## A. INTRODUCTION

In accordance with the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this chapter presents and analyzes alternatives to the proposed project. Alternatives selected for consideration in an EIS are generally those that are feasible and have the potential to reduce, eliminate, or avoid potential adverse impacts of a proposed project while meeting some or all of the goals and objectives of the project.

In addition to a comparative impact analysis, the alternatives in this chapter are assessed to determine to what extent they would meet the goals and objectives of the proposed project. As discussed in Chapter 1, "Project Description," the purpose of the proposed project is to develop a network of four modern detention facilities distributed in the four boroughs with the goal of creating humane facilities that provide appropriate conditions for those who work and are detained there, provide community assets in the neighborhoods, and allow the City to close the jails on Rikers Island.

In keeping with the City's foundational principles to build a safe and humane system in line with modern approaches to correctional practices, the City's proposal is designed to accomplish several objectives, which include: improving access to natural light and space for therapeutic programming; offering quality recreational, health, education, visitation and housing facilities; strengthening connections to families and communities by enabling people to remain closer to their loved ones; and enhancing well-being of uniformed staff and civilian staff alike through improved safety conditions.

This chapter considers two alternatives to the proposed project:

- A No Action Alternative, which is mandated by CEQR and SEQRA and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part. The No Action Alternative assumes that in the future without the proposed project, each of the proposed project sites would remain in their current condition. Therefore, under the No Action condition, the existing DOC borough facilities would not be rebuilt or closed and are assumed to remain at the current capacity of approximately 2,500 people in detention. It is assumed that the City would continue to implement strategies to reduce the number of people in jail to 5,000, but would use the current facilities.
- A No Unmitigated Significant Adverse Impacts Alternative, which considers several modifications to the proposed project to eliminate its unmitigated significant adverse impacts on historic and cultural resources, traffic, construction-period traffic, construction-period pedestrians, and construction-period noise.

### PRINCIPAL CONCLUSIONS

The conclusion of the alternatives analysis is that the No Action Alternative and No Unmitigated Significant Adverse Impacts Alternatives would not substantively meet the goals and objectives

of the proposed project. Each of the alternatives is summarized briefly below, followed by a more detailed analysis in the following sections.

*NO ACTION ALTERNATIVE*

The No Action Alternative assumes the proposed project is not implemented and that each of the proposed project sites would remain in their current condition. Therefore, under the No Action condition, the existing DOC borough facilities would not be rebuilt or closed and are assumed to remain at the current capacity of approximately 2,500 people in detention. It is assumed that the City would continue to implement strategies to reduce the number of people in jail to 5,000, but would use the current facilities. At the Bronx Site, this alternative would avoid the proposed project's significant adverse impacts related to transportation, construction-period traffic, and construction-period noise. At the Brooklyn Site, this alternative would avoid the proposed project's significant adverse impacts related to historic and cultural resources, transportation, construction-period traffic, and construction-period noise. At the Manhattan Site, this alternative would avoid the proposed project's significant adverse impacts related to historic and cultural resources and transportation. At the Queens Site, this alternative would avoid the proposed project's significant adverse impacts related to transportation, construction-period traffic, and construction-period noise.

The No Action Alternative would not create any new detention capacity, nor would it create new humane detention facilities. Although the City is implementing strategies to ultimately reduce the average daily jail population to 5,000 persons, existing facilities apart from Rikers Island can accommodate only about 2,500 people and therefore this alternative would not allow the City to close the jails on Rikers Island. Furthermore, this alternative would not accomplish the objectives of the proposed project. It would not improve access to natural light and space for therapeutic programming; offer quality recreational, health, education, visitation and housing facilities; strengthen connections to families and communities; or enhance the well-being of uniformed staff and civilian staff.

Overall, the No Action Alternative would fail to meet the proposed project's principal goals.

*NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS*

The No Unmitigated Significant Adverse Impacts Alternative considers several modifications of the proposed project to eliminate its significant adverse impacts on historic and cultural resources, transportation, construction-period traffic, construction-period pedestrians, and construction-period noise. The alternative identified to eliminate the potential significant adverse impacts to the Brooklyn Central Courthouse due to the potential construction of pedestrian bridges could meet the goals and objectives of the proposed project. To eliminate the other unmitigated significant adverse impacts, the proposed project would have to be modified to a point that its principal goals and objectives would not be realized.

## B. BRONX

### NO ACTION ALTERNATIVE

The No Action Alternative assumes the proposed project is not implemented and that the NYPD Bronx Tow Pound will continue to operate on the Bronx Site.

*LAND USE, ZONING, AND PUBLIC POLICY*

In the No Action Alternative, the Bronx Site would continue to be occupied by the NYPD Bronx Tow Pound. The Bronx Site would remain underutilized and this alternative would not change the land use of the project site from the current parking use to institutional, community facility, residential, and retail uses, nor would it provide the increased street level activity at the site that would occur with the proposed project.

Unlike the proposed project, the No Action Alternative would not provide modern, safer detention facilities and would not advance the goals of *Smaller, Safer, Fairer*. It is expected that the City would continue to house some people in detention at Rikers Island under this alternative. The No Action Alternative, unlike the proposed project, would not result in the introduction of residential uses to the Port Morris Industrial Business Zone.

As with the proposed project, the No Action Alternative would not result in significant adverse impacts to land use, zoning, or public policy. However, the benefits of the proposed project, including the advancement of the goals of *Smaller, Safer, Fairer*, the introduction of active uses to the site, and the introduction of residential use, including affordable housing, would not be realized.

*SOCIOECONOMIC CONDITIONS*

The No Action Alternative, like the proposed project, would not result in any significant adverse socioeconomic impacts at the Bronx Site or within its socioeconomic study area. With the No Action Alternative, no new residential, commercial, or institutional uses would be added to the project site by the 2027 build year. With the No Action Alternative the project site would retain its current use as the NYPD's Bronx Tow Pound. The No Action Alternative would not result in indirect business displacement due to increased property values or rents, nor introduce a concentration of uses that would offset positive trends within the study area. The proposed project would introduce a mix of public facility, residential, and retail uses, and would promote positive trends within the study area by developing new community and retail facilities intended to serve both the existing community and new workers and residents introduced by the proposed project. Under the No Action Alternative, these potential benefits would not be realized.

*COMMUNITY FACILITIES*

Neither the No Action Alternative nor the proposed project would result in a significant adverse impact elementary schools, intermediate schools, or publicly funded child care centers. Public elementary schools and publicly funded child care facilities in the study area would operate over capacity irrespective of development on the project site. Public intermediate schools in the study area would operate under capacity irrespective of development on the project site.

As with the proposed project, pursuant to *CEQR Technical Manual* guidelines, detailed analyses of public high schools, public libraries, outpatient health facilities, and police and fire protection services are not warranted. The No Action Alternative would not result in any significant adverse impacts to these community facilities.

