

**DECLARATION AS SURPLUS AND SUBSEQUENT SALE OF 250 ACRES OF
COUNTY OWNED LAND IN YAPHANK
FOR MIXED USE DEVELOPMENT PURPOSES**

GENERIC ENVIRONMENTAL IMPACT STATEMENT

STATEMENT OF FINDINGS

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Lead Agency: County of Suffolk
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Location: Located south of the Long Island Expressway South Service Road and north of Horseblock Road, on both sides of Yaphank Avenue in Yaphank. Site consists of 250 acres plus 28 acres that the County will retain as recreational area, 10.5 acres for expansion of the existing wastewater treatment plant and 15 acres for relocation of County facilities.

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1. Introduction

This Statement of Findings is issued pursuant to the State Environmental Quality Review Act ("SEQRA"), New York. Environmental Conservation Law (NYS ECL) Article 8, and its implementing regulations adopted by the New York State Department of Environmental Conservation ("NYSDEC") and codified at Title 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617 (the "SEQRA Regulations"). This statement sets forth the findings of Suffolk County (the County), with respect to the Declaration as Surplus and Subsequent Sale of 250 Acres of County Owned Land In Yaphank for Mixed Use Development Purposes as summarized in the Draft Generic Environmental Impact Statement (DGEIS), adopted March 17, 2011 and further addressed in the Final Generic Environmental Impact Statement (FGEIS), dated July 20, 2011. Although, Suffolk County, as Lead Agency, has the authority to approve the proposed action (surplus and sale), actual redevelopment of the site will be subject to approvals from the Town of Brookhaven and other local, and state agencies as more fully described in Section 2.6 of the DGEIS. Pursuant to NYCRR Part 617.11 all involved agencies must make their own statement of findings and are not bound by the County's findings.

2. Location of Proposed Action

The Yaphank County Center consists of approximately 900 acres on the east and west sides of Yaphank Avenue. The County is planning to sell 250 of these acres for mixed use development purposes. The project site consists of these 250 acres plus 28 acres that the County will retain as recreational area, 10.5 acres for expansion of the existing wastewater treatment plant and 15 acres for relocation of County facilities. The site consists of six areas (A through F) located south of the Long Island Expressway South Service Road and north of Horseblock Road, on both sides of Yaphank Avenue in Yaphank. The six areas are further described as:

- Area A comprises the northeast area of the Yaphank County Center. It is located at the southeast corner of the Long Island Expressway South Service Road and Yaphank Avenue. Frontage extends approximately 1,000 feet along the Long Island Expressway South Service Road and approximately 1,000 feet along Yaphank Avenue. Area A contains approximately 34.16 acres and contains existing County uses.
- Area B is located on the west side of the Yaphank County Center, south of the LIRR Main Line branch. It is located approximately 1500 feet west of Yaphank Avenue directly behind the Police Headquarters. Area B extends approximately 2,400 feet to the west and is approximately 1,800 feet wide. Area B adjoins a portion of the County Farm to the north and east and a power transmission line to the south. Area B contains approximately 121.13 acres.
- Area C is approximately 28.32 acres and is located south of Area B and to the west of the County jail.

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- Area D is approximately 94.75 acres and is located in the southern portion of the County's holdings along the north side of Horseblock Road.
- Area E - The 15 acre area for relocation of County facilities from Area A is located east of Area D.
- Area F - The 10.49 acre expansion area for the County's wastewater treatment facility is located directly south of the existing plant.

3. Description of Proposed Action

The County is considering declaration as surplus of approximately 250 acres at its Yaphank County Center and issued a Request for Proposals ("RFP") for the subsequent sale or lease for mixed-use development of this property. The first phase of this process involved the creation and operation of the Yaphank Center Development Review Committee and several public outreach sessions, which resulted in consensus on a general site vision and program goals and culminated in the issuance of a Request for Expression of Interest ("RFEI"). The second phase included a comprehensive internal and external review of the responses to the RFEI. In this phase, the County, in conjunction with stakeholders, agreed upon a development framework that wove together the best ideas from the RFEI responses and had the support of the said stakeholders. The RFP was issued in 2007, a Selected Developer was designated, and a contract was prepared with the Selected Developer in late 2009. While that specific contract has since been cancelled, the overall action of declaration as surplus and subsequent sale or lease for mixed use development projects is still proposed. The following describes the proposed development as contemplated in the RFP and analyzed in the DGEIS and FGEIS in each of the six site Areas. It is noted that the future development may vary from this program and is subject to the Town of Brookhaven Zoning Ordinance and approvals process.

Area A - ±34 acres

The following existing uses will be removed and relocated to Area E

- Ten (10) acres of County highway yards;
- Thirteen thousand (13,000) square feet of interior space for public works buildings;
- Sixteen thousand six hundred (16,600) square feet of interior space for a road salt storage building;
- Ninety (90) parking spaces for the County Board of Elections; and
- Doctor's cottage and shed (to either be relocated or demolished and replaced)

Commercial and family-oriented entertainment uses would be in Area A and would include:

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- Fifty thousand (50,000) square feet of interior space for sports and wellness facilities;
- Fifty thousand (50,000) square feet of interior space for office use;
- Four (4) restaurant locations of eight thousand seven hundred and fifty (8,750) square feet of interior space each;
- Seventy thousand (70,000) square feet of interior space for hotel use;
- Twenty-five thousand (25,000) square feet of interior space for retail use;
- Seventy two (72) rental units (affordable to residents earning up to eighty (80%) percent of Area Median Income) of one bedroom apartments each having six hundred fifty (650) square feet of interior living space.
- Arena (5,500 seats)
- Outdoor Stadium (5,000 seats)

Area B - ±121 acres

Mixed income rental and ownership housing would include:

- Seven hundred eighty five (785) Units of homes each having between nine hundred fifty (950) and one thousand two hundred fifty (1,250) square feet of interior living space and having no more than two (2) bedrooms, as follows:
 - Four hundred twenty nine (429) of these Units shall be affordable to residents earning up to eighty (80%) percent of Area Median Income.
 - Two hundred fourteen (214) of these Units shall be affordable to residents earning between eighty one (81%) percent and no more than one hundred (100%) percent of Area Median income
 - One hundred forty-two (142) of these Units shall be affordable to those earning between one hundred one (101%) percent and no more than one hundred twenty (120%) percent of Area Median Income
- Two hundred fifteen (215) Units of market rate homes, each having up to one thousand six hundred (1,600) square feet of interior living space, no more than two (2) bedrooms and an accessory apartment with separate entrance being permitted.
- Day Care Center having no less than twenty thousand (20,000) square feet of interior space.

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Area C- ±28 acres

Recreational facilities to be constructed by the Selected Developer and retained in ownership by the County:

- Two fields for football, soccer and lacrosse
- One baseball/softball field
- Fishing lake

Area D - 95+ acres

This area would include light industrial uses with a focus on emerging alternative energy development companies. At least four (4) megawatts of renewable electric production facilities would be built. As this portion of the property was not well defined in the selected proposal, for the purposes of the analysis the following assumptions were made:

- The 95 acre site would be developed as an industrial subdivision with 1.2 million square feet of industrial uses.
- Four megawatts of solar power would be generated using rooftop solar panels on the industrial buildings.
- A clean energy plant for additional energy generation would be accommodated within the 1.2 million square feet of industrial uses.

Area E - Relocation of County Facilities - ± 15 acres

The following existing uses will be removed from Area A and relocated to Area E :

- Ten (10) acres of County highway yards;
- Thirteen thousand (13,000) square feet of interior space for public works buildings;
- Sixteen thousand six hundred (16,600) square feet of interior space for a road salt storage building;
- Ninety (90) parking spaces for the County Board of Elections; and
- New or relocated doctor's cottage and shed

Area F – Wastewater Treatment Plant Expansion - ±10 acres

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The County Wastewater Treatment Plant would have to be expanded to accommodate the proposed development. Area F has been set aside for the plant expansion.

It is noted that the DGEIS and FGEIS were based upon a conceptual plan that is subject to change as a result of more detailed design and the approval process through the Town of Brookhaven. Through the Town of Brookhaven's rezoning and approvals process it is anticipated that the plan design could change in various ways including specific uses, density and layout.

4. Procedural History

As per 6 NYCRR Section 617, the Suffolk County Department of Planning, on behalf of Suffolk County, conducted a coordinated review with NYSDEC, NYSDOT and the Town of Brookhaven. In its role as lead agency, Suffolk County, in Resolution #45-2010 determined that the project could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration on February 4, 2010. In addition to the Positive Declaration, Suffolk County also issued a Draft Scoping Document for the GEIS. The Draft Scoping Document was posted on the Suffolk County Department of Planning web site and distributed to public officials and agencies and other interested parties. A combined Notice of Positive Declaration, Public Scoping, and Intent to Prepare a Draft Environmental Impact Statement was published in the Environmental Notice Bulletin on March 3, 2010.

