

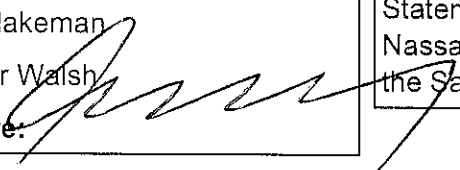
**AMENDMENT IN THE
NATURE OF A SUBSTITUTION
Clerk Item 164-25**

This amendment adds the Findings Statement to be part of the filed item.

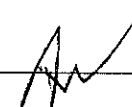

ENCL. 1-27-10 501



Staff Summary 2025

<p>Date: 6/02/2025</p> <p>Dept: County Executive</p> <p>Dept Head: Bruce Blakeman</p> <p>Dept Contact: Arthur Walsh</p> <p>Dept Head Signature: </p>	<p>Legislation Type: Resolution</p> <p>Subject: Resolution - Issuing a Findings Statement for Proposed Lease Between Nassau County and LVS NY Holdco 2, LLC for the Sands New York Integrated Resort</p>
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Internal Approvals

County Executive/Deputy:		County Attorney:	RGH
Budget:		Legislative Affairs:	CGL

<p>Purpose:</p> <p>A resolution issuing a Findings Statement for the proposed lease between Nassau County and LVS NY Holdco 2, LLC (Sands or Lessee) for the Sands New York Integrated Resort (Integrated Resort) pursuant to 6 NYCRR §617.11 and directing the Clerk of the Legislature to file, maintain and distribute the findings statement in accordance with 6 NYCRR §617.12 and all other applicable provisions of the SEQRA implementing regulations set forth in 6 NYCRR Part 617.</p>
<p>Discussion:</p> <p>The Nassau County Legislature, having declared itself as Lead Agency in accordance with a court order, reviewed the Final Environmental Impact Statement ("FEIS"), and, on May 19, 2025, found that the FEIS fully and adequately responds to all substantive comments made during the public comment period in accordance with 6 NYCRR §617.9(b)(8), and filed the FEIS. Having reviewed additional public comments, the Legislature has reviewed a prepared findings statement and finds it to be acceptable and in compliance with 6 NYCRR §617.11 and all other applicable provisions of 6 NYCRR Part 617.</p>
<p>Impact on Funding:</p> <p>None.</p>
<p>Recommendation:</p> <p>Approve as submitted.</p>

2025 JUN - 2 - 10 50



County of Nassau Inter-Departmental Memo

To: Clerk of the County Legislature
From: County Attorney
Date: June 2, 2025
Subject: RESOLUTION - ORIG. DEPT. - County Executive

A RESOLUTION issuing a Findings Statement for the proposed lease between Nassau County and LVS NY Holdco 2, LLC for the Sands New York Integrated Resort.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon their calendar.

THOMAS A. ADAMS
County Attorney


A handwritten signature in black ink, appearing to read "Kevin Hardiman", is written over the typed name of the Deputy County Attorney.

By: Kevin Hardiman
Deputy County Attorney

Attachments

A RESOLUTION issuing a Findings Statement for the proposed lease between Nassau County and LVS NY Holdco 2, LLC for the Sands New York Integrated Resort.

APPROVED AS TO FORM



Deputy County Attorney

NOV 14 2024

WHEREAS, the Nassau County Legislature (the "Legislature") is considering the approval and execution of a proposed lease between Nassau County and LVS NY Holdco 2, LLC ("Sands") for the approximately 71.6-acre Nassau Veterans Memorial Coliseum ("Coliseum") property and, potentially, the adjacent approximately 14.7-acre Marriott Hotel property, to facilitate the development of the Sands New York Integrated Resort, or an alternative development plan, on the Coliseum property; and

WHEREAS, the Legislature, acting as "lead agency," is currently reviewing the potential environmental impacts of the aforesaid proposed lease, and the development proposed thereunder, pursuant to the New York State Environmental Quality Review Act ("SEQRA" – Article 8 of the New York State Environmental Conservation Law) and the SEQRA implementing regulations set forth in 6 NYCRR Part 617; and

WHEREAS, on August 5, 2024, the Legislature, acting as SEQRA "lead agency," issued a "positive declaration" for the aforesaid proposed lease, which (a) determined that the proposed lease, which would facilitate development of the Sands New York Integrated Resort on the Coliseum property, may result in significant adverse impacts to the environment and a Draft Environmental Impact Statement ("DEIS") must be prepared for the proposed action, and (b) determined that formal scoping would be conducted, in accordance with 6 NYCRR §617.8, by means of a public scoping meeting to be held on Monday, September 9, 2024, at 5:00 p.m., at the Peter J. Schmitt Memorial Legislative Chamber in the Theodore Roosevelt Executive and Legislative Building, 1550 Franklin Avenue, Mineola, New York, and that a written comment period on the "Draft Scope" would remain open until September 19, 2024; and

WHEREAS, a “Draft Scope,” pursuant to 6 NYCRR §617.8, was submitted by Sands to the Legislature on August 5, 2024, and was thereafter distributed in accordance with 6 NYCRR §617.8; and

WHEREAS, as provided in the aforesaid “positive declaration,” a public scoping meeting was held before the Legislature on September 9, 2024, at which meeting numerous oral and written comments were received on the aforesaid “Draft Scope,” and additional written comments on the aforesaid “Draft Scope” were received through September 19, 2024; and

WHEREAS, the Legislature, acting as SEQRA “lead agency,” adopted and issued a written “Final Scope” for the proposed action on October 7, 2024, and provided same to the project sponsor (Sands) and others in accordance with 6 NYCRR §617.8(e); and

WHEREAS, on November 1, 2024, the project sponsor (Sands) submitted to the Legislature a proposed DEIS, dated October 2024, for the proposed action; and

WHEREAS, the Legislature, as SEQRA “lead agency,” the Legislature’s environmental consultants, and the Legislature’s legal counsel reviewed the aforesaid proposed DEIS, using the aforesaid “Final Scope” and the standards contained in 6 NYCRR §617.9 to determine whether to accept the DEIS as adequate with respect to its scope and content for the purpose of commencing public review; and

WHEREAS, the Legislature, on November 20, 2024, accepted the aforesaid proposed DEIS as complete and adequate with respect to its scope and content for the purpose of commencing public review, scheduled a combined public hearing on the aforesaid proposed lease and DEIS on December 9, 2024, at 5:00 p.m., at the Peter J. Schmitt Memorial Legislative Chamber in the Theodore Roosevelt Executive and Legislative Building, 1550 Franklin Avenue, Mineola, New York, and indicated the Legislature would accept oral and written comments on the proposed lease and DEIS, through the Clerk of the Legislature, until 5:00 p.m. on January 6, 2025; and

WHEREAS, on December 9, 2024, a public hearing on the aforesaid DEIS was held before the Legislature, the Legislature announced that the hearing on the proposed lease would not be held concurrently with the hearing on the DEIS and would be held separately on a later date, and the Legislature extended the period for the Legislature to receive written comments on the DEIS until January 21, 2025, at 5:00 p.m.; and

WHEREAS, the Legislature received extensive public comments on the aforesaid DEIS both orally and in writing at the aforesaid December 9, 2024 public hearing and in writing during and after the extended public comment period; and

WHEREAS, Sands’ environmental consultants and legal counsel and the Legislature’s environmental consultants and legal counsel, in accordance with 6 NYCRR §617.9(b)(8), prepared a Final Environmental Impact Statement (“FEIS”), dated April 2025, which

incorporated the aforesaid DEIS by reference and provided responses to all substantive oral and written comments received on the DEIS; and

WHEREAS, the Legislature reviewed the aforesaid FEIS and, on May 19, 2025, found that the FEIS fully and adequately responds to all substantive comments made during the public comment period on the DEIS and satisfies the requirements of 6 NYCRR §617.9(b)(8), and filed the FEIS; and

WHEREAS, the public consideration period for the FEIS closed at 5:00 p.m. on May 30, 2025; and

WHEREAS, the Legislature has reviewed any additional public comments received during the aforesaid public consideration period, has had prepared and has reviewed a findings statement for the aforesaid proposed lease pursuant to 6 NYCRR §617.11, and finds such findings statement to be acceptable and in compliance with 6 NYCRR §617.11 and all other applicable provisions of the SEQRA implementing regulations set forth in 6 NYCRR Part 617;

NOW, THEREFORE, the Legislature hereby issues the aforesaid findings statement and directs the Clerk of the Legislature to file, maintain and distribute the findings statement in accordance with 6 NYCRR §617.12 and all other applicable provisions of the SEQRA implementing regulations set forth in 6 NYCRR Part 617.

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
FINDINGS STATEMENT
OF THE NASSAU COUNTY LEGISLATURE
PROPOSED LEASE FOR SANDS NEW YORK INTEGRATED RESORT**

Date: _____

This Findings Statement is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review [SEQR] Act) and the implementing regulations therefor at 6 NYCRR Part 617.

Name of Action: Proposed Lease for Sands New York Integrated Resort

Location: 1255 Hempstead Turnpike (Nassau County Veterans Memorial Coliseum Property) and 101 James Doolittle Boulevard (Marriott Hotel Property), Hamlet of Uniondale, Town of Hempstead, Nassau County, New York

NCTM Nos. Section 44 – Block F – Lots 351, 411, 412, 415 for Nassau Veterans Memorial Coliseum Property; and NCTM Nos. Section 44 – Block F – Lots 326, 401 and 402 for Marriott Hotel Property

Lead Agency: Nassau County Legislature

Address: Theodore Roosevelt Executive & Legislative Building
1550 Franklin Avenue
Mineola, New York 11501

Contact: Michael C. Pulitzer
Clerk of the Nassau County Legislature
516-571-4252
mpulitzer@nassaucountyny.gov

SEQR Status: Type I

The Nassau County Legislature (Legislature), as lead agency, subsequent to review of the Draft Environmental Impact Statement (DEIS) and the Final Environmental Impact Statement (FEIS) for the above proposed action, as well as comment e-mails and letters received during the “public consideration” period for the FEIS, hereby certifies that:

- It has considered the relevant environmental impacts, facts and conclusions disclosed in the DEIS and FEIS (collectively the EIS);
- It has weighed and balanced relevant environmental impacts with social, economic and other considerations;

- The requirements of 6 NYCRR Part 617 have been met; and
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below (i.e., the approval and execution of a proposed lease for [a] the development of the Integrated Resort, if a gaming license is awarded, or [b] the development of the Alternative Plan, if a gaming license is not awarded) avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigative measures that were identified as practicable during the environmental review process.

DESCRIPTION OF THE PROPOSED ACTION

The proposed action consists of the approval and execution of a proposed lease between Nassau County and LVS NY Holdco 2, LLC (Sands) for the approximately 71.6-acre Nassau Veterans Memorial Coliseum (Coliseum) property and, potentially, the adjacent approximately 14.7-acre Marriott Hotel property, to facilitate the development of the Sands New York Integrated Resort. Among other things, approval of the lease would facilitate the redevelopment of the Coliseum property by LVS NY Holdco 2, LLC. The development of the proposed Integrated Resort is dependent upon the award of a gaming license from the New York State Gaming Commission, based on a selection made by the New York State Gaming Facility Location Board, as well as local land use, zoning and other required approvals. No changes are proposed to the Marriott Hotel, with the exception of parking reconfiguration at the southern portion of that property, and the potential renovation of the existing hotel (no expansion of the Marriott Hotel is planned).

In addition to the granting of a gaming license, various approvals from involved agencies would be required, as described in the DEIS and FEIS. The Town of Hempstead Town Board (Town Board) possesses jurisdiction over the required zoning approvals and various other land use approvals. A Petition has been filed with the Town Board for the creation of the Mitchel Field-Integrated Resort District (MF-IRD); application of that new zoning district to the subject property; and, in accordance with the proposed zoning district, Conceptual Master Plan approval and site plan approval to allow the development of the Integrated Resort. All of these components of the proposed action are evaluated in the DEIS and FEIS.

The proposed lease provides that, among other things, the Lessee may construct new improvements that include public entertainment and/or recreation uses; a conference facility; hotel; gaming; public entertainment and/or recreation; entertainment venue; and other related business or commercial uses. The lease contemplates the development of an Integrated Resort, which Sands has proposed as an entertainment and hospitality destination, featuring four- and five-star hotels, an entertainment venue, meeting and convention space, swimming pools and health club, as well

as outdoor community spaces and a variety of entertainment programming – all in addition to world-class gaming facilities. The proposed lease also requires that, if the on-site veterans memorial is demolished or removed by or on behalf of the Lessee, the Lessee must construct, at its own cost, a new veterans memorial at a total cost of no less than \$1 million. In addition, the proposed lease provides that, as part of any new improvements for the Integrated Resort, the Lessee must construct the core and shell of an approximately 1,500 sq. ft. police substation with designated parking for eight vehicles and must provide reimbursement of up to \$500,000 to Nassau County, which is responsible for fit-out of the substation.

On April 23, 2025, Sands¹ announced that it has been negotiating with a third party (potential successor) to assume the bid for a gaming license. If the deal is finalized, the successor would also assume all obligations and commitments provided in a lease proposed to be entered into by Nassau County after the completion of this SEQR process. The obligations and commitments of the potential successor entity also include all mitigation measures set forth in this Findings Statement.

In the full-build condition, the proposed Integrated Resort would transform the underutilized Coliseum property into a regional entertainment and hospitality destination that would feature gaming, four and five-star hotels, meeting spaces, a live performance venue, and a wide range of restaurant and supportive experiences. The DEIS projected full-build construction completion by 2030. The Integrated Resort, which would be developed in accordance with a proposed Conceptual Master Plan, upon approval by the Town Board, was proposed to include the following new development:

- Two new hotels with a total of 1,670 rooms, spa, fitness center and pools
- Casino with 393,726 net square foot gaming area
- 147,292 square feet of food and beverage with 3,337 seats
- 213,000 square foot conference center
- 4,500 seat arena/live performance venue
- 60,000 square foot public attraction space
- 31,200 square feet of retail space
- Three parking garages
- Various back of house support, circulation and interior utility spaces.

As set forth in the DEIS, Phase 1 of the proposed Integrated Resort, which was to be completed in 2027, included:

- Casino with 129,071 net square foot gaming area
- 51,792 square feet of food and beverage with 1,173 seats

¹References to Sands as they pertain to future actions and commitments should be deemed a reference to Sands or a successor entity that would pursue a New York State casino license in lieu of Sands.

- 1,200 square feet of retail space
- One parking garage
- Various back of house support, circulation and mechanical spaces.

The impacts and proposed mitigation measures to minimize impacts for the proposed Phase 1 and full-build Integrated Resort were comprehensively evaluated in the DEIS. The FEIS explained that, due to escalating costs since the time the initial lease was negotiated (which increased the projected cost of full-build construction of the Integrated Resort from approximately \$5 billion to \$7.6 billion), the anticipated timeframe for casino licensing awards, discussions with the potential successor, and the refinement of the program as part of the preparation of the response to the Gaming Facility Location Board's *REQUEST FOR APPLICATIONS TO DEVELOP AND OPERATE A GAMING FACILITY IN NEW YORK STATE*, the Phase 1 program was modified such that at least a portion of multiple components would be developed in the first phase, and this revised first phase would be completed in 2030. The revised Phase 1 of the Integrated Resort, presented in the FEIS, included:

- Casino with 242,800 net square foot gaming area
- Hotel with a total of 250 rooms, spa, fitness center, and pool
- 90,000 square feet of meeting and conference space
- 90,000 square feet of food and beverage with 2,000 seats
- 1,500 square feet of retail space
- 1,500-seat performance venue
- One parking garage
- A Veterans Memorial
- Various back of house support, circulation, and mechanical spaces.

As further explained in the FEIS, the balance of the Integrated Resort (i.e., the portion remaining of the full-build summarized above and presented and analyzed in the DEIS and FEIS) may be developed, but only as market conditions and demand allow. Despite when or whether the remaining full-build development is constructed, all of the mitigation identified and described in the DEIS and FEIS that is attributable to the full-build Integrated Resort would be constructed to serve the smaller, 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.

The FEIS presented a comparison and analysis of impacts among Phase 1 as contemplated in the DEIS, the proposed revised Phase 1 program, and the full-build condition presented in the DEIS and FEIS, as follows:

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Parameter	Phase 1 (Original DEIS)	Phase 1 (Revised)	Full-build
Proposed Uses	Gaming (129,071 SF net gaming area) Gaming Circulation and Support (86,409 SF) Food and Beverage (51,792 SF – 1,173 seats) Retail (1,200 SF) Support Areas (154,435 SF) MEP Areas (175,484 SF)	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	Gaming (393,726 SF net gaming area) Gaming Circulation and Support (300,196 SF) Hotels (2,069,918 SF – 2,288 keys) Spa (included in hotel square footage) Meeting and conference space (234,853 SF) Food and Beverage (162,792 SF – 3,647 seats) Retail (55,507 SF) Performance Venue (135,000 SF - 4,500 seats) Public Attraction Space (60,000 SF) Support Areas (688,068 SF) MEP Areas (416,874 SF) Veterans Memorial
Gross Floor Area, excluding structured parking	598,391 SF	1,406,352 SF	4,516,933 SF
Total Parking Spaces (Structured)	4,800± (4,300± structured parking spaces)	6,500± (2,500± structured parking spaces)	12,450± (9,963± structured parking spaces)
Domestic Water Demand/Sewage Generation ¹	109,792 gallons per day (gpd)	272,790 gpd	701,400± gpd
Annual Gaming Tax	\$274± million	\$402± million	\$563± million
Permanent (Operational) Annual Jobs (Direct) ²	2,950±	4,900±	7,800±
Total Annual Permanent Jobs (Direct, Indirect, Induced)	4,800±	8,483±	12,365±
Total Annual Operational Labor Income (NYS) ³	\$450± million	\$0.85± billion	\$1.26± billion

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Parameter	Phase 1 (Original DEIS)	Phase 1 (Revised)	Full-build
Total Annual Operational Output (NYS)	\$1.7± billion	\$2.9± billion	\$4.06± billion
Total Annual Operational State Tax (NYS)	\$51± million (+ \$113 million racing support payment)	\$93± million	\$154.2± million
Construction Jobs (Direct)	1,450±	4,600±	7,000±
Total Construction Labor Income (NYS)	\$438± million	\$0.915 billion	\$1.68± billion
Total Construction Output (NYS)	\$1.42± billion	\$3.1 billion	\$5.3± billion
Traffic Generation ⁴			
AM Weekday Peak Hour	388	827	1,374
PM Weekday Peak Hour	552	1,165	2,155
Friday Evening Peak	803	1,943	3,561
Saturday Midday Peak	784	1,655	2,762
Saturday Evening Peak	1,161	2,467	3,899

¹ Does not include irrigation.

² The permanent jobs, including direct, indirect and induced, are new jobs associated with the Integrated Resort.

³ The totals for labor income, output, state tax and local tax for both the operational and construction periods consider direct, indirect and induced contributions at full-build.

⁴ The trip generation associated with the Marriott Hotel is not new trip generation, as the trips already exist on the roadway network and there would be no change to hotel operations.

As demonstrated above, all the revised Phase 1 impacts are less significant than those associated with the full-build condition (which was fully analyzed with required mitigation identified in the DEIS and FEIS). As indicated above, the build year for the revised Phase 1 would be 2030 (which is the same timeframe as the full build-out analyzed in the DEIS), and Sands would meet the obligations of the full-build mitigation for the revised Phase 1 condition.