*OPEN SPACE*

As with the proposed project, the No Action Alternative would not remove any existing public open space resources on the Bronx Site, and would not result in any significant adverse impacts to open space as defined by the *2014 CEQR Technical Manual*. The No Action Alternative would

not introduce an incremental residential or non-residential population to the Bronx Site, and would therefore not introduce any new demand for public open space within the ½- and ¼-mile residential and non-residential study areas, which would be similar to future conditions with the proposed project. The ½-mile residential study area in the existing condition is underserved by total and active open space according to City guidelines, and would continue to be underserved under either the No Action Alternative or the proposed project. The ¼-mile non-residential study area in the existing condition is underserved by passive open space according to City guidelines, and would continue to be underserved with either the No Action Alternative or the proposed project. Neither the proposed project nor the No Action Alternative would result in any significant adverse impacts to open space.

*SHADOWS*

Under the No Action Alternative, the project site would remain unchanged from existing conditions, and therefore there would be no change with respect to existing shadows. The proposed project would result in the development of new structures on the site, which would result in incremental shadow on St. Mary's Park in winter and on two Greenstreets traffic medians in certain seasons, but in no case would the incremental shadow result in significant adverse impacts to either the use or the vegetation of those resources. Therefore, neither the No Action Alternative nor the proposed project at the Bronx Site would result in significant adverse shadows impacts.

*HISTORIC AND CULTURAL RESOURCES*

As the project site is not sensitive for archaeological resources, the No Action Alternative, like the proposed project, would not result in any significant adverse impacts on archaeological resources. In addition, there are no architectural resources on the project site or in the study area; therefore, the No Action Alternative, like the proposed project, would not result in adverse impacts to architectural resources.

*URBAN DESIGN AND VISUAL RESOURCES*

Like the proposed project, the No Action Alternative would not result in significant adverse impacts on the urban design, view corridors, or visual resources. Under the No Action Alternative, the project site would not be altered and the existing use on the site would remain unchanged. Under the proposed project, the Bronx Site would be developed with a building much larger and taller than the surrounding buildings in the study area, introducing a development of a scale out of context with the surrounding area. The proposed project would also introduce active ground-floor uses to the site and enhance the pedestrian experience. The No Action Alternative, like the proposed project, would not obstruct views to visual resources in the surrounding area.

*HAZARDOUS MATERIALS*

In the No Action Alternative, it is assumed that the project site would remain in its current condition. Broadly applicable regulatory programs, such as those for existing petroleum storage tanks, asbestos-containing materials, lead-based paint, polychlorinated biphenyls, etc. would continue to apply, but without the subsurface disturbance associated with the proposed project, the potential for exposure (to construction workers and the community) to any subsurface hazardous materials would not occur. As such, the No Action Alternative would not result in any significant adverse impacts related to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Action Alternative would not result in any increased demand on New York City's water supply from the existing conditions and would not result in any change in wastewater and sanitary sewage generation. Although there would be an increase in impervious surfaces under the proposed project, neither the No Action Alternative nor the proposed project would result in any significant adverse impacts on the City's water supply, wastewater, or stormwater conveyance and treatment infrastructure.

*TRANSPORTATION*

Under the No Action Alternative, vehicle, transit and pedestrian trips would be lower than with the proposed project. As the existing use on the project site would remain, no significant adverse transportation impacts identified as a result of the proposed project would occur under the No Action Alternative.

*AIR QUALITY*

As with the proposed project, the No Action Alternative would result in fewer vehicle trips and less mobile source pollution. Since no significant adverse mobile source air quality impacts are predicted due to the proposed project, neither the proposed project nor the No Action Alternative would result in a significant adverse impact related to mobile sources.

Under the No Action Alternative, stationary sources of emissions would be lower than with the proposed project. The restrictions on the type of fuel and stack height for heating and hot water systems that would be put in place for the proposed project would not be required with the No Action Alternative.

Neither the No Action Alternative nor the proposed project would result in significant adverse impacts to air quality.

*NOISE*

As with the proposed project, in the No Action Alternative, traffic volumes would increase slightly over existing conditions in the area due to background traffic growth. However, these increases in traffic would not result in substantial changes in noise levels, and noise levels under the No Action Alternative would be comparable to existing noise levels. Like the proposed project, the No Action Alternative would not result in any significant adverse impacts to noise.

*PUBLIC HEALTH*

The No Action Alternative, like the proposed project, would not result in any significant adverse public health impacts.

*NEIGHBORHOOD CHARACTER*

Under the No Action Alternative there would be no change to the project site and no change to neighborhood character. The proposed project would introduce a new detention facility and mixed-use building but would not affect the defining features of the neighborhood. Both the proposed project and the No Action Alternative would not result in significant adverse impacts to neighborhood character.

*CONSTRUCTION*

Under the No Action Alternative, no construction would occur on the project site. The NYPD Bronx Tow Pound would remain in its current condition. The No Action Alternative would not result in the additional vehicle or pedestrian trips generated by the proposed project's construction activities, and would not result in potential significant adverse impacts related to construction-period traffic and pedestrian conditions. The No Action Alternative would not result in increased pollutant emissions that would occur during construction of the proposed project. The No Action Alternative also would not result in increased noise levels that would be associated with the construction of the proposed project, and would not result in the potential significant adverse impacts from construction-period noise on the residential building at 359 Southern Boulevard. As with the proposed project, the No Action Alternative would not result in significant adverse construction impacts with respect to air quality, historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, natural resources, and land use and neighborhood character.

*GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE*

The No Action Alternative would not result in an increase in energy use, fuel consumption, or vehicle trips, and would therefore not result in the increase in greenhouse gas emissions that would result from the proposed project. However, the proposed project (which would not result in any significant adverse impacts related to greenhouse gas emissions) would be consistent with PlaNYC/OneNYC GHG emissions reduction goals, benefits that may not be realized under the No Action Alternative.

## NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

In order to identify a No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the proposed project was considered to determine what avoidance measures would be required for the different types of impacts. As discussed in Section 2.16, "Mitigation-Bronx," the proposed project is anticipated to have significant adverse impacts that may not be able to be mitigated in the areas of traffic, construction-period traffic, construction-period pedestrians, and construction-period noise. Therefore, those technical areas are considered below.