A public scoping meeting was held on March 16, 2010, at the Legislative Auditorium of the Riverhead County Center, 210 Center Drive, Town of Southampton. Written comments were accepted through March 30, 2010, and a Final Scoping Document dated September 1, 2010, reflecting consideration of comments made during the scoping process, was adopted by Suffolk County through Resolution #1025-2010, and a Notice of Completion of the Final Scoping Document on the Draft GEIS was issued on November 16, 2010.

The DGEIS was then prepared in accordance with the Final Scoping Document. On March 16, 2011, pursuant to Chapter 279 of the Administrative Code, the Suffolk County Council on Environmental Quality (CEQ), in CEQ Resolution 19-2011, determined that the DGEIS was satisfactory with respect to its scope, content, and adequacy, and a Notice of Completion was issued. Copies of the DGEIS were posted on the Suffolk County Department of Planning web site and were widely distributed to public officials and agencies and other interested parties. Copies were also sent to local libraries for convenient local viewing. A Notice of Completion and Public Hearing was published in the March 23, 2011 issue of the Environmental Notice Bulletin. Hearing notices were also published according to SEQRA Regulations in the Smithtown Messenger, Long Island Advance and Suffolk County News. All notices also invited written comments with respect to the DGEIS, and established a comment period extending to April 29, 2011.

On April 12, 2011, the Suffolk County Council on Environmental Quality in conjunction with the Suffolk County Department of Planning, Legislature and County Executive held a public

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hearing on the DGEIS at the Rose Caracappa Legislative Auditorium, William H. Rogers Legislative Building, 725 Veterans Memorial Highway, Smithtown.

On June 7, 2011, Suffolk County reviewed all substantive comments on the DGEIS and authorized the preparation of a FGEIS through Resolution #426-2011.

A FGEIS has been prepared to address all substantive comments that were raised during the public review process of the DGEIS and was presented at the July 20, 2011 meeting of the Suffolk County Council on Environmental Quality. The FGEIS was also posted on the Suffolk County Department of Planning web site and copies were distributed to public officials and agencies and other interested parties. Copies were also sent to local libraries for convenient local viewing. A Notice of Completion of Final GEIS was issued on July 20, 2011.

The remaining steps of the process for the proposed action, including completion of SEQRA review and subsequent actions, are as follows:

- Based on the information and analysis contained in the DGEIS and FGEIS, the County will adopt a Statement of Findings, which is the final environmental basis for the County decision, and will: (a) establish whether the proposed action avoids or mitigates significant adverse environmental impacts to the maximum extent practicable, consistent with social, economic, and other essential considerations from among the reasonable alternatives available (Positive Findings); or (b) establish that the proposed action does not satisfy this prerequisite for approval (Negative Findings). Adoption of this Findings Statement completes the SEQRA process.
- If the County concludes SEQRA with Positive Findings, it can proceed with the Declaration as Surplus and Subsequent Sale of 250 Acres of County Owned Land in Yaphank for Mixed Use Development Purposes, which comprise the proposed action. The County can sell the Areas separately or in combination as the analysis was done for the individual areas as well as the entire site.

While this will complete the SEQRA review for the County's action, further SEQRA analysis will be required during the detailed design phase of any future development actions on this site, as specified in SEQRA §617.10(d) and further described in Section 8 herein.

5. Alternatives to the Proposed Action Considered

5.1. No Action/Municipal Build-out

The No-Action Alternative describes and evaluates the potential impacts of retention of the site by Suffolk County with development for county, municipal, and institutional uses. Based on the County's current development (FAR of 0.18) and 264.368 acres available for development, there could be approximately 2,000,000 sf of new municipal uses. However, this alternative is not reasonable, as the County is considering declaring this land as surplus because it does not anticipate requiring these facilities.

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5.2. As-of-Right Build-out

The As-of-Right Alternative describes and evaluates the potential impacts of developing the site in accordance with existing zoning. This alternative consists of approximately 2,500,000 sf of office (41 lots) and 50 single-family homes on one-acre lots. This alternative would not meet the goals of the County's RFP for this site to provide a mix of uses including recreational and entertainment facilities and affordable housing.

5.3. No Development

The No Development Alternative describes and evaluates the potential impacts of preserving the site as open space. This alternative would not meet the goals of the County's RFP for this site to provide a mix of uses including recreational and entertainment facilities and affordable housing.

6. Findings Concerning Relevant Environmental Impacts

As the proposed development is conceptual in nature, detailed plans were not available at the time the GEIS was prepared. Because the project could be modified as government approvals are pursued, it is likely that additional SEQRA review will be required. The following describes in general terms the projected impacts and mitigation measures that could be employed to reduce potential impacts to acceptable levels. While some of these mitigation measures would be within the control of Suffolk County, others would require that the various approving agencies ensure they are incorporated into the actual design and operation of the project. The County's Findings are premised on all of the mitigation measures being adhered to, and any variation from the specified mitigation measures may trigger additional SEQRA review.

6.1. Geology, Soils and Topography

6.1.1. Geology

The proposed action would not have a significant adverse impact on area geology, as only surficial glacial deposits would be impacted by site development; there would be no impact on deeper geological layers because of site development.

6.1.2. Soils

The potential impacts of the proposed project on soils is dependent on the suitability of the soil in Areas A through F for specific types of land uses and the potential loss of farmland soils. There would be minimal impacts on soils in each of the areas as a result of the proposed uses. Where there are reported soil limitations for vegetation, soil amendments would be added to improve the soil characteristics to support growth of vegetation. While approximately 237 acres of prime farmland soils would be effectively unavailable to future agricultural uses, the land is currently unavailable for farming as it is currently forested.

Due to the lack of landcover and the movement of construction vehicles and equipment during construction, soil erosion and dust generation are a potential impact if not properly managed.

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The potential for existing ground water contamination to cause a soil vapor impact will need to be assessed as part of any redevelopment. If such an impact is confirmed, the redevelopment would need to incorporate mitigation measures in the form of institutional and/or engineering controls (e.g., sub-slab depressurization similar to radon mitigation used in other parts of the Country) consistent with NYS regulation. These regulations allow for certain engineering and institutional controls for a variety of land uses including residential.

Mitigation

The Selected Developer would be required to pay careful attention to soil conservation and erosion control techniques during grading activities. Final site design would need to incorporate methods to control erosion and sedimentation and limit transport of sediment to offsite areas. Guidance would be taken from the Best Management Practices (BMP's) recommended in the latest New York Guidelines for Urban Erosion and Sediment Control, the NYSDEC's Urban Stormwater Runoff Management Practices Catalogue and other appropriate documents.

Disturbance to soils would be mitigated through implementation of an approved Soil Erosion and Sediment Control Plan. The Selected Developer would be required to utilize an extensive erosion control plan that would reduce runoff during construction. The plan would specify phasing of the construction to limit the overall amount of disturbed soils, along with permanent and temporary stabilization methods and measures to control surface runoff from the active construction areas. The final grade surface, once established, would be stable, non-erosive, and fully vegetated, where appropriate.

6.1.3. Topography

It is believed that the proposed action will not have a significant adverse impact on topography as most of the site (298 acres) has gentle slopes of less than ten (10) percent and only five (5) acres has slopes greater than ten percent. The existing topography would be altered to create the required grade for buildings, roads, parking areas, landscaped areas, and drainage features. While the site plan has not been designed, it is anticipated that a majority of the property would be subjected to cut and fill earthwork. As part of the future design of the detailed site plan, cut and fill calculations would be done to determine if there would be an import or export of material from the site. While the topography and slope of the developed areas would be altered, overall drainage patterns would remain the same with no overland flow directed towards the Carmans River. The potential loss of soil material would be mitigated by implementation of an approved Soil Erosion and Sediment Control Plan, as discussed above.

6.2. Surface and Subsurface Environmental Conditions

Phase 1 Environmental Site Assessments identified the following Recognized Environmental Conditions (RECs), Historical RECs, de minimis conditions, data gaps and data failures.

- Issues identified in Area A were an improperly abandoned underground storage tank, and potential for contamination in the on-site septic systems, stormwater drywells, and Paint Building drywells.

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- Issues identified in Area B were a target practice area, a previously identified and studied groundwater plume and several types of debris including discarded tires, bricks, wood, stone, and metal, etc.
- Issues identified at Area C were a previously identified and studied groundwater plume and several types of debris including discarded tires, bricks, wood, stone, and metal, etc.
- Issues identified at Area D were another target practice area, a previously identified and studied groundwater plume and several types of debris including discarded tires, bricks, wood, stone, and metal, etc.
- Issues identified at Area E were several types of debris including 55-gallon drums (which appeared empty), concrete pillars, discarded tires, bricks, wood, stone, and metal, etc.
- Issues identified at Area F were several types of debris including over one hundred 55-gallon drums, discarded tires, wood, bricks, stone, and metal, etc. Some of the debris appeared to be charred and burnt, however, no visual evidence of petroleum or chemical impacts to the soil were evident. It appeared from the inspection that the area is used to simulate firefighting operations/activities.

