Appendix 2.6-1

NYSDOT Comment Response Letter

NEW YORK STATE | Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

RICHARD B. CAUSIN, P.E.
Regional Director

April 10, 2025

Mr. Honorable Howard Kopel, Presiding Officer
And Members of the Nassau County Legislature
Peter J. Schmitt Memorial Legislative Chamber
1550 Franklin Avenue
Mineola, NY 11501

Attn: Michael C. Pulitzer, Clerk of the Nassau County Legislature

Re: Draft Environmental Impact Statement (DEIS)
Sands New York Integrated Resort

Dear Presiding Officer Kopel and Honorable Members of the Nassau County Legislature:

As a follow-up to the correspondence submitted on January 3, 2025, and January 21, 2025, regarding the above-referenced DEIS, the New York State Department of Transportation (NYSDOT) has met with the applicant and its representatives to discuss the various comments offered. The applicant's representatives submitted responses to the comments offered on April 3, 2025. The following is additional information regarding how NYSDOT comments are being addressed.

Comment No. 1: As previously stated in NYSDOT's July 17, 2024, SEQRA Lead Agency Coordination letter to the Nassau County Legislature, pursuant to New York State Highway Law, a NYSDOT Highway Work Permit will be required before any work can occur within the New York State right-of-Way. NYSDOT will review the detailed Highway Work Permit Plans when they become available and provide comments to the applicant.

Response No. 1: As noted in the DEIS (see, for example, Sections 2.7 and 3.5), the requirement for NYSDOT Highway Work Permits were identified. Detailed Highway Work Permit Plans will be prepared for all mitigation proposed within New York State right-of-Way for submission to NYSDOT, based on coordination with NYSDOT and as the design of roadway mitigation progresses.

NYSDOT Response No. 1: This response is acceptable to NYSDOT. NYSDOT looks forward to working with Nassau County and Sands to develop a design that best meets the needs of the development and the traveling public.

Comment No. 2: The proposed traffic mitigation measures include improvements to the Meadowbrook State Parkway (MSP), Northern State Parkway (NSP) and surrounding parkland. Approvals from the New York State Office of Parks, Recreation and Historic Preservation (NYS OPR&HP) may be required. NYS OPR&HP should be an involved agency in the review of this development. By copy of this letter, NYSDOT is informing NYS OPR&HP Regional Director, Mr. George Gorman, of our comments.

Response No. 2: As explained in various section of the DEIS that relate to traffic mitigation (see, for example, Sections 3.1.2.4, 3.3.2.4, 3.7.2.5, and 3.15.11), the Applicant must coordinate with and secure permits from the NYSDOT to implement proposed mitigation measures on the above-referenced parkways. Accordingly, the final design of improvements cannot be accomplished until after the NYSDOT has completed its review of the proposed mitigation and the preliminary design thereof. As also documented in Attachment P in Appendix 3.5-1 the DEIS, based upon review of the mitigation design concepts, all work is proposed within the existing right-of-way of the parkways.

VHB understands that NYSDOT consultation with OPRHP is required.

We understand that you have been in contact with OPRHP Regional Director Gorman, and we have also provided him with a link to the Draft Environmental Impact Statement (DEIS). We have also asked special counsel to the Nassau County Legislature to include OPRHP on the distribution of all SEQR documents relating to the proposed Integrated Resort. Also, see the response to comment 7, below.

NYSDOT Response No. 2: This response is acceptable to NYSDOT. Based on our continued review of the DEIS, NYSDOT also requests that the Metropolitan Transportation Authority (MTA) be made an involved agency to this project as the proposed mitigation along the Meadowbrook State Parkway will impact a Long Island Railroad bridge.

Comment No. 3: What is the cost associated with the proposed traffic mitigation? Section 2.6 of the DEIS states that over $150 million in roadway improvements will be performed. However, this estimate may need to be increased to more accurately reflect the cost of the roadway improvements discussed in the DEIS. It is expected that the anticipated traffic impacts of the development will be fully mitigated by the developer.

Response No. 3: The $150 million construction cost estimate is based the infrastructure improvement commitments made in the DEIS and includes costs of design and construction (including contingency), The construction cost estimates for bridge replacement and widenings were developed using the NYSDOT Preliminary Cost Estimate Worksheet for New and Replacement Bridges in Regions 1-10 and are based on concept-level sketches. The other roadway widenings on the parkway and surface streets and signal cost estimates were developed utilizing information obtained from recently awarded construction projects of similar size and scope, supplier and contractor information, the NYSDOT pay item catalog and the NYSDOT preliminary cost estimating tool. Contingencies appropriate for this scoping stage of the project were utilized. Sands has committed to fund the mitigation identified in the DEIS. As indicated in the DEIS, mitigation on the parkways is under the jurisdiction of the NYSDOT, and it is understood that the ultimate mitigation is subject to coordination with and approval by the NYSDOT. The DEIS indicates that Sands will perform the required mitigation.

NYSDOT Response No. 3: This response is acceptable to NYSDOT. NYSDOT appreciates Sands' willingness to address all mitigation in the DEIS and the associated costs.

Comment No. 4: The Meadowbrook State Parkway improvements will require review and approval from the Federal Highway Administration and is expected to be a Class I or Class II National Environmental Policy Act (NEPA) action.

Response No. 4: Based on our discussion at the March 6, 2025, meeting it is understood that the NYSDOT will make a referral of documentation regarding the proposed improvements to the Federal Highway Administration (FHWA) for their review. The applicant will provide documentation necessary to support the referral to FHWA, as NYSDOT may request and follow any process FHWA identifies as necessary.

NYSDOT Response No. 4: NYSDOT expects to be meeting with the FHWA to further discuss requirements and their review in the coming weeks. NYSDOT will provide additional information after the discussions with FHWA.

Comment No. 5: An Access Modification Report shall be submitted as improvements are proposed to various ramps along the Meadowbrook State Parkway.

Response No. 5: Based on review of the NYSDOT's Project Development Manual, Appendix 8 Access Control & Modifications for Interstates & Other Freeways (revised February 23, 2021) it is understood that an Access Modification Report is required and would be appended to the Design Approval Document for NYSDOT review and approval.

NYSDOT Response No. 5: This response is acceptable to NYSDOT.

Comment No. 6: A full Endangered Species Act Section 7 review will be required.

Response No. 6: The applicant understands that the NYSDOT will review further once detailed plans showing the limits of disturbance are provided. An analysis of the potential impacts of the proposed Integrated Resort on ecological resources was conducted as part of the DEIS (see Section 3.3.2.4). This analysis included an ecological evaluation of areas that may be impacted by implementation of the traffic mitigation measures proposed. Based on the analyses conducted to date by the applicant, a full Endangered Species Act Section 7 review would not be required unless the NYSDOT requires mitigation that requires more disturbance than proposed. As explained in the responses to comments 2 and 4, consultations with OPRHP and FHWA will be undertaken by NYSDOT, and Sands will provide information that NYSDOT may require to conduct those consultations and provide any additional review required.

NYSDOT Response No. 6: This response is acceptable to NYSDOT.

Comment No. 7: The Meadowbrook State Parkway is a National Register Historic Parkway. As such, the improvements will need to be evaluated for compliance with Section 106 of the National Historic Preservation Act and be reviewed by the State Historic Preservation Office (SHPO). Review will also be required by the four tribal nations on Long Island: the Delaware Tribe, the Delaware Nation, the Stockbridge Munsee Band of Mohican Indians and the Shinnecock Nation.

Response No. 7: Please see response to comment 2. Sands will provide necessary information to NYSDOT and/or to OPRHP/SHPO and tribal nations as may be required.

NYSDOT Response No. 7: This response is acceptable to NYSDOT.

Comment No. 8: The DEIS compares traffic volumes from events previously held at Nassau Coliseum with those that will be generated by the Integrated Resort. However, this comparison is based on the highest traffic generation period for the Nassau Coliseum (i.e. a hockey game) and the expected traffic generation on a typical day for the Integrated Resort.

Response No. 8: The Nassau Coliseum counts were provided only as a point of information and were not considered or included in the traffic analyses. All analyses contained in the Traffic Impact Study (TIS - Appendix 3.5-1 of the DEIS), considers a No Build condition with no activity at the site at all, presenting the most conservative analysis of the traffic impacts of the proposed Integrated Resort.

NYSDOT Response No. 8: This response is acceptable to NYSDOT.

Comment No. 9: NYSDOT anticipates that the development will increase traffic volumes on local roads, including Stewart Avenue and Merrick Avenue. The increased traffic volumes will necessitate a traffic signal to be installed at the Maintenance Residency at 925 Stewart Avenue and possibly another at the Maintenance yard near the East Meadow State Police Barracks to provide for an efficient response for both highway maintenance and emergency response. An additional access point from the Maintenance Residency to the Meadowbrook State Parkway should also be provided. Provide a Signal Warrant Analysis for these locations.

Response No. 9: The installation of a new traffic signal is typically contingent on meeting one or more of the Warrants for Signalization as set forth in the Manual on Uniform Traffic Control Devices. A review of traffic volume information in each of the noted locations indicates that the volumes currently on Stewart Avenue as well as Merrick Avenue are currently at levels that would satisfy the main street requirements of the applicable warrants. However, based on the nature and size of the two facilities, it appears unlikely that exiting volumes would approach those required to meet warrants. If the conditions that would warrant the installation of a traffic signal do in fact exist, these conditions exist without the proposed development of the Integrated Resort. The Integrated Resort is not expected to add more than 4 peak hour trips to either of these locations during the commuter peak hours. Notwithstanding the above, Sands has indicated that, if required by NYSDOT, Sands would provide these signals.

NYSDOT Response No. 9: This response is acceptable to NYSDOT. NYSDOT appreciates that Sands would be willing to perform this work.

Comment No. 10: "Logical termini" describing the beginning and end points of the project and the basis of their selection must be provided as the Meadowbrook State Parkway improvements are expected to be a NEPA action. The "logical termini" for this project (and subsequently the additional lane along the Meadowbrook State Parkway) should be the Northern State Parkway and Southern State Parkway.

Response No. 10: Based on discussions at the March 6, 2025 meeting, it is understood that NYSDOT must refer the proposed roadway mitigation to FHWA. The applicant will support this referral by providing NYSDOT with information it may require to support this referral.

NYSDOT Response No. 10: Refer to NYSDOT Response No. 4.

Comment No. 11: The Meadowbrook State Parkway and Southern State Parkway interchange is noted to experience traffic flow breakdowns because of this project during the Saturday Midday and Saturday Evening peak hours. Mitigation to address this breakdown should be proposed. The study notes that the required mitigation to fix this would be a new flyover, which would be outside the scope of the project. NYSDOT recommends that mitigation to address this breakdown be implemented in this project.

Response No. 11: As outlined in the TIS included as Appendix 3.5-1 of the DEIS, VISSIM software was used to model the entire Meadowbrook State Parkway. The capacity constraints associated with the interchange at Meadowbrook State Parkway and Southern State Parkway are noted in the existing condition for this project and have been documented in studies performed for previously proposed projects in this area, including the Lighthouse project in 2008. This “breakdown” is not associated with impacts caused by the Sands project.

As outlined in Appendix 3.5-1, given the significant difference in the amount of project related traffic at the north end of the study area than the south end of the study area (approximately 64% of project related traffic on the Meadowbrook State Parkway is oriented to and from the north, while only 36% of project related traffic on the Meadowbrook State Parkway is oriented to and from the south), the mitigation for this project was focused on adding capacity at the north end of Meadowbrook State Parkway. See Response 25 for a further discussion of the development of the traffic directional distribution.

The mitigation package identified in Appendix 3.5-1 of the DEIS was developed looking at the length of the Meadowbrook State Parkway from the Northern State Parkway south beyond its interchange with the Southern State Parkway and included sections of the Northern State Parkway and Southern State Parkway to each side of the interchanges. The VISSIM modelling effort revealed existing capacity constraints that, in many instances, were worsened by background traffic growth in the future, as well as areas where the proposed Integrated Resort would affect traffic conditions.

It is well understood that, under existing conditions, congestion occurs in areas along the Meadowbrook State Parkway and at its interchanges with the Northern State Parkway and Southern State Parkway. The Meadowbrook State Parkway between the Northern State Parkway and Southern State Parkway is approximately six miles in length with numerous interchanges and bridges. It is unrealistic to expect or require a private development project to conduct mitigation that, in addition to addressing impacts caused by that private development, addresses existing deficiencies that have existed for decades and would continue to worsen in the no-build conditions.

In addition, as with most capacity improvements, increases in capacity on the parkway are associated with the addition of travel lanes. These lanes have capacities on the order of 2,000 passenger vehicles per hour per lane (pvphpl) and can only be added in their entirety. There are only very large increments of capacity increases that can be applied, and the lane additions proposed by Sands greatly exceed that necessary to accommodate impacts of the Integrated Resort. This being the case, significant thought and effort was put into determining where these additional lanes should be provided, accounting for the level of site traffic in that area, as well as the effectiveness of the widening in providing improvements to traffic operations. The provision of additional lanes in both directions over essentially the six-mile length of the parkway provides capacity in excess of that needed to address the impacts of the proposed Integrated Resort. Section 4 of Appendix 3.5-1 details these efforts starting on Page 100.

As an example, to the north of the site on Meadowbrook State Parkway, the maximum site traffic northbound is projected to be 1,200 vehicles on a Saturday evening. The additional lane to be provided as mitigation increases capacity by approximately 2,000 vehicles per hour. This means that the Integrated Resort will only use 60 percent of the added capacity with 40 percent of the capacity of the lane available for the travelling public. During the weekday p.m. peak hour, the projected 900 vehicle trips will use only 45 percent of the lane capacity with the rest available for the traveling public. South of the site, the maximum southbound traffic is 650 vehicles on a Saturday evening, which would represent only one-third of the lane capacity if an additional lane was provided. During the weekday p.m. peak hour, the 475 vehicles at that location represents only 21 percent of the capacity of a lane. In addition, the percentage of site traffic at the north end of the Meadowbrook State Parkway during the peak period that affects impacts and mitigation most directly, the weekday p.m. peak hour, represents 12 percent of background traffic levels, while at the south end, it represents only 6 percent of background traffic levels.