In addition, as documented in the FEIS, since the time of preparation of the DEIS, Sands has revised the proposed excavation approach to reduce the amount of earthwork and soil material required to be excavated and removed from the project site. The DEIS explained that deep excavations were proposed (approximately 23.5 feet below the surface elevations), and, in some areas, excavations for the construction of elevator pits, grease interceptors, and foundation footings associated with below grade portions of parking garages were anticipated to extend 12 feet below the groundwater table (thereby necessitating dewatering). Since the time of preparation of the DEIS, the project design has been revised and these deep excavations have been eliminated, which not only reduces the amount of material removal and overall earthwork, but also eliminates the need for dewatering. The reduction in material removal and earthwork would also reduce the number of truck trips associated with the construction of the project.

With respect to traffic, as explained in the FEIS, the vehicle trips for the revised Phase 1 program would be greater than those associated with the prior Phase 1 program considered in the DEIS. However, they would be notably less than those associated with the full-build program. Notwithstanding this, Sands has committed to constructing the full-build mitigation for the revised Phase 1 program, including all transportation mitigation measures.

The analyses of the revised Phase 1 program presented in the FEIS confirm that the revised Phase 1 would not result in any impacts not previously identified and analyzed in the DEIS, for which mitigation has already been identified and would be implemented. Also, various impacts identified in the DEIS have been reduced and the previously-identified need for dewatering has been eliminated. Moreover, as explained earlier, Sands has committed to implementing all full-build mitigation identified in the DEIS for the revised Phase 1 program. Also, if in the future, based on market conditions and demand, Sands decides to proceed with additional development beyond Phase 1, the lead agency would evaluate whether additional SEQR analysis would be warranted at that time.

Alternative Plan

As discussed above, the Sands Integrated Resort could only be developed if a gaming license is awarded. According to the proposed lease with Nassau County, should New York State not grant a gaming license to Sands for redevelopment of the subject property, the Lessee is required to develop a mixed-use complex, including a “Ritz-Carlton,” “St. Regis” or equivalently-branded hotel; up to 500 residences, which may include workforce housing, condominium units or cooperative units; an entertainment venue; and any other lawful use subject to the County’s prior written consent. Sands is also required to make specific payments and provide certain community benefits, even if the gaming license is not awarded, as described later in this Findings Statement.²

To address the scenario where a gambling license is not awarded, the DEIS and FEIS evaluated an Alternative Plan featuring a mixed-use, live-work-play development. Under that Alternative Plan, both the Nassau Veterans Memorial Coliseum property and the Marriott Hotel property would be rezoned to MF-IRD, the Nassau Veterans Memorial Coliseum would be demolished and removed, the Marriott Hotel would remain as is (no reconfiguration of parking is proposed, as it is with the proposed action), and no changes in use or expansion of the Marriott Hotel are proposed. Potential development identified and evaluated in the DEIS and FEIS for the Alternative Plan included the following:

² The requirement for the alternative plan would also be applicable in the event an application for a gaming license is not submitted.

Alternative Plan Development Program

Proposed Use	Size (Square Feet)	Size (Other Units)
Residential	992,781	500 units
Retail	40,000	--
Restaurants	50,000	1,352± seats (estimated)
Hotel	631,794	500 keys
Performing Arts Center	147,865	3,600 seats
Multipurpose Recreational Facility	200,000	--
R&D Office Space	100,384	--
Medical Office Space	180,058	--
Veterans Memorial	23,031	--
TOTAL FLOOR AREA	2,365,913	--
Parking Structures*	1,938,221	5,099 spaces (in structures)* with 1,281 additional surface parking spaces, totaling 6,380

*Includes basement, ground level parking areas, and above grade parking structures.

In addition to presenting the Legislature’s findings and required mitigation for the proposed Integrated Resort, this Findings Statement also sets forth the findings and required mitigation for the Alternative Plan permitted pursuant to the proposed lease.

Public Benefits

The proposed Integrated Resort would provide substantial gaming tax revenue and other benefits, as documented in the DEIS and FEIS, which are summarized below. As part of the proposed lease with Nassau County and based on its numerous meetings with government officials and community representatives, Sands has committed to providing significant economic and community benefits, many of which help mitigate potential impacts associated with the proposed Integrated Resort. In addition to annual rent payments and permit review fees³ to Nassau County, the Lessee has agreed to provide the following:

- If a gaming license is granted, guaranteed host community gaming revenue to Nassau County in the amount of \$25 million for the first three years of casino operation, rising to

³ Per the proposed lease, if a gaming license is granted, rent payments would be \$10 million per year, upon commencement of casino operations. Approximately \$8.75 million would be paid to the Nassau County Department of Public Works for review pursuant to New York State General Municipal Law §239-f.

a guarantee of \$50 million per year after the first three years of casino operation, with two percent annual escalation

- If a gaming license is granted, guaranteed host community gaming revenue to the Town of Hempstead in the amount of \$10 million for the first three years of casino operation, rising to a guarantee of \$20 million per year after the first three years of casino operation, with two percent annual escalation⁴
- A one-time upfront payment of \$54 million to Nassau County
- Construction of a new 1,500-sf police substation with parking, and provision of up to \$500,000.00 for interior fit-out
- Payment of \$900,000.00 per year to Nassau County, with a two percent annual escalation, for police services prior to casino opening. If the gaming license is awarded, upon opening of the casino, this payment would increase to \$1.8 million annually, with a two percent annual escalation
- Community Benefits Payments (CBP) of \$4.0 million per year, if a gaming license is granted, or \$2.0 million per year upon substantial completion of development of an alternative plan (with no casino), if a gaming license is not granted. The CBP would support and enhance fire departments and districts and ambulance service providers; school districts; libraries and library districts; athletic fields, ballfields and parks; and other community facilities. Forty percent of the CBP would be designated for community facilities in Uniondale
- Supplemental community benefits payments to Uniondale in the amount of \$10 million, East Meadow in the amount of \$10 million, and the Village of Hempstead in the amount of \$5 million, for a total of \$25 million. Half of these payments, \$12.5 million, would be made by Sands during the construction of the proposed project with 40 percent to benefit Uniondale, 40 percent to benefit East Meadow and 20 percent to benefit the Village of Hempstead. The balance of the payments made by Sands would allow Uniondale, East Meadow and the Village of Hempstead to complete their applicable community benefit projects and other approved grant applications⁵

⁴ These are guaranteed minimums such that, if the gaming revenues actually generated would yield tax revenues in excess of those set forth above, the County and the Town would receive those actual higher tax revenues. As set forth in the DEIS, under the full-build condition, \$563 million in annual gaming tax revenues are projected, with \$54 million projected for the Town of Hempstead, and \$52 million projected for Nassau County.

⁵ An agreement regarding this payment scenario has been executed between Nassau County and Sands.

- At least \$1 million for the construction of an appropriate monument, memorial, or other tribute to veterans of the armed forces of the United States of America.

The benefits set forth in the proposed lease are in addition to the millions of dollars of rent, hotel tax, sales tax, entertainment tax and other taxes and payments that would be paid by the Lessee, and the mitigation measures identified in the DEIS and FEIS, as documented in this Findings Statement.

FINDINGS AND MITIGATION MEASURES

Upon due consideration and among the reasonable alternatives available, the Legislature has determined that the following represents the mitigation measures to be incorporated into its decision to ensure that significant adverse environmental impacts from the proposed action will be avoided or minimized to the maximum extent practicable.

Integrated Resort

Soils, Topography and Subsurface Conditions

The majority of the subject property is relatively flat and contains Urban Land, which has previously been disturbed and developed. The site-specific geotechnical investigations noted the presence of soils exhibiting good leaching properties beneath the upper levels. The depth to groundwater, system design and relatively well-drained soils ensure that the proposed drainage systems would function properly.

Imported topsoil used for landscaping and other construction fill materials would consist of clean material from commercial suppliers. Also, as part of a preliminary Stormwater Pollution Prevention Plan (SWPPP) that was prepared, erosion and sediment control measures would be implemented to minimize the potential for erosion and the transport of materials off-site. These control measures would assist in ensuring that implementation of the proposed action would minimize impacts associated with erosion and sedimentation. Although grading would be undertaken on the subject property to accommodate site development, the overall topographic profile would not be significantly altered from the existing condition. Certain areas on the subject property would be graded for aesthetic purposes, including along Hempstead Turnpike. As explained in the FEIS, the original development and grading concept included deep excavations that would have resulted in the removal of approximately 660,000 cubic yards (cy) of soil from the site. However, as a result of phasing and design modifications documented in the FEIS, the amount of earthwork has been significantly reduced. Based on the excavation revisions, the net amount of material to be transported has been substantially reduced (from approximately 660,000 cy to approximately 127,000 cy). This change in excavation approach also eliminates the need for dewatering, as groundwater would not be encountered during construction. Thus, these revisions

reduce construction impacts associated with excavation and material removal, truck traffic associated with transport of material from the subject site, and dewatering.

As further explained in the FEIS, there is the potential that, upon final design of the revised Phase 1 plan, the Coliseum building would be demolished and the existing subgrade space at the Coliseum building would be filled. If this were to occur, approximately 250,000 cy of material would be required to fill the Coliseum subgrade and 22,000 cy of material would be required to construct berms, for a total of 272,000 cy of material import. This revised Phase 1 option would also necessitate the excavation of 89,000 cy of material, primarily for foundations and infrastructure. Thus, this revised Phase 1 option results in a net requirement of 183,000 cy of material to be imported. Under this option, it is also projected that approximately 60,000 cy of material would have to be excavated for the construction of the remainder of the full-build project. Even if this were to occur, the truck trips associated with this import, combined with the above-described material export to complete the full-build program, would still be substantially less than that projected under the construction condition evaluated for the DEIS full-build analysis. Through the changes in the excavation concept, Sands has significantly reduced the required transport of material to and from the site and the impacts associated therewith.

Based upon subsurface investigations conducted for the Coliseum property and the Marriott Hotel property, which are presented in the DEIS, no potential significant issues (soils or groundwater) were identified. While petroleum-related and chlorinated volatile organic compounds (VOCs) were detected in soil vapor at various concentrations, these detections were not at levels where further action was required. Moreover, as explained in the FEIS, when soil vapor data (documented in the DEIS) was compared to the most recent (February 2024) New York State Department of Health (NYSDOH) Soil Vapor/Indoor Air Decision Matrices,⁶ recommendations ranged between “no further action” and “mitigate” for occupied structures (depending on corresponding indoor-air concentration), but the petroleum-related and chlorinated VOCs detected in soil vapor were not at concentrations likely indicative of an on-site release. Based on a conservative comparison to the NYSDOH Decision Matrices, soil vapor concentrations could warrant mitigation in future development. Therefore, prior to occupancy of any buildings on-site, a soil vapor intrusion evaluation would be conducted, based on NYSDOH guidance, for any occupied spaces. If necessary, based on the results of this evaluation, ongoing soil vapor intrusion monitoring and/or mitigation that may be necessary would be identified and implemented. With proper monitoring and/or mitigation (if soil vapor is detected during the evaluation), the intrusion exposure pathway would be eliminated.

According to the proposed lease with Nassau County, the Lessee is obligated to control and fund any investigation, remediation, management, handling, abatement or disposal of materials and environmental conditions at the site, including the excavation, characterization, management and disposal of hazardous substances or environmental media containing hazardous substances,

⁶The subsurface reports included in the DEIS were performed prior to the issuance of the February 2024 NYSDOH publication.

provided they do not relate to the responsibility of the landlord. Additionally, the proposed lease with Nassau County acknowledges the presence of asbestos-containing materials (ACM) in the Coliseum building and the potential presence of lead-based paint and other hazardous substances. The Lessee would assume responsibility for the remediation, clean-up, and other handling and management of the ACM, lead-based paint and/or other hazardous materials and for the cost of such during the term of the proposed lease.

To avoid and minimize potential significant adverse impacts to soils, topography and subsurface/environmental conditions, the following measures shall be employed:

- Erosion and sediment control measures shall be implemented in accordance with the SWPPP to minimize potential impacts to soils and groundwater, which shall be monitored through the construction period. These measures shall be maintained until the site is permanently developed.
- A Construction Health and Safety Plan (CHASP) shall be prepared that shall identify the known and potential on-site contaminants and outline procedures and guidelines to mitigate exposure risks and protect the health of on-site workers during construction activities.
- Each work site on the subject property shall be secured by construction fencing, at the time that work site is under construction, in order to prevent unauthorized personnel coming into the site and coming into contact with potentially-impacted materials.
- Excavated materials (e.g., soils) to be disposed of off-site shall be sampled for waste characterization based upon the acceptance criteria and permitting requirements of the proposed recycling and/or disposal facilities. Transportation and disposal shall be conducted in accordance with the requirements of 6 NYCRR Part 360.
- During construction activities, potentially-contaminated soils, if encountered, shall be separately segregated, and additional sampling and investigation of such soils shall be required.
- Imported topsoil used for landscaping and other construction fill materials shall consist of clean imported material from commercial suppliers.
- Any reuse of on-site soil or non-native material shall be conducted in accordance with New York State Department of Environmental Conservation (NYSDEC) regulations, including NYSDEC Part 360.13 for soil reuse, NYSDEC Part 375 and NYSDEC DER-10.
- If any underground storage tanks (USTs) and/or associated appurtenances (e.g., fill lines, vent lines, electrical conduits) are encountered during redevelopment of the subject property, decommissioning, removal and off-site disposal shall be done in accordance with

NYSDEC and Nassau County Department of Health (NCDH) UST closure requirements. Previously-unidentified USTs shall be registered with the NYSDEC and NCDH, as necessary, prior to decommissioning or removal.

- Prior to occupancy of any buildings on-site, a soil vapor intrusion evaluation shall be conducted, based on NYSDOH guidance, for occupied spaces. If necessary, based on the results of this evaluation, ongoing soil vapor intrusion monitoring and/or mitigation shall be identified and implemented to eliminate the intrusion exposure pathway.
- Prior to demolition/renovation activities, ACM abatement plans shall be developed to ensure the proper handling, removal, and disposal of ACM in accordance with applicable regulations. Appropriate engineering controls and best management practices to minimize asbestos exposure shall be implemented during any activities that could result in the disturbance of ACM. Asbestos air monitoring shall be conducted in accordance with applicable regulations.
- Lead-based paint and other hazardous substances, if encountered, shall be remediated.

Water Resources

The depth to water at the subject property is located between approximately 29 feet and 34 feet below grade surface (bgs). Based on the elimination of deep excavations and the revised grading approach described in the FEIS, groundwater is not expected to be encountered during construction, and no dewatering would be required.

The revised Phase 1 plan is expected to have a potable water demand of 272,790± gallons per day (gpd), which would be equivalent to projected sewage generation. Total anticipated domestic water usage for the full-build condition of the Integrated Resort is assumed to match sewage generation, which is estimated at approximately 701,400 gpd using Nassau County Department of Public Works (NCDPW) Minimum Design Sewage Flow Rates.⁷ To evaluate overall projected water use, the water demand for landscape irrigation must also be added to the domestic projection. Irrigation for the proposed full-build condition, assuming an irrigation rate of one inch per square foot per week, results in an average demand during the growing season of 62,000± gpd. This is a conservative assumption, as Sands is evaluating the use of captured stormwater runoff from roof areas to reduce the demand on the potable water supply for the anticipated drip irrigation system. Such stormwater capture and reuse could reduce the water demand, depending upon season and availability of stormwater.

⁷ As no changes to the use of the Marriott Hotel are proposed, no changes to the existing water demand would result. Thus, the Marriott Hotel would not require additional water supply as a result of implementation of the proposed action.

In addition to potable and irrigation water demand, fire protection systems are proposed to include individual building fire sprinkler systems supplied by a booster pump. The peak instantaneous fire protection system demand is anticipated to be up to 2,000 gallons per minute (gpm). More specifically, the fire pump would be rated for 1,250 gpm to support the required standpipe flow of the tallest buildings on the site. The pump can also support the higher sprinkler demand at the electric vehicle (EV) charging areas. The anticipated flow rate to support EV charging is approximately 1,750 - 2,000 gpm.

Based on the existing condition maximum day plus fire-flow analysis, the Uniondale Water District (UWD) has a current capacity of 7.71 million gallons per day (mgd), and a demand of 8.47 mgd, and therefore, is operating under a 0.76 mgd theoretical deficit for meeting this demand.⁸ The UWD deficit currently exists and does not include the projected water demand for the proposed Integrated Resort of 0.763 mgd, including irrigation (no credit was taken for the use of water conservation measures), in the full-build condition. To address the existing deficit (0.76 mgd), as well as the projected water use of the proposed Integrated Resort (0.763± mgd during the growing season), a new 1.98 mgd supply well is proposed, which would increase the UWD available capacity to cover the demand for the proposed Integrated Resort and also provide excess capacity, which would increase the resiliency of the public water supply system within the UWD and mitigate the theoretical water supply deficit.

A potential well site on Nassau County-owned property situated within the right-of-way median at the intersection of Charles Lindbergh Boulevard and Earle Ovington Boulevard is being evaluated. A work plan for a test well was presented to the Nassau County Department of Public Works (NCDPW) and the Town of Hempstead Water Department. A road opening permit application for formal approval for construction of the test well was submitted to NCDPW on September 4, 2024, and the permit was issued on September 11, 2024. An application for test well drilling was submitted to NYSDEC, and NYSDEC issued an Approval to Sink Well on September 13, 2024.

A test well program was completed in March 2025, and the preliminary water quality results from the test well indicate excellent water quality for the area, and the site is viable from a water quality and quantity perspective. A water withdrawal permit for construction of a permanent well will be prepared and submitted to the NYSDEC, in conjunction with a submission to the NYSDOH. This permit application and engineering study is anticipated to be completed and submitted in mid-2025. Design of the permanent well is expected to occur over a similar timeline. Results from the final phase of the test well project will be included in the engineering report and application to NYSDEC for water withdrawal permit (submission projected to be made in the second quarter of 2025). With land agreement and regulatory approvals in place, construction of the permanent well is planned to start after the second quarter of 2026, followed by treatment plant construction in the

⁸ Currently, the Uniondale Water District relies on interconnection with the East Meadow Water District distribution system to mitigate this deficit.

fourth quarter of 2026. Sands will continue to coordinate with the Town of Hempstead Water Department regarding the proposed infrastructure to ultimately secure a letter of water availability.

All plumbing fixtures in the Integrated Resort are proposed to be high-efficiency water-conserving fixtures meeting all water-conservation statutes in accordance with the New York State Plumbing Code, Energy Policy Act of 1992, as amended, as well as the current Leadership in Energy and Environmental Design (LEED) rating system for water efficiency. By utilizing high-efficiency plumbing fixtures, the proposed development is expected to realize a minimum reduction of 25 percent in water consumption below the NCDPW water standards. Appliances that use water, such as dishwashers and washing machines, would be energy efficient, including Energy Star-certified, to achieve energy and water efficient operation.

In addition, Sands proposes the use of a central rainwater capture and reuse system that collects, filters, and stores rainwater for reuse. This system (for no-contact irrigation use, decorative fountains and possibly for exterior non-contact surface cleaning, if acceptable based upon consultations with the appropriate agencies of Nassau County [NCDPW and/or NCDH]) would be a sustainable source of non-potable water use in the project and, therefore, would reduce the demand for potable water. Also, the Integrated Resort would not use cooling towers for air conditioning heat rejection (which utilizes substantial amounts of water), representing a significant water conservation measure.

