STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT

BELMONT PARK REDEVELOPMENT CIVIC AND LAND USE IMPROVEMENT PROJECT

THE LONG ISLAND POWER AUTHORITY

The New York State Urban Development Corporation ("UDC") d/b/a Empire State Development ("ESD") was lead agency for the SEQRA review of the application for the Belmont Park Redevelopment Civic and Land Use Improvement Project (the "Proposed Action"). The Long Island Power Authority ("LIPA") is an involved agency for the SEQRA review[1]. Per 6 CRR-NY 617.11(c), each involved agency must make its own Environmental Impact Statement (EIS) Findings for the Action that is the subject of the EIS. This document constitutes LIPA's Findings Statement for the Proposed Action.

Name of Action: Belmont Park Redevelopment Civic and Land Use Improvement Project

Project Location: The proposed development encompasses approximately 43 acres of land located within Belmont Park in the unincorporated hamlet of Elmont, Town of Hempstead, Nassau County, New York. Site A is approximately 15 acres located north of Hempstead Turnpike, Site B is approximately 28 acres located south of Hempstead Turnpike (the "Project Sites").

Summary of Action: New York Belmont Partners, LLC ("NYBP" f/k/a New York Belmont Development Partners), an affiliate of New York Arena Partners ("NYAP"; NYAP and NYBP and its affiliates and sublessees collectively, "NYAP" or "the Applicant"), propose to construct a sports, hospitality, retail, and entertainment destination (the "Proposed Project") at Belmont Park. The Project Sites are owned by the State of New York (the State) acting by and through the Franchise Oversight Board (FOB) and are leased through a ground lease (the "Ground Lease") to The New York Racing Association, Inc. (NYRA).The Proposed Project will redevelop the Project Sites with: an arena for the New York Islanders National Hockey League (NHL) franchise and for other sports, music, cultural, community, recreational, and entertainment events; dining, retail, and entertainment uses; a hotel; commercial office space; community space; publicly accessible open space; parking; and one or more grade separated pedestrian connections providing access between Sites A and B, as summarized in the modified General Project Plan (GPP), dated August 8, 2019, and as analyzed in the Belmont Park Redevelopment Civic and Land Use Improvement Project Corrected and Amended Final

[1] UDC identified Long Island Electric Utility Servco, LLC ("Servco"), as agent and acting on behalf of Long Island Lighting Company d/b/a LIPA during the SEQRA process. Servco operates the Long Island electric utility on behalf of the Long Island Lighting Company d/b/a LIPA, a wholly owned subsidiary of the Long Island Power Authority. Servco acting as agent on behalf of Long Island Lighting Company d/b/a LIPA participated in the coordinated review of the Proposed Action.

Environmental Impact Statement (FEIS) dated July 22, 2019. Construction of the Proposed Project is projected to occur in a single phase over a period of approximately 28 months, starting in 2019, with completion of the full build-out of all project components in 2021. The Proposed Project requires a number of actions (the "Proposed Actions") including: adoption and authorization of a GPP by Empire State Development (ESD) in accordance with the New York State Urban Development Corporation Act, which will include an override of the Town of Hempstead Building Zone Ordinance and provisions in the Town Code, where applicable. In addition, conveyance of the Project Sites to ESD from the Franchise Oversight Board (FOB), lease approval and approval of development at the Project Sites from the FOB along with the construction of an electrical substation, and transmission and distribution lines in the vicinity of the Project Sites to be constructed by the Long Island Lighting Company d/b/a LIPA, a wholly owned subsidiary of the Long Island Power Authority, and operated by the Public Service Enterprise Group Long Island.

Lead Agency: Empire State Development
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SEQRA Classification: Type I

DESCRIPTION OF LEAD AGENCY ACTIONS

To facilitate development of the Proposed Project, ESD, the lead agency for the Proposed Project, will undertake several actions. In summary, ESD actions include the following in accordance with all applicable requirements of law:

- Adoption and authorization of a GPP in accordance with the Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1068; codified at N.Y. Unconsol. Laws §6251 *et seq.*), which will include an override of the Town of Hempstead Building Zone Ordinance (BZO) and the Town Code to facilitate the Proposed Project.
- Acquisition of the Project Sites, including NYRA's surrendered property, and long-term lease to NYAP.

ESD conducted a coordinated review pursuant to SEQRA in coordination with the review of the GPP under the Urban Development Corporation Act. ESD issued a Positive Declaration and a Draft Scope of Work for the EIS on February 27, 2018. This Draft Scope was widely distributed to concerned citizens, public agencies, and other interested groups. Public scoping meetings were held under the direction of ESD on March 22, 2018 at the Elmont Memorial Library at 700 Hempstead Turnpike, Elmont, NY 11003. Two scoping sessions were held, both on March 22, 2018: one from 3:30 PM to 5:30 PM; and a second session from 6:30 PM to 9:30 PM. In addition to public comments received orally and in writing at the March 22, 2018 scoping sessions, written comments on the Draft Scope were accepted through 5:00 PM on Thursday, April 12,

2018, at which point the public comment period for the Draft Scope closed. All comments received prior to the close of the comment period were considered by the lead agency and any changes as appropriate were included in the Final Scope that was prepared and distributed on August 29, 2018.

A Draft Environmental Impact Statement ("DEIS") was accepted by ESD on December 6, 2018, and a Notice of Completion was issued. The DEIS was filed with involved and interested agencies and made available for public review. Oral and written comments were received during the public hearing sessions held by ESD on January 8, 9, and 10, 2019. Written comments were accepted from issuance of the DEIS through the public comment period which extended beyond the minimum of 30 days to end on March 1, 2019. A total of approximately 170 speakers presented oral comments at the public hearing (some speakers provided testimony at more than one session) and a total of approximately 2,850 written submissions were received by ESD by the close of the public comment period. A Final Environmental Impact Statement ("FEIS") was accepted by ESD on July 8, 2019, and a Notice of Completion was issued. However, subsequent to the July 8 acceptance, it was discovered that the public hearing transcript had been inadvertently omitted from Appendix L of the FEIS. Accordingly, ESD issued a corrected and amended FEIS with the transcript, as well as a corrected rendering in Chapter 6, on July 22, 2019. The FEIS, as corrected and amended, includes a chapter addressing all comments received at the public hearing and submitted in writing (see Chapter 22). The FEIS was filed with all involved and interested agencies and made available for public review. While not mandated by law, ESD accepted comments on the FEIS through August 1, 2019 and considered such comments prior to adopting this Findings Statement.

LIPA was identified as an involved agency for the SEQRA review due to the construction of an electrical substation, and transmission and distribution lines. Per 6 CRR-NY 617.11(c), each involved agency must make its own Environmental Impact Statement (EIS) Findings for the Action that is the subject of the EIS. This document constitutes LIPA's Findings Statement for the Proposed Action.

FACTS AND CONCLUSIONS IN THE FEIS RELIED UPON TO SUPPORT THE DECISION

PROJECT SITES

The 15-acre Site A is currently used for surface parking and includes a portion of Belmont Park's picnic area (the "Backyard") adjacent to the Belmont Park Paddock. Site A is bordered on the south by Hempstead Turnpike, a four- to six-lane local road that is a major commercial corridor. Site A is also adjacent to the Cross-Island Parkway, a six-lane limited access highway that extends north from the intersection of the Southern State and Belt Parkways near Valley Stream to its intersection with the Whitestone Expressway near College Point, Queens. West of Site A, the Cross-Island Parkway runs along the Nassau-Queens border. Immediately west of Site A is the Belmont Park Station of the Long Island Rail Road (LIRR), located on a spur of the Main Line. Belmont Park Station is a seasonal-use LIRR facility; the station is open and train service is operated only during the Belmont Park racing seasons. The ticket office is open at Belmont Park Station on Belmont Stakes day only.

Site B, located south of Hempstead Turnpike, is an approximately 28-acre parcel currently used for vehicle storage, and as surface parking for Belmont Park visitors on large-volume event days (e.g., the Belmont Stakes).

OTHER DIRECTLY AFFECTED AREAS

In addition to the two Project Sites, it is expected that NYAP will utilize the North, South, and East Lots at Belmont Park for additional parking through a Parking License Agreement among NYAP, the FOB, and NYRA. The North Lot is a mostly gravel parcel located just north of the Racetrack that is currently utilized for Belmont Park parking only on Belmont Stakes day, as well as for vehicle storage. The North Lot is also bordered by the LIRR tracks to the north, the Floral Park-Bellerose School athletic field and Belmont Park Road to the east, and the Cross-Island Parkway to the west. The South Lot is located to the east of the proposed arena, south of the Racetrack, and is currently utilized for Belmont Park event parking. The East Lot is located east of the Racetrack within the interior oval of the Belmont Park Training Track. The East Lot is currently used for vehicle storage, Belmont Park employee parking and large-volume event parking.

Directly adjacent to and to the west of the North Lot is the location of the proposed electrical substation (see FEIS **Figure S-1**). This additional substation is required to service the Proposed Project because the existing Belmont Park service currently does not have the capacity and infrastructure necessary to accommodate the Proposed Project's energy demand. The electrical substation will be located in the vicinity of the Cross-Island Parkway ramps, just north of the Racetrack in an area that is currently used for the storage of truck trailers containing emergency supplies that are available for use for large–scale disasters, large fires or localized flooding. These trailers are operated by the American Red Cross in coordination with the Nassau County Office of Emergency Management and will be relocated on the Belmont Park property or to Aqueduct Raceway once construction of the substation begins. In addition to the electrical substation, the Proposed Project requires the construction of underground distribution feeders and underground transmission lines, all of which will be operated by PSEG Long Island. PSEG Long Island must obtain easements from the FOB for an approximately 42,450-square-foot (sf) area for construction of the substation and associated feeders. The underground distribution feeder cables will extend south, around the Racetrack, and to the proposed uses on Site A. Underground transmission lines will extend east from the proposed substation along Belmont Park Road approximately 1.5 miles, and tie into existing overhead power lines on Plainfield Avenue. A transmission overpass will be installed to connect to the existing overhead circuit on Plainfield Avenue.

PROJECT DESCRIPTION

The Proposed Project will replace the paved parking lots that exist on Sites A and B with an arena for the New York Islanders NHL franchise and for other sports, music, cultural, community, recreational, and entertainment events; dining, retail, and entertainment uses; a hotel; commercial office space; community space; publicly accessible open space; parking; and one or more grade separated pedestrian connections providing access between Sites A and B. The Proposed Project may include a pedestrian bridge and/or the utilization of the existing vehicle and pedestrian underpasses below Hempstead Turnpike that connect Site A to Site B. **Figure S-2** in the FEIS illustrates the Proposed Project site plan.

The proposed multi-purpose arena will be a new state-of-the-art facility located in the western central portion of Site A. The arena will contain up to 18,000 seats for hockey; it has been designed to the demand specifications of a NHL facility and will be the home of the New York Islanders. In addition to serving as a professional hockey venue, the building will have a capacity of up to 19,000 seats to host major concerts, college sports, conferences, cultural, community, recreational, and family events. **Figures S-4 and S-5** in the FEIS provide illustrative views of the proposed arena.

Sites A and B will also include two separate retail, dining, and entertainment experiences, encompassing up to 350,000 gsf of retail. Site A will include up to approximately 35,000 gsf of retail uses located outside of the arena, consisting primarily of dining uses. Unlike the retail proposed on Site B, the experiential retail proposed on Site A will be expected to be attractive to not only the proposed hotel's guests and arena attendees, but also to Belmont Park patrons and the community at large in order to animate the area independent of arena events. In addition to retail storefronts within the proposed buildings, retail may be located within a dedicated structure, and a program of pop-up installations and special events will complement the dining experience. Site B will accommodate up to 315,000 gsf of destination retail use within a "retail village." This retail area is intended to create a village-type atmosphere that will incorporate pedestrian pathways and squares, lined with small and unique buildings (with an average store size of 2,000 sf), featuring boutiques, restaurants, and special events to complement the shopping experience. NYAP does not propose to include any large-format "big box" retail uses. The complex is anticipated to host a collection of international, regional and local brands, as well as a collection of emerging, entrepreneurial and innovative brands identified within the New York metropolitan area. The retail village is intended to be a complementary, stand-alone use, meaning that it will not be reliant on the arena's attendees but will be expected to draw customers from Long Island and the Greater New York City metropolitan area, as well as from the national and international tourism industry. An illustrative view of the proposed retail village is contained in the FEIS as **Figure S-6**.

The 210,000 gsf hotel will contain up to 250 hotel guest rooms and will be located along Hempstead Turnpike on Site A, between the proposed arena and the South Lot. The hotel is designed with two wings connected by a pedestrian fly-over; the tallest element (exclusive of mechanical space) will rise to a maximum height of approximately 150 feet, and will be set back from Hempstead Turnpike by an access road and a corridor of trees.

The proposed office space totaling approximately 30,000 gsf will be located on Site A and is expected to be used by employees associated with New York Islanders and Proposed Project operations.

Approximately 10,000 gsf of community space will be funded, maintained, and operated by NYAP or its partners and will be located within one or a number of proposed structures (e.g., the office building, hotel, arena, retail buildings) and will offer an array of educational and career development services students, young adults, veterans, and other community members interested in careers in: sports and entertainment (e.g., sales, technology and systems operations, event production, and journalism); hospitality (e.g., guest relations, manager training, marketing, sales); food and beverage (e.g., culinary skills training, food business incubation, food service training, urban agriculture) and retail (e.g., product management, visual merchandising, retail fundamentals, and manager training).

The proposed open spaces will provide hard- and soft-scaped plazas on Site A and naturally landscaped areas on Site B. Approximately 3.75 acres of publicly accessible landscaped open spaces with walking paths, including a vegetated buffer (and natural berm) on Site B, will serve to separate the commercial and parking uses from the adjacent existing residences. An additional approximately 2.0 acres of landscaped plazas will be located on Site A. The multiple plaza areas will include sitting areas, gathering spaces for on-site events, and programming. The plazas are intended to be accessible to Belmont Park patrons at all times. In addition, NYAP will provide improvements and/or renovations to Elmont Road Park and Hendrickson Avenue Park. Improvements at both parks may include enhanced security measures, improved lighting, improved bathrooms, ADA access, multi-use sports fields, renovated basketball and handball courts, age-appropriate play areas and water play areas.

