

LIRR FINDINGS STATEMENT

State Environmental Quality Review Act

This Findings Statement has been prepared in accordance with Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations codified at 6 NYCRR Part 617.

Lead Agency: Long Island Rail Road (LIRR)
MTA Long Island Rail Road, MC 1131
Jamaica Station Building
Jamaica, NY 11435

Name of Proposed Action: Long Island Rail Road Expansion Project
SEQRA Classification: Type 1 Action

A. INTRODUCTION

The Metropolitan Transportation Authority's (MTA) Long Island Rail Road (LIRR) is proposing the LIRR Expansion Project from Floral Park to Hicksville (the "Proposed Project" or "LIRR Expansion Project"). The Proposed Project is a key element of Governor Andrew M. Cuomo's transportation infrastructure initiatives and is a strategic component of a comprehensive plan to transform and expand New York's vital regional transportation infrastructure. The Proposed Project extends 9.8 miles between the Floral Park and Hicksville Stations, where five branches converge carrying approximately 40 percent of LIRR's daily ridership. The addition of a third track would increase track capacity through the corridor making it easier to run trains along this busy, congested rail line. This would improve service reliability and make transit more attractive, with the further goal of getting travelers out of cars, reducing traffic congestion, and reducing adverse environmental impacts. This 9.8-mile stretch also includes seven street-level train crossings ("grade crossings") where road traffic must stop and loud train horns must blow each time a train passes. Eliminating these grade crossings through grade separation (e.g., underpasses) or, in two cases, closure to vehicular traffic (with pedestrian access maintained) is anticipated to substantially reduce noise, traffic congestion, delays, and air pollution, and greatly improve safety for residents, motorists, and pedestrians.

The primary purpose of the LIRR Expansion Project is to improve rail service, reliability, public safety, and quality of life along the LIRR Main Line segment between Floral Park and Hicksville by constructing a third track and by eliminating street level grade crossings. The Project would also upgrade several station elements (including providing for access upgrades consistent with the requirements of the federal Americans with Disabilities Act) within the Project Corridor, and provide significant additional parking capacity at the New Hyde Park, Mineola, Westbury, and Hicksville Stations. The goals and objectives of the Proposed Project are as follows:

- Reduce delays to commuters from Main Line congestion and rippling effects.
 - Improve on-time performance on all branches.
 - Add resiliency and accelerate recovery time from unplanned service disruptions.
 - Reduce train delays due to roadway incidents or accidents near grade crossings.
- Add operational flexibility eastbound and westbound.

- Improve mobility with additional intra-island service.
- Improve mobility with additional reverse peak service.
- Facilitate scheduled and unscheduled maintenance.
- Provide additional track capacity to accommodate projected system-wide passenger service growth.
- Improve public safety and roadway conditions.
 - Eliminate Main Line street-level grade crossings.
 - Enhance north-south vehicular and pedestrian connectivity in communities along the Main Line.
 - Reduce traffic delays due to grade crossings.
- Reduce noise and improve neighborhood quality-of-life.
 - Reduce noise from train horns.
 - Reduce noise from crossing-gate warning bells.

The Proposed Project will have the following benefits:

- Improve service and reduces delays for more than half a million passengers per week – given that 40 percent of LIRR’s daily passengers pass through the Main Line corridor.
- Reduce road congestion and pollution from cars idling at crossing gates; eliminate noise from train horns, crossing bells and honking cars at grade crossings; and greatly improve safety by removing areas where vehicles and pedestrians can collide with trains by eliminating all seven grade crossings.
- Significantly reduce noise from current levels throughout the Project corridor with the elimination of seven grade crossings and installation of sound attenuation walls along significant portions of the railroad’s right-of-way (ROW).
- Provide an additional 2,395 net new parking spaces at the New Hyde Park, Mineola, Westbury, and Hicksville Stations to help address future ridership growth.
- Provide major station upgrades like new, 12-car platforms to accommodate full-length trains, removing delays and safety issues associated with passengers needing to move among cars on shorter platforms, as well as making stations fully ADA-compliant.
- Upgrade and modernize track infrastructure such as switches, signals, and power equipment.

B. PROJECT DESCRIPTION

The LIRR Expansion Project from Floral Park to Hicksville extends 9.8 miles from the Village of Floral Park to the Hamlet of Hicksville. The Study Area for the Proposed Project generally is defined as one-quarter mile from either side of the railroad centerline, with a one-half mile radius around each LIRR station within the 9.8-mile Project Corridor. The Proposed Project entails the following major components:

- Installation of a third Main Line track from Floral Park Station to Hicksville.
- Elimination of seven existing grade crossings within the project limits to provide grade-separated vehicular and pedestrian crossings at five locations and pedestrian crossings with full closure to vehicular traffic at two locations (South 12th Street and Main Street). Pedestrian access across the tracks at South 12th Street and Main Street would be provided by pedestrian overpasses or, at South 12th Street, either a pedestrian overpass or pedestrian underpass.

- Construction of retaining walls and sound attenuation walls along portions of the corridor.
- Various modifications to passenger rail stations, platforms, and parking (e.g., modified and improved platforms, passenger shelters, Americans with Disabilities Act (ADA) enhancements, and parking modifications including new parking facilities at the New Hyde Park, Mineola, Westbury, and Hicksville Stations).
- Construction of new pedestrian overpasses with elevators at certain LIRR Stations and grade crossing locations.
- Modifications to railroad infrastructure including overpasses, signal systems, substations, culverts, interlockings, crossovers, sidings, track bed, power systems, communications, signals, and maintenance facilities.
- Utility relocations, including electric, signal, communications, gas, water, sewer, and storm sewer conveyances and drainage systems at the grade-separated crossings.

The specific elements of the Proposed Project, all of which are described in detail in the FEIS (as hereinafter defined) and its appendices, and as modified based upon public comment, are as follows:

THIRD TRACK ALIGNMENT

Currently, the LIRR Main Line segment between the Floral Park Station and the Hicksville Station comprises two tracks. Various rail sidings exist on both the north and south sides, and run parallel to the Main Line, but these sidings are not continuous. The LIRR Expansion Project would minimize property impacts and optimize these existing rail sidings by incorporating them into the third track alignment. As a result, the third track would be placed on the north side of the existing two Main Line tracks in some locations and on the south side in other locations.

In several areas, existing underutilized rail sidings would be incorporated into the third Main Line track. In some locations, the two existing Main Line tracks would be shifted slightly to the north or south to facilitate a more desirable alignment and avoid additional property impacts. The Proposed Project would include rail signal improvements, modifications to rail interlockings, and installation of new crossovers. Crossovers allow trains to move from one track to another, providing operational flexibility and allowing trains to change routes. A universal crossover is an arrangement of crossovers that allow trains to move in both directions, from one track to another, or across all tracks where there are more than two. An interlocking is an arrangement of signal equipment and track that prevents conflicting movements through an arrangement of tracks, such as junctions or crossovers. Interlockings allow for flexibility of movement and provide a mechanism for trains to safely change tracks and connect to other rail branches. To facilitate movements between the two existing Main Line tracks and the new third track, several interlockings within the project limits would be modified. In addition, signal equipment would be relocated within the LIRR ROW. Existing communication systems, including cable for ticket vending machines and public address systems, would be relocated as required.

RETAINING AND SOUND ATTENUATION WALLS

The LIRR Expansion Project would include installation of several types of retaining and sound attenuation walls along the corridor. The main purpose of these retaining walls is to reduce impacts to adjacent properties and minimize the need for property acquisition. Without a retaining wall, the portions of the rail line that are elevated above ground surface would require an earthen embankment to be placed underneath, and this embankment would gradually taper down on a slope. Retaining walls also support the placement of track in rail segments that are below grade (i.e., “depressed” or “cut” segments). In addition to minimizing direct property impacts (i.e., acquisition), retaining walls

would help retain soil and ballast, stormwater runoff, track debris, and third rail sparks originating from the railroad ROW, and prevent such items from migrating onto neighboring properties. In some locations, retaining walls optimize the use of LIRR property for station parking and/or equipment. Retaining wall height would be increased in a number of locations near residential properties so that they also provide a sound attenuation function. In a number of locations, freestanding sound attenuation walls would also be constructed.

PASSENGER RAIL STATION IMPROVEMENTS

The LIRR Expansion Project would include improvements to several of the passenger rail stations within the Project Corridor—Floral Park Station, New Hyde Park Station, Merillon Avenue Station, Mineola Station, Carle Place Station, and Westbury Station. As part of the separate Hicksville Station and North Track Siding Improvements Project, station improvements at Hicksville Station are currently being implemented.

Five of the stations (New Hyde Park, Merillon Avenue, Mineola, Carle Place, and Westbury) would be modified to accommodate the new third track, enhance pedestrian access and provide for ADA-compliant accessibility, improve platforms and passenger waiting areas, and meet the requirements of the LIRR station guidelines and applicable codes (including NFPA 130 and the New York State Building Code). The stations would include the following elements:

- Removal of all platforms and replacement with platforms to accommodate 12-car trains (platforms would be heated to facilitate snow removal).
- Eight-foot-wide side platforms, meeting LIRR minimum station guidelines, with ten-foot-wide platforms in certain locations where feasible.
- Canopies for both the eastbound and westbound platforms per LIRR station guidelines.
- Canopies over egress walkways.
- Platform furnishings and accoutrements (e.g., benches, shelters, signage) per LIRR station guidelines.
- Closed circuit television (CCTV) at each station to improve safety and security.
- Provision of pedestrian overpasses/underpasses to connect the eastbound and westbound platforms. Except as noted below, pedestrian overpasses would include ADA-compliant elevators, as well as covered stairs for general access at each platform.
- A minimum of four staircases at each platform to comply with egress requirements.
- A minimum of two ADA-compliant ramps at each platform per New York State accessibility code requirements.