*TRANSPORTATION (TRAFFIC)*

For the proposed project, unmitigated potential significant adverse traffic impacts were identified at 9 lane groups at six analyzed intersections during the analyzed weekday AM peak hour, at 14 lane groups at eight analyzed intersections during the analyzed weekday midday peak hour, and at 7 lane groups at five analyzed intersections during the analyzed Saturday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of project-generated trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of five vehicles along the eastbound shared through-right lane group at the intersection of East 138th Street and Bruckner Boulevard would result in an unmitigatable potential significant adverse impact during the weekday midday peak hour. An increase of this magnitude would be generated from a much smaller development program than is planned as part of the project. Therefore, no reasonable alternative could be developed to avoid

these potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION TRAFFIC*

During the proposed project's peak construction period, increases in traffic volumes associated with construction workers and truck vehicle trips would result in temporary unmitigated potential significant adverse traffic impacts to 6 lane groups at five analyzed intersections during the analyzed construction AM peak hour and 10 lane groups at six analyzed intersections during the analyzed construction midday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of construction activity related trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of five vehicles along the eastbound shared through-right lane group at the intersection of East 138th Street and Bruckner Boulevard would result in an unmitigatable potential significant adverse impact during the construction midday peak hour. An increase of this magnitude would be generated from a relatively small number of construction workers or truck trips. To reduce the number of construction worker vehicle and/or truck trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope or would likely include other measures that could lead to additional environmental impacts. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION PEDESTRIANS*

During the proposed project's peak construction period, increases in pedestrian volumes associated with construction workers, could result in unmitigated impacts at pedestrian elements around the project site. To reduce the number of construction worker trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION (NOISE)*

The detailed analysis of construction noise concluded that construction of the proposed project has the potential to result in noise levels that would exceed the *CEQR Technical Manual* impact criteria for an extended period of time at the residential building at 359 Southern Boulevard.

Construction noise levels of this magnitude for such an extended duration would constitute a significant adverse impact. Source or path controls beyond those already identified for the construction of the proposed project and as mitigation would not be effective in reducing the level of construction noise at the receptors that have the potential to experience significant adverse construction noise impacts. Therefore, no reasonable alternative could be developed to avoid temporary construction noise impacts without substantially compromising the proposed project's stated goals.

# C. BROOKLYN

## NO ACTION ALTERNATIVE

The No Action Alternative assumes the proposed project is not implemented and that the Brooklyn Detention Complex continues to operate on the Brooklyn Site.

### *LAND USE, ZONING, AND PUBLIC POLICY*

Under both the proposed project and the No Action Alternative, the Brooklyn Site would be occupied by a detention facility use, although with the proposed project the detention facility would be larger and would provide approximately double the detainee capacity of the existing facility. The proposed project would also provide ground floor retail or community facility space which would serve to activate the ground floor of the site, which would not occur under the No Action Alternative. Both the proposed project and the No Action Alternative would be supportive of and compatible with existing institutional civic uses to the north, especially the Kings County Criminal Court, immediately to the north of the project site.

Unlike the proposed project, the No Action Alternative would not provide modern, safer detention facilities and would not advance the goals of *Smaller, Safer, Fairer*. It is expected that the City would continue to house some people in detention at Rikers Island under this alternative.

As with the proposed project, the No Action Alternative would not result in significant adverse impacts to land use, zoning, or public policy. However, the benefits of the proposed project, including the advancement of the goals of *Smaller, Safer, Fairer* and the introduction of active uses to the site would not be realized.

### *SOCIOECONOMIC CONDITIONS*

As with the proposed project, the No Action Alternative would not result in any significant adverse socioeconomic impacts at the Brooklyn Site or within the Brooklyn socioeconomic study area. With the No Action Alternative, the existing Brooklyn Detention Complex would remain on the project site. While the proposed project would demolish the existing facility, the proposed project would include facilities similar to the existing Brooklyn Detention Complex. Therefore neither the No Action Alternative nor the proposed project would substantively change business conditions within the socioeconomic study area.

### *OPEN SPACE*

As with the proposed project, the No Action Alternative would not remove any existing public open space resources on the Brooklyn Site and would not result in any significant adverse impacts to open space as defined by the *2014 CEQR Technical Manual*. The No Action Alternative would not introduce an incremental non-residential population to the Brooklyn Site, and therefore would not introduce any new demand for public open space within the ¼-mile non-residential study area, which would be similar to future conditions with the proposed project. The ¼-mile non-residential study area in the existing condition is undeserved by passive open space according to City guidelines, and would continue to be undeserved with either the No Action Alternative or the proposed project. Neither the proposed project nor the No Action Alternative would result in any significant adverse impacts to open space.

*SHADOWS*

Under the No Action Alternative, the project site would remain unchanged from existing conditions, and therefore there would be no change with respect to existing shadows. The proposed project would result in the development of a new structure on the site, which would result in incremental shadow on two nearby plazas, one park, and two historic buildings with sunlight-sensitive features, but in no case would the incremental shadow result in significant adverse impacts to either the use or appreciation or the vegetation of any of the affected resources. Therefore, neither the No Action Alternative nor the proposed project at the Brooklyn Site would result in significant adverse shadows impacts.

*HISTORIC AND CULTURAL RESOURCES*

As the project site is not sensitive for archaeological resources, the No Action Alternative, like the proposed project, would not result in any significant adverse impacts on archaeological resources.

The Brooklyn Central Courthouse, a known architectural resource, is located within 90 feet of the Brooklyn Site. Construction-related activities to demolish the existing detention facility on the project site and to build the proposed project could result in inadvertent adverse direct impacts to the Brooklyn Central Courthouse. Therefore, to avoid inadvertent construction-related impacts to this architectural resource, a Construction Protection Plan (CPP) would be prepared in consultation with LPC and implemented in coordination with a licensed professional engineer. Under the No Action Alternative, these potential inadvertent construction-related impacts would not occur. The No Action Alternative would also not result in the potential construction of new pedestrian bridges or tunnels from 275 Atlantic Street to the courthouse and would not directly affect the Brooklyn Central Courthouse. Therefore, while the proposed project would result in potential adverse impacts to the State Street façade of the Brooklyn Central Courthouse as a result of the construction of pedestrian bridges, the No Action Alternatives would not result in any such adverse impacts.

The proposed project would not result in any indirect impacts on architectural resources in the study area, with the exception of the potential construction of pedestrian bridges that would connect from the proposed detention facility to the State Street façade of the Brooklyn Central Courthouse, as described above. The No Action Alternative would not result in any indirect impacts to architectural resources in the study area.

*URBAN DESIGN AND VISUAL RESOURCES*

Like the proposed project, the No Action Alternative would not result in significant adverse impacts on the urban design, view corridors, or visual resources. Under the No Action Alternative, the project site would not be altered and the existing use on the site would remain unchanged. Under the proposed project, the Brooklyn Site would be developed with a building that would be taller than the existing buildings in the study area, but it would fit within the densely developed Downtown Brooklyn setting. Unlike the proposed project, the No Action Alternative would not result in the demolition of the Justice Mandala mural on the Brooklyn Site. The proposed project would also introduce active ground-floor uses to the site and enhance the pedestrian experience. The No Action Alternative, like the proposed project, would not obstruct views to visual resources in the surrounding area.