With respect to sanitary flow, to accommodate sanitary flow on-site, the 36-inch main, which traverses the site from north to south, would be relocated. Following consultation with the NCDPW, the existing connection to the 48-inch interceptor would be maintained following the on-site relocation in order to avoid construction within Hempstead Turnpike. The estimated capital cost of the sewer main relocation is \$3.5 to \$5.0 million, which would be borne by Sands.

Under current conditions, the subject property has little capacity for stormwater retention and absorption on-site, due to the substantial amount of impervious surface. As part of the development of the Integrated Resort, Sands proposes to design and construct a variety of new stormwater management facilities to minimize impacts to existing drainage systems, neighboring properties, and nearby waterways. The design would substantially improve the on-site stormwater management to reduce the burden to the County system and minimize future vulnerabilities from flooding events. While upgrades are proposed to be made on-site and the amount of stormwater runoff generation is reduced, Sands proposes to maintain collection and conveyance to the Nassau County recharge basin and incorporate infiltration structures (catch basins, drywells and leaching galleys) into the collection and conveyance design. Stormwater management practices associated with the project, including the preparation of a final SWPPP, which would be developed in accordance with the specifications set forth in the NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001), have been designed to comply with the requirements of the Town of Hempstead (Article XXXVIII of the Town Building Zone Ordinance [BZO], entitled *Stormwater Management and*

Erosion and Sediment Control), as part of the Town of Hempstead site plan review and NCDPW review under New York State General Municipal Law § 239-f.

Implementation of the proposed action would result in a decrease of impervious surface on the subject property. As such, the amount of stormwater runoff generated on-site would decrease. The proposed redevelopment would continue to use the existing positive drainage network on the subject property. As part of the stormwater management system, over 100 drywells would be installed, which would result in a runoff reduction.

The newly updated stormwater collection system would continue to outfall into the existing Glenn Curtiss Boulevard conveyance system, and ultimately into Nassau County Basin No. 537. There would be no direct discharges to any surface waters from stormwater runoff. The installation of numerous drywells, catch basins and leaching galleys at the subject property would promote local infiltration, and the decrease in impervious areas at the subject property would cause a corresponding reduction to the stormwater load imposed on the County basin, thereby improving an already-permitted condition. In addition, the local infiltration would be increased. The updated stormwater management system would ensure that stormwater runoff would be properly captured and conveyed, precluding stormwater from running overland to adjacent properties or nearby surface waters.

Stormwater Quality Treatment requirements, per the NYSDEC SPDES General Permit GP-0-25-001, shall be met by providing new on-site drywells in the proposed parking areas with pretreatment devices (hydrodynamic separators) installed upstream of the drywells and sized to treat 50 percent of the water quality volume in accordance with the NYS Stormwater Management Design Manual, dated July 31, 2024. The drywell systems will overflow to the existing drainage systems that convey stormwater to Nassau County Basin No. 537. The remainder of the site, which would continue to be tributary to the existing drainage systems that convey stormwater to Nassau County Basin No. 537, shall utilize catch basin inserts on all stormwater inlets upstream of connections to the existing drainage system.

Low-impact development techniques are also proposed, which include the installation of landscaped terraces/green roofs and gardens. Such landscaped terraces/green roofs would provide increased potential for evapotranspiration, thereby decreasing the amount of site-generated runoff. Additionally, as described above, the site would include local infiltration through the installation of catch basins, drywells and leaching galleys. These techniques slow down the rate of runoff and allow the water to infiltrate the ground or to be captured for reuse in the proposed development.

Regarding floodplains and surface waters, the subject property is not located within a floodway, the 100-year floodplain or the 500-year floodplain, and there are no natural surface waters on or directly adjacent to the subject property. Therefore, there would be no impact to or from such features, and the proposed action does not require floodproofing. The property is also not located within a Special Groundwater Protection Area.

To avoid and minimize potential significant adverse impacts to water resources, the following measures shall be employed:

- A new 1.98-mgd water supply well, associated treatment systems, backup power generation, and transmission water mains shall be constructed to support the full-build of the Integrated Resort, which is expected to have a water demand of approximately 0.763 mgd during the growing season. Construction of the new well would result in a benefit to the greater community by increasing the capacity and resiliency of the public water supply in the Uniondale Water District. Sands shall fund this new well and associated facilities. A Letter of Water Availability shall be secured from the Town of Hempstead Water Department.
- Water conservation techniques, including the use of Energy-Star appliances and installation of high-efficiency water-conserving fixtures, shall be incorporated into the project design.
- The Integrated Resort shall not use cooling towers for air conditioning heat rejection (which utilizes substantial amounts of water), representing a significant water conservation measure.
- There shall be a reduction in the amount of impervious surfaces on the site.
- Implementation of the proposed action shall reduce stormwater runoff and its impacts on Nassau County Recharge Basin No. 537 by increasing local infiltration through the strategic installation of drywells, catch basins and leaching galleys on the subject property.
- Stormwater Quality Treatment requirements, per the NYSDEC SPDES General Permit GP-0-25-001, shall be met by providing new on-site drywells in the proposed parking areas with pretreatment devices (hydrodynamic separators) installed upstream of the drywells and sized to treat 50 percent of the water quality volume in accordance with the NYS Stormwater Management Design Manual, dated July 31, 2024. The drywell systems will overflow to the existing drainage systems that convey stormwater to Nassau County Basin No. 537. The remainder of the site, which would continue to be tributary to the existing drainage systems that convey stormwater to Nassau County Basin No. 537, shall utilize catch basin inserts on all stormwater inlets upstream of connections to the existing drainage system.
- A central rainwater capture and reuse system shall be installed that collects, filters and stores rainwater for reuse. This system (for no-contact irrigation use and possibly for exterior non-contact surface cleaning, if acceptable to NCDPW and/or NCDH) would be a sustainable source of non-potable water use in the project and, therefore, would reduce the demand for potable water.

- Low-impact development techniques that reduce the impact of stormwater runoff shall be utilized, including landscaped terraces/green roofs and various landscaping areas and gardens. Such green roofs/landscaped terraces would provide increased potential for evapotranspiration, thereby decreasing the amount of site-generated runoff.
- Sands shall monitor and maintain the stormwater management system. This monitoring shall include water quality testing, flow monitoring, and equipment maintenance, which would reduce the impact of stormwater runoff, increase water efficiency, and demonstrate a commitment to sustainable infrastructure design.
- No direct discharges of stormwater runoff to surface waters shall occur.
- Temporary and permanent erosion and sediment control measures shall be installed and maintained by the general contractor (or subcontractor) in accordance with the engineering plans and details, and the New York State Standards and Specifications for Erosion and Sediment Control.
- A preliminary SWPPP has been prepared, and a final SWPPP shall be developed in accordance with the prevailing regulations of the NYSDEC and the Town of Hempstead to address potential stormwater runoff impacts during and after construction.

Ecological Resources

The primary impact of the proposed action on habitats, vegetation, and wildlife would be positive and would involve removal and replacement of the existing unvegetated/impervious surfaces at the subject property due to redevelopment of the site. Implementation of the proposed action would result in a decrease in impervious surfaces, and under the full-build condition, implementation of the proposed project would result in an approximately seven-acre increase in vegetated habitat at the subject property. The vegetated areas to be installed under the proposed action would consist of a greater variety of habitat types characterized by high species diversity, including meadow habitats planted with native herbaceous plants and grasses, vegetated open space, plazas, and gardens, as well as parking lot islands/borders, medians, shaded planters, and streetscapes planted with native trees, shrubs, forbs, and no-mow grasses. Additionally, the proposed action includes the installation of landscaped terraces/green roofs. As such, the proposed action would result in the introduction of ecological communities that do not currently occur at the subject property and would substantially increase the abundance and diversity of native vegetation, as compared to existing conditions.

No federal or New York State listed species or species habitats were observed at the subject property during the field survey. Furthermore, due to largely unvegetated and developed conditions, as well as the subject property's location within a densely populated portion of Nassau County characterized by high levels of human presence and activity, the subject property does not provide potential habitat for federal or New York State listed species known to occur locally or

regionally. Therefore, no significant adverse impacts to rare/protected species are anticipated due to implementation of the proposed action.

The Hempstead Plains grassland community, located beyond James Doolittle Boulevard to the east of the subject property, and to the north-northeast within NCC, would not be physically disturbed or directly impacted by the proposed action. The Hempstead Plains (within the Purcell Preserve, south of Charles Lindbergh Boulevard and east of James Dolittle Boulevard) is considered a sunlight-sensitive resource, as it contains resident plant communities that could be hindered if access to sunlight is significantly altered through incremental shading due to new development. A shadow analysis was conducted, which indicates that, similar to the existing condition where the Marriott Hotel building casts shadows during limited periods, incremental shadows would be cast onto limited areas of the westernmost portions of the Purcell Preserve for periods of $2.0\pm$ hours to $3.5\pm$ hours. The location of incremental shadows would change throughout the year, and the largest areal extent of shading would occur during the December 21 analysis day, during the period when the sunlight needs of resident vegetation for photosynthesis and other biological processes are minimal to non-existent, as the above-ground portions of the herbaceous vegetation that predominates within the Hempstead Plains/Purcell Preserve have died back or are dormant during the non-growing season months. In all analysis days, shadow impacts are limited to the evening or late afternoon hours, thereby allowing for substantial periods of direct sunlight to vegetation within the affected areas, particularly during the growing season, when shadow impacts would occur for as little as $2.0\pm$ hours and would not exceed $3.5\pm$ hours on any of the representative analysis days. As such, the affected areas would receive six hours or more of direct sunlight, which would meet or exceed the minimum sunlight requirements for most resident grassland plant species that occur within the Hempstead Plains.

The presence of shadows on the Purcell Preserve from the subject property is not a new occurrence. The existing Marriott property casts afternoon shadows onto the Hempstead Plains, affecting the northwestern border of the Preserve. Impacts from shadows on limited portions of the Purcell Preserve under proposed conditions would be similar to those that currently occur to limited portions of the Purcell Preserve from the Marriott Hotel building. With the exception of the westernmost portions of the Purcell Preserve, the remainder of the Hempstead Plains, including those portions of the Hempstead Plains located to the north of Charles Lindbergh Boulevard, would be unaffected by incremental shadows from the proposed development. Based on the results of the shadows analysis, the areal and temporal extent of incremental shading from the proposed development would be negligible and would not result in significant adverse effects to the Hempstead Plains.

Off-site roadway mitigation is proposed at various locations along Meadowbrook State Parkway and Northern State Parkway, at the Hempstead Turnpike/Meadowbrook State Parkway interchange and at the Charles Lindbergh Boulevard/Meadowbrook State Parkway Interchange. Based on the identified areas of potential disturbance and the ecological evaluations conducted, the proposed improvements along Meadowbrook Parkway and Northern State Parkway and at the Charles Lindbergh Boulevard/Meadowbrook State Parkway Interchange would not result in

significant adverse impacts to habitats, vegetation, wildlife, wetlands, surface waters, or other ecological resources as a result of the off-site roadway mitigation construction.

Based on the ecological analyses conducted, the Hempstead Turnpike/Meadowbrook State Parkway interchange traffic mitigation area, inclusive of the pavement, landscaped roadway shoulders and bordering successional vegetation that comprise the area, does not represent suitable habitat for federal or New York State listed species known to occur locally and regionally. As such, disturbance to the traffic mitigation area would not result in adverse impacts to listed species. However, improvements within the Hempstead Turnpike/Meadowbrook State Parkway interchange traffic mitigation area would occur proximate to the East Meadow Brook. The East Meadow Brook is a stream that has been highly impacted by development, including significant alterations to the stream channel due to the construction of the Meadowbrook State Parkway, as well as impacts from the dense commercial, institutional, and residential development that characterizes the general surrounding area. The portion of the East Meadow Brook in the area of the Hempstead Turnpike/Meadowbrook State Parkway interchange functions primarily as an intermittent conduit for stormwater runoff from the surrounding roads and development. The East Meadow Brook flows southward along the west side of the Meadowbrook State Parkway and crosses beneath the parkway via three box culverts located just south of the Glenn Curtiss Boulevard overpass and within the proposed Hempstead Turnpike/Meadowbrook State Parkway interchange traffic mitigation area. Grading in areas adjacent to the East Meadow Brook and potential culvert improvements may be necessary to accomplish the proposed mitigation work. Direct or indirect impacts to the East Meadow Brook would be avoided due to implementation of erosion and sediment controls, stormwater best management practices to occur under an approved SWPPP, and adherence to potential NYSDEC permitting requirements, as described below.

The Environmental Resource Mapper 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 final design of the mitigation measures is completed in coordination with the New York State Department of Transportation (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.

To avoid and minimize potential significant adverse impacts to ecological resources, the following measures shall be employed:

- Impervious areas shall decrease, vegetated areas shall increase, and landscaping shall be installed to substantially increase the quantity and quality of native vegetation, wildlife habitat potential, and native plant diversity at the subject property, through installation of meadows and other vegetated habitats featuring native trees, shrubs, grasses, and other herbaceous plants. The landscape plan would replace the existing low diversity, fragmented landscaped areas dominated by non-native species with a diverse array of habitat types.
- The landscape plan shall include the establishment of contiguous blocks of meadow habitats planted with native herbaceous plants and grasses that replicate the plant species assemblages found within the nearby Hempstead Plains grassland community, including native grassland species such as Little Bluestem, Pennsylvania Sedge, Goldenrods, Butterfly Weed, Purple Cone Flower, Asters, and others.
- The landscape plan shall include no-mow lawns, reducing or eliminating the need for maintenance practices, watering, and fertilizer applications.
- Bird-safe building designs shall be implemented to minimize the potential for bird collisions, including the minimization of the amount of high-risk glazed areas, as well as the installation/use of exterior opaque vertical louvers, treated frit patterns, exterior screens, grilles, shutters, blinds, etching, sandblasting, texturing, and other recognized measures to make transparent site elements more evident to birds. To further reduce the potential for bird collisions, the landscape plan shall include strategic placement of shrubs and trees away from the glazed faces of the towers.
- To avoid potential adverse impacts to avian navigation and migrator behavior, the lighting plan shall be designed and implemented to avoid or minimize the potential for glare, skyglow, light trespass and light spill. The lighting plan design shall not result in light trespass beyond the boundaries of the subject property, thereby avoiding light pollution impacts to the Hempstead Plains and its resident fauna, including birds.
- The lighting plan shall incorporate a variety of measures to mitigate potential light pollution and avoid or minimize potential adverse impacts to local insect populations. These include concealed and integrated exterior building lighting, fully-shielded lighting systems to mark access points, pole-mounted full-cutoff luminaires at surface parking areas, soft, indirect cove lights at the hotel entry drop-off points, perimeter walking paths illuminated with low-level bollards, in-grade paver lights at the proposed veterans memorial plaza, parking garage interiors lit with non-directional, shielded, surface-mounted cylinders that would direct light downward to minimize potential light-spill, and vertical mullions at windows to baffle interior lighting as viewed from exterior areas.
- The landscape plan shall be comprised of native and native-adaptive plant species, such that seed dispersal from the proposed landscaped areas to off-site vegetated habitats via

wind, birds, or other wildlife may increase native plant abundance within the Hempstead Plains and not exacerbate existing non-native invasive species issues and associated management concerns.

- As part of final design of roadway mitigation at the Hempstead Turnpike/Meadowbrook State Parkway interchange, in coordination with NYSDOT, an evaluation of the specific area of disturbance shall be conducted to determine if the proposed improvements would occur within the NYSDEC freshwater wetland jurisdictional area. If so, any required freshwater wetlands permit shall be obtained and the conditions of such permit shall be complied with.

Land Use, Zoning and Community Character

The analyses conducted in the DEIS and FEIS demonstrate that the proposed redevelopment of the property into the Integrated Resort aligns with the recommendations and goals of the relevant land use plans, as it would serve as a regional hub, concentrating a variety of uses, including entertainment, lodging, and recreation in a central location, attracting a wide range of visitors from Nassau and Suffolk Counties, New York City and beyond.

According to the Town of Hempstead Zoning Maps and the Town of Hempstead Building Zone Ordinance (BZO), the entirety of the subject property is situated within the Mitchel Field Mixed-Use (MFM) Zoning District, which is part of the overall PDD at Mitchel Field (Article XIII of the Town of Hempstead BZO). The MFM Zoning District is limited to only the subject property and the outparcel containing the Memorial Sloan-Kettering Cancer Center facility.

When evaluating zoning consistency of the proposed Integrated Resort with the Town of Hempstead BZO, the DEIS explained that the proposed development concept would either require relaxation from various provisions of the prevailing MFM Zoning District, amendments to that district, or the establishment of a new zoning district. Sands prefers and has proposed a new zoning district, the MF-IRD. Accordingly, the proposed action consists of three components related to zoning: the creation of a new zoning district (the MF-IRD); rezoning of the tax parcels that comprise the subject property into the MF-IRD; and development of the Integrated Resort in accordance with the proposed MF-IRD. The proposed MF-IRD furthers the intent and goals of Article XIII of the BZO, *Planned Development Districts at Mitchel Field*, by providing a new zoning district that promotes the development of innovative, attractive sites that provide benefits to the Town and larger region. As indicated in the legislative purpose of the PDD, there was an understanding of the dual responsibilities associated with Mitchel Field (County ownership and Town zoning, community services and local tax structure). The PDD recognizes that “the synergistic influence of creative design and quality construction at each step [of development] would promote the ultimate ideal of environmental quality.” The proposed MF-IRD embraces this focus on environmental quality through required green site features and sustainability.

The proposed Integrated Resort would transform the existing Coliseum property, currently developed with asphalt parking areas and an underutilized Coliseum, into a mixed-entertainment destination that fosters a sense of community and connectivity within its surroundings and draws people together. In order to minimize the impacts of the proposed Integrated Resort on land use, zoning, and community character, measures have been incorporated into the project design, and the proposed MF-IRD includes appropriate design guidelines, including provisions for green site and building requirements and landscape/hardscape features.

To avoid and minimize potential significant adverse impacts to land use, zoning and community character, the following measures shall be employed:

- The development shall incorporate a significant amount of new green and open space on the site through the introduction of an outdoor plaza, a veterans memorial, and substantial landscaping throughout the subject property.
- The podium design shall feature a series of landscaped terraces and setbacks that gradually step down the massing of the building. These terraces and setbacks would serve to break up the building's scale, while creating a series of visual connections between different levels of the podium. The terracing of the building mass also allows for a transition between the podium and the hotel towers above, so there is not one solid wall of buildings.
- The proposed project shall incorporate a comprehensive landscaping plan that would provide visual relief from the proposed buildings, partially screening and softening them, with landscaping along the perimeter of the property and the internal roadways.
- The proposed surface parking areas shall be surrounded by landscaping to help screen them from the surrounding roadways and neighborhoods. Landscaped islands within these areas shall also be provided, where feasible, to minimize the visual impact and help screen the vehicles parked within the surface parking areas.

Transportation and Parking

A comprehensive Traffic Impact Study (TIS) was prepared to evaluate the potential traffic impacts associated with the proposed action. The TIS included an evaluation of the existing traffic operations, an assessment of future conditions without development of the proposed Integrated Resort (no-build condition), an estimate of projected trip generation for the proposed Integrated Resort (for Phase 1 and full-build), and an evaluation of the potential impacts of the proposed Integrated Resort on future traffic and transit operations in the Study Area (build condition and build condition with mitigation). An extensive traffic data collection program was developed that included obtaining turning movement counts (TMCs) at study intersections and automatic traffic recorder (ATR) counts on local roadways and along the Meadowbrook State Parkway, the

Northern State Parkway, the Southern State Parkway and their ramps (totaling 180 locations - 66 intersections and 114 roadway segments and ramps).