Mitigation

The Selected Developer would investigate the identified RECs during the due diligence period and the potential for environmental impacts from the RECs will need to be assessed as part of any redevelopment. If such environmental impacts were identified they would need to be mitigated during any construction activities and/or as part of ongoing engineering or institutional controls pursuant to NYS regulation. Responsibility for remediation, if required, would rest with the Selected Developer as the contract specifies that the purchase is in “As Is” condition. Therefore, remediation, if required, will be completed prior to and/or during project construction, as appropriate.

The potential for existing ground water contamination to cause a soil vapor impact will also need to be assessed as part of any redevelopment. If such an impact were confirmed, the redevelopment would need to incorporate mitigation measures in the form of institutional and/or engineering controls (e.g., sub-slab depressurization similar to radon mitigation used in other parts of the Country) consistent with NYS regulation. These regulations allow for certain engineering and institutional controls for a variety of land uses including residential.

6.3. Groundwater

6.3.1. Water Supply

This project would result in increased withdrawal of groundwater. Water consumption is estimated to be a maximum of 584,500 gallons per day (gpd), although it is anticipated that the project would include conservation measures that would reduce this quantity. According to the SCWA, the proposed withdrawal from this project would not be anticipated to have a significant

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effect on baseflow to the Carmans River due to the size of the watershed recharging the aquifer and the fact that the water supply would be from an interconnected system that draws from a large area and from both aquifers.

Suffolk County Water Authority (SCWA) has stated that the water supply and distribution system does not presently have the capacity to supply the entirety of the proposed development.

Mitigation

SCWA indicated that the capacity issue is based upon the limitations of the infrastructure and not the resource constraints of the aquifer. SCWA further indicated that when additional capacity is necessary beyond what is available from SCWA to meet the water needs of a development, the developer could contract with SCWA to construct the capacity needed to fully serve the project.

As a condition of the Contract of Sale, the project would be required to be LEED certified and maintained as LEED certified, and as such would include water conservation measures. These could include water conserving fixtures, plants which require minimal irrigation, irrigation systems tied to moisture sensors and limited to the early morning to reduce unnecessary water consumption caused by evaporation losses, and extensive use of compost to conserve planting bed moisture.

6.3.2. Wastewater Management

The maximum wastewater design flow associated with the proposed project is estimated to be 477,000 gallons per day. According to the Suffolk County Department of Public Works, the actual flow is usually approximately 75% of the design flow due to conservative factors used in the design of treatment facilities. In addition, as the project is anticipated to be LEED certified it is expected that the wastewater flow will be significantly less. The actual amount of flow cannot be quantified until the project is designed.

Mitigation

As a condition of the Contract of Sale, the project would be required to be LEED certified and maintained as LEED certified, and as such would include water conservation measures, and potentially water reuse, which would reduce wastewater flow. The Contract of Sale requires the Selected Developer to design and build necessary wastewater collection and treatment facilities, at its own cost, in accordance with the requirements of the County Sewer Agency, the County Department of Health Services, and the Town, based on the development as approved by the Town including installation of all sewer lines, sewer mains, and any necessary pump stations to transport waste to sewage treatment facilities; and to construct sewage treatment facilities sufficient to treat the projected gallonage from the Premises as development of the Premises is finally approved by the Town. While the Contract of Sale provides an option of a new, privately-owned sewage treatment plant the County finds that an increase in the capacity of an existing publicly owned sewage treatment plant, or construction of a new publicly owned sewage treatment plant, would be required to adequately protect groundwater. A state-of-the-art public

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wastewater treatment facility (tertiary treatment, or best available technology) would be constructed within Area F to handle the wastewater flow from the proposed development.

6.3.3. Groundwater Quality

Untreated wastewater, fertilizers, pesticides, deicers, etc. can impact groundwater quality.

The impact of the proposed project upon nitrate levels in groundwater was modeled. No significant variation in simulated concentrations of nitrate in shallow upper glacial groundwater between the baseline simulation and the proposed development scenario was noted. Because sewerage was assumed for the proposed development area, there was little difference in nitrogen loading rates assigned to the parcels, which resulted in only very minor differences in downgradient water quality.

Mitigation

The proposed action will connect to a sewage treatment plant that will reduce the potential for groundwater contaminants when compared to development having subsurface sanitary disposal systems. This project will be designed to be fully compliant with groundwater- and surface water-related regulations. Fertilizer and pesticide use will be limited by the Contract of Sale. Suffolk County has adopted several local laws to reduce fertilizer and pesticide use. As a condition of the Contract of Sale, the County will require an extension of the existing law governing application of pesticides and fertilizer on County owned properties to the new owners and attached to the land to carry to subsequent owners. In addition, the developer will be required to develop and implement an Integrated Pest Management Plan to limit the use of fertilizers and pesticides required to maintain the managed landscape.

6.4. Stormwater Collection, Treatment and Recharge

The proposed project would increase the impervious cover within the project area, thus increasing the potential for groundwater impacts through loss of groundwater recharge via runoff and water quality impairment from contaminated runoff.

Mitigation

Stormwater would be efficiently managed to maximize treatment before recharge. The stormwater management plan would be designed to collect and recharge 100% of site runoff from an eight (8) inch storm (100-year storm event). Most of the stormwater would be directed to recharge basins where it would be subjected to initial treatment by the vegetation, photodegradation by sunlight and subsequent filtering and degradation by soil media and associated bacteria.

6.5. Ecological Resources

The Project Site lies within the pitch pine-oak forest community type within the Coastal Lowlands Ecozone (Reschke, 1990). This fire-dependent natural community type is part of the

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broadly defined Pine Barrens Ecosystem, although the site is not within the regulated Pine Barrens Core or Compatible Growth Areas. A review of the New York State Department of Environmental Conservation (NYSDEC) Natural Heritage Program database was conducted to describe the occurrence of rare or state-listed animals and plants, significant natural communities, and other significant habitats which occur or may occur on the project site or in the immediate vicinity. No state-listed animals, plants, natural communities, or habitats were identified on the project site.

6.5.1. Wetlands

There are no wetlands or surface waters on or immediately adjacent to the site. The NYSDEC Wetland Map and the United States Fish and Wildlife Service National Wetland Inventory (NWI) Map indicate that wetlands associated with the Carmans River are located approximately 1000 feet northeast of Area A. As no wetland areas were identified within the project study areas, the proposed plan would not directly impact any wetland resources.

6.5.2. Streams and the Carmans River

A small intermittent stormwater diversion channel was identified in Area A east of the existing large road salt storage building. Runoff from the east and south drains to the southeastern edge of Area A and flows to a level area behind an earthen berm in the forest. This does not appear to connect with the Carmans River. The entire project site is located outside of the 100-year floodplain. The Carmans River is located approximately 1000 feet east from Area A and is the closest perennial water body to the other study areas.

The project proposed within Area A will result in a net increase in impervious surfaces and landscaped areas. The proposed development within Area A will also result in an increased water demand which will likely be met through additional withdrawal of groundwater by the municipal supplier. Additionally, installation of sanitary sewers and stormwater conveyances could alter flow patterns of shallow groundwater. Conversely, the increase in impervious cover within Study Area A could result in increased surface runoff to the river. Surface runoff from developed areas is often associated with increased levels of nutrients, sediment and other contaminants.

It is noted that existing conditions within Study Area A may also contribute negatively to the water quality within the Carmans River. Current uses within the majority of Area A include 10 acres of County highway yards, 13,000 square feet of public works buildings, a 16,600 square foot road salt storage building, a 90 vehicle parking area and a doctor's cottage and shed. Discontinued traffic lights and traffic poles, road paint, county vehicles and drainage pipes are stored within the County highway yard. Therefore, existing uses within Area A also have the potential to contaminate soils and shallow groundwater.

Although distant from the Carmans River, the proposed developments in Areas B through D could negatively affect both water quality and quantity within the river due to decreased groundwater recharge, increased groundwater withdrawal, introduction of contaminants into shallow groundwater from surface runoff and increased use of fertilizers and deicing materials.

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No streams or surface water features will be directly impacted as a result of the proposed development.

Mitigation

Development of the property will result in the elimination of the intermittent stormwater diversion channel identified in Area A and any overland flow associated with it.

Stormwater mitigation measures will be employed to limit stormwater runoff as discussed in Section 6.4. These have not been designed at this time but could include pervious surfaces, preparation of a Stormwater Pollution Prevention Plan (SWPPP), construction of stormwater retention facilities to promote infiltration of surface runoff from impervious surfaces, construction of pre-treatment cells or wetlands to promote the removal of contaminants from stormwater runoff, restrictions on the use of fertilizers and pesticides in the proposed landscaping and turfgrass areas and limitations on the type and use of deicing materials. Anticipated increases in groundwater withdrawal would be mitigated through water conservation practices, irrigation limits, and installation of water conserving fixtures in all facilities. Additional mitigation includes utilizing multiple supply aquifers and discharging treated wastewater back to groundwater.