In response to comments from the public, the Project was revised to encompass improvements at the Floral Park Station providing for ADA-compliant access by the addition of elevators and related access improvements.

STRUCTURE MODIFICATIONS

Modifications to existing bridges and other structures at multiple locations along the LIRR Main Line would be required to accommodate the new third track.

UTILITY RELOCATIONS

As part of the engineering design process, a utility inventory was conducted to determine the type, location, and ownership of utilities within the Project Corridor (including at the affected grade crossings and adjacent roadways). Utilities located within the Project Corridor include: LIRR signals and communications; gas; electric; fiber optic; telephone; cable; water; sanitary

sewer; and storm sewer. In general, PSEG-LI electric transmission, LIRR signal and communications, Verizon, and Cablevision are located within the ROW; other types of utilities cross the LIRR ROW along local roads, aerial structures (such as transmission poles), and/or through underground routes. FEIS Appendix 1-A, "Technical Memorandum," provides a list of known utilities and identifies specific locations where the Proposed Project may require utility relocation or other measures, such as replacement and upgrade of utility poles.

TRACTION POWER SUBSTATIONS

Eight LIRR traction power substations exist within the project limits:

- Floral Park Substation, located on Plainfield Avenue opposite 111 Plainfield Avenue.
- New Hyde Park Substation, located at Third Avenue and South 9th Street.
- Merillon Avenue Substation, located at Atlantic Avenue and Hilton Avenue.
- Mineola Substation, located at the southwest corner of Main Street and Front Street.
- Carle Place Substation, located in the southeast quadrant of Meadowbrook State Parkway and the LIRR just north of Mallard Road.
- Westbury Substation, located southeast of Union Avenue and Sullivan Street north of the LIRR.
- New Cassel Substation, located at Broadway and Bond Street north of the LIRR.
- Hicksville Substation, located on the south side of West Barclay Street near Marion Place and adjacent to the LIRR ROW.

With the exception of the Floral Park Substation, which was replaced in 2010, seven existing substations need to be replaced to accommodate the new third track. These substations are roughly 40 years old and near the end of their operating service life. Their present condition and the inability to obtain spare parts warrant that these substations be replaced rather than modified. It is anticipated that the new replacement substations would occupy the same parcels as the present equipment. Each substation would be removed from service and prefabricated substation equipment would be used to expedite the implementation of the new units. This would allow the existing substations to function for a longer period of time, as the prefabricated building can be constructed and factory tested offsite until such time it is deemed necessary to de-energize the existing equipment.

STREET-LEVEL GRADE CROSSINGS

The FEIS considered several potential options for grade separation (or in two instances grade crossing closure) of each Main Line grade crossing in the Study Area. Input received from the public and elected officials for the municipality where the grade crossing is located was considered in identifying a preferred option in the FEIS and in the option selected herein. Various other concepts (e.g., one-way and two-way overpass concepts) were considered and dismissed from further analysis in the EIS, as explained in the Final Scoping Document.

Based upon input received from the public and elected officials for the municipalities where each grade crossing is located, the FEIS identifies a "preferred option" for each grade crossing location. Overall, the FEIS identifies the grade-separation of five streets, providing for vehicular and pedestrian access, and the full closure to vehicular traffic of two streets (South 12th Street in New Hyde Park and Main Street in Mineola) where pedestrian access will be maintained as the "preferred alternative" to be advanced into final design by the selected Design-Build Contractor.

Unlike the project considered in 2005, the LIRR Expansion Project does not require the substantial number of property acquisitions at the grade crossings or the disruption to local

communities through extended construction periods. The LIRR Expansion Project avoids these concerns through re-designing the grade crossing separations in response to community input.

The grade crossing options include:

COVERT AVENUE CROSSING

At Covert Avenue, a two-way underpass with sidewalk would be constructed. To avoid taking residential properties, the LIRR tracks would be raised up to five feet to reduce the depth of Covert Avenue and to accommodate the vehicular clearance under the tracks.

SOUTH 12TH STREET CROSSING

At South 12th Street, two options were considered: the selected option is the permanent closure of the grade crossing with construction of a new pedestrian overpass or underpass; the second option was the construction of a one-way underpass with sidewalk and pedestrian overpass, which is not selected.

NEW HYDE PARK ROAD CROSSING

At New Hyde Park Road, two options were considered: the selected option is a five-lane underpass with a kiss-and-ride northwest of the railroad tracks with a new 95-space surface parking lot; the second option, which was a four-lane underpass with a kiss-and-ride located southwest of the railroad tracks, is not selected.

MAIN STREET CROSSING

At Main Street, two options were considered: the selected option is the permanent closure of the grade crossing with construction of a roundabout on the north side of the railroad tracks, a Kiss-and-Ride lot southwest of the tracks, and a new pedestrian overpass. The second option, considered but not selected, was the construction of a one-way underpass with a new pedestrian overpass.

WILLIS AVENUE CROSSING

At Willis Avenue, two options were considered: the selected option is the construction of a two-way underpass, and the second option, considered but not selected, was the construction of a one-way underpass. A new pedestrian overpass would be constructed under both options.

SCHOOL STREET CROSSING

At School Street, a two-way underpass would be constructed. To accommodate the clearance under the tracks and avoid additional property impacts, the LIRR tracks would be raised several feet. Scenario 1B, which retains School Street access to the commercial property on the northwest corner, is the selected option. A second option, Scenario 1A, with access to the commercial property on the northwest corner of the intersection of School Street and the LIRR tracks to Union Avenue was also considered but is not selected.

URBAN AVENUE CROSSING

At Urban Avenue, a two-way underpass would be constructed. To accommodate the clearance under the tracks and avoid taking residential properties, the LIRR tracks would be raised approximately three feet. Scenario 1A, which provides an alternative access to the commercial property at 100 Urban Avenue is the selected option.

PARKING

The Proposed Project would add a significant amount of new parking near train stations located in the Study Area. Specifically, six new parking garages and one new surface parking lot with a total capacity of 3,853 parking spaces near the New Hyde Park, Mineola, Westbury, and Hicksville Stations would be constructed. Because several of these new parking garages are located on existing surface parking lots, a total of 2,662 net new parking spaces would be added. The Proposed Project would also result in the loss of 208 parking spaces due to conversion of head-on parking spaces to parallel parking spaces; construction of new platforms, ramps, or stairs; and the loss of 59 parking spaces at the grade crossings. The total net new parking spaces resulting from the Proposed Project would be 2,395.

The following parking garages and lots would be provided as part of the Proposed Project:

- A new 95-space surface parking lot at 115 New Hyde Park Road between Plaza Avenue and Second Avenue in the Village of New Hyde Park.
- Mineola South Parking Garage: A new 365-space seven-level parking deck (with one level below grade) on Second Street between Main Street and Willis Avenue on an existing 102-space Village of Mineola surface parking lot. The total supply of parking spaces would represent a net increase of 263 parking spaces.
- Harrison Avenue Parking Garage: A new 551-space six-level parking deck (with one level below grade) on an existing Village-owned 105-space parking lot west of Mineola Boulevard between Harrison Avenue and First Street. The total supply of parking spaces would represent a net increase of 446 parking spaces.
- Westbury South Parking Garage: A new five-level parking deck would be constructed on the south side of the LIRR tracks at the Westbury Station in the current 302-space surface lot. The new parking garage would occupy the eastern portion of the existing parking lot leaving the west end open for 123 surface parking spaces to remain. The total supply of parking spaces would represent a net increase of 500 parking spaces.
- Westbury North Parking Garage: A new three-level parking deck would be constructed on the north side of the LIRR tracks near the Westbury Station in an existing 308-space Village-owned surface parking lot south of Scally Place. The new parking garage would retain 106 existing surface spaces and would represent a net increase of 474 parking spaces.
- Hicksville South Parking Garage: A new four-level 583-space parking deck (with one level below grade) would be constructed on the north side of the LIRR tracks near the Hicksville Station south of West Barclay Street on an existing 190-space surface parking lot. The total supply of 583 parking spaces would represent a net increase of 393 parking spaces.
- Hicksville North Parking Garage: A new four-level 675-space parking deck would be constructed on the north side of the LIRR tracks near the Hicksville Station north of West Barclay Street (west of Bob's Self Storage) on an existing 184-space surface parking lot. The total supply of 675 parking spaces would represent a net increase of 491 parking spaces.

DRAINAGE IMPROVEMENTS

Drainage improvements needed for the Proposed Project were developed based on the various "high points" and delineated watershed areas. In most cases, the new third track would displace existing station platform areas and/or existing drainage ditches. Therefore, relocation and upgrading of drainage ditches and channels would be required. The Proposed Project would include a combination of drainage improvements—such as reuse of existing drainage ditches within the LIRR ROW wherever practical, stormwater swales, connections to local recharge

basins, potential deepening of existing recharge basins to accommodate additional flow, and extension of existing culvert crossings. All stormwater practices would be able to accommodate the peak volume generated by a 100-year storm event.