The DEIS projected background traffic volumes in the Study Area to the Phase 1 build year proposed in the DEIS (2027), and the full-build year (2030). A no-build condition was also considered to evaluate future traffic conditions without construction of the proposed Integrated Resort. The evaluation of the full-build condition established the necessary mitigation measures for surface street intersections. The full-build mitigation (mitigation measures for surface intersections) was projected to be in place by operation of Phase 1 and would, thus, effectively mitigate Phase 1 impacts. Mitigation measures for parkway impacts are associated with the full-build year (2030) and were projected to be in place prior (subject to local and state agencies approvals/permits) to the completion of Phase 2.

As explained earlier in this Findings Statement, the FEIS evaluated a revised Phase 1 program, with a 2030 build year, and indicated that the balance of the Integrated Resort (i.e., the portion remaining of the full-build development, as presented and fully analyzed in the DEIS) would be developed as market conditions and demand allow. The projected trip generation for the revised Phase 1 program is notably less than that associated with the full-build conditions, as set forth in the following table:

Trip Generation	Revised Phase 1	Full-Build Condition
AM Weekday Peak Hour	827	1,374
PM Weekday Peak Hour	1,165	2,155
Friday Evening Peak	1,943	3,561
Saturday Midday Peak	1,655	2,762
Saturday Evening Peak	2,467	3,899

Despite when or whether the remaining full-build development is actually constructed, all full-build mitigation, as identified in the DEIS and FEIS, would be constructed to serve the revised Phase 1 development (build year of 2030). 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 development analyzed in the DEIS) is undertaken.

The results of the capacity analyses conducted for the proposed Integrated Resort indicate that some intersections with project-related increases in delay and decreases in LOS would require modifications. Recommended improvements are provided for roadways where there would be project-related increases in delay and decreases in LOS. The results of the intersection capacity analyses indicate that, for all time periods analyzed, the mitigation proposed retains good levels of traffic service or returns intersection levels of service and delay to no-build condition levels. All costs associated with the design, permitting and construction of the identified mitigation and access improvements would be borne by Sands.

The proposed Integrated Resort would be served by both surface parking fields and structured parking. These parking garages and parking fields are located such that ample parking would be available, close and convenient to the various components of the Integrated Resort, to serve site visitors and employees. The 9,963 spaces within the on-site parking garages and another 2,487 parking stalls in surface level lots (12,450 spaces in total), in the full-build condition, would comply with the parking requirements of the proposed MF-IRD and be sufficient to meet projected demand.

A Project Transportation Demand Management (TDM) plan was developed for the Integrated Resort to provide a cohesive approach to establish a targeted set of strategies aimed at reducing single-occupancy vehicle trips to and from the proposed site. The TDM plan describes how the Integrated Resort would provide information and education, enhance alternative transportation infrastructure and mobility and incentivize staff and visitors so that they use more sustainable, multi-modal commuting options such as walking, bicycling, transit, and carpooling, which would result in reduced trip generation.

The Integrated Resort is committed to encouraging use of non-vehicular modes and plans to leverage the proximity of the LIRR by providing a shuttle from the Hempstead LIRR Station (and, by proximity, the Rosa Parks Hempstead Transit Center) directly to the Integrated Resort site. No other area railroad stations would be served by this shuttle service. The cost of this service would be borne by Sands. The Integrated Resort would also provide direct bus connection from New York City and potential other locations via a coach shuttle. The proposed Integrated Resort is anticipated to generate additional ridership demand on existing local transit services, specifically the NICE Bus service and the LIRR Hempstead branch, and published data demonstrate that both of these services have capacity to accommodate the projected additional ridership.

Sands has coordinated with the New York State Department of Transportation (NYSDOT), and, as a result, NYSDOT has provided correspondence to the Legislature, dated April 10, 2025, documenting how the comments that it issued on the DEIS have been addressed.

To mitigate potential impacts to transportation infrastructure, the following measures shall be implemented (subject to approval/permitting by the State and local agencies with jurisdiction over the affected roadways):

Improvements to Site Access

Intersection	Improvement
Hempstead Turnpike (NY 24) at Glenn Curtiss Boulevard/Site Access	WB: Modify right-turn lane to eliminate uncontrolled movement SB: Restripe southbound approach to provide two left-turn lanes and a shared thru-right lane

Intersection	Improvement
Earle Ovington Boulevard at Charles Lindbergh Boulevard (EB)/Site Access	WB: Remove one left-turn lane, construct an additional channelized right-turn lane
Earle Ovington Boulevard and Charles Lindbergh Boulevard at Site Access Bus Loop	Construct Bus deceleration lane and off ramp from Earle Ovington Boulevard. Construct a right-out-only from the site onto Charles Lindbergh Boulevard.
Charles Lindbergh Boulevard at Site Access (Sands Blvd.)	Construct Intersection and Signalize with optimized timing/phasing
Charles Lindbergh Boulevard at James Doolittle Boulevard	EB: Remove right-turn lane NB: Remove right-turn lane

Intersection Mitigation Measures

Intersection	Improvement
Hempstead Turnpike (NY 24) at Glenn Curtiss Boulevard/Site Access	WB: Remove channelized right-turn lane SB: Restripe southbound approach to provide two left-turn lanes and a shared thru-right lane NB: Restripe approach to provide two left-turn lanes, a shared thru-right lane and a right-turn lane Restrict WB U-Turns (PM Peak) Optimize signal timing/ phasing (AM, PM, SAT MID, SAT EVE, FRI EVE)
Hempstead Turnpike (NY 24) at Cunningham Avenue	Optimize signal timing/ phasing/ Offsets (AM, PM, SAT EVE, FRI EVE, SAT MID)
Hempstead Turnpike (NY 24) at MSKCC Entrance	Optimize signal timing/ phasing/ Offsets (AM, PM, SAT EVE, FRI EVE, SAT MID)
Hempstead Turnpike (NY Route 24) at Earle Ovington Boulevard/Uniondale Avenue	SB: Construct additional right-turn lane. Restripe southbound approach to provide two left-turn lanes, a thru lane, a shared thru-right lane, and a right-turn lane Optimize signal timing/ phasing (AM, PM, SAT EVE, FRI EVE, SAT MID)

Intersection	Improvement
Earle Ovington Boulevard at Charles Lindbergh Boulevard (EB)/Site Access	EB: Construct an additional left-turn lane WB: Remove one left-turn lane, construct an additional channelized right turn lane SB: Construct an additional U-turn only lane (AM, PM, SAT MID, SAT EVE, FRI EVE)
Hempstead Turnpike (NY 24) at Park Boulevard/E. Meadow Avenue	Optimize signal timing/ phasing (PM)
Hempstead Turnpike (NY 24) at Hofstra Boulevard/California Avenue	Optimize signal timing/ phasing/offset (AM, PM, SAT MID, SAT EVE, FRI EVE)
Hempstead Turnpike (NY 24) at Oak Street/Hofstra Boulevard	Optimize signal timing/ phasing/offset (AM, PM, SAT MID, SAT EVE, FRI EVE)
Fulton Avenue at N. Franklin Street	Optimize signal timing/ phasing (PM)
Stewart Avenue at Franklin Avenue	Optimize signal timing/ phasing (PM)
Merrick Avenue at Corporate Drive	Optimize signal timing/ phasing (PM, SAT MID)
Merrick Avenue at Privado Road	Optimize signal timing/ phasing (PM)
Jericho Turnpike at Post Avenue	Optimize signal timing/ phasing (PM, FRI EVE)
Oak Street at Westbury Boulevard/Meadow Street	Optimize signal timing/ phasing (PM)
Charles Lindbergh Boulevard at Site Access (Sands Blvd.)	Optimize signal timing/ phasing/offset (AM, PM, SAT MID, SAT EVE, FRI EVE)

In addition to the mitigation identified above, to address existing traffic conditions and/or site-generated traffic, Sands has committed to, and shall, upgrade all pedestrian crossing features and controls at the intersections that would see the highest levels of pedestrian activity around the perimeter of the site and those that will receive physical mitigation. This will include ADA-compliant pedestrian ramps and features and pedestrian control and safety features in compliance with NYSDOT and NCDPW requirements. In addition, changes proposed to intersection geometry at site access points shall be designed to better protect pedestrian traffic, including the elimination of uncontrolled free right-turning movements in favor of full control, allowing for fully-protected pedestrian crossings at these locations. These pedestrian improvements will benefit not just site visitors but the general travelling public.

Sands shall also perform capacity improvements on Hempstead Turnpike, the Northern State Parkway and the Meadowbrook State Parkway to address existing conditions and project impacts as follows:

- Removal of the existing lane drop to widen to two full lanes the ramp from westbound Northern State Parkway to southbound Meadowbrook State Parkway as well as widening to provide a fourth lane southbound on the Meadowbrook State Parkway from Northern State Parkway to Zeckendorf Boulevard.
- Widening of northbound Meadowbrook State Parkway to four lanes from Old Country Road to the Northern State Parkway ramps and the widening of the ramp to the eastbound Northern State Parkway to two lanes all the way onto Northern State Parkway.
- An extension of the deceleration lane onto the ramp from eastbound Hempstead Turnpike to southbound Meadowbrook State Parkway (approximately 500 feet) and an extension of the acceleration lane from the same ramp onto the southbound Meadowbrook State Parkway (approximately 400 feet).
- An extension of the two-lane section of the ramp from eastbound Charles Lindbergh Boulevard to southbound Meadowbrook State Parkway (approximately 350 feet) and an extension of the acceleration lane from the same ramp onto the southbound Meadowbrook State Parkway (approximately 450 feet).

The mitigation on Meadowbrook State Parkway shall include the replacement of two bridges over the parkway to provide the additional width needed for the new lanes to pass under them, as well as the widening of a third bridge to carry the new lanes over a surface street. The Old Country Road bridge over the parkway shall be replaced with a longer span as would the MTA LIRR bridge over the parkway to its north. The bridge carrying the parkway over Westbury Avenue shall be widened along its length to accommodate a fourth lane on the parkway in each direction.

Based on discussions with and input from the NYSDOT, Town of Hempstead, and Uniondale community leaders, Sands has also committed to providing, and shall provide, additional improvements beyond those identified in the DEIS, as additional public benefits. These include:

- Based on discussions with NYSDOT, Sands shall fund the construction of 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 (an acceleration lane to the northbound Meadowbrook State Parkway from the ramp from the westbound Southern State Parkway already exists).
- Based on discussions with the NYSDOT, Sands shall fund the installation of two new traffic signals at 925 Stewart Avenue and at the East Meadow State Police Barracks on Merrick Avenue, if requested by NYSDOT.

- Per discussions with the Town of Hempstead, Sands, during the replacement of the Old Country Road bridge, shall fund the modification of the cross section on Old Country Road to reduce the delays on the Meadowbrook State Parkway southbound off ramp to eastbound Old Country Road.
- Based on discussions with the Town of Hempstead, Sands shall fund a requested widening of Charles Lindbergh Boulevard.
- Based upon a meeting between representatives of Sands and community leaders of Uniondale on March 4, 2025, Sands shall fund streetscape improvements along Uniondale Avenue from Hempstead Turnpike to Front Street; Uniondale Avenue traffic calming and safety improvements from Hempstead Turnpike to Nassau Road; traffic signal improvements at Uniondale Avenue at Front Street; traffic signal improvements at Uniondale Avenue at Jerusalem Avenue; and traffic signal improvements at Uniondale Avenue at Nassau Road.

Air Quality

Potential direct air quality impacts associated with implementation of the proposed action result from emissions generated by stationary sources, such as emissions from on-site kitchen exhaust or emissions from parking lots. Indirect effects are caused by off-site emissions associated with a project, such as emissions from vehicles (the mobile sources noted above) traveling to and from the project site. An air quality assessment was prepared of the proposed action with a focus on the following areas of potential concern:

- Potential impacts from mobile sources (vehicle trips) introduced by the proposed project on ambient air quality at the microscale (intersection) level.
- Potential impacts from mobile sources on ambient air quality at the mesoscale (regional) level.
- Potential impacts of emissions from parking. Based on the size and anticipated use of each of the parking facilities, the largest proposed parking garage was analyzed to evaluate worst-case impacts of the proposed parking uses on air quality.
- Potential impacts from stationary air pollution sources introduced by the project (primarily related to the commercial kitchen exhaust vents).
- As the proposed project would be located proximate to a Disadvantaged Community (DAC), as identified by New York State, the air quality analysis identified the common air

pollutants and their sources, estimates the impact of project-generated emissions on nearby areas, and assesses potential impacts related to asthma.

Air pollution is of concern because of its demonstrated effects on human health, especially respiratory health. The EPA Office of Air Quality Planning and Standards (OAQPS) has set National Ambient Air Quality Standards (NAAQS) for six principal pollutants, which are called “criteria” pollutants. These six pollutants are ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter less than 10 microns in diameter (PM₁₀) and less than 2.5 microns in diameter (PM_{2.5}), and lead (Pb). In addition, mobile source air toxics (MSATs), are pollutants with known or suspected health impacts of concern. The Clean Air Act (CAA) Amendments of 1990 listed 188 air toxics and addressed the need to control toxic emissions from transportation sources. The EPA identified nine compounds with substantial contributions from mobile sources that are among the national and regional-scale cancer risk drivers or contributors and non-cancer hazard contributors from the 2011 National Air Toxics Assessment (NATA). These compounds are 1, 3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter (diesel PM), ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter.

Mobile source analyses were completed at a microscale (local) level and consisted of a CO screening analysis including a Level of Service, capture criteria, volume threshold screening analysis, and parking garage assessment. Even though the screening analysis did not identify intersections that necessitated further air quality analysis, a more detailed microscale analysis was completed at two intersections to further evaluate the potential effect of the project-generated traffic on Disadvantaged Communities. An analysis was completed to evaluate the effect of the project-generated traffic on air quality at the regional (mesoscale) level

A CO microscale dispersion modeling was not warranted for any of the intersections that would be affected by the proposed project as the proposed project would not increase traffic volumes, reduce source-receptor distances, or change other existing conditions to such a degree as to exceed the NAAQS for CO using the criteria and methodology prescribed in the Transportation Environmental Manual (TEM) by NYSDOT.⁹ However, there are some sensitive receptors (i.e., schools, colleges and universities, hospitals, senior centers, retirement communities, assisted living facilities, and nursing homes) requiring consideration per the TEM within the area. Ultimately, none of the intersections met the thresholds requiring detailed air quality analysis and the results of the analyses demonstrated that project-related traffic would not significantly impact air quality in the area including within the designated Disadvantaged Communities.

The mesoscale emissions associated with traffic conditions under the no-build and full-build condition show that the full-build condition would result in an increase in emissions of all modeled criteria pollutants. However, the emissions increase would be well below the *de minimis* thresholds

⁹ New York State Department of Transportation (NYSDOT), *Environmental Procedures Manual: Air Resources* (Page 1.1-107)

specified by the United States Environmental Protection Agency (USEPA).¹⁰ Therefore, there would be no potential for significant adverse impacts on air quality from the proposed Integrated Resort at the regional level.

Furthermore, as Sands has committed to an all-electric facility (with the exception of commercial kitchens and emergency generators), the air quality assessment determined that there would be no potential for significant adverse impacts on air quality from stationary sources (including commercial kitchens and parking garages) associated with the proposed Integrated Resort.

To avoid and minimize potential significant adverse impacts to air quality, the following measures shall be employed:

- Innovative building materials and HVAC systems, such as air-source heat pumps for heating and cooling, shall be used.
- The Integrated Resort shall be designed as a high-efficiency, nearly all-electric complex (except for commercial kitchens and emergency generators).
- Energy Star-rated appliances shall be installed.
- Major sources of energy consumption shall be monitored and energy efficiency shall be maintained during operation of the facility
- Renewable energy, including a solar photovoltaic (PV) system, to serve at least eight percent of electricity needs, shall be utilized. Measures will be undertaken, over time, with the goal of achieving a 20 percent reduction in indirect stationary-source greenhouse gas (GHG) emissions by, for example, entering into a power purchase agreement with the electricity provider to purchase energy from off-site renewable sources.
- The Integrated Resort shall be designed with high-performance building envelopes, efficient mechanical systems, and smart lighting.
- Daylighting shall be incorporated in the illumination of interior spaces.
- There shall be local sourcing of materials and sustainable, low-carbon materials shall be used, to the extent available and practicable.
- The façade shall be designed based on a high R-value insulating envelope and incorporating a rain screen technology for optimal thermal performance, water shedding and air tightness.

¹⁰ USEPA, *De Minimis Tables*, <https://www.epa.gov/general-conformity/de-minimis-tables>

- To minimize potential emissions associated with mobile sources, sustainable transportation options shall be facilitated; a Transportation Demand Management (TDM) plan shall be implemented; accessible and convenient connections to the Hempstead LIRR station shall be provided; bicycle parking, electric vehicle charging stations, and wide sidewalks and dedicated pedestrian crossings shall be provided throughout the subject site, along with connections to exterior multiuse paths.
- Extensive traffic mitigation shall be provided to reduce potential congestion and associated potential air quality impacts.
- Building design, site design, sustainable transportation, traffic demand management (TDM), and a comprehensive landscaping plan shall specifically address a number of the NYSDEC-recommended mitigation measures related to Disadvantaged Communities, including:
 - Operational mitigation, such as limitations on the amount of fossil fuel combusted at the project
 - Use of lower-emission technologies
 - Use of alternative-process technologies that would reduce or eliminate GHG emissions or co-pollutants
 - Designing truck travel routes that avoid, or minimize impact to, Disadvantaged Communities
 - Adding electric vehicle charging stations at the facility
 - Physical mitigation, such as the planting and upkeep of trees, green infrastructure, or other means of carbon sequestration.

Noise and Vibration

Noise analyses conducted in the DEIS and FEIS evaluated the compliance of the proposed Integrated Resort with the applicable Town, State and federal regulations. The noise analyses evaluated existing sound levels in and around the subject property and then compared them to the projected sound level impacts from vehicular and stationary sources to determine the potential future noise impacts of the proposed action. Existing and future sound levels were calculated following procedures and guidance of the Federal Highway Administration (FHWA), NYSDOT and *New York City Environmental Quality Review (CEQR) Technical Manual*. The noise analyses evaluated the projected vehicular traffic, the proposed HVAC and mechanical equipment, and building operation sound levels from the proposed Integrated Resort as these are the sources with the potential to generate exterior noise that could impact existing area sound levels.

With respect to mobile sources, during the daytime and nighttime, the dominant noise source under the existing, no-build, and full-build conditions would be from vehicles traveling on the major roadways in the area, such as Hempstead Turnpike, Charles Lindbergh Boulevard and Earle Ovington Boulevard. Exceedance of NYSDOT/FHWA highway, Town of Hempstead and

Housing and Urban Development (HUD) criteria were noted during noise monitoring of existing conditions. The noise analysis results for mobile sources demonstrate that, under the full-build condition, the maximum increase in sound levels from the existing condition for any receptor location ranges from 0 to one dBA for the weekday daytime and nighttime hours and from one dBA to four dBA for the weekend daytime and nighttime hours, all of which are less than the NYSDOT highway criterion of over six (+6) dBA and FHWA's criterion of over ten (+10) dBA.

