Action Development would cast incremental shadows on the east windows of GCT's main concourse, these new shadows would not adversely impact the historic character of the main concourse.

Urban Design and Visual Resources

As with the Proposed Actions the No-Action Alternative would not result in significant adverse impacts on urban design or visual resources. Under the No-Action Alternative, the Development Site would be developed with 69-story, 1,118-foot-tall commercial office tower containing local retail and enclosed publicly accessible space on the ground floor. The building would be constructed to the lot line, with a base height up to five stories (150 feet) along East 42nd Street and Lexington Avenue. Above the base height, the building would provide a series of consistent setbacks to form a tiered structure. A ground floor plan and views of the illustrative massing of the No-Action Alternative are provided in **Chapter 1, Project Description**. The proposed publicly accessible open space would include indoor passive open space amenities. Transit improvements on the Development Site would be limited to redevelopment of the subway access points from East 42nd Street and Lexington Avenue. The existing sidewalk widths along East 42nd Street and Lexington Avenue adjacent to the Development Site would be maintained.

Similar to the Proposed Actions, the No-Action Alternative would be constructed within the context of the existing East Midtown street grid and would provide a continuation of the existing streetwall with a setback above the base height. Overall, the No-Action Alternative would not alter the arrangement, appearance, or functionality of the Development Site or study area such that the alteration would negatively affect a pedestrian's experience of the area, and as a result, the No-Action Alternative would not have significant urban design adverse impacts.

Additionally, views along the roadways within the study area would not be significantly altered, or interrupted, by the No-Action Alternative. As described above in the discussion of Historic Resources, the No-Action Alternative would not open new views to adjacent historic resources to the same extent as the With Action. It would continue to obscure views of Grand Central, though not to the same extent as the existing Hyatt, since the overhang would be removed. However, neither the Proposed Actions nor the No-Action Alternative would eliminate any significant publicly accessible view corridors or completely block public views to any visual resources.

Hazardous Materials

As with the Proposed Actions, in the No-Action Alternative, any potential contamination could be subject to remediation. Regulatory requirements pertaining to building materials containing Asbestos-Containing Materials (ACM) and Lead Based Paint (LBP) and polychlorinated biphenyls PCBs would be addressed under prevailing regulations as part of standard demolition and redevelopment practices.

Water and Sewer Infrastructure

As under the Proposed Actions, the No-Action Alternative would not have a significant incremental demand for water or a significant incremental increase in sanitary sewage generation, and therefore would not result in a significant adverse impact on the City's water and sewer infrastructure. Incremental increases would be within the capacity of the City's systems, and the impacts would not be considered significant or adverse. The projected No-Action Alternative increase in sanitary sewage would not cause the Newtown Creek Wastewater Treatment Plant to exceed its operational capacity or SPDES-permitted capacity, and therefore, like the Proposed Actions, the No-Action Alternative would not result in significant adverse impacts to sanitary sewage conveyance and treatment. As under the Proposed Actions, development under the No-Action Alternative would incorporate select best management practices (BMPs) as required by the New York City Department of Environmental Protection (DEP) through the site sewer connection application process for new buildings.

Transportation

Under the No-Action Alternative, traffic, transit, and pedestrian volumes would increase due to background growth and development on the Project Site and within the study area. Unlike the Proposed Actions, the No-Action Alternative would not exceed the applicable CEQR thresholds for significant adverse impacts at all 15 intersections during the AM and PM peak hours, and 14 intersections during the AM and-midday peak hours, and 15 intersections during the PM peak-hour. Similar to the Proposed Actions, all 15 analysis intersections would have at least one traffic movement operating at unacceptable levels of service during at least one the AM and midday peak hours under the No-Action Alternative, and 14 of the 15 intersections during the PM peak hour under the No-Action Alternative. (compared to all 15 intersections under the Proposed Actions). The Proposed Actions would result in significant adverse pedestrian impacts at one pedestrian element during the AM and PM peak hours and five pedestrian elements during the midday peak hour which would not occur under the No-Action Alternative. For subways, the Proposed Actions would result in significant impacts at five stairways and two escalators at the Grand Central – 42nd Street subway station during the AM peak hour, and one stairway and two escalators during the PM peak hour which would not occur under the No-Action Alternative. However, the No-Action Alternative would not include the transit and public realm improvements proposed as part of the Proposed Actions. As discussed in **Chapter 9, Transportation**, these improvements would enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and the sidewalks surrounding the Development Site.

Neither the No-Action Alternative nor the Proposed Actions would exceed the applicable CEQR thresholds for significant adverse parking impacts.

Air Quality

The No-Action Alternative would result in fewer vehicle trips than the Proposed Actions, but more truck trips. However, the equivalent PM emissions generated by trucks will be lower than the CEQR threshold for collector road where these trucks are forecasted. Therefore, similar to the Proposed Actions, traffic emissions from the No-Action Alternative would not result in a significant adverse impact on air quality.