Clearly, the provision of additional capacity at the north end of the parkway, as proposed, has a direct nexus to the impacts of the proposed Integrated Resort, and such nexus does not exist at the south end where the potential project impact is significantly less. Table A below presents the anticipated No-Build volumes in 2030 on segments of the Meadowbrook State Parkway as well as the Northern State Parkway and Southern State Parkway along with the site generated traffic on those sections for the critical weekday p.m. peak period that drives the proposed mitigation. Also presented in Table A is the Sands traffic as a percentage of the background traffic on that segment.

Location	2030 No-Build	2030 Trip Gen	% Sands Traffic Relative to Background Traffic
Northern State Parkway East of Meadowbrook State Parkway	7918	319	4.0%
Northern State Parkway West of Meadowbrook State Parkway	11390	791	6.9%
Meadowbrook State Parkway between Northern State Parkway and Old Country Rd	10450	1110	10.6%
Meadowbrook State Parkway between Old Country Rd and Zeckendorf Blvd	9830	1219	12.4%
Meadowbrook State Parkway between Zeckendorf Blvd and Merchants Concourse	9062	1219	13.5%
Meadowbrook State Parkway between Merchants Concourse and Stewart Ave	8863	1219	13.8%
Meadowbrook State Parkway between Stewart Ave and CD Road	8863	1219	13.8%
Meadowbrook State Parkway between CD Road and Charles Lindbergh Blvd	7442	0	0.0%
Meadowbrook State Parkway between Charles Lindbergh Blvd and Hempstead Tpke	8172	341	4.2%
Meadowbrook State Parkway between Hempstead Turnpike and Southern State Parkway	10034	720	7.2%
Meadowbrook State Parkway between Southern State Parkway and Babylon Tpke	8928	109	1.2%
Southern State Parkway east of Meadowbrook State Parkway	9249	296	3.2%
Southern State Parkway west of Meadowbrook State Parkway	9081	315	3.5%

As can be seen from Table A, the highest concentrations of site traffic on the parkways are expected to occur north of the site, due to the trip arrival and departure patterns noted above. This is true of not only the number of trips but also of the relative percentage of trips when compared to background volumes. Table A demonstrates that the volumes and relative percentages are significantly lower to the south along Meadowbrook State Parkway, as well as on the Northern State Parkway and Southern State Parkway segments east and west of the Meadowbrook State Parkway.

Through the iterative use of modelling of future operations with Vissim, a number of mitigation strategies were tested to identify the most effective, yet reasonable, mitigation strategies to mitigate impacts and address conditions due to background traffic. This effort, in keeping with the site traffic patterns discussed above and presented in Table A, resulted in the proposed mitigation included in the TIS that adds additional lanes to the Meadowbrook State Parkway near the north end of the study area with spot improvements to ramp junctions along the Meadowbrook State Parkway and surface streets near the site.

Notwithstanding the above, as discussed at our March 6, 2025 meeting, we have evaluated the Meadowbrook State Parkways interchange with the Southern State Parkway to determine if there are feasible, additional mitigation measures that Sands could perform to assist with addressing existing traffic issues. Based on this analysis, Sands is offering to construct a deceleration lane at the ramp from the southbound Meadowbrook State Parkway to the westbound Southern State Parkway. This deceleration lane will be approximately 500 feet in length and will commence just south of the Jerusalem Avenue bridge over the Meadowbrook State Parkway. It is noted that an acceleration lane to the northbound Meadowbrook State Parkway from the ramp from the westbound Southern State Parkway already exists.

NYSDOT Response No. 11: This response is acceptable to NYSDOT.

Comment No. 12: A deceleration lane to allow vehicles to merge from the Meadowbrook State Parkway southbound to the Southern State Parkway westbound and an acceleration lane from the Southern State Parkway westbound to the Meadowbrook State Parkway northbound should be provided. This will require the Jerusalem Avenue bridge to be widened to accommodate the additional lanes.

Response No. 12: As explained in response 11, Sands is offering to construct a deceleration lane at the ramp from the southbound Meadowbrook State Parkway to the westbound Southern State Parkway. This deceleration lane will be approximately 500 feet in length and will commence just south of the Jerusalem Avenue bridge over the Meadowbrook State Parkway.

NYSDOT Response No. 12: This response is acceptable to NYSDOT.

Comment No. 13: The improvements on the Meadowbrook State Parkway are stated to be completed prior to full build out of the site. Indicate the impacts of the 2027 Phase 1 build out of the site on the Meadowbrook State Parkway. Will mitigation along the Meadowbrook State Parkway be needed prior to the Phase 1 build out?

Response No. 13: The total anticipated external trip generation for the Integrated Resort is presented in Section 3 of Appendix 3.5-1 (the TIS) of the DEIS in Table 20 and Table 22 for the Full-Build and Phase I conditions, respectively. The total external trip generation from these tables is reproduced in Table B below, along with the percentage of Full-Build that Phase I represents for each of the five analysis periods.

Table B Total External Trip Comparison – Phase I and Full-Build

Peak Hour	Hour	Phase I	Full-Build	Phase I Percent of Full-Build
Weekday AM	7:30 to 8:30 a.m.	401	1,455	27.5%
Weekday PM	5:00 to 6:00 p.m.	580	2,304	25.1%
Friday Evening	6:00 to 7:00 p.m.	847	3,107	27.3%
Saturday Midday	1:15 to 2:15 p.m.	840	3,011	27.9%
Saturday Evening	7:15 to 8:15 p.m.	1,235	4,186	29.5%

As can be seen from Table B, the Phase I trip generation is a relatively small fraction of the Full-Build trip generation during all peak periods representing less than 30% of Full-Build volumes in all cases.

As presented in Section 4 of Appendix 3.5-1 of the DEIS, the Weekday PM peak hour (5:00 p.m. to 6:00 p.m.) represents the time period where both No-Build and Build congestion are most prevalent and is the primary driver of the proposed mitigation. As can be seen in the table above, at that time, Phase I generates only one quarter of the Full-Build traffic or 580 trips. These trips are distributed amongst surface streets and the parkway from and to the north and the south and include exiting and entering trips. The peak direction of site traffic at this hour, exiting from the site, is projected at 339 trips. In the 2023 existing condition, the Meadowbrook State Parkway, moving away from the site to the north and south, accommodates 9,650 vehicles. Were the entirety of the exiting traffic to utilize the parkway (it will in fact be significantly less) this represents 3.5% of background traffic, which is well within the range of normal daily variation and would not have any significant impact on traffic operations. It is also noted that this 580 trips is less than that which would be anticipated to be generated at this time period by a 200,000 square foot retail center.

Based on the above, it is clear that no mitigation measures are necessary to mitigate traffic impacts from Phase I operation of the Integrated Resort on the Meadowbrook State Parkway.

Sands has been evaluating the phasing and development costs associated with the proposed Integrated Resort and is considering modification of its Phase 1 program, as follows:

- Gaming (242,800 SF net gaming area)
- Gaming Circulation and Support (169,952 SF)
- Hotel (215,970 SF – 250 keys)
- Spa (included in hotel square footage)
- Meeting and conference space (90,000 SF)
- Food and Beverage (90,000 SF – 2,000 seats)
- Retail (1,500 SF)
- Performance Venue (58,200 SF – 1,500 seats)
- Support Areas (326,977 SF)
- MEP Areas (210,953 SF)
- Veterans Memorial

As can be seen, the revised Phase 1 program is considerably smaller than the full-build program that was analyzed in the DEIS. The build year for the revised Phase 1 would be 2030, and the remainder of the full-build Integrated Resort would be developed as market conditions and demand allow. Despite when or whether the remaining "full-build" development is actually constructed, all full-build mitigation as identified in the DEIS would be constructed to serve the revised Phase 1 development. This would ensure that required mitigation is in place if and when additional development (i.e., that remaining between the revised Phase 1 identified above and the full-build analyzed in the DEIS) is undertaken.

NYSDOT Response No. 13: This response is acceptable to NYSDOT.

Comment No. 14: The addition of a fourth thru lane on southbound Meadowbrook State Parkway from the Northern State Parkway to Zeckendorf Boulevard and then dropping the lane at Zeckendorf Boulevard will create a bottleneck. Analyze the impacts of extending the additional lane further south.

Response No. 14: See response 11 regarding the process of identifying appropriate mitigation measures along the Meadowbrook State Parkway. As outlined in the Section 4 of the TIS, Appendix 3.5-1 of the DEIS, the traffic operations of the entire Meadowbrook State Parkway from Northern State Parkway to the Sunrise Highway were modeled using VISSIM simulations. This analysis was conducted to identify and document existing operational deficiencies and areas of greatest site-generated traffic impact, which were then used to identify appropriate links and start and end points for each element of the proposed mitigation. The Vissim also accounts for the roadway network processing additional traffic through this area as a result of added capacity with the proposed mitigation and the effect of this additional traffic is captured in the analysis. This analysis indicates a significant improvement by adding the southbound lane from the Northern State Parkway to Zeckendorf Boulevard where it is appropriately terminated as the start of the southbound exit ramp to westbound Zeckendorf Boulevard. The presentation of the VISSIM analysis results is provided in Attachment O of Appendix 3.5-1.

NYSDOT Response No. 14: This response is acceptable to NYSDOT.

Comment No. 15: The increased traffic volumes from this development requires additional mitigation of the Meadowbrook State Parkway south of NYS Route 24. This will include widened shoulders and an additional lane in the northbound and southbound directions.

Response No. 15: See response 11 regarding the process of identifying appropriate effective mitigation measures along the Meadowbrook State Parkway. As outlined in the TIS, Section 4, Appendix 3.5-1 of the DEIS, the operations of the entire Meadowbrook State Parkway from Northern State Parkway to the Sunrise Highway were modeled using VISSIM simulations to determine the existing operational deficiencies and areas of greatest site-generated traffic impact, which were then used to identify appropriate links and start and end points for each element of the proposed mitigation. The overlap of existing congestion and the greatest site-generated traffic occurs to the north of the site. As illustrated in Attachment O of the TIS, and above, the improvements proposed provide additional capacity to address not only site-related impacts but also accommodate a significant volume of non-site related traffic by providing excess capacity in the critical area at the north end of Meadowbrook State Parkway.

NYSDOT Response No. 15: This response is acceptable to NYSDOT.

Comment No. 16: A weaving analysis should be included to show the effects of the improvements at the ramp from the westbound Northern State Parkway to the southbound Meadowbrook State Parkway. In particular, the effects of traffic weaving from the westbound Northern State Parkway to the off ramp to Old Country Road should be considered.

Response No. 16: As outlined above, and in the TIS, Appendix 3.5-1 of the DEIS, the state-of-the-art tool, VISSIM, was used to simulate traffic conditions along the parkway system within the study area for existing and future conditions. This process is described in detail in Section 4 of the TIS beginning on Page 100. The application of VISSIM to the parkway allows simulation of very complex roadway geometry and congested conditions and explicitly includes the effects of the weaving characteristics in a way that a more traditional weaving analysis, through the use of Highway Capacity Software, does not allow. The VISSIM results are summarized in Attachment O of the TIS.

NYSDOT Response No. 16: NYSDOT will coordinate with the applicant as part of the design process to resolve any weaving concerns.

Comment No. 17: Additional mitigation may be needed on the Northern State Parkway between the Meadowbrook State Parkway and Post Avenue in both directions.

Response No. 17: As outlined in the TIS, Appendix 3.5-1 of the DEIS and Attachment O thereof, the operations of the entire Meadowbrook State Parkway, as well as segments of the Northern and Southern State Parkways, were modeled using VISSIM and the results of that analysis were used to develop the mitigation program presented in the DEIS.

The proposed widening of the westbound Northern State Parkway to southbound Meadowbrook State Parkway ramp to eliminate the existing two-to-one lane drop southbound improves conditions on westbound Northern State Parkway between Post Avenue and Meadowbrook State Parkway. In No Build conditions, this lane drop contributes to congestion and queues spill back onto westbound Northern State Parkway. In the proposed mitigation scenario, the widened on-ramp eliminates the lane drop, and thus, the queue spillback onto westbound Northern State Parkway. Comparing No Build and Mitigated conditions, the travel speeds on westbound Northern State Parkway between Post Avenue and Meadowbrook State Parkway are either equivalent to or higher than the No Build condition despite the traffic volume increase.

The proposed widening of the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway to a two-lane ramp significantly improves travel speeds along northbound Meadowbrook State Parkway compared to No Build conditions. Providing additional capacity on the northbound Meadowbrook State Parkway ramp increases the volume throughput onto eastbound Northern State Parkway. During the Weekday AM and Saturday Midday and Evening conditions, travels speeds on eastbound Northern State Parkway between Meadowbrook State Parkway and Post Avenue are comparable between No Build and Proposed Mitigation conditions, despite the traffic volume increase. The eastbound Northern State Parkway would receive more of the No-Build volume demand because the proposed mitigation on the ramp will address the bottleneck on the northbound Meadowbrook State Parkway and allow vehicles currently being held back by congestion to reach the Northern State Parkway eastbound.