*HAZARDOUS MATERIALS*

In the No Action Alternative, it is assumed that the project site would remain in its current condition. Broadly applicable regulatory programs, such as those for existing petroleum storage tanks, asbestos-containing materials, lead-based paint, polychlorinated biphenyls, etc. would continue to apply, but without the subsurface disturbance associated with the proposed project, the potential for exposure (to construction workers and the community) to any subsurface hazardous materials would not occur. As such, the No Action Alternative would not result in any significant adverse impacts related to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Action Alternative would not result in any increased demand on New York City's water supply from the existing conditions and would not result in any change in wastewater and sanitary sewage generation. As compared with No Action Alternative, the proposed project would result in an increase in flows to the wastewater treatment plant during wet weather due to the increase in sanitary flow and impervious surfaces. A reduction in stormwater peak flows to the combined sewer system with the proposed project would be achieved with the incorporation of stormwater source control best management practices (BMPs) in accordance with the City's site connection requirements. Neither the No Action Alternative nor the proposed project would result in significant adverse impacts on the City's water supply, wastewater, or stormwater conveyance and treatment infrastructure.

*TRANSPORTATION*

Under the No Action Alternative, vehicle, transit and pedestrian trips would be lower than with the proposed project. As the existing use on the project site would remain, no significant adverse transportation impacts identified as a result of the proposed project would occur under the No Action Alternative.

*AIR QUALITY*

As with the proposed project, the No Action Alternative would result in fewer vehicle trips and less mobile source pollution. Since no significant adverse mobile source air quality impacts are predicted due to the proposed project, neither the proposed project nor the No Action Alternative would result in a significant adverse impact related to mobile sources.

Under the No Action Alternative, stationary sources of emissions would be lower than with the proposed project. The restrictions on the type of fuel and stack height for heating and hot water systems that would be put in place for the proposed project would not be required with the No Action Alternative.

Neither the No Action Alternative nor the proposed project would result in significant adverse impacts to air quality.

*NOISE*

As with the proposed project, in the No Action Alternative, traffic volumes would increase slightly over existing conditions in the area due to background traffic growth. However, these increases in traffic would not result in substantial changes in noise levels, and noise levels under the No Action alternative would be comparable to existing noise levels. Like the proposed project, the No Action Alternative would not result in any significant adverse impacts to noise.

*PUBLIC HEALTH*

The No Action Alternative, like the proposed project, would not result in any significant adverse public health impacts.

*NEIGHBORHOOD CHARACTER*

Under the No Action Alternative there would be no change to the project site and no change to neighborhood character. The proposed project would redevelop the Brooklyn Site with a new, larger detention facility but would not affect the defining features of the neighborhood. Both the proposed project and the No Action Alternative would not result in significant adverse impacts to neighborhood character.

*CONSTRUCTION*

Under the No Action Alternative, no construction would occur on the project site. The Brooklyn Detention Complex would remain in its current condition. The No Action Alternative would not result in the additional vehicle or pedestrian trips generated by the proposed project's construction activities, and would not result in potential significant adverse impacts related to construction-period traffic and pedestrian conditions. The No Action Alternative would not result in increased pollutant emissions that would occur during construction of the proposed project. The No Action Alternative also would not result in increased noise levels that would be associated with the construction of the proposed project, and would not result in the potential significant adverse impacts from construction-period noise on 239 State Street and the Kings County Criminal Court. As with the proposed project, the No Action Alternative would not result in significant adverse construction impacts with respect to air quality, historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, natural resources, and land use and neighborhood character.

*GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE*

The No Action Alternative would not result in an increase in energy use, fuel consumption, or vehicle trips, and would therefore not result in the increase in greenhouse gas emissions that would result from the proposed project. However, the proposed project (which would not result in any significant adverse impacts related to greenhouse gas emissions) would be consistent with PlaNYC/OneNYC GHG emissions reduction goals, benefits that may not be realized under the No Action Alternative.

## NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

In order to identify a No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the proposed project was considered to determine what avoidance measures would be required for the different types of impacts. As discussed in Section 3.15, "Mitigation-Brooklyn," the proposed project is anticipated to have significant adverse impacts that may not be able to be mitigated in the areas of traffic, construction-period traffic, construction-period pedestrians, and construction-period noise. Therefore, those technical areas are considered below.

*HISTORIC AND CULTURAL RESOURCES*

As described above, the potential construction of pedestrian bridges from the proposed detention facility at 275 Atlantic Street to the Brooklyn Central Courthouse at 120 Schermerhorn Street

across State Street could result in potential significant adverse impacts to the Brooklyn Central Courthouse. In the No Unmitigated Significant Adverse Impacts Alternative, the City of New York, through DOC, would have to incorporate a tunnel, rather than pedestrian bridges, under State Street between the proposed detention facility at 275 Atlantic Avenue and the Brooklyn Central Courthouse. This alternative could meet the goals and objectives of the proposed project.

*TRANSPORTATION (TRAFFIC)*

For the proposed project, unmitigated potential significant adverse traffic impacts were identified at 3 lane groups at two analyzed intersections during the analyzed weekday AM peak hour, at 14 lane groups at eight analyzed intersections during the analyzed weekday midday peak hour, and at 6 lane groups at five analyzed intersections during the analyzed Saturday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of project-generated trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of four vehicles along the westbound through lane group at the intersection of Court Street and Atlantic Avenue would result in an unmitigatable potential significant adverse impact during the weekday midday peak hour. An increase of this magnitude would be generated from a much smaller development program than is planned as part of the project. Therefore, no reasonable alternative could be developed to avoid these potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION TRAFFIC*

During the proposed project's peak construction period, increases in traffic volumes associated with construction workers and truck vehicle trips would result in temporary unmitigated potential significant adverse traffic impacts to 10 lane groups at eight analyzed intersections during both the analyzed construction AM peak hour and midday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of construction activity related trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of four vehicles along the westbound through lane group at the intersection of Court Street and Atlantic Avenue would result in an unmitigatable potential significant adverse impact during the construction midday peak hour. An increase of this magnitude would be generated from a relatively small number of construction workers or truck trips. To reduce the number of construction worker vehicle and/or truck trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope or would likely include other measures that could lead to additional environmental impacts. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION PEDESTRIANS*

During the proposed project's peak construction period, increases in pedestrian volumes associated with construction workers, could result in unmitigated impacts at pedestrian elements

around the project site. To reduce the number of construction worker trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION NOISE*

The detailed analysis of construction noise concluded that construction of the proposed project has the potential to result in noise levels that would exceed the CEQR Technical Manual impact criteria for an extended period of time at the southern and western façades of 239 State Street and the southern and eastern façades of the Kings County Criminal Court.