PROPERTY ACQUISITIONS

There would be no permanent residential property acquisitions as a result of the Proposed Project. As stated above, avoidance of residential property acquisitions and minimization of all property acquisitions are key guiding principles of the LIRR Expansion Project. The strategic placement of retaining walls is critical to optimizing the existing LIRR ROW and minimizing property acquisition. Nonetheless, in some locations, the Proposed Project would extend beyond the existing ROW and require non-residential property acquisition. Most of these acquisitions would result from the grade crossing eliminations. The Proposed Project would require four full commercial property acquisitions and nine partial (strip) acquisitions of commercial or industrial properties that will not affect business operations at those locations. In addition, there would be four permanent easements on commercial or industrial properties to accommodate retaining walls or driveway access that would not compromise business operations. A number of temporary easements would also be required during the construction period as determined by the design-build contractor, for construction staging.

CONSTRUCTION PHASING

Final design and commencement of construction of the Proposed Project is anticipated to commence in 2017. Construction of the Project would take approximately three to four years, depending on the schedule of the competitively-bid contract awarded to the design-build contractor. The bid process will give preference to the shortest construction period with the least impact to the community. However, as detailed in FEIS Chapter 13, "Construction," in any given location, construction activities would occur over a much shorter period. Expedited construction techniques for both the construction of the third track segments and the grade crossing eliminations would result in shorter construction periods of the Proposed Project. Grade crossings requiring complete temporary road closure would target approximately six months for construction. Expedited construction measures at grade crossings requiring only partial temporary road closure would target approximately nine months for construction. Construction of the Proposed Project would entail varying temporary disruptions to rail service, certain passenger rail stations, and local traffic operations.

For the purpose of analyzing construction impacts, this FEIS conservatively assumes that the Proposed Project construction would take approximately four years, commencing in 2017 and completed in 2021. As is typical with a major transportation project, two separate build years are used for FEIS analysis purposes. This approach provides a comprehensive and conservative analysis of environmental impacts for both the 2020 and 2040 build years. Some project elements such as the grade crossings may be completed before 2020, and some would be completed shortly thereafter.

Under the Proposed Project, a number of measures to minimize community impacts would be implemented, such as continued communication with the community, coordination with local school districts, coordination with local emergency service providers, measures to ensure community safety and quality of life, and measures to minimize construction-related environmental impacts.

PROJECT FUNDING

Funding for the Project will be identified in an amendment to the 2015-2019 MTA Capital Program.

C. ENVIRONMENTAL REVIEW

The Proposed Project was reviewed pursuant to SEQRA and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Part 617. A Positive Declaration and a Draft Scoping Document were issued on May 5, 2016. Public scoping meetings were held as follows:

- Tuesday, May 24, 2016 from 11:00 AM to 2:00 PM at The Inn at New Hyde Park;
- Tuesday, May 24, 2016 from 10:00 AM to 2:00 PM at Hofstra University;
- Tuesday, May 24, 2016 from 5:00 PM to 9:00 PM at The Inn at New Hyde Park;
- Tuesday, May 24, 2016 from 6:00 PM to 9:00 PM at Hofstra University;
- Wednesday, May 25, 2016 from 11:00 AM to 2:00 PM at the Yes We Can Community Center in Westbury; and
- Wednesday, May 25, 2016 from 6:00 PM to 9:00 PM at Antun's by Minar in Hicksville.

Comments on the Draft Scoping Document were received through oral statements, written comment cards, the project website (www.AModernLI.com), and written comment letters. LIRR, NYSDOT, MTA, and the New York State Governor's Office also conducted an extensive series of community outreach and stakeholder meetings. In addition, the LIRR Expansion Project Information Center was established in the Mineola Station adjacent to the south platform waiting room. This information center provided opportunities for commuters and the general public to review the Draft Scoping Document, ask questions, and submit comments. Input solicited during the Scoping period was used to inform and guide the alternatives development and data collection efforts. A Final Scoping Document reflecting the results of the public scoping process was issued on August 26, 2016.

The LIRR prepared a Draft Environmental Impact Statement (DEIS) to evaluate the Proposed Project's potential to result in significant adverse environmental impacts. The DEIS and its associated Notice of Completion were issued on November 28, 2016. Public hearings on the DEIS were duly noticed and held as follows:

- Tuesday, January 17, 2017:
 - 11 am to 2 pm at the Yes We Can Community Center in Westbury
 - 6 pm to 9 pm at the Yes We Can Community Center in Westbury
- Wednesday, January 18, 2017:
 - 11 am to 2 pm at Hofstra University in the Town of Hempstead
 - 6 pm to 9 pm at Hofstra University in the Town of Hempstead
- Thursday, January 19, 2017:
 - 11 am to 2 pm at The Inn at New Hyde Park
 - 6 pm to 9 pm at The Inn at New Hyde Park

LIRR considered public comments received during the public hearings, during the 79-day public comment period that was extended in response to requests from stakeholders for additional time,

and throughout the course of project development through ongoing community outreach. More than 700 comments were received during the comment period. LIRR completed and issued a Notice of Completion and Final Environmental Impact Statement (FEIS) on April 12, 2017. A new chapter, Chapter 22, “Response to Comments,” is included in the FEIS, and provides responses to the comments received by the lead agency during the public comment period. As part of new information included in the FEIS, a number of proposed project elements and their descriptions were further developed. Modified elements of the Proposed Project and additional analyses discussed in the FEIS include:

- The architectural design of proposed station improvements.
- Additional soil studies and testing for potential contaminated areas.
- The location and type of Americans with Disabilities Act (ADA)-compliant access or emergency access to station platforms, including at Floral Park Station.
- Additional analysis of construction-related noise impacts.
- The specific location, length, and height of various sound attenuation walls.
- The size and design of proposed parking garages at Mineola, Westbury, and Hicksville.

The FEIS upon which these Findings are based examines a full range of issues related to the natural and human environments, a summary of which examination is as follows:

LAND USE, COMMUNITY CHARACTER, AND PUBLIC POLICY

Under the Proposed Project, no changes to land use (with the exception of impacts to a limited number of businesses) or land use patterns in general would occur either in the build year (2020) or analysis year (2040). Land use within the LIRR ROW would continue to exclusively consist of railroad transportation. Use of the ROW for ancillary purposes, such as power transmission to serve the transportation facility, also would continue. Transportation land use within existing roadways would continue. Use of properties abutting roadways would not be subject to adverse impacts with a small number of exceptions—small slivers of land associated with commercial uses would be acquired and converted to transportation use, and four existing non-residential structures would be acquired, demolished, and repurposed to accommodate transportation use. The Proposed Project would not impact general land use patterns of the communities in the Study Area. Residential areas within the Study Area would remain residential. Commercial areas would remain commercial and other use patterns also would persist. Any deviation from this persistence of land use would occur with or without the Proposed Project, as a result of other planned projects and reasonably foreseeable changes.

The addition of pedestrian overpasses and parking garages would introduce a new visual element into the surroundings, but the Proposed Project would not alter the visual or community character of the area within the 2020 or 2040 analysis year timeframes. While individual commercial parcels (four full acquisitions and nine partial acquisitions) along the existing 9.8-mile railroad corridor would be affected in order to accommodate grade crossing elimination and installation of third track segments, the communities in which those parcels are located would not experience significant adverse impacts. The addition of a third track within the existing LIRR ROW and the concomitant addition of train trips and the increase in bi-directional service would not have any adverse impact on the character of the communities within the Study Area; instead, the Proposed Project would improve mobility within these communities, benefiting those communities and the people who live in them, work in them, or would like to work in them, as well as community businesses that stand to benefit from improved transportation

connectivity. The construction of grade-separated crossings within these communities would improve vehicular and pedestrian safety, better facilitate north-south traffic movement, and eliminate idling times when gates are down, thereby improving air quality. Eliminating the current grade crossings would also eliminate the need for crossing gates, bells, and train whistles, thereby reducing noise related to railroad operation. These would be benefits in terms of community character.

Based on the above, LIRR finds that the Proposed Project would not result in adverse impacts in terms of land use, community character, and public policy in the foreseeable future, including both the 2020 and 2040 analysis year timeframes. All components of the Proposed Project—rail, grade crossings, station and other rail infrastructure improvements, and parking—are consistent with the policies set forth in the applicable land use and transportation plans, the salient points of which are summarized in Chapter 2 “Land Use, Community Character, and Public Policy.”

SOCIOECONOMIC CONDITIONS

Overall, the Proposed Project is intended to increase train capacity and improve mobility in the region, which would be beneficial to residents, transit users, and employees in the Study Area. There would be no residential displacement with the Proposed Project. While four existing businesses would have their parcels acquired and would be displaced, the parcel owners would receive just compensation and the business owners would receive relocation assistance, with priority given to relocation within the same hamlet or village where the displaced business currently operates.

