Edward P. Romaine, Supervisor

TO: James M. Tullo, Commissioner, PELM

FROM: Peter E. Fountaine, Pr. Environmental Analyst, Division of Environmental Protection, PELM

DATE: March 29, 2023

RE: State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form Part 3
    Reasoned Elaboration
    Waiver of Site Plan for the Brookhaven Rail Terminal (BRT) Expansion
    March 17, 2016 Stipulation of Settlement
    Brookhaven Logistics Center, LLC
    Parcels B and C (92.96-acres)
    S/s Express Drive South, E/s of Sills Road (County Road 101), N/o Horseblock Road (County Road 16),
    and approximately 2,000 feet W/o Yaphank Avenue (County Road 21), Yaphank

The Town of Brookhaven has received a modified proposed site plan for the above referenced action. Coordination pursuant to the State Environmental Quality Review Act (SEQRA) for a Type 1 Action was initiated on February 22, 2023 and included Part 1 of the New York State Department of Environmental Conservation (NYSDEC) Full Environmental Assessment Form (FEAF), the proposed site plan, and the September 14, 2017 Town Board SEQRA Negative Declaration.

Please note that the BRT Expansion underwent a prior comprehensive SEQR process, which culminated in the issuance of a Negative Declaration, adopted by the Town of Brookhaven Town Board on September 14, 2017. Due to modifications to the project, which included significant changes to site grading that reduced the amount of material to be removed from the site and the impacts associated therewith, changes to rail layout, and changes to internal access, the Town Board has conducted an environmental review of the modified proposed site plan.

According to the Town of Brookhaven procedures for implementation of the State Environmental Quality Review Act (SEQRA), this project is a Type 1 action with possible significant environmental impacts. The Town of Brookhaven Town Board has assumed the SEQRA lead agency status and have prepared Parts 2 and 3 of the Full Environmental Assessment Form (FEAF) with this reasoned elaboration.

The proposed action consists of the development of two parcels (Parcels B and C), totaling approximately 92.96 acres, which are situated on the south side of Express Drive South, east of Sills Road (County Road 101), north of the Ronkonkoma-to-Greenport Line of the Long Island Railroad (LIRR), and approximately 2,000 feet east of Yaphank Road (County Road 21), in the hamlet of Yaphank, New York. Parcels B and C were part of an overall previously proposed railway terminal and associated development on a 350± acre Brookhaven Rail Terminal (BRT) property (hereinafter the “prior BRT proposal”), which consisted of four parcels known as Parcels A, B, C and D (Parcel A is 29± acres, Parcels B and C total 92.96± acres, and Parcel D is 229± acres). This proposed action and the associated environmental review address solely Parcels B and C.

The prior BRT proposal was the subject of a comprehensive Voluntary Draft Environmental Impact Statement, prepared in 2017 (hereinafter the “2017 VDEIS”). That SEQR process culminated in the adoption of a Negative Declaration by the Town of Brookhaven Town Board on September 14, 2017 (hereinafter the “2017 Negative Declaration”). The 2017 VDEIS set forth the existing conditions of the approximately 350 acres of which Parcels B and C (the subject of the instant SEQR process) are a part, evaluated the potential significant adverse impacts associated with implementation of the prior BRT proposal, and identified mitigation measures for those impacts identified as significant and adverse. The 2017 VDEIS also evaluated alternatives to the prior BRT proposal. The
SEQR compliance activities for the BRT proposal and those associated with the current proposed action are required to conform to the requirements of the March 17, 2016 Stipulation of Settlement (herein after the “Stipulation”).

Pursuant to the Stipulation:

The [SEQRA] review and approval process for the Railway Expansion shall proceed before the Town Board on an expedited basis under an established and agreed upon process and procedure complying with the Administrative SEQRA/Plan Review process and Applicable Town Code Provision applicable to resolution of litigated environmental matters, and without public hearings.

The 2017 VDEIS further explained that it was not possible (as specific users were not identified at the time) to determine what the precise development would be. Accordingly:

BRT has indicated that its preference would be for transloading facilities. However, since this cannot be guaranteed, it has been assumed that there would be a mix of transloading and non-transloading facilities. As a conservative approach for purpose of comprehensive environmental analysis, this VDEIS assumes 50 percent of development on Parcels B, C, and D would be rail related Support Structures, as defined in the 2016 Stipulation of Settlement, while the remaining 50 percent would be non-rail related. This is an important distinction as non-transloading uses and other facilities that are not defined as rail “Support Structures” in the Stipulation of Settlement would be subject to Town jurisdiction and would be required to undergo applicable Town review and approval requirements (e.g., site plan, building permits, etc.).

While Brookhaven Logistics, LLC has indicated that specific users of the site have not yet been identified, the documentation that it has submitted has confirmed that the proposed action would similarly conform to all requirements of the Stipulation and that rail would be provided to all buildings developed on Parcels B and C, such that they are built to accommodate transloading.

With respect to Parcels B and C, the 2017 VDEIS evaluated the following:

• Preparing Parcels B and C for development
• Constructing buildings and other infrastructure to support the rail terminal operations on Parcels B and C
• Constructing an underpass beneath the LIRR tracks between Parcels C and D
• Constructing new access ways and on-site roads.

The current proposed action no longer includes the construction of an underpass beneath the LIRR tracks between Parcels B and C. Excavation for the underpass, which was part of the prior BRT proposal, set the requirements for excavation and material removal from the site, and resulted in the potential removal of between 960,000 to 1,150,000 cubic yards (cy) of material. This proposed action will not remove any material from Parcels B or C. It is anticipated, however, that material will be required to be brought onto the site (i.e., approximately 52,000 cy). This material will be taken from Parcel D. Accordingly, this proposed action will result in fewer impacts relating to excavation, soil removal and transport than the prior BRT proposal.