Once the Carmans River Protection and Management Plan is finalized (the Plan is in Draft form as of June 2011) the Selected Developer will be required to comply with any regulations or laws that result from that Plan.

6.5.3. Land Cover and Vegetation

The overwhelming majority of the land cover within Areas B through F is in a natural, undeveloped condition, comprising mostly forested areas and, to a lesser degree, unmanaged grasslands and shrub/transitional fields. Area A is an exception in that almost half of its area is developed with buildings, paved and unpaved lots, turf and cleared areas. The proposed project would result in a significant loss of trees and other vegetation. Approximately 229 acres of forest (consisting of 188 acres of Deciduous Forest and 41 acres of Coniferous Forest) would be permanently cleared. In addition, all of the approximately seven acres of Shrub/Transitional fields would be removed. Most of the Unmanaged Grassland would be converted into Developed Impervious and Lawn/Landscaping surfaces.

According to the map provided in the Draft Carmans River Watershed Protection and Management Plan, the surface area of the Carmans River watershed is approximately 22,700 acres with approximately 6,060 acres (26.7%) currently preserved. If the acquisitions recommended in that plan are realized, the watershed would comprise approximately 7,000 acres of protected land, or about 31 percent of the entire watershed area.

Installation of buildings, roads and associated infrastructure would increase the fragmentation of habitats for plants and animals and would encourage the establishment of invasive plant species. Forest fragmentation can reduce the movements of wildlife species and limit the amount of

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genetic diversity within populations. The forest fragmentation would favor “edge” species at the expense of forest interior dwelling species.

Mitigation

Removal of the native forest cover type could be partially mitigated through the use of native tree and shrub species in the proposed landscaping. Native grassland species could be substituted instead of maintained turfgrass. Additionally, specific project designs could strive to minimize the clearing of forest areas through cluster development or modifications to densities.

6.5.4. Wildlife

The proposed project would clear or disturb approximately 75% of the existing forest and most of the shrub/transition fields and unmanaged grasslands. The total area of developed/impervious and lawn/landscaped surfaces would increase. As a result of the overall development plan, a small amount of natural habitat will remain for wildlife to inhabit. Resident wildlife populations would be expected to disperse from the project area and into adjacent natural areas during construction of the proposed project. The loss of natural habitat within the project areas may discourage the return of certain wildlife species. Those species most adapted to suburban habitats, fragmented natural habitats and human activity would be expected to return to the study areas and reestablish populations within the altered landscape.

Mitigation

Maximizing the preservation of existing forest will mitigate the impacts on native wildlife populations. Specific project designs should strive to maintain travel corridors and contiguous habitat. The use of native tree, shrub and grassland species will promote re-colonization of the developed areas by wildlife species. To the fullest extent possible, plant species native to the Long Island Pine Barrens should be selected. The selected species should be well suited to the anticipated environmental conditions (i.e. soil characteristics, water, sunlight, etc.) at the specific planting site. In addition, not-native species well suited to the anticipated environmental conditions may be considered at the discretion of the Town of Brookhaven. The Selected Developer will design the landscaping with appropriate plant species that will require minimal irrigation and fertilization.

6.6. Land Use

The potential impacts of the proposed project on land use were evaluated and found to be compatible with existing uses and vice versa, and to be in accordance with local land use plans. What is different, however, is the concentration of the proposed uses. Yaphank covers a large geographic area which is bisected by the Long Island Expressway. The portion of Yaphank located south of the Long Island Expressway has concentrations of activity such as the County government complex and the Sills Industrial Park, alongside areas of vacant land and open space. The population of Yaphank, at around 6,500 persons would increase by about a third as a result of the proposed project.

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Mitigation

While the proposed project would effectively increase the density of development in Yaphank, the mitigation measures discussed throughout the document related to quality of life issues, such as traffic, air quality, and noise, as well as the large areas of protected open space existing in the area will serve to mitigate this increase in density. Positive impacts include the provision of affordable housing, new recreational amenities, and significant economic benefits in the form of job creation and tax revenue. The Town of Brookhaven will ultimately control the development density through the rezoning and approvals process.

6.7. Zoning

The project site is located within the A 1 Residence District and the L Industrial 1 District (Light Industry). The proposed development would seek approval as a Planned Development District (PDD).

Mitigation

Many of the components of the proposed project meet the main purposes and goals of the Town Code as it relates to PDDs. The Selected Developer will be responsible for meeting the requirements of the PDD process including identifying the specific zoning incentives, public benefits and Pine Barrens Credits required. Zoning incentives will likely include increased density and height. It is anticipated that public benefits may include the extensive public recreational facilities, affordable housing, and the wastewater treatment facility expansion. The exact formula and number of credits required would be determined by the Town of Brookhaven through the PDD process. The Selected Developer would be responsible for obtaining these credits, either from Suffolk County or by purchasing them from private owners or through the Pine Barrens Clearinghouse. Suffolk County currently has workforce housing development rights for the Town of Brookhaven. There are approximately 185 credits (with an additional 153 pending the closing of various open space acquisitions) available under the Drinking Water Protection Program and another approximately 46.5 credits available under the Save Open Space Program. Their use is subject to an act by the County Legislature. Additionally, there are separate Pine Barrens Credits for sale (approximately 245 within the Town of Brookhaven as of June 1, 2011).

6.8. Public Policy

It is believed that the proposed action will not have a significant adverse impact on public policy as the Suffolk County Attorney's Office has indicated that the County has the right to sell the property and an evaluation of whether this land, if not already owned by Suffolk County, would have priority within the County's Open Space Program determined that the project site met few of these goals. The subject property is somewhat unique in that it is a large undeveloped tract which is not located within regulated areas such as the Pine Barrens Core or Compatible Growth Areas, a Special Groundwater Protection Area, a floodplain, or a Wild, Scenic or Recreational River Boundary. The County finds that it would be a better use of County resources to encourage

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development of this land which is unencumbered by regulatory controls, while continuing to protect other lands which may have higher ecological value.

6.9. Traffic, Public Transportation and Parking

6.9.1. Traffic

The Proposed Action will generate increased traffic volumes along adjacent roadways posing significant adverse impacts.

The DGEIS indicates that due to the 15-year ambient growth, along with trips generated by numerous other proposed developments in the area, several locations within the adjacent roadway system will perform at relatively high delays prior to the proposed action's 2025 build year. Based on the long time-frame, the DGEIS assumed the following set of improvements to be in place prior to completion of construction of the proposed action (Table 1).

Table 1: Traffic Improvements Likely To Be In Place By 2025

Yaphank Avenue (CR 21) at Horseblock Road (CR 16)	• Minor signal retiming to redistribute green time more efficiently between phases in the PM peak period
Yaphank Avenue at Sunrise Highway Exit 57	• Install a traffic signal at this location, coordinated with the adjacent signal at Yaphank Avenue and Horseblock Road (CR 16).
Horseblock Road (CR 16) at Brookhaven Town Landfill	• Minor signal retiming to redistribute green time more efficiently between phases in the AM peak period
Patchogue-Yaphank Road (CR 101) at Horseblock Road (CR 16)	• Minor signal retiming to redistribute green time more efficiently between phases in the AM, Midday, and PM peak periods
Horseblock Road at Bellport Station Road	• Minor signal retiming to redistribute green time more efficiently between phases in the AM peak period
LIE North Service Road and Horseblock Road	• Introduce a northbound left protected-permitted signal phase and readjust the signal timing for each peak period.

Mitigation

Should the above improvements not be in place prior to the proposed action's construction, the Selected Developer will implement these mitigation/improvement measures as part of the Proposed Action. In addition, the following list of traffic mitigation measures will be implemented by the Selected Developer to reduce the number of significant adverse traffic impacts attributable to the proposed development (Table 2).

Traffic impacts will be ameliorated to the greatest extent practicable as recommended and deemed acceptable by the Town of Brookhaven and the New York State Department of Transportation. The Selected Developer will be required to commit funding for the design and construction of these mitigation measures.

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During future site plan review, the Selected Developer should explore strategies aimed at reducing vehicular trip generation, such as parking management, improved transit access, and provisions for bicycles and pedestrians.