New parking on Sites A and B, and improved parking in the North, South and East lots will accommodate the Proposed Project's patrons and employees. Pedestrian access between Sites A and B will be through one or more of the following: a new pedestrian bridge above Hempstead Turnpike; the existing pedestrian/vehicular tunnel under Hempstead Turnpike that currently connects Site B to the Racetrack (the Belmont Park Road Tunnel); and/or the existing pedestrian only tunnel under Hempstead Turnpike that currently connects Site B to Belmont Park Racetrack. A pedestrian walkway will also be constructed from the south side of Hempstead Turnpike near the intersection of Wellington Road to the bus stop along the east side of the retail village, running on the east side of Belmont Park Road. There will be structured parking on Site A, including 400 spaces in new structured parking within and below the hotel's podium and 40 spaces in new parking within the arena's marshalling area, available to New York Islanders team members and staff. There will be approximately 1,500 parking spaces on one level of new structured parking beneath the proposed retail village on Site B. Site B also will include a taxi/ride-share services staging area and drop-off areas for taxi/ride-share and buses.

It is anticipated that NYAP, through a Parking License Agreement among NYAP, the FOB, and NYRA, will utilize up to approximately 6,014 surface parking spaces on the North, South and East Lots. The exact number of parking spaces to be provided through the agreement will be a number that ensures adequate parking to accommodate simultaneous NYAP and NYRA activities contemplated under the lease. NYAP will provide electric shuttle bus transportation at its cost from these lots to the Project Sites. The North Lot, currently consisting of mostly gravel parking areas, will be resurfaced and restriped. The South and East Lots will remain in their existing paved condition. New lighting will be provided in all three lots. Parking field illumination will be controlled by time clock and daylight sensors to operate from dusk to dawn. A lighting control system will provide the ability to lower light levels after events on site to limit unwanted lighting late at night, but still provide sufficient safety and security lighting. A buffer composed of a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening will be provided along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening will be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. Vehicle access/egress to parking in the North Lot will be via the Cross-Island Parkway and via Hempstead Turnpike (e.g., Gate 5, Gate 14) for the East and South Lots. The East Lot will contain a bus parking area for shuttle, coach, and charter buses and a lounge area for use by bus drivers will be provided within the arena. Vehicles and pedestrians would be

prohibited from using the entrances to Belmont Park at Plainfield Avenue (Gate 8) and Mayfair Avenue (Gate 9) for site access to the Proposed Project.

As part of the Proposed Project, improvements will be made at the intersection of Hempstead Turnpike at Locustwood Boulevard/Gate 5 Road (a Belmont Park entrance/exit). These will include: reconfiguring Hempstead Turnpike to include two eastbound left turn lanes, two eastbound through lanes, and one eastbound shared through and right turn lane; extending the length of the eastbound left turn; modifying the traffic signal phasing to provide an eastbound left turn phase with a southbound right turn overlap; reconfiguring Gate 5 Road to include one southbound shared left turn and through lane, one southbound right turn lane, and two northbound receiving lanes; and relocating the crosswalk on Hempstead Turnpike from the west side of the intersection to the east side of the intersection.

NYAP and NYRA will also implement a property-wide security plan in conjunction with this development. On event days, NYAP will provide a security presence in each parking lot. On non-event days, NYAP will provide regular patrols by on-site security guards in the parking lots. NYAP will have security personnel, signage, and Closed-Circuit Television (CCTV) to monitor and enforce all parking lot regulations, including prohibitions against tailgating and celebratory honking. Management of major special events as well as crisis response will be conducted under the National Incident Management System (NIMS). A command center will be designed inside the arena to accommodate up to 30 personnel and will be scalable for any event that will be scheduled at the arena. Each of the project components (i.e., arena, hotel, office, and retail) will be responsible for the maintenance of its own buildings and portions of the property under their control.

PURPOSE AND NEED

The RFP solicitation for redevelopment of the Project Sites identified the following development objectives:

- Enhance Belmont Park to become one of Long Island's premier destinations for entertainment, sports, hospitality, and retail, with uses that are complementary to the existing Belmont Park Racetrack;
- Maximize economic benefit to the State while minimizing significant adverse environmental impacts;
- Provide a source of quality jobs for area and New York State residents;
- Benefit the neighborhoods and communities adjacent to and surrounding Belmont Park;
- Maximize incorporation of green building and sustainable design practices; and
- Feature meaningful participation of Minority-and Women-Owned Business Enterprises (MWBE), and Service-Disabled Veteran-Owned Businesses (SDVOB).

The Proposed Project responds to the development objectives in several ways. First, it intends to create a gateway to Long Island by creating a striking new presence for Elmont; attentive and sensitive architectural design, signage, public art, and landscape elements will transform the current vacant, underutilized, and substandard areas on the Project Sites to the benefit of the community. Second, it aims to create a premier destination by providing a year-round retail village, office space, community space, hotel, and arena, all of which will complement Belmont

Park, enhancing economic benefit in comparison with the current underutilized and substandard character of the Project Sites. Economic risk will be minimized by commitment to lease terms as negotiated between NYAP and ESD and the combination of proposed world-class sports, entertainment, retail, and hospitality uses.

NYAP's Proposed Project aims to prioritize environmental sustainability, promote public safety, and build an asset of lasting importance and value to the greater community. The implementation of the plan is estimated to create over 3,000 permanent jobs and over 9,000 temporary construction jobs, including direct and indirect jobs. This significant investment in the metropolitan New York region will spur economic development and produce reliable and permanent revenue streams for the benefit of the public. Moreover, NYAP is committed to paying a living wage, hiring locally, and encouraging MWBE and SDVOB participation, with apprenticeship programs and diversity initiatives and commitments anticipated during both construction and operations.

In addition, the proposed sports and entertainment arena will be an adaptable NHL-ready venue that will serve as the new and permanent home for the New York Islanders. The new arena is expected to attract a wide audience of new and existing fans, due to its modern and innovative design, and due to it being centrally located at the border of New York City and Long Island.

Overall, the Proposed Project will benefit the local community by providing new retail, hospitality and entertainment and substantial employment opportunities that can be locally accessed by adjacent communities. The Proposed Project will also provide local recreational and entertainment resources and community space. The Proposed Project incorporates passive public open space on Sites A and B, and will require the renovation and improvement of off-site park facilities within the Elmont community. The Proposed Project will target Leadership in Energy and Environmental Design (LEED) v4 certification, which indicates NYAP's commitment to a sustainably designed and built project. The Proposed Project will implement a variety of low-impact development methods, including the use of green stormwater infrastructure, pre- and post-consumer recycled materials, and high efficiency LED lighting and other infrastructure to reduce total energy demand.

CONSIDERATION OF POTENTIAL ENVIRONMENTAL IMPACTS, FACTS AND CONCLUSIONS DISCLOSED IN THE FEIS

LAND USE, ZONING, AND PUBLIC POLICY

The Proposed Project will not have any significant adverse impacts on land use, zoning, or public policy. The Proposed Project will result in a substantial change to the existing land use and character of Sites A and B, while the North, South, and East Lots will be used in a similar manner to what currently occurs with regard to event parking, but on a more frequent basis. In particular, the North Lot will be used more frequently for active parking during events as compared to its current use for the storage of vehicles, and NYRA-related equipment, horse shipping, feed storage, and overflow parking for the annual Belmont Stakes. The East Lot, which is currently used not only for vehicle dealership storage, but also for manure storage and removal, storage of construction and landscaping debris, and tractor-trailer training, will be used less frequently than

the North Lot for active parking, but will be used on a regular basis for bus parking. While the Proposed Project will represent intensification of land uses on the Project Sites, the proposed land uses will be compatible with the existing development of the Belmont Park property as a racetrack and entertainment facility, which has been in existence for over 110 years. Furthermore, NYAP has committed to providing a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening. This will be provided along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening will be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. The proposed fencing and vegetated buffer (and natural berm) on Site B will serve to separate the commercial and parking uses from the existing residences.

The Proposed Project provides land uses that fit well within the existing Belmont Park property and community, and that will draw people to Belmont Park year-round. The proposed retail uses will complement, rather than directly compete with, existing retail facilities in the area. Thus, implementation of the Proposed Project, while substantially intensifying development on the Project Sites, is not expected to result in a significant adverse land use impact on the surrounding community.

The Project Sites are generally zoned residential (Residence B), although Sites A and B are zoned Business X along their Hempstead Turnpike frontage to a depth of 100 feet and the entire parcel (Site B) is mapped within the Town's Hempstead Turnpike–Elmont Overlay Zone (Gateway) (HT-E, G). Thus, the historical use of the Project Sites as a destination for sports and entertainment does not conform with the underlying zoning, nor will the proposed use of the property. Therefore, zoning overrides of the Hempstead BZO and Hempstead Town Code will be sought to effectuate the development of Sites A and B.

The non-conformity between the zoning and the uses and bulk of the Proposed Project on Site A is not considered significant because for over 110 years, Belmont Park has existed as a use that does not conform to the local zoning (as it pre-dated zoning in the area), and the proposed structures on Site A relate to the bulk and height of the existing Belmont Park Grandstand. The height of the proposed buildings on Site B would be no higher than what is permitted by the existing underlying residential zoning and underlying business zoning under certain conditions. The non-conformity between the zoning and the bulk of the proposed buildings on Site B is not considered significant because Site B has been recognized by the Town of Hempstead, in the HT-E Overlay District, as an area that would augment the Gateway character of Hempstead Turnpike, with development that would not conform to the bulk and density regulations of the Town's Business X and Residential B zoning districts, which are the extant districts on Site B. Additionally, the project components are consistent with the uses identified in plans and studies conducted for the area, such as the 2008 Elmont Community Vision Plan and Nassau County Comprehensive Plan and Updates. Additionally, the proposed redevelopment of Sites A and B is consistent with the local, County, and State comprehensive planning documents and policy recommendations, as one of the major goals consistently identified in policy statements at all

levels is for this area to leverage the prominence of Belmont Park to spur economic development and to create an important gateway to Long Island.

Based on the scale of development, the number of employees and visitors who are expected to use the Project Sites and the parking lots will substantially increase, which will change the character of the site and surrounding community. The effect of the Proposed Project on community character will be felt mostly on the residential areas immediately adjacent to the Project Sites, particularly Site B, as there will be a substantial change in land use on that parcel. The activity generated by the arena, hotel and retail shops will be evident along Hempstead Turnpike. The office use will be substantially set back from Hempstead Turnpike (behind the arena) and will not be located near any residential neighborhoods or external roadways. Much of the activity on Site A will center around events occurring at the arena, generally on nights and weekends. The core of the surrounding neighborhoods, particularly to the north and east of Site A, are shielded by the Belmont Park complex (including the Racetrack itself and the Backstretch area). As the retail village shops on Site B will be inward facing and substantially buffered by vegetation, the impacts to the community directly to the east and south surrounding Site B will be minimized. Vegetation will also buffer any surface parking, interior roadways, and drop-off areas within Site B from the surrounding residential communities. Furthermore, the Cross-Island Parkway and its right-of-way act as a buffer between Sites A and B and the communities to the west. Hempstead Turnpike also provides a buffer between Site A and residential communities to the south. Therefore, impacts from development on Sites A and B are not expected to be significant.

The continued, but more intensive use of the North and East Lots for parking may increase noise, litter, as well as the need for additional security. The Parking License Agreement among NYAP, the FOB and NYRA addresses the responsibility for maintenance and security of these lots. Furthermore, each of the project components (i.e., arena hotel, office retail) will be responsible for the maintenance of its own buildings and portions of the property under its control. To minimize impacts on the community, the parking lots will have security personnel, signage, and 24/7 CCTV to monitor and enforce all parking lot regulations, including prohibitions regarding tailgating and celebratory honking. Specifically, on event days, there will be a security presence in each parking lot. On non-event days, there will be regular patrols by on-site security guards in the parking lots. Staffing associated with traffic and parking, including crowd management agents, traffic and parking attendants, permit attendants, police and traffic enforcement will be distributed throughout the Project Sites and will handle various venues, parking lots and on-site as well as off-site roadways. The Applicant will also install a buffer composed of a hedgerow (at least 8 feet in height) with dense evergreen vegetation along a new replacement fence (between 8 and 12 feet in height) with privacy screening along the northeastern boundary of the North Lot to shield the Floral Park-Bellerose School recreation space from parking activities in the North Lot. Additional fencing with privacy screening will be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue to shield the adjacent Floral Park neighborhood from parking activities in the North Lot. The fencing and vegetation will be installed on Belmont Park property.

The intensification of development on the Project Sites and other directly affected areas will change the character of the surrounding community. However, Belmont Park is already a key

feature that defines the character of the immediately surrounding community. LIPA concurs with ESD's finding, having considered the change and intensification of uses at the Project Sites, that the Proposed Project will have a synergistic effect with Belmont Park and will transform two underutilized sites into a vibrant, year-round operating and accessible mixed-use development that will be compatible with the surrounding area and therefore avoid significant adverse impacts.

COMMUNITY FACILITIES AND SERVICES

The Proposed Project will not result in significant adverse impacts to community facilities and utilities.

POLICE PROTECTION

The Fifth Precinct of the Nassau County Police Department (NCPD) services Belmont Park and surrounding areas and will be the first responder for the Proposed Project after on-site security personnel. There are no plans to modify or relocate the Fifth Precinct, and the Proposed Project will not displace any police protection facility.

The NCPD did not express any concerns about its ability to serve the Proposed Project. To supplement the NCPD, the Proposed Project will implement its own site security plans, which will include measures such as the deployment of security personnel, as well as monitoring and screening procedures. The proposed arena will include a command center from which security personnel will implement their own site security plan. Areas of focus will include the use of the most modern and effective screening and surveillance equipment as well as the establishment of a "secured perimeter" to the arena. On event days, there will be a security presence in each parking lot. NYAP will have security personnel, signage, and monitoring systems to enforce all parking lot regulations, including prohibitions against tailgating and celebratory honking. On non-event days, there will be regular patrols by on-site security guards in the parking lots. Camera infrastructure will be set up to monitor potential security threats. NYAP intends on obtaining a safety certification through the federal Department of Homeland Security that requires the development include a security command center, annual reporting, and self-testing as well as an integrated operational plan with local, state, federal, and international law enforcement. In addition, the property operators will coordinate with the NCPD and the Metropolitan Transportation Authority (MTA) police (at the LIRR Belmont Park Station) to ensure a safe and secure environment.

Therefore, LIPA concurs with ESD's finding that the Proposed Project will not have a significant adverse impact on police protection services.

FIRE PROTECTION AND AMBULANCE/EMERGENCY MEDICAL SERVICES

The Proposed Project will not directly displace any fire protection or emergency services.

The Elmont Fire Department indicated it is the primary fire protection service for the Elmont community including Belmont Park. Further, based on correspondence with the Elmont Fire

Department, there will be no significant adverse impacts on the Elmont Fire Department services.

The Floral Park Fire Department (FPFD) responds to the Belmont Park property during working fires on the property to supplement the Elmont Fire Department, when needed. In addition, the FPFD responds to medical emergencies at the property, also when needed. Based on correspondence with the FPFD, there will be no significant adverse impacts on the FPFD, so long as emergency response time is not compromised due to increased traffic congestion from the Proposed Project. While the Proposed Project has the potential to slow down emergency vehicle response times, with the proposed transportation mitigation measures described below, project-generated traffic volumes are not expected to significantly lengthen emergency vehicle response times in the FPFD service area.