The construction of the Proposed Project would result in the investment of significant capital into the local and regional economy. The Proposed Project is estimated for study purposes to cost approximately \$2 billion, which includes construction, design, contingency, force account, and agency cost. Construction of the Proposed Project is estimated to create 1,297 full-time equivalent (FTE) direct construction employment opportunities in Nassau County. In addition to direct employment, construction of the project would create additional jobs off-site in Nassau County (762 FTE) and Suffolk County (24 FTE) and the rest of the state (46 FTE). In the broader state economy, total direct and indirect employment from construction of the project would be 2,130 FTE. Direct wages and salaries from constructing the project are estimated at about \$637.07 million. In the broader New York State economy, total direct and indirect wages and salaries from constructing the project would be even greater (approximately \$962.42 million, including \$926.70 million in Nassau and \$10.36 million in Suffolk). The total effect on the local economy, expressed as economic output or demand for local industries, is estimated at approximately \$3.18 billion for Nassau County, \$47.14 million for Suffolk County, and approximately \$3.33 billion for the New York State economy overall.

While the Proposed Project would result in temporary disruptions to business districts during the six- or nine-month period of construction necessary to eliminate the grade crossings, general business operations would not change and there would be improved vehicular and pedestrian access to the Study Area’s business districts following completion of the grade crossing eliminations. Accordingly, LIRR finds that the Proposed Project would not result in any significant adverse socioeconomic impacts.

ENVIRONMENTAL JUSTICE

Environmental justice communities, as defined by the New York State Department of Environmental Conservation, exist within the Study Area, including at the locations of the seven grade crossings that would be eliminated under the Proposed Project.

Construction of the Proposed Project elements would occur throughout the Project Corridor over a four-year period. However, temporary impacts associated with construction at localized segments would be of shorter duration, limiting construction impacts. These temporary impacts would be experienced broadly through the Study Area. The Proposed Project would not result in disproportionate construction impacts to environmental justice communities. In the operational phase, the Proposed Project would result in beneficial impacts within the Study Area, including to environmental justice communities, in terms of enhanced mobility, air quality, and reduced noise due to the elimination of grade crossings and the installation of sound attenuation walls. Accordingly, no significant adverse impacts would be experienced in environmental justice communities.

VISUAL AND AESTHETIC RESOURCES

Construction of the Proposed Project would require removal of vegetation within the LIRR ROW, construction of new retaining and sound attenuation walls, construction of new pedestrian overpasses and parking garages, and relocation of certain utility infrastructure within the LIRR ROW and near the grade crossings. New project elements—such as retaining and sound attenuation walls, overpasses, parking garages and new utility poles—would be visible from multiple locations within the Study Area and would introduce new visual elements at certain locations. However, they would not result in any significant adverse visual impacts, as use and enjoyment of any sensitive receptors (e.g., parks and open spaces or historic resources) identified in the Study Area where views of the new project elements would be possible, would not be degraded. Accordingly, the Proposed Project would not result in significant adverse impacts to visual and aesthetic resources.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

ARCHAEOLOGICAL RESOURCES

No previously identified archaeological sites, New York State Museum sites, National Register archaeological listings, or archaeological districts are located within the Project Corridor or within the ¼-mile archaeological resources study area for the LIRR Expansion Project.

The LIRR ROW along the 9.8-mile length of the Project Corridor has been determined to possess little to no pre-contact or historic period archaeological potential. Therefore, LIRR finds that the proposed track alignment and station modifications would have no significant adverse impact on archaeological resources.

The Proposed Project would involve temporary ground disturbance during construction at the seven proposed grade crossing locations. However, research has documented extensive prior disturbance at each of the grade crossing locations through the installation of multiple utility lines, excavation for catch basins and storm drains, construction and demolition of structures, and realignment of streets. Due to the extent of prior subsurface disturbance, the FEIS concluded that it is highly unlikely that the proposed grade crossing modifications would have the potential to impact any intact archaeological resources that may once have been present at the seven grade crossing locations. Accordingly, LIRR finds that the grade crossing component of the Proposed Project would have no significant adverse impact on archaeological resources.

The preliminary list of possible construction staging area locations includes existing LIRR substations, commercial properties, station parking lots, existing roads, potential commercial property takings, a wooded area, and certain areas within and adjacent to the LIRR ROW. Most of these areas do not possess precontact- or historic period archaeological potential due to the extent of documented prior subsurface disturbance. The wooded area is a recharge basin/sump that has been excavated and therefore does not possess archaeological potential. The remaining staging areas are located at existing parking lots, or on extant streets, and are paved. From an archaeological perspective, paved surfaces serve to protect any buried archaeological resources that may be present. Therefore, LIRR finds that the use of the staging areas during construction would have no effect on archaeological resources because all work would occur on the paved surfaces with no subsurface disturbance.

The proposed parking improvement sites in New Hyde Park, Mineola, Westbury, and Hicksville possess very little to no archaeological potential. Cartographic research undertaken for the Proposed Project, which is detailed in the Final Phase 1A Archaeological Sensitivity Assessment, shows that historic development of these sites was sparse prior to the development of the existing paved parking lots. Further, the extent of prior subsurface disturbance at these locations has, in all likelihood, destroyed the integrity of any potential remains from earlier development.

The proposed new surface parking lots in New Hyde Park and Mineola would not result in new ground disturbance of undisturbed soils. These proposed parking facility locations do not possess archaeological potential. Historic development at the six proposed parking structure locations in Mineola, Westbury, and Hicksville was also extremely limited and none of the documented structures that had occupied these sites had basements. Prior subsurface disturbances at these sites include drainage systems, underground utilities, and grading prior to the existing paving. In order to minimize any potential significant adverse impacts, LIRR would require the selected design-build contractor to prepare and implement a Construction Protection Plan (CPP) in consultation with OPRHP for any archaeological resources located within 100 feet of Proposed Project construction. The CPP would set forth the specific measures to be implemented to protect archaeological resources during construction of the Proposed Project. LIRR finds that with these measures in place, there would be no significant adverse impacts from the new parking garage element of the Proposed Project on archaeological resources.

ARCHITECTURAL RESOURCES

Direct Impacts

There are two historic architectural resources within the LIRR ROW, south of the tracks along the Project Corridor—the Nassau Tower, an LIRR signal house located adjacent to the tracks in Mineola, and the former Mineola LIRR Electrical Substation—both of which are eligible for listing on the State/National Registers of Historic Places (S/NR-eligible). These two historic structures would be demolished and the site would be redeveloped with station area improvements. The demolition of S/NR-listed properties—the Nassau Tower and the former Mineola LIRR Electrical Substation—would constitute an Adverse Impact to historic resources under SEQRA and Section 14.09 of the New York State Historic Preservation Act. Measures to mitigate the adverse impact would be developed in consultation with OPRHP and set forth in a Letter of Resolution (LOR) to be executed among the involved parties would be prepared. No other historic architectural resources are located within the LIRR ROW; therefore, no other

historic architectural resources would be directly impacted by modifications to the track alignment or parking structures and surface parking lots.

The proposed modifications to the seven Project Corridor train stations and the preliminary construction staging areas also would not directly impact any known or potential architectural resources, as none of the affected train stations or preliminary staging area locations include any known or potential architectural resources. The proposed alterations to the grade crossings and bridges also would not directly impact any known or potential architectural resources within the Project Corridor.

Indirect impacts

To ensure that construction activities associated with the Proposed Project that would be undertaken within 100 feet of architectural resources would not cause inadvertent physical impacts to historic architectural resources, LIRR would prepare and implement a CPP in consultation with OPRHP for any architectural resources located within 100 feet of the Proposed Project construction. The CPP would set forth the specific measures to be implemented to protect historic architectural resources during construction of the Proposed Project.

The proposed changes to the track alignment would be entirely within the LIRR ROW and the proposed station modifications would have minimal aesthetic impact. These project components would not affect the setting, views to, or historic character of historic resources in the Study Area. Therefore, the proposed track alignment would not indirectly cause any significant adverse impacts on any historic architectural resources in the Study Area. The preliminary construction staging areas identified in the FEIS would be located at a distance from historic architectural resources, and as such, would not result in indirect impacts.

The proposed grade crossings and parking structures would result in new physical features that could affect the setting of historic architectural properties. No historic architectural resources are located within sight of the Study Area grade crossings. However, one known architectural resource and one potential architectural resource are located within sight of proposed parking structures in Westbury and Hicksville. In Westbury, the 164 Post Avenue building—a potential architectural resource—is located approximately 50 feet northwest of the Scally Place parking structure site. Although this potential architectural resource is within sight of the Scally Place parking structure site, the building's primary façade is oriented toward Post Avenue, away from the parking structure site. Further, the 164 Post Avenue building does not have a contextually meaningful relationship with the proposed parking structure site. Therefore, the proposed parking structure would not introduce visual, audible, or atmospheric elements that would be out of character with the 164 Post Avenue building, nor would the proposed parking structure isolate the potential architectural resource from its surroundings or adversely alter its setting. In Hicksville, the proposed parking structures located north and south of West Barclay Street would be within sight of the Hicksville USPS Main Post Office to the west. However, the post office building is oriented away from these parking structure sites and does not have a meaningful visual or contextual relationship to the surface parking lots that would be redeveloped with new parking structures. The two Hicksville parking structures would not introduce visual, audible, or atmospheric elements that would be out of character with the Post Office, nor would the proposed parking structures isolate the Post Office from its surroundings or adversely alter its setting. Therefore, the Proposed Project would not result in any significant adverse indirect impacts to historic architectural resources.