Table 2: Required Traffic Mitigation Measures

Yaphank Avenue (CR 21) at LIE North Service Road	• Add a northbound left turn lane
Yaphank Avenue (CR 21) at LIE South Service Road	• Add an eastbound right turn lane, and a northbound through lane
Yaphank Avenue at SCDPW Driveway (#335)	• Install a traffic signal at this location • Add a northbound through lane
Yaphank Avenue at Gerard Road	• Add a northbound through lane, and a southbound through lane
Yaphank Avenue at Glover Drive	• Install a traffic signal at this location • Add a northbound through lane, a southbound through lane, and an eastbound left turn lane
Yaphank Avenue at Horseblock Road (CR 16)	• Add a southbound left turn lane and an eastbound left turn lane • Restripe southbound approach to provide 2 left turn lanes, 1 through-right lane, and 1 right turn lane
Yaphank Avenue/Horseblock Road at Sunrise Highway Exit 57	• Add a westbound right turn lane
Horseblock Road at Brookhaven Town Landfill	• Add an eastbound left turn lane, a southbound left turn lane, a westbound through lane, and a westbound right turn lane
Horseblock Road at Patchogue-Yaphank Road (CR 101)	• Add an eastbound through lane, and a westbound through lane
Horseblock Road at Bellport Road	• Add an eastbound through lane, and a westbound through lane
Horseblock Road at LIE North Service Road	• Add a northbound left turn lane
Horseblock Road at LIE South Service Road	• Add an eastbound right turn lane, and a northbound through lane.

6.9.2. Public Transportation

It is believed that the proposed action will not have a significant adverse impact on public transportation. The site is served by Suffolk County Transit (Route S71) and is located within the vicinity of the Long Island Rail Road's Yaphank Station. Currently this station has limited service. It is anticipated that should the proposed project go forward, along with other planned projects in the general area, there could be enough need to make additional bus and train service viable. Additionally, the Selected Developer could be required to provide jitneys service for the residents, workers and visitors to the site as part of the approval process.

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6.9.3. Parking

Based on the Town of Brookhaven Zoning Code, the proposed mixed use development will require approximately 10,000 parking spaces. Table 3 provides the parking required by area and for the entire site.

Table 3: Parking

Area	Parking Spaces
A	4,417
B	2,265
C	167
D	3,000
E	205
F	20
Total	10,074

Of potential concern is the code requirement for 4,417 parking spaces in Area A. This parking would be difficult to physically provide within the confines of Area A. Shared parking is reasonable for the mix of uses provided. It is anticipated that as part of the approval process the Selected Developer would do an analysis to determine the actual parking demand based upon the operations of the arena and stadium, as well as an analysis of the degree to which shared parking could be achieved. This could lessen the amount of parking required if approved by the Town of Brookhaven as part of the Planned Development District approval process. Alternatively, the Selected Developer could explore the potential of arrangements for using off-site parking areas that are unused on nights and weekends, such as at the County Complex. This is an issue that will require further analysis when more details of the plan are available.

6.10. Visual Quality

The visual quality of the project site will change as the result of development. The visual impact cannot be gauged, except in a very general manner, until the Selected Developer prepares site plans and architectural plans of the proposed building structures.

Area A will have the greatest change in visual character, both from removal of unsightly buildings and outdoor storage, and by addition of the largest buildings proposed. The Selected Developer's proposal indicated that the arena would be 70 feet in height. This is taller than the government buildings in the area, the tallest of which is the multi-story skilled nursing center. The upper portion of the arena is likely to be visible from a wide area, depending on the viewer's line of site and the trees and other buildings that would be in between the viewer's location and the arena. The heights of the other Area A buildings were not specified.

Area B buildings consist of townhouses and condominiums, where the height was not specified. If these were two story buildings they would be largely hidden by buffer vegetation along the site perimeter. If they were three story buildings or higher, the upper levels will likely be visible from some of the surrounding area.

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Area C would have no structures and as a recreation area, would be visually pleasing. Area D would be similar in visual character to other area industrial parks that are located within close proximity. Areas E and F would be internal to the County's property with limited views from area roadways. The structures would likely be similar in visual character to the existing County maintenance and administration buildings.

Mitigation

In terms of visual character, mitigation can be in the form of architectural style, lighting and landscaping (including screening by trees and shrubs) and will be subject to Town of Brookhaven review and approval. The Selected Developer's proposal showed the architectural style of the housing in Area B which would be reasonably similar to other area housing types. The architecture of the other structures was not specified.

In terms of lighting impacts, the developer of the proposed project will comply with the lighting requirements and limitations of the Town of Brookhaven's "Dark Skies" ordinance that was adopted "to protect and promote the public health, safety and welfare, the quality of life, and the ability to view the night sky." Lighting of the athletic fields, arena and stadium would be designed to minimize off-site transmission.

The Master Plan showed significant landscaping throughout the site. It is anticipated that natural buffers would be maintained and enhanced along the site perimeter. An excerpt from the Selected Developer's proposal includes the following design elements: a great lawn, formal gardens, plant material that encourages local wildlife to flourish, nature trails, a timed jogging trail, a recreational field, and a fishing lake.

6.11. Noise

Proposed uses will create noise. A preliminary evaluation of potential noise impacts was conducted; however the actual noise levels will depend on the specifics of the future site and building design. The New York State DEC criteria and the Town of Brookhaven Code limits were used as criterion for proposed action noise evaluation, with a significant increase in noise levels being more than 6 dBA. The evaluation found that noise increases did not exceed that value in any of the locations. Additionally, if there were a significant increase in noise levels, but the magnitude of the resulting noise level was low (i.e. for construction and traffic noise sources, 65 dBA or less at residential uses and 79 dBA or less at non-residential uses; for stationary sources, such as mechanical equipment, music systems, etc., within Town of Brookhaven Code limits), then the total noise level would not result in a significant impact. Again, none of the locations exceeded this amount.

Mitigation

The Selected Developer will mitigate any potential noise impacts associated with the proposed project, in accordance with the Town of Brookhaven Code and the impact criteria of the New York State Department of Environmental Conservation (NYSDEC). Noise transmission from

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Area A would be mitigated to an interior noise level of 45 dBA utilizing window/wall attenuation of at least 25dBA. Noise transmission from Area B would be mitigated to achieve an acceptable interior noise level at residential buildings. This mitigation will include ensuring that building design for residential portions of Area B achieve at least a 20-dBA window/wall attenuation. Noise transmission from outdoor recreational usage in Area C without amplified sound systems would be limited to between the hours of 7 am and 10 pm. Any amplified sound systems would be designed to satisfy the requirements of the local ordinances. Noise transmission from Areas D, E, and F would not be significant. Mechanical equipment, such as heating, ventilation, and air conditioning (HVAC), and elevator motors, would be provided with an adequate buffer (e.g. located on a building rooftop or shielded) from neighboring noise-sensitive locations. This equipment would be designed to comply with applicable noise regulations and standards. Construction would be limited to normal workday hours.

6.12. Air Quality

Construction activities, vehicle trips, and physical roadway changes can impact air quality. A microscale carbon monoxide assessment conducted in accordance with the New York State Department of Transportation Environmental Analysis Bureau Environmental Procedures Manual concluded that traffic generated by the proposal would not cause significant air impacts.

The site plan approvals process will require an analysis of whether mesoscale air quality analysis is warranted. If such an analysis is warranted, the analysis will be required. Mesoscale analysis would include the segments of the following roads:

- The LIE and the North and South Service Roads between Exits 64 and 67
- Yaphank Avenue between Sunrise Highway and the LIE North Service Road
- Horseblock Road between Yaphank Avenue and Bellport Station Road

Added road segments could be added based on New York State Department of Transportation (NYSDOT) input.

State agencies may also require a PM2.5 hot-spot analysis. The future developer shall be required to coordinate with the NYSDOT and any other required party named by NYSDOT (such as the Federal Highway Administration-FHWA) regarding the need for, and scope of, PM2.5 hot-spot analysis. Should a hot-spot analysis be required, it would be done as part of the site plan approvals process.

The site plan approvals process would also require the New York Metropolitan Transportation Council (NYMTC), the local MPO, and/or NYSDOT to consult with the New York State Interagency Consultation Group (ICG) regarding the potential for proposed land uses to constitute a Regionally Significant Project that has the potential to affect the area's conformity determination. Should the ICG confirm the regional significant nature of this project, the project would need to be included with the New York Metropolitan Transportation Council (NYMTC)

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Transportation Improvement Plan (TIP) Transportation Conformity Regional Emissions Analysis for the year 2025, despite the private (non-Federal) funding source..

Mitigation

To mitigate the potential impacts associated with dust generation, the Selected Developer will monitor ambient particulate concentrations and implement watering and other dust control measures in accordance the New York Standards and Specifications for Erosion and Sediment Control (DGEIS, Section 20.2.1).

To mitigate potential transportation-related air impacts during construction and operation, the Town will limit construction activities and the use of vehicles and equipment to specific work hours, and will require proper maintenance of construction vehicles and the use of appropriate emission control devices on construction equipment and vehicles.

If a mesoscale and/or PM2.5 hot-spot analysis identify additional air quality impacts, those impacts would need to be mitigated.

Should any of the identified traffic mitigation measures not be implemented, the air quality screening should be revised to reflect changed expected Level of Service analyses.

6.13. Cultural Resources and Suffolk County Farm

Area A was found to have a moderate precontact archaeological sensitivity on the northern portion of the parcel, where there was never any development and the degree of disturbance to the original ground surface is unknown. Area A was also found to have a high sensitivity for resources associated with the adjacent Suffolk County Cemetery in the northeast portion of the parcel. Area A contains the Doctor's Cottage and its garage, which relate to the overall Suffolk County Poor Farm Historic District and may be considered contributing resources to this larger resource.