Construction noise levels of this magnitude for such an extended duration would constitute a significant adverse impact. Source or path controls beyond those already identified for the construction of the proposed project and as mitigation would not be effective in reducing the level of construction noise at the receptors that have the potential to experience significant adverse construction noise impacts. Therefore, no reasonable alternative could be developed to avoid temporary construction noise impacts without substantially compromising the proposed project's stated goals.

## D. MANHATTAN

### NO ACTION ALTERNATIVE

The No Action Alternative assumes the proposed project is not implemented and that the Manhattan Detention Complex continues to operate on the Manhattan Site.

*LAND USE, ZONING, AND PUBLIC POLICY*

Under both the proposed project and the No Action Alternative, the Manhattan Site would be occupied by a detention facility use, although with the proposed project the detention facility would be larger and would provide greater detainee capacity than the existing facility in the No Action Alternative. The proposed project would also provide ground floor retail or community facility space which would serve to activate the ground floor of the site, which would not occur under the No Action Alternative. Both the proposed project and the No Action Alternative would be supportive of and compatible with existing institutional civic uses to the north, especially the Manhattan Criminal Court, immediately south of the project site.

Unlike the proposed project, the No Action Alternative would not provide modern, safer detention facilities and would not advance the goals of *Smaller, Safer, Fairer*. It is expected that the City would continue to house some people in detention at Rikers Island under this alternative. Portions of the Manhattan Site are located within the City's Coastal Zone and within the Preliminary Flood Insurance Rate Map (FIRM) 500-year floodplain. The No Action Alternative would not provide the resiliency measures that would be included with the proposed project to address future flood conditions.

As with the proposed project, the No Action Alternative would not result in significant adverse impacts to land use, zoning, or public policy. However, the benefits of the proposed project, including the advancement of the goals of *Smaller, Safer, Fairer*, the introduction of active uses to the site, and provision of flood resiliency measures would not be realized.

*SOCIOECONOMIC CONDITIONS*

As with the proposed project, the No Action Alternative would not result in any significant adverse socioeconomic impacts at the Manhattan Site or within the Manhattan socioeconomic study area. With the No Action Alternative, the existing retail tenants in the MDC North Tower would not be directly displaced as under the proposed project. However even if these businesses were permanently displaced from the Manhattan Site, their displacement would not constitute a significant adverse impact. The project site would contain a detention facility use under both the No Action Alternative and the proposed project and therefore neither the No Action Alternative nor the proposed project would introduce a new economic activity or substantially change business conditions within the socioeconomic study area.

*OPEN SPACE*

As with the proposed project, the No Action Alternative would not remove any existing public open space resources on the Manhattan project site, and would not result in any significant adverse impacts to open space as defined by the *2014 CEQR Technical Manual*. The No Action Alternative would not introduce an incremental non-residential population to the Manhattan Site, and therefore would not introduce any new demand for public open space within the ¼-mile non-residential study area, which would be similar to future conditions with the proposed project. The ¼-mile non-residential study area in the existing condition is sufficiently served by passive open space according to City guidelines, and would continue to be sufficiently served with either the No Action Alternative or the proposed project. Neither the proposed project nor the No Action Alternative would result in any significant adverse impacts to open space.

*SHADOWS*

Under the No Action Alternative, the project site would remain unchanged from existing conditions, and therefore there would be no change with respect to existing shadows. The proposed project would result in the development of a new structure on the site, which would result in incremental shadow on two nearby plazas, one park, one Greenstreet, and one historic resource with sunlight-sensitive features, but in no case would the incremental shadow result in significant adverse impacts to either the use or appreciation or the vegetation of any of the affected resources. Therefore, neither the No Action Alternative nor the proposed project at the Manhattan Site would result in significant adverse shadows impacts.

*HISTORIC AND CULTURAL RESOURCES*

The proposed project could result in disturbance to areas of archaeological sensitivity in the undisturbed portions of White Street and the southwestern corner of 124 White Street (the MDC North Tower). With the completion of the additional archaeological investigations necessary within the areas of archaeological sensitivity and LPC concurrence with the conclusions of those investigations, the proposed project would not result in significant adverse impacts on archaeological resources. The No Action Alternative would not result in disturbance to these areas are would also not result in significant adverse impacts on archaeological resources.

With the proposed project, the existing MDC North and South Towers at 124 and 125 White Street would be redeveloped with a new, approximately 450-foot-tall detention facility. 125 White Street, also known as the MDC South Tower, composes a portion of the Manhattan Criminal Courts Building and Prison at 100 Centre Street, that has previously been determined S/NR-eligible by the New York State Historic Preservation Office (SHPO) and NYCL-eligible by LPC.

The demolition of 125 White Street would constitute a significant direct adverse impact on the Criminal Courts Building and Prison. This impact would not occur with the No Action Alternative, however, the Applicant would develop, in consultation with LPC, appropriate measures to partially mitigate the adverse impact.

Construction-related activities in connection with the proposed project could result in physical, construction-related impacts to architectural resources located within 90 feet of the project site in the study area. Therefore, to avoid inadvertent construction-related impacts to this architectural resource, a Construction Protection Plan (CPP) would be prepared in consultation with LPC and implemented in coordination with a licensed professional engineer. Under the No Action Alternative, these potential inadvertent construction-related impacts would not occur.

The proposed project would result in significant adverse indirect impacts on the Criminal Courts Building at 100 Centre Street due to the proposed demolition of the Prison building (MDC South Tower) at 125 White Street, which is a contributing element of the Criminal Courts Building and Prison architectural resource. As part of the mitigation measures that would be developed to partially mitigate the adverse impact, consultation would be undertaken with LPC regarding the design of the new detention facility and how it would connect via pedestrian bridges to the north façade of 100 Centre Street. The No Action Alternative would not result in significant adverse indirect impacts to architectural resources.

*URBAN DESIGN AND VISUAL RESOURCES*

Like the proposed project, the No Action Alternative would not result in significant adverse impacts on the urban design, view corridors, or visual resources. Under the No Action Alternative, the project site would not be altered and the existing use on the site would remain unchanged. Under the proposed project, the Manhattan Site would be developed with a building that would be similar in height and form to existing buildings in the study area including the Manhattan Criminal Courts Building, the Jacob K. Javits building, and U.S. Courthouse at 500 Pearl Street, among others. Under both the proposed project and the No Action Alternative, pedestrian access to White Street would be maintained. The No Action Alternative, unlike the proposed project, would not enhance White Street with additional street furniture.