With respect to stationary sources, during the nighttime period, the dominant stationary noise source from the Integrated Resort would be the HVAC equipment and building mechanical equipment. A substantial portion of the HVAC equipment would be situated within concrete masonry and/or concrete panels, thereby reducing potential noise impacts. The noise analysis determined that the no-build condition sound levels at the receptor locations would be virtually the same as the existing condition sound levels, and where there would be changes due to the proposed project's contribution in the full-build condition, the increase would be no greater than +2 dBA, which is within the NYSDOT non-highway impact criterion (+3 dBA or greater). In the majority of cases, there would be no change in sound levels from the existing condition to the build condition from proposed stationary sources at the Integrated Resort. In one case (Marriott Hotel receptor location), there would be an increase of two dBA during the weekend nighttime period under the full-build condition from the proposed stationary sources at the Integrated Resort. The remaining sound level changes reflect an increase of one dBA. Based on these results, since all of the changes are less than three dBA, they would be either not perceptible or only barely perceptible to the average person.

A noise analysis was also performed to determine whether the proposed off-site traffic mitigation would result in adverse impacts to nearby receptors, particularly potential residential receptors. Noise analysis was conducted in the FEIS to determine the potential impacts associated with those roadway improvements (addition of travel lanes) that have the potential to impact sensitive receptors (see Appendix 2.8-1 to the FEIS). The noise analyses, discussed below, demonstrate that, for the full-build condition, the maximum increase in sound levels for any receptor location is substantially less than the NYSDOT highway criterion of six (+6) dBA and FHWA's criterion of ten (+10) dBA.¹¹

Based on peak hour traffic volumes, the worst-case projected sound levels for the no-build condition associated with vehicular traffic at the closest residential receptors at Meadowbrook State Parkway and Old Country Road, Westbury Avenue and Jamaica Boulevard would increase by less than one dBA (i.e., 0.20-0.79 dBA) for the Saturday Evening peak, as compared to the existing conditions. The worst-case projected sound levels for the full-build condition associated with vehicular traffic at the residential areas at Meadowbrook State Parkway proximate to Old Country Road, Westbury Avenue and Jamaica Boulevard increase by less than 2.5 dBA (i.e., 0.47-2.32 dBA) for the Saturday Evening peak, as compared to the existing conditions. The worst-case projected sound levels for the no-build condition associated with vehicular traffic at the closest receptors increase by less than one dBA (i.e., 0.22-0.79 dBA) for the Saturday Evening peak, as

¹¹ A three (3) dBA increase in sound level is just barely perceptible to the human ear.

compared to the existing conditions. For the Saturday Evening peak for the full-build condition, worst-case projected sound levels increase by less than two dBA (i.e., 0.59-1.74 dBA), as compared to the existing conditions. These increases are substantially less than the NYSDOT and FHWA impact criteria and would be barely perceptible to the human ear. Accordingly, the proposed roadway improvements would not result in significant adverse noise impacts to nearby receptors and do not warrant implementation of noise abatement measures.

Also, the proposed widenings (to create one additional travel lane on the northbound Meadowbrook State Parkway and ramp to eastbound Northern State Parkway) are expected to require relatively minor regrading and/or clearing of areas immediately adjacent to the existing pavement within the established highway right-of-way. The Meadowbrook State Parkway is under the jurisdiction of the NYSDOT, and NYSDOT would be required to review, approve and issue permits for proposed mitigation. For the purposes of the NYSDOT's review of the specific design of planned roadway mitigation, as the improvements require physical alterations to the existing roadway (i.e., addition of a travel lane), NYSDOT would review the specific noise impacts of such improvements upon their final design.

To avoid and minimize potential significant adverse impacts associated with noise and vibration, the following measures shall be employed:

- The majority of the HVAC equipment shall be housed within concrete masonry and/or concrete panels, which would minimize potential noise impacts from this equipment.
- Emergency generators shall be housed within acoustical enclosures that would attenuate noise associated with generator operation (which is expected to be limited).
- A vegetated berm shall be constructed at the southern boundary of the subject site along the north side of Hempstead Turnpike, which would provide additional noise attenuation to the residential community to the south.
- A Construction Management Plan shall be developed to ensure compliance with the noise regulations.
- Construction activities shall adhere to the Town of Hempstead Noise Ordinance (Chapter 144), which restricts construction in the more sensitive overnight hours.
- Construction equipment shall be required to have appropriate and properly-operating noise muffler systems.
- Construction activities shall require proper operation and maintenance of construction equipment, and prohibition of excessive idling of construction equipment engines.
- Perimeter construction fencing shall be installed along with a hoarding wall, which would be relocated during construction as the construction activities move around within the

subject property. Both of these fencing/wall features would provide some attenuation of construction noise to the surrounding area.

- As feasible, depending on where on the site construction is being performed, construction equipment shall be sited on the subject property as far from noise-sensitive receptors as possible.
- Construction equipment shall be required to be kept in good repair and equipped with mufflers.
- Quieter-type (manually-adjustable or ambient-sensitive) back-up alarms on construction vehicles shall be required and shall meet applicable regulations.
- Construction vehicles shall be routed through primary streets and highways, and shall not traverse secondary, local neighborhood streets.
- To minimize vibration impacts across the site, including areas near the Memorial Sloan Kettering Cancer Center (MSKCC), non-vibratory pile driving shall be used during project construction. The Construction Manager shall coordinate with MSKCC regarding the construction methods and vibration attenuation necessary to ensure the MSKCC facility is not disrupted during construction.
- During design and construction of off-site traffic mitigation, noise management/mitigation requirements that may be imposed by NYSDOT as part of its permitting process shall be complied with.

Public Health – Problem Gambling

In New York State, if a casino sells alcohol, such as proposed at the Integrated Resort, you must be 21 years of age to enter the casino floor. While the various forms of wagering provide an opportunity for gambling, they neither cause a person to gamble nor create problem gambling. Approximately 85 percent of adults in the United States have gambled at least once. About 60 percent have gambled in the last year, as legalized gambling has become widely available across the United States.

To minimize potential impacts to public health associated with problem gambling, the following measures shall be employed:

- The Integrated Resort shall incorporate on-site resources to promote responsible gambling and provide assistance with problem gambling, including signage, collaterals and access to the New York State OASAS HOPEline (1-877-8-HOPENY).

- An Exclusion Program shall be implemented to complement the exclusion regime provided by the New York Gaming Commission, focusing on prohibiting from entry into the casino patrons who have been identified as displaying observable signs of potential problematic gambling behavior. Furthermore, no one under the age of 21 shall be permitted to be on the gaming floor longer than it takes them to reach their destination. All persons under the age of 21 shall require an escort to walk through the gaming floor to ensure that no underage gaming takes place.
- Records and reporting of the Exclusion Program shall be maintained in accordance with the requirements of the New York State Gaming Commission.
- Security personnel, with access to the Sands facial recognition system, shall be stationed at all entrances.
- Sands shall partner with and support the Family and Children's Association and/or other local support facilities that provide problem gambling education, treatment for those who suffer from problem gambling, and information on the importance of responsible gaming.
- Sands shall provide \$200,000 to the Family and Children's Association toward the establishment of two new Gambling Support and Wellness Centers, in Hempstead and Hicksville.
- Sands shall establish a Responsible Gambling training program for casino employees, and shall designate Responsible Gambling Ambassadors and train them on techniques and protocols to communicate with patrons that exhibit signs of problem gambling and provide information on counseling programs and treatment services.
- Sands shall establish an employee assistance program to provide services to support wellbeing and problem gambling prevention.

Socioeconomics

To quantify the effects that the construction and operation of the proposed Integrated Resort would have upon the local community and surrounding region, a comprehensive analysis of economic conditions and expected economic impacts was conducted. From a socioeconomic standpoint, development of the proposed Integrated Resort would result in multiple substantial benefits (e.g., economic activity and job creation), both during construction and long-term operation of the proposed Integrated Resort. A summary of major benefits follows:

- For the full-build condition, over 7,000 construction jobs (4,600 for the revised Phase 1) would be created. For the full-build, \$882± million in labor income would be generated, with a projected total direct output of \$3.03± billion for all of New York State, including the County and the Town.

- During the project operational period, over 7,800 jobs (5,000 full-time equivalents) would be created at full-build operations (4,900 for the revised Phase 1). For the full-build, this represents a projected \$911 million in labor income and \$3.06 billion in total direct economic output for all of New York State (including the County and Town), annually.
- For the full-build condition, a projected total of \$563 million in annual Gaming Tax revenues would be generated, including \$54 million for the Town of Hempstead and \$52 million to Nassau County. Sands has committed to guaranteed host community gaming revenue, as follows:
 - Guaranteed host community gaming revenue to Nassau County in the amount of \$25 million for the first three years of casino operation, rising to a guarantee of \$50 million per year after the first three years of casino operation, with 2 percent annual escalation
 - Guaranteed host community gaming revenue to the Town of Hempstead in the amount of \$10 million for the first three years of casino operation, rising to a guarantee of \$20 million per year after the first three years of casino operation, with 2 percent annual escalation
- Sands would give priority to hiring individuals from the local area, including recent high school graduates and the unemployed workforce, through partnerships with local colleges and nonprofits for recruitment, hiring and training.
- Sands has committed to a number of programs regarding the development of the local employment base for both construction and operation of the proposed development. With respect to construction, Sands has pledged to work with Minority Millennials regarding a pre-apprenticeship fair, where local unions and training centers can recruit new members for potential construction-related opportunities. Sands would also partner with local not-for-profits to support local community recruitment plans and identify key stakeholders to provide awareness of job opportunities at the Integrated Resort.
- Sands would enter into a project labor agreement (PLA) with the building trades.
- Sands would partner with Nassau Community College (NCC) and Long Island University (LIU) to create a new comprehensive hospitality program that would enable NCC graduates to advance their two-year associates degree to a four-year bachelor's degree at LIU.

The economic outputs and multiplier effects during both the construction and operational periods of the Integrated Resort would be substantial, and the fiscal benefits generated by the construction of the Integrated Resort would continue long-term. The anticipated annual gaming revenue (with the guaranteed minimums to Nassau County and the Town of Hempstead), combined with the

community benefits commitments and proposed payment-in-lieu-of taxes (PILOT) payments, would also far exceed the costs to provide public services.

Accordingly, as the proposed action would result in significant positive socioeconomic effects, no mitigation is necessary.

Community Facilities and Services

The DEIS and FEIS conducted comprehensive analyses of potential impacts to fire, police and emergency medical services, educational facilities, housing, solid waste, and open space and recreational facilities. The Integrated Resort has incorporated mitigation measures into its proposed development to minimize impacts to these community facilities and services, as further described below.

In addition to the substantial revenues described in the *Socioeconomics* subsection above, the proposed lease commits Sands to providing community benefits payments of \$4 million per year, if a gaming license is granted, or \$2 million per year upon substantial completion of development of an alternative plan (with no casino), if a gaming license is not granted. These payments would support and enhance fire departments and districts and ambulance service providers; school districts; libraries and library districts; athletic fields, ballfields and parks; and other community facilities. Forty percent of these community benefits payments would be designated for community facilities in Uniondale. As part of the proposed lease, Sands has also committed to providing \$25 million to be divided amongst Uniondale (\$10 million), East Meadow (\$10 million) and the Village of Hempstead (\$5 million) for community benefits to be paid upon Sands being selected by New York State to receive a commercial gaming license.

In addition to the community benefits payments and the various other revenue and payments, Sands is also proposing a \$4 million annual PILOT, divided amongst various jurisdictions, as shown in the table below.¹²

PILOT Payment Breakdown by Jurisdiction

	PILOT %	PILOT \$
County	16.80%	\$672,000
Town	24.60%	\$984,000
School	58.60%	\$2.344 million
Total PILOT	100.00%	\$4.0 million

¹²The actual PILOT payment would be finalized upon further consultation with Nassau County Industrial Development Agency. For the purpose of this analysis, the PILOT is assumed to be \$4 million, to escalate over the life of the PILOT agreement to over \$5 million.

The economic output during both the construction and operational periods of the Integrated Resort would be substantial, and the fiscal benefits generated by the construction and operation of the Integrated Resort would continue long-term. The anticipated annual gaming revenue (with the guaranteed minimums to Nassau County and the Town of Hempstead), combined with the substantial community benefits commitments (that would be available to support fire departments, ambulance services, school districts, libraries, parks, and other community facilities) and PILOT payments, are expected to far exceed the costs to provide public services.

To minimize potential impacts to community facilities and services, the following measures shall be employed:

- The Integrated Resort shall implement a comprehensive fire safety program featuring a Fire Command Center within the Integrated Resort's Security Center. This center shall house a full fire alarm control panel and a facility-wide fire alarm communication system, ensuring alarm notifications are transmitted to all components of the Integrated Resort.
- Sands shall provide a state-of-the-art fire protection system and fire suppression system at the Integrated Resort.
- Sands shall have trained staff within the proposed Integrated Resort to provide immediate on-site medical assistance, thereby reducing the demand on public emergency medical services.
- Sands shall construct on the project site a 1,500-square-foot police substation, provide accompanying police vehicles, and provide up to \$500,000 for the substation's fit-out.
- Sands shall provide a fire/EMT substation within the parking garage, and station ambulance/EMT vehicles nearby to provide immediate emergency services to patrons at the Integrated Resort.
- The proposed Integrated Resort shall be constructed according to the latest New York Building and Fire Codes and shall include appropriate water supply and infrastructure systems to meet fire protection requirements.
- Each building component shall be equipped with a two-way communication phone and an in-building Emergency Responder Radio Communication System, ensuring comprehensive radio frequency coverage and two-way voice communication for the Fire Department throughout the facility.
- Each component of the Integrated Resort shall include a new addressable fire alarm system compliant with the relevant New York State Building Code, National Association of

Professionals for Fire Protection standards (e.g., NFPA 72-2016), and applicable ADA standards.

- For high-rise sections of the proposed buildings, audible alarm signals shall be transmitted to the floor of the alarm, as well as the floors above and below. Additionally, activation of any alarm zone shall trigger an inquiry tone on all other floors. For low-rise buildings, audible alarm signals shall be sent to all floors, prompting a full evacuation.
- The Integrated Resort shall be served by wet sprinklers, with areas subject to freezing (e.g., loading docks, parking areas, unconditioned space) being served by a dry sprinkler system. A foam suppression system shall also be provided within specific areas of the facility buildings.
- Sands shall integrate a comprehensive security system into the proposed Integrated Resort, with 60± surveillance operators and 400± security officers throughout the property.
- When special events are planned at the property, Sands shall have extra security, including off-duty police officers, to further mitigate potential impacts to the Nassau County Police Department (NCPD).
- Sands shall implement a business continuity management program, which would supply the framework for identifying threats, responding to emergencies, and managing crises.
- Sands shall develop and implement a security program in accordance with Nassau County and New York State regulations. The security team shall include former law enforcement, military, private security, and casino security professionals. Sands shall recruit individuals with experience from local police, fire, and first responder agencies, as well as military personnel and those with relevant private sector experience from Nassau County.
- Sands shall implement an Exclusion System that prevents individuals who are on exclusion lists, as well as minors, from entering the casinos.
- Video surveillance shall cover the building perimeter, entrances, loading dock, lobbies, elevator lobbies, stairwells, major mechanical and technology rooms, counting/cash rooms, secure storage, doors requiring card access, visitor and employee gates with license plate readers, and parking areas.
- Sands shall have emergency action and protective action plans that include procedures for coordination with local law enforcement agencies, fire departments, and other first responders, and also include the ability to make facilities and resources available for community use during times of emergency/disaster.

- The technology used as part of the security system shall include CCTV, which involves cameras with facial recognition, as well as an access control/door locking system, a license plate recognition system, panic alarms, x-ray machines, metal detectors, and a criminal and terrorism information system.
- Sands shall periodically conduct ground deployment and tabletop exercises involving team members from various departments and local external partners, such as law enforcement, fire, emergency medical services, and emergency management teams. Sands operational teams shall train with law enforcement and other external agencies on-site to enhance their training exercises.
- Prior to casino opening, Sands shall pay Nassau County \$900,000 per year, subject to a 2.0 percent annual escalation, as a contribution toward the County's provision of exterior police and security at the premises. After the casino opening, this payment will rise to \$1.8 million, annually, with a 2.0 percent escalation.
- Gaming revenue from the proposed Integrated Resort would be taxed by New York State, with nearly 40% of revenue allocated to local schools.
- At full-build, local schools are projected to receive \$217 million annually from gaming taxes and license fees. Additionally, the PILOT allocation to the Uniondale Union Free School District (UFSD) would be approximately \$2.34 million, annually, based on a total proposed PILOT of \$4 million.
- Sands shall develop a new comprehensive hospitality program for NCC and LIU students, including programs in hotel and casino management, security and surveillance, meetings and banquets, entertainment, and food and beverage.
- Sands shall develop a comprehensive waste management plan for the proposed Integrated Resort, incorporating strategies such as waste reduction and recycling programs in the areas of operational, food, and construction waste.
- Food waste shall be managed through a three-pronged strategy: prevention (reducing waste generation by avoiding overproduction with accurate guest counts), rescue (donating recovered food to community causes), and diversion (using anaerobic digesters or other waste processing technologies).
- Sands shall work with regional partners to repurpose food that might otherwise go to waste by donating unused food to local food banks and soup kitchens.

- Sands shall implement construction waste management diversion objectives for new construction, aligned with Leadership in Energy and Environmental Design (LEED) certification.
- Sands shall comply with the New York State Food Donation and Food Scraps Recycling Law by separating excess food for donation, sending food scraps to an organic recycler (as available), separating remaining food scraps from other solid waste, training employees in proper separation and storage methods, and submitting an annual report to the New York State Department of Environmental Conservation (NYSDEC) Division of Materials Management documenting donations, recycling efforts, and other required information.
- Sands shall provide public open space on the Integrated Resort property.
- Sands shall allocate at least \$1 million to construct a new monument, memorial, or tribute to U.S. armed forces veterans, replacing the existing memorial, and shall involve Nassau County veterans in the planning for such memorial.

Aesthetic Resources

Set back from Hempstead Turnpike, Earle Ovington Boulevard and Charles Lindbergh Boulevard and surrounded by large, flat asphalt parking fields, the Nassau Veterans Memorial Coliseum is a distinctive oval-shaped structure with a domed roof that is visible from surrounding roadways because the subject property is generally flat and the Coliseum is surrounded by vast surface parking lots with minimal intervening vegetation. One of the most dominant visual features of the subject property is its vast asphalt and concrete parking fields with minimal, scattered landscaping. The site lacks shelter and shade. The Marriott Hotel is an eleven-story, 121± foot tall, off-white structure with numerous angles along its front façade. The Marriott is surrounded by surface parking lots with minimal landscaping. The visual contribution of the overall subject property to the community character of the area is associated with the architecturally-distinctive Nassau Veterans Memorial Coliseum and the Marriott Hotel, as well as the vast surface parking areas, which are predominantly vacant most of the time. The flat topography, lack of vegetation and vast amount of surface parking on both sites contribute to an underutilized, uninviting character, particularly of the Coliseum property.

To assess the potential impact of the proposed action on aesthetic resources, a viewshed analysis was performed of the area generally bounded by Southern State Parkway on the south, Northern State Parkway/New York State Route 25/Jericho Turnpike on the north, Wantagh State Parkway on the east, and Nassau Boulevard on the west. The viewshed analysis determined areas where the Integrated Resort had the potential to be visible. Multiple photosimulations were then prepared to depict the post-development views of the subject property from areas where the viewshed analysis determined that there would be potential visibility. The visual character of the subject property would change, but there would not be substantial visibility throughout nor a significant adverse alteration to the overall visual characteristics of the study area.