Accordingly, with the exception of the demolition of the Nassau Tower, an LIRR signal house located adjacent to the tracks in Mineola, and the former Mineola LIRR Electrical Substation, there will be no other significant adverse direct or indirect impact to historic architectural resources as a result of the Proposed Project.

NATURAL RESOURCES

Habitat for vegetation and wildlife within and surrounding the Study Area is limited due to extensive residential, commercial and industrial land uses present within the Study Area and associated large areas of impervious surface. The Study Area does not contain any floodplains, naturally-occurring water bodies or wetlands, or threatened, endangered, or special concern species. Groundwater is a concern given the sensitivity of the Nassau/Suffolk Aquifer System, a sole source aquifer underlying the Study Area. However, drainage and stormwater management practices will ensure the protection of groundwater during operation of the Proposed Project. Accordingly, LIRR finds that the Proposed Project will not result in significant adverse impacts on the natural resources within the Study Area.

CONTAMINATED MATERIALS

Portions of the Study Area are and/or were used historically for railroad operations and other industrial activities. Common contaminants found in the subsurface at railroad properties include creosote, petroleum products, solvents, volatile and semi-volatile organic compounds, heavy metals, polychlorinated biphenyls (PCBs), pesticides, and herbicides. Based on the FEIS analysis there are a number of areas along the ROW, at the grade crossings, and at the parking garage sites that may be disturbed during construction of Project elements. Studies generally consistent with Phase I Environmental Assessments were prepared that encompass these locations. Additionally, a sub-surface soil sampling program was conducted at 39 locations within and along the LIRR ROW. The soil sampling confirmed that fill material appears to have been used to raise and level the LIRR ROW when it was developed and that this material contains levels of certain metals, pesticides, PCBs and polycyclic aromatic hydrocarbons that are in excess of NYSDEC's most stringent Unrestricted Use Soil Cleanup Objectives (SCOs), indicating that this soil cannot be deemed "clean fill" or uncontaminated native soil. However, all analytical results were well below all applicable standards for commercial/industrial property, except for one soil boring location that exceeded the industrial SCO for arsenic (23.8 mg/kg versus 16 mg/kg).

Phase I ESAs and subsurface testing were also conducted at six sites where parking garages have been proposed. Testing could not occur at the four other property acquisition sites that are privately owned because access for testing could not be obtained; however, Phase I ESAs were conducted at those sites. The additional sub-surface sampling also did not reveal the presence of VOCs, SVOCs, PAHs, or PCBs exceeding NYSDEC's Unrestricted Use SCOs. While pesticides were detected at levels exceeding Unrestricted Use SCOs in four soil samples (SB-03 and SB-04 at Barclay Street lot, SB-03 at Scally Place lot and SB-02 at John Street lot), none of the samples exceeded the applicable Commercial Use SCOs or other SCOs for restricted residential or industrial uses.

Elevated metals, which are frequently encountered in urban fill materials, were detected in a limited number of locations. Arsenic exceedances of the Unrestricted Use SCO were detected in two samples at two locations, with one sample exceeding the Commercial SCO as well. Lead exceedances of the most stringent Unrestricted Use SCO were also detected at two locations, but these samples did not exceed any other SCOs. The testing revealed one exceedance of the

Unrestricted Use SCOs for zinc and copper, and one sample exceeded the Commercial Use SCO for mercury but was below the Industrial Use SCO.

LIRR finds that the potential for adverse impacts at sites where contamination above NYSDEC's Soil Cleanup Objectives were detected would be avoided by ensuring that construction activities are performed in accordance with the following protocols:

- Once the limits of subsurface disturbance associated with the Proposed Project have been determined, subsurface (Phase II) investigations would be conducted at all of the acquisition sites with a significant potential to affect one or more of the areas of proposed subsurface disturbance (based on proximity, depth of disturbance, type/mobility of contaminants, etc.) that have not been sampled previously.
- Based on the results of the subsurface investigations performed or that will be performed, a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) would be prepared by the design-build contractor and implemented during project construction. These plans would address both known environmental conditions identified by the prior investigations, and that others could be encountered during all subsurface disturbance associated with project construction. The plans would present measures for contaminated soil, groundwater, and USTs in accordance with applicable federal, state, and local regulations. Contaminated soil management includes guidelines for temporary on-site stockpiling and off-site transportation and disposal. The plans would incorporate safety and other measures to minimize the potential for impacts to the community and construction workers.
- If dewatering is required for construction, testing would be performed to ensure compliance with applicable discharge regulatory requirements. If necessary, pre-treatment would be conducted prior to discharge.
- If removal and disposal of any electrical equipment that may contain mercury or PCBs—such as transformers—was necessary, it would be performed in accordance with applicable federal, state and local regulations and guidelines.
- Prior to any activities required as part of the Proposed Project that could disturb potential asbestos containing material (ACM), a comprehensive asbestos survey of areas (including underground utility vaults) to be disturbed by the Proposed Project would be conducted; this would include the sampling of all suspect materials to confirm the presence or absence of asbestos. All identified ACM would be removed and disposed of prior to construction in accordance with all federal, state, and local regulations.
- Any demolition activities with the potential to disturb lead-based paint (LBP) would be performed in accordance with applicable Occupational Safety and Health Administration regulations including OSHA 29 CFR 1926.62 - Lead Exposure in Construction.
- All material that needed to be disposed of (e.g., miscellaneous debris, tires, contaminated soil and any excess fill) would be characterized and disposed of off-site in accordance with applicable federal, state, and local requirements.

LIRR finds that with the implementation of these protocols, no significant adverse impacts related to hazardous materials would result from demolition and/or construction activities related to the Proposed Project. Following construction, there would be no potential pathways for human exposure to hazardous materials and thus no further potential for significant adverse impacts.

INFRASTRUCTURE AND UTILITIES

The Proposed Project will require new LIRR-specific utility infrastructure and may require the relocation of some existing utilities both within the LIRR ROW and near grade crossings where improvements are proposed. As these improvements are made, in close coordination with the respective utility companies, LIRR will explore opportunities to improve the existing infrastructure or upgrade it to current design standards. For instance, in the case of utility poles carrying overhead electric power lines, design standards were modified after Hurricane Sandy to avoid or minimize impacts that might occur from future powerful storms. As a result, all overhead electric power lines running longitudinally along the LIRR in the Project Corridor that would have to be relocated for the Proposed Project would be installed on new, approximately 90-foot-tall steel poles. Poles at grade crossings would also be replaced with wood utility poles that would be approximately five to ten feet higher than existing wood poles near the grade crossings.

The businesses and residents of Long Island rely on these utilities and their related infrastructure to be available on a daily, round-the-clock basis. Inventorying utilities within the Study Area will facilitate the relocation of existing utilities in coordination with construction of the Proposed Project; thereby avoiding or minimizing impacts on the residents and businesses in the Study Area. Because all existing utilities would be replaced within the LIRR ROW or in locations where utility poles already exist in a fashion that reduces the number of poles overall, and because no long term disruptions in service to Study Area customers would result, LIRR finds that there would be no significant adverse impacts to utilities within the Study Area.

TRANSPORTATION

RAIL SERVICE AND RIDERSHIP

The Proposed Project would result in the expansion of Main Line train service with eight additional eastbound trains (reverse peak direction) and one more westbound train (peak direction) during the morning peak period; equivalent additional service in the reverse pattern would be offered in the evening peak period. Beyond these enhancements to services offered, the Proposed Project would improve reliability and flexibility in operations, critical for supporting the planned 50 percent peak hour service increases associated with the East Side Access Project that has been previously approved and is currently under construction. The Proposed Project would result in ridership increases associated with expanded reverse peak service. In the 2040 Build Condition, the Main Line corridor would see more than 60 percent growth in reverse peak ridership when compared to the existing condition. Furthermore, the improvements in reliability of the LIRR operation associated with the Proposed Project support the anticipated ridership growth with the East Side Access Project and would optimize those ridership benefits over time.

BUS SERVICE

The Proposed Project is not anticipated to change the demand for Nassau Inter-County Express (NICE) bus services with connections to LIRR Stations. While increased reverse peak service in the Proposed Project could result in increased demand for NICE bus service with connections to LIRR Stations, this increased demand would be accommodated with adjustments to NICE bus service to complement the changes in LIRR ridership.

VEHICULAR TRAFFIC

The Proposed Project would reduce all vehicular traffic delays and queues at each of the seven grade crossings, which in turn would improve traffic flow and mobility throughout the Study

Area. In New Hyde Park, when trains approach the station, the LIRR gates are in the down position approximately 32 to 42 percent of the time in the AM and PM peak hours. In Mineola, the gates are in the down position as much as 53 percent of the time; in Westbury, they are in the down position approximately 27 to 35 percent of the time. Without the Proposed Project but with additional trains being operated with the LIRR's East Side Access Project in place by 2023, gates would be in the down position for more time during the peak hours, increasing the already substantial vehicular traffic delays; it would also increase the unpredictability to motorists as to how long their delays would be, especially when back-to-back trains through the station areas cause extended gate down times.

