

A. INTRODUCTION

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in Chapter 13, “Mitigation,” some of the potential impacts identified for the proposed project could be mitigated. However, as described below, noise impacts during construction would not be fully mitigated.

~~It is possible that new unmitigated impacts related to noise during the construction period may be identified between the Draft and Final EIS. If conditions change or it is determined that proposed mitigation measures are not feasible, additional mitigation measures may be explored. If it is determined that other measures are not available to mitigate identified significant adverse impacts, either in part or in whole, those impacts would be identified in the FEIS as unmitigated and a discussion will be included in the FEIS. Since the issuance of the Draft Environmental Impact Statement (DEIS), no additional significant adverse impacts have been identified. Therefore, the only unmitigable significant adverse impact with the proposed project is related to noise during the construction period, as described below.~~

B. CONSTRUCTION**NOISE**

As detailed in Chapter 12, “Construction,” the proposed project has the potential to result in a significant adverse construction noise impact. ~~Although~~ Rockefeller University is committed to implementing a program of source controls (i.e., the use of quiet construction equipment) and path controls (i.e., the use of noise barriers and noise shields) that exceed the noise control measures required by the New York City Noise Control Code as identified in the Restrictive Declaration. Even with these measures, elevated noise levels resulting from construction are predicted to occur for an extended duration at two sensitive receptor locations. These locations are include the portion of the East River Esplanade between East 63rd Street and demapped East 68th Street (located immediately east of the Laboratory Building Site and the North Terrace Site) and the New York Presbyterian Hospital-Weill Cornell Medical Center (NYPH-Weill Cornell Medical Center) (located immediately north of the North Terrace Site).

These two receptor locations would likely experience over two years of exceedances of the *City Environmental Quality Review (CEQR) Technical Manual* noise impact criteria resulting from construction associated with the proposed project. However, the existing noise levels on the East River Esplanade exceed the 55 dBAL₁₀₍₁₎ noise level recommended for open space by CEQR noise

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exposure guidelines. In addition, the East River Esplanade is primarily used for active recreation during daytime hours, while most of the activities associated with the excavation and foundation task for the platform construction would occur during the night time when the esplanade is lightly used. ~~There are no~~ feasible and practicable measures that could be implemented were identified to mitigate the construction noise impact at this location.

The NYPH-Weill Cornell Medical College building has double-glazed windows and central air-conditioning and would be expected to provide at least 28-35 dBA of attenuation of exterior noise. Consequently, this building would be expected to experience interior $L_{10(1)}$ values during most of the time that are below 45 dBA $L_{10(1)}$ (the CEQR acceptable interior noise level criteria). However, although the NYPH-Weill Cornell Medical College buildings have double-glazed windows and alternate ventilation, during some limited time periods, construction activities may result in interior noise levels that would be above the 45 dBA $L_{10(1)}$ noise level recommended by CEQR.

Therefore, ~~only~~ the construction noise impact at the East River Esplanade would be an unavoidable significant adverse impact as there are no feasible and practicable measures that could be implemented to fully mitigate the construction noise impact at this receptor location. ~~However,~~ It should be noted that this impact would occur during a limited period of time during project construction and there would be no noise impacts once construction activities are complete. There is no feasible construction approach to the proposed project that would eliminate this unmitigated significant adverse impact. Since the DEIS, no further mitigation measures have been identified.

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