The NCPD Emergency Ambulance Bureau (EAB) indicated it is the primary emergency medical service (EMS) and first responder for the majority of Nassau County, including the Elmont/Belmont Park area. Based on correspondence with the NCPD EAB, there will be no significant adverse impacts on the NCPD EAB services expected. In addition, there will be an ambulance housed on Site A (north side of Hempstead Turnpike) during all arena events, and an additional ambulance will be available during hockey games for use by an injured player.

Furthermore, local police/fire departments will be included as stakeholders in the Transportation Management Plan (TMP, see Appendix J of the FEIS). A Monitoring Plan (part of the TMP) will include monitoring for effects on emergency response times. Local police/fire departments will be included as stakeholders in the TMP. The Applicant will continue to review the conditions regarding provision of emergency services, first responders and transportation and will consult with stakeholders as part of the Monitoring Plan once the arena and other project components are operational.

Therefore, LIPA concurs with ESD's finding that the Proposed Project will not significantly affect the provision of services by the fire departments or emergency medical providers.

SOLID WASTE MANAGEMENT

The Proposed Project will not cause significant adverse impacts to solid waste facilities or solid waste services. The Proposed Project will increase the volumes of solid waste and recyclables, but it is not anticipated to burden solid waste collection or disposal facilities. The Proposed Project is expected to generate approximately 95.0 tons/week of solid waste between Site A and Site B. Solid waste will be collected by a private carter as in the existing condition for Site A. There will be new solid waste collection on Site B, which is currently only used as a parking lot for Belmont Park, as well as a vehicle storage site, and does not currently generate solid waste.

WATER SUPPLY

Potable water is supplied to Belmont Park by the Water Authority of Western Nassau County (WAWNC). Belmont Park is currently WAWNC's largest customer. The Proposed Project will increase water demand and is expected to have an average daily water demand of 135,925 gallons per day (gpd), excluding irrigation. Peak water demand is estimated at 2,600 gallons per minute

(gpm). Total irrigation during the growing season is conservatively estimated at 50,000 gpd to 75,000 gpd. Both interior and exterior (irrigation) water conservation measures will be employed on the Project Sites to minimize water usage by the Proposed Project.

NYAP has consulted with WAWNC to discuss the ability of WAWNC to serve the Proposed Project, and, on August 6, 2019, WAWNC issued a letter stating that it can provide the volume of water needed for the Proposed Project with the installation by NYAP of a new water main to serve the Proposed Project. NYAP continues to consult and coordinate with the WAWNC to determine the appropriate routing and sizing of the new main and the pavement restoration methods associated with its construction. Therefore, LIPA concurs with ESD's finding that the Proposed Project is not expected to result in significant adverse impacts on water supply.

SEWAGE DISPOSAL

The projected amount of sewage generation from the Proposed Project was calculated based on Nassau County sewage design flow rates. It is expected that sewage flow will be 135,925 gpd. Peak sewage discharge is estimated at 2,600 gpm. Sewage disposal occurs through connection to the Nassau County municipal sewer system and is treated at the Bay Park Sewage Treatment Plant (STP), located in East Rockaway. No off-site modifications to the sewer infrastructure will be required.

NYAP has consulted with the NCDPW, the agency that has jurisdiction over sewage disposal in the County, which has indicated that Site A could connect to the existing on-site 18-inch sanitary main, east of the Grandstand, and that sanitary discharge from Site B will flow to one of several potential sewer mains available in the surrounding roadways. NCDPW has further indicated that there is capacity in these mains to accommodate the sewage discharge from the Proposed Project and that the Bay Park STP is operating within its State Pollutant Discharge Elimination System (SPDES) permit capacity and has the capacity to treat the projected sewage effluent from the Proposed Project. Accordingly, the NCDPW has issued a letter of sewer availability for the Proposed Project for both the sewer infrastructure and the Bay Park STP. Therefore, LIPA concurs with ESD's finding that the Proposed Project will not have a significant adverse impact on sewage disposal infrastructure.

ELECTRICAL SERVICE

Electrical service is provided by PSEG Long Island. Early in the environmental review process, PSEG Long Island identified the need to construct an electrical substation to adequately serve the Proposed Project. With the construction of the new electrical substation, feeders and transmission lines, the electrical supply demands of the Proposed Project can be satisfied and, thus, there will be no significant adverse impact on electrical services.

PSEG Long Island indicated in a response letter that service will be provided to the Proposed Project with the construction of the new proposed electrical substation. Construction of the proposed electrical substation and associated equipment (feeders and transmission lines) will increase electromagnetic field (EMF) exposure in the immediate vicinity of the substation and transmission lines. However, EMF levels from the proposed electrical substation are not considered hazardous, and the proposed substation will not have a significant adverse impact on

neighboring properties due to the distance to the nearest residences and other sensitive receptors (e.g., schools). Underground transmission lines will extend east from the electrical substation along Belmont Park Road for approximately 1.5 miles. The transmission lines will then transition to two riser poles on Plainfield Avenue and connect to existing overhead power lines on Plainfield Avenue. A transmission overpass will be installed to connect to the existing overhead circuit on Plainfield Avenue. The proposed transmission lines will result in a minimal increase of magnetic field strength, and field strength decays with distance. Thus, LIPA concurs with ESD's finding that the proposed electrical substation and associated infrastructure will not have a significant adverse impact on the surrounding community.

NATURAL GAS SERVICE

Natural gas is provided by National Grid. However, as of the time of the completion of the FEIS, National Grid has stopped processing new applications for service for all residences, small businesses, and large development projects due to New York State Department of Environmental Conservation's (NYSDEC) rejection of the water quality permit for the Williams Pipeline, also known as the Northeast Supply Enhancement (NESE) project. Developments that require new gas connections for new projects must now seek alternative fuel sources, as National Grid cannot be relied upon to supply natural gas.

In the absence of the Applicant's preferred option of natural gas, the Applicant is considering the use of liquefied petroleum gas (LPG) propane service, electricity, or a combination of both. LIPA concurs with ESD's finding that the use of any of these fuel sources, including natural gas, would not result in any significant adverse impacts. Should LPG be used in lieu of natural gas, it will be stored in two 30,000 gallon underground tanks, for which installation and operations will be approved and conducted in accordance with the Fire Code (2015) of New York State (NYS Fire Code) and/or the Nassau County Fire Prevention Ordinance (NCFPO), which each provide a comprehensive regulatory framework for the storage, handling, transportation, and use of LPG systems.

OTHER COMMUNITY FACILITIES

Based on a review of the other technical sections of the FEIS, there will be no direct impacts on schools, libraries and hospitals (including no displacement of such facilities). In addition, because there will be no permanent population generated by the Proposed Project, there will be no indirect impact on schools and libraries. Depending upon the ambulance service and/or the specific medical issue, potential patients will be taken to various area hospitals. However, no significant adverse impact is anticipated.

With regard to day care facilities, Anna House was identified as a private day care facility located on the grounds of Belmont Park for use by Backstretch families. In addition, there are eight other registered day care facilities located within the study area. However, the Proposed Project will not introduce a permanent population and, thus, it will not create new demand for day care facilities. Accordingly, LIPA concurs with ESD's finding that there will be no significant adverse impact to surrounding day care facilities.

OPEN SPACE

The Proposed Project will not result in significant adverse impacts on publicly accessible open space or recreational resources.

DIRECT EFFECTS

The Proposed Project will introduce new publicly accessible open spaces to Belmont Park, including approximately 2.0 acres of hard- and soft-scaped plazas on Site A, and an approximately 3.75-acre landscaped open space with walking paths on Site B, along the southern and eastern boundary.

In addition to the proposed on-site open space, NYAP has committed to make improvements to two existing open spaces in the nearby community: Elmont Road Park and Hendrickson Avenue Park, both in the Town of Hempstead. Improvements at both parks may include enhanced security measures, improved lighting, improved bathrooms, ADA access, multi-use sports fields, renovated basketball and handball courts, age-appropriate play areas, and water play areas.

While the Proposed Project will displace approximately 5 acres of the existing "Backyard" space within Belmont Park, the plazas contemplated for Site A—with sitting areas, gathering spaces for on-site events, and programming—as well as the passive open space proposed for Site B will offset the loss of this space, and will meet the recreational space needs of existing Backyard patrons and new workers and visitors. The proposed, approximately 2.0 acres of hard- and soft-scaped plazas will be located outside the main entrance of the proposed arena, and will flow into the remaining portion of the Backyard and existing Belmont Park Paddock. Unlike the Backyard, which requires payment of a fee for entry, the newly created plaza space will be open to the public free of charge. The NYRA events currently held within the Backyard space are largely expected to continue in the future with the Proposed Project, utilizing the remaining Backyard space, or will be relocated to other parts of the Belmont Park property.

Based on a review of other technical analyses included in the FEIS, LIPA concurs with ESD's finding that the Proposed Project will not result in any significant adverse impacts on open space resources including from air quality, noise, or shadows, either during construction or during event- and non-event day operations. In addition, the Proposed Project will not preclude the ongoing use of existing open space resources at Belmont Park by Floral Park Memorial High School students.

INDIRECT EFFECTS

While the Proposed Project will introduce substantial new worker and visitor populations to the Project Sites, due to the campus-like nature of Belmont Park and the distance workers will travel to exit Belmont Park, it is unlikely that these workers or visitors will utilize open spaces within the communities surrounding Belmont Park, preferring to utilize on-site space at Belmont Park. To accommodate the new on-site populations, as well as the existing Backyard patrons and surrounding communities, new open spaces will be created as part of the Proposed Project, which will offset the incremental demands that the new workers and visitors will place on the existing recreational areas at Belmont Park.

Open spaces directly adjacent to Belmont Park—including the Belmont Bench Spread, Belmont Ball Park, and Hendrickson Avenue Park—may experience some increased utilization by Belmont Park workers and visitors as a result of the Proposed Project. However, LIPA concurs with ESD's finding that the increase is unlikely to be substantial, as access to these spaces from Belmont Park is limited along Hempstead Turnpike, and the proposed on-site amenities will support the recreational needs of workers and visitors.

HISTORIC AND CULTURAL RESOURCES

In a letter dated August 10, 2018, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) determined that the Proposed Project will not result in any adverse impacts to historic and archaeological resources. There are no known or potential archaeological or architectural resources on the Project Sites or within the other directly affected areas, and thus the Proposed Project will not have any direct or indirect impacts to on-site archaeological or architectural resources. There is one known architectural resource in the study area—the Floral Park-Bellerose School—that is located approximately 400 feet from the North Lot, separated by a playing field, and thus has visibility to that portion of the directly affected area. No new structures will be constructed on the North Lot, with the exception of lighting poles and potential low scale ticket booths; however, the North Lot will be used more frequently for active parking during arena events as compared to its current use for the storage of vehicles and overflow parking for the annual Belmont Stakes. The Proposed Project will include a new replacement fence with privacy screening and a hedgerow with dense evergreen vegetation along the northeastern boundary of the North Lot to separate and screen the North Lot and the playing field in the rear of Floral Park-Bellerose School, and to reduce visibility. In addition, although Belmont Park is visible in the distance from the Floral Park-Bellerose School, the Proposed Project will be located far enough away from the school that visibility of its built structures will be insignificant. Therefore, LIPA concurs with ESD's finding that the Proposed Project will not have any direct (physical) or indirect (visual/contextual) impacts to architectural resources within the study area.

VISUAL RESOURCES

The Proposed Project will not result in significant adverse impacts to aesthetic resources because it will not impinge on viewsheds of the aesthetic resource and will not interfere with the public's enjoyment of Floral Park-Bellerose School and other historic resources in the study area, as well as local parks including Hempstead Ballfield, Hempstead Bench Spread, and Pat Williams Playground.

The Proposed Project on Site A will be visible from certain aesthetic resources or sensitive view locations in Elmont, Queens Village, and Floral Park. The buildings will also be larger structures than found throughout most of the study area. In Elmont, northwest views from residential Huntley Road will be of the upper stories of the hotel, but the views will not be direct and will be partially obscured by vegetation. The views will remain compatible with the street's existing setting, which includes a north view of the Grandstand/Clubhouse. In Queens Village, three public parks near the Cross-Island Parkway will have views of the arena and office/community space development. Hempstead Ballfield, Hempstead Bench Spread, and Pat Williams Playground will have views of the proposed arena and office/community space. However, the

Proposed Project will be physically separated by the Cross-Island Parkway and the grassy area of the Hempstead Turnpike/Cross-Island Parkway cloverleaf interchange. In Floral Park, views of the Proposed Project on Site A will be limited to only the upper stories of the hotel above the Grandstand/Clubhouse. Therefore, the Proposed Project on Site A will not result in significant adverse impacts to aesthetic resources in Elmont, Queens Village or Floral Park, as the Proposed Project will not obstruct views to aesthetic resources or otherwise significantly detract from, or cause a diminishment of the public's enjoyment of a resource.

The Proposed Project on Site B will be partially visible from Huntley Road and a segment of Wellington Road in Elmont, which are residential streets located adjacent to the site's eastern boundary. A proposed linear open space will be provided on the east side of Site B, with a landscaped berm that will obscure views from Huntley Road of the lower portions of the buildings on Site B. From Wellington Road, the proposed emergency entrance at 109th Avenue will also remain compatible with the street's setting. The Proposed Project on Site B will not result in any impacts to views to aesthetic resources or diminish the public's enjoyment of a resource, or significantly impact sensitive viewers.

The North Lot, currently consisting of mostly gravel parking areas, will be resurfaced and restriped. The South and East Lots will remain in their existing paved condition. All three lots will be illuminated. The proposed North and East Lots will be made more active and the North Lot will contain small ticketing booths. The East Lot will not contain any permanent ticketing structures. To reduce the potential for visual impacts to the S/NR-eligible Floral Park-Bellerose School and residential streets that abut the North Lot, a hedgerow (at least 8 feet in height) with dense evergreen vegetation will be planted along a new replacement fence (between 8 and 12 feet in height) with privacy screening along the northeastern boundary of the North Lot (generally following the property line between the North Lot and the Floral Park-Bellerose School), and additional fencing with privacy screening will be provided along Belmont Park Road from approximately Crocus Avenue to Mayfair Avenue. Views to the East Lot from residential streets in Floral Park will be partially obscured by the existing vegetation along the northern boundary of Belmont Park Road, which extends along the north end of the Training Track, and by the North Field on Belmont Park property, located north of the Training Track, which will also provide a green buffer. The East Lot parking will also be partially visible from the rear playing fields and running track at Floral Park Memorial High School along Plainfield Avenue, though views will be indirect and at a distance as the parking area is located towards the middle and south ends of the East Lot and views from the school's fields will either be across the existing Pony Track or largely blocked by existing buildings and vegetation, on Belmont Park property.