With the elimination of all seven grade crossings, including the closure of South 12th Street in New Hyde Park and Main Street in Mineola to vehicular traffic (with pedestrian traffic maintained through construction of pedestrian crossings), and the construction of the six parking structures, traffic diversions are expected to occur. The potential impacts of these diversions were analyzed in detail and are documented in Chapter 10 of the FEIS. The detailed vehicular traffic analyses account for the annual growth in general background traffic, traffic expected to be generated by new commercial or residential development in the station areas, and new station-oriented traffic that would be generated by new LIRR riders. Adverse significant traffic impacts for the grade crossing configurations denoted as preferred in the FEIS and selected herein that could be generated by the Proposed Project in the 2020 analysis year would occur in the Village of New Hyde Park (see page 10-42 to 10-43), the Village of Mineola (see page 10-48), the Village of Westbury (see page 10-50), and Hicksville (see page 10-52). As described on these pages, these impacts could all be mitigated through the implementation of such methods as signal phasing and timing modifications, the installation of four new traffic signals (one in New Hyde Park, two in Mineola and one in Westbury), lane re-striping and intersection channelization modifications, and on-street parking prohibitions at select locations where additional traffic capacity is needed. Similar analyses were completed for the 2040 analysis year with similar results, albeit at a greater number of intersections given the growth in background traffic. Projected impacts and mitigation for the 2040 analysis year in the Village of New Hyde Park are described at page 10-63, in the Village of Mineola at page 10-67, in the Village of Westbury at pages 10-70 to 10-71, and in Hicksville at page 10-73.

Emergency vehicle travel times would remain comparable or improve with the elimination of grade crossings via the construction of underpasses. The closure of grade crossings in New Hyde Park (i.e., South 12th Street) and Mineola (i.e., Main Street) would result in the diversion of emergency vehicles to the adjacent crossing locations, where they could proceed unimpeded by stoppages due to LIRR gates being in the down position. LIRR finds, based on the analysis contained in the FEIS, that with the elimination of existing grade crossings and the implementation of traffic mitigation measures outlined under "Vehicular Traffic" in Chapter 10 of the FEIS, emergency vehicle access times would remain generally comparable to conditions without the Proposed Project or improve.

PARKING

Parking demands that would be generated by the Proposed Project itself are not substantial and would not generate the need for additional station area parking. Accordingly, LIRR finds that the Proposed Project would not result in significant adverse impacts on parking availability in the Project Study Area. However, the East Side Access Project is expected to add to the demand for parking regardless of whether the Proposed Project is constructed. The Proposed Project recognizes that demand for parking will grow in the future and therefore includes additional

parking as a Project component. It would add 95 parking spaces at New Hyde Park, two parking garages totaling 916 spaces at Mineola, two parking garages totaling 1,355 parking spaces at Westbury, and two parking garages totaling 1,258 spaces at Hicksville. These six new parking garages would replace existing surface parking lots at those stations. The proposed vehicular traffic mitigation measures would also result in parking losses on-street where additional traffic capacity is needed to improve traffic flow at key intersections. The LIRR finds that the minor loss of on-street parking in the Village of Floral Park, the Village of New Hyde Park, the Village of Garden City, the Village of Mineola, the Hamlet of Carle Place, and the Village of Westbury is not considered a significant adverse impact. The net increase in commuter parking spaces would be substantial at Mineola, Westbury, and Hicksville and would be a major benefit of the Proposed Project.

PEDESTRIAN CONNECTIVITY AND BICYCLE ACCESS

The Proposed Project would not significantly increase the volume of pedestrians crossing the tracks, but would provide for the safe crossing of pedestrians at locations where underpasses or pedestrian overpasses would be built or where street closures would occur. The modifications to the grade crossings would be designed to accommodate bicycle traffic within travel lanes (consistent with NYSDOT Complete Streets policies) and there would be no conflicts between pedestrians and vehicular traffic crossing from one side of the tracks to the other. Pedestrian connectivity would be maintained wherever underpasses are built. Accordingly, LIRR finds that the Proposed Project would not result in significant adverse impacts on pedestrian connectivity and bicycle access.

VEHICULAR AND PEDESTRIAN SAFETY

There have been a total of six crashes over the past ten-year period that resulted in a fatality at the seven grade crossing locations, and additional crashes that resulted in personal injuries or property damage to the vehicles involved. The elimination of grade crossings would eliminate fatalities involving vehicular traffic being struck by LIRR trains. With the reduction in vehicular traffic delays due to elimination of the seven grade crossings, LIRR finds that pedestrian and vehicular safety would also be improved at these locations and potentially at nearby locations.

AIR QUALITY

Future air quality conditions would be improved in the Study Area as compared to existing conditions. This improvement is attributable to federal and statewide efforts to reduce pollution from newer vehicle models as well as additional improvements to air quality in the neighborhoods along the corridor due to reduction in idling time at grade crossings. The overall improvement to critical rail transit infrastructure also has beneficial air quality impacts to the extent that it encourages additional rail transit over motor vehicle use. At some local intersections, air quality could be slightly affected due to changes in traffic patterns. Overall, based on the air quality analysis described in this section, LIRR finds that no significant adverse air quality impacts would occur as a direct result of the Proposed Project.

NOISE AND VIBRATION

Under the Proposed Project, noise conditions would be significantly improved over existing conditions and the Future Without the Proposed Project scenario, due to the grade crossing eliminations and installation of sound attenuation walls along a substantial portion of the LIRR ROW where the third track would be added. The grade crossing eliminations would eliminate the need for the use of train horns and warning bells at grade crossings, and the installation of sound attenuation walls would reduce noise from trains below existing conditions despite the increase in train traffic projected in the future. Similarly, vibration conditions with the Proposed

Project would either remain the same or be significantly improved compared to existing conditions due to the inclusion of new rail technology, such as resilient fasteners and rail pads and/or high-speed turnouts with frogs that reduce vibration as part of the design. Accordingly, no significant adverse noise or vibration impacts are predicted as a result of the Proposed Project.

CONSTRUCTION IMPACTS

Construction of the Proposed Project would result in some temporary disruptions in the surrounding area. This FEIS conservatively assumes a four-year construction schedule (see Figure 13-1 of the FEIS), commencing in 2017, for construction of the Proposed Project. However, the construction period at any particular location would be significantly less than that, and in no instances would construction exceed two years in any particular location. In addition, LIRR in its contract with the design-build contractor will incentivize the contractor to develop methods to expedite the construction period and to minimize community impacts.

LIRR finds that construction of the Proposed Project would not result in significant adverse impacts with respect to land use and community character, environmental justice, visual resources, natural resources, or site safety. Construction of the Proposed Project would result in the temporary change of the use of a limited number of individual parcels used for construction staging, but LIRR concludes that construction of the Proposed Project would not permanently change the patterns of land use and character of the communities within the Study Area.

Specifically, LIRR concludes, based on the FEIS analysis, that:

- temporary construction impacts would be localized and would not result in disproportionate construction impacts to environmental justice communities.
- construction activities would be phased to minimize the duration of construction at any particular location so as to lessen the visual effects of construction on the surrounding communities.
- the Proposed Project would not result in significant adverse impacts to groundwater, the Nassau/Suffolk Aquifer or wetlands because LIRR will require the design-build contractor to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP).
- construction of the Proposed Project would not result in significant adverse impacts to groundwater, the Nassau/Suffolk Aquifer System, or wetlands.
- construction of the Proposed Project would not result in significant adverse impacts to ecological communities, wildlife or any habitat that is of value to wildlife; and construction would follow existing MTA and LIRR operational safety and security programs and processes to provide the riding public and construction employees with a safe and secure environment.

In order to avoid potential temporary construction air quality impacts to the nearby community, LIRR is committed to implementing an air quality control plan during construction and would include the following measures: dust control, ultra-low sulfur diesel fuel, the use of best available tailpipe technologies such as diesel particulate filters, and the utilization of newer equipment.

LIRR finds that noise levels from construction activities along the Project Corridor, although temporary, could be a nuisance at nearby sensitive receptors like residences, schools, and other institutional land-uses. As noted, most construction activities are generally expected to last less than 2 years at any one location, depending on the type of activity. During this time frame,

increased noise and vibration levels are expected along the Project Corridor. A construction noise analysis is set forth in the FEIS at page 13-43 through 13-51 that identifies the potential temporary construction noise impacts that could result during the construction of the Proposed Project. LIRR's selected construction contractor will be required by contract to use noise control measures and Best Management Practices (BMPs) (such as substituting equipment with lower noise levels, temporary barriers, exhaust muffles, etc.) to minimize construction-related noise levels. For the Proposed Project, LIRR will require in its contract with the contractor that it meet the noise levels outlined in Table 13-8 of the FEIS, which vary by land use and the time period during which the construction occurs. The noise and vibration control measures that LIRR would require to minimize noise and vibration levels in the community are set forth in greater detail below.

The MTA and LIRR are exempt from the jurisdiction of municipalities pursuant to Section 1266(8) of the Public Authorities Law. However, to minimize the adverse effects of construction upon the surrounding community, the Proposed Project would nevertheless comply with the work hour restriction within residential areas, except where not feasible to accommodate work affecting rail operations, such as work relating to bridge replacement, construction of retaining walls, and grade alteration of track. In order to expedite construction to reduce road closures and diversions during the limited periods (6 to 9 months) of construction of the separations at five grade crossings, it is anticipated that work would take place outside specified local noise ordinance work hours. In cases where work is performed outside specified work hours in locations adjacent to residential neighborhoods, every effort will be made to keep intrusive noise to a minimum and the design-build contractor would be required by contract to meet strict performance standards detailed below. For any necessary night work, there would be extensive consultation with the community to minimize the effects of construction noise and vibration. LIRR is committed to implementing a community noise and vibration monitoring program, working with local schools and the affected communities and municipalities to schedule nearby construction activity as unobtrusively as practicable and feasible, and implementing a CPP to protect historic architectural resources from vibration impacts.