The 2017 VDEIS also explained that, among other things, property had to be secured from the Long Island Power Authority (LIPA) to develop Parcels B and C as was proposed. The current proposed action also requires Brookhaven Logistics, LLC to secure properties from LIPA. This applicant has coordinated with LIPA and has negotiated a Master Agreement with LIPA that grants lease rights to construct the retaining wall and rail tracks on the LIPA property, independent of the relocation of utility poles. The applicant will continue to coordinate with LIPA to secure all required authorizations for the development of the property.

**Project Design and Layout**

Two buildings are proposed on Parcels B and C: Building 1 is 585,071± SF and Building 2 is 650,900± SF. Building 1 would be positioned within the northern portion of the parcels closer towards Express Drive South and Building 2 would be positioned within the southern portion of the parcels closer towards the LIRR rail line.

The proposed action includes a rail spur extension for the proposed buildings on Parcels B and C. Approximately 7,906 linear feet of rail track would serve the two buildings and would connect to the LIRR Line along the southern boundary of both parcels. The rail would extend along the eastern boundary of Parcel C. Track would be installed midway between Buildings 1 and 2 and extend along the north side of Building 2, parallel to the northern loading docks. Track would be installed at the northeast corner of Building 1 and extend along the north side of Building 1.
parallel to the northern loading docks. It is noted that trucks would access the loading docks on both the north and south facades of Buildings 1 and 2.

As part of the proposed action, perimeter landscaping would be installed on Parcels B and C, and existing vegetated and forested areas would be retained. A buffer of evergreen vegetation will be installed, as prescribed by the Town of Brookhaven, along the boundary of the LIE. Landscaped islands would also be installed within the proposed automobile parking areas. In accordance with the 2017 Negative Declaration, approximately 20± acres (19.39± acres were required) of Pitch Pine Oak Forest on Parcels B and C would be preserved.

The proposed drainage includes two recharge basins, which would be created near the northern boundary of Parcels B and C. The proposed drainage plan and methods to accommodate and recharge stormwater are consistent with the 2017 VDEIS (i.e., recharge basins, leaching pools, catch basins).

**Grading and Drainage**
The proposed action includes site grading for building foundations, internal driveways and parking areas, utilities, and drainage infrastructure. The proposed grading program will require that approximately 52,000 cy of material be taken from Parcel D to facilitate development on Parcels B and C. As topography varies across the site, the proposed action would result in the modifications of slopes to achieve a level building area. Existing elevations range from 33± feet AMSL to 136± feet AMSL. The current proposed action anticipates that following excavation, the elevations at the subject property would range from 40± feet AMSL to 108.53± feet AMSL. Existing grade would be maintained in the natural areas. The higher elevations at the boundaries would be stabilized with a retaining wall.

As previously explained, the current proposed action no longer includes an underpass beneath the LIRR tracks between Parcels B and C, which was previously proposed by the prior applicant, BRT. Excavation for the underpass, which was part of the prior BRT proposal, set the requirements for excavation and material removal from the site, and resulted in the potential removal of between 960,000 to 1,150,000 cubic yards (cy) of material.

This proposed action will not remove any material from Parcels B or C. It is anticipated, however, that material will be required to be brought onto the site (i.e., approximately 52,000 cy). This material will be taken from Parcel D. Accordingly, this proposed action will result in fewer impacts relating to excavation, soil removal and transport than the prior BRT proposal.

Similar to that previously evaluated in the 2017 VDEIS and the associated 2017 Negative Declaration, all stormwater generated on-site by the proposed action would be accommodated and recharged via an integrated system consisting of leaching pools, catch basins, recharge basins, and swales. The proposed action requires 1,219,423.21 cubic feet (cf) of stormwater storage. The proposed drainage plan has been designed to accommodate a five-inch storm event (i.e., 1,794,864.50 cf of stormwater) with an excess of 575,441.29 cf in the storage system. The site soils can infiltrate 10 inches of stormwater an hour. Accordingly, stormwater will be properly accommodated, and no significant adverse environmental impacts associated with same are anticipated.

**Access, Traffic and Parking**
Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.

With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the above-outlined assumptions set forth in the 2017 VDEIS. The projected traffic associated with Parcels B and C does not exceed that evaluated in the VDEIS for Parcels B, C and D.

With respect to parking, a total of 1,083 parking spaces would be provided for both automobile and truck/loading spaces around the perimeter of the proposed transloading buildings. The applicant’s traffic consultant, Stonefield Engineering, evaluated the parking supply using data published within the ITE’s Parking Generation, 5th Edition, for Land Use 150 “Warehousing.” The average parking demand rate during the peak weekday period for Land Use 150 “Warehousing” is 0.39 vehicle per 1,000-square-feet. For the 1,235,971 SF transloading buildings, this equates to 483 parking spaces. As such, Stonefield Engineering, has represented that the proposed parking supply of 1,083 spaces would be sufficient to support the parking demand of the site.

**Wastewater Discharge**
The proposed development would be connected to the existing Yaphank County Sewer District #16 for sanitary wastewater treatment which would be conveyed to the Yaphank County Sewage Treatment Plant (STP). On June 21, 2021, the Suffolk County Sewer Agency approved a sanitary flow of 49,240± gpd to Parcels B and C for the proposed buildings. As wastewater will not be discharged on-site and will be accommodated by the County sewer district, no significant adverse impacts relating to wastewater discharge is expected.