The Proposed Project will not result in any significant lighting-related impacts to aesthetic resources and other locally sensitive receptors within the study area. The proposed lighting strategy incorporates best-practices principles related to duration and usage, brightness, orientation, directionality, form, and fixtures that will minimize light pollution.
The proposed new electrical substation will include a 20- to 24-foot-tall bus and converter tank, and approximately four 50-foot-tall lightning rods. The substation will be located across the North Lot from the Floral Park-Bellerose School, at a distance of approximately 1,000 feet. Views of the substation from Floral Park-Bellerose School will likely be minimal, due to the

proposed screening at the edges of the North Lot, evergreen tree plantings at the perimeter of the substation, and the distance. The Proposed Project on the North, South, and East Lots will not obstruct views to aesthetic resources or otherwise significantly detract from, or cause a diminishment of, the public's enjoyment of a resource.

Accordingly, while some visibility of structures resulting from the Proposed Project is anticipated from certain vantage points, LIPA concurs with ESD's finding that this visibility will not result in significant adverse visual impacts to aesthetic resources.

SOCIOECONOMIC CONDITIONS

The Proposed Project will not result in any significant adverse environmental impacts due to changes in socioeconomic conditions; it will, however, create local jobs and positive economic synergies.

ECONOMIC BENEFITS

Job Creation

Given its size and scope, the Proposed Project will create a substantial number of jobs. Construction activities associated with the Proposed Project will generate an estimated 9,240 full-time equivalent (FTE) temporary jobs, as that term is defined in the FEIS. Once operational, the Proposed Project will generate an estimated 3,179 FTE permanent jobs; this includes an estimated 2,455 direct on-site FTE jobs and an estimated 724 indirect and induced FTE jobs within the region. The direct permanent jobs will be largely within the Proposed Project's retail on Site B and the arena on Site A.

Economic Synergies

The Proposed Project will increase commercial investment in the immediate study area, drawing direct investment through building construction, enhanced retail activity and destination shopping, increased event-based economic activity, and office and community space activities. It will introduce new workers and visitors to the area, thereby increasing the area's spending power and benefiting existing commercial establishments. The Proposed Project's operations also will provide opportunities to utilize local material and services during construction and future operations of all businesses: retail, arena, hotel, and office. Finally, the Proposed Project will introduce new uses and amenities—such as on-site open space, dining and entertainment-oriented retail, and a hotel—that will be available to visitors to Belmont Park. These uses will complement NYRA's operations and will further its goal of enhancing the destination value of Belmont Park.

POTENTIAL ADVERSE EFFECTS ON SOCIOECONOMIC CONDITIONS

As detailed below, the Proposed Project will not result in significant adverse impacts due to direct displacement of business activities from the Project Sites and North and East Lots, as well as the potential for indirect residential or business displacement within a local study area and within broader trade areas.

Direct Business Displacement

The Proposed Project will displace the existing surface parking lots on Sites A and B and a substantial portion of the existing "Backyard" space at Belmont Park. While there are car dealerships that currently utilize portions of Site B and the North and East Lots for vehicle storage on month-to-month leases, it is expected that dealerships will relocate this use outside of the ½-mile study area. Irrespective of relocation, the vehicle storage use does not bring customers to the Proposed Project location; as such, potential displacement of this use will not result in a loss of consumer base from the local area, and will not result in significant adverse impacts. With respect to the NYRA events currently held within the Backyard space, those events are largely expected to continue in the future with the Proposed Project, utilizing the remaining Backyard space, or may otherwise be relocated to other parts of the Belmont Park property. Larger events that have been held in Site A or the South Lot (currently 3-4 day events, approximately 3 to 5 times a year) are expected to continue in the South Lot, but will require coordination between NYRA and NYAP. The commitment to coordinate these arrangements will be memorialized in the Parking License Agreement among NYRA, the FOB, and NYAP.

Indirect Residential Displacement

The Proposed Project will not add or directly displace populations and will not introduce new residents or housing that could affect residential market conditions. A majority of the Proposed Project's uses—including the proposed arena, hotel, office, and retail—are expected to have a regional draw and will not cater exclusively to local residents. The proposed on-site and off-site open space improvements along with the Proposed Project's community space will represent new amenities that cater more directly to local residents' day-to-day needs, but the scale of these proposed improvements is modest such that it will not be expected to substantively affect residential market conditions. Finally, based on analyses performed as part of the FEIS, all identified significant adverse traffic impacts within local neighborhoods could be fully mitigated with the exception of two traffic intersections. The adverse neighborhood effects from the Proposed Project will be limited, and will not individually or collectively present conditions that could impede efforts to attract residential investment to the area or create a climate for disinvestment.

Indirect Business Displacement

The Proposed Project will result in several changes to the study area's business and economic profile, namely: the introduction of dining and entertainment-oriented retail, luxury outlet retail, an arena, a hotel, and office and community space uses. The Proposed Project does not present conditions that could lead to indirect business displacement due to increases in property values and rent or due to a climate of disinvestment in the study area and primary trade areas. The Proposed Project will lead to economic and social gains that could make the surrounding communities more vibrant and potentially more attractive to businesses.

The proposed dining and entertainment retail, luxury outlet retail, arena, and hotel will influence consumer expenditure decisions within the local area and within broader trade areas. A detailed analysis was performed to determine whether these new uses could lead to significant adverse impacts from displacement, particularly those resulting from competitive effects that will make

it difficult for existing businesses to remain in the study area and concluded that the Proposed Project will not significantly affect competition within the primary trade areas in any of the sectors analyzed and that it will, therefore, not have the potential to generate significant adverse changes in neighborhood character due to displacement caused by competition. LIPA concurs with the conclusions of ESD's analysis.

Local Retail: Dining and Entertainment

The Proposed Project will introduce up to 35,000 gsf of local dining and entertainment retail on Site A and will generate an estimated 328 direct (on-site) permanent jobs. When considering local retail sales from the Proposed Project, the projected dining and retail capture rate will be an estimated 49.6 percent. Currently, the capture rate for dining and entertainment in the primary trade area is 47.4 percent. These projected capture rates suggest that the primary trade area has the capacity to absorb the local retail component of the Proposed Project and that there is even room to grow. In fact, the Proposed Project is likely to attract visitors to the area, some of whom will increase demand for local commerce in areas surrounding the Project Sites, including dining and entertainment spending.

Luxury Outlet Retail

The Proposed Project will introduce up to 315,000 gsf of luxury outlet retail on Site B, thereby generating 1,148 direct permanent jobs. Adding these 1,148 direct permanent jobs to the 4,248 jobs anticipated in the "Future without the Proposed project" (or "No Action scenario") will result in an increase of 1.6 percent in direct permanent retail trade jobs in the New York City Region (a proxy for the New York-Newark-Jersey City, NY-NJ-PA Metropolitan Statistical Area [MSA]). Even when including the Proposed Project, the growth rate in retail trade jobs will remain level with the 1.6 percent increase observed from 2000 to 2016 in the New York City Region. This suggests that in the "Future with the Proposed Project" scenario, the trend in retail employment will be similar to previous years and that the MSA has the capacity to absorb the new luxury outlet retail at the Proposed Project without dramatically altering trends in this sector. This is particularly true because the trends in population, income, and tourism in the MSA are positive and the value offering at the luxury outlet retail component of the Proposed Project will be differentiated from the rest of the market. For the following reasons, the Proposed Project's luxury outlet retail offering will not lead to the displacement of other outlet shopping centers or lead to significant adverse impacts in the MSA: the primary trade area for the luxury outlet retail component of the Proposed Project is the entire MSA; retail trade growth in the MSA is expected to be positive; the concept offered by the luxury outlet retail component will be unique for the primary trade area; and the demand at this development will be supplemented by international destination shoppers. LIPA concurs with ESD's finding that, rather than crowding out commerce in the primary trade area, the draw of the new luxury outlet retail component will likely have positive spillover effects on the local retail (dining and entertainment) sector beyond the development within the ½-mile study area and the 3-mile primary trade area.

Arenas and Entertainment Venues

The Proposed Project's arena will generate an estimated 618 direct permanent jobs. Adding the 19,000 seats to those calculated under the No Action scenario (43,500) will result in a total

increase of 18.6 percent over total current seats in the MSA. This rate of growth in arena/entertainment venue seats is a departure from the overall trend (an average annual rate of growth of 3.4 percent) in the New York City Region in employment in the Arts, Entertainment and Recreation sector, which is a proxy for the arena/entertainment venue sector. Nonetheless, the proposed arena will play a very particular role within the MSA and will not have significant competitive effects with other arenas in the primary trade area, which has a population of approximately 20 million people. As the home of the New York Islanders hockey team, this arena will primarily serve customers in Long Island (approximately 80 percent of arena visitors for hockey are expected to come from Nassau and Suffolk Counties). These customers will primarily be Islanders fans, a very specific group that no other arena in the MSA will compete for. Further, as discussed previously, the Arts, Entertainment, and Recreation sector is expected to continue to grow at a rate even greater than that of retail trade. It is thus expected that the MSA will be able to absorb economic activity from the arena and that, like the luxury outlet retail component, the arena will generate positive economic externalities for the surrounding communities.

The Nassau Coliseum and the Barclays Center, as far as sporting events are concerned, are expected to continue operations without major disturbances after the proposed arena opens because the Nassau Coliseum has already shifted away from hockey use and the Barclays Center has not had success as a home for the New York Islanders. As far as non-sporting events are concerned, the Barclays Center will continue to be the premier entertainment venue for the Borough of Brooklyn (with approximately 2.6 million residents), and the Nassau Coliseum will continue to focus on smaller-scale events than those hosted at the Barclays Center and the proposed arena. While the Proposed Project's arena and the Nassau Coliseum will be proximate geographically, both venues will attract visitors from throughout the entire MSA, which as previously stated is large enough to absorb the additional supply of events and entertainment. One venue might focus on larger shows, both venues could host the same acts on different nights, or perhaps host events marketed at different audiences. It is also likely that the Proposed Project will attract new consumers to the area, some of whom will attend events at Nassau Coliseum as well.

There are other smaller venues in the area such as Jones Beach Theater and Forest Hills Stadium, but these are both outdoor venues that attract acts that are of a different genre, style, and scale than what will be expected for an indoor arena of the size proposed for the Project Sites; these two smaller venues are also only open in warm weather seasons. Overall, the metro area is considered sufficiently large to comfortably absorb additional non-sporting events from the proposed arena without having a significant impact on the existing venues. The proposed arena will not lead to significant competitive pressures that will jeopardize the viability of other entertainment venues, and therefore LIPA concurs with ESD's finding that it will not result in significant adverse impacts due to competition in the MSA.

Hotels

The Proposed Project will include a hotel of approximately 210,000 gsf and up to 250 keys, which will generate an estimated 205 direct permanent FTE jobs. Adding these hotel jobs to those calculated under the No Action scenario (164) will result in an increase of 0.7 percent in

direct permanent hotel jobs in Nassau County. Even including the Proposed Project, the growth rate in hotel jobs remains well below the 2.4 percent observed from 2000 to 2016 in Nassau County. This suggests that even in the "Future with the Proposed Project" scenario, the trend in hotel employment will be flatter than in previous years, and that Nassau County will be able to absorb the new hotel at the Proposed Project without dramatically altering trends in this sector. Further, as a full-service hotel primarily serving as a complement to the other commercial uses on the Project Sites (e.g., arena and luxury outlet retail), the hotel will be expected to draw largely from the visitors induced by the Proposed Project. Given its niche role within Nassau County and its immediate vicinity, and the fact that the hotel market in Nassau County is sufficiently robust, LIPA concurs with ESD's finding that the proposed hotel will not be expected to exert competitive pressures in its primary trade area that will lead to displacement, or to significant impacts that will cause adverse changes in neighborhood character.

HAZARDOUS MATERIALS

The assessment, based on Phase I Environmental Site Assessments and a Phase II subsurface investigation, found no evidence of significant contamination of soil, groundwater, or soil vapor. Nevertheless, a variety of measures will be incorporated into the Proposed Project to reduce the potential for exposure to any hazardous materials that may be present. With the incorporation of these measures, LIPA concurs with ESD's finding that the potential for significant adverse effects related to hazardous materials will be avoided.

WATER RESOURCES

The Proposed Project will not result in significant adverse impacts to water resources. The Proposed Project, including the addition of the electrical substation, will adhere to the relevant requirements and recommendations of the 208 Study, the *2016 New York Standards and Specifications for Erosion and Sediment Control* (the "Blue Book"), the *New York State Stormwater Design Manual* (January 2015), and the SPDES general permit requirements.
Sanitary waste generated by the Proposed Project will be disposed of via a connection to the NCDPW sewer system, and transported to the Bay Park STP, which discharges to Reynolds Channel and local embayment areas that are inland of the barrier islands and which is in compliance with its SPDES permit. Thus, since there is no sanitary discharge to the ground, there will be no impacts to groundwater from sewage disposal. Furthermore, the components of the Proposed Project will be connected to a municipal water purveyor. Therefore, impacts to groundwater at the Project Sites will be negligible. In addition, Phase I and II Environmental Site Assessments prepared for NYAP and a Phase I Environmental Site Assessment prepared for NYRA, found no evidence of significant contamination of groundwater, including no presence of an on-site plume. However, a variety of measures will be incorporated into the Proposed Project to reduce the potential for exposure to any hazardous materials in groundwater that may be present.

There will be no impacts to natural water features or wetlands, as no such features are found on the Project Sites or other directly affected areas.

Stormwater management systems will be installed during early stages of construction to manage stormwater runoff during construction, and various types of inlet protection will be employed in order to protect the existing and proposed drainage infiltration systems and off-site recharge

basins. A formal Storm Water Pollution Prevention Plan (SWPPP) will be prepared and SPDES requirements (including the SPDES General Permit 0-15-002 for Stormwater Runoff During Construction Activities) will be followed.

Implementation of the Proposed Project will result in a decrease in impervious surface on Sites A and B, resulting in a slight reduction of volume of stormwater runoff. In addition, the Proposed Project's on-site stormwater management infrastructure for Sites A and B will include installation of leaching structures and water quality treatment units upstream of the connection to the Nassau County infrastructure, per requirements set forth by Nassau County and New York State. The North Lot, currently consisting of mostly gravel parking areas, will be resurfaced and restriped, and new drainage will be incorporated. Specifically, a system of drywells will provide storage and infiltration to accommodate any increased runoff due to the Proposed Project. The South and East Lots will remain in their existing paved condition; therefore, the runoff characteristics in these lots will not be altered by the Proposed Project.