Nevertheless, in order to expedite the completion of the Proposed Project to minimize the length of disruption, LIRR finds that temporary noise impacts during construction, as detailed in Chapter 13 of the FEIS, would be unavoidable.

LIRR would mandate in its contract documents that the contractor implement the following measures to minimize and avoid potential significant adverse environmental impacts from construction:

COMMUNICATION WITH COMMUNITY

- Give advance notification of any disruptive work or work closures to residents, municipalities, school districts and first-responders.
- Provide regular updates to the public in the form of email blasts and online postings.
- Perform door-to-door outreach to residents in the affected areas.
- Staff the project office with on-site supervision for rapid response to neighborhood concerns.
- Maintain a 24/7 hotline assigned to a community outreach representative, to include direct communication with an on-site contractor/supervisor for real-time response.
- Create and implement protocol for addressing community complaints.

- Coordinate with local school districts to provide alternate transportation to schools where temporary or short-term road closures would either increase walking distance to schools or make on-foot travel to school problematic.
- Work with local schools to schedule nearby construction activity as unobtrusively as practicable and feasible.
- Coordinate with emergency service providers to ensure continuity of access to the community.
- Establish regular meetings for LIRR, community representatives, and the contractor to discuss construction activities and community concerns.

COMMUNITY SAFETY AND QUALITY OF LIFE

- Create an active program of construction security to ensure community safety.
- Ensure the following are performed by the Contractor at construction sites:
 - Keep construction sites clean and orderly.
 - Safely store construction materials in piles/not haphazardly.
 - Ensure that construction fences are uniform and neat in material and appearance (neatly clad chain-link fences in uniform green tennis mesh or printed mesh with approved enhancements, such as photos or artwork).
 - Entirely fence off all staging areas.
 - Prohibit littering and dispersion of personal debris (e.g., cups, cans, cigarettes) on construction site.
 - Provide covered trash receptacles that are emptied daily.
- Perform street cleaning as appropriate to ensure construction debris and dirt will not affect the local community.
- Install onsite/portable bathroom facilities that are unobtrusive to local communities.
- Protect access to existing businesses.
- Provide satellite parking for construction workers so as to keep personal construction worker vehicles off of residential streets.
- Use existing track to transport materials to and from the work sites to the extent practical.
- Schedule construction deliveries outside of school and commuter traffic peak hours to the extent practicable while school is in session.

ENVIRONMENTAL PERFORMANCE

- Provide environmental monitoring consistent with a Construction Health and Safety Plan (CHASP).
- Implement a Stormwater Pollution Prevention Plan (SWPPP).
- Establish a Quality Control program to confirm compliance with environmental requirements.
- Use directional lighting at night to protect residences from light pollution.
- Implement Work Zone Traffic Control plans.
- Implement an air quality control plan to include dust control measures, ultra-low sulfur diesel fuel, the use of best available tailpipe technologies such as diesel particulate filters, and the utilization of newer equipment.

- Conduct pre-construction home inspections.
- Create and implement a community noise and vibration monitoring program.
- Implement a Construction Protection Plan (CPP) to protect historic architectural resources within 100 feet of the construction activities for the Proposed Project.
- In consultation with the community, employ rodent control measures.
- Minimize noisy work during nighttime hours where practicable and feasible.

LIRR finds that, with the aforementioned measures in place, the construction of the Proposed Project would not result in significant adverse impacts during construction.

CUMULATIVE AND SECONDARY IMPACTS

The Proposed Project, taken in concert with other past, present, and reasonably foreseeable future action, would not result in significant adverse cumulative impacts, particularly because the intensity of its own adverse impacts would be minimal.

The additional parking provided by the Proposed Project would reduce a projected parking deficit within the Study Area associated with the East Side Access project. In the Future Without the Proposed Project, the same parking shortfalls would exist without any plans to reduce the deficit. Therefore, the Proposed Project would confer a cumulative net benefit in terms of parking.

In the Future Without the Proposed Project, increased rail activity associated with the East Side Access project would result in increased noise levels within the Study Area. Where increased noise levels would exist, sound attenuation walls would be constructed at grade or on top of retaining walls to eliminate the predicted noise impacts. Thus, the Proposed Project is providing a cumulative benefit by reducing both existing and projected future noise associated with cumulative impacts that are not connected with the Proposed Project.

The Study Area comprises a densely developed corridor largely characterized by downtowns and surrounding residential areas. That land use pattern is well established and would not be changed with the Proposed Project. Moreover, because the Proposed Project is an enhancement to existing transportation infrastructure serving a mature, mixed use community, it would not lead to induced growth. Considering these factors, LIRR finds that the Proposed Project would not lead to significant adverse secondary or cumulative impacts.

SAFETY AND SECURITY

The LIRR finds that the Proposed Project would not result in any significant adverse impacts to public safety and security. Rather, the completion of a continuous third track and the elimination of seven grade crossings would provide the opportunity for improvements to safety and security for the adjacent communities, LIRR customers, and workers. These benefits include:

- Reduction in the potential for conflicts between pedestrians, bicyclists, vehicles, and trains.
- Enhanced railroad operational flexibility and capacity in the event of a safety or security incident.
- Improvements and upgrading of station conditions to improve lighting and visibility.

ELECTROMAGNETIC FIELDS

Electromagnetic field (EMF) exposure levels from traction power may increase due to closer proximity to the public spaces; however, since EMF levels from railroad operations are not

considered hazardous to the public, increases in EMF levels at sensitive locations would not be significant.

The Proposed Project would also result in some LIRR electrical and PSEG-LI utility line relocations; however, EMF levels near relocated utility would be anticipated to be well below established exposure standards. Accordingly, LIRR finds that the Proposed Project would not result in any significant adverse impact from electromagnetic fields.

CLIMATE CHANGE / SUSTAINABILITY

GHG EMISSIONS

Improving the overall reliability, attractiveness, and convenience of mass transit is an important part of maintaining and increasing transit use into the future and reducing traffic congestion, and thus reducing region-wide GHG emissions. It is important to note in this context that region-wide emissions are not driven solely by the transportation mode choice. Transit use reduces emissions relative to private vehicle use, but also reduces congestion and thus indirectly reduces emissions further. Moreover, the availability of well-connected transit systems also affects land use such that more compact and transit-oriented development occurs, resulting in further efficiency in travel, services, utilities, and more. Therefore, as part of the larger region-wide transit system, improving the overall reliability, attractiveness, and convenience of the LIRR supports New York State's long term GHG emission reduction policies.

The Proposed Project would result in some additional GHG emissions associated with operating electric locomotives (indirect emissions from power generation), and would reduce some emissions associated with on-road vehicular emissions due to the shift of trips in the off-peak direction from on-road to LIRR, with some increased emissions associated with local park-and-ride and taxi trips to and from stations. There would also be direct emissions associated with construction vehicles and indirect emissions associated with the extraction, production, and delivery of materials.

Because the Proposed Project is a transit enhancement project, LIRR finds that the Proposed Project would be consistent with the State's GHG emissions reduction goals and policies and would not result in significant adverse climate change impacts.

ADAPTATION TO CLIMATE CHANGE

With respect to sea level rise, the Proposed Project is well above the current "100-year" and "500-year" flood elevations (the elevations which would potentially be inundated during a coastal storm of a magnitude with a 1-percent and 0.2-percent probability of occurring in any given year, respectively). Therefore, the Proposed Project area would not be flooded during such storm in the future either, when accounting for the highest projected sea level rise by the year 2100.

The FEIS notes that average and extreme temperatures are projected to increase, and extreme temperature events ("heatwaves") are likely to increase in the future as a result of climate change. LIRR finds that appropriate design of track and track infrastructure, as well as current maintenance and operational procedures for track buckling will address the future condition when heatwaves may be more frequent or intense.

Stormwater management practices for the Proposed Project have been designed for the current 100-year storm event. With the potential for substantial increases in the frequency and scale of

downpour events it is possible that these systems may not address the most extreme weather events. However, it would not be practicable to install stormwater management practices sized for these extreme downpours (greater than 100-year storm events) due to the space constraints of the ROW and the limitations presented by municipal and county stormwater management facilities.

Accordingly, LIRR finds that the Proposed Project would be designed to accommodate any reasonably foreseeable storm events that are likely to increase in frequency due to changes in climate, and would, therefore, be consistent with state and federal policies requiring climate change resiliency.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Natural and man-made resources would be expended in the construction and operation of the Proposed Project. These natural resources include the use of land and energy. Man-made resources include the effort required to develop, construct, and operate the Proposed Project; building materials; financial funding; and motor vehicle use. These resources are considered irretrievably committed because it is highly unlikely that they would be used for some other purpose.

The use of land is the most basic of irretrievably committed resources, as the development of the Proposed Project requires the commitment of land for new physical elements such as parking lots. However, the Proposed Project is using land already used for urban development and transportation purposes and, as such, would not be further committing land resources.