**Water Supply**

The proposed development includes an extension and connection to the Suffolk County Water Authority (SCWA) existing water main located within Sills Road. A letter of water availability was received on May 17, 2022, and a signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022. The total projected potable water demand, based on SCDHS design flow factors, would be approximately 49,240 gpd.

Irrigation supply is also expected for on-site landscaping with a projected irrigation demand of 3,571± gpd/year based upon a volume of one inch of watering per week for the 20± acres of landscaping. During the irrigation period (April to October), the projected irrigation usage would be 7,161 gpd for 26 weeks. It is noted that the projected irrigation for the first year would be greater for the establishment of the proposed landscaped areas (i.e., an irrigation demand of 41,063 gpd/year based upon a volume of two inches of watering per week).

The proposed action would include an irrigation system with smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain. The irrigation system would be installed with a drip line to prevent evaporation as well as rain sensors. The proposed landscaping plan would also consist of native and drought-tolerant species outside of the recharge basin to promote water conservation. Plantings in the recharge basins would be representative of an Ecological Communities of New York State (ECNYS) Successional Old Field community.

The proposed action includes the installation of fire hydrants with a demand of 1,500 gallons per minute (gpm). The overall water flow to the transloading buildings, inclusive of potable water and fire suppression would be 2,341 gpm.

Based on the SCWA’s commitment to serve the site and the proposed use of smart irrigation systems, no significant adverse impacts associated with water supply are expected.

**Site Landscaping and Outdoor Lighting**

Vegetation would be concentrated around the perimeter of Parcels B and C, including an evergreen buffer along the site boundary to minimize views from the LIE; within the recharge basins; and within the proposed drive aisles. The proposed landscaping design includes trees and grasses such as Tupelo (Nyssa sylvatica), Eastern White Pine (Pinus strobus), Leyland Cypress (Cupressocyparis leylandii), Arrowwood (Viburnum recognitum) and grass seed mix including 50 percent tall fescue, 25 percent perennial ryegrass, and 25 percent annual ryegrass seeding. Additionally, the proposed action would include an irrigation system with smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain.

The proposed action’s consistency with the prior environmental documentation prepared as it relates to green space and buffers for the development of Parcels B and C follows:

<table>
<thead>
<tr>
<th>Previously Prepared Environmental Documentation</th>
<th>Current Proposed Development Plan</th>
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<tbody>
<tr>
<td>75-foot buffer at eastern border of Parcel C</td>
<td>The buffer at the eastern border of Parcel C is 75 feet.</td>
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<tr>
<td>Preserve pitch pine oak forest on Parcels B and C of 19.39± acres</td>
<td>There would be 6.6± acres of green space along the eastern boundary of Parcel C, 8.25± acres of green space along the western boundary of Parcel B, and existing trees to be retained along the LIE South Service Road for a total of 20± acres of preserved pitch pine oak forest on Parcels B and C. Evergreen plantings will also be placed along the site’s boundary with the LIE Service Road to minimize views from the LIE.</td>
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</table>
Drainage areas on Parcels B and C would be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community to provide additional vegetated habitat at subject property.

The species to be planted within the recharge areas would be a mix representative of a Successional Old Field community including Sweet Vernal Grass (*Anthoxanthum odoratum*), Orchard Grass (*Dactylis glomerata*), Common Chickweed (*Cerastium arvense*), Common Evening Primrose (*Oenothera biennis*), Old- Field Cinquefoil (*Potentilla simplex*), Calico Aster (*Aster/Ateteriflorus*), and New England Aster (*Aster novae-angliae*).

Periodic maintenance of wild indigo along LIPA property, assets, and easements to assure the success of the Wild Indigo’s and Persius Duskywings habitat type.

Wild Indigo would be planted along the LIPA easement and southern boundary of the subject property and would be seeded and periodically maintained.

A lighting plan has been developed that includes exterior site lighting and wall-mounted fixtures for Parcels B and C. All lighting would be LED and dark sky compliant in accordance with Town Code regulations (§85-862 Exterior Lighting Standards). Based on the design, the proposed exterior lighting would be full cut-off, dark sky compliant pole-mounted light fixtures at 30± feet in height and equipped with housing shields to direct light downward. The proposed wall-mounted light fixtures would be full cut-off, dark sky compliant and mounted at 30± feet above grade level. There would be no light spillover onto adjacent properties.

The proposed landscaping and lighting, which would not allow spill over off the subject property, will mitigate potential adverse impacts to neighboring properties.

**Construction Schedule**

Construction on Parcels B and C would be completed in two phases over the course of approximately 18 months. Each building would be a separate construction phase. Construction is anticipated to commence shortly after receipt of required approvals and be completed in or around August 2024. The LIPA Master Agreement grants lease rights to construct the retaining wall and rail tracks on the LIPA property independent of the relocation of utility poles. Phase 1 would occur over approximately 12 months and includes the construction of Building 1 and all tracks to connect the LIRR to Building 1. Phase 2 would commence six months into the construction of Phase 1 and would span approximately 12 months. Phase 2 includes the construction of Building 2 and all tracks needed to connect the LIRR to Building 2.

In accordance with §50-6(B)(7) (Noise Control) of the Town Code, all construction would be limited to the hours of 7:00 am to 6:00 pm.