There is one large emission source within a 1,000-foot radius of the Development Site. As discussed in **Chapter 10, Air Quality**, this source is intermittent and therefore was excluded from the air quality analysis. As such, no significant adverse air quality impacts from large sources are anticipated in the No-Action Alternative.

The No-Action Alternative would also result in approximately 1,108,038 gsf less development on the Development Site compared to the Proposed Actions and would be shorter by approximately 528 feet. Like the Proposed Actions, the No-Action Alternative would use steam for its heating, ventilation and air conditioning and hot water systems. Neither the No-Action Alternative nor the Proposed Actions would result in significant adverse air quality impacts.

Greenhouse Gas Emissions

Development under the No-Action Alternative would be significantly smaller than under the Proposed Actions. As such, its construction and operation would be expected to consume less energy and would, therefore, result in fewer carbon dioxide equivalent (CO₂e) emissions per year. In addition, as under the Proposed Actions, the No-Action Alternative would need to comply with laws addressing energy efficiency in large new and existing buildings in New York City. Similar to the Proposed Actions, the No-Action Alternative would comply with the 2020 Energy Conservation Construction Code of New York State and 2020 New York City Energy Conservation Code, which govern performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. As with the Proposed Actions, there would be no significant adverse greenhouse gas emission or climate change impacts as a result of the No-Action Alternative.

Noise

The No-Action Alternative would result in less vehicular traffic in the study area than the Proposed Actions. As a result, the noise levels from mobile sources would be lower than future conditions with the Proposed Actions. Overall, as under the Proposed Actions, the No-Action Alternative is not expected to generate 50 or more vehicles at an intersection during the peak hours analyzed, and therefore there is no potential for traffic volumes to double (resulting in a 3 decibel increase in noise) and thus there is no potential for significant adverse noise impacts due to mobile sources.

Similar to the existing noise conditions in the study area, the No-Action Alternative noise conditions would all be Marginally Unacceptable according to the CEQR Noise Exposure Guidelines. As compared with the Proposed Actions, the No-Action Alternative would not be

required to meet *2020 CEQR Technical Manual* interior noise level requirements and would not be required through institutional controls such as an (E) designation or restrictive declaration to provide up to 38 dB(A) of building attenuation. If this level of attenuation is not provided, the No-Action Alternative would not meet *2020 CEQR Technical Manual* interior noise level requirements.

Public Health

Under both the Proposed Actions and No-Action Alternative, no significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise) would occur. Therefore, the No-Action Alternative, like the Proposed Actions, would not result in significant adverse public health impacts. However, as detailed above, unlike the Proposed Actions, the No-Action Alternative would not be required to comply with and set in place various regulatory mechanisms to ensure certain CEQR standards are met. In the No-Action Alternative, institutional controls for hazardous materials would not be placed on the Project Site. In addition, the No-Action Alternative would not be required to meet *2020 CEQR Technical Manual* interior noise level requirements and would not be required to provide up to 30 dB(A) of outdoor-to-indoor noise reduction measures.

Neighborhood Character

Similar to the Proposed Actions, the No-Action Alternative would not result in significant adverse impacts associated with neighborhood character. As detailed in the relevant sections above, the No-Action Alternative would not result in significant adverse impacts in the contributing technical areas of land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; noise; or public health. Though, like the Proposed Actions, the No-Action Alternative would exceed the applicable CEQR thresholds for significant adverse impacts for transportation, however, the projected increase in traffic volumes would not be out of character with the East Midtown area. Therefore, the identified impacts would not affect the defining features of the neighborhood and would not constitute a significant impact on neighborhood character. Overall, the No-Action Alternative would be consistent with recent development trends.

However, under the No-Action Alternative, the three new, publicly accessible open spaces proposed as part of the Proposed Actions would not be implemented. Located on the second floor of the Proposed Project, these would include two terraces that run the length of the Development Site from north to south, and one that would run from east to west along the northern portion of the site. These proposed open spaces were specifically designed to improve visibility and access to the defining features of the East Midtown neighborhood and study area. They provide direct views to the eastern façade of GCT, an area that has been largely obstructed from view by the existing Hyatt Hotel. These spaces would also provide a separate and safe passive open space away from the busy surroundings, contributing to the limited number of pedestrian plazas and open spaces currently provided in the study area. This would contribute to the existing network of pedestrian amenities and continue to support an area that is active and vibrant, and reliant on a high-functioning pedestrian circulation network.

Construction

As the amount of new construction under the No-Action Alternative would be less than the Proposed Actions, the No-Action Alternative would result in less construction disruptions. The No-Action Alternative would result in approximately 1,108,038 gsf less floor area on the Development Site compared to the Proposed Actions and would be shorter by approximately 528 feet. In addition, the three new, publicly accessible open spaces that would be constructed as part of the Proposed Actions would not be constructed under the No-Action Alternative and transit and public realm improvements to enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and sidewalks surrounding the Development Site would not be implemented. Overall, the No-Action Alternative construction period would be 70 months, compared with 106 months under the Proposed Actions, which would reduce construction-related effects of the No-Action Alternative.