The Proposed Project would result in irreversible clearing and grading of vegetation within the LIRR ROW, as well as modification to topography along the ROW and at grade crossings. The loss of vegetation is considered an irreversible commitment of resources as it is unlikely that replacement vegetation would be included in the ROW due to safety concerns. Soil, rock, and trees used to modify the grade of the ROW or grade crossings would be irretrievably committed for the lifetime of the Proposed Project. However, where feasible, replacement vegetation would be provided proximate to the ROW and in front of retaining and sound attenuation walls in order to partially offset this loss of vegetation.

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

None of these irreversible or irretrievable commitments of resources is considered significant.

UNAVOIDABLE ADVERSE IMPACTS

The Proposed Project would result in several unavoidable adverse impacts. While mitigation measures would be implemented where practical and feasible, unavoidable adverse impacts nonetheless would occur with respect to certain resources and conditions.

As discussed in Chapter 3, "Socioeconomic Conditions," the Proposed Project would require the acquisition of four complete parcels that would require the demolition of commercial structures, and the rededication of this land to transportation use. Nine partial acquisitions, or "strip takings," of commercial property would also be required for the Proposed Project. No residential

properties would be acquired. While the full parcel acquisitions would not result in any significant adverse impacts to land use or community character, the loss of the buildings themselves is considered an unavoidable adverse impact.

As set forth in Chapter 5, "Visual and Aesthetic Resources," the Proposed Project would result in a change in the visual and aesthetic qualities of the communities through which the Main Line passes. New transportation structures, such as pedestrian overpasses and tiered parking structures, would be constructed and would be visible. Retaining walls supporting the third track and sound attenuation walls would also be visible. It would not be possible to screen visibility from all locations within the Project Corridor. Thus, visibility of project elements would be noticeable and potentially adverse. Visibility of these project elements from designated sensitive receptors was evaluated pursuant to NYSDEC methodology on assessing visual impacts. While none of the impacts were considered significant and adverse per NYSDEC policy, these changes may be considered unavoidable adverse impacts by some who observe them.

As described in Chapter 6, "Historic and Archaeological Resources," two historic resources listed or eligible for listing on the State and National Register of Historic Places (S/NR) would be removed by the Proposed Project. Mitigation measures, as identified in a Letter of Resolution to be established with the New York State Historic Preservation Office (SHPO), would be implemented to minimize adverse effects, but impacts to or removal of these resources would be unavoidable.

As described in Chapter 7, "Natural Resources," the Proposed Project would result in the unavoidable removal of vegetation within the LIRR ROW. Since the vegetation does not constitute significant habitat, its loss is not considered significant and adverse, but the loss of the vegetation itself is considered unavoidable. As noted, where feasible, replacement vegetation proximate to the LIRR ROW and in front of retaining and sound attenuation walls would be planted where feasible and practicable.

Most of the adverse impacts associated with the Proposed Project would occur in the construction, rather than the operational, phase, and are discussed in Chapter 13, "Construction Impacts." Construction activities associated with the Proposed Project would result in temporary short-term impacts that, while not deemed significant, cannot be avoided. Construction of bridge replacement and grade crossing elements would require temporary lane closures and traffic diversions, resulting in temporary adverse impacts to vehicular and pedestrian traffic. Construction activities may result in temporary noise/vibration and air quality impacts to nearby sensitive receptors. Air quality impacts would chiefly be attributable to fugitive dust and diesel engine exhaust. Mitigation measures would be undertaken to control fugitive dust, such as spraying of water on exposed surfaces and covering any stockpiles, and use of newer equipment, diesel particulate filters, low-sulfur diesel fuel, and other emission control technologies would be implemented to reduce diesel engine exhaust, if feasible. Noise/vibration impacts would be mitigated to the extent possible by incorporation of control equipment and best practices.

The FEIS disclosed that the Proposed Project would result in environmental impacts to the natural and human environments, but that none of these impacts would be significant and adverse. In addition, the FEIS identified proposed measures to mitigate, to the extent practicable and feasible, the impacts related to implementation of the Proposed Project. The FEIS indicated that these mitigation measures would become contractual obligations on the part of the design-build contractor whom would be selected to construct the Proposed Project.

ALTERNATIVES

The New York State Environmental Quality Review Act (SEQRA) and its implementing regulations require the consideration of alternatives to the Proposed Project. Part 617.9(5)(v) of SEQRA regulations requires that a FEIS describe and evaluate “the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor.” SEQRA also requires analysis of a “No Action” alternative, under which the Proposed Project would not be constructed. In addition to the No Action alternative and the Proposed Project, the FEIS also considered the following two alternatives:

- **Transportation System Management Alternative**—This alternative would include a combination of operational and equipment modifications (e.g., longer trains, extended platforms, bi-level trains, bus service and bus rapid transit, enhanced use of rail sidings, and a combination) in lieu of the Proposed Project.
- **Upgrade Switches and Signals Only Alternative**—This alternative would include upgrading of existing railroad switches and signals to improve rail operation efficiency. No third track would be installed, no station or platform improvements would be implemented, and no changes to the existing grade crossing configurations would be made.

A number of other alternatives to the Proposed Project were considered in the Alternatives Chapter of the FEIS (Chapter 18) but eliminated from further analysis or consideration because they were found to require a greater number of property acquisitions, including the acquisition of residential property, or were otherwise determined to be unreasonable. Those alternatives are (1) the prior Main Line Corridor Improvements Project alternative; (2) North Alignment Only alternative; (3) South Alignment Only alternative; and (4) Elevated New Hyde Park Segment alternative.

Several additional alternatives were suggested during the public Scoping period, including a “Grade Crossing Only Alternative” and an “Implement Other LIRR Capital Projects Only”. These alternatives were determined to not fulfill the purpose and need for the project, which includes the addition of a third track to enhance system reliability and enable intra-Island peak service at times when such service is currently not feasible due to lack of track capacity.

Accordingly, they have not been included in this FEIS for further consideration.

Based on consideration of all retained alternatives, only the Proposed Project and the Reconfigured Grade Crossings Alternative both met the project Purpose and Need and minimized cost while avoiding the need to acquire residential property. The potential impacts of these two alternatives are similar insofar as neither would result in any long-term significant adverse impacts.

SEQRA Findings

This Findings Statement sets forth LIRR’s conclusions with respect to the potential environmental impacts of the Proposed Project, based on the FEIS approved and filed by the Lead Agency on April 12, 2017. The facts, conclusions, and potential environmental impacts disclosed in the FEIS that form the basis for the agency’s findings and subsequent agency decisions include the Proposed Project’s purpose and need, the ability of the Proposed Project to satisfy that purpose and need, the Proposed Project’s potential to result in environmental impacts as set forth in the analysis contained in the FEIS and supported by the technical appendices to the FEIS, and consideration of public comments received with regard to the Scoping Document and the DEIS.

The Proposed Project would result in two direct environmental impacts that may be categorized as significant and adverse—the demolition of two historic architectural resources (the Nassau Tower and the former Mineola LIRR Electrical Substation), both of which are eligible for listing on the State/National Registers of Historic Places (S/NR-eligible). These two historic structures would be demolished and the site would be redeveloped with station area improvements. Measures to mitigate the adverse impact would be developed in consultation with OPRHP and set forth in a Letter of Resolution (LOR) to be executed among the involved parties

As noted above, significant adverse traffic impacts for the grade crossing configurations denoted as preferred in the FEIS and selected herein that could be generated by the Proposed Project in the 2020 analysis year would occur in the Village of New Hyde Park, the Village of Mineola, the Village of Westbury, and Hicksville. LIRR finds that those impacts could all be mitigated through the implementation of such methods as signal phasing and timing modifications, the installation of four new traffic signals (one in New Hyde Park, two in Mineola and one in Westbury), lane re-striping and intersection channelization modifications, and on-street parking prohibitions at select locations where additional traffic capacity is needed. Similar analyses were completed for the 2040 analysis year with similar results, albeit at a greater number of intersections given the growth in background traffic.

Overall, the Proposed Project would have a beneficial effect throughout the Project Corridor in terms of improved transit service, grade crossing safety, noise and vibration attenuation, and air quality improvement. Further the Proposed Project would meet the project purpose and need, as illustrated by the goals and objectives set forth above.

Based on the reasons and conclusions set forth in the FEIS and its related documents, the LIRR finds that the Proposed Project meets the project purpose and need and satisfies the Proposed Project's goals and objectives. The Proposed Project has been designed to and is expected to achieve these goals and objectives while minimizing the potential for adverse environmental impacts to the extent practicable and feasible.

None of the alternatives to the Proposed Project (No Action; Transportation System Management; Upgrade Switches and Signals Only) would meet the purpose and need of the Proposed Project while minimizing cost and avoiding the need to acquire residential property. Other alternatives considered and dismissed either would not meet the Proposed Project's goals and objectives, or would result in a much higher magnitude of adverse environmental impact.

Certification to Approve/Fund/Undertake

LIRR has considered the relevant environmental impacts, facts and conclusions disclosed in the FEIS and has weighed and balanced relevant environmental impacts with social, economic, and other considerations. Based on the foregoing, LIRR certifies that the requirements of 6 NYCRR Part 617 have been met and, consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the Proposed Project 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 FEIS.

April 26, 2017

Long Island Rail Road

Mark D Hoffer 4/26/17
Signature of Responsible Official
Mark Hoffer
LIRR Vice President, General Counsel, and Secretary

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