A shadow analysis was also performed to identify and analyze shadow conditions at the subject property, currently and upon implementation of the proposed action, to facilitate an assessment of the potential shadow impacts of the proposed action upon surrounding properties and resources. Overall, given the limited presence of sunlight-sensitive resources in the area surrounding the subject property (i.e., only the Hempstead Plains), and the limited extent of shadows to be cast by the proposed structures, there would be no significant adverse shadow-related impacts upon implementation of the proposed action.

Sands has designed the Integrated Resort lighting to be respectful of the natural environment and surrounding area and to minimize the potential for light trespass beyond property boundaries. The goal of the lighting is to provide a warm and subtle nighttime atmosphere while minimizing light spill or visual brightness at adjacent properties. Overall, the proposed lighting has been designed to comply with the U.S. Green Building Council's recommendation to not exceed 0.10 foot-candle (fc) of vertical illuminance at the project boundary in order to minimize light trespass. Businesses within the Town of Hempstead are precluded from emitting glare upon an adjacent or nearby residential dwelling, as set forth at Article XXXI, § 302.P of the Town's Building Zone Ordinance (BZO).

To minimize potential impacts to aesthetic resources, the following measures shall be employed:

- The podium design shall feature a series of landscaped terraces and setbacks that gradually step down the massing of the building. These terraces and setbacks would serve to break up the building's scale, while creating a series of visual connections between different levels of the podium. The terracing of the building mass also allows for a transition between the podium and the hotel towers above, so there is not one solid wall of buildings.
- The towers shall be clad with refined bronze shading elements, or similar, to minimize adverse visual impacts while managing inside heat gain.
- The proposed project shall incorporate a comprehensive landscaping plan that would provide visual relief from the proposed buildings, partially screening and softening them, and provide landscaping along the perimeter of the property and the internal roadways.
- The proposed surface parking areas shall be landscaped, in order to screen them from the surrounding roadways and neighborhoods. Landscaped islands within these areas shall also minimize the visual impact of the asphalt and concrete parking lots, and screen the vehicles parked within these surface lots.
- The proposed lighting shall comply with the U.S. Green Building Council's recommendation to not exceed 0.10 fc of vertical illuminance at the project boundary in order to minimize light trespass and be consistent with applicable Town of Hempstead requirements.

- All lighting fixtures within 35 feet of the site boundary shall either be existing light poles to remain, or low bollards aiming only into the Integrated Resort property.
- The lighting plan shall incorporate measures to mitigate potential light pollution and avoid or minimize potential adverse impacts to local insect populations. These measures shall include concealed and integrated exterior building lighting, fully-shielded lighting systems to mark access points, pole-mounted full-cutoff luminaires at surface parking areas, soft, indirect cove lights at the hotel entry drop-off points, perimeter walking paths illuminated with low-level bollards, in-grade paver lights at the proposed veterans memorial plaza, parking garage interiors lit with non-directional, shielded, surface-mounted cylinders that direct light downward to minimize potential light-spill, and vertical mullions at windows to baffle interior lighting as viewed from exterior areas.
- The lighting plan shall be designed to support the goals of reducing energy consumption, being mindful of glare, skyglow, light trespass and light spill from the lighting systems, and shall incorporate automated controls that allow for dimming capabilities and time-clock settings or sensors that provide illumination where needed for safety and security.

Cultural Resources

Review of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resources Information System (CRIS) revealed that the subject property is not located within an archaeologically-sensitive area. Moreover, no State or National-Register-Eligible or Listed buildings situated on or substantially contiguous to the subject property were identified. The Town of Hempstead's list of landmarks found on the Town's website was also reviewed, and there are no Town landmarks identified either on or substantially contiguous to the subject property. Furthermore, a previously-conducted Phase 1A study concluded that the subject property has virtually no sensitivity for the presence of prehistoric or historic period archaeological sites and no further investigations were recommended.

In addition, there are no archaeological or historical resources, archaeologically-sensitive areas or Town-designated landmarks substantially contiguous to the subject property. The various listed and eligible historic properties detailed in the DEIS are situated 1,500±-4,000± feet away from the subject property, which is separated from them by modern developments and roads. Views from those properties toward the subject property contain infrastructure that is typical of a well-developed suburban commercial area (e.g., major roadways, commercial buildings, utility infrastructure).

While portions of the proposed Integrated Resort would be visible from several historic resources, the landscape in this area has already been considerably altered by human disturbance, including extensive commercial, institutional, utility and roadway development of varying heights and architectural styles. Views of the proposed Integrated Resort from historic resources would be present, but not be 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.

The proposed Integrated Resort would bring additional visitors to the area who may also visit cultural resources in the area, supporting a major goal of the Nassau County Hub (attracting people to the cultural anchor). The Cradle of Aviation Museum, which is part of Museum Row, has endorsed the proposed Integrated Resort, saying that it “aligns with our mission of promoting education, culture and the overall well-being of Long Island.” The proposed action would “be a catalyst for economic growth in the region” and has the “potential for collaborative events and partnerships between the resort and cultural institutions like the Cradle of Aviation,” fostering a “vibrant cultural scene, enriching the lives of residents and visitors alike.” Accordingly, it is expected that the Integrated Resort would enhance visitation to the existing cultural resources.

As there would be no direct impacts to any archaeological or historical resources or designated landmarks on or substantially contiguous to the subject property, and the nearest historic properties are already impacted by intervening development, no mitigation is required with respect to cultural resources. Per correspondence from the New York State Department of Transportation (NYSDOT), as the off-site roadway mitigation is designed, additional consultation will be undertaken with OPRHP to confirm that previously-undisturbed areas that may be disturbed by roadway construction (if any) do not require investigation. If additional investigation is requested by OPRHP, Sands shall be required to conduct same and to comply with the requirements of NYSDOT and OPRHP.

Use and Conservation of Energy and Utilities

Under the existing condition, electricity usage at the Coliseum property averages approximately 413,000 kWh per month. Existing PSEG Long Island service routes to the Coliseum property through the Nassau Energy Corporation property (known as “Engie”), underneath Charles Lindbergh Boulevard, and into a Service Room on the east side of the Coliseum at the Event Level. There are also 12-inch chilled water lines (for air conditioning) and 6-inch hot water lines (for heating) at the Coliseum. The Marriott property is served by PSEG, and such electrical service is independent from that of the Coliseum. Based on information provided by Marriott, average electricity usage at the Marriott is approximately 466,000 kWh per month.

Natural gas is currently supplied to the subject property by National Grid. The existing Coliseum property currently receives high-pressure natural gas from the street main located in Charles Lindbergh Boulevard, and average usage is approximately 509 therms per month. Based on information provided by Marriott, average natural gas usage at the Marriott is approximately 8,200 therms per month.

As the Coliseum and the Marriott Hotel were both constructed over four decades ago, neither was developed with significant energy efficiency or conservation measures.

Implementation of the proposed action would result in the disconnection of services from the Engie facility to the Coliseum property and the establishment of new utilities. For natural gas services, the Integrated Resort would disconnect from the existing north-south gas line, mentioned above, and would have two new natural gas connection points.

Sands proposes a high-efficiency, nearly all-electric complex. The only non-electric uses proposed on the subject site are the use of natural gas for commercial kitchens and the use of diesel-fueled emergency generators for emergency power supply. The proposed HVAC systems for the proposed Integrated Resort have been designed with energy efficiency and conservation as the focus. The HVAC mechanical systems would all be electric-driven, use high-performance and very efficient heat pump technology with heat recovery, and would not burn fossil fuels such as gas in a boiler or furnace to make hot water or steam.

The proposed Integrated Resort would use passive design strategies to minimize energy use intensity and meet high-efficiency project expectations. Sands would focus on building exterior wall thermal performance and other building performance criteria (e.g., material selection, internal operations, building form) as part of Sands' commitment to achieving LEED certification and pursuing LEED for Communities.¹³ LEED for Communities would help Sands plan, develop, and operate the complex in a way that enhances sustainability and quality of life by focusing on natural systems and ecology, transportation and land use, water efficiency, energy and GHG emissions, materials and resources, quality of life, and innovation.

A key feature of this program is the use of HVAC equipment and operations strategies that would result in high-performance and efficient design. These strategies include the integration of high-efficiency mechanical, electrical and plumbing (MEP) systems, using energy-efficient appliances and equipment, and smart zoning of climate design conditions throughout the building components.

Smart metering and methods for sharing information regarding energy usage for the building components would be implemented. Sands proposes various submeter stations within the proposed Integrated Resort to identify electricity, chilled and hot water use for each building component, and submeters for major mechanical equipment and subsystems such as lighting. All new building components would meet or exceed the requirements of the Energy Conservation Construction Code of New York State.

The proposed Integrated Resort would also incorporate the use of renewable energy through the installation of an on-site solar PV system and would continue to explore other renewable energy options through the design process. Sands also aims to procure off-site renewable energy within the same grid as the Integrated Resort via a power purchase agreement with the local energy provider.

As part of preparation of the DEIS, Sands requested a total electrical service capacity of 47 megavolt ampere (MVA), and Sands received a letter of service availability from PSEG Long

¹³ Sands is committed to achieving LEED certification for the Integrated Resort under the Building Design and Construction commercial building rating system and for the entire complex under the LEED for Communities rating system. Its target is LEED Gold Certification; however, the ultimate determination of the level of LEED certification cannot be confirmed until design specifications are finalized.

Island, dated December 8, 2023, indicating that it would provide service to the subject property. Preliminary review by PSEG Long Island indicated that, in order to support the ultimate full-build capacity, power would be provided from a combination of existing capacity Lindbergh Substation, as well as the construction of an additional substation/expanded substation. However, as explained and documented in the FEIS, Sands has consulted with PSEG LI regarding the proposed revised Phase 1, and it was confirmed that, similar to the originally-proposed Phase 1, the revised Phase 1 can be served without the need for a new substation. If additional development beyond Phase 1 were to be proposed in the future, Sands would be required to submit a new load letter, which would then be evaluated by PSEG LI to determine if it could be served; if a new or expanded substation or other infrastructure improvements would be required; and, if a new substation is required, where it would be located. Relevant correspondence with PSEG LI was provided in both the DEIS and FEIS.

To minimize potential impacts on energy and utilities, the following measures shall be employed:

- HVAC systems shall be electric and shall not burn fossil fuels such as gas to make hot water or steam. High-performance efficient heat pump technology with heat recovery shall also be used.
- High-efficiency air source and water source heat pumps with heat recovery shall be used for the production of chilled water, space heating hot water, and domestic hot water heating.
- Lighting controls shall be arranged to allow for intelligent dimming and control and incorporate occupancy monitoring.
- All lighting shall be LED, and smart sensors shall be used. Daylighting shall also be incorporated into the development, and occupancy or illuminance-controlled lighting shall be used in all public spaces, hotel rooms, and office areas.
- Energy Star-rated appliances and equipment shall be used.
- A plug load management/control plan shall be implemented to switch off devices and/or be programmed to minimize energy use when not in use in areas that are unoccupied.
- PV panels shall be integrated into roof areas. Sands is targeting eight percent of the overall energy consumption of the proposed project to be supplied through on-site renewable energy via installation of PV systems. Sands shall also seek to procure off-site renewable energy within the same grid as the Integrated Resort via a power purchase agreement with the local energy provider.
- Smart metering and methods for sharing information regarding energy usage for the building components shall be implemented.

- Sands shall achieve LEED third-party certification for the proposed Integrated Resort, and shall also pursue certification of the complex under the LEED for Communities rating system.
- The Integrated Resort shall incorporate energy recovery from the fresh air supply, and heat recovery and transfer from cooling-dominated spaces to heating-dominated spaces via the hydronic systems.

Greenhouse Gas Emissions, Climate Change and Sustainability

There are specific regulatory requirements and policies at the federal, state, and local levels for greenhouse gas (GHG) emissions, including energy efficiency, renewable energy, sustainability, and resiliency and emergency/disaster preparedness, that were used to analyze the proposed action. The analysis of GHG emissions in the DEIS included direct emissions from on-site stationary and mobile sources and indirect emissions for off-site stationary sources, mobile sources, and solid waste. The DEIS and FEIS identified measures that would be implemented at the Integrated Resort to reduce GHG emissions associated with construction activity, energy efficiency, renewable energy, sustainability, climate resiliency, and emergency/disaster preparedness.

To minimize potential greenhouse gas emissions and impacts associated with climate change, the following measures shall be employed:

- The Integrated Resort shall be designed as a high-efficiency, nearly all-electric complex. The only non-electric uses proposed on the subject site involve commercial kitchen natural gas use and diesel emergency generators.
- The HVAC systems shall all be electric, use high-performance heat pump technology with heat recovery, and shall not burn fossil fuels such as gas to make hot water or steam.
- Energy efficiency strategies shall be employed, including installing LED lighting, using occupancy or illuminance-controlled lighting, incorporating daylighting, and using smart sensors and plug load management.
- The proposed Integrated Resort shall install smart metering and submeter stations to track electricity and chilled and hot water use.
- Energy Star-rated natural gas appliances shall be used in the commercial kitchens.
- The proposed Integrated Resort is anticipated to exceed the New York State Energy Code by a minimum of eight percent by installing an on-site solar PV system and by incorporating energy efficiency measures.

- The proposed Integrated Resort shall be designed to achieve an additional 20 percent reduction in indirect stationary-source GHG emissions by sourcing at least 20 percent of electricity from renewable sources.
- Operation of the Integrated Resort shall incorporate a comprehensive recycling program to divert from landfills a portion of the total solid waste produced and thereby reduce indirect GHG emissions associated with solid waste landfilling.
- Sands shall implement two bus services, including a shuttle bus to the Hempstead LIRR station as well as larger, longer-distance coach buses, which would provide direct bus connection from New York City and potential other locations, providing a single-seat trip between the highest population in the capture area and the Integrated Resort. This would promote the use of mass transit and reduce the lower occupancy vehicle count, which would, in turn, reduce vehicle miles travelled (VMT).
- The Integrated Resort shall achieve LEED third-party certification. Buildings designed and constructed to achieve LEED certification help reduce energy and water use, improve indoor air quality, support better building material choices, and drive innovation.
- Additional sustainability elements that shall be incorporated into the Integrated Resort to minimize potential GHG impacts include:
 - Developing the Integrated Resort within a previously-disturbed, primarily-paved site to reduce the overall land-use footprint.
 - Featuring a layout of interconnected building components that facilitate efficiency in equipment, performance, and space allocation to minimize energy use.
 - Avoiding the use of cooling towers for air conditioning, which typically represents the largest single use of potable water in resorts.
 - Installing electric vehicle (EV) charging infrastructure.
 - Improving existing stormwater management by recharging stormwater runoff on-site and in the adjacent Nassau County recharge basin, and by promoting groundwater recharge.
 - Using low-impact development techniques to reduce stormwater runoff, including landscaped terraces/green roofs.
 - Incorporating a central rainwater capture and reuse system that collects, filters, and stores rainwater for reuse. The recovery and reuse system would only be for no-contact irrigation use, and possibly for exterior non-contact surface cleaning, if acceptable to Nassau County.
 - Reducing the heat island effect by incorporating high-albedo roofing and pavement materials.
 - Installing drought-tolerant plant species and integrating advanced irrigation technologies to reduce water needs associated with on-site irrigation.
 - Installing low-flow fixtures and appliances to reduce indoor water use.

- Reducing food waste via prevention, donation, and diversion strategies.
- Developing a landscaping plan that maximizes the use of native species, drought-tolerant plantings and pollinator zones
- Installing landscape islands within the parking lots to avoid large expanses of pavement
- Installing landscape terraces on roof surfaces to act as natural insulators, mitigating the urban heat island effect, and contributing to stormwater management

Construction

The DEIS and FEIS provided a detailed analysis of potential construction-related impacts associated with traffic and parking, potential hazardous/regulated materials, dewatering, erosion control and stormwater pollution prevention, socioeconomic, noise and vibration, air quality, sustainability, off-site roadway mitigation and construction worker safety. Extensive measures have been incorporated into the proposed Integrated Resort to minimize potential impacts on the site and in the surrounding area (including in areas proximate to proposed roadway improvements).

To minimize construction-related impacts, the following measures shall be employed:

- Perimeter construction fencing shall be installed around the construction site to provide site security and a visual screen. Internally, temporary covered walkways and a hoarding wall, which would provide for both safety and security for the general public, employees and construction workers, shall be installed. The hoarding wall would be occasionally relocated during the construction period as the location of the construction activities moves around within the subject property. These fencing/wall features would provide some attenuation of construction noise to the surrounding area.
- A Construction Health and Safety Plan (CHASP) shall be prepared that shall incorporate measures for worker and community protection, including personal protective equipment, dust control and emergency response procedures. The CHASP shall be prepared prior to construction, and implemented during each phase of construction.
- Site access shall be controlled using gates and a badging system, and access gates shall be attended during working hours and locked during non-work hours.
- Construction materials and products shall be stored in protected and secured designated areas.
- All vehicles associated with the proposed construction shall be contained on site, and no vehicles shall be permitted to park or stage on adjacent streets.

- All workers shall be required to carpool, with a minimum of two workers per vehicle, during peak calendar quarters of construction, and this requirement shall be part of contractor and subcontractor contracts.
- Construction vehicles shall arrive and depart via Hempstead Turnpike (NYS Route 24) by several prescribed routes using either the Long Island Expressway or Sunrise Highway to ensure that construction vehicles do not traverse local, secondary roadways.
- Excavated materials (e.g., soils) to be disposed of off-site shall be sampled and characterized, based upon the acceptance criteria and permitting requirements of the proposed recycling and/or disposal facilities. Transportation and disposal shall be conducted in accordance with the requirements of 6 NYCRR Part 360.
- Reuse of on-site soil or non-native material shall be conducted in accordance with the proposed site use and NYSDEC regulations, including NYSDEC Part 360.13 for soil reuse, NYSDEC Part 375 and NYSDEC DER-10.
- Imported topsoil used for landscaping shall consist of clean imported material from commercial suppliers.
- If any underground storage tanks (USTs) and/or associated appurtenances (e.g., fill lines, vent lines, and electrical conduits) are encountered during redevelopment of the subject property, decommissioning, removal and off-site disposal shall be done in accordance with NYSDEC and NCDH UST closure requirements. Previously-unidentified USTs shall be registered with the NYSDEC and NCDH, as necessary, prior to decommissioning or removal.
- Prior to demolition/renovation activities, asbestos-containing material (ACM) abatement plans shall be developed to ensure the proper handling, removal, and disposal of ACM in accordance with applicable regulations. Appropriate engineering controls and best management practices to minimize asbestos exposure shall be implemented during any activities that could result in the disturbance of ACM. Asbestos air monitoring shall be conducted in accordance with applicable regulations.
- Lead-based paint and other hazardous substances, if encountered, shall be remediated in accordance with prevailing regulations.
- A preliminary SWPPP has been prepared, which shall be finalized for review and approval prior to construction. As part of the SWPPP, erosion and sediment control measures to minimize construction-related impacts to soils and groundwater shall be installed prior to construction and monitored throughout the construction period. These measures shall be maintained until the site is permanently developed.