On-site stormwater management structures and connections to a County recharge basin will collect and ultimately recharge stormwater to groundwater such that virtually all stormwater runoff from the Project Sites and the North Lot will either be contained and infiltrated on-site or discharged to an existing off-site recharge basin and infiltrated/recharged to groundwater there, resulting in an improvement over existing conditions. Accordingly, LIPA concurs with ESD's finding that there will be no significant adverse stormwater impacts as a result of the Proposed Project.

NATURAL RESOURCES

The Proposed Project will not result in significant adverse impacts to natural resources. The Proposed Project will eliminate the man-made water feature on Site A that is fed by the municipal water supply and overflows to the storm sewer system. It is concrete lined on the bottom and the side, does not contain any aquatic vegetation, and does not support fish, amphibians or reptiles.

The majority of the study area consists of low-quality and disturbed ecological communities, including paved parking lots, mowed lawns, and fragmented successional forests, in an urbanized setting that provides limited habitat for birds and other wildlife typical of developed suburban areas.

The Proposed Project will eliminate or modify ecological communities that are of limited value to wildlife (e.g., paved road/path and mowed lawn with trees), and will not result in uses that will further disturb wildlife in the study area. However, the Proposed Project will result in the loss of a number of mature trees that provide habitat for birds and other wildlife typical of developed areas. Landscaping, including the approximately 3.75 acres of landscaped open space on Site B and tree plantings, has the potential to improve habitats for birds and pollinator species, as well as other wildlife within the Project Sites. Therefore, the Proposed Project will not have a significant adverse impact on vegetation and ecological communities. The South Lot, adjacent to the horse stables, will continue to be used for parking as under the existing conditions. The South Lot will be screened from wildlife in the stables area by the landscaped areas along Gate 5 Road just west of the stables. The proposed buildings, where feasible, will implement measures

to reduce daytime bird collisions, and will not be of a sufficient height to impact nighttime migrations.

The NYSDEC Environmental Resource Mapper did not identify the potential for state-listed threatened, endangered, or special concern species within a half-mile of the study area. The U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Consultation (IPaC) system identified northern long-eared bat (*Myotis septentrionalis*); three bird species, piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), roseate tern (*Sterna dougallii dougallii*); and two plants, sandplain gerardia (*Agalinis acuta*), and seabeach amaranth (*Amaranthus pumilus*); as federally listed species with the potential to occur within the study area. The study area does not contain suitable habitat for the federally listed bird or plant species. Although the study area possesses limited potential to provide suitable habitat for northern long-eared bats, a determination of no effect was received from USFWS on March 1, 2019, indicating that no further Endangered Species Act coordination or consultation is required. Based on that determination, LIPA concurs with ESD's finding that the Proposed Project will not adversely impact northern long-eared bats.

Seven state-listed willow oaks (*Quercus phellos*) are within the study area and five of these trees will be removed during construction. Two willow oaks will be preserved. The willow oaks observed were planted within Site B and do not represent a natural population. Because willow oak is a commonly planted tree in Nassau County and the New York City metropolitan area, these trees do not constitute one of the "five or fewer sites or very few remaining individuals" of this species in New York State as is intended by the New York Natural Heritage Program (NYNHP) "S1" rank. Therefore, LIPA concurs with ESD's finding that the removal of these trees does not constitute a significant adverse impact to protected willow oak populations.

TRANSPORTATION

LOCAL STREET NETWORK

Overall, the Proposed Project will generate a total of 832 primary vehicle trips (670 "ins" and 162 "outs") during the weekday AM peak hour, 4,261 vehicle trips (3,810 "ins" and 451 "outs") during the weekday PM peak hour, 4,075 vehicle trips (798 "ins" and 3,277 "outs") during the Saturday midday peak hour, 4,384 vehicle trips (3,758 "ins" and 626 "outs") during the Saturday PM peak hour, and 4,496 vehicle trips (240 "ins" and 4,256 "outs") during the Saturday night peak hour. Of the 38 intersections analyzed, the Proposed Project will result in significant adverse traffic impacts at six intersections during the weekday AM peak hour, six intersections during the weekday PM peak hour, nine intersections during the Saturday midday peak hour, six intersections during the Saturday PM peak hour, and two intersections during the Saturday night peak hour.

HIGHWAY NETWORK

Of the 37 highway segments analyzed on the northbound and southbound Cross-Island Parkway between the Southern State Parkway and Jamaica Avenue, the Proposed Project will result in significant adverse traffic impacts to six highway segments during the weekday AM peak hour, 15 highway segments during the weekday PM peak hour, 24 highway segments during the

Saturday midday peak hour, 22 highway segments during the Saturday PM peak hour, and 21 highway segments during the Saturday night peak hour.

Of the five merge and weaving segments analyzed at the interchanges of the Cross-Island Parkway with the Long Island Expressway and Grand Central Parkway, the Proposed Project will result in significant adverse traffic impacts at one weaving segment during the Saturday midday peak hour and two merge segments during the Saturday PM peak hour.

LIRR SERVICE

On days with scheduled events at the proposed arena, it is anticipated that the LIRR will provide two round trip trains between Jamaica Station and the existing Belmont Park Station, with eastbound trains arriving at Belmont Park prior to the start of the event and westbound trains departing from Belmont Park following the conclusion of the event, which could accommodate the projected number of passengers that will use the LIRR, which will be expected to be used by up to 2,280 and 1,330 arena patrons arriving for weekday and Saturday events, respectively. It is unlikely that the Proposed Project will result in any impacts to platforms, stairways, or ramps at Belmont Park Station.

BUS SERVICE

It is likely that the Proposed Project will result in a significant adverse impact to Nassau Inter-County Express (NICE) and MTA bus routes during time periods before and after sold-out arena events, requiring some increases in bus service to accommodate bus rider trips made by arena patrons. Bus operators typically adjust their service based on ridership and market demand and it is anticipated that such increases in service will be coordinated with NYAP as part of the transportation management plan for the arena. Additional bus service would likely occur during off-peak periods when buses already part of the NICE bus or MTA bus fleet would be available.

PARKING

The Project Sites include a total of 1,900 parking spaces in new structured parking beneath the retail village and within and below the hotel's podium. During times of high attendance arena events and/or peak shopping periods, approximately 6,014 additional parking spaces on the North, South, and East Lots will be made available to NYAP through a Parking License Agreement among NYAP, the FOB, and NYRA. The peak parking demand for the Proposed Project will occur during times of arena events when there will be demand from both arena employees and patrons as well as retail shoppers and other visitors. The Proposed Project will generate its maximum parking demand of 6,846 spaces on a weekday evening with a concert at the arena, which could be accommodated by the parking provided on the Project Sites and the North, South, and East Lots. The analysis of parking conditions also considered the combined parking demand of the Proposed Project with live daytime racing at Belmont Park. The maximum combined parking demand of the Proposed Project and Belmont Park will occur during the Saturday midday period (a demand of 7,541 spaces), for which LIPA concurs with ESD's finding that the demand could be accommodated by the parking provided on the Project Sites and the North, South, and East Lots.

PEDESTRIAN CIRCULATION

The Proposed Project will provide pedestrian connectivity between the parking facilities and public transportation services with the arena, retail, hotel, office, and community space uses. During arena events and/or peak shopping periods, shuttle buses will be provided to transport attendees between the North and East Lots and the arena, or between the South and East Lots and the retail village, so that patrons will not have to walk unreasonable distances. The Proposed Project will provide one or more grade-separated pedestrian connections providing access between the portions of the Project Sites located on the north and south sides of Hempstead Turnpike, and will not introduce at-grade crossings of this roadway adjacent to the Project Sites.

VEHICULAR AND PEDESTRIAN SAFETY

A crash analysis performed for the roadway segments and intersections analyzed in Nassau County revealed crash patterns that are consistent with what will be anticipated on roadway segments and intersections similar to those studied. Although the Proposed Project will result in an increase in traffic volumes on the roadways in the local street network and at intersections within the study area, it is not anticipated that the project-generated traffic volumes will unduly influence the rate of accident occurrence. In addition, roadway improvements planned by New York State Department of Transportation (NYSDOT) have the potential to enhance traffic and pedestrian safety.

A review of crash data for the traffic study area intersections in Queens for the most recent three-year period for which data were available identified one intersection—Hempstead Avenue and Springfield Boulevard—as a high-crash location. This intersection will experience modest increases in conflicting turning volumes in the analyzed peak hours as a result of the Proposed Project and is categorized as a priority intersection as part of New York City's Vision Zero initiatives, and it also lies on Hempstead Avenue, which is categorized as a priority corridor. As part of its Vision Zero initiatives, the City will explore additional measures for potential implementation at this high-crash location to enhance traffic and pedestrian safety.

AIR QUALITY

The screening analysis determined that none of the Proposed Project-affected intersections will require a detailed microscale air quality analysis. The analysis of the proposed parking facilities determined that the emissions from vehicles using the facilities will not result in any significant adverse air quality impacts.

Based on stationary source dispersion modeling, there will not be any potential significant adverse air quality impacts from emission of nitrogen dioxide and particulate matter from the proposed heat and hot water systems for the Proposed Project.

CLIMATE CHANGE

The building energy use and vehicle use associated with the Proposed Project are estimated to generate between 163 and 172 thousand metric tons of carbon dioxide equivalent (CO_2e) emissions per year.

The Applicant is currently evaluating specific energy efficiency measures and design elements that may be implemented, and is seeking to achieve certification under the LEED for Building Design and Construction rating system, version 4. The Applicant is committed at a minimum to achieve the prerequisite energy efficiency requirements under LEED and will likely exceed them. To qualify for LEED, the Proposed Project will be required to exceed the energy requirements of New York State's Energy Conservation Construction Code (currently the same as ASHRAE 90.1-2013), resulting in energy expenditure lower than a baseline building designed to meet but not exceed the minimum building code requirements by approximately 12 to 20 percent for new construction. The Proposed Project's commitment to building energy efficiency, exceeding the energy code requirements, will ensure consistency with the decreased energy use goal defined in the *Climate Smart Communities Pledge* described more fully in the FEIS as part of the Town's greenhouse gas (GHG) reduction goal.

The Proposed Project will also support the other GHG goals because it is proximate to public transportation, will rely on natural gas, LPG, or electricity, or a combination thereof (rather than fuel oil), committed to construction air quality controls and will use recycled steel and cement replacements as part of its construction. Therefore, based on the commitment to energy efficiency and by virtue of location and nature, the Proposed Project will be consistent with the Town's emissions reduction goals, as defined in the *Climate Smart Communities Pledge*.

As the Proposed Project will be located outside of the potential future flood zones as projected by New York State, all components of the Proposed Project will be located well above flood elevations out to 2100 and beyond. Accordingly, LIPA concurs with ESD's finding that the infrastructure for the Proposed Project will be able to accommodate peak precipitation under future conditions, and implementation of the Proposed Project will not have a significant adverse impact on on-site or off-site stormwater management facilities, stormwater runoff on surrounding communities, and will not exacerbate local flooding conditions during severe precipitation events.

NOISE

The Proposed Project will not cause noise level increases that will exceed thresholds established for determining significant adverse impacts according to applicable noise evaluation guidance. Additionally, the Proposed Project will not result in total future noise levels at any surrounding residential properties that will exceed the threshold recommended by NYSDEC for residential use. Consequently, operation of the Proposed Project will not result in a significant adverse noise impact at any of these receptors.

Future noise exposure levels at the proposed hotel will slightly exceed the threshold recommended by NYSDEC for residential use. However, the hotel will be constructed to provide a sufficient façade noise attenuation to ensure interior noise levels are below 45 dBA, which is generally regarded as acceptable for areas where people will sleep. Consequently, LIPA concurs with ESD's finding that the predicted noise levels at the proposed hotel will not constitute a significant adverse noise impact.

CONSTRUCTION IMPACTS

Construction of the Proposed Project will result in significant, albeit temporary, adverse transportation and noise impacts. For all other technical areas, construction activities associated with the Proposed Actions will not result in significant adverse impacts. Findings specific to each of the key technical areas are summarized below.

TRANSPORTATION

During construction activities, traffic to the Project Sites, other directly affected areas (North, South, and East Lots and the proposed electrical substation), and other off-site locations for utility work will be generated by construction workers and trucks traveling to and from the construction sites. The results of a detailed traffic analysis show that construction activities associated with the Proposed Project during the projected peak quarter of construction will result in temporary significant adverse traffic impacts at 3 intersections out of the 10 intersections analyzed during the 6:00 AM to 7:00 AM peak hour, and 3 intersections out of the 10 intersections analyzed during the 5:15 PM to 6:15 PM peak hour.

Temporary lane and/or sidewalk closures may be required along Hempstead Turnpike adjacent to the Project Sites to facilitate construction of one or more grade-separated connections between Sites A and B, utility connections and sidewalk improvements. The placement of the spans for a pedestrian bridge across the Hempstead Turnpike will be anticipated to require limited full lane closures in both directions; these closures will likely occur during the night. Temporary lane closures will also be required along portions of Hempstead Turnpike between the Project Sites and Plainfield Avenue for upgrades and extensions of utilities; these will typically occur during the day outside of the commuter peak hours. In these instances of temporary lane closures, Work Zone Traffic Control (WZTC) plans will be implemented to ensure minimum disruption to traffic or pedestrian flow. In the event of a temporary street closure, detour plans will be prepared in coordination with NYSDOT and/or New York City Department of Transportation (NYCDOT).

It is anticipated that the projected number of peak hour bus trips (including transfers that will be made to/from subways or the LIRR) made by construction workers during the peak period of construction could be accommodated by existing bus routes that serve the Project Sites and are not expected to have significant adverse impacts to transit.

The parking demand associated with construction workers commuting via private autos will be accommodated by parking spaces provided on the Project Sites and/or the North, South, and East Lots throughout the duration of construction activities. During the running of the Belmont Stakes in 2020 and 2021, when both Sites A and B will be under construction, it is expected that parking for Racetrack attendees could be accommodated on-site, but vendors and staff may need to park at an off-site location and be bused to Belmont Park. Throughout the duration of construction activities, it is anticipated that parking demand associated with Racetrack patrons on other days of the Spring and Fall Meets could be accommodated on-site. Therefore, LIPA concurs with ESD’s finding that no significant adverse impacts to parking are expected.

AIR QUALITY

A mandatory emissions reduction program will be implemented for the Proposed Project to minimize the air quality effects of construction activities on the surrounding community. Measures will include, to the extent practicable, dust suppression measures, use of ultra-low sulfur diesel (ULSD) fuel, idling restrictions, use of electrical equipment instead of diesel equipment, best available technologies, and the utilization of newer equipment. With these measures in place, and given the temporary nature of the construction activities, LIPA concurs with ESD's finding that construction activities associated with the Proposed Actions will not result in any significant adverse air quality impacts.