Both the proposed project and the No Action Alternative would not result in a significant adverse impact to visual resources. The proposed detention facility would include two potential pedestrian bridges connecting the south façade of the proposed building to the third story and an upper story of the Manhattan Criminal Courts Building. The pedestrian bridges would alter the north façade of the Manhattan Criminal Court Building. However, the north façade of the Manhattan Criminal Courts Building is not the building's principal façade, and this façade is also located close to the project site across the narrow service entrance across from 125 White Street so that its north façade is not prominently visible. These new bridges would not be constructed in the No Action Alternative.

*HAZARDOUS MATERIALS*

In the No Action Alternative, it is assumed that the project site would remain in its current condition. Broadly applicable regulatory programs, such as those for existing petroleum storage tanks, asbestos-containing materials, lead-based paint, polychlorinated biphenyls, etc. would continue to apply, but without the subsurface disturbance associated with the proposed project, the potential for exposure (to construction workers and the community) to any subsurface

hazardous materials would not occur. As such, the No Action Alternative would not result in any significant adverse impacts related to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Action Alternative would not result in any increased demand on New York City's water supply from the existing conditions and would not result in any change in wastewater and sanitary sewage generation. As compared with No Action Alternative, the proposed project would result in an increase in flows to the wastewater treatment plant during wet weather due to the increase in sanitary flow and impervious surfaces. A reduction in stormwater peak flows to the combined sewer system with the proposed project would be achieved with the incorporation of stormwater source control best management practices (BMPs) in accordance with the City's site connection requirements. Neither the No Action Alternative nor the proposed project would result in significant adverse impacts on the City's water supply, wastewater, or stormwater conveyance and treatment infrastructure.

*TRANSPORTATION*

Under the No Action Alternative, vehicle, transit and pedestrian trips would be lower than with the proposed project. As the existing use on the project site would remain, no significant adverse transportation impacts identified as a result of the proposed project would occur under the No Action Alternative.

*AIR QUALITY*

As with the proposed project, the No Action Alternative would result in fewer vehicle trips and less mobile source pollution. Since no significant adverse mobile source air quality impacts are predicted due to the proposed project neither the proposed project nor the No Action Alternative would result in a significant adverse impact related to mobile sources.

Under the No Action Alternative, stationary sources of emissions would be lower than with the proposed project. The restrictions on the type of fuel and stack height for heating and hot water systems that would be put in place for the proposed project would not be required with the No Action Alternative.

Neither the No Action Alternative nor the proposed project would result in significant adverse impacts to air quality.

*NOISE*

As with the proposed project, in the No Action Alternative, traffic volumes would increase slightly over existing conditions in the area due to background traffic growth. However, these increases in traffic would not result in substantial changes in noise levels, and noise levels under the No Action Alternative would be comparable to existing noise levels. Like the proposed project, the No Action Alternative would not result in any significant adverse impacts to noise.

*PUBLIC HEALTH*

The No Action Alternative, like the proposed project, would not result in any significant adverse public health impacts.

*NEIGHBORHOOD CHARACTER*

Under the No Action Alternative there would be no change to the project site and no change to neighborhood character. The proposed project would redevelop the Manhattan Site with a new, larger detention facility but would not affect the defining features of the neighborhood. Both the proposed project and the No Action Alternative would not result in significant adverse impacts to neighborhood character.

*CONSTRUCTION*

Under the No Action Alternative, no construction would occur on the project site. The Manhattan Detention Complex would remain in its current condition. The No Action Alternative would not result in the additional vehicle or pedestrian trips generated by the proposed project's construction activities, and would not result in potential significant adverse impacts related to construction-period traffic and pedestrian conditions. The No Action Alternative would not result in increased pollutant emissions that would occur during construction of the proposed project. The No Action Alternative also would not result in increased noise levels that would be associated with the construction of the proposed project, and would not result in the potential significant adverse impacts from construction-period noise on the Manhattan Criminal Courts Building. As noted above, the demolition of 125 White Street would constitute a significant direct adverse impact on the Criminal Courts Building and Prison (also known as the Manhattan Criminal Courts Building). This impact would not occur with the No Action Alternative As with the proposed project, the No Action Alternative would not result in significant adverse construction impacts with respect to air quality, hazardous materials, open space, socioeconomic conditions, community facilities, natural resources, and land use and neighborhood character.

*CLIMATE CHANGE*

The No Action Alternative would not result in an increase in energy use, fuel consumption, or vehicle trips, and would therefore not result in the increase in greenhouse gas emissions that would result from the proposed project. However, the proposed project (which would not result in any significant adverse impacts related to greenhouse gas emissions) would be consistent with PlaNYC/OneNYC GHG emissions reduction goals, benefits that may not be realized under the No Action Alternative.

## NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

In order to identify a No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the proposed project was considered to determine what avoidance measures would be required for the different types of impacts. As discussed in Section 4.15, "Mitigation-Manhattan," the proposed project is anticipated to have significant adverse impacts that may not be able to be mitigated in the areas of historic and cultural resources and construction-period pedestrians. Therefore, these technical areas are considered below.

*HISTORIC AND CULTURAL RESOURCES*

In the No Unmitigated Significant Adverse Impact Alternative, the MDC South Tower at 125 White Street, which is S/NR-eligible as part of the Manhattan Criminal Courts Building and Prison (New York County Criminal Court) at 100 Centre Street and has also been determined by the New York City Landmarks Preservation Commission (LPC) to be New York City Landmark (NYCL)-eligible, would not be demolished and would be retained. As described in greater detail in the

*Alternatives Analysis for the Manhattan Detention Center South Tower* prepared for LPC on March 20, 2019, the City of New York, through DOC, explored prudent and feasible alternatives to the demolition of the MDC South Tower at 125 White Street to avoid the significant adverse impact (see **Appendix J**). These included utilizing the existing MDC facility, including the South Tower at 125 White for the proposed Manhattan site of the proposed borough-based jail system; retaining 125 White Street and constructing a new building at the location of 124 White Street which is not a historic building, expanding 125 White Street with vertical or horizontal additions, and moving administrative uses off-site; and developing the detention facility at another site.

To avoid the significant adverse impact, the proposed detention facility would need to be developed at another location or developed on the 124-125 White Street site retaining the MDC South Tower.