During construction of the No-Action Alternative, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code regulating construction-related dust emissions and the New York City Noise Control Code regulating construction noise. The No-Action Alternative construction would be of a smaller building, hence use less equipment and less time. As such, similar to the Proposed Actions, no significant adverse air quality impacts are anticipated under the No-Action Alternative.

As detailed above, with the No-Action Alternative, institutional controls for hazardous materials would not be placed on the Project Site; any potential contamination could be subject to remediation, though responsibility for any such work would need to be determined at the time. However, similar to the Proposed Actions, regulatory requirements pertaining to building materials containing ACM and LBP would be addressed under prevailing regulations as part of standard demolition and redevelopment practices.

With respect to historic and cultural resources, as detailed above, the No-Action Alternative would involve development and implementation of a CPP for the contiguous historic resources (GCT, the Park Avenue Viaduct, the Graybar Building, and the Chrysler Building) to avoid inadvertent damage from construction

No Unmitigated Significant Adverse Impact Alternative

According to the *CEQR Technical Manual*, when a project would result in unmitigated significant adverse impacts, it may be appropriate to include an assessment of an alternative to the project that would not result in unmitigated impacts. While mitigation measures will be explored between the Draft EIS and the Final EIS, it is possible that these impacts could remain unmitigated.

The No Unmitigated Significant Adverse Impact Alternative identifies those modifications to the Proposed Actions that would be required to eliminate each of the Proposed Project's unmitigated significant adverse impacts. As discussed below, in order to eliminate all unmitigated significant adverse impacts, the Proposed Actions would need to be so substantially modified that the project goals and objectives would not be realized or would be materially compromised.

As discussed in **Chapter 16, Mitigation**, and **Chapter 18, Unavoidable Significant Adverse Impacts**, the Proposed Project would result in significant adverse traffic impacts

which could not be fully mitigated with standard traffic capacity improvement measures at 10 of the 15 intersections during the AM peak hour, 13 intersections during the midday peak hour, and 13 intersections during the PM peak hour. These impacts would result despite the project's modest increase in vehicle trips because of prevailing background traffic conditions and high volumes of pedestrian traffic. Even a minimal increase in traffic and pedestrians above No-Action condition levels would result in unmitigated impacts at these analysis locations. A sensitivity analysis was conducted at intersections along East 42nd Street between Second Avenue and Madison Avenue during the PM peak hour and determined that the addition of just one or two vehicles at critical movements would create a significant adverse impact that could not be fully mitigated. Therefore, any development increment larger than the No-Action development would be expected to result in unmitigated significant adverse traffic impacts.

The Proposed Actions would result in subway transit impacts at five stairways and two escalators in the AM peak hour and one stairway and two escalators in the PM peak hour; ~~while mitigation measures will be~~were explored between the Draft EIS and the Final EIS, ~~it is possible and determined~~ that these impacts ~~could~~would remain unmitigated. A sensitivity analysis determined that an increase of just two subway riders during the PM peak hour on the ES210 escalator above No-Action condition levels would result in an unmitigated impact. Replacement of the two escalators 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 which could mitigate the escalator impacts. However, if in the 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.

For pedestrians, the analysis identified unmitigated impacts at two of the five pedestrian elements during the midday peak hour; impacts during the other peak hours could be mitigated. A sensitivity analysis was performed at these pedestrian elements (northeast and southwest corners of the intersection of Lexington Avenue and East 42nd Street) and determined that the Proposed Actions would need to be reduced to 60 percent of the development increment in order to avoid unmitigated pedestrian impacts.

Given the above, there is no Unmitigated Significant Adverse Impact Alternative to the Proposed Actions any larger than the No Action Alternative.

The Proposed Actions would include the transit and public realm improvements that would enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and the sidewalks surrounding the Development Site; these would not be implemented under a Unmitigated Significant Adverse Impact Alternative that reduces the Proposed Project to the same size as the No-Action. This would compromise the Applicant's ability to achieve the project goals and objectives as detailed in the *Greater East Midtown Rezoning FEIS* including providing new modern and sustainable first-class office space to protect and strengthen East Midtown as one of the world's premier business addresses, improving the area's pedestrian and built environments, and complementing ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space. In particular, the three new, publicly accessible open spaces that would be constructed as part of the Proposed Actions would not be constructed and transit and public realm

improvements to enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and sidewalks surrounding the Development Site would not be implemented. Therefore, as the No Unmitigated Significant Adverse Impact alternative would not address the area’s lack of publicly accessible open space and transit improvements, it is not a preferred alternative as it would not provide as much public benefit as the Proposed Actions.