NOISE AND VIBRATION

A quantified construction noise analysis was performed to assess the potential for significant adverse noise impacts during construction of the Proposed Project. The analysis considered the "worst-case" scenario (i.e., the conditions that will have the potential for producing the maximum noise levels) for construction at each of the Proposed Project construction sites (including construction activities on Sites A and B and other directly affected areas) and considered the effects of construction activities and construction equipment operated on the Proposed Project construction sites combined with the noise related to construction-generated trucks on roadways.

Construction of the Proposed Project will be expected to result in elevated noise levels at nearby receptors, and noise due to construction will at times be noticeable and potentially intrusive. While construction noise may be readily noticeable at times, noise levels during even the worst-case construction activity will be considered acceptable for sensitive uses by NYSDEC at most nearby receptors. At the Floral Park-Bellerose School's athletic field north of the North Lot, while construction noise may be readily noticeable and intrusive at times, the duration of construction will be limited, and the use of this open space is primarily for active recreation (e.g., sports, physical education, recess), which is less sensitive to noise compared to a purely passive open space. Consequently, construction of the Proposed Project will not result in any significant noise impacts at this receptor. At residential locations immediately adjacent to Site B, worst-case construction noise levels were predicted to experience noise level increases greater than 10 dBA, which exceeds the acceptable criteria for residential uses provided by NYSDEC. As a result of the construction noise levels that will occur at these receptors over an extended duration, residences along Huntley Road, both sides of Wellington Road between Hempstead Turnpike and 109th Avenue, and the west side of Wellington Road between 109th Avenue and Hathaway Avenue will have the potential to experience significant adverse construction noise impacts for approximately 20 months during Proposed Project construction. Maximum noise levels could impact horses and impulsive and short-duration noise has the potential to elicit startle reactions. When construction activities overlap with horse training, the Applicant and construction team will coordinate with the horse training operators to adjust construction means, methods, and scheduling whenever possible to reduce the potential for adverse noise impacts.

At the Belmont Park Dormitories located along the western edge of the stable area near Gate 5 Road, worst-case construction noise levels during the approximately 4 months of sheet pile installation at the arena will result in increases over existing noise levels of approximately 8 dBA, which exceeds the acceptable criteria for residential uses provided by NYSDEC. However, at these dormitories during all other construction periods outside of the worst-case construction,

and at all other dormitories analyzed during all construction periods, total construction noise levels will be less than 65 dBA. While construction noise may be readily noticeable at times, due to the limited duration of worst-case construction noise levels which exceed the acceptable criteria for residential uses, construction of the Proposed Project will not rise to the level of a significant noise impact at any Belmont Park Dormitories. Vibrations from demolition, excavation, and foundation work for the Proposed Project will be expected to be imperceptible and will not have the potential to result in architectural or structural damage to even a structure extremely susceptible to damage from vibration. Therefore, LIPA concurs with ESD's finding that vibrations from the Proposed Project will not have the potential to result in a significant adverse impact at any surrounding receptors.

NATURAL RESOURCES

Construction of the Proposed Project will not result in significant adverse impacts to vegetation and ecological communities, wildlife, or threatened or endangered species. The vegetation and ecological communities within Site A, Site B, the South Lot, the North Lot, the East Lot and the Belmont electrical substation, are limited to mowed lawns with trees, mowed lawn, paved road/path communities, and construction/road maintenance spoils, and successional southern hardwood forests. Approximately 124 trees will be removed from Site A and 66 trees will be removed from Site B. A minimal number of trees will be removed from the North Lot, South Lot, and proposed electrical substation area. No trees will be removed from the East Lot. Erosion and sediment control measures implemented in accordance with the SWPPP developed in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit Number GP-0-15-002), and tree protection measures implemented prior to construction will minimize potential impacts to trees and ecological communities outside the area of construction disturbance.

Construction of the Proposed Project will not have significant adverse impacts to wildlife at either the individual or population level. The habitats that will be lost due to clearing activities are common within the vicinity of the study area. Wildlife displaced due to clearing, or by noise and increased human activity associated with construction, will have the potential to relocate to similar habitat near the study area, and the potential loss of some disturbance-tolerant wildlife will not result in significant adverse impacts to populations of these species commonly found within developed areas of Long Island. The man-made water feature in Site A does not support fish, aquatic reptiles or amphibians, but may support some aquatic invertebrates (e.g., aquatic insects). LIPA concurs with ESD's finding that the loss of this small area of aquatic habitat for aquatic invertebrates will not result in significant adverse impacts to populations of these insects or wildlife that may prey on them.

The removal of seven planted willow oaks—a commonly planted tree in Nassau County and New York City—will not be considered a significant adverse impact to protected willow oak populations and will not be considered a significant adverse impact to naturally occurring, willow oak populations. Although the study area possesses limited potential to provide suitable habitat for northern long-eared bats, a determination of no effect was received from USFWS on March 1, 2019, indicating that no further Endangered Species Act coordination or consultation is required. Therefore, construction of the Proposed Project will not have significant adverse impacts to threatened, endangered, and special concern species and significant natural communities.

ALTERNATIVES

NO ACTION ALTERNATIVE

No changes in use are anticipated for the Project Sites under the No Action Alternative. Site A would continue to be used for parking related to Belmont Park Racetrack and its associated activities and events, as well as for staging special events. Site B would continue to be used for parking related to Belmont Park Racetrack and its associated activities and events, and for vehicle storage. The other directly affected areas (including the North, South and East Lots and the area of the proposed electrical substation) would continue in their current conditions.

The significant adverse impacts anticipated for the Proposed Project would not occur with the No Action Alternative. Specifically, traffic, bus service, parking (potential), and construction-period traffic and noise impacts identified for the Proposed Project would not occur under the No Action Alternative. However, the No Action Alternative would not meet the State's development objectives for the Project Sites. Specifically, it would not create a gateway to Long Island by creating a striking new presence for Elmont, transforming the current vacant and underutilized space on the Project Sites to the benefit of the community. It would not create a premier destination by providing a year-round retail village, office space, community space, hotel, and arena, all of which would complement Belmont Park, enhancing economic benefit in comparison with the current underutilized character of the Project Sites. The No Action Alternative would not create over 3,000 permanent jobs and over 9,000 temporary construction jobs, including direct and indirect jobs. It would not provide a new and permanent home for the New York Islanders. LIPA concurs with ESD's finding that, unlike the Proposed Project, the No Action Alternative would not benefit the local community by providing new entertainment offerings, retail, hospitality, community space, on- and off-site open space improvements, and substantial employment opportunities that can be locally accessed by adjacent communities.

NO UNMITIGATED IMPACT ALTERNATIVE

This alternative considers development that would not result in any identified significant adverse impacts that could not be fully mitigated. The FEIS analyses identified significant adverse traffic and construction noise impacts for which there are no practicable mitigation measures.

Because of existing congestion and physical constraints at the intersection of Hempstead Avenue at Springfield Boulevard, even a minimal increase in project-generated traffic would trigger a significant adverse traffic impact that could not be fully mitigated. Thus, no reasonable alternative could be developed to completely avoid unmitigated traffic impacts without substantially compromising the stated goals of the Proposed Actions. Additionally, any development on Site B that would require excavation and foundation construction would have the potential to result in unmitigated significant adverse construction noise impacts. To eliminate all unmitigated significant adverse impacts, the Proposed Project would have to be reduced in size or modified to a point where it would not meet the State's development objectives for the Project Sites. Accordingly, LIPA concurs with ESD's finding that there is no viable no unmitigated impact alternative.

NO ARENA ALTERNATIVE

This alternative represents a smaller-scaled project that would develop the elements of the Proposed Project but without an arena on Site A. Site A would be developed with the same hotel, office, "experiential" retail and food and beverage uses, community space, and open space as the Proposed Project.

Like the Proposed Actions, the No Arena Alternative would not result in significant adverse impacts with respect to: land use, zoning, and community character; community facilities and utilities; open space and recreational resources; historic and cultural resources; visual resources; socioeconomic conditions; hazardous materials; water resources; natural resources; LIRR service; pedestrian circulation; air quality; and noise.

The No Arena Alternative would eliminate the impact to bus service that would occur with the Proposed Project. With respect to operational traffic and construction traffic and noise, the No Arena Alternative may lessen, but not eliminate those impacts. While both the No Arena Alternative and Proposed Project would result in unmitigated traffic and construction noise impacts, one unmitigated impact to the local street network would be eliminated under the No Arena Alternative during the Saturday PM peak hour.

The overarching goals of the State for the Belmont Park property are to foster economic development and increase activity at Belmont Park with uses that are compatible with the Racetrack and the surrounding neighborhoods. The proposed new uses under the No Arena Alternative would activate sites that are used only on a sporadic basis over the course of a year, but to a lesser extent than the Proposed Project. While this alternative would transform the current vacant and underutilized space on the Project Sites with new uses, without an arena, it would be less of a premier destination for entertainment, sports, hospitality, cultural, community, recreational, and retail uses that are complementary to the existing Belmont Park Racetrack. It also would not provide a new and permanent home for the New York Islanders, which is expected to attract a wide audience of new and existing fans. The No Arena Alternative would not create as many permanent jobs or temporary construction jobs as the Proposed Project. In addition, this alternative would not realize any of the other economic benefits associated with construction and operation of a multi-purpose arena serving as a professional hockey venue, and hosting major concerts, college sports, conferences, and family events. Overall, LIPA concurs with ESD's finding that this alternative would not substantially avoid or reduce project-related significant adverse impacts, and would be less effective in meeting the State's development objectives for the Project Sites.

NO RETAIL VILLAGE ALTERNATIVE

This alternative considers a smaller scaled project similar to the Proposed Project, but without the retail village.

Like the Proposed Actions, the No Retail Village Alternative would not result in significant adverse impacts with respect to: land use, zoning, and community character; community facilities and utilities; open space and recreational resources; historic and cultural resources; visual resources; socioeconomic conditions; hazardous materials; water resources; natural resources; LIRR service; pedestrian circulation; air quality; and noise.

With respect to operational traffic and construction traffic, compared with the Proposed Project, the No Retail Village Alternative would lessen, but not eliminate those impacts. Both the No Retail Village Alternative and Proposed Project would result in the same unmitigated traffic impacts to the local street network. The construction noise impacts of the Proposed Project would be eliminated under the No Retail Village Alternative.

Similar to the Proposed Project, this alternative would transform Site A, an underutilized site, into a vibrant, year-round operating and accessible mixed-use development that would be compatible with the surrounding area. The No Retail Village Alternative would maintain parking uses on Site B with open spaces similar to the Proposed Project. These would be less intensive uses than with the Proposed Project. However, for a variety of reasons, LIPA concurs with ESD's finding that the No Retail Village Alternative would not meet the State's development objectives for the Proposed Project as well as those of the Town of Hempstead. The overarching goals of the State for the Belmont Park property are to foster economic development and increase activity at Belmont Park with uses that are compatible with the Racetrack and the surrounding neighborhoods. A principal goal of the Proposed Project is to transform what is now an underutilized area in Western Nassau County into a gateway to Long Island by creating a striking new presence for Elmont, transforming the current vacant and underutilized space into a premier destination with vibrant year-round activity and enhancing economic benefit to the community and the County. Moreover, the Town of Hempstead, in the Elmont Community Vision Plan and its Building Zone Ordinance, specifically designated Site B as part of a Gateway District, stating that if the Town were to obtain zoning jurisdiction over that portion of Belmont Park, it would enact land use regulations to allow for retail and other commercial development such as that which is the proposed retail village. Under the No Retail Village Alternative, the primary activity on the Project Sites would be the arena, which would be limited to days with arena events. This would be contrary to the goal of creating a year-round, full-time gateway and economic engine in Western Nassau County.

In addition, under the No Retail Village Alternative, the economic benefits of the Proposed Project would include fewer temporary and full time direct jobs, fewer indirect jobs, and would not generate non-PILOT taxes (sales and income taxes) to the Town, County, and State, or PILOT revenues from activities on Site B to the same extent as would be generated under the Proposed Project.

Accordingly, LIPA concurs with ESD's finding that while this alternative would avoid the significant adverse impacts of the Proposed Project with respect to construction noise, it would not substantially avoid or reduce project-related significant adverse impacts related to construction and operational transportation and would be less effective in meeting the State's development objectives for the Project Sites.

ALTERNATE SITE PLAN ALTERNATIVE

At the time of the issuance of the Draft Scope for the DEIS, two site plan options were under consideration for the Project Sites: Site Plan Options 1 and 2. The primary difference between the two options was the allocation of the proposed retail uses across Sites A and B. Site Plan Option 1 would locate all of the proposed retail uses on Site A with the proposed arena, hotel, and office uses, while Site Plan Option 2 would locate the proposed retail village on Site B. Site

Plan Option 2 was selected as the preferred site plan, and it is the basis for the Proposed Project. This Alternate Site Plan Alternative reflects Site Plan Option 1.

Like the Proposed Actions, the Alternate Site Plan Alternative would not result in significant adverse impacts with respect to: land use, zoning, and community character; community facilities and utilities; open space and recreational resources; historic and cultural resources; visual resources; socioeconomic conditions; hazardous materials; water resources; natural resources; LIRR service; pedestrian circulation; air quality; and noise.

Like the Proposed Project, the Alternate Site Plan Alternative would result in significant adverse operational traffic and bus service impacts, as well as significant adverse construction traffic and noise impacts. As the Alternate Site Plan Alternative would have the same program as the Proposed Project, it would have similar traffic and bus impacts, with minor differences accounting for variations in travel patterns and directionality of trips in the immediate vicinity of the Project Sites. It is expected that the same unmitigated adverse traffic impacts would occur under this alternative.

With respect to construction noise, the Alternate Site Plan Alternative would eliminate the significant adverse construction noise impact at Wellington Road (east side, between 106th Avenue and 109th Avenue, and west side, between 109th Avenue and Hathaway Avenue) that would occur with the Proposed Project. Other residences immediately adjacent to Site B would experience significant adverse noise effects of a similar magnitude but for a shorter duration compared with the Proposed Project.

LIPA concurs with ESD's finding that the Alternate Site Plan Alternative would meet the State's development objectives for Site A, but less so for Site B. Similar to the Proposed Project, this alternative would transform Site A, an underutilized site, into a vibrant, year-round operating and accessible mixed-use development that would be compatible with the surrounding area. The Alternate Site Plan Alternative would develop Site B with less intensive uses than with the Proposed Project. However, with Site B developed primarily with parking and open space uses, this alternative would not generate comparable levels of vibrancy and economic activity south of Hempstead Turnpike. Additionally, the Applicant is confident that the Proposed Project's layout would better maximize the economic potential of the Project Sites as compared to this alternative. Accordingly, LIPA concurs with ESD's finding that this alternative would not substantially avoid or reduce project-related significant adverse impacts, and would be less effective in meeting the State's development objectives for the Project Sites.