Because the different resources that comprise the Suffolk County Poor Farm Historic District, including the cemetery immediately northeast of Area A, have been documented by the NYS Office of Parks, Recreation and Historic Preservation (NYSOPRHP) over a span of more than 20 years, there has never been a comprehensive evaluation of the district, taking into account the different resource locations. It is possible that Area A, which contains the Doctor's Cottage and garage, as well as a former pathway leading from the Suffolk County Home to the west of Area A to the cemetery to the northeast of Area A, would be included as part of the district if a new evaluation by the NYSOPRHP is completed. However, the degree of modification to Area A during the second half of the twentieth century, when the DPW complex was built, argues that the original function of the Area has been severely compromised by this later construction.

Proposed project elements on Area A will almost certainly be visible from the S/NRE Suffolk County Poor Farm and the Suffolk County Cemetery. Depending on the final height of the

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proposed project elements, there is a possibility that some elements might be visible from the southern and southeastern ends of the Yaphank Historic District.

Area B was found to have a low precontact and historical period archaeological sensitivity with no further work recommended. However, proposed development on Area B may have a visual impact to Suffolk County Poor Farm property to the north.

Areas C through F were found to have a low precontact and historical period archaeological sensitivity with no further work recommended. These areas have no architectural resources on or adjacent to them with no further study recommended for architectural resources related to these parcels.

Mitigation

The Selected Developer shall be required to conduct Phase IB testing for a limited portion of Area A as part of the approval process for future development.

All of the discarded headstones observed within the Area A boundaries would be collected, and a proper permanent repository for these artifacts identified, in consultation with the NYSOPRHP and/or a local agency. A 50-foot permanent buffer zone would be established within Area A surrounding the cemetery boundaries, within which no direct ground impacts (including invasive landscaping or roadwork) associated with this or future projects would be permitted. Last, a permanent management plan would be enacted to ensure that the cemetery is preserved and not further encroached upon by any future development.

Current project plans call for the demolition of the Doctor's Cottage and garage (which is referred to in the Scope as a shed) and construction of a new Doctor's Cottage and garage (shed). Construction of a new cottage and shed, which presumably would not be used for a residence, would not preserve any of the original intent of the building. Therefore, if the existing Doctor's Cottage and garage are structurally sound and could be usefully repurposed, the buildings would be moved to another location on the overall Suffolk County Poor Farm complex, where other buildings from this time period still exist and are in use. If this option is not feasible, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) would be consulted to determine additional documentation options prior to demolition.

Once more design detail is available, the Selected Developer would confer with the NYSOPRHP to determine appropriate mitigation options to lessen the visual and physical impacts of the proposed project on the identified resources.

6.14. Community Services

6.14.1. Emergency Services

The site is served by the Suffolk County Police Department, the Yaphank Fire Department, the Brookhaven Fire Department and the South Country Ambulance District. There would be increased demands on each of these emergency service providers.

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Mitigation

Each of these emergency services providers would receive increased tax revenues from the proposed development. In addition, the Contract of Sale between Suffolk County and the Selected Developer provides for preference to volunteer fire and ambulance personnel for the proposed housing, as follows:

To provide for preference in occupancy, to the extent permitted by law, of the Units for residents of the hamlet of Yaphank, the Longwood School District, the South Country School District, volunteer fire and ambulance services personnel and for military personnel who have served in the conflicts in Afghanistan and Iraq.

Therefore, it is anticipated that the new residents might include a higher percentage of emergency services volunteers than the existing population in the area, which would add to these district's volunteer ranks.

At the time that development applications are put forth with more details on specific uses and site plan and building elements, the Selected Developer would need to meet with the emergency service providers. At that time, details on potential private security for uses such as the arena would be known. Any requirements of the emergency service providers for specific equipment to respond to specialized structures such as the arena, would be determined and negotiated between the Developer and the Districts. Additionally, as the project is anticipated to be built out over a fifteen year period, it would likely be many years before full occupancy would be realized, giving the Districts time to prepare for these new uses.

6.14.2. Schools

Approximately 207 new students are projected to be generated by the proposed development, all in the Longwood School District. The significant tax revenues generated from the proposed project would be expected to offset the cost of new students to the Longwood School District. The significant tax revenues generated from the proposed project would be a benefit to the South Country School District where no new students would be generated. As currently drawn, the tax parcels do not align with the components of the proposed development.

Mitigation

The proposed tax revenues are anticipated to mitigate the potential financial impacts from the projected new students. Additionally, as the project is anticipated to be built out over a fifteen year period, it would likely be many years before the full projection of 207 students would be realized, giving the District time to prepare for absorption of these potential new students. It has been reported that the Longwood School District lost over six (6%) percent of its enrollment between the 2004-2005 school year and the 2009-2010 school year (591 students). Therefore the addition of students may be less of a concern if that trend continues.

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It is recommended that the tax parcel lines be redrawn to match the actual development. As all residential units are located within Area A and Area B, Area A and B tax revenues should be allocated to the Longwood School District.

6.14.3. Recreational Facilities

It is believed that the proposed action will not have a significant adverse impact on recreational facilities as the proposed project will increase the recreational opportunities in the area. Proposed recreational facilities would be open to the greater community and would include an arena, an outdoor stadium with a football/lacrosse field and track, a health club, a seasonal ice skating rink, two multipurpose fields, baseball/softball field, a fishing lake, and trails. The proposed recreational facilities would be adequate to serve the proposed new residents and employees and no further mitigation would be required.

6.15. Utilities

This project would result in increased withdrawal of groundwater from the Magothy aquifer. The daily water consumption by the proposed project is estimated to be 548,500 gallons per day before any water conservation methods are applied.

The estimated wastewater design flow associated with the proposed project is approximately 477,000 gallons per day before any water conservation methods are applied. According to the Suffolk County Department of Public Works, the actual flow is usually approximately 75% of the design flow due to conservative factors used in the design of treatment facilities.

The estimated solid waste associated with the proposed project is approximately 50,000 pounds (22 tons) per day before any conservation methods are applied. The proposed development would have solid waste picked up by a private carter who would deliver the waste to a permitted solid waste management facility.

An increase in energy consumption would occur as a result of the development. However, the County's RFP required a minimum of 4 MW of solar capacity to be generated on site and the Selected Developer's proposal indicated that the facility would produce all of its own energy. While the exact energy design to be utilized by the selected developer is unknown at this time, several potential technologies including solar, wind, biomass gasification, and geothermal could be used.

The electric requirements were estimated as 43 megawatt hours per year with an electric requirement of 20,000 KVA. Although the Selected Developer indicated that the project would be a Net Zero Energy project, in order to be conservative, it was assumed that renewable energy sources such as solar and geothermal would provide at least 25% of the power requirements. LIPA was asked to provide an availability letter for up to 75% of the electric requirement.

The gas load was estimated by applying a 35BTU/hr per square foot load to the proposed building areas. This yielded a heating load of approximately 1,100 therms for the entire development. While it is possible that a geothermal facility could entirely negate the need for

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natural gas, in order to be conservative, National Grid was asked for an availability letter for the full natural gas load.

National Grid and Keyspan indicated that they have the capacity to serve the proposed development.

Mitigation

One of the County's goals for this project is to create a sustainable project that would achieve LEED (Leadership in Energy and Environmental Design) certification, generate much of its own energy, and serve as an example of how a project could be built to minimize consumption of and reduce impacts to natural resources. While the Selected Developer's proposal did not indicate the specific details of design, it is anticipated that many LEED design criteria will be incorporated into the project, which would reduce water requirements, sewage flow, solid waste generation and energy needs.

The Contract of Sale requires the Selected Developer to design and build the necessary wastewater collection and treatment facilities, at its own cost. The Selected Developer would be required to increase the capacity of an existing publicly-owned sewage treatment plant or construct a new publicly-owned sewage treatment plant to handle all of the wastewater generated at the project site.

6.16. Demographics and Economic Impacts

6.16.1. Demographics

The population of Yaphank, at around 6,500 persons would increase by about a third as a result of the proposed project.

Mitigation

The mitigation measures discussed throughout the GEIS related to quality of life issues, such as traffic, air quality, and noise, as well as the large areas of protected open space existing in the area, and the economic benefits to the community will serve to mitigate this increase in density. The long build-out period (fifteen years) will give service providers (such as schools and emergency response) time to adjust to increased demand.

6.16.2. Housing Values

A literature review indicated that appropriately-scaled, affordable housing units (either in multi-family or single-family configurations) have negligible or no significant impact upon home values in market-rate neighborhoods.

6.16.3. Economics of Mixed Use Communities and Arenas

Studies reviewed concerning mixed use developments provide support for the concept that the proposed project would result in net positive economic benefits for the community.