In the Weekday PM and Friday Evening conditions, there is No-Build congestion on eastbound Northern State Parkway due to constraints outside the VISSIM study area (i.e., Wantagh State Parkway and farther east). The proposed mitigation of widening the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway addresses the choke point within the study area and improves conditions on northbound Meadowbrook State Parkway to better than No Build conditions. This allows more background volume onto eastbound Northern State Parkway, which adds to congestion caused by No Build traffic. This results in Proposed Mitigation condition speeds that are lower than No Build; however, additional mitigation for this condition would primarily be addressing a No Build traffic constraint. See Response to Comment 18.

NYSDOT Response No. 17: This response is acceptable to NYSDOT.

Comment No. 18: The TIS proposes to widen the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway to a two-lane ramp. How is the added traffic volume onto the eastbound Northern State Parkway addressed? Will the lane drop be relocated further east? The Northern State Parkway should be widened to 3 lanes under the Wantagh State Parkway and then drop to two lanes.

Response No. 18: The proposed widened two-lane ramp from northbound Meadowbrook State Parkway merges onto the existing three-lane eastbound Northern State Parkway over a longer distance than the current condition. The outside ramp lane drops at the location of the existing single-lane ramp drop. The inside ramp lane then drops prior to the Carle Road bridge to avoid impacts to that structure. The proposed mitigation transitions into the existing three-lane section on eastbound Northern State Parkway prior to the Carle Road Bridge and significantly improves the operations of this merge.

With regard to the Northern State Parkway at the Wantagh State Parkway, while this interchange is not within the study area or Vissim model, the site volumes expected to approach the interchange eastbound are projected. During the periods of highest volumes on this section of the Northern State Parkway, the Weekday PM peak and Friday Evening peak, the projected site traffic in this direction is only 152 and 196 vehicles per hour, respectively. A portion of this volume will divert to the Wantagh State Parkway southbound resulting in even lower levels of site traffic that would join the two-lane section of the Northern State Parkway. Therefore, the suggested additional mitigation of widening eastbound Northern State Parkway to three lanes through the Wantagh State Parkway interchange would not be warranted.

NYSDOT Response No. 18: This response is acceptable to NYSDOT.

Comment No. 19: Reducing the northbound thru lanes on the Meadowbrook State Parkway from three to two south of Stewart Avenue and adding a lane on the Meadowbrook State Parkway C-O Road may create a bottleneck on northbound Meadowbrook State Parkway. Analyze the impacts of extending the additional lane further north.

Response No. 19: See response 11 regarding the process of identifying appropriate effective mitigation measures along the Meadowbrook State Parkway. While the detailed analysis indicates that no such bottleneck would exist, based on this input, as well as a request from the Town of Hempstead, Sands has agreed to eliminate this proposed mitigation. The condition that this mitigation was designed to address is limited to the Saturday evening period and affects mostly Sands site-related traffic and some limited congestion that forms on the C-D road during that limited period.

NYSDOT Response No. 19: NYSDOT will review the proposed alternatives as part of the design review process.

Comment No. 20: The TIS proposes to widen the north end of the northbound Meadowbrook State Parkway C-D Road. The existing northbound Meadowbrook State Parkway travel lane would be dropped prior to the C-D Road merge. An alternative to this should be recommended. The Meadowbrook State Parkway needs to be maintained for other purposes, such as a coastal evacuation or alternate route for incident management (for example if the Wantagh State Parkway closes).

Response No. 20: See response to comment 19.

NYSDOT Response No. 20: This response is acceptable to NYSDOT.

Comment No. 21: The proposed two lanes on the C-D Road will require the widening of the Stewart Avenue bridge in both directions. The Meadowbrook State Parkway lanes under Merchants Concourse will also need to be widened to maintain traffic flow on the Meadowbrook State Parkway.

Response No. 21: See response to comment 19.

NYSDOT Response No. 21: This response is acceptable to NYSDOT.

Comment No. 22: Consider as part of the traffic analysis the increase in delays that will be caused by the proposed two lane entrance ramp from northbound Meadowbrook State Parkway to eastbound Northern State Parkway

Response No. 22: See Response 18. Provision of a second northbound lane on Meadowbrook State Parkway to eastbound Northern State Parkway will reduce the delays for this movement that are currently caused by the limited capacity. These results are outlined in the TIS Section 4 and Attachment O, which includes the VISSIM results.

NYSDOT Response No. 22: This response is acceptable to NYSDOT.

Comment No. 23: The northbound Meadowbrook State Parkway on-ramp at Old Country Road should be lengthened to eastbound Northern State Parkway to form the second off-ramp lane.

Response No. 23: As explained on Pages 104 and 105 of the TIS (Appendix 3.5-1 of the DEIS), this improvement is already proposed by Sands as a mitigation measure and is presented graphically on a concept sketch in Attachment P of the TIS.

NYSDOT Response No. 23: This response is acceptable to NYSDOT.

Comment No. 24: Provide a pole loading analysis for all intersections where the traffic signal is being modified. The traffic signal improvements may require that the signals are fully rebuilt. Detailed traffic signal plans shall be provided for each signal being modified as part of the Highway Work Permit plan set.

Response No. 24: This information will be provided as part of the detailed Highway Work Permit Plans that will be submitted to NYSDOT.

NYSDOT Response No. 24: This response is acceptable to NYSDOT.

Comment No. 25: Provide the reasoning behind how the distribution of trips generated by the Integrated Resort was selected. NYSDOT believes that a higher than projected share of the trips will use the Southern State Parkway to access the Integrated Resort.

Response No. 25: A detailed description of the trip distribution methodology was included on page 68 of the TIS (Section 3.5-1 of the DEIS). The distribution was developed based on an up to two-hour capture area for casino patrons and hotels trips based on travel times derived from commercially available travel mapping applications and available and likely routes to and from the site of the Integrated Resort.

As discussed in the TIS, the evaluation of the proposed Integrated Resort utilizes two basic directional distributions derived from census population data accounting for distance to the site (gravity model). There is a regional distribution applied to casino and hotel patrons and a local distribution applied to other components, with the exception of coach buses, shuttle buses and deliveries. These two distributions were refined with the use of a detailed ArcGIS Pro Project. ArcGIS Pro Project allowed for the spatial distribution of populations of a multitude of Census Designated Places within the drawing area to be assigned to a particular route or routes and allowed the relative proportions of the total population on a particular route to be calculated. This exercise provided a data based foundation for the directional distributions used in the TIS, which correctly reflects a bias to and from the north, reflective of population centers and the presence of the Northern State Parkway and Long Island Expressway north of the site.

In addition, consultations with Sands were held to confirm that the distributions were consistent with the expectations of their proprietary market studies performed for the site.

NYSDOT Response No. 25: This response is acceptable to NYSDOT.

Comment No. 26: Provide a summary table of the intersections where the overall level of service degraded under the build condition and the proposed mitigation measures.

Response No. 26: Table 24 (Page 75) through Table 28 (Page 87) of the TIS (Appendix 3.5-1 of the DEIS) contain the overall levels of service related to the proposed Integrated Resort for the Build condition. Mitigation measures identified to address projected impacts are summarized in Table 29 on Pages 93 and 94 of the TIS.

NYSDOT Response No. 26: This response is acceptable to NYSDOT.

Comment No. 27: Include a table of contents, with page numbers, in the Signal Timings and Phasing attachment to the Traffic Impact Study, Attachment S.

Response No. 27: VHB has provided NYSDOT a complete Attachment S with a Table of Contents and page numbers via email on February 27, 2025.

NYSDOT Response No. 27: This response is acceptable to NYSDOT.

Comment No. 28: Indicate the meaning of the color-coded highlights on the signal timing sheets in the Signal Timings and Phasing attachment to the TIS, Attachment S

Response No. 28: The highlighted sections on the signal timing sheets were placed to identify for VHB personnel performing the study the timing plans as they were used in coding the Synchro analysis models. The colors have no significance other than to identify internal to VHB that the timing plan in question was reflected in the model.

NYSDOT Response No. 28: This response is acceptable to NYSDOT.

Comment No. 29: Include proposed timing sheets for the impacted signals in the Signal Timings and Phasing attachment to the TIS, Attachment S. Any proposed timing changes, including cycle time, offset, split times, etc. should be incorporated into the revised timing plans.

Response No. 29: Signal timing plans for all locations where signal timing changes are proposed as part of mitigation will be included with Highway Work Permit Plans prepared for all physical mitigation proposed within New York State right-of-Way.

NYSDOT Response No. 29: This response is acceptable to NYSDOT.

Comment No. 30: The LOS comparison tables in Attachment M to the TIS appear to be missing for the Holiday Weekday PM and Holiday Saturday Midday peak periods. These should be included.

Response No. 30: The requested information was provided in the TIS, DEIS Appendix 3.5-1, Attachment M.

NYSDOT Response No. 30: This response is acceptable to NYSDOT.

Comment No. 31: Submit the Synchro files used in the traffic analysis for review.

Response No. 31: VHB has provided NYSDOT a complete set of Synchro files used in the analysis via email on February 27, 2025.

NYSDOT Response No. 31: This response is acceptable to NYSDOT.

Comment No. 32: Submit a "network/system" simulation model to ensure that the signal systems along the State Highways and the NYS Parkways will continue to operate in an acceptable manner.

Response No. 32: A Synchro SimTraffic simulation model has been run for each of the state highways and has been provided to NYSDOT via email on February 27, 2025. In addition, a complete set of Vissim files used in the analysis of parkways and ramps was provided to NYSDOT via email on March 12, 2025.

NYSDOT Response No. 32: This response is acceptable to NYSDOT.

Comment No. 33: An additional westbound right turn lane or additional storage length may need to be considered at the intersections of NYS Route 24 and the Memorial Sloan Kettering entrance & Cunningham Avenue.

Response No. 33: As illustrated in Tables 24 to 28 of the TIS, the Synchro analysis findings do not demonstrate the need for an additional westbound right turn lane. This movement operates at level of service A with queues of only 50 feet.

NYSDOT Response No. 33: This response is acceptable to NYSDOT.

Comment No. 34: The Meadowbrook State Parkway southbound ramp to NYS Route 24 eastbound may need to be increased in radius. The eastbound NYS Route 24 to southbound Meadowbrook State Parkway onramp may need to be moved over to accommodate that improvement.

Response No. 34: The proposed Integrated Resort does not add any traffic to this movement, which is from the north and then away from the site on Hempstead Turnpike, and the TIS and makes no reference to the radius of that ramp. Figures V-D-1 through V-D-5 in Attachment F to the TIS present the traffic assignment along the Parkway for the proposed Integrated Resort.

NYSDOT Response No. 34: This response is acceptable to NYSDOT.

Comment No. 35: The southbound approach at NYS Route 24 and Glenn Curtiss Boulevard/Site Access, exiting the site, provides two left turn lanes and a shared right-thru lane. This will remove the existing dedicated right turn lane. This may require additional green time at the signal for vehicles exiting the venue and should be analyzed and discussed in the analysis.

Response No. 35: Given the overall site layout and proposed locations of access points and parking garages, the southbound right turn movement at this location is not expected to accommodate significant volume (a maximum of 20 vehicles during the commuter peak hours), so the proposed lane allocation is an efficient operation for that approach.

NYSDOT Response No. 35: This response is acceptable to NYSDOT.

Comment No. 36: The TIS proposes to restrict westbound U-turn movements at NYS Route 24 and Glenn Curtiss Boulevard/Site Access. Experience shows that such restrictions are rarely adhered to. Please explain the justification for this modification.

Response No. 36: As discussed at our meeting of March 26, 2025, we have reevaluated the traffic operations at this location and determined that the anticipated U-turn volumes at this location can be accommodated at this location with further minor signal timing adjustments. Therefore, the proposed restriction of U-turns at this location is being withdrawn.

NYSDOT Response No. 36: This response is acceptable to NYSDOT.

Comment No. 37: The TIS proposes to extend the deceleration lane for eastbound NYS Route 24 to southbound Meadowbrook State Parkway and to extend the acceleration lane for the ramp for southbound Meadowbrook State Parkway to eastbound NYS Route 24. The added length of the lane and taper may impact the loop ramp and acceleration lane for the westbound NYS Route 24 to southbound Meadowbrook State Parkway loop ramp. The extension of the acceleration lane should be verified with current design standards.

Response No. 37: As indicated above, there is no mitigation recommended to the ramp for the southbound Meadowbrook State Parkway to eastbound NYS Route 24 ramp in the TIS. Thus, there would be no potential for impacts to the westbound NYS Route 24 to southbound parkway loop ramp acceleration lane.

NYSDOT Response No. 37: This response is acceptable to NYSDOT.

Comment No. 38: An analysis of additional lanes along NYS Route 24 should be considered to Merrick Avenue. One lane should be added up to the Meadowbrook State Parkway northbound off ramp. An acceleration/deceleration lane should be considered on the bridge in both directions, in addition to a thru lane.

Response No. 38: As shown in Tables 24 to 28 of the TIS, the operations along NYS Route 24 are typically LOS D/E during the commuter peak hours under the No Build and Build condition. Overall delays increase by fewer than 2 seconds during the commuter peaks. Thus, no additional widening is required.

NYSDOT Response No. 38: This response is acceptable to NYSDOT.

Comment No. 39: An analysis of continuous additional lanes along NYS Route 24 in both directions between the Meadowbrook State Parkway and Earle Ovington Boulevard should be provided.

Response No. 39: As shown in Attachment M of the TIS, the operations along NYS Route 24 currently include long delays for eastbound and westbound vehicles. With the implementation of the proposed mitigation, many of these eastbound and westbound delays decrease during the commuter peak hours. Thus, no additional widening is required. In addition, project related traffic along NYS Route 24 is significantly lower than project related traffic for past development proposals for the site, which had more local and regional traffic oriented along NYS Route 24. As explained above, more of Sands traffic will be oriented to and from the north with less impact to NYS Route 24.

NYSDOT Response No. 39: This response is acceptable to NYSDOT.

Comment No. 40: Based on the information provided in the TIS, Merrick Avenue needs further study and mitigation. Existing delays on Merrick Avenue back traffic up to the intersection NYS Route 102 and Merrick Avenue, which would be increased because of traffic from the development.

Response No. 40: As shown in Attachment M of the TIS, there is no increase in delays for thru movements on Merrick Avenue at the Merrick Avenue/Hempstead Turnpike intersection during the commuter peaks as a result of the proposed Integrated Resort.

NYSDOT Response No. 40: This response is acceptable to NYSDOT.

Comment No. 41: Based on the traffic volumes expected by the TIS, additional analysis should be provided for Park Boulevard/East Meadow Avenue. Traffic volumes on this roadway may cause delays on NYS Routes 24 and 102 under the full build condition.

Response No. 41: As shown in Attachment M of the TIS, delays for thru movements on Park Boulevard and East Meadow Avenue are anticipated to improve from No Build conditions to the Build condition with mitigation.

NYSDOT Response No. 41: This response is acceptable to NYSDOT.

Comment No. 42: The proposed Transportation Demand Management strategies discussed may not have the assumed impacts that are included in the TIS. The developer should document how and to what extent the expected mitigation will address the impacts of the development for further review.

Response No. 42: The Transportation Demand Management strategies include commitments (such as a dedicated shuttle to and from the Hempstead LIRR Station and longer-range coach buses) to reduce site traffic impacts. The mode share assumptions discussed and utilized in the development of project trip generation in Section 3 of the TIS are intentionally modest to provide a conservative analysis and reflect between 85 percent and 95 percent of persons travelling to and from the site by private automobile or rideshare (depending on trip type) with relatively small percentages arriving by public bus, Sands LIRR shuttle or coach bus as discussed starting on page 61 and presented in Table 12 of the TIS.

The mitigation package identified in the TIS addresses project impacts on surface roadways and intersections as noted in Section 4 and discussed in response 11 above. With regard to the parkways, as discussed and presented starting on page 100 of the TIS, given the significant difference in the amount of project related traffic at the north end of the study area than the south end of the study area (approximately 64 percent of project related traffic on the Meadowbrook State Parkway is oriented to and from the north, while only 36 percent of project related traffic on the Meadowbrook State Parkway is oriented to and from the south), the mitigation for this project was focused on adding capacity at the north end of Meadowbrook State Parkway. As noted in Section 4 of the TIS, the proposed mitigation measures are focused on providing improvements north of the site where site volumes are highest and investments can result in the most significant improvements in traffic conditions for visitors and the motoring public in general. The proposed capacity improvements address deficiencies present today and the project demand only uses a portion of the capacity associated with the widening that Sands is committed to providing.

NYSDOT Response No. 42: This response is acceptable to NYSDOT.

Comment No. 43: A Use & Occupancy permit may be required if additional landscaping or improvements within State ROW are proposed or if State ROW is used to meet zoning requirements.

Response No. 43: No part of the State right-of-way is proposed to be used to meet zoning requirements. In the event that the final design of roadway mitigation requires additional landscaping or improvements in the right-of-way that would necessitate a Use and Occupancy permit, same would be applied for.

NYSDOT Response No. 43: This response is acceptable to NYSDOT.

Comment No. 44: The TIS indicates that the developer is committed to working with Nassau County on the County's Bus Rapid Transit (BRT) implementation near the Integrated Resort. NYSDOT believes that all options to reduce the need for vehicle trips should be considered. Continue working with Nassau County to coordinate the Integrated Resort with the BRT system.

Response No. 44: Sands will continue working with Nassau County on the proposed BRT system.

NYSDOT Response No. 44: This response is acceptable to NYSDOT.

Comment No. 45: Develop the Highway Work Permit plans in accordance with the NYSDOT Project Design Manual. Each of the proposed improvements within State right-of-Way, including replacement of multiple bridges, modifying ramps, and traffic signal modifications, will require extensive coordination.

Response No. 45: As previously indicated, Sands and its representatives will continue to coordinate with the NYSDOT, and Highway Work Permit Plans will be prepared and submitted to NYSDOT for all mitigation proposed within New York State right-of-way.

NYSDOT Response No. 45: This response is acceptable to NYSDOT.

Comment No. 46: The "Long Island Historic Treatment Guidelines 2021" will also need to be followed for the proposed improvements along the Meadowbrook State Parkway. This includes specific design elements for bridges, guiderail, light posts, signs, etc.

Response No. 46: The Highway Work Permit Plans developed for improvements along the Meadowbrook State Parkway will follow applicable standards and guidelines.

NYSDOT Response No. 46: This response is acceptable to NYSDOT.

Comment No. 47: A future shared use path (SUP) is planned on both sides of the Meadowbrook State Parkway. The widening should maintain sufficient ROW to accommodate the SUP within the turf, shoulder and vegetated area buffer of the Parkway.

Response No. 47: As discussed at the March 6, 2024 meeting, the future SUP is planned only south of Hempstead Turnpike. During the development of permit plans for any mitigation along the Meadowbrook State Parkway, coordination will be undertaken with NYSDOT to allow for potential construction of the SUP by the NYSDOT in the future.

NYSDOT Response No. 47: This response is acceptable to NYSDOT.

Comment No. 48: The limits of disturbance in Appendix 3.1-7 show that tree removals are proposed along the State Parkway. The tree removals may require concurrence from NYS OPR&HP and/or the United States Fish and Wildlife Service.

Response No. 48: Based on discussions at the March 6, 2025 meeting, it is understood that consultation with New York State Office of Parks, Recreation and Historic Preservation (NYS OPR&HP) as well as the United States Fish and Wildlife Service (USFWS) may be required. Sands will provide information as may be requested by the NYSDOT to facilitate this consultation.

NYSDOT Response No. 48: Refer to NYSDOT Response No. 4.

Comment No. 49: Damage or removal of vegetation as a result of the project may require a full replacement. The existing mature plantings along the Meadowbrook State Parkway screen commercial development along the Parkway from view.

Response No. 49: Sands understands that vegetation impacts will be reviewed and that replacement may be required. This will be determined during the design process with NYSDOT.

NYSDOT Response No. 49: This response is acceptable to NYSDOT.

Comment No. 50: Section 1.3.12 of the DEIS states that "views of the proposed Integrated Resort from historic resources would be present, but not out of character with the existing development of the area, which is already seen from the existing historic resources. Further, the presence of the proposed Integrated Resort would not result in changes to the current or past uses or the aesthetic character of historic buildings." Provide concurrence of this statement from NYS OPR&HP.

Response No. 50: Section 1.3.12 of the DEIS is a part of the Executive Summary. The introduction to the Executive Summary explains that, among other things:

This executive summary, while a critical component of the DEIS, cannot substitute for the review of the detailed existing conditions and technical analyses presented throughout the document, as it is designed primarily to provide a concise overview. The technical analyses cannot be fully represented in the limited scope of an executive summary. The executive summary highlights key elements of the DEIS, as required by the SEQR regulations and set forth in The SEQR Handbook, (New York State Department of Environmental Conservation, Fourth Edition, 2020), and briefly summarizes the proposed action; the purpose, need and benefits; the environmental setting; significant beneficial and adverse impacts; mitigation measures proposed; and alternatives considered. It does not refer to or reproduce figures, tables or appendices that are relevant to a full understanding of the analyses contained in the DEIS. It is essential that involved agencies and interested parties review the entire DEIS to fully understand the proposed action and its purpose need and benefits, relevant existing environmental conditions, potential impacts, mitigation measures identified to minimize potential impacts, and the alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed action performed in the following sections of this DEIS.

Section 3.11 and its associated figures and appendices provide an evaluation of potential visual impacts, including to documented historic resources that may have views of the proposed Integrated Resort.

Also see response to comment 2.

NYSDOT Response No. 50: This response is acceptable to NYSDOT.

Comment No. 51: Consider removing the abandoned LIRR bridge over the Meadowbrook State Parkway.

Response No. 51: While it is our understanding that this structure has not been utilized in decades, the development of the proposed project has no impact in this location and there is no connection between this project and the removal of the bridge.

NYSDOT Response No. 51: This response is acceptable to NYSDOT.

Comment No. 52: There are several environmental justice communities surrounding the project area. All mitigation measures must be considered to reduce impacts to the communities and the environmental justice procedure according to Executive Order 12898 must be followed. For reference, the census block groups for the surrounding area are 15000US360594073024, 15000US360594073023, 15000US360594073021, 15000US360594072041, 15000US360594073012, 15000US360594072043, 15000US360594073022.

Response No. 52: New York State has identified a number of Potential Environmental Justice Areas (PEJA) and Disadvantaged Communities (DAC) (see DEIS Figures 42 and 47). The DEIS documents their locations and provides impact analyses in various sections of the DEIS (see, for example, Sections 3.6, 3.15, and 4.0).

With respect to the Executive Order cited in the comment, on January 21, 2025, President Trump issued an Executive Order, entitled *ENDING ILLEGAL DISCRIMINATION AND RESTORING MERIT-BASED OPPORTUNITY*. Section 3 of that Executive Order states, in pertinent part:

Sec. 3. Terminating Illegal Discrimination in the Federal Government. (a) The following executive actions are hereby revoked:

(i) Executive Order 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations)

Accordingly, Executive Order 12898 has been revoked. In addition, as noted earlier, at the present time, it is not anticipated that any federal approvals or funding would be required.

NYSDOT Response No. 52: This response is acceptable to NYSDOT.

Comment No. 53: The Meadowbrook State Parkway improvements will result in the highway being closer to surrounding residences. A noise study of this area should be performed and was not included in the DEIS Section 1.3.7. A noise wall or other measures may need to be considered to mitigate the noise impacts of the additional traffic and lanes on the Parkway.

Response No. 53: Section 1.3.7 is the Executive Summary, which, as explained in the response to comment 50, is merely a summary. Projected noise impacts from proposed roadway mitigation is addressed in Section 3.7.2.5 DEIS.

NYSDOT Response No. 53: NYSDOT will coordinate with Sands further regarding potential noise mitigation measures once detailed design plans for the work on the Meadowbrook State Parkway have been developed.

Comment No. 54: Does the air quality analysis include the increased traffic that will be generated by the site on the Meadowbrook State Parkway and other roadways?

Response No. 54: Yes, the air quality assessment, presented in Section 3.6 of the DEIS, addressed potential impacts from mobile sources (vehicle trips) on ambient air quality at the microscale (intersection) level, potential impacts from mobile sources on ambient air quality at the mesoscale (regional) level, and potential impacts of emissions from parking.

NYSDOT Response No. 54: This response is acceptable to NYSDOT.

Comment No. 55: Nassau County is in attainment for CO as of 2022. The County is specified as being a maintenance area in DEIS Section 3.6.1.3. Nassau County is no longer designated as a maintenance area for carbon monoxide (CO).

Response No. 55: VHB agrees, however, there has been some confusion regarding the attainment status of Nassau County for CO. 40 CFR §81.333 states that Nassau County is in attainment for CO – https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-81/subpart-C/section-81.333. However, the USEPA's Green Book publication lists it being as an attainment-maintenance area-- https://www3.epa.gov/airquality/greenbook/cbcty.html. Given that "General Conformity" is only applicable to federal actions, the USEPA Green Book would not be applicable to this project unless a federal action is identified.

NYSDOT Response No. 55: Refer to NYSDOT Response No. 4.

Comment No. 56: Provide an updated letter from NYSDEC regarding the Article 24 Freshwater Wetlands Permit for roadway improvement. DEIS Appendix 3.3-1 contains an outdated letter to Mr. Rob Marsh of NYSDEC dated July 18, 2008.

Response No. 56: Section 3.3.2.4 of the DEIS discusses the aforesaid letter and assesses the potential impacts of the proposed traffic mitigation on regulated wetlands. That Section states, in pertinent part:

The Environmental Resource Mapper further indicates that freshwater wetlands associated with the Meadow Brook and subject to NYSDEC regulation under Article 24 of the Environmental Conservation Law and its implementing regulations (6 NYCRR Part 663) occur in the vicinity of the Hempstead Turnpike/Meadowbrook State Parkway interchange traffic mitigation area. Pursuant to 6 NYCRR Part 663.2(b), a Freshwater Wetlands Permit is required for regulated land uses and activities that occur within 100 feet of regulated freshwater wetlands. However, until the specific mitigation measures are designed, in coordination with the NYSDOT (which has jurisdiction over these roadways), the precise limits of disturbance cannot be determined. Nevertheless, any proposed work occurring within NYSDEC jurisdictional areas would be subject to review, permitting, and any applicable avoidance, minimization, and mitigation measures for the protection of regulated resources, as determined by the NYSDEC. The precise limits of disturbance would be determined upon completion of the mitigation design, and formal consultations would be undertaken with the NYSDEC at that time to obtain an Article 24 Freshwater Wetlands Permit, if necessary.

It should be noted that, as part of the 2009 Draft Generic Environmental Impact Statement for the Lighthouse at Long Island project, more extensive traffic mitigation with a greater degree of potential impacts to regulated freshwater wetland resources was contemplated for this area. During a July 15, 2008 pre-application meeting for the Lighthouse at Long Island project, the NYSDEC indicated that significant impediments to the issuance of a Freshwater Wetlands permit for the project were not anticipated, provided that drainage and water quality improvements required under the NYSDEC General Permit for Stormwater Discharges from Construction Activities were implemented (see Appendix 3.3-1). The currently proposed traffic mitigation measures would result in fewer impacts to regulated resources than those proposed under the Lighthouse at Long Island project and would be conducted in accordance with all applicable requirements and conditions of the NYSDEC General Permit for Stormwater Discharges from Construction Activities.

NYSDOT Response No. 56: This response is acceptable to NYSDOT.

Comment No. 57: Additional energy mitigation, including solar and wind alternatives, should be considered. Section 1.3.13 of the DEIS considers solar alternatives, however, they could be extended to SUP's and overhang areas. Vertical wind energy should also be considered.

Response No. 57: Section 1.3.13 is the Executive Summary section of the DEIS and, as a summary, does not provide the complete technical analyses conducted nor does it discuss all mitigation. Please see Sections 3.13 and 3.14 for additional information on energy conservation and sustainability measures incorporated into the proposed Integrated Resort.

NYSDOT Response No. 57: This response is acceptable to NYSDOT.

Comment No. 58: Irrigation demands are anticipated to be approximately 62,000 gallons per day. Reduction to irrigation needs should be part of a mitigation plan which can include native plants, rain swells, rain gardens, grey water systems etc. Statements of native flora, meadows, and no mow zones were to be included in the new pervious area of 15.7 acres.

Response No. 58: Section 3.3 of the DEIS provides a discussion of the proposed landscape plan (included in Appendix 3.3-1), the native species to be planted and other measures to minimize potential impacts. Proposed water conservation measures are discussed in Sections 2.0 and 3.2 of the DEIS.

NYSDOT Response No. 58: This response is acceptable to NYSDOT.

Comment No. 59: Section 3.2.2 of the DEIS estimates that the cone of depression in the water table will be up to half a mile from the site. Will an impact to the surrounding community or wells be anticipated?

Response No. 59: A test well has been installed by H2M, and the FEIS will include additional analyses of the cone of depression and anticipated impacts from the proposed new water supply well.

NYSDOT Response No. 59: This response is acceptable to NYSDOT.

Comment No. 60: Mitigation measures should be developed to include recharging of the sole source aquifer based on what is being taken from the new water supply well as there has been an ongoing water deficit. Figure 11 discusses mitigation measures, but a quantitative analysis should be provided.

Response No. 60: H2M prepared a water balance assessment, which is included in Section 3.2 of the DEIS.

NYSDOT Response No. 60: This response is acceptable to NYSDOT.

NYSDOT will coordinate with Sands directly regarding the design review of this development and will keep Nassau County informed as the design review progresses.

Sincerely,

M.T. VIJAYENDRAN, P.E.
Regional Traffic Engineer

CC: Ms. Terri Elkowitz, Senior Principal, VHB
Mr. Patrick Lenihan, Director of Transportation, VHB

Attachment: DEIS Comment Response Letter dated April 3, 2025

April 3, 2025

Re: 26841.01

Mr. M.T. Vijayendran, PE
Regional Traffic Engineer
New York State Department of Transportation
250 Veterans Memorial Highway
Hauppauge, NY 11788

Re: NYSDOT DEIS Review Comments of January 3, 2025
Sandy New York Integrated Resort
NYSDOT Case No. 249380P

Dear Mr. Vijayendran:

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. is in receipt of your correspondence dated January 3, 2025 to Mr. Michael C. Pulitzer, Clerk for the Nassau County Legislature regarding the Draft Environmental Impact Statement (DEIS) prepared for the Sands New York Integrated Resort. We have reviewed the comments in the letter and discussed some of them during a virtual meeting on January 21, 2025. Following that meeting, we participated in an in-person meeting to discuss a number of comments in detail at your offices on March 6, 2025. This letter reflects these discussions, as we work collaboratively to resolve the issues raised by the NYSDOT, such that the Final Environmental Impact Statement (FEIS) can include responses that are acceptable to the NYSDOT. Comments and responses follow.

Comment No. 1: As previously stated in NYSDOT's July 17, 2024, SEQRA Lead Agency Coordination letter to the Nassau County Legislature, pursuant to New York State Highway Law, a NYSDOT Highway Work Permit will be required before any work can occur within the New York State right-of-Way. NYSDOT will review the detailed Highway Work Permit Plans when they become available and provide comments to the applicant.

Response No. 1: As noted in the DEIS (see, for example, Sections 2.7 and 3.5), the requirement for NYSDOT Highway Work Permits were identified. Detailed Highway Work Permit Plans will be prepared for all mitigation proposed within New York State right-of-Way for submission to NYSDOT, based on coordination with NYSDOT and as the design of roadway mitigation progresses.

Comment No. 2: The proposed traffic mitigation measures include improvements to the Meadowbrook State Parkway (MSP), Northern State Parkway (NSP) and surrounding parkland. Approvals from the New York State Office of Parks, Recreation and Historic Preservation (NYS OPR&HP) may be required. NYS OPR&HP should be an involved agency in the review of this development. By copy of this letter, NYSDOT is informing NYS OPR&HP Regional Director, Mr. George Gorman, of our comments.

Response No. 2: As explained in various section of the DEIS that relate to traffic mitigation (see, for example, Sections 3.1.2.4, 3.3.2.4, 3.7.2.5, and 3.15.11), the Applicant must coordinate with and secure permits from the NYSDOT to implement proposed mitigation measures on the above-referenced parkways. Accordingly, the final design of improvements cannot be accomplished until after the NYSDOT has completed its review of the proposed mitigation and the preliminary design thereof. As also documented in Attachment P in Appendix 3.5-1 the DEIS, based upon review of the mitigation design concepts, all work is proposed within the existing right-of-way of the parkways.

VHB understands that NYSDOT consultation with OPRHP is required.

We understand that you have been in contact with OPRHP Regional Director Gorman, and we have also provided him with a link to the Draft Environmental Impact Statement (DEIS). We have also asked special counsel to the Nassau County Legislature to include OPRHP on the distribution of all SEQR documents relating to the proposed Integrated Resort. Also, see the response to comment 7, below.

***Comment No. 3*: What is the cost associated with the proposed traffic mitigation? Section 2.6 of the DEIS states that over $150 million in roadway improvements will be performed. However, this estimate may need to be increased to more accurately reflect the cost of the roadway improvements discussed in the DEIS. It is expected that the anticipated traffic impacts of the development will be fully mitigated by the developer.**

Response No. 3: The $150 million construction cost estimate is based the infrastructure improvement commitments made in the DEIS and includes costs of design and construction (including contingency), The construction cost estimates for bridge replacement and widenings were developed using the NYSDOT Preliminary Cost Estimate Worksheet for New and Replacement Bridges in Regions 1-10 and are based on concept-level sketches. The other roadway widenings on the parkway and surface streets and signal cost estimates were developed utilizing information obtained from recently awarded construction projects of similar size and scope, supplier and contractor information, the NYSDOT pay item catalog and the NYSDOT preliminary cost estimating tool. Contingencies appropriate for this scoping stage of the project were utilized. Sands has committed to fund the mitigation identified in the DEIS. As indicated in the DEIS, mitigation on the parkways is under the jurisdiction of the NYSDOT, and it is understood that the ultimate mitigation is subject to coordination with and approval by the NYSDOT. The DEIS indicates that Sands will perform the required mitigation.

Comment No. 4: The Meadowbrook State Parkway improvements will require review and approval from the Federal Highway Administration and is expected to be a Class I or Class II National Environmental Policy Act (NEPA) action.

Response No. 4: Based on our discussion at the March 6, 2025 meeting it is understood that the NYSDOT will make a referral of documentation regarding the proposed improvements to the Federal Highway Administration (FHWA) for their review. The applicant will provide documentation necessary to support the referral to FHWA, as NYSDOT may request and follow any process FHWA identifies as necessary.

Comment No. 5: An Access Modification Report shall be submitted as improvements are proposed to various ramps along the Meadowbrook State Parkway.

Response No. 5: Based on review of the NYSDOT's Project Development Manual, Appendix 8 Access Control & Modifications for Interstates & Other Freeways (revised February 23, 2021) it is understood that an Access Modification Report is required and would be appended to the Design Approval Document for NYSDOT review and approval.

Comment No. 6: A full Endangered Species Act Section 7 review will be required.

Response No. 6: The applicant understands that the NYSDOT will review further once detailed plans showing the limits of disturbance are provided. An analysis of the potential impacts of the proposed Integrated Resort on ecological resources was conducted as part of the DEIS (see Section 3.3.2.4). This analysis included an ecological evaluation of areas that may be impacted by implementation of the traffic mitigation measures proposed. Based on the analyses conducted to date by the applicant, a full Endangered Species Act Section 7 review would not be required unless the NYSDOT requires mitigation that requires more disturbance than proposed. As explained in the responses to comments 2 and 4, consultations with OPRHP and FHWA will be undertaken by NYSDOT, and Sands will provide information that NYSDOT may require to conduct those consultations and provide any additional review required.

Comment No. 7: The Meadowbrook State Parkway is a National Register Historic Parkway. As such, the improvements will need to be evaluated for compliance with Section 106 of the National Historic Preservation Act and be reviewed by the State Historic Preservation Office (SHPO). Review will also be required by the four tribal nations on Long Island: the Delaware Tribe, the Delaware Nation, the Stockbridge Munsee Band of Mohican Indians and the Shinnecock Nation.

Response No. 7: Please see response to comment 2. Sands will provide necessary information to NYSDOT and/or to OPRHP/SHPO and tribal nations as may be required.

Comment No. 8: The DEIS compares traffic volumes from events previously held at Nassau Coliseum with those that will be generated by the Integrated Resort. However, this comparison is based on the highest traffic generation period for the Nassau Coliseum (i.e. a hockey game) and the expected traffic generation on a typical day for the Integrated Resort.

Response No. 8: The Nassau Coliseum counts were provided only as a point of information and were not considered or included in the traffic analyses. All analyses contained in the Traffic Impact Study (TIS - Appendix 3.5-1 of the DEIS), considers a No Build condition with no activity at the site at all, presenting the most conservative analysis of the traffic impacts of the proposed Integrated Resort.

Comment No. 9: NYSDOT anticipates that the development will increase traffic volumes on local roads, including Stewart Avenue and Merrick Avenue. The increased traffic volumes will necessitate a traffic signal to be installed at the Maintenance Residency at 925 Stewart Avenue and possibly another at the Maintenance yard near the East Meadow State Police Barracks to provide for an efficient response for both highway maintenance and emergency response. An additional access point from the Maintenance Residency to the Meadowbrook State Parkway should also be provided. Provide a Signal Warrant Analysis for these locations.

Response No. 9: The installation of a new traffic signal is typically contingent on meeting one or more of the Warrants for Signalization as set forth in the Manual on Uniform Traffic Control Devices. A review of traffic volume information in each of the noted locations indicates that the volumes currently on Stewart Avenue as well as Merrick Avenue are currently at levels that would satisfy the main street requirements of the applicable warrants. However, based on the nature and size of the two facilities, it appears unlikely that exiting volumes would approach those required to meet warrants. If the conditions that would warrant the installation of a traffic signal do in fact exist, these conditions exist without the proposed development of the Integrated Resort. The Integrated Resort is not expected to add more than 4 peak hour trips to either of these locations during the commuter peak hours. Notwithstanding the above, Sands has indicated that, if required by NYSDOT, Sands would provide these signals.

Comment No. 10: "Logical termini" describing the beginning and end points of the project and the basis of their selection must be provided as the Meadowbrook State Parkway improvements are expected to be a NEPA action. The "logical termini" for this project (and subsequently the additional lane along the Meadowbrook State Parkway) should be the Northern State Parkway and Southern State Parkway.

Response No. 10: Based on discussions at the March 6, 2025 meeting, it is understood that NYSDOT must refer the proposed roadway mitigation to FHWA. The applicant will support this referral by providing NYSDOT with information it may require to support this referral.

Comment No. 11: ***The Meadowbrook State Parkway and Southern State Parkway interchange is noted to experience traffic flow breakdowns because of this project during the Saturday Midday and Saturday Evening peak hours. Mitigation to address this breakdown should be proposed. The study notes that the required mitigation to fix this would be a new flyover, which would be outside the scope of the project. NYSDOT recommends that mitigation to address this breakdown be implemented in this project.***

Response No. 11: As outlined in the TIS included as Appendix 3.5-1 of the DEIS, VISSIM software was used to model the entire Meadowbrook State Parkway. The capacity constraints associated with the interchange at Meadowbrook State Parkway and Southern State Parkway are noted in the existing condition for this project and have been documented in studies performed for previously proposed projects in this area, including the Lighthouse project in 2008. This "breakdown" is not associated with impacts caused by the Sands project.

As outlined in Appendix 3.5-1, given the significant difference in the amount of project related traffic at the north end of the study area than the south end of the study area (approximately 64% of project related traffic on the Meadowbrook State Parkway is oriented to and from the north, while only 36% of project related traffic on the Meadowbrook State Parkway is oriented to and from the south), the mitigation for this project was focused on adding capacity at the north end of Meadowbrook State Parkway. See Response 25 for a further discussion of the development of the traffic directional distribution.

The mitigation package identified in Appendix 3.5-1 of the DEIS was developed looking at the length of the Meadowbrook State Parkway from the Northern State Parkway south beyond its interchange with the Southern State Parkway and included sections of the Northern State Parkway and Southern State Parkway to each side of the interchanges. The VISSIM modelling effort revealed existing capacity constraints that, in many instances, were worsened by background traffic growth in the future, as well as areas where the proposed Integrated Resort would affect traffic conditions.

It is well understood that, under existing conditions, congestion occurs in areas along the Meadowbrook State Parkway and at its interchanges with the Northern State Parkway and Southern State Parkway. The Meadowbrook State Parkway between the Northern State Parkway and Southern State Parkway is approximately six miles in length with numerous interchanges and bridges. It is unrealistic to expect or require a private development project to conduct mitigation that, in addition to addressing impacts caused by that private development, addresses existing deficiencies that have existed for decades and would continue to worsen in the no-build conditions.

In addition, as with most capacity improvements, increases in capacity on the parkway are associated with the addition of travel lanes. These lanes have capacities on the order of 2,000 passenger vehicles per hour per lane (pvphpl) and can only be added in their entirety. There are only very large increments of capacity increases that can be applied, and the lane additions proposed by Sands greatly exceed that necessary to accommodate impacts of the Integrated Resort. This being the case, significant thought and effort was put into determining where these additional lanes should be provided, accounting for the level of site traffic in that area, as well as the effectiveness of the widening in providing improvements to traffic operations. The provision of additional lanes in both directions over essentially the six-mile length of the parkway provides capacity in excess of that needed to address the impacts of the proposed Integrated Resort. Section 4 of Appendix 3.5-1 details these efforts starting on Page 100.

As an example, to the north of the site on Meadowbrook State Parkway, the maximum site traffic northbound is projected to be 1,200 vehicles on a Saturday evening. The additional lane to be provided as mitigation increases capacity by approximately 2,000 vehicles per hour. This means that the Integrated Resort will only use 60 percent of the added capacity with 40 percent of the capacity of the lane available for the travelling public. During the weekday p.m. peak hour, the projected 900 vehicle trips will use only 45 percent of the lane capacity with the rest available for the traveling public. South of the site, the maximum southbound traffic is 650 vehicles on a Saturday evening, which would represent only one-third of the lane capacity if an additional lane was provided. During the weekday p.m. peak hour, the 475 vehicles at that location represents only 21 percent of the capacity of a lane. In addition, the percentage of site traffic at the north end of the Meadowbrook State Parkway during the peak period that affects impacts and mitigation most directly, the weekday p.m. peak hour, represents 12 percent of background traffic levels, while at the south end, it represents only 6 percent of background traffic levels.

Clearly, the provision of additional capacity at the north end of the parkway, as proposed, has a direct nexus to the impacts of the proposed Integrated Resort, and such nexus does not exist at the south end where the potential project impact is significantly less. Table A below presents the anticipated No-Build volumes in 2030 on segments of the Meadowbrook State Parkway as well as the Northern State Parkway and Southern State Parkway along with the site generated traffic on those sections for the critical weekday p.m. peak period that drives the proposed mitigation. Also presented in Table A is the Sands traffic as a percentage of the background traffic on that segment.

Table A - Full Build Traffic vs. Background Traffic – Weekday PM Peak Hour Combined Northbound and Southbound

Location	2030 No-Build	2030 Trip Gen	% Sands Traffic Relative to Background Traffic
Northern State Parkway East of Meadowbrook State Parkway	7918	319	4.0%
Northern State Parkway West of Meadowbrook State Parkway	11390	791	6.9%
Meadowbrook State Parkway between Northern State Parkway and Old Country Rd	10450	1110	10.6%
Meadowbrook State Parkway between Old Country Rd and Zeckendorf Blvd	9830	1219	12.4%
Meadowbrook State Parkway between Zeckendorf Blvd and Merchants Concourse	9062	1219	13.5%
Meadowbrook State Parkway between Merchants Concourse and Stewart Ave	8863	1219	13.8%
Meadowbrook State Parkway between Stewart Ave and CD Road	8863	1219	13.8%
Meadowbrook State Parkway between CD Road and Charles Lindbergh Blvd	7442	0	0.0%
Meadowbrook State Parkway between Charles Lindbergh Blvd and Hempstead Tpke	8172	341	4.2%
Meadowbrook State Parkway between Hempstead Turnpike and Southern State Parkway	10034	720	7.2%
Meadowbrook State Parkway between Southern State Parkway and Babylon Tpke	8928	109	1.2%
Southern State Parkway east of Meadowbrook State Parkway	9249	296	3.2%
Southern State Parkway west of Meadowbrook State Parkway	9081	315	3.5%

As can be seen from Table A, the highest concentrations of site traffic on the parkways are expected to occur north of the site, due to the trip arrival and departure patterns noted above. This is true of not only the number of trips but also of the relative percentage of trips when compared to background volumes. Table A demonstrates that the volumes and relative percentages are significantly lower to the south along Meadowbrook State Parkway, as well as on the Northern State Parkway and Southern State Parkway segments east and west of the Meadowbrook State Parkway.

Through the iterative use of modelling of future operations with Vissim, a number of mitigation strategies were tested to identify the most effective, yet reasonable, mitigation strategies to mitigate impacts and address conditions due to background traffic. This effort, in keeping with the site traffic patterns discussed above and presented in Table A, resulted in the proposed mitigation included in the TIS that adds additional lanes to the Meadowbrook State Parkway near the north end of the study area with spot improvements to ramp junctions along the Meadowbrook State Parkway and surface streets near the site.

Notwithstanding the above, as discussed at our March 6, 2025 meeting, we have evaluated the Meadowbrook State Parkways interchange with the Southern State Parkway to determine if there are feasible, additional mitigation measures that Sands could perform to assist with addressing existing traffic issues. Based on this analysis, Sands is offering to construct a deceleration lane at the ramp from the southbound Meadowbrook State Parkway to the westbound Southern State Parkway. This deceleration lane will be approximately 500 feet in length and will commence just south of the Jerusalem Avenue bridge over the Meadowbrook State Parkway. It is noted that an acceleration lane to the northbound Meadowbrook State Parkway from the ramp from the westbound Southern State Parkway already exists.

Comment No. 12: A deceleration lane to allow vehicles to merge from the Meadowbrook State Parkway southbound to the Southern State Parkway westbound and an acceleration lane from the Southern State Parkway westbound to the Meadowbrook State Parkway northbound should be provided. This will require the Jerusalem Avenue bridge to be widened to accommodate the additional lanes.

Response No. 12: As explained in response 11, Sands is offering to construct a deceleration lane at the ramp from the southbound Meadowbrook State Parkway to the westbound Southern State Parkway. This deceleration lane will be approximately 500 feet in length and will commence just south of the Jerusalem Avenue bridge over the Meadowbrook State Parkway.

Comment No. 13: The improvements on the Meadowbrook State Parkway are stated to be completed prior to full build out of the site. Indicate the impacts of the 2027 Phase 1 build out of the site on the Meadowbrook State Parkway. Will mitigation along the Meadowbrook State Parkway be needed prior to the Phase 1 build out?

Response No. 13: The total anticipated external trip generation for the Integrated Resort is presented in Section 3 of Appendix 3.5-1 (the TIS) of the DEIS in Table 20 and Table 22 for the Full-Build and Phase I conditions, respectively. The total external trip generation from these tables is reproduced in Table B below, along with the percentage of Full-Build that Phase I represents for each of the five analysis periods.

Table B Total External Trip Comparison – Phase I and Full-Build

Peak Hour	Hour	Phase I	Full-Build	Phase I Percent of Full-Build
Weekday AM	7:30 to 8:30 a.m.	401	1,455	27.5%
Weekday PM	5:00 to 6:00 p.m.	580	2,304	25.1%
Friday Evening	6:00 to 7:00 p.m.	847	3,107	27.3%
Saturday Midday	1:15 to 2:15 p.m.	840	3,011	27.9%
Saturday Evening	7:15 to 8:15 p.m.	1,235	4,186	29.5%

As can be seen from Table B, the Phase I trip generation is a relatively small fraction of the Full-Build trip generation during all peak periods representing less than 30% of Full-Build volumes in all cases.

As presented in Section 4 of Appendix 3.5-1 of the DEIS, the Weekday PM peak hour (5:00 p.m. to 6:00 p.m.) represents the time period where both No-Build and Build congestion are most prevalent and is the primary driver of the proposed mitigation. As can be seen in the table above, at that time, Phase I generates only one quarter of the Full-Build traffic or 580 trips. These trips are distributed amongst surface streets and the parkway from and to the north and the south and include exiting and entering trips. The peak direction of site traffic at this hour, exiting from the site, is projected at 339 trips. In the 2023 existing condition, the Meadowbrook State Parkway, moving away from the site to the north and south, accommodates 9,650 vehicles. Were the entirety of the exiting traffic to utilize the parkway (it will in fact be significantly less) this represents 3.5% of background traffic, which is well within the range of normal daily variation and would not have any significant impact on traffic operations. It is also noted that this 580 trips is less than that which would be anticipated to be generated at this time period by a 200,000 square foot retail center.

Based on the above, it is clear that no mitigation measures are necessary to mitigate traffic impacts from Phase I operation of the Integrated Resort on the Meadowbrook State Parkway.

Sands has been evaluating the phasing and development costs associated with the proposed Integrated Resort and is considering modification of its Phase 1 program, as follows:

- Gaming (242,800 SF net gaming area)
- Gaming Circulation and Support (169,952 SF)
- Hotel (215,970 SF – 250 keys)
- Spa (included in hotel square footage)
- Meeting and conference space (90,000 SF)
- Food and Beverage (90,000 SF – 2,000 seats)
- Retail (1,500 SF)
- Performance Venue (58,200 SF – 1,500 seats)
- Support Areas (326,977 SF)
- MEP Areas (210,953 SF)
- Veterans Memorial

As can be seen, the revised Phase 1 program is considerably smaller than the full-build program that was analyzed in the DEIS. The build year for the revised Phase 1 would be 2030, and the remainder of the full-build Integrated Resort would be developed as market conditions and demand allow. Despite when or whether the remaining "full-build" development is actually constructed, all full-build mitigation as identified in the DEIS would be constructed to serve the revised Phase 1 development. This would ensure that required mitigation is in place if and when additional development (i.e., that remaining between the revised Phase 1 identified above and the full-build analyzed in the DEIS) is undertaken.

***Comment No. 14**: The addition of a fourth thru lane on southbound Meadowbrook State Parkway from the Northern State Parkway to Zeckendorf Boulevard and then dropping the lane at Zeckendorf Boulevard will create a bottleneck. Analyze the impacts of extending the additional lane further south.*

Response No. 14: See response 11 regarding the process of identifying appropriate mitigation measures along the Meadowbrook State Parkway. As outlined in the Section 4 of the TIS, Appendix 3.5-1 of the DEIS, the traffic operations of the entire Meadowbrook State Parkway from Northern State Parkway to the Sunrise Highway were modeled using VISSIM simulations. This analysis was conducted to identify and document existing operational deficiencies and areas of greatest site-generated traffic impact, which were then used to identify appropriate links and start and end points for each element of the proposed mitigation. The Vissim also accounts for the roadway network processing additional traffic through this area as a result of added capacity with the proposed mitigation and the effect of this additional traffic is captured in the analysis. This analysis indicates a significant improvement by adding the southbound lane from the Northern State Parkway to Zeckendorf Boulevard where it is appropriately terminated as the start of the southbound exit ramp to westbound Zeckendorf Boulevard. The presentation of the VISSIM analysis results is provided in Attachment O of Appendix 3.5-1.

***Comment No. 15**: The increased traffic volumes from this development requires additional mitigation of the Meadowbrook State Parkway south of NYS Route 24. This will include widened shoulders and an additional lane in the northbound and southbound directions.*

Response No. 15: See response 11 regarding the process of identifying appropriate effective mitigation measures along the Meadowbrook State Parkway. As outlined in the TIS, Section 4, Appendix 3.5-1 of the DEIS, the operations of the entire Meadowbrook State Parkway from Northern State Parkway to the Sunrise Highway were modeled using VISSIM simulations to determine the existing operational deficiencies and areas of greatest site-generated traffic impact, which were then used to identify appropriate links and start and end points for each element of the proposed mitigation. The overlap of existing congestion and the greatest site-generated traffic occurs to the north of the site. As illustrated in Attachment O of the TIS, and above, the improvements proposed provide additional capacity to address not only site-related impacts but also accommodate a significant volume of non-site related traffic by providing excess capacity in the critical area at the north end of Meadowbrook State Parkway.

***Comment No. 16**: A weaving analysis should be included to show the effects of the improvements at the ramp from the westbound Northern State Parkway to the southbound Meadowbrook State Parkway. In particular, the effects of traffic weaving from the westbound Northern State Parkway to the off ramp to Old Country Road should be considered.*

Response No. 16: As outlined above, and in the TIS, Appendix 3.5-1 of the DEIS, the state-of-the-art tool, VISSIM, was used to simulate traffic conditions along the parkway system within the study area for existing and future conditions. This process is described in detail in Section 4 of the TIS beginning on Page 100. The application of VISSIM to the parkway allows simulation of very complex roadway geometry and congested conditions and explicitly includes the effects of the weaving characteristics in a way that a more traditional weaving analysis, through the use of Highway Capacity Software, does not allow. The VISSIM results are summarized in Attachment O of the TIS.

Comment No. 17: Additional mitigation may be needed on the Northern State Parkway between the Meadowbrook State Parkway and Post Avenue in both directions.

Response No. 17: As outlined in the TIS, Appendix 3.5-1 of the DEIS and Attachment O thereof, the operations of the entire Meadowbrook State Parkway, as well as segments of the Northern and Southern State Parkways, were modeled using VISSIM and the results of that analysis were used to develop the mitigation program presented in the DEIS.

The proposed widening of the westbound Northern State Parkway to southbound Meadowbrook State Parkway ramp to eliminate the existing two-to-one lane drop southbound improves conditions on westbound Northern State Parkway between Post Avenue and Meadowbrook State Parkway. In No Build conditions, this lane drop contributes to congestion and queues spill back onto westbound Northern State Parkway. In the proposed mitigation scenario, the widened on-ramp eliminates the lane drop, and thus, the queue spillback onto westbound Northern State Parkway. Comparing No Build and Mitigated conditions, the travel speeds on westbound Northern State Parkway between Post Avenue and Meadowbrook State Parkway are either equivalent to or higher than the No Build condition despite the traffic volume increase.

The proposed widening of the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway to a two-lane ramp significantly improves travel speeds along northbound Meadowbrook State Parkway compared to No Build conditions. Providing additional capacity on the northbound Meadowbrook State Parkway ramp increases the volume throughput onto eastbound Northern State Parkway. During the Weekday AM and Saturday Midday and Evening conditions, travels speeds on eastbound Northern State Parkway between Meadowbrook State Parkway and Post Avenue are comparable between No Build and Proposed Mitigation conditions, despite the traffic volume increase. The eastbound Northern State Parkway would receive more of the No-Build volume demand because the proposed mitigation on the ramp will address the bottleneck on the northbound Meadowbrook State Parkway and allow vehicles currently being held back by congestion to reach the Northern State Parkway eastbound.

In the Weekday PM and Friday Evening conditions, there is No-Build congestion on eastbound Northern State Parkway due to constraints outside the VISSIM study area (i.e., Wantagh State Parkway and farther east). The proposed mitigation of widening the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway addresses the choke point within the study area and improves conditions on northbound Meadowbrook State Parkway to better than No Build conditions. This allows more background volume onto eastbound Northern State Parkway, which adds to congestion caused by No Build traffic. This results in Proposed Mitigation condition speeds that are lower than No Build; however, additional mitigation for this condition would primarily be addressing a No Build traffic constraint. See Response to Comment 18.

***Comment No. 18**: The TIS proposes to widen the northbound Meadowbrook State Parkway ramp to eastbound Northern State Parkway to a two-lane ramp. How is the added traffic volume onto the eastbound Northern State Parkway addressed? Will the lane drop be relocated further east? The Northern State Parkway should be widened to 3 lanes under the Wantagh State Parkway and then drop to two lanes.*

Response No. 18: The proposed widened two-lane ramp from northbound Meadowbrook State Parkway merges onto the existing three-lane eastbound Northern State Parkway over a longer distance than the current condition. The outside ramp lane drops at the location of the existing single-lane ramp drop. The inside ramp lane then drops prior to the Carle Road bridge to avoid impacts to that structure. The proposed mitigation transitions into the existing three-lane section on eastbound Northern State Parkway prior to the Carle Road Bridge and significantly improves the operations of this merge.

With regard to the Northern State Parkway at the Wantagh State Parkway, while this interchange is not within the study area or Vissim model, the site volumes expected to approach the interchange eastbound are projected. During the periods of highest volumes on this section of the Northern State Parkway, the Weekday PM peak and Friday Evening peak, the projected site traffic in this direction is only 152 and 196 vehicles per hour, respectively. A portion of this volume will divert to the Wantagh State Parkway southbound resulting in even lower levels of site traffic that would join the two-lane section of the Northern State Parkway. Therefore, the suggested additional mitigation of widening eastbound Northern State Parkway to three lanes through the Wantagh State Parkway interchange would not be warranted.

***Comment No. 19**: Reducing the northbound thru lanes on the Meadowbrook State Parkway from three to two south of Stewart Avenue and adding a lane on the Meadowbrook State Parkway C-O Road may create a bottleneck on northbound Meadowbrook State Parkway. Analyze the impacts of extending the additional lane further north.*

Response No. 19: See response 11 regarding the process of identifying appropriate effective mitigation measures along the Meadowbrook State Parkway. While the detailed analysis indicates that no such bottleneck would exist, based on this input, as well as a request from the Town of Hempstead, Sands has agreed to eliminate this proposed mitigation. The condition that this mitigation was designed to address is limited to the Saturday evening period and affects mostly Sands site-related traffic and some limited congestion that forms on the C-D road during that limited period.

***Comment No. 20**: The TIS proposes to widen the north end of the northbound Meadowbrook State Parkway C-D Road. The existing northbound Meadowbrook State Parkway travel lane would be dropped prior to the C-D Road merge. An alternative to this should be recommended. The Meadowbrook State Parkway needs to be maintained for other purposes, such as a coastal evacuation or alternate route for incident management (for example if the Wantagh State Parkway closes).*

Response No. 20: See response to comment 19.

Comment No. 21: The proposed two lanes on the C-D Road will require the widening of the Stewart Avenue bridge in both directions. The Meadowbrook State Parkway lanes under Merchants Concourse will also need to be widened to maintain traffic flow on the Meadowbrook State Parkway.

Response No. 21: See response to comment 19.

Comment No. 22: Consider as part of the traffic analysis the increase in delays that will be caused by the proposed two-lane entrance ramp from northbound Meadowbrook State Parkway to eastbound Northern State Parkway.

Response No. 22: See Response 18. Provision of a second northbound lane on Meadowbrook State Parkway to eastbound Northern State Parkway will reduce the delays for this movement that are currently caused by the limited capacity. These results are outlined in the TIS Section 4 and Attachment O, which includes the VISSIM results.

Comment No. 23: The northbound Meadowbrook State Parkway on-ramp at Old Country Road should be lengthened to eastbound Northern State Parkway to form the second off-ramp lane.

Response No. 23: As explained on Pages 104 and 105 of the TIS (Appendix 3.5-1 of the DEIS), this improvement is already proposed by Sands as a mitigation measure and is presented graphically on a concept sketch in Attachment P of the TIS.

Comment No. 24: Provide a pole loading analysis for all intersections where the traffic signal is being modified. The traffic signal improvements may require that the signals are fully rebuilt. Detailed traffic signal plans shall be provided for each signal being modified as part of the Highway Work Permit plan set.

Response No. 24: This information will be provided as part of the detailed Highway Work Permit Plans that will be submitted to NYSDOT.

Comment No. 25: Provide the reasoning behind how the distribution of trips generated by the Integrated Resort was selected. NYSDOT believes that a higher than projected share of the trips will use the Southern State Parkway to access the Integrated Resort.

Response No. 25: A detailed description of the trip distribution methodology was included on page 68 of the TIS (Section 3.5-1 of the DEIS). The distribution was developed based on an up to two-hour capture area for casino patrons and hotels trips based on travel times derived from commercially available travel mapping applications and available and likely routes to and from the site of the Integrated Resort.

As discussed in the TIS, the evaluation of the proposed Integrated Resort utilizes two basic directional distributions derived from census population data accounting for distance to the site (gravity model). There is a regional distribution applied to casino and hotel patrons and a local distribution applied to other components, with the exception of coach buses, shuttle buses and deliveries. These two distributions were refined with the use of a

detailed ArcGIS Pro Project. ArcGIS Pro Project allowed for the spatial distribution of populations of a multitude of Census Designated Places within the drawing area to be assigned to a particular route or routes and allowed the relative proportions of the total population on a particular route to be calculated. This exercise provided a data based foundation for the directional distributions used in the TIS, which correctly reflects a bias to and from the north, reflective of population centers and the presence of the Northern State Parkway and Long Island Expressway north of the site.

In addition, consultations with Sands were held to confirm that the distributions were consistent with the expectations of their proprietary market studies performed for the site.

Comment No. 26: Provide a summary table of the intersections where the overall level of service degraded under the build condition and the proposed mitigation measures.

Response No. 26: Table 24 (Page 75) through Table 28 (Page 87) of the TIS (Appendix 3.5-1 of the DEIS) contain the overall levels of service related to the proposed Integrated Resort for the Build condition. Mitigation measures identified to address projected impacts are summarized in Table 29 on Pages 93 and 94 of the TIS.

Comment No. 27: Include a table of contents, with page numbers, in the Signal Timings and Phasing attachment to the Traffic Impact Study, Attachment S.

Response No. 27: VHB has provided NYSDOT a complete Attachment S with a Table of Contents and page numbers via email on February 27, 2025.

Comment No. 28: Indicate the meaning of the color-coded highlights on the signal timing sheets in the Signal Timings and Phasing attachment to the TIS, Attachment S.

Response No. 28: The highlighted sections on the signal timing sheets were placed to identify for VHB personnel performing the study the timing plans as they were used in coding the Synchro analysis models. The colors have no significance other than to identify internal to VHB that the timing plan in question was reflected in the model.

Comment No. 29: Include proposed timing sheets for the impacted signals in the Signal Timings and Phasing attachment to the TIS, Attachment S. Any proposed timing changes, including cycle time, offset, split times, etc. should be incorporated into the revised timing plans.

Response No. 29: Signal timing plans for all locations where signal timing changes are proposed as part of mitigation will be included with Highway Work Permit Plans prepared for all physical mitigation proposed within New York State right-of-Way

Comment No. 30: The LOS comparison tables in Attachment M to the TIS appear to be missing for the Holiday Weekday PM and Holiday Saturday Midday peak periods. These should be included.

Response No. 30: The requested information was provided in the TIS, DEIS Appendix 3.5-1, Attachment M.

Comment No. 31: Submit the Synchro files used in the traffic analysis for review.

Response No. 31: VHB has provided NYSDOT a complete set of Synchro files used in the analysis via email on February 27, 2025.

Comment No. 32: Submit a "network/system" simulation model to ensure that the signal systems along the State Highways and the NYS Parkways will continue to operate in an acceptable manner.

Response No. 32: A Synchro SimTraffic simulation model has been run for each of the state highways and has been provided to NYSDOT via email on February 27, 2025. In addition, a complete set of Vissim files used in the analysis of parkways and ramps was provided to NYSDOT via email on March 12, 2025.

Comment No. 33: An additional westbound right turn lane or additional storage length may need to be considered at the intersections of NYS Route 24 and the Memorial Sloan Kettering entrance & Cunningham Avenue.

Response No. 33: As illustrated in Tables 24 to 28 of the TIS, the Synchro analysis findings do not demonstrate the need for an additional westbound right turn lane. This movement operates at level of service A with queues of only 50 feet.

Comment No. 34: The Meadowbrook State Parkway southbound ramp to NYS Route 24 eastbound may need to be increased in radius. The eastbound NYS Route 24 to southbound Meadowbrook State Parkway on- ramp may need to be moved over to accommodate that improvement.

Response No. 34: The proposed Integrated Resort does not add any traffic to this movement, which is from the north and then away from the site on Hempstead Turnpike, and the TIS and makes no reference to the radius of that ramp. Figures V-D-1 through V-D-5 in Attachment F to the TIS present the traffic assignment along the Parkway for the proposed Integrated Resort.

Comment No. 35: The southbound approach at NYS Route 24 and Glenn Curtiss Boulevard/Site Access, exiting the site, provides two left turn lanes and a shared right-thru lane. This will remove the existing dedicated right turn lane. This may require additional green time at the signal for vehicles exiting the venue and should be analyzed and discussed in the analysis.

Response No. 35: Given the overall site layout and proposed locations of access points and parking garages, the southbound right turn movement at this location is not expected to accommodate significant volume (a maximum of 20 vehicles during the commuter peak hours), so the proposed lane allocation is an efficient operation for that approach.

Comment No. 36: The TIS proposes to restrict westbound U-turn movements at NYS Route 24 and Glenn Curtiss Boulevard/Site Access. Experience shows that such restrictions are rarely adhered to. Please explain the justification for this modification.

Response No. 36: As discussed at our meeting of March 26, 2025, we have reevaluated the traffic operations at this location and determined that the anticipated U-turn volumes at this location can be accommodated at this location with further minor signal timing adjustments. Therefore, the proposed restriction of U-turns at this location is being withdrawn.

Comment No. 37: The TIS proposes to extend the deceleration lane for eastbound NYS Route 24 to southbound Meadowbrook State Parkway and to extend the acceleration lane for the ramp for southbound Meadowbrook State Parkway to eastbound NYS Route 24. The added length of the lane and taper may impact the loop ramp and acceleration lane for the westbound NYS Route 24 to southbound Meadowbrook State Parkway loop ramp. The extension of the acceleration lane should be verified with current design standards.

Response No. 37: As indicated above, there is no mitigation recommended to the ramp for the southbound Meadowbrook State Parkway to eastbound NYS Route 24 ramp in the TIS. Thus, there would be no potential for impacts to the westbound NYS Route 24 to southbound parkway loop ramp acceleration lane.

Comment No. 38: An analysis of additional lanes along NYS Route 24 should be considered to Merrick Avenue. One lane should be added up to the Meadowbrook State Parkway northbound off ramp. An acceleration/deceleration lane should be considered on the bridge in both directions, in addition to a thru lane.

Response No. 38: As shown in Tables 24 to 28 of the TIS, the operations along NYS Route 24 are typically LOS D/E during the commuter peak hours under the No Build and Build condition. Overall delays increase by fewer than 2 seconds during the commuter peaks. Thus, no additional widening is required.

Comment No. 39: An analysis of continuous additional lanes along NYS Route 24 in both directions between the Meadowbrook State Parkway and Earle Ovington Boulevard should be provided.

Response No. 39: As shown in Attachment M of the TIS, the operations along NYS Route 24 currently include long delays for eastbound and westbound vehicles. With the implementation of the proposed mitigation, many of these eastbound and westbound delays decrease during the commuter peak hours. Thus, no additional widening is required. In addition, project related traffic along NYS Route 24 is significantly lower than project related traffic for past development proposals for the site, which had more local and regional traffic oriented along NYS Route 24. As explained above, more of Sands traffic will be oriented to and from the north with less impact to NYS Route 24.

Comment No. 40: ***Based on the information provided in the TIS, Merrick Avenue needs further study and mitigation. Existing delays on Merrick Avenue back traffic up to the intersection NYS Route 102 and Merrick Avenue, which would be increased because of traffic from the development.***
Response No. 40: As shown in Attachment M of the TIS, there is no increase in delays for thru movements on Merrick Avenue at the Merrick Avenue/Hempstead Turnpike intersection during the commuter peaks as a result of the proposed Integrated Resort.

Comment No. 41: ***Based on the traffic volumes expected by the TIS, additional analysis should be provided for Park Boulevard/East Meadow Avenue. Traffic volumes on this roadway may cause delays on NYS Routes 24 and 102 under the full build condition.***

Response No. 41: As shown in Attachment M of the TIS, delays for thru movements on Park Boulevard and East Meadow Avenue are anticipated to improve from No Build conditions to the Build condition with mitigation.

Comment No. 42: ***The proposed Transportation Demand Management strategies discussed may not have the assumed impacts that are included in the TIS. The developer should document how and to what extent the expected mitigation will address the impacts of the development for further review.***

Response No. 42: The Transportation Demand Management strategies include commitments (such as a dedicated shuttle to and from the Hempstead LIRR Station and longer-range coach buses) to reduce site traffic impacts. The mode share assumptions discussed and utilized in the development of project trip generation in Section 3 of the TIS are intentionally modest to provide a conservative analysis and reflect between 85 percent and 95 percent of persons travelling to and from the site by private automobile or rideshare (depending on trip type) with relatively small percentages arriving by public bus, Sands LIRR shuttle or coach bus as discussed starting on page 61 and presented in Table 12 of the TIS.

The mitigation package identified in the TIS addresses project impacts on surface roadways and intersections as noted in Section 4 and discussed in response 11 above. With regard to the parkways, as discussed and presented starting on page 100 of the TIS, given the significant difference in the amount of project related traffic at the north end of the study area than the south end of the study area (approximately 64 percent of project related traffic on the Meadowbrook State Parkway is oriented to and from the north, while only 36 percent of project related traffic on the Meadowbrook State Parkway is oriented to and from the south), the mitigation for this project was focused on adding capacity at the north end of Meadowbrook State Parkway. As noted in Section 4 of the TIS, the proposed mitigation measures are focused on providing improvements north of the site where site volumes are highest and investments can result in the most significant improvements in traffic conditions for visitors and the motoring public in general. The proposed capacity improvements address deficiencies present today and the project demand only uses a portion of the capacity associated with the widening that Sands is committed to providing.

Comment No. 43: A Use & Occupancy permit may be required if additional landscaping or improvements within State ROW are proposed or if State ROW is used to meet zoning requirements.

Response No. 43: No part of the State right-of-way is proposed to be used to meet zoning requirements. In the event that the final design of roadway mitigation requires additional landscaping or improvements in the right-of-way that would necessitate a Use and Occupancy permit, same would be applied for.

Comment No. 44: The TIS indicates that the developer is committed to working with Nassau County on the County's Bus Rapid Transit (BRT) implementation near the Integrated Resort. NYSDOT believes that all options to reduce the need for vehicle trips should be considered. Continue working with Nassau County to coordinate the Integrated Resort with the BRT system.

Response No. 44: Sands will continue working with Nassau County on the proposed BRT system.

Comment No. 45: Develop the Highway Work Permit plans in accordance with the NYSDOT Project Design Manual. Each of the proposed improvements within State right-of-Way, including replacement of multiple bridges, modifying ramps, and traffic signal modifications, will require extensive coordination.

Response No. 45: As previously indicated, Sands and its representatives will continue to coordinate with the NYSDOT, and Highway Work Permit Plans will be prepared and submitted to NYSDOT for all mitigation proposed within New York State right-of-way.

Comment No. 46: The "Long Island Historic Treatment Guidelines 2021" will also need to be followed for the proposed improvements along the Meadowbrook State Parkway. This includes specific design elements for bridges, guiderail, light posts, signs, etc.

Response No. 46: The Highway Work Permit Plans developed for improvements along the Meadowbrook State Parkway will follow applicable standards and guidelines.

Comment No. 47: A future shared use path (SUP) is planned on both sides of the Meadowbrook State Parkway. The widening should maintain sufficient ROW to accommodate the SUP within the turf, shoulder and vegetated area buffer of the Parkway.

Response No. 47: As discussed at the March 6, 2024 meeting, the future SUP is planned only south of Hempstead Turnpike. During the development of permit plans for any mitigation along the Meadowbrook State Parkway, coordination will be undertaken with NYSDOT to allow for potential construction of the SUP by the NYSDOT in the future.

Comment No. 48: ***The limits of disturbance in Appendix 3.1-7 show that tree removals are proposed along the State Parkway. The tree removals may require concurrence from NYS OPR&HP and/or the United States Fish and Wildlife Service.***

Response No. 48: Based on discussions at the March 6, 2025 meeting, it is understood that consultation with New York State Office of Parks Recreates and Historic Preservation (NYS OPR&HP) as well as the United States Fish and Wildlife Service (USFWS) may be required. Sands will provide information as may be requested by the NYSDOT to facilitate this consultation.

Comment No. 49: ***Damage or removal of vegetation as a result of the project may require a full replacement. The existing mature plantings along the Meadowbrook State Parkway screen commercial development along the Parkway from view.***

Response No. 49: Sands understands that vegetation impacts will be reviewed and that replacement may be required. This will be determined during the design process with NYSDOT.

Comment No. 50: ***Section 1.3.12 of the DEIS states that "views of the proposed Integrated Resort from historic resources would be present, but not out of character with the existing development of the area, which is already seen from the existing historic resources. Further, the presence of the proposed Integrated Resort would not result in changes to the current or past uses or the aesthetic character of historic buildings." Provide concurrence of this statement from NYS OPR&HP.***

Response No. 50: Section 1.3.12 of the DEIS is a part of the Executive Summary. The introduction to the Executive Summary explains that, among other things:

> *This executive summary, while a critical component of the DEIS, cannot substitute for the review of the detailed existing conditions and technical analyses presented throughout the document, as it is designed primarily to provide a concise overview. The technical analyses cannot be fully represented in the limited scope of an executive summary. The executive summary highlights key elements of the DEIS, as required by the SEQR regulations and set forth in The SEQR Handbook, (New York State Department of Environmental Conservation, Fourth Edition, 2020), and briefly summarizes the proposed action; the purpose, need and benefits; the environmental setting; significant beneficial and adverse impacts; mitigation measures proposed; and alternatives considered. It does not refer to or reproduce figures, tables or appendices that are relevant to a full understanding of the analyses contained in the DEIS. It is essential that involved agencies and interested parties review the entire DEIS to fully understand the proposed action and its purpose need and benefits, relevant existing environmental conditions, potential impacts, mitigation measures identified to minimize potential impacts, and the alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed action performed in the following sections of this DEIS.*

Section 3.11 and its associated figures and appendices provide an evaluation of potential visual impacts, including to documented historic resources that may have views of the proposed Integrated Resort.

Also see response to comment 2.

Comment No. 51: Consider removing the abandoned LIRR bridge over the Meadowbrook State Parkway.

Response No. 51: While it is our understanding that this structure has not been utilized in decades, the development of the proposed project has no impact in this location and there is no connection between this project and the removal of the bridge.

Comment No. 52: There are several environmental justice communities surrounding the project area. All mitigation measures must be considered to reduce impacts to the communities and the environmental justice procedure according to Executive Order 12898 must be followed. For reference, the census block groups for the surrounding area are 15000US360594073024, 15000US360594073023, 15000US360594073021, 15000US360594072041, 15000US360594073012, 15000US360594072043, 15000US360594073022.

Response No. 52: New York State has identified a number of Potential Environmental Justice Areas (PEJA) and Disadvantaged Communities (DAC) (see DEIS Figures 42 and 47). The DEIS documents their locations and provides impact analyses in various sections of the DEIS (see, for example, Sections 3.6, 3.15, and 4.0).

With respect to the Executive Order cited in the comment, on January 21, 2025, President Trump issued an Executive Order, entitled *ENDING ILLEGAL DISCRIMINATION AND RESTORING MERIT-BASED OPPORTUNITY*. Section 3 of that Executive Order states, in pertinent part:

> *Sec. 3. Terminating Illegal Discrimination in the Federal Government. (a) The following executive actions are hereby revoked:*
>
> *(i) Executive Order 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations)*

Accordingly, Executive Order 12898 has been revoked. In addition, as noted earlier, at the present time, it is not anticipated that any federal approvals or funding would be required.

Comment No. 53: The Meadowbrook State Parkway improvements will result in the highway being closer to surrounding residences. A noise study of this area should be performed and was not included in the DEIS Section 1.3.7. A noise wall or other measures may need to be considered to mitigate the noise impacts of the additional traffic and lanes on the Parkway.

Response No. 53: Section 1.3.7 is the Executive Summary, which, as explained in the response to comment 50, is merely a summary. Projected noise impacts from proposed roadway mitigation is addressed in Section 3.7.2.5 DEIS.

Comment No. 54: Does the air quality analysis include the increased traffic that will be generated by the site on the Meadowbrook State Parkway and other roadways?

Response No. 54: Yes, the air quality assessment, presented in Section 3.6 of the DEIS, addressed potential impacts from mobile sources (vehicle trips) on ambient air quality at the microscale (intersection) level, potential impacts from mobile sources on ambient air quality at the mesoscale (regional) level, and potential impacts of emissions from parking.

Comment No. 55: Nassau County is in attainment for CO as of 2022. The County is specified as being a maintenance area in DEIS Section 3.6.1.3. Nassau County is no longer designated as a maintenance area for carbon monoxide (CO).

Response No. 55: VHB agrees, however, there has been some confusion regarding the attainment status of Nassau County for CO. 40 CFR §81.333 states that Nassau County is in attainment for CO – https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-81/subpart-C/section-81.333. However, the USEPA's Green Book publication lists it being as an attainment-maintenance area -- https://www3.epa.gov/airquality/greenbook/cbcty.html. Given that "General Conformity" is only applicable to federal actions, the USEPA Green Book would not be applicable to this project unless a federal action is identified.

Comment No. 56: Provide an updated letter from NYSDEC regarding the Article 24 Freshwater Wetlands Permit for roadway improvement. DEIS Appendix 3.3-1 contains an outdated letter to Mr. Rob Marsh of NYSDEC dated July 18, 2008.

Response No. 56: Section 3.3.2.4 of the DEIS discusses the aforesaid letter and assesses the potential impacts of the proposed traffic mitigation on regulated wetlands. That Section states, in pertinent part:

> *The Environmental Resource Mapper further indicates that freshwater wetlands associated with the Meadow Brook and subject to NYSDEC regulation under Article 24 of the Environmental Conservation Law and its implementing regulations (6 NYCRR Part 663) occur in the vicinity of the Hempstead Turnpike/Meadowbrook State Parkway interchange traffic mitigation area. Pursuant to 6 NYCRR Part 663.2(b), a Freshwater Wetlands Permit is required for regulated land uses and activities that occur within 100 feet of regulated freshwater wetlands. However, until the specific mitigation measures are designed, in coordination with the NYSDOT (which has jurisdiction over these roadways), the precise limits of disturbance cannot be determined. Nevertheless, any proposed work occurring within NYSDEC jurisdictional areas would be subject to review, permitting, and any applicable avoidance, minimization, and mitigation measures for the protection of regulated resources, as determined by the NYSDEC. The precise limits of disturbance would be determined upon completion of the mitigation design, and formal consultations would be undertaken with the NYSDEC at that time to obtain an Article 24 Freshwater Wetlands Permit, if necessary.*
>
> *It should be noted that, as part of the 2009 Draft Generic Environmental Impact Statement for the Lighthouse at Long Island project, more extensive traffic mitigation with a greater degree of potential impacts to regulated freshwater wetland resources was contemplated for this area. During*

a July 15, 2008 pre-application meeting for the Lighthouse at Long Island project, the NYSDEC indicated that significant impediments to the issuance of a Freshwater Wetlands permit for the project were not anticipated, provided that drainage and water quality improvements required under the NYSDEC General Permit for Stormwater Discharges from Construction Activities were implemented (see Appendix 3.3-1). The currently proposed traffic mitigation measures would result in fewer impacts to regulated resources than those proposed under the Lighthouse at Long Island project and would be conducted in accordance with all applicable requirements and conditions of the NYSDEC General Permit for Stormwater Discharges from Construction Activities.

Comment No. 57: Additional energy mitigation, including solar and wind alternatives, should be considered. Section 1.3.13 of the DEIS considers solar alternatives, however, they could be extended to SUP's and overhang areas. Vertical wind energy should also be considered.

Response No. 57: Section 1.3.13 is the Executive Summary section of the DEIS and, as a summary, does not provide the complete technical analyses conducted nor does it discuss all mitigation. Please see Sections 3.13 and 3.14 for additional information on energy conservation and sustainability measures incorporated into the proposed Integrated Resort.

Comment No. 58: Irrigation demands are anticipated to be approximately 62,000 gallons per day. Reduction to irrigation needs should be part of a mitigation plan which can include native plants, rain swells, rain gardens, grey water systems etc. Statements of native flora, meadows, and no mow zones were to be included in the new pervious area of 15.7 acres.

Response No. 58: Section 3.3 of the DEIS provides a discussion of the proposed landscape plan (included in Appendix 3.3-1), the native species to be planted and other measures to minimize potential impacts. Proposed water conservation measures are discussed in Sections 2.0 and 3.2 of the DEIS.

Comment No. 59: Section 3.2.2 of the DEIS estimates that the cone of depression in the water table will be up to half a mile from the site. Will an impact to the surrounding community or wells be anticipated?

Response No. 59: A test well has been installed by H2M, and the FEIS will include additional analyses of the cone of depression and anticipated impacts from the proposed new water supply well.

Comment No. 60: Mitigation measures should be developed to include recharging of the sole source aquifer based on what is being taken from the new water supply well as there has been an ongoing water deficit. Figure 11 discusses mitigation measures, but a quantitative analysis should be provided.

Response No. 60: H2M prepared a water balance assessment, which is included in Section 3.2 of the DEIS.

Thank you for your assistance with this project, and we look forward to continuing our discussions to help facilitate NYSDOT's continued review as the project moves forward.

Very truly yours,

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.

Patrick Lenihan, PE
Director of Transportation

PL/ba