SUMMARY OF MITIGATION MEASURES TO BE IMPLEMENTED

ESD has identified a number of measures, described herein, that will either fully or partially mitigate the significant adverse impacts identified in the FEIS and summarized in this Findings Statement. ESD will require that NYAP implement those measures, through a Memorandum of

Environmental Commitments (MEC) entered between ESD and NYAP that will be made a condition of the lease.

TRANSPORTATION

The Proposed Project will result in significant adverse impacts on the local street network, the highway network, and bus service, as well as potential impacts to parking. Significant adverse impacts on LIRR service, pedestrian circulation and vehicular and pedestrian safety were not identified.

The transportation mitigation measures have been reviewed and assessed by the expert transportation agencies with jurisdiction over roads, highways, and bus services located within the FEIS transportation analysis study areas. Those agencies consist of NYSDOT, NYCDOT and NCDPW, MTA, and NICE. NYCDOT and NYSDOT reviewed the transportation analyses included in the FEIS and stated in letters to ESD that the traffic volumes projected in the FEIS for the Proposed Project's mitigated condition were reasonable. Furthermore, all of the above-referenced transportation agencies have advised ESD that the mitigation measures contained therein include a range of effective strategies to mitigate significant adverse traffic impacts to the maximum extent practicable.

The transportation mitigation measures consist of a new LIRR Elmont Station that will be added to the LIRR Main Line; Implementation of a comprehensive TMP; standard traffic engineering improvements; and adjustments to bus service. The TMP includes a combination of demand management strategies aimed at reducing the volume of project-generated peak-hour vehicular trips, changing travel patterns to redistribute traffic away from critical highway segments, and shifting demand from auto to alternate modes of transportation. The TMP, which will be mandated by the MEC and has been reviewed by NYSDOT, NYCDOT and NCDPW, will be implemented from the opening of the arena and then reviewed and refined on a regular basis at meetings with stakeholders such as transportation agencies, police departments, and local municipalities, enabling continued improvement and adaptation to reflect actual field conditions. A monitoring program during Proposed Project operations will be undertaken to identify which of the mandated demand management strategies are most effective at minimizing impacts to the maximum extent feasible. Before the opening of the arena, the scope of work for the monitoring program will be finalized. Monitoring will then be conducted on a regular basis, including monthly surveys after the opening of the Proposed Project, quarterly surveys during the first two years of operation, and annual surveys thereafter for hockey and other representative large events. The results of these surveys will be reported to ESD. The TMP will identify actions needed for different days of the year, and for different types and sizes of events. The TMP will serve as an integral component of Proposed Project operations and be reviewed and refined on a regular basis at meetings held by the Applicant on at least a quarterly basis with the stakeholders. Any revisions to the draft TMP will be submitted to ESD for its review and approval, prior to the commencement of operations at the Site and, following commencement of operations, prior to the implementation of any proposed changes to the TMP.

Traffic

Local Street Network

Of the 38 intersections analyzed on the local street network, the Proposed Project will result in significant adverse traffic impacts at six intersections during the weekday AM peak hour, six intersections during the weekday PM peak hour, nine intersections during the Saturday midday peak hour, six intersections during the Saturday PM peak hour, and two intersections during the Saturday night peak hour.

The aforementioned intersections with significant adverse traffic impacts could be fully mitigated via implementation of standard traffic engineering improvements such as: the installation of new traffic signals at currently unsignalized intersections, modification of signal phasing and timing at currently signalized intersections, deployment of traffic enforcement agents (TEAs) before arena events, implementation of turn prohibitions where needed, geometric improvements at specific intersections to provide improved channelization, lane re-striping, and/or new lane designations. With such measures, significant adverse traffic impacts will be fully mitigated at all but three traffic movements at one intersection during the weekday AM peak hour, one traffic movement at one intersection during the weekday PM peak hour, six traffic movements at two intersections during the Saturday midday peak hour, and two traffic movements at one intersection during the Saturday PM peak hour.

Implementation of the recommended traffic engineering improvements is subject to review and approval by NYSDOT, the NCDPW, or NYCDOT, depending upon the location of the intersection. If any of these measures are deemed infeasible and no alternative mitigation measures can be identified at a particular location, then the identified significant adverse traffic impacts at such location will be unmitigated.

Certain routes in the vicinity of the traffic study area may be susceptible to traffic diversions by drivers using mobile navigation apps with real-time traffic data (e.g., Google Maps or Waze) to avoid congestion, or by other motorists with a high degree of familiarity with the local street network. As discussed below, a comprehensive TMP has been developed and reviewed with relevant agencies. The TMP includes a monitoring plan that will be used to determine the extent to which traffic diversions may occur as a result of traffic congestion caused by project-generated vehicle trips. A key element of the TMP aimed at reducing the potential for traffic diversions onto sensitive local residential streets is for NYAP to partner with navigation app providers such as Waze to define local streets that could be designated as “unavailable” to through traffic during event arrival and departure periods so that through traffic will not be routed to them. If it is determined that traffic diversions are occurring on a recurrent basis at unacceptable levels, potential mitigation measures to address such impacts could involve refinements to the TMP to further reduce the volume of project-generated vehicle trips during peak hours and/or the implementation of signage, turn restrictions, or traffic calming measures along routes susceptible to traffic diversions.

Highway Network

Of the 37 highway segments analyzed on the northbound and southbound Cross-Island Parkway between the Southern State Parkway and Jamaica Avenue, the Proposed Project will result in

significant adverse traffic impacts to six highway segments during the weekday AM peak hour, 15 highway segments during the weekday PM peak hour, 24 highway segments during the Saturday midday peak hour, 22 highway segments during the Saturday PM peak hour, and 21 highway segments during the Saturday night peak hour. Of the five merge and weaving segments analyzed at the interchanges of the Cross-Island Parkway with the Long Island Expressway and Grand Central Parkway, the Proposed Project will result in significant adverse traffic impacts at one weaving segment during the Saturday midday peak hour and two merge segments during the Saturday PM peak hour. Additionally, micro-simulation analyses performed for the Cross-Island Parkway showed that the Proposed Project will result in substantial increases in "unserved" vehicles (unmet demand) that could not be processed during the weekday PM and Saturday PM peak hours.

The identification of significant adverse impacts on the highway network is not unusual for projects of this scale. Many of these highway segments operate at congested or near-congested conditions in at least one direction during some of those peak periods under existing conditions; the Cross-Island Parkway is in immediate proximity to the Project Sites, and it is projected to be used by up to 90 percent of those driving to the Proposed Project. ESD's goal is to develop mitigation that will promote mass transit and reduce reliance on automobiles as a means of traveling to the Proposed Project. In addition, widening of the Cross Island Parkway is neither practical nor reasonably feasible. For these reasons, widening of the Cross Island Parkway has been precluded as an option. However, an extensive set of proposed mitigation measures has been developed to minimize and reduce the magnitude of these impacts consisting of the addition of a new LIRR Elmont Station on the LIRR Main Line and implementation of a comprehensive TMP, which contains a suite of transportation demand management strategies aimed at reducing the volume of project-generated peak hour vehicular trips, changing travel patterns to redistribute traffic away from key segments of the Cross-Island Parkway, and shifting demand from auto to alternate modes of transportation (including the LIRR, shuttle buses, and charter buses).

LIPA concurs with ESD's finding that the proposed mitigation measures will reduce the level of additional congestion on the Cross-Island Parkway by eliminating all of the unmet demand in both the northbound and southbound directions during the weekday PM peak hour and in the southbound direction during the Saturday PM peak hour. The proposed mitigation measures will also substantially reduce the unmet demand in the northbound direction during the Saturday PM peak hour, and the use of demand management strategies in the TMP could further reduce or eliminate the remaining unmet demand by redirecting some of the arena patrons to approach the Project Sites via the southbound direction of the parkway by using a partnership with a navigation app provider.

With these measures in place LIPA concurs with ESD's finding unmitigated impacts will be reduced to 3, 11, 22, 20, and 14 highway segments along the northbound and southbound Cross-Island Parkway between the Southern State Parkway and Jamaica Avenue during the weekday AM, weekday PM, Saturday midday, Saturday PM, and Saturday night peak hours, respectively. One unmitigated impact will remain at one highway segment at the interchange of the Cross-Island Parkway with the Long Island Expressway during the Saturday midday peak hour.

The traffic analyses for the 2021 With Action condition use a conservative approach in that they have assessed scenarios with sold-out arena events, along with trips associated with the retail village and other project uses, and daytime racing at Belmont Park with no reductions to project-

generated trips associated with non-arena uses. As such, the With Action analyses represent worst-case scenarios and may not be indicative of what will typically occur during most days over the course of the year.

LIRR Service

A new LIRR Elmont Station will be added to the LIRR Main Line adjacent to the North Lot. This new mitigation measure will provide additional transit service to the Project Sites, including new direct train service to/from points east and additional train service to/from points west. The new LIRR Elmont Station will also provide full-time train service to the local community, with parking available for commuters in the North Lot and pedestrian access from Bellerose Terrace.

The new LIRR Elmont Station will be constructed in two phases. The first phase will involve construction of a south platform that will only provide eastbound service and is projected to be completed in 2021, prior to the opening of the arena. The second phase will involve construction of a north platform, a pedestrian overpass between the north and south platforms, and extension of the south platform. Westbound train service at the north platform will be accommodated following the completion of the LIRR Third Track and East Side Access projects (expected in 2023).

With the addition of a new LIRR Elmont Station on the LIRR Main Line (providing service in both the eastbound and westbound directions) and the implementation of further incentives to use transit through the TMP, the FEIS projects that the LIRR will be used by up to 30 and 24 percent of arena patrons arriving for weekday and Saturday events, respectively. The new LIRR Elmont Station will be operated in conjunction with the existing LIRR Belmont Park Station on the spur. On days with scheduled events at the proposed arena, the LIRR will continue to provide shuttle service between Jamaica Station and Belmont Park Station with two trains before and after events. The specifics of the operating plan for the new LIRR Elmont Station will be determined by the LIRR and trains selected to stop at the new station—which will include trains on the Hempstead, Huntington/Port Jefferson, Oyster Bay, and/or Ronkonkoma branches—will be chosen based on available capacity.

Two shuttle trains and regularly scheduled trains traveling along the LIRR Main Line will have sufficient capacity to accommodate the projected ridership traveling to the Project Sites without impacts to regular commuter service, except that after a sold-out hockey game or concert on a weeknight or a Saturday night, when the LIRR operates less frequent service, one additional eastbound train will need to be provided to accommodate eastbound riders. After an arena event it is possible that up to two additional trains (for a total of four) could be operated out of Belmont Park Station to provide additional service to points east or west, if necessitated by customer demand. As this need for additional train service will occur outside of the weekday PM commuter peak period, it will not impact regular commuter service. It is unlikely that the Proposed Project will result in any impacts to platforms, stairways, or ramps at Belmont Park Station.

One of the demand management strategies to shift project-generated auto trips to transit is a shuttle bus service between the Project Sites and the LIRR Rockville Centre Station to allow arena patrons along the Babylon Branch to travel to the arena without having to transfer trains at Jamaica and backtrack to Belmont Park. The FEIS projects that westbound trains traveling

along the Babylon Branch before events and eastbound trains traveling along the Babylon Branch after events will have sufficient capacity to accommodate the projected ridership for a sold-out hockey game.

The LIRR anticipates that the new LIRR Elmont Station will not generate new commuter ridership but will instead result in a shift of existing riders living in Bellerose Terrace and Elmont that currently use other stations. With the operation of the new LIRR Elmont Station, existing levels of commuter service will be maintained to other LIRR stations (e.g., Queens Village, Bellerose, Floral Park) and the addition of the new LIRR Elmont Station will not be anticipated to result in an impact to commuter service.

Bus Service

It is likely that the Proposed Project will result in a significant adverse impact to NICE and MTA bus routes during time periods before and after sold-out arena events, requiring some increases in bus service to accommodate bus rider trips made by arena patrons. Bus operators typically adjust their service based on ridership and market demand and it is anticipated that such increases in service will be coordinated with NYAP as part of the TMP for the arena. While additional bus service may be needed on public bus routes, it is likely this will occur during off-peak periods when additional buses already part of the NICE bus or MTA bus fleet will be available. Additionally, as of June 23, 2019, NICE has committed to adding more buses and an expanded schedule to its "Flexi" route serving Elmont and Valley Stream. The TMP also includes operation of a shuttle bus route between the arena and Downtown Jamaica, which could be used by arena patrons as an alternate to the public transit routes providing service to and from Queens. Absent the implementation of increased frequency of bus service before and after sold-out arena events, which will fully mitigate the significant adverse impact, the identified significant adverse impact to bus service will be unmitigated.

Following consultation with NICE, NYAP has committed to install at its cost bus pull-outs and shelters along both sides of Hempstead Turnpike adjacent to the Project Sites to alleviate congestion in travel lanes when buses stop to drop-off and pick-up passengers and to provide bus stops in closer proximity to the project components and the Belmont Park Racetrack for employees and visitors that will use the N1, N6, and N6X bus routes.

Parking

Although the parking demand for the Proposed Project and the combined parking demand for the Proposed Project and Belmont Park on racing days could be accommodated on-site, there is a possibility that some attendees may attempt to park for free in the surrounding neighborhoods and walk to the arena. NYAP will be required to coordinate with the Town of Hempstead to modify the regulations of the existing Elmont Special Parking District, closing the Mayfair Avenue Gate near the North Lot and the Plainfield Avenue Gate to pedestrians, and restricting pedestrian access from the new LIRR Elmont Station to the North Lot to LIRR ticketholders. The TMP monitoring plan will require parking accumulation studies and observations of the effectiveness of parking restrictions, including assessment of the use of on-street parking spaces in the surrounding residential neighborhoods during different types of events and on non-event days. If it is determined that project-generated vehicles are parking off-site in the surrounding neighborhoods on a recurrent basis, NYAP will coordinate with stakeholders, including local

municipalities, to monitor parking conditions and prevent these areas from being impacted by parking demand generated by arena events. Additional mitigation measures to address such impacts could include strict enforcement of existing parking regulations by ticketing and/or towing illegally parked vehicles, or implementing new parking regulations on streets in the surrounding areas.

Interim Conditions

The new LIRR Elmont Station will be available to provide eastbound service in time for the opening of the arena in 2021, but westbound service at the new station will not be available until the LIRR Third Track and East Side Access projects are completed, which is expected to occur in 2023. During this interim 2021-2023 period, demand management strategies will be implemented as described in the TMP to reduce the volume of project-generated peak hour vehicular trips, including the implementation of shuttle bus service between a station on the LIRR Main Line to intercept arena patrons traveling to/from portions of Nassau and Suffolk Counties that are served by the Huntington/Port Jefferson and Ronkonkoma branches so that riders will not have to transfer at Jamaica and backtrack to Belmont Park.