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The potential for the proposed project to induce further economic development, as driven by the construction of a new arena, cannot be verified at this time. There is evidence to support the concept of the arena as a driver of economic development; however, this will depend upon the characteristics of the development and its market area. In particular, research suggests that economic activity and demand for commercial space are fostered by the increased activity and population influx during arena events.

6.16.4. Economic and Tax Benefits

The proposed development would bring significant economic and tax benefits to the Long Island region, the Town of Brookhaven, and the community in which it is located. These benefits will begin during the development phase and will increase once the development is completed and fully occupied.

During the Development Phase an estimated 206 construction workers would be needed annually for the 15-year construction period. At current wage rates, these jobs would inject almost \$450 million in wages into the local economy. Most of the development spending, estimated at \$750 million, would remain within the Long Island economy and would undergo several rounds of “responding” so that its ultimate impact would be a multiple of the original expenditure. As a result, the local output of goods and services, ‘gross metropolitan product,’ would increase by \$1.5 billion, including the original expenditure. This is equivalent to a net output increase of almost \$775 million. Local earnings would increase by almost \$475 million and almost 11,500 secondary support jobs would be created throughout the local economy. All industries would benefit.

Permanent economic benefits to the Town and the community would increase substantially when the development is completed and the proposed homes are fully occupied. The income of potential residents was estimated based on the anticipated selling and rental prices of the proposed residential units. The analysis indicated that potential residents could inject an estimated \$15 to 26 million in discretionary spending into the local economy annually. This spending would cause the local output of goods and services to expand by more than \$20 to 30 million, including the original expenditure. This is equivalent to a net increase of almost \$4 to \$6 million. Local earnings would increase by almost \$9 million and almost 250 secondary support jobs would be created within the local economy. Once again, all industries would benefit. These benefits would recur each year.

There would also be substantial tax benefits to affected taxing jurisdictions. The proposed development is likely to generate more than \$12 million in annual real property taxes based on Brookhaven Town equalization and tax rates.

6.17. Construction Impacts

Like any large construction project, construction would have short-term environmental impacts. These could include soil erosion, noise, traffic disruption, and dust generation. Construction would likely involve various phases over approximately a fifteen year period. Noise and

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vibration would be generated from construction and worker traffic, heavy equipment operation and delivery vehicles.

Mitigation

Weekday construction activities would be confined to the hours of 7 AM to 6 PM. A Stormwater Pollution Prevention Plan would be utilized to control erosion. While the construction phasing and plans are unknown at this time, it is highly unlikely that there would be significant numbers of construction worker vehicles during typical peak hour periods. If construction plans developed in the future indicate extensive heavy construction (or multiple simultaneous phases or projects), a construction trip analysis would be undertaken to prevent traffic disruption during construction periods.

6.18. Cumulative Impacts

Cumulative impacts were considered for each of the relevant issues. Area developments were incorporated into the No Build condition for traffic, air and noise. It was noted that impacts to school districts would best be determined by the districts and that cumulative impacts to the Carmans River Watershed are currently being studied by the Town of Brookhaven. It is also noted that there is a significant amount of development activity being considered in this area of the Town of Brookhaven. The Town of Brookhaven ultimately controls the zoning, density, and development approvals process for this site (upon privatization) and other developments in the surrounding area and may need to undertake additional cumulative impact analysis in order to make the appropriate development decisions.

Mitigation

While no specific mitigation measures were identified at this time related to cumulative impacts, it is noted that any future private development at this site would be required to adhere to any regulations applicable to the site including those that result from the ongoing Carmans River Watershed Protection and Management Plan.

6.19. Unavoidable Adverse Impacts

Suffolk County finds that the following unavoidable adverse impacts would result from the Proposed Action. Mitigation measures discussed in the GEIS would reduce many of these impacts to a point where they are minor and acceptable in nature. The long-term impacts that cannot be fully mitigated are described in Table 4, below.

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Table 4: Long-Term Unavoidable Adverse Impacts

	Impact	Mitigation to Minimize Impact
Topography	Site topography will be modified by grading.	As most of the site has shallow slopes, the overall topography will not be significantly different than existing.
Groundwater	- Water consumption from the project will increase withdrawals of groundwater. - Pesticides and fertilizers may be required.	- The Selected Developer will work with the SCWA to ensure adequate infrastructure is in place. - The site and buildings will be designed to incorporate LEED strategies which will reduce water consumption. - An Integrated Pest Management program would be instituted to reduce potential impacts to groundwater from pesticide and fertilizer application.
Stormwater	Existing drainage patterns will be altered.	A stormwater collection, treatment and recharge system will contain all of the stormwater up to an eight-inch rainfall event onsite.
Wastewater	The project will generate wastewater.	The Selected Developer will provide an expansion or a new wastewater treatment plant in order to minimize nutrient impacts to groundwater.
Ecology	The proposed project will result in a change of habitats found on the site and natural areas including pitch pine-oak forest will be decreased.	- No rare plants or ecological communities were found on the subject site. - The project would include native and other appropriate plants and no invasive plants will be introduced. - Some areas of native vegetation would remain throughout the site.
Traffic, Parking, and Site Access	There would be an increase in traffic volumes.	Roadway improvements and traffic signals would be constructed to increase intersection capacity and minimize changes to traffic flow quality.
Visual Quality	- Visual quality will change due to the removal of vegetation and the construction of buildings. - Lighting will be provided onsite.	- Landscaping treatments would create visual buffering of uses within the site and along the site perimeter between the site and adjacent properties. - Lighting will be designed in accordance with Town of Brookhaven regulations.
Noise	Noise levels would increase.	- In the residential, recreational and industrial area noise levels would be expected to be similar to the noise levels of area industrial and residential uses. - Noise mitigation measures would minimize noise impacts.

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Air Quality	• There were no identified microscale (carbon monoxide) air quality impacts based on the lack of meeting carbon monoxide screening criteria. • The Findings include requirements to evaluate the need to perform additional (mesoscale, and possibly qualitative PM2.5 hot-spot) air quality analysis during the site plan approvals process. The additional analysis/analyses may identify PM2.5, VOC, and/or NOx impacts.	• The mitigation required to counter traffic impacts is adequate to avoid air quality impacts with respect to carbon monoxide. • Should the mesoscale analysis and/or qualitative PM2.5 analysis identify specific impacts, additional mitigation would be required to reduce traffic volumes and/or to spread traffic generation out over additional hours.
Cultural Resources- Area A	• Area A was found to have a moderate precontact archaeological sensitivity on the northern portion of the parcel, where there was never any development and the degree of disturbance to the original ground surface is unknown. • Area A was also found to have a high sensitivity for resources associated with the adjacent Suffolk County Cemetery in the northeast portion of the parcel. • The Doctor's Cottage and its garage would be moved or demolished. • Proposed development will almost certainly be visible from the Suffolk County Poor Farm and the Suffolk County Cemetery, and depending on the final height of the proposed project elements, there is a possibility that they could also be visible from the southern and southeastern ends of the Yaphank Historic District.	• Phase IB testing would be required for a limited portion of Area A if the final design proposed development for that area. • All of the discarded headstones observed within the Area A boundaries would be collected, and a proper permanent repository for these artifacts identified, in consultation with the NYSOPRHP and/or a local agency. • A 50-foot permanent buffer zone would be established within Area A surrounding the cemetery boundaries, within which no direct ground impacts (including invasive landscaping or roadwork) associated with this or future projects should occur. • A permanent management plan would be enacted to ensure that the cemetery is preserved and not further encroached by any future development. • If the existing Doctor's Cottage and garage are structurally sound and could be usefully repurposed, the buildings would be moved to another location on the overall Suffolk County Poor Farm complex, where other buildings from this time period still exist and are in use. If this option is not feasible, additional documentation should be provided prior to demolition. • Appropriate mitigation options such as landscaping would be required to lessen the visual impacts.

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Cultural Resources – Area B	Proposed development on Area B may have a visual impact to S/NRE Suffolk County Poor Farm property to north	Appropriate mitigation options such as landscaping would be provided to lessen these visual impacts.
Energy Use	There will be energy requirements for the proposed uses.	- The Selected Developer has indicated that the project will be a Net Zero Energy development. Even if this is not achieved, a minimum of 4 MW of solar power and a geothermal heating and cooling system will be provided, along with energy conservation measures. - The site and buildings will be designed to incorporate LEED strategies which will reduce energy consumption.
Community Services	There would be an increase in need for community services (school, fire, police and ambulance emergency services).	- Increased tax revenues will ensue to each community service provider. - Additional mitigation would be provided by the Selected Developer such as private security for the arena.
Solid Waste	Solid waste will be generated.	The proposed development would have solid waste picked up by a private carter who would deliver the waste to a permitted solid waste management facility. The site and buildings would be designed to incorporate LEED strategies which will reduce generation of non-recyclable and non-reusable wastes.

Suffolk County finds that unavoidable impacts are effectively mitigated to the maximum extent practicable.