- Measures to minimize impacts to air quality, including fugitive dust (including provision of truck tire wash-off, proper covering of trucks leaving the site with debris, routine cleaning of sidewalks and paved areas, minimizing areas of soil exposure, applying water to exposed areas during dry periods/periods of wind) shall be implemented throughout the construction period.
- Quieter-type (manually-adjustable or ambient-sensitive) backup alarms on construction vehicles shall be required and shall meet all applicable regulations.
- Construction shall occur in accordance with the hours and days permitted by the Town of Hempstead Town Code, and, if exceptions are necessary, they shall be obtained from the Town of Hempstead.
- Construction equipment shall be required to have appropriate and properly-operating noise muffler systems.
- There shall be proper operation and maintenance of construction equipment, and prohibition of excessive idling of construction equipment engines.
- Whenever possible (given the location where construction activities are being conducted), construction equipment shall be sited on the subject property as far from noise-sensitive receptors as possible.
- In order to minimize impacts to the surrounding neighborhoods (including noise), during the construction period, construction vehicles shall be routed through primary streets and highways, and shall not traverse secondary, local neighborhood streets.
- MSKCC may have vibration-sensitive equipment in its facility. To minimize vibration impacts, non-vibratory pile driving shall be used on the project site. As other common construction equipment has the potential to result in some vibration impacts, the project construction manager shall coordinate with MSKCC to ensure that necessary project construction methods and vibration attenuation are used and the MSKCC facility is not disrupted during project construction.
- To help achieve the LEED rating for construction, various measures shall be incorporated into the project, including, but not limited to, use of locally-manufactured materials, use of low-emitting materials, construction waste recycling, and implementation of a construction indoor air quality management plan.
- In order to avoid the inadvertent removal of dirt and similar materials from the project site during construction, various measures shall be implemented, including provision of a truck

tire wash-off; proper covering of trucks leaving the site with debris; routine cleaning of sidewalks and paved areas; and disposal of concrete waste in containers for removal from the project site.

- To reduce embodied carbon, Sands shall procure local materials and products; request embodied carbon data during contracting and procurement, so that lower-carbon building material options can be secured; and reduce construction waste, such that materials are procured in appropriate quantities to eliminate extras and reduce packaging. Sands shall also recycle construction waste to minimize quantities of construction waste to be landfilled.

Cumulative Impacts

In accordance with the requirements for cumulative impact assessment, as set forth in the SEQRA regulations and the Final Scope issued by the Legislature, the Towns of Hempstead and North Hempstead, as well as the Incorporated Villages of Hempstead, Garden City, Mineola, Westbury and Freeport were contacted to identify those recently-approved or planned developments [that have current pending applications]) for which a cumulative impact assessment may be necessary. Those recently approved or planned developments that were identified by the municipalities were analyzed for cumulative impacts affecting the same environmental factors as the proposed action, including water supply, sewage generation, electrical supply, traffic and air quality. Additionally, for traffic analysis purposes, the NYSDOT and NCDPW were contacted regarding recently-approved and/or planned roadway and/or infrastructure projects that could affect the roadways evaluated in the traffic impact study included in the DEIS.

The Town of Hempstead also requested that the DEIS include, as part of the cumulative impact analysis, the then-contemplated NYU Langone Hospital at NCC, although no formal application had been submitted for that facility at the time of preparation of the DEIS. Based on information provided by NYU Langone on October 23, 2023, the then-contemplated NYU Langone Hospital facility was proposed to consist of an 800-bed full-service hospital, 350,000 square feet of academic/research and administration offices, 200,000 square feet of student/staff housing, and 250,000 square feet of ambulatory medical use. No other information (e.g., concept plan, access locations) was provided by NYU Langone or publicly available at the time of preparation of the DEIS.

The cumulative impact analysis, which included the then-contemplated NYU Langone Hospital at NCC, did not identify significant adverse cumulative impacts. As explained in the FEIS, since the time of preparation of the DEIS, the potential NYU Langone Hospital development at NCC has been put on indefinite pause.

Growth-Inducing Impacts

The DEIS performed an evaluation of potential growth-inducing impacts, and, overall, the proposed Integrated Resort is expected to result in positive growth-inducing impacts. While implementation of the proposed action will not induce growth as a result of infrastructure improvements, the multibillion-dollar investment by Sands will generate multiple, significant secondary benefits. In addition, there will be positive growth inducement for existing businesses and cultural facilities that will benefit from the increased activity and tourism associated with the proposed Integrated Resort.

With respect to increasing the development potential of a local area, even though the proposed action includes improvements to utilities and roadways, the community in which the Integrated Resort is proposed is a well-developed suburban area with zoning and other regulations that control development potential. The most significant utility improvement that is being proposed is the development of a public supply well. This supply well was identified as needed when The Lighthouse at Long Island development was proposed in 2009. The proposed well would have a capacity of 1.98 million gallons per day, and the proposed Integrated Resort is expected to use 0.763± mgd (including domestic use and irrigation), which is a projected maximum. The new well would increase the Uniondale Water District's capacity to serve the full-build demand of the proposed Integrated Resort and would provide a benefit to the greater community by further increasing the capacity and resiliency of the public water supply system within the Uniondale Water District.

The proposed transportation improvements are designed to mitigate impacts associated with the proposed action and will, in various circumstances, help to improve existing roadway conditions that contribute to current delays and congestion. These roadway improvements would not provide significant excess capacity or new access beyond what is required to address various existing conditions, and the impacts associated with implementation of the proposed action, and would not, therefore, induce growth potential.

The DEIS also evaluated growth-inducing impacts associated with the then-contemplated new or expanded electrical substation that was indicated as necessary for the full-build condition, which was expected to be completed in 2030. However, as explained earlier in this Findings Statement, Sands has consulted with PSEG LI regarding the proposed revised Phase 1, and it was confirmed that, similar to the originally-proposed Phase 1, the revised Phase 1, which has a build year of 2030, can be served without the need for a new substation. If additional development beyond the revised Phase 1 were to be proposed in the future, Sands would be required to submit a new load letter, which would then be evaluated by PSEG LI to determine if it could be served; if a new or expanded substation or other infrastructure improvements would be required; and, if a new substation is required, where it would be located. Thus, a new or expanded substation is not contemplated at this time.

Growth inducement can also result from attracting significant increases in local population. The proposed action does not include any residential development; however, the socioeconomics analysis projected that approximately 246 workers may migrate to Nassau County to fill operational jobs at the Integrated Resort, which would minimally impact housing demand in Nassau County and the Town of Hempstead. The data also demonstrate that there is sufficient available housing stock that is either vacant, for sale, or in the pipeline to accommodate this potential increase in population. Accordingly, the proposed Integrated Resort would not attract significant increases in population that would induce residential growth.

The proposed Integrated Resort is expected to have positive secondary or growth-inducing impacts as small businesses in and around Nassau County are expected to benefit from the presence of the Integrated Resort. Sands proposes to support small businesses directly through vendor purchase and serving as a driver of substantial leisure and business tourism. The proposed Integrated Resort is also likely to recapture spending from New Yorkers who would have otherwise visited casino properties outside of New York State.

Sands will also work in partnership with local restaurants to develop the food and beverage program elements for the Integrated Resort and has committed to promoting existing businesses and drawing tourists to the area that could greatly benefit existing venues and attractions. Sands proposes to market day-trip destinations to wineries, golf courses, beaches, and ocean activities; to introduce room-booking packages (e.g., a room paired with Islanders tickets and a winery tour); and to feature Long Island wines in their restaurants and hotel rooms. Therefore, the proposed Integrated Resort is anticipated to advance the tourist industry on Long Island, not just due to the Resort itself, but in coordination and cooperation with other tourist attractions.

The proposed Integrated Resort, attracting tourists to the area, is also expected to benefit the existing cultural resources and park facilities located in the adjacent area, such as Museum Row and the 913-acre Eisenhower Park. The Cradle of Aviation Museum, which is part of Museum Row, has endorsed the proposed Integrated Resort, saying that it “aligns with our mission of promoting education, culture and the overall well-being of Long Island.” The proposed action would “be a catalyst for economic growth in the region” and has the “potential for collaborative events and partnerships between the resort and cultural institutions like the Cradle of Aviation” fostering a “vibrant cultural scene, enriching the lives of residents and visitors alike.”

As a new entertainment destination, the proposed Integrated Resort is also expected to attract more tourists to the area, thereby increasing hotel bookings and revenue. The anticipated increase in visitors to the Integrated Resort is expected to increase business activity for nearby hotels. The volume of visitors to the area due to the proposed Integrated Resort is expected to significantly increase the nearby hotels’ tourism footprint.

ALTERNATIVE PLAN

According to the proposed lease with Nassau County, should New York State not award a gaming license to the proposed Integrated Resort, the Lessee is required to pursue development of a mixed-use complex, including a five-star hotel containing at least 200 rooms and amenities, including 24-hour reception, a concierge, dining, valet parking, a pool, a fitness center and suites; up to 500 residences, which may include workforce housing, condominium units or cooperative units; an entertainment venue containing a minimum of 3,600 seats; and any other lawful use subject to the County’s prior written consent. Sands is also required to make specific payments and provide certain community benefits, even if the gaming license is not awarded, as described later in this Findings Statement.

For the non-gaming scenario, an Alternative Plan, featuring a mixed-use, live-work-play development, was evaluated in the DEIS and FEIS. Under that Alternative Plan, both the Nassau Veterans Memorial Coliseum property and the Marriott Hotel property would be rezoned to MF-IRD. The Nassau Veterans Memorial Coliseum would be demolished and removed under this alternative, but the Marriott Hotel would remain as is (no reconfiguration of parking is proposed, as it is with the proposed action). In addition, no changes in use or expansion of the Marriott Hotel are proposed under the Alternative Plan. Potential development identified and evaluated in the DEIS and FEIS for the Alternative Plan included the following:

Proposed Use	Size (Square Feet)	Size (Other Units)
Residential	992,781	500 units
Retail	40,000	--
Restaurants	50,000	1,352± seats (estimated)
Hotel	631,794	500 keys
Performing Arts Center	147,865	3,600 seats
Multipurpose Recreational Facility	200,000	--
R&D Office Space	100,384	--
Medical Office Space	180,058	--
Veterans Memorial	23,031	--
TOTAL FLOOR AREA	2,365,913	--
Parking Structures*	1,938,221	5,099 spaces (in structures)* with 1,281 additional surface parking spaces, totaling 6,380 spaces

*Includes basement, ground level parking areas, and above-grade parking structures.

Should the gaming license not be granted to Sands, Sands is still required to make specific contributions/payments under the proposed lease, as follows:

- Annual rent to the County in the amount of \$5.0 million.
- Payment of \$900,000 per year to Nassau County, with a two percent annual escalation, for police services.
- Community benefits payments of \$2.0 million per year upon substantial completion of development of the Alternative Plan (with no casino). As with the proposed Integrated Resort, the community benefits payments would support and enhance fire departments and districts and ambulance service providers; school districts; libraries and library districts; athletic fields, ballfields and parks; and other community facilities. Forty percent of the community benefits payments would be designated for community facilities in Uniondale.
- An assumed PILOT payment in the amount of \$4.0 million. The actual PILOT payment would be finalized upon further consultation with IDA.
- At least \$1 million for the construction of an appropriate monument, memorial, or other tribute to veterans of the armed forces of the United States of America.

As with the proposed Integrated Resort, there would be other revenue generated by the Alternative Plan (e.g., employment and associated economic multiplier effects, hotel tax, sales tax, entertainment tax, and other taxes and payments).

While most of the potential impacts associated with the Alternative Plan would be less than those associated with the proposed Integrated Resort (with the exception of direct population, school-aged children and PM Peak Weekday trip generation), many of the same types of mitigation would be required for an alternative plan of the type and scale presented and evaluated in the DEIS and FEIS. Mitigation measures for each impact area evaluated are set forth below.

Soils, Topography and Subsurface Conditions

To avoid potential significant adverse impacts to soils, topography and subsurface/environmental conditions, the following measures shall be employed:

- Erosion and sediment control measures shall be implemented in accordance with a SWPPP to minimize potential impacts to soils and groundwater, which shall be monitored throughout the construction period. These measures shall be maintained until the site is permanently developed.
- A CHASP shall be prepared that shall identify the known and potential on-site contaminants and outline procedures and guidelines to mitigate exposure risks and protect the health of on-site workers during construction activities.

- Each work site on the subject property shall be secured by construction fencing, at the time that work site is under construction, in order to prevent unauthorized personnel coming into the site and coming into contact with potentially-impacted materials.
- Excavated materials (e.g., soils) to be disposed of off-site shall be sampled for waste characterization based upon the acceptance criteria and permitting requirements of the proposed recycling and/or disposal facilities. Transportation and disposal shall be conducted in accordance with the requirements of 6 NYCRR Part 360.
- During construction activities, potentially-contaminated soils, if encountered, shall require segregation, and additional sampling and investigation of such soils shall be required.
- Imported topsoil used for landscaping and other construction fill materials shall consist of clean imported material from commercial suppliers.
- Any reuse of on-site soil or non-native material shall be conducted in accordance with New York State Department of Environmental Conservation (NYSDEC) regulations, including NYSDEC Part 360.13 for soil reuse, NYSDEC Part 375 and NYSDEC DER-10.
- If any USTs and/or associated appurtenances (e.g., fill lines, vent lines, electrical conduits) are encountered during redevelopment of the subject property, decommissioning, removal and off-site disposal shall be done in accordance with NYSDEC and NCDH UST closure requirements. Previously-unidentified USTs shall be registered with the NYSDEC and NCDH, as necessary, prior to decommissioning or removal.
- Prior to occupancy of any buildings on-site, a soil vapor intrusion evaluation shall be conducted, based on NYSDOH guidance, for occupied spaces. If necessary, based on the results of this evaluation, ongoing soil vapor intrusion monitoring and/or mitigation shall be identified and implemented to eliminate the intrusion exposure pathway.
- Prior to demolition activities, ACM abatement plans shall be developed to ensure the proper handling, removal, and disposal of ACM in accordance with applicable regulations. Appropriate engineering controls and best management practices to minimize asbestos exposure shall be implemented during activities that could result in the disturbance of ACM. Asbestos air monitoring shall be conducted in accordance with applicable regulations.
- Lead-based paint and other hazardous substances, if encountered, shall be remediated.

Water Resources

To avoid potential significant adverse impacts to water resources, the following measures shall be employed:

- A new 1.98-mgd water supply well, associated treatment systems, backup power generation, and transmission water mains shall be constructed. Construction of the new well would result in a benefit to the greater community by increasing the capacity and resiliency of the public water supply in the Uniondale Water District. Sands shall fund this new well and associated facilities.
- Water conservation techniques, including the use of Energy-Star appliances and installation of high-efficiency water-conserving fixtures, shall be incorporated into the project design.
- There shall be a reduction in the amount of impervious surfaces on the site.
- Implementation of the proposed action shall result in reduction in stormwater runoff and its impacts on Nassau County Recharge Basin No. 537 by increasing local infiltration by the strategic installation of leaching structures. Stormwater Quality Treatment requirements, per the NYSDEC SPDES General Permit GP-0-25-001, shall also be complied with.
- Low-impact development techniques that reduce the impact of stormwater runoff shall be utilized.
- The stormwater management system shall be monitored and maintained.
- No direct discharges of stormwater runoff to surface waters shall occur.
- Temporary and permanent erosion and sediment control measures shall be installed and maintained by the general contractor (or subcontractor) in accordance with the engineering plans and details, and the New York State Standards and Specifications for Erosion and Sediment Control.
- A SWPPP shall be developed and implemented in accordance with the prevailing regulations of the NYSDEC and the Town of Hempstead to address potential stormwater runoff impacts during and after construction.

Ecological Resources

To avoid or mitigate potential significant adverse impacts to ecological resources, the following measures shall be employed:

- Impervious areas shall decrease, vegetated areas shall increase, and landscaping shall be installed to substantially increase the quantity and quality of native vegetation, wildlife habitat potential, and native plant diversity at the subject property through installation of meadows and other vegetated habitats featuring native trees, shrubs, grasses, and other herbaceous plants. The landscape plan shall replace the existing low-diversity, fragmented landscaped areas dominated by non-native species with a diverse array of habitat types.
- The landscape plan shall include the establishment of meadow habitats planted with native herbaceous plants and grasses that replicate the plant species assemblages found within the nearby Hempstead Plains grassland community.
- The landscape plan shall include no-mow lawns, reducing or eliminating the need for irrigation and fertilizer applications.
- Bird-safe building designs shall be implemented to minimize the potential for bird collisions.
- To avoid potential adverse impacts to avian navigation and migrator behavior, the lighting plan shall be designed and implemented to avoid or minimize the potential for glare, skyglow, light trespass and light spill. The lighting plan design shall not result in light trespass beyond the boundaries of the subject property, thereby avoiding light pollution impacts to the Hempstead Plains and its resident fauna, including birds.
- The lighting plan shall incorporate a variety of measures to mitigate potential light pollution and avoid or minimize potential adverse impacts to local insect populations.
- As the landscape plan shall be comprised of native and native-adaptive plant species, seed dispersal from the proposed landscaped areas to off-site vegetated habitats via wind, birds, or other wildlife would be expected to increase native plant abundance within the Hempstead Plains and would not exacerbate existing non-native invasive species issues and associated management concerns.

Land Use, Zoning and Community Character

To avoid potential adverse impacts to land use, zoning and community character, the following measures shall be employed:

- The development shall incorporate a significant amount of new green and open space on the project site.

- The proposed project shall incorporate a comprehensive landscaping plan that provides visual relief from the proposed buildings and includes landscaping along the perimeter of the subject property and the internal roadways.
- The proposed surface parking areas shall be landscaped to help screen them from the surrounding roadways and neighborhoods. Landscaped islands shall be provided in parking areas.