In addition, during interim conditions two shuttle trains will operate from Jamaica Station to Belmont Park Station prior to arena events and from the Belmont Park Station to Jamaica Station following arena events. It is expected that the eastbound platform at the new LIRR Elmont Station will result in increased LIRR ridership by arena patrons because more frequent service will be provided from points west prior to events. After an event, all westbound service will be operated out of Belmont Park Station, but if necessitated by customer demand, up to two additional westbound trains could be operated from Belmont Park Station to Jamaica Station. No impacts to LIRR service are anticipated during the interim period.

In the interim period prior to westbound service at the new LIRR Elmont Station, there will be an increased number of project-generated vehicle trips on the local street and highway networks and traffic conditions are expected to be slightly worse compared to the conditions analyzed with both eastbound and westbound train service available at the new LIRR Elmont Station, however overall traffic conditions will still be largely improved compared to the conditions analyzed in the unmitigated condition, due to the multiple strategies aimed at reducing the volume of project-generated peak hour vehicular trips including the addition of the eastbound platform at the new LIRR Elmont Station and the other demand management strategies to be implemented as part of the TMP.

CONSTRUCTION

Transportation

Construction activities associated with the Proposed Actions during the projected peak quarter of construction will result in significant adverse traffic impacts at three intersections during the 6:00 AM – 7:00 AM peak hour and three intersections during the 5:15 PM to 6:15 PM peak hour. Implementation of traffic engineering improvements such as the installation of new traffic signals at currently unsignalized intersections and modification of signal phasing and timing at currently signalized intersections will provide mitigation for all of the anticipated significant adverse traffic impacts at those locations except for the intersection of Hempstead Avenue and

Springfield Boulevard, which will remain unmitigated in the weekday PM construction peak hour. Implementation of the recommended traffic engineering improvements for these intersections is subject to review and approval by NYSDOT or NYCDOT, depending upon the location of the intersection. In the absence of the application of traffic mitigation measures during construction, these construction-period impacts will remain unmitigated or partially unmitigated.

Noise

Construction of the Proposed Project will potentially result in significant adverse construction noise impacts at residential locations immediately adjacent to Site B. As a result of the construction noise levels that the FEIS projects will occur over an extended duration, residences along Huntley Road, both sides of Wellington Road between Hempstead Turnpike and 109th Avenue, the west side of Wellington Road between 109th Avenue and Hathaway Avenue, and the north side of Hathaway Avenue west of Wellington Road will potentially experience significant adverse construction noise impacts.

For residences that do not have insulated glass windows, NYAP will be required to offer to provide and install at its cost laminated glass storm windows or replacement insulated glass windows for each window that faces the construction noise source. For residences that do not have alternate means of ventilation (i.e., air conditioning), NYAP will be required to offer to provide and install one through-window air conditioning unit for each room that has a window that faces the construction noise source to allow for the maintenance of a closed-window condition. A survey and in-field verification will be undertaken to confirm which residences will be eligible for this mitigation. The survey and implementation of the mitigation will be completed prior to the commencement of constructions activities that contribute to the significant adverse impacts as outlined in the FEIS. With the provision of such measures, the façades of these buildings are expected to provide approximately 25 dBA window/wall attenuation. Therefore, interior noise levels will be reduced to less than the 45 dBA threshold recommended for residential use during worst case construction activity. Consequently, LIPA concurs with ESD's finding that construction noise impacts at these receptors will be fully mitigated.

For the outdoor spaces (e.g., yards, decks) of the residences adjacent to Site B, there are no feasible or practicable measures to mitigate the construction noise impacts. However, outdoor spaces could still be used without the effects of construction noise outside of the hours that construction will occur, i.e., during the late afternoon, night time, and on most weekends.

EFFECT OF NEW LIRR ELMONT STATION ON OTHER ANALYSIS AREAS

The provision of the new LIRR Elmont Station as mitigation for transportation impacts will not itself result in significant adverse impacts to: land use, zoning, and community character; community facilities and utilities; open space and recreational resources; historic and cultural resources; visual resources; socioeconomic conditions; hazardous materials; natural resources; air quality; noise; climate change; and construction. Additionally, the provision of the new train station will not affect the analysis of water resources, and will not change the conclusions for irreversible and irretrievable resources or growth-inducing aspects of the Proposed Project.

UNAVOIDABLE IMPACTS

TRANSPORTATION

The Proposed Project will result in significant adverse impacts on the local street network, the highway network, and bus service, as well as potential impacts to parking. An extensive set of proposed mitigation measures have been developed to address these impacts, consisting of a new Elmont Station that will be added to the LIRR Main Line; implementation of a comprehensive TMP; standard traffic engineering improvements; and adjustments to bus service.

Local Street Network

Of the 38 intersections analyzed on the local street network, the Proposed Project will result in significant adverse traffic impacts at six intersections during the weekday AM peak hour, six intersections during the weekday PM peak hour, nine intersections during the Saturday midday peak hour, six intersections during the Saturday PM peak hour, and two intersections during the Saturday night peak hour. The mitigation analyses indicate that the majority of the intersections with significant adverse traffic impacts could be fully mitigated via implementation of standard traffic engineering improvements to be funded by NYAP and reviewed by NYCDOT, NYSDOT and NCDPW such as: the installation of new traffic signals at currently unsignalized intersections; modification of signal phasing and timing at currently signalized intersections; deployment of TEAs before arena events, implementation of turn prohibitions where needed; geometric improvements at specific intersections to provide improved channelization; lane re-striping; and/or new lane designations. With such measures, significant adverse traffic impacts will be fully mitigated at all but three traffic movements at one intersection during the weekday AM peak hour, one traffic movement at one intersection during the weekday PM peak hour, six traffic movements at two intersections during the Saturday midday peak hour, and two traffic movements at one intersection during the Saturday PM peak hour.

In the absence of the application of additional mitigation measures, the impacts at those two intersections will not be considered fully mitigated. Given that there are no identified reasonable alternatives to the Proposed Project that will meet the State's development objectives, eliminate the impacts, and/or not cause other or similar significant adverse impacts, LIPA concurs with ESD's finding that these impacts will be unavoidable.

Highway Network

Of the 37 highway segments analyzed on the northbound and southbound Cross-Island Parkway between the Southern State Parkway and Jamaica Avenue, the Proposed Project will result in significant adverse traffic impacts to six highway segments during the weekday AM peak hour, 15 highway segments during the weekday PM peak hour, 24 highway segments during the Saturday midday peak hour, 22 highway segments during the Saturday PM peak hour, and 21 highway segments during the Saturday night peak hour. Of the five merge and weaving segments analyzed at the interchanges of the Cross-Island Parkway with the Long Island Expressway and Grand Central Parkway, the Proposed Project will result in significant adverse traffic impacts at one weaving segment during the Saturday midday peak hour and two merge segments during the Saturday PM peak hour. Additionally, micro-simulation analyses performed for the Cross-Island Parkway showed that the Proposed Project will result in substantial increases in

"unserved" vehicles (unmet demand) that could not be processed during the weekday PM and Saturday PM peak hours.

The identification of significant adverse impacts on the highway network is not unusual for projects of this scale. Many of these highway segments operate at congested or near-congested conditions in at least one direction during some of those peak periods under existing conditions; the Cross-Island Parkway is in immediate proximity to the Project Sites, and it is projected to be used by up to 90 percent of those driving to the Proposed Project. Widening of the Cross-Island Parkway is neither practical nor reasonably feasible, and has been precluded as an option. However, an extensive set of proposed mitigation measures has been developed to minimize and reduce the magnitude of these impacts consisting of the addition of a new LIRR Elmont Station on the LIRR Main Line and implementation of a comprehensive TMP, which contains a suite of transportation demand management strategies aimed at reducing the volume of project-generated peak hour vehicular trips, changing travel patterns to redistribute traffic away from key segments of the Cross-Island Parkway, and shifting demand from auto to alternate modes of transportation (including the LIRR, shuttle buses, and charter buses).

The proposed mitigation measures would reduce the level of additional congestion on the Cross-Island Parkway by eliminating all of the unmet demand in both the northbound and southbound directions during the weekday PM peak hour and in the southbound direction during the Saturday PM peak hour. The proposed mitigation measures will also substantially reduce the unmet demand in the northbound direction during the Saturday PM peak hour, and the use of demand management strategies in the TMP could further reduce or eliminate the remaining unmet demand by redirecting some of the arena patrons to approach the Project Sites via the southbound direction of the parkway by using a partnership with a navigation app provider.

With these measures in place, LIPA concurs with ESD's finding that unmitigated impacts will be reduced to 3, 11, 22, 20, and 14 highway segments along the northbound and southbound Cross-Island Parkway between the Southern State Parkway and Jamaica Avenue during the weekday AM, weekday PM, Saturday midday, Saturday PM, and Saturday night peak hours, respectively. One unmitigated impact will remain at one highway segment at the interchange of the Cross-Island Parkway with the Long Island Expressway during the Saturday midday peak hour. In the absence of the application of mitigation measures, the impacts will not be considered fully mitigated. Given that there are no identified reasonable alternatives to the Proposed Project that will meet the State's development objectives, eliminate the impacts, and/or not cause other or similar significant adverse impacts, LIPA concurs with ESD's finding that these impacts will be unavoidable.

CONSTRUCTION NOISE

Construction of the Proposed Project will have the potential to result in significant adverse construction noise impacts at residential locations immediately adjacent to Site B. As a result of the construction noise levels that will occur at these locations over an extended duration, residences along Huntley Road, both sides of Wellington Road between Hempstead Turnpike and 109th Avenue, the west side of Wellington Road between 109th Avenue and Hathaway Avenue, and the north side of Hathaway Avenue west of Wellington Road will have the potential to experience significant adverse construction noise impacts. All construction noise impacts identified at these residential receptors (with respect to interior noise levels) could be mitigated.

For the outdoor spaces (e.g., yards, decks) of these receptors, there will be no feasible or practicable measures to eliminate the construction noise impacts. Outdoor spaces could still be used without the effects of construction noise outside of the hours that construction will occur, i.e., during the late afternoon, night time, and on most weekends. However, during periods of construction, the identified impacts to outdoor spaces with the aforementioned areas immediately adjacent to Site B will not be fully mitigated. Given that there are no identified reasonable alternatives to the Proposed Project that will meet the State's development objectives, eliminate the impacts, and/or not cause other or similar significant adverse impacts, LIPA concurs with ESD's finding that these impacts will be unavoidable.

IRREVERSIBLE AND IRRETRIEVABLE RESOURCES

Natural and man-made resources will be expended in the construction and operation of the Proposed Project. These natural resources include the use of land, mature trees, and energy. Man-made resources include the effort required to develop, construct, and operate the Proposed Project; building materials; financial funding; and motor vehicle use. These resources are considered irretrievably committed for the life of the project or beyond.

The use of land is the most basic of irretrievably committed resources, as the development of the Proposed Project requires the commitment of land for new physical elements such as buildings and parking garages. However, the Proposed Project will be using land already developed for recreational purposes and thus will not be further committing land resources to these uses.

The Proposed Project will result in irreversible clearing and grading of vegetation within the Project Sites and other directly affected areas as well as modification to topography. The loss of vegetation is considered an irreversible commitment of resources, although replacement vegetation will be included in the Proposed Project. Soil or rock used to modify the grade of the Project Sites or other directly affected areas will be irretrievably committed for the lifetime of the Proposed Project.

The actual building materials used in the construction of the Proposed Project (wood, steel, concrete, glass, etc.) and energy, in the form of gas and electricity, consumed during the construction and operation of the Proposed Project, will also be irretrievably committed to the Proposed Project for the life of the project or beyond.

LIPA concurs with ESD's finding that none of these irreversible or irretrievable commitments of resources will be significant.

GROWTH INDUCING ASPECTS

The Proposed Project will not have the potential to induce development. The area surrounding the Project Sites is already built out and primarily residential in nature and zoning and, as such, will not be likely to be significantly impacted by the proposed expansion of retail, entertainment, office, and hospitality uses at Belmont Park.

CUMULATIVE IMPACTS

The Proposed Project, when added to other past, present, and reasonably foreseeable future actions, will not have the potential to result in significant adverse cumulative impacts.

The Proposed Project will not have the potential to induce development, and therefore will not result in any significant adverse cumulative secondary impacts related to induced growth.

The Proposed Project will complement the existing Belmont Park Racetrack use, as well as NYRA's planned future improvements at Belmont Park, which are fully described in Chapter 21 of the FEIS. The Proposed Project will be integrated with the remaining Backyard and Paddock area to create a unified destination and to maximize the anticipated economic, community, and open space benefits. While some arena attendees will likely attend NYRA's existing day racing and potential future night racing events (if approved by the New York State Legislature), NYRA's proposed renovations are independent of the Proposed Project and do not depend on implementation of the Proposed Project. Similarly, the Proposed Project does not in any way depend on or require NYRA's proposed improvements. In the event NYRA's proposed improvements move forward, NYAP will work with NYRA to coordinate construction schedules and enhance the experience for Belmont Park patrons. For purposes of analysis the FEIS conservatively assumed that both the Proposed Project and NYRA's future renovations will begin construction in 2019 and be completed at or near the same time in 2021. As shown in Table 21-1 of the FEIS, even assuming such simultaneous construction the Proposed Project and NYRA's proposed improvements are not expected to result in any significant adverse cumulative impacts.

NYRA may also pursue night racing at Belmont race track which as stated above, would require a separate authorization by the New York State Legislature. Night racing at Belmont race track would not result in any additional significant adverse impacts because NYAP shall coordinate with NYRA such that night racing would not be scheduled on the same evening as a hockey game, except that night racing and non-hockey arena events could be scheduled on the same evening as long as the aggregate attendance for both events does not exceed the maximum attendance level for a soldout hockey game (18,000 seats), which formed the basis of the reasonable worst-case transportation scenario of the FEIS.

CERTIFICATION OF FINDINGS

Having considered the DEIS and FEIS, including the comments on the DEIS and responses thereto, and comments received on the FEIS, and the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, LIPA finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the New York State Department of Environmental Conservation, 6 NYCRR Part 617, have been met; and

2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions those mitigation measures described in the FEIS and in this Findings Statement.

Agency: The Long Island Power Authority

Prepared by: Christopher Kiernan, Permitting Specialist, PSEG Long Island

Signature of Responsible Officer: /s/ Anna Chacko

Name/Title of Responsible Officer: Anna Chacko, General Counsel

Date: August 19, 2019