Other sites for the proposed detention facility were considered in the vicinity of the New York County Criminal Court at 100 Centre Street. However, site requirements, including that the site be city-owned land, adjacent to court facilities, of a sufficient parcel size, and with access to public transportation, precluded the locating of the proposed detention facility to another site. Parcels in the vicinity of 100 Centre Street includes two parks – Columbus Park and Collect Pond Park, court facilities at the New York City Civil Court at 111 Centre Street, and city owned buildings at 125 Worth Street and 80 Centre Street. Due to lack of sufficient site size, lack of direct connection to the New York County Criminal Court at 100 Centre Street, and the need to relocate existing tenants at 125 Worth Street, this site was not a viable site. While the Louis J. Lefkowitz State Office Building at 80 Centre Street was also evaluated as a potential site for the proposed detention facility in Manhattan, this site was removed from consideration due to opposition expressed by the community through public scoping as part of City Environmental Quality Review (CEQR) process and the City's community engagement process, as well as challenges associated with relocating various existing offices at 80 Centre Street. In addition 125 Worth Street and 80 Centre Street are developed with historic buildings (both buildings have been determined National Register-eligible and LPC has also determined that 80 Centre Street is also NYCL-eligible), and, therefore, use of these sites would have also resulted in a significant adverse impact to historic resources.

Development of the detention facility at the 124-125 White Street site with retention of 125 White Street would prevent the project from fulfilling a number of significant project objectives including to roughly equally distribute the detention beds at all four proposed borough facilities and to create at the Manhattan site a modern, humane, and safe detention facility that provides sufficient space for effective and tailored programming, appropriate housing for those with medical, behavioral health and mental health needs, and the opportunity for a more stable reentry into the community. The MDC facility including the South Tower does not meet the requirements for a modern detention facility as proposed by the proposed project. In addition, it is not feasible to expand the MDC South Tower vertically or horizontally, or to construct a much larger structure at 124 White Street, or to allocate administrative uses at off-site locations in order to generate sufficient floor area to accommodate the proposed number of beds and facility programming. Vertical and horizontal expansions to the MDC South Tower with a sufficient viable floor area would also adversely impact the historic character of the MDC South Tower. Retention of 125 White Street and construction of another building at 124 White Street would perpetuate similar security/safety issues and inefficiencies as the current condition because it would have two separate buildings instead of one consolidated facility. These include the need to move a large number of people in detention between two buildings and with different uses allocated to two buildings or spread across two buildings.

Overall, the No Unmitigated Significant Adverse Impact Alternative would reduce the number of detention beds and/or proposed programming at the Manhattan site and retain a building—the MDC South Tower at 125 White Street—that does not meet the requirements for a modern detention facility as proposed by the proposed project, which would not fulfill the goals and objectives of the proposed project.

*CONSTRUCTION PEDESTRIANS*

During the proposed project's peak construction period, increases in pedestrian volumes associated with construction workers, could result in unmitigated impacts at pedestrian elements around the project site. To reduce the number of construction worker trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

## E. QUEENS

### NO ACTION ALTERNATIVE

The No Action Alternative assumes the proposed project is not implemented and the former Queens Detention Complex, which is currently used for court operations, continues to operate on the Queens Site. The existing public parking lot on the site would also remain in use.

*LAND USE, ZONING, AND PUBLIC POLICY*

In the No Action Alternative, the Queens Site would continue to be occupied by the Queens Detention Complex and public parking lot. The Queens Site would remain underutilized and this alternative would not reintroduce a detention facility use to this site, as would occur with the proposed project. Unlike the proposed project, this alternative would not activate this underutilized site or introduce active ground-floor uses.

Unlike the proposed project, the No Action Alternative would not provide modern, safer detention facilities and would not advance the goals of *Smaller, Safer, Fairer*. It is expected that the City would continue to house some people in detention at Rikers Island under this alternative.

As with the proposed project, the No Action Alternative would not result in significant adverse impacts to land use, zoning, or public policy. However, the benefits of the proposed project, including the advancement of the goals of *Smaller, Safer, Fairer* and the introduction of active uses to the site would not be realized.

*SOCIOECONOMIC CONDITIONS*

As with the proposed project, the No Action Alternative would not result in any significant adverse socioeconomic impacts at the Queens Site or within the Queens socioeconomic study area. With the No Action Alternative, the existing Queens Detention Complex would remain on the project site. Neither the No Action Alternative nor the proposed project would introduce a new economic activity or substantially change business conditions within the socioeconomic study area.

*OPEN SPACE*

As with the proposed project, the No Action Alternative would not remove any existing public open space resources on the Queens Site, and would not result in any significant adverse impacts to open space as defined by the 2014 *CEQR Technical Manual*. The No Action Alternative would not introduce an incremental non-residential population to the Queens Site, and therefore would not introduce any new demand for public open space within the ¼-mile non-residential study area, which would be similar to future conditions with the proposed project. The ¼-mile non-residential study area in the existing condition is sufficiently served by passive open space according to City guidelines, and would continue to be sufficiently served with either the No Action Alternative or the proposed project. Neither the proposed project nor the No Action Alternative would result in any significant adverse impacts to open space.

*SHADOWS*

Under the No Action Alternative, the project site would remain unchanged from existing conditions, and therefore there would be no change with respect to existing shadows. The proposed project would result in the development of a new structure on the site, which would result in incremental shadow on portions of the Queens Borough Hall grounds in the morning throughout the year, and on several other sunlight-sensitive resources in certain seasons, including portions of Willow Lake Preserve, Flushing Meadows-Corona Park between Union Turnpike and 78th Crescent, Queens Boulevard Malls, Newcombe Square, and the Hoover-Manton Playgrounds. The incremental shadow under the proposed project would not result in significant adverse impacts to either the use or appreciation or the vegetation of any of the affected resources. Therefore, neither the No Action Alternative nor the proposed project at the Queens Site would result in significant adverse shadows impacts.

*HISTORIC AND CULTURAL RESOURCES*

As the project site is not sensitive for archaeological resources, the No Action Alternative, like the proposed project, would not result in any significant adverse impacts on archaeological resources. In addition, neither the proposed project nor the No Action Alternative would affect the one architectural resource in the study area (Queens Borough Hall). Therefore, the No Action Alternative, like the proposed project, would not result in adverse impacts to architectural resources.

*URBAN DESIGN AND VISUAL RESOURCES*

Like the proposed project, the No Action Alternative would not result in significant adverse impacts on the urban design, view corridors, or visual resources. Under the No Action Alternative, the project site would not be altered and the existing use on the site would remain unchanged. Under the proposed project, the Queens Site would be developed with a building that would be taller than nearby surrounding buildings but comparable in height to buildings in the secondary urban design study area. The No Action Alternative, unlike the proposed project, would not activate an otherwise under-utilized pedestrian environment on the sidewalks that surround the project site. The No Action Alternative, like the proposed project, would not obstruct views to visual resources in the surrounding area.

*HAZARDOUS MATERIALS*

In the No Action Alternative, it is assumed that the project site would remain in its current condition. Broadly applicable regulatory programs, such as those for existing petroleum storage tanks, asbestos-containing materials, lead-based paint, polychlorinated biphenyls, etc. would continue to apply, but without the subsurface disturbance associated with the proposed project, the potential for exposure (to construction workers and the community) to any subsurface hazardous materials would not occur. As such, the No Action Alternative would not result in any significant adverse impacts related to hazardous materials.