**Operations**

The end users for Buildings 1 and 2 on Parcels B and C have not been identified at this time. However, it is anticipated that the end users would operate Monday through Friday 8:00 am to 5:00 pm with no operations on weekends. Should hours of operation extend beyond this timeframe, all operations would be compliant with §50-6(B)(7) (Noise Control) of the Town Code and all lighting would be shielded so as not to flow onto adjacent and surrounding properties pursuant to §85-862 (Exterior Lighting Standards) of the Town Code. Although the primary operations would occur as indicated above, railcar deliveries and pickups between the LIRR and the buildings would be subject to the freight carriers’ availability and could, therefore, take place outside of Monday through Friday 8:00am to 5:00pm.

**CONSISTENCY WITH THE 2017 NEGATIVE DECLARATION**

As explained previously, the Town of Brookhaven Town Board issued a Negative Declaration after review of the 2017 VDEIS. As set forth below, the current proposed development of Parcels B and C is substantively consistent with the aforesaid 2017 Negative Declaration, and an analysis follows.

**Soils and Topography**
In accordance with the Stipulation, the proposed grading process would re-use native soil onsite for fill purposes to the maximum extent feasible, with the goal of minimizing the need to export native sand or import fill materials. The 2017 VDEIS proposed 960,000± to 1,150,000± CY of material to be cut and removed from Parcels B and C. The current grading plan for Parcels B and C indicates that approximately 52,000 cy of material will be taken from Parcel D to facilitate development of Parcels B and C. As the current development plan would result in no net cut in material and only approximately 52,000 cy of material would be transported from Parcel D, the proposed development of Parcels B and C would have lesser impacts than those considered in the 2017 Negative Declaration.

- Consistent with the 2017 Negative Declaration, the following erosion and sediment control measures will be implemented:
  - Construction fencing will be installed along the limits of the clearing and grading areas. Specifically, silt fencing with orange safety construction fencing to extend 24 inches above the silt fence to ensure no disturbance occurs on the 6.6± acres of area to remain will be utilized.
  - Existing vegetation to remain will be protected during construction.
  - Sediment barriers will be installed in critical areas.
  - Stabilized construction entrances will be installed and maintained.
  - Clearing and grading will be scheduled to minimize size of exposed areas and the length of time areas are exposed.
  - Cleared areas and stockpiles have been kept stabilized following the tree clearing on Parcels B and C. Parcels B and C were cleared pursuant to tree clearing permits issued by the Town of Brookhaven on January 25, 2022.
  - Dust control will be instituted to prevent surface and air movement of dust from areas of soil disturbance.
  - Drainage inlets will be protected using sediment barriers and traps as required.
  - Erosion control measures will remain in place until disturbed areas are permanently stabilized.

- Based on the Current Proposed Development Plan for Parcels B and C, the green space to be provided exceeds the 19.39±-acre requirement of the 2017 Negative Declaration.

- The installation of vegetated and pervious areas throughout Parcels B and C was chosen to accommodate stormwater runoff in lieu of pervious concrete due to constructability constraints. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.

- VHB completed on-site observations during grading and excavation activities of the asphalt milling surfacing where cars damaged by Superstorm Sandy had been stored on the northwest portion of Parcel C. VHB observed re-grading and cutting had advanced in all directions on Parcel C and that asphalt milling stockpiles were present in the northern portion of Parcels B and C. The car storage area was removed as part of this. All actions taken were in accordance with NYSDEC regulations. Accordingly, this item of the 2017 Negative Declaration has been addressed.

**Ecological Resources**

- The 20± acres of green space to be provided on Parcels B and C is consistent with the measures specified in the 2017 Negative Declaration to preserve at least 19.39± acres of Pitch Pine Oak Forest, including the preservation of the existing forest along the eastern boundary of Parcel C and the southern boundary of Parcels B and C. The eastern boundary of Parcel C would include a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields’ outer boundaries.

- Tree clearing on Parcels B and C was completed between January 19, 2022 and February 24, 2022 pursuant to the permits issued by the Town of Brookhaven on January 25, 2022. Wildlife sweeps were conducted prior to tree clearing and observed eastern box turtles were relocated, in accordance with the 2017 Negative Declaration.

- To avoid potential adverse impacts to northern-long eared bat, the 2017 Negative Declaration identified a “window” of November 1 through March 31 within which tree clearing would be allowed. This timeframe was consistent with the NYSDEC regulatory window in effect at the time the 2017 Negative Declaration
was adopted. This regulatory window was subsequently amended by NYSDEC to the period between December 1 and February 28 in Suffolk County. The tree clearing was completed between January 19, 2022 and February 24, 2022 in accordance with the NYSDEC restrictions.

- The tree clearing did not adversely affect Wild Indigo observed within the LIPA property, assets, and easements. Wild Indigo is proposed to be planted along the LIPA easement and southern boundary of the subject property.

**Water Resources**

- Pursuant to the 2017 Negative Declaration, Parcels B and C will be connected to the Yaphank County Center STP. On June 21, 2021, Suffolk County Sewer Agency approved the connection of the Current Proposed Development Plan for Parcels B and C for a sanitary flow of 49,240± gpd.

- The proposed plan does not increase the proposed development density of Parcels B and C, or the associated rate of sewage generation from these parcels from that addressed in the 2017 Negative Declaration and will comply with the applicable requirements of Article 6 of the Suffolk County Sanitary Code.

- The 2017 Negative Declaration discussed utilizing two drainage reserves on Parcels B and C to be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community. The proposed drainage program for Parcels B and C have been modified to include two recharge basins in the northeast and northwest corners of the parcels. The landscaping plan notes the following species to be planted in the recharge basins: Sweet Vernal Grass (Anthoxanthum odoratum), Orchard Grass (Dactylis glomerata), Common Chickweed (Cerastium arvense), Common Evening Primrose (Oenothera biennis), Old-Field Cinquefoil (Potentilla simplex), Calico Aster (Aster/Asterifloms), and New England Aster (Aster novae-angliae) The proposed design will manage stormwater runoff from the proposed development on Parcels B and C.