7. Alternatives to the Proposed Action Considered

7.1. No-Action/Municipal Alternative

The No-Action Alternative evaluated the potential impacts of retention of the site by Suffolk County with development for county municipal and institutional uses. This alternative is similar in many environmental impacts to the Proposed Development, with the exception of lesser utility needs, and greater weekday impacts to traffic, air quality and noise, as government uses generate significant weekday trips. At the same time, it would not address the need for affordable housing and would generate less economic development in terms of construction spending and permanent jobs, and would not generate any property or sales taxes, or discretionary income from new residents. Additionally, the reason for considering this land as surplus is that the County has determined that this land is not needed for future County facilities and therefore could be put to economic development purposes. Therefore, this alternative does not address the County's goals as set forth in their Request for Proposals for the Yaphank site.

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7.2. As-of-Right Build-out

The As-of-Right Alternative describes and evaluates the potential impacts of developing the site in accordance with existing zoning. This alternative is similar in many environmental impacts to the Proposed Development, but would not require a zone change, would create significantly less residential population and school age children on site, and would have lesser utility needs. However, it would generate less tax revenue and would not create the desired destination center with sports, entertainment and cultural uses, or the benefit of affordable housing. This alternative would address, some, but not all, of the County's goals as set forth in their Request for Proposals for the Yaphank site.

7.3. No Development

The No Development Alternative describes and evaluates the potential impacts of preserving the site as open space. Suffolk County and the Town of Brookhaven administer open space acquisition programs that, collectively, have preserved tens of thousands of acres of open space, thus permanently protecting these areas from future development. Suffolk County open space acquisition efforts are organized according to three programs - New Drinking Water Protection Program, Multifaceted Land Preservation Program and Environmental Legacy Program. This particular project site did not meet the County's criteria used for recommendations for acquisition for preservation purposes. Therefore if this property was not already owned by the County, it would not be targeted for acquisition. The County's policy is not to preserve all vacant land from development, but instead those parcels that have exceptional environmental, ecological, aesthetic and/or recreational value.

The No Development Alternative would not generate the desired destination center with sports, entertainment and cultural uses; would provide no affordable housing, economic development, jobs or taxes, and therefore, would not serve to address the County's goals as set forth in their Request for Proposals for the Yaphank site.

The alternatives analysis concluded that none of the alternatives would address the County's goals as set forth in their Request for Proposals for the Yaphank site.

8. Criteria for Subsequent SEQRA Review by Suffolk County Regarding the Declaration as Surplus and Sale of the Property

6 NYCRR 617.10 (c) states that:

(c) Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.

6 NYCRR 617.10 (d) further clarifies the requirements for further review after a GEIS has been followed as follows:

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(d) When a final generic EIS has been filed under this part:

(1) No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;

(2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;

(3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;

(4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

As required by the implementing regulations of SEQRA, these Findings set forth the County's specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. However, it is noted that other Involved Agencies are required to issue their own Findings and are not bound by the County's Findings.

Additionally, as the proposed development is conceptual in nature, detailed plans were not available at the time the DGEIS was prepared, and the County's plan for this site as analyzed in the DGEIS and FGEIS does not comply with the Zoning Ordinance of the Town of Brookhaven. Therefore, the government approvals process for this site will likely result in differences from the plan analyzed in the DGEIS and FGEIS. Consequently, as the project is modified and the specific design is developed as government approvals are pursued, additional SEQRA review is likely to be required. The following provides guidance as to when this additional SEQRA analysis would be required.

8.1. Performance Standards and Thresholds and Conditions that would Trigger Additional Analysis

Table 5 below lists the thresholds which will trigger the consideration of additional SEQRA review. If any of these thresholds were exceeded, an initial evaluation will be performed to determine if the potential impacts are significant and therefore warrant additional review. This determination will be made by the Lead Agency in effect at the time. It is noted that if the land is sold, the Lead Agency for future development on this site may not be Suffolk County. Therefore, the Lead Agency in effect at that time may modify these thresholds.

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Geology	Project changes would impact geologic resources
Soils	Construction is proposed that is incompatible with site soils
Topography	Construction is proposed in steep slopes
Surface and Subsurface Conditions	The Phase I Site Assessments identified several Recognized Environmental Conditions (RECs) which will need to be investigated before commencement of site design and construction. If any of these RECs would impact site development, these impacts shall be analyzed.
Groundwater	Project changes would require more than 548,000 gallons per day of water supply Adequate water supply cannot be provided to serve the project
Stormwater Collection, Treatment and Recharge	All Stormwater for an eight-inch rain event cannot be retained on site.
Fertilizers & Pesticides	Noncompliance with County fertilizer and pesticide policy.
Ecological Resources	More than 240 acres of site cleared.
Sewage Disposal	More than 477,000 gpd of wastewater generated Advanced wastewater treatment capacity not available at a privately funded, County operated facility
Land Use	Different land uses than analyzed herein
Zoning	Noncompliance with local zoning
Public Policy	Nonconformance with public policy
Transportation – Traffic	More than the following trips: AM Peak: 2,036 Midday Peak: 3,202 PM Peak: 4,264 Saturday Peak: 3,202
Transportation – Parking	Less parking spaces provided than required by code
Visual Quality	Arena taller than 70 feet, or located closer to property boundaries; all other buildings if taller than 40 feet.
Noise	For traffic noise: a 6 dBA increase in noise levels For stationary sources: exceeding the limits set forth in the Town of Brookhaven Code
Air Quality	If traffic needs to be reanalyzed or if traffic mitigation measures identified herein are not installed
County Farm	Project changes that would put more activity closer to the County farm
Community Services	Inability of emergency service providers to serve the site
Schools	Projected taxes would not offset cost of projected new students
Utilities	More than 15,000 KVA or 1,100 therms
Economic Impacts	Tax abatements, IDA, changes in proposed mix of land uses, etc.
Construction Impacts	Lesser construction mitigation controls than outlined herein
Cumulative Impacts	May require further analysis depending on the other projects under consideration
LEED	Project does not meet LEED Certification

Separate and apart from any thresholds described in the prior Table, it is anticipated that a Supplemental EIS will be required even if the project remains exactly the same in order to evaluate issues related to zoning compliance and site design which were unknown at the time of

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the preparation of the GEIS. The preliminary scope of this analysis would include the following issues:

- Design and layout
- Zoning compliance
- Programming for arena and stadium
- Methodology for sustained affordability of housing
- Cut and fill analysis
- Stormwater management
- Visual quality
- Landscape plan
- Lighting plan
- Update of community service availability and offsetting tax revenues
- Update of utility availability
- Wastewater treatment plant design
- Energy analysis
- LEED compliance
- Compliance with the recommendations of the Final Carmans River Watershed Protection and Management Plan, if adopted.

9. Conclusions

The project will result in a number of significant environmental impacts that cannot be fully mitigated. These impacts have been analyzed in the GEIS and summarized in this Findings Statement. As discussed above, the GEIS has paid particular attention to identifying measures that will avoid or minimize these impacts to the maximum extent practicable.

In issuing this Findings Statement, the County has weighed the benefits of the project against its significant adverse environmental impacts, taking into account not only the effectiveness of the measures imposed to mitigate those impacts, but the reasonable alternatives available to avoid or reduce them. The No Development Alternative would achieve none of the Suffolk County's goals and objectives as expressed in the Request for Proposals; the As-of-Right Buildout would achieve only some, but not all of Suffolk County's goals as expressed in the Request for Proposals, and the No-Action/Municipal Alternative was shown to result in greater impacts to traffic, air quality and noise, while not addressing the affordable housing need and generating less economic development.

Based upon the analysis herein, should the County declare this land as surplus and subsequently sell it for mixed use development purposes, it would not be expected to have significant impacts on the environment that could not be adequately mitigated. The extensive mitigation measures outlined herein could reduce these impacts to acceptable levels. In addition, many conservative assumptions were utilized as the exact details of the Selected Developers proposal are not yet known. It is also likely that some of the potential impacts could be reduced through selection of appropriate project components and innovative site design. .

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In addition, the implementation of Declaration as Surplus and Subsequent Sale of 250 Acres of County Owned Land in Yaphank for Mixed Use Development Purposes is expected to yield the following benefits:

- Destination center with sports, entertainment and cultural uses
- Affordable workforce housing
- Community recreational amenities including a health club, a seasonal ice skating rink, two multipurpose fields, a baseball/softball field, a fishing lake, and trails
- Economic benefits including thousands of construction and permanent jobs and approximately \$12 million dollars in property taxes and \$2 million dollars in sales taxes annually

10. Certification

This Findings Statement considers the relevant environmental impacts in the DGEIS and FGEIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the County's decision and certifies that the SEQRA requirements have been met.

Suffolk County, as Lead Agency, hereby certifies that the requirements of 6 NYCRR Part 617 have been met, and that, consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the Action is one that 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 in the DGEIS, FGEIS, and Statement of Findings.