*WATER AND SEWER INFRASTRUCTURE*

The No Action Alternative would not result in any increased demand on New York City's water supply from the existing conditions and would not result in any change in wastewater and sanitary sewage generation. As compared with No Action Alternative, the proposed project would result in an increase in flows to the wastewater treatment plant during wet weather due to the increase in sanitary flow and impervious surfaces. A reduction in stormwater peak flows to the combined sewer system with the proposed project would be achieved with the incorporation of stormwater source control best management practices (BMPs) in accordance with the City's site connection requirements. Neither the No Action Alternative nor the proposed project would result in significant adverse impacts on the City's water supply, wastewater, or stormwater conveyance and treatment infrastructure.

*TRANSPORTATION*

Under the No Action Alternative, vehicle, transit and pedestrian trips would be lower than with the proposed project. As the existing uses on the project site would remain, no significant adverse transportation impacts identified as a result of the proposed project would occur under the No Action Alternative.

*AIR QUALITY*

As with the proposed project, the No Action Alternative would result in fewer vehicle trips and less mobile source pollution than the proposed project. Since no significant adverse mobile source air quality impacts are predicted due to the proposed project, neither the proposed project nor the No Action Alternative would result in a significant adverse impact related to mobile sources.

Under the No Action Alternative, stationary sources of emissions would be lower than with the proposed project. The restrictions on the type of fuel and stack height for heating and hot water systems that would be put in place for the proposed project would not be required with the No Action Alternative.

Neither the No Action Alternative nor the proposed project would result in significant adverse impacts to air quality.

*NOISE*

As with the proposed project, in the No Action Alternative, traffic volumes would increase slightly over existing conditions in the area due to background traffic growth. However, these increases in traffic would not result in substantial changes in noise levels, and noise levels under the No Action Alternative would be comparable to existing noise levels. Like the proposed project, the No Action Alternative would not result in any significant adverse impacts to noise.

*PUBLIC HEALTH*

The No Action Alternative, like the proposed project, would not result in any significant adverse public health impacts.

*NEIGHBORHOOD CHARACTER*

Under the No Action Alternative there would be no change to the project site and no change to neighborhood character. The proposed project would redevelop the Queens Site with a new, larger detention facility but would not affect the defining features of the neighborhood. Both the proposed project and the No Action Alternative would not result in significant adverse impacts to neighborhood character.

*CONSTRUCTION*

Under the No Action Alternative, no construction would occur on the project site. The Queens Detention Complex would remain in its current condition. The No Action Alternative would not result in the additional vehicle or pedestrian trips generated by the proposed project's construction activities, and would not result in potential significant adverse impacts related to construction-period traffic and pedestrian conditions. The No Action Alternative would not result in increased pollutant emissions that would occur during construction of the proposed project. The No Action Alternative also would not result in increased noise levels that would be associated with the construction of the proposed project, and would not result in the potential significant adverse impacts from construction-period noise on the Queens County Criminal Court. As with the proposed project, the No Action Alternative would not result in significant adverse construction impacts with respect to air quality, historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, natural resources, and land use and neighborhood character.

*CLIMATE CHANGE*

The No Action Alternative would not result in an increase in energy use, fuel consumption, or vehicle trips, and would therefore not result in the increase in greenhouse gas emissions that would result from the proposed project. However, the proposed project (which would not result in any significant adverse impacts related to greenhouse gas emissions) would be consistent with PlaNYC/OneNYC GHG emissions reduction goals, benefits that may not be realized under the No Action Alternative.

## NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

In order to identify a No Unmitigated Significant Adverse Impact Alternative, the full range of impacts identified for the proposed project was considered to determine what avoidance measures would be required for the different types of impacts. As discussed in Section 5.15, "Mitigation-Queens," the proposed project is anticipated to have significant adverse impacts that may not be able to be mitigated in the areas of traffic, construction-period traffic, construction-period pedestrians, and construction-period noise. Therefore, those technical areas are considered below.

*TRANSPORTATION (TRAFFIC)*

For the proposed project, unmitigated potential significant adverse traffic impacts were identified at 5 lane groups at four analyzed intersections during the analyzed weekday AM peak hour, at 2

lane groups at two analyzed intersections during the analyzed weekday midday peak hour, and at 3 lane groups at three analzyed intersections during the analyzed Saturday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of project-generated trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of three vehicles along the westbound left lane group at the intersection of 78th Avenue and Queens Boulevard would result in an unmitigatable potential significant adverse impact during the weekday midday peak hour. An increase of this magnitude would be generated from a much smaller development program than is planned as part of the project. Therefore, no reasonable alternative could be developed to avoid these potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION TRAFFIC*

During the proposed project's peak construction period, increases in traffic volumes associated with construction workers and truck vehicle trips would result in temporary unmitigated potential significant adverse traffic impacts to 9 lane groups at six analyzed intersections during the analyzed construction AM peak hour and 2 lane groups at two analyzed intersections during the analyzed construction midday peak hour.

Multiple lane groups at intersections identified as incurring project generated unmitigated potential impacts are projected to operate at congested levels under the future No Action condition. These lane groups would be susceptible to significant adverse impacts from the addition of construction activity related trips, and if impacts are identified at these intersections, they would be difficult to mitigate. For example, an increase of three vehicles along the westbound left lane group at the intersection of 78th Avenue and Queens Boulevard would result in an unmitigatable potential significant adverse impact during the construction midday peak hour. An increase of this magnitude would be generated from a relatively small number of construction workers or truck trips. To reduce the number of construction worker vehicle and/or truck trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope or would likely include other measures that could lead to additional environmental impacts. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION PEDESTRIANS*

During the proposed project's peak construction period, increases in pedestrian volumes associated with construction workers, could result in unmitigated impacts at pedestrian elements around the project site. To reduce the number of construction worker trips to a level where unmitigatable impacts would be avoidable would require a substantial reduction in the proposed project's size and its construction scope. Therefore, no reasonable alternative could be developed to avoid these temporary potential unmitigated significant adverse traffic impacts without substantially compromising the proposed project's stated goals.

*CONSTRUCTION NOISE*

The detailed analysis of construction noise concluded that construction of the proposed project has the potential to result in noise levels that would exceed the CEQR Technical Manual impact criteria for an extended period at the Queens County Criminal Court.

Construction noise levels of this magnitude for such an extended duration would constitute a significant adverse impact. Source or path controls beyond those already identified for the construction of the proposed project and as mitigation would not be effective in reducing the level of construction noise at the receptors that have the potential to experience significant adverse construction noise impacts. Therefore, no reasonable alternative could be developed to avoid temporary construction noise impacts without substantially compromising the proposed project's stated goals.

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