- Pursuant to the 2017 Negative Declaration, the drainage and erosion and sediment control plans will protect groundwater resources and facilitate stormwater recharge. Erosion and sediment control measures to be implemented will include sediment control, silt fence, construction road stabilization, concrete washout, soil stockpile with wire fencing, filter fabric drop inlet protection, stabilized construction entrance, temporary topsoil, fertilizer, seed, and mulch for stabilization, and temporary tree fencing.

- The 2017 Negative Declaration indicated pervious concrete should be used to the maximum extent practicable to promote the recharge of stormwater. However, it was determined the use of pervious concrete for proposed sidewalks and ADA access ramps would not be structurally feasible. Concrete would be used for all sidewalks and access ramps. In lieu of permeable concrete, the proposed development area on Parcels B and C includes the installation of vegetated and pervious areas throughout the parcels to accommodate stormwater runoff. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.

- A SWPPP waiver was received from the Town of Brookhaven on October 5, 2022 for the Current Proposed Development Plan for Parcels B and C.

- Pursuant to the 2017 Negative Declaration, consultations with the SCWA were undertaken, and a water connection letter was received May 17, 2022. Water service would be connected to the existing water main in Sills Road. A signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022.

- The handling and storage of hazardous materials is not anticipated.

**Land Use, Zoning and Community Character**

- The buildings proposed on Parcels B and C are similar to those contemplated in the 2017 Negative Declaration and would not adversely affect the overall character of the site and surrounding properties.
The use of the property for transloading and rail support purposes would continue to advance the goals identified in various County and regional comprehensive and/or strategic development plans, including: The Strategic Economic Development Plan for Long Island 2016 Update, Plan 2040: A Shared Vision for Sustainable Growth, the Suffolk County Comprehensive Master Plan 2035, and the Long Island 2035 Regional Comprehensive Plan.

**Transportation**

- Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.

- With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the site utilization and traffic assumptions set forth in the 2017 VDEIS.

- The 2017 Negative Declaration proposed an underpass to connect Parcels B and C with Parcel D, which is no longer proposed. The current proposed action will provide turnout from the LIRR rail line, which the applicant asserts is a more efficient means of access, and will result in significantly less material being removed from Parcels B and C.

**Socioeconomics**

- Consistent with the 2017 Negative Declaration, all assumed economic benefits associated with the prior BRT proposal (i.e., expanded employment opportunities during both construction and operation; increased tax revenues to the Town, County, and other jurisdictions; and enhanced building material supplies to support the local construction industry) would be realized as part of this proposed action.

**Community Facilities and Services**

- In accordance with the 2017 Negative Declaration, on-site security would be provided, and adequate exterior lighting would be provided throughout the subject property for security purposes on Parcels B and C. Also, future buildings would be constructed in compliance with the latest National Fire Protection Association Codes and Standards, and the project sponsor will consult with the Yaphank Fire Department regarding the placement of fire hydrants.

- In accordance with the 2017 Negative Declaration, one new roadway connection would be created along the Long Island Expressway South Service Road to the north for Parcels B and C as well as an easement to be established along the northern portion of the LIPA property (east of Parcel A) to allow for circulation within Parcels A, B and C. An emergency access ingress and egress road would be constructed at the northeast corner of Parcel C.

**Air Quality**

- The applicant has indicated that it would comply with the assumptions regarding the development of transloading buildings and rail support structures. Compliance with these assumptions and the 2017 Negative Declaration would yield the regional air quality benefits identified in the 2017 VDEIS as truck deliveries, with their associated air emissions, would be replaced with rail transportation.

- In accordance with the 2017 Negative Declaration, all mitigation measures presented would be implemented for the development of Parcels B and C (i.e., use of antifreeze in locomotives to reduce idling on cold days, use environmentally friendly switching locomotives to move cars, proper emission controls for construction vehicles, limit idling of construction vehicles and on-site equipment during operations, and dust control during construction).

**Aesthetics, Community Character, and Visual Resources**

- In accordance with the 2017 Negative Declaration, the eastern boundary of Parcel C will contain a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the
proposed construction and allowing for the continuation of the tree lines that currently mark the fields’ outer boundaries

• The Current Proposed Development Plan for Parcels B and C includes a proposed retaining wall along the southern, western, and eastern boundaries of Parcels B and C which would reduce visibility of operations. In addition, the applicant has agreed to install evergreen plantings along the boundary with the LIE South Service Road to minimize visual impacts along the LIE. The proposed landscaping and lighting program for Parcels B and C would minimize potential local visual and aesthetic impacts.

Review of the Full Environmental Assessment Forms Parts 1, 2, and 3, the criteria contained in Section 617.7, the application materials, aerial photographs, cultural resource maps, environmental assessments, and other supporting information including the 2017 Voluntary Draft Environmental Impact Statement (VDEIS), the September 14, 2017 SEQRA Negative Declaration, 2023 application materials, the 2016 So-Ordered Stipulation of Settlement, February 16, 2021 letter from the Town of Brookhaven, New York State Department of Environmental Conservation (NYSDEC) Supplemental Report, prepared by PW Grosser Consulting, dated November 2022, revised on December 2022, and February 2023 with appendices that identifies relevant areas of environmental concern find that this action is not anticipated to have a significant adverse impact upon the environment.

Please find attached a SEQRA negative declaration for the consideration of the Town Board and feel free to contact the Town of Brookhaven Department of Planning, Environment, and Land Management if you have any questions or immediate concerns. Thank you.

PEF

Enc: Parts 1, 2, and 3 NYSDEC Full Environmental Assessment Form (FEAF)
Proposed Site Plan
SEQRA Negative Declaration

Cc: Edward P. Romaine, Supervisor, Town of Brookhaven
Kevin J. LaValle, Town Clerk and Registrar, Town of Brookhaven
Annette Eaderesto, Esq., Town Attorney, Town of Brookhaven Law Department
James M. Tullo, Commissioner, PELM, Town of Brookhaven
Terri Elkowitz, Senior Principal, VHB
# Instructions for Completing Part 1

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

## A. Project and Applicant/Sponsor Information.

<table>
<thead>
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<th>Name of Action or Project:</th>
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<tbody>
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<td>Brookhaven Logistics Center</td>
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<th>Project Location (describe, and attach a general location map):</th>
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<th>Brief Description of Proposed Action (include purpose or need):</th>
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<tbody>
<tr>
<td>The proposed action includes the construction of transload and warehouse distribution facility consisting of two buildings (i.e., Building 1: 585,071± square foot [SF] and Building 2: 650,900± SF) and rail spur extension from an existing railway terminal located on the south side of Express Drive South, east of Sills Road (CR 101), north of Horseblock Road (CR 16), and approximately 2,000 feet west of Yaphank Road (CR 21)(“subject site”). The subject site consists of two parcels (Parcels B and C) which total 92.96± acres. Approximately 7,906 linear feet of rail track is also proposed to serve the two buildings. The proposed rail track would connect to the LIRR Ronkonkoma-to-Greenport Line along the southern boundary of the site and extend along the eastern boundary of Parcel C. Site access is proposed via one new right-in/right-out driveway along Express Drive South, in addition to the existing access from Sills Road. A total of 1,083 parking spaces would be provided for both automobile and truck/loading spaces. The automobile parking is proposed to the west and east of each transload facility and truck parking is proposed to the north and south of both buildings. Loading areas would be located on the north and south side of the transload facilities with truck loading at bays on the northern and southern façade of both buildings and rail loading at bays on the northern façade of Building 1 and Building 2. Perimeter landscaping would be installed along the boundaries of the site and select vegetated and forested areas would be retained to obscure views of the proposed operations. Landscaped islands within the proposed automobile parking areas are also proposed. A Supplemental Report has been prepared and is appended to this Part 1 EAF to provide a consistency analysis of the Current Proposed Development Plan with the previously completed Voluntary Draft Environmental Impact Statement in 2017 and Negative Declaration issued by the Town of Brookhaven.</td>
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<table>
<thead>
<tr>
<th>Name of Applicant/Sponsor:</th>
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<tbody>
<tr>
<td>Brookhaven Logistics Center, LLC c/o Joe Franek, P.E.</td>
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<table>
<thead>
<tr>
<th>Telephone:</th>
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<tbody>
<tr>
<td>847-845-2998</td>
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<thead>
<tr>
<th>E-Mail:</th>
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<tbody>
<tr>
<td><a href="mailto:jfranek@northpointkc.com">jfranek@northpointkc.com</a></td>
</tr>
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<thead>
<tr>
<th>Address:</th>
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<tbody>
<tr>
<td>3315 N. Oak Trafficway</td>
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<tr>
<th>City/PO:</th>
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<tr>
<td>Kansas City</td>
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<tbody>
<tr>
<td>MO</td>
<td>64116</td>
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<tr>
<th>Project Contact (if not same as sponsor; give name and title/role):</th>
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<td>Telephone:</td>
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<tr>
<th>Property Owner (if not same as sponsor):</th>
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<td>Telephone:</td>
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B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

<table>
<thead>
<tr>
<th>Government Entity</th>
<th>If Yes: Identify Agency and Approval(s) Required</th>
<th>Application Date (Actual or projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. City Counsel, Town Board, or Village Board of Trustees</td>
<td>Town of Brookhaven Town Board - Administrative SEQR/Plan Review Pursuant to 2016 Stipulation</td>
<td>Ongoing/Pending</td>
</tr>
<tr>
<td>b. City, Town or Village Planning Board or Commission</td>
<td>Town of Brookhaven Department of Planning, Environment, and Land Management - Tree Clearing Permit Parcels B&amp;C, Grading Permit Parcels B&amp;C, Site Plan Approval</td>
<td>01-14-2022/01-05-2023/Pending</td>
</tr>
<tr>
<td>c. City, Town or Village Zoning Board of Appeals</td>
<td></td>
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<tr>
<td>d. Other local agencies</td>
<td>Town of Brookhaven Division of Stormwater - SWPPP Conditional Release Approval, Town of Brookhaven Building Department - Building Permit Foundation Only, Building Permit Construction</td>
<td>10-05-2022/Pending/Pending</td>
</tr>
<tr>
<td>e. County agencies</td>
<td>SCWA - Water Availability, SCDHS - Water Supply, Sanitary Disposal, No Objection Letter for Foundation Only, Building Permit, SCDPW - Sewer Connection Permit</td>
<td>05-17-2022/Pending/Pending/09-14-2022/Pending/Pending</td>
</tr>
<tr>
<td>f. Regional agencies</td>
<td>LIPA - Access Agreement over the subject property to LIPA Transmission and Distribution assets, National Grid - Natural Gas Connection, PSEG LI - Electric Service</td>
<td>08-25-2022/Pending/09-18-2022</td>
</tr>
<tr>
<td>g. State agencies</td>
<td>NYSDOT - Highway Work Permit for LIE South Service Road</td>
<td>Pending</td>
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<tr>
<td>h. Federal agencies</td>
<td>Surface Transportation Board - Permit to Construct and Operate New Rail</td>
<td>Pending</td>
</tr>
<tr>
<td>i. Coastal Resources.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>iii. Is the project site within a Coastal Erosion Hazard Area?</td>
<td>Yes</td>
<td>No</td>
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</tbody>
</table>

C. Planning and Zoning

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  
- If Yes, complete sections C, F and G.  
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? The Town of Brookhaven 1996 Comprehensive Land Use Plan identifies Parcels B and C as suitable for High Density development.

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) If Yes, identify the plan(s):

| | |
| | |
| | |

C. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? If Yes, identify the plan(s):

| | |
| | |
| | |

| | |
| | |

Page 2 of 13
C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  
   Yes ☑  No ☐

   If Yes, what is the zoning classification(s) including any applicable overlay district?

   Light Industrial (L1) Zoning District

b. Is the use permitted or allowed by a special or conditional use permit?  
   Yes ☐  No ☑

c. Is a zoning change requested as part of the proposed action?  
   Yes ☐  No ☑

   i. What is the proposed new zoning for the site?  ____________________________________________

C.4. Existing community services.

a. In what school district is the project site located?  Longwood Central School District and South Country Central School District

b. What police or other public protection forces serve the project site?  
   Suffolk County Police Department (SCPD) - 5th Precinct

   Longwood Central School District and South Country Central School District

   Suffolk County Police Department (SCPD) - 5th Precinct

   Yaphank Fire Department (provides both fire protection services and emergency services)

   N/A - The proposed development includes an industrial use (i.e., transloading warehouse and distribution).

d. What parks serve the project site?  

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial (Transload Warehouse and Distribution)

b. a. Total acreage of the site of the proposed action?  92.96± acres

   b. Total acreage to be physically disturbed?  80.53± acres

   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  350± acres

c. Is the proposed action an expansion of an existing project or use?  
   Yes ☐  No ☑

   i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?  % ____________________  Units: ____________________

d. Is the proposed action a subdivision, or does it include a subdivision?  
   Yes ☑  No ☐

   i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

   ii. Is a cluster/conservation layout proposed?  

   iii. Number of lots proposed?  ________

   iv. Minimum and maximum proposed lot sizes?  Minimum ________  Maximum ________

e. Will the proposed action be constructed in multiple phases?  
   Yes ☑  No ☐

   i. If No, anticipated period of construction:  _____ months

   ii. If Yes:

      • Total number of phases anticipated  2

      • Anticipated commencement date of phase 1 (including demolition)  Feb month 2023 year

      • Anticipated completion date of final phase  Aug month 2024 year

      • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: Building 1 and all tracks to connect the LIRR to Building 1. Phase 2 would commence six months into the construction of Phase 1 and would span approximately 12 months. Phase 2 includes the construction of Building 2 and all tracks needed to connect the LIRR to Building 2.
f. Does the project include new residential uses? ☑ Yes ☐ No

<table>
<thead>
<tr>
<th>Initial Phase</th>
<th>One Family</th>
<th>Two Family</th>
<th>Three Family</th>
<th>Multiple Family (four or more)</th>
</tr>
</thead>
<tbody>
<tr>
<td>At completion</td>
<td>_______</td>
<td>_______</td>
<td>_______</td>
<td>_______</td>
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<tr>
<td>of all phases</td>
<td>_______</td>
<td>_______</td>
<td>_______</td>
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</table>

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

| i. Total number of structures | 2 |
| ii. Dimensions (in feet) of largest proposed structure: | 50± feet height; See below* width; and See below* length |
| iii. Approximate extent of building space to be heated or cooled: | 1,235,971± square feet |

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

| i. Purpose of the impoundment: Recharge basins and swale for stormwater runoff |
| ii. If a water impoundment, the principal source of the water: | ☐ Ground water ☐ Surface water streams ☑ Other specify: Stormwater runoff |
| iii. If other than water, identify the type of impounded/contained liquids and their source. | N/A |

| iv. Approximate size of the proposed impoundment. Volume: | **”** million gallons; surface area: | **”** acres |
| v. Dimensions of the proposed dam or impounding structure: | **”** height; **”** length |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Proposed recharge basins would include earth fill and plantings. |

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☑ Yes ☐ No

| i. What is the purpose of the excavation or dredging? Proposed recharge basins and swale |
| ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? |
| • Volume (specify tons or cubic yards): None |
| • Over what duration of time? N/A |

| iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. |
| vii. What is the maximum area to be worked at any one time? | 50± acres |
| vi. What is the total area to be dredged or excavated? | 5.02± acres |
| vii. What would be the maximum depth of excavation or dredging? | 10 feet |
| viii. Will the excavation require blasting? | ☑ Yes ☐ No |

x. Summarize site reclamation goals and plan:

The proposed plan is to create two recharge areas and a drainage swale with all cut material to be used on-site.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑ Yes ☐ No

| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): |

*Building 1 would be 470 feet by 1,248 feet and Building 2 would be 520 feet by 1,248 feet. Both buildings would be 50 feet high.
**Recharge Area #1 would be 390 feet by 190 feet with an 8-foot depth and storage capacity of 197,069.49 cubic feet. Recharge Area #2 would be 302 feet by 438 feet with a 10-foot depth and storage capacity of 832,305.51 cubic feet. The swale would be 1,460 feet by 35 feet with a depth ranging from 4-to-7 feet and storage capacity of 151,634.70 cubic feet.
ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_________________________________________________________________________________________________________

iii. Will the proposed action cause or result in disturbance to bottom sediments?  
If Yes, describe:  
☐ Yes ☐ No

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  
If Yes:  
- acres of aquatic vegetation proposed to be removed:  
- expected acreage of aquatic vegetation remaining after project completion:  
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):  
- proposed method of plant removal:  
- if chemical/herbicide treatment will be used, specify product(s):  

v. Describe any proposed reclamation/mitigation following disturbance:  

_________________________________________________________________________________________________________

vi. Will line extension within an existing district be necessary to supply the project?  
If Yes:  
- Name of district or service area:  Suffolk County Water Authority Distribution Area #12  
- Does the existing public water supply have capacity to serve the proposal?  
- ☐ Yes ☐ No  
- Is the project site in the existing district?  
- ☐ Yes ☐ No  
- Is expansion of the district needed?  
- ☐ Yes ☐ No  
- Do existing lines serve the project site?  
- ☐ Yes ☐ No

_________________________________________________________________________________________________________

vii. Will the proposed action obtain water from an existing public water supply?  
If Yes:  
- Total anticipated water usage/demand per day: 49,240±* gallons/day  
- ☐ Yes ☐ No

vj. Total anticipated liquid waste generation per day:  
- ☐ Yes ☐ No

vi. If a new water supply district or service area is proposed to be formed to serve the project site?  
If Yes:  
- Applicant/sponsor for new district:  
- Date application submitted or anticipated:  
- Proposed source(s) of supply for new district:
- Purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):

v. If a public water supply will not be used, describe plans to provide water supply for the project:  

N/A

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity:  
N/A gallons/minute.

vii. Will the proposed action generate liquid wastes?  
If Yes:  
- Total anticipated liquid waste generation per day: 49,240± gallons/day  
- ☐ Yes ☐ No

viii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary waste

ix. Will the proposed action use any existing public wastewater treatment facilities?  
If Yes:  
- Name of wastewater treatment plant to be used: Yaphank Sewage Treatment Plant  
- Name of district: Yaphank County Center Sewer District #16  
- Does the existing wastewater treatment plant have capacity to serve the project?  
- ☐ Yes ☐ No  
- Is the project site in the existing district?  
- ☐ Yes ☐ No  
- Is expansion of the district needed?  
- ☐ Yes ☐ No

*The projected water usage of 49,240± gpd plus 7,161± gpd for irrigation between April and October. It is noted that the projected irrigation for the first year would be greater for the establishment of the proposed landscaped areas (i.e., an irrigation demand of 41,063± gpd/year based upon a volume of two inches of watering per week).

**The proposed action requires a 180±-foot water main extension and has received a letter of water availability from SCWA on May 17, 2022.

***The proposed action received Suffolk County Sewer Agency approval on October 5, 2022.
Connect proposed sanitary main to existing Yaphank Sewage Treatment Plant

| iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? |
|----------------------------------|----------------------------------|
| Yes ☐ No ☑ | Yes ☐ No ☑ |

If Yes:
- Applicant/sponsor for new district: ____________________________
- Date application submitted or anticipated: ________________________
- What is the receiving water for the wastewater discharge? ____________

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

| vi. Describe any plans or designs to capture, recycle or reuse liquid waste: |
|----------------------------------|----------------------------------|
| N/A | N/A |

| e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? |
|----------------------------------|----------------------------------|
| Yes ☐ No ☑ | Yes ☐ No ☑ |

If Yes:
- How much impervious surface will the project create in relation to total size of project parcel?
  - Square feet or 59.87± acres (impervious surface)
  - Square feet or 92.96± acres (parcel size)

- Describe types of new point sources:
  - Stormwater runoff collected via catch basins and piped to two recharge basins, on-site leaching pools, and one swale from surface and roof runoff.

- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
  - The proposed stormwater management system includes 8 drainage areas containing leaching pools, catch basins, 2 recharge basins, and one swale.

  - If to surface waters, identify receiving water bodies or wetlands: ____________________________
  - N/A

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

| iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? |
|----------------------------------|----------------------------------|
| Yes ☐ No ☑ | Yes ☐ No ☑ |

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:
- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
  - Trains, fleet and/or delivery vehicles

- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
  - Generators

- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
  - None proposed

| g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? |
|----------------------------------|----------------------------------|
| Yes ☐ No ☑ | Yes ☐ No ☑ |

If Yes:
- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☑ No

- In addition to emissions as calculated in the application, the project will generate:
  - _______ Tons/year (short tons) of Carbon Dioxide (CO₂)
  - _______ Tons/year (short tons) of Nitrous Oxide (N₂O)
  - _______ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - _______ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
  - _______ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - _______ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)
  - _______ Tons/year (short tons) of Hydrofluorocarbons (HFCs)
  - _______ Tons/year (short tons) of Carbon Dioxide equivalent of Perfluorocarbons (PFCs)
  - _______ Tons/year (short tons) of Nitrous Oxide (N₂O)
  - _______ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
  - _______ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - _______ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)
pursuant to §85-862 of the Town Code.

outside of Monday through Friday 8:00am to 5:00pm. Additionally, all lighting would be shielded so as not to flow onto adjacent and surrounding properties.

deliveries and pickups between the LIRR and the transloading buildings will be subject to the freight carriers availability and could therefore take place outside of Monday through Friday 6:00am to