Transportation and Parking

To mitigate potential significant adverse impacts to transportation and parking identified in the DEIS and FEIS, the below-listed mitigation measures were identified in the DEIS and FEIS and shall be implemented for the Alternative Plan (subject to approval/permitting by the State and local agencies with jurisdiction over the affected roadways):

Intersection	Improvement
Hempstead Turnpike (NY 24) at Glenn Curtiss Boulevard/Site Access	WB: Remove channelized right-turn lane NB: Add a lane on the NB Approach. Restripe NB approach to include two left-turn lanes, a through lane and two right-turn lanes. SB: Restripe SB approach to include two left-turn lanes, a through lane, and a shared through/right-turn lane Restrict WB U-Turns Optimize signal timing/ phasing
Hempstead Turnpike (NY 24) at Cunningham Avenue	Optimize signal timing/ phasing/ Offsets
Hempstead Turnpike (NY 24) at MSKCC Entrance	Optimize signal timing/ phasing/ Offsets
Hempstead Turnpike (NY Route 24) at Earle Ovington Boulevard/Uniondale Avenue	SB: construct additional right-turn lane Optimize signal timing/ phasing
Charles Lindbergh Boulevard at Earle Ovington Boulevard	EB: Add EB receiving lanes SB: Add SB Left-Turn Lane NB: Remove one through lane, add two Channelized Right Turns
Hempstead Turnpike at Merrick Avenue	Optimize signal timing/ phasing
Hempstead Turnpike at Eisenhower Park Pedestrian Entrance	Optimize signal timing/ phasing

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Intersection	Improvement
Hempstead Turnpike at Coolidge Drive	Optimize signal timing/ phasing
Hempstead Turnpike (NY 24) at Park Boulevard/E. Meadow Avenue	Add a lane to EB approach, Restripe EB approach to include one left-turn lane, three through lanes and a right-turn lane. Optimize signal timing/ phasing
Hempstead Turnpike (NY 24) at Hofstra Boulevard/California Avenue	Optimize signal timing/ phasing/offset
Hempstead Turnpike (NY 24) at Oak Street/Hofstra Boulevard	Optimize signal timing/ phasing/offset
Front Street at Merrick Avenue	Add NB right-turn lane Optimize signal timing/ phasing/offset
Fulton Avenue at Peninsula Boulevard /Bennett Avenue	Add a lane to WB approach, Restripe WB approach to include two left-turn lanes, a through lane and a shared through/right-turn lane.
Fulton Avenue at Clinton Street	Optimize signal timing/ phasing/offset
Fulton Avenue at N. Franklin Street	Add WB right-turn lane
Old Country Road at Franklin Avenue/Mineola Boulevard	Optimize signal timing/ phasing/offset
Old Country Road at Glen Cove Road/Clinton Road	Optimize signal timing/ phasing/offset
Old Country Road at Merrick Avenue/Post Avenue	Add a lane to EB approach, Restripe EB approach to include one left-turn lane, three through lanes and a right-turn lane. Add a lane to NB approach, Restripe NB approach to include one left-turn lane, two through lanes and two right-turn lanes.
Merrick Avenue at Stewart Avenue/Park Boulevard	Optimize signal timing/ phasing
Hempstead Turnpike at Front Street	Optimize signal timing/ phasing
Hempstead Turnpike (NY 24) at Carman Avenue/3 rd Street	Add a lane to WB approach, Restripe WB approach to include one left-turn lane, three through lanes and a right-turn lane.
Hempstead Turnpike at Newbridge Rd	Optimize signal timing/ phasing
Merrick Avenue at Bellmore Avenue	Optimize signal timing/ phasing
Merrick Avenue at N. Jerusalem Avenue	Optimize signal timing/ phasing

Intersection	Improvement
Merrick Avenue at Jerusalem Avenue	Optimize signal timing/ phasing
Old Country Road at Roosevelt Field Mall Entrance	Optimize signal timing/ phasing
Old Country Road at Salisbury Park Drive/School Street	Optimize signal timing/ phasing/Offset
Merrick Avenue at Corporate Drive	Optimize signal timing/ phasing
Merrick Avenue at Privado Road	Optimize signal timing/ phasing
Jericho Turnpike at Post Avenue	Add WB left-turn lane Add SB left-turn lane Optimize signal timing/ phasing
Hempstead Turnpike at Perimeter Rd East/Franklin Avenue	Optimize signal timing/ phasing
Charles Lindbergh Boulevard at Sands Boulevard	Optimize signal timing/ phasing

A VISSIM analysis was completed to assess the potential impacts of the Alternative Plan on sections of the Northern State Parkway, the Meadowbrook State Parkway and the Southern State Parkway. In addition, the ramp junctions along Hempstead Turnpike and along Charles Lindbergh Boulevard, at their interchanges with the Meadowbrook State Parkway, were evaluated. This evaluation identified needed capacity improvements on Hempstead Turnpike, the Northern State Parkway and the Meadowbrook State Parkway to predominantly address existing and future No-Build background conditions.

Given the significant differences in their traffic-generating characteristics, the proposed Integrated Resort and the Alternative Plan have markedly-different impacts on the parkway system. The traffic volumes that the Alternative Plan would place on the parkways are significantly lower than those associated with the proposed Integrated Resort, with correspondingly lesser impacts on the parkway segments within the study area. The table below illustrates these differences and provides the percentage of site-generated traffic relative to background traffic for both the proposed Integrated Resort and the Alternative Plan for various parkway segments.

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Location	2030 No-Build	Integrated Resort		Alternative Plan	
		2030 Trip Gen	% Sands Traffic Relative to Background Traffic	Trip Gen	% Sands Traffic Relative to Background Traffic
Northern State Parkway East of Meadowbrook State Parkway	7,918	319	4.0%	134	1.7%
Northern State Parkway West of Meadowbrook State Parkway	11,390	791	6.9%	156	1.4%
Meadowbrook State Parkway between Northern State Parkway and Old Country Rd	10,450	1,110	10.6%	264	2.5%
Meadowbrook State Parkway between Old Country Rd and Zeckendorf Blvd	9,830	1,219	12.4%	384	3.9%
Meadowbrook State Parkway between Zeckendorf Blvd and Merchants Concourse	9,062	1,219	13.5%	384	4.2%
Meadowbrook State Parkway between Merchants Concourse and Stewart Ave	8,863	1,219	13.8%	384	4.3%
Meadowbrook State Parkway between Stewart Ave and CD Road	8,863	1,219	13.8%	384	4.3%
Meadowbrook State Parkway between CD Road and Charles Lindbergh Blvd	7,442	0	0.0%	0	0.0%
Meadowbrook State Parkway between Charles Lindbergh Blvd and Hempstead Tpke	8,172	341	4.2%	311	3.8%
Meadowbrook State Parkway between Hempstead Turnpike and Southern State Parkway	10,034	720	7.2%	577	5.8%
Meadowbrook State Parkway between Southern State Parkway and Babylon Tpke	8,928	109	1.2%	95	1.1%
Southern State Parkway east of Meadowbrook State Parkway	9,249	296	3.2%	246	2.6%

Location	2030 No-Build	Integrated Resort		Alternative Plan	
		2030 Trip Gen	% Sands Traffic Relative to Background Traffic	Trip Gen	% Sands Traffic Relative to Background Traffic
Southern State Parkway west of Meadowbrook State Parkway	9,081	315	3.5%	246	2.7%

The above table demonstrates that the parkway traffic associated with the Alternative Plan is significantly less than that associated with the proposed Integrated Resort. This difference is most pronounced north of the subject site, where site volumes for the Alternative Plan are roughly one-third of those projected for the proposed Integrated Resort.

Parkway traffic volumes south of the subject site (south of Hempstead Turnpike) associated with the Alternative Plan are also less than those associated with the proposed Integrated Resort. The increases in traffic expected in these areas for the Alternative Plan (between 1.1 percent and 5.8 percent) have limited impact on parkway operations during the peak hours of study, including the critical weekday PM period. However, as documented in the DEIS and FEIS, a bottleneck currently exists at the Meadowbrook State Parkway at Southern State Parkway interchange, which is impacted to a lesser degree by site traffic with the Alternative Plan than with the proposed Integrated Resort.

The mitigation identified for the Alternative Plan includes improvements to the Meadowbrook State Parkway at the Southern State Parkway Interchange, as follows:

- Extension of the deceleration lane onto the ramp from eastbound Hempstead Turnpike to southbound Meadowbrook State Parkway (approximately 500 feet) and extension of the acceleration lane from the same ramp onto the southbound Meadowbrook State Parkway (approximately 400 feet).
- Extension of the two-lane section of the ramp from eastbound Charles Lindbergh Boulevard to southbound Meadowbrook State Parkway (approximately 350 feet) and extension of the acceleration lane from the same ramp onto the southbound Meadowbrook State Parkway (approximately 450 feet).
- Construction of a deceleration lane on the Southbound Meadowbrook State Parkway for the southbound Meadowbrook State Parkway Ramp to the westbound Southern State Parkway (approximately 500 feet).
- Extension of the two-lane section of the ramp acceleration lane from southbound Meadowbrook State Parkway to westbound Southern State Parkway (approximately 350 feet) and extension of the one-lane acceleration lane to restore the length of the one-lane acceleration lane (approximately 300 feet).

- The infrastructure outlined above is, in many cases, needed due to existing constraints in the roadway network, and not required due to impacts associated with the Alternative Plan.

As the NYSDOT did not provide comments on the Alternative Plan (as it did on the proposed Integrated Resort), given that the parkways are under the jurisdiction of the NYSDOT and that NYSDOT has permitting authority over roadway improvements, that agency would have the final determination as to the level of mitigation required for the Alternative Plan.

Air Quality

To avoid potential significant adverse impacts to air quality and minimize adverse impacts to air quality, the following measures shall be employed:

- The development shall be designed as a high-efficiency, predominantly-electric complex.
- Energy Star-rated appliances shall be installed.
- Major sources of energy consumption shall be monitored and energy efficiency shall be maintained during operation of the facility.
- An on-site solar PV system shall be provided that would offset annual electricity usage by approximately eight percent.
- Daylighting shall be incorporated in the illumination of interior spaces.
- There shall be local sourcing of materials and sustainable, low-carbon materials shall be used, to the extent available and practicable.
- To minimize potential emissions associated with mobile sources, sustainable transportation options shall be facilitated; bicycle parking, electric vehicle charging stations, sidewalks and dedicated pedestrian crossings shall be provided throughout the subject site; and connections shall be provided to exterior multiuse paths.
- Traffic mitigation shall be provided to reduce potential congestion and associated potential air quality impacts.
- Measures shall be taken to address NYSDEC-recommended mitigation related to Disadvantaged Communities, including:
 - Operational mitigation, such as limitations on the amount of fossil fuel combusted at the project
 - Use of lower-emission technologies

- Designing truck travel routes that avoid or minimize impact to Disadvantaged Communities
- Adding electric vehicle charging stations at the facility
- Physical mitigation, such as the planting and upkeep of trees, green infrastructure, or other means of carbon sequestration.

Noise and Vibration

To avoid potential significant adverse impacts relating to noise and vibration and minimize adverse impacts to noise and vibration, Sands shall:

- Provide appropriate sound attenuation/screening of HVAC equipment, generators and other mechanical equipment to minimize potential noise across property boundaries.
- Develop and implement a Construction Management Plan to ensure compliance with applicable noise regulations.
- Ensure that construction activities adhere to the Town of Hempstead Noise Ordinance (Chapter 144), which restricts construction in the more sensitive overnight hours.
- Ensure that construction equipment has appropriate and properly-operating noise muffler systems.
- Ensure proper operation and maintenance of construction equipment, and prohibit excessive idling of construction equipment engines.
- Install perimeter construction fencing for additional attenuation of construction noise to the surrounding area.
- Ensure that construction equipment on the subject property is operated as far from noise-sensitive receptors as possible.
- Keep construction equipment in good repair and equipped with mufflers.
- Require quieter-type (manually-adjustable or ambient-sensitive) back-up alarms on construction vehicles.
- Route construction vehicles through primary streets and highways, and prohibit construction vehicles from traversing secondary, local neighborhood streets.

- If pile driving is required, utilize non-vibratory pile driving and consult with MSKCC prior to construction with regard to proposed construction methods to ensure that the MSKCC facility is not disrupted during construction.
- During design and construction of off-site traffic mitigation, comply with noise management/mitigation requirements that may be imposed by NYSDOT as part of its permitting process.

Socioeconomics

As the Alternative Plan would not result in significant adverse socioeconomic impacts, no mitigation is required.

Community Facilities and Services

To avoid potential significant adverse impacts to community facilities and services, Sands shall provide:

- Payment of \$900,000 per year to Nassau County, with a two percent annual escalation, for police services.
- Community benefits payments of \$2.0 million per year upon substantial completion of development of the Alternative Plan (with no casino). The community benefits payments shall support and enhance fire departments and districts and ambulance service providers; school districts; libraries and library districts; athletic fields, ballfields and parks; and other community facilities. Forty percent of the community benefits payment shall be designated for community facilities in Uniondale.
- Proposed PILOT payment in the amount of \$4.0 million, which shall be distributed to various special districts (including police, fire and schools). The actual PILOT payment shall be finalized upon further consultation with IDA.
- Development that complies with the latest New York Building and Fire Codes, with appropriately-designed water supply and infrastructure systems to support fire protection needs.
- On-site security.
- Implementation of a comprehensive waste management plan, which includes private carting and disposal of solid waste.

- Compliance with the New York State Food Donation and Food Scraps Recycling Law, as applicable.

Aesthetic Resources

To avoid and minimize potential adverse impacts to aesthetic resources, Sands shall comply with the following:

- The proposed development shall incorporate a comprehensive landscaping plan that provides visual relief from the proposed buildings, and also includes landscaping along the perimeter of the property and the internal roadways.
- The proposed surface parking areas shall be landscaped, and landscaped islands shall be installed to help screen the vehicles parked within these surface parking areas.
- A lighting plan shall be prepared and implemented that minimizes light trespass and complies with applicable Town of Hempstead requirements.
- The lighting plan shall incorporate measures to mitigate potential light pollution (e.g., shielded lighting fixtures and pole-mounted full-cutoff luminaires at surface parking areas).
- The lighting plan shall support the goals of reducing energy consumption, being mindful of glare, skyglow, light trespass and light spill from the lighting systems.

Cultural Resources

As there would be no direct impacts to any archaeological or historical resources or designated landmarks on or substantially contiguous to the subject property and the nearest historic properties are already impacted by intervening development, no mitigation is required.

Per correspondence from the NYSDOT regarding the proposed Integrated Resort, if off-site roadway mitigation is required on the parkways, as same is designed, additional consultation shall be undertaken with OPRHP to confirm that previously-undisturbed areas that may be disturbed by roadway construction (if any) do not require investigation. If additional investigation is requested by OPRHP, Sands shall conduct same and comply with the requirements of NYSDOT and OPRHP.

Use and Conservation of Energy and Utilities

To avoid and minimize potential significant adverse impacts to energy and utilities, Sands shall comply with the following:

- The requirements of the Energy Conservation Construction Code of New York State shall be met or exceeded through the incorporation, in the development, of passive design strategies, high-efficiency mechanical systems and HVAC equipment and Energy Star-rated appliances and equipment.
- An on-site solar PV system shall be provided to offset annual electricity usage by approximately eight percent.
- LEED third-party certification shall be targeted.

Greenhouse Gas Emissions, Climate Change and Sustainability

To minimize potential GHG emissions and other impacts related to climate change, the following measures shall be implemented:

- The development shall be designed as a high-efficiency, predominantly-electric complex.
- Passive design strategies, high-efficiency mechanical systems and HVAC equipment and Energy Star-rated appliances and equipment shall be incorporated in the development.
- An on-site solar PV system shall be provided to offset annual electricity usage by approximately eight percent.
- LEED third-party certification shall be targeted.
- Smart metering and submeter stations shall be installed to track electricity use.
- A comprehensive recycling program shall be implemented to divert from landfills a portion of the total solid waste produced by the development, thereby reducing indirect GHG emissions associated with solid waste landfilling.
- Additional sustainability elements shall be incorporated into the development to minimize potential GHG impacts, including:
 - Developing the Alternative Plan within a previously-disturbed, primarily-paved site to reduce the overall land-use footprint.
 - Installing electric vehicle (EV) charging infrastructure.

- Improving existing stormwater management by recharging stormwater runoff on-site and in the adjacent Nassau County recharge basin, and promoting groundwater recharge.
- Using low-impact development techniques to reduce stormwater runoff.
- Installing drought-tolerant plant species and utilizing advanced irrigation technologies to reduce water needs associated with on-site irrigation.
- Installing low-flow fixtures and appliances to reduce indoor water use.
- Reducing food waste via prevention, donation, and diversion strategies.
- Developing a landscaping plan that maximizes the use of native species, drought-tolerant plantings and pollinator zones
- Installing landscape islands within the parking lots to avoid large, uninterrupted expanses of pavement.

Construction

To avoid and minimize potential adverse construction-related impacts, Sands shall comply with the following:

- Perimeter construction fencing shall be installed around the construction site to provide site security, provide a visual screen, and help attenuate noise.
- A CHASP shall be prepared that incorporates measures for worker and community protection, including personal protective equipment, dust control, and emergency response procedures. The CHASP shall be prepared prior to construction, and implemented during each phase of construction.
- Site access shall be controlled using gates and a badging system, and access gates shall be attended during working hours and locked during non-work hours.
- Construction materials and products shall be stored in protected and secured designated areas.
- All vehicles associated with the proposed construction shall be contained on site, and no vehicles shall be permitted to park or stage on adjacent streets.
- Construction vehicles shall arrive at and depart from the project site via Hempstead Turnpike (NYS Route 24) by several prescribed routes using either the Long Island Expressway or Sunrise Highway to ensure that construction vehicles do not traverse local, secondary roadways.
- Excavated materials (e.g., soils) to be disposed of off-site shall be sampled and characterized, based upon the acceptance criteria and permitting requirements of the

proposed recycling and/or disposal facilities. Transportation and disposal shall be conducted in accordance with the requirements of 6 NYCRR Part 360.

- Reuse of on-site soil or non-native material shall be conducted in accordance with NYSDEC regulations, including NYSDEC Part 360.13 for soil reuse, NYSDEC Part 375 and NYSDEC DER-10.
- Imported topsoil used for landscaping shall consist of clean imported material from commercial suppliers.
- If any USTs and/or associated appurtenances (e.g., fill lines, vent lines, and electrical conduits) are encountered during redevelopment of the subject property, decommissioning, removal and off-site disposal shall be done in accordance with NYSDEC and NCDH UST closure requirements. Previously-unidentified USTs shall be registered with the NYSDEC and NCDH, as necessary, prior to decommissioning or removal.
- Prior to demolition/renovation activities, ACM abatement plans shall be developed to ensure the proper handling, removal, and disposal of ACM in accordance with applicable regulations. Appropriate engineering controls and best management practices to minimize asbestos exposure shall be implemented during any activities that could result in the disturbance of ACM. Asbestos air monitoring shall be conducted in accordance with applicable regulations.
- Lead-based paint and other hazardous substances, if encountered, shall be remediated in accordance with prevailing regulations.
- A SWPPP shall be prepared and approved prior to construction. As part of the SWPPP, erosion and sediment control measures to minimize construction-related impacts to soils and groundwater shall be installed prior to construction and monitored throughout the construction period. These measures shall be maintained until the site is permanently developed.
- Measures to minimize impacts to air quality, including fugitive dust, shall be implemented throughout the construction period.
- Quieter-type (manually-adjustable or ambient-sensitive) backup alarms on construction vehicles shall be required and shall meet all applicable regulations.
- Construction shall occur in accordance with the hours and days permitted by the Town of Hempstead Town Code, and, if exceptions are necessary, they shall be obtained from the Town of Hempstead.

- Construction equipment shall be required to have appropriate and properly-operating noise muffler systems.
- Proper operation and maintenance, and prohibition of excessive idling of construction equipment engines, shall be required.
- Whenever possible (given the location where construction activities are being conducted), construction equipment shall be sited on the subject property as far from noise-sensitive receptors as possible.
- In order to minimize impacts to the surrounding neighborhoods (including noise), during the construction period, construction vehicles shall be routed through primary streets and highways, and shall not traverse secondary, local neighborhood streets.
- MSKCC may contain vibration-sensitive equipment in its facility. To minimize vibration impacts, if pile driving is required, non-vibratory pile driving shall be used. Other common construction equipment has the potential to result in some vibration impacts. Therefore, the construction manager shall coordinate with MSKCC regarding the construction methods and vibration attenuation necessary to ensure the MSKCC facility is not disrupted during construction.
- In order to avoid the inadvertent removal of dirt and similar materials from the project site during construction, various measures shall be implemented, including provision of a truck tire wash-off; proper covering of trucks leaving the site with debris; routine cleaning of sidewalks and paved areas; and disposal of concrete waste in containers for removal from the site.
- To reduce embodied carbon, local materials and products shall be procured; construction waste shall be reduced; and materials shall be procured in appropriate quantities to eliminate extras and reduce packaging. Construction waste shall also be recycled to minimize quantities of construction waste to be landfilled.

In accordance with 6 NYCRR §617.11, the Legislature has considered the DEIS and the FEIS for the proposed action, as well as comments received during the “public consideration” period for the FEIS, and hereby certifies that it has met the requirements of 6 NYCRR Part 617. This Findings Statement summarizes the facts and conclusions relied upon to support the Legislature’s findings herein, and indicates those factors that form the basis of the Legislature’s findings and conclusions.

A Copy of this Findings Statement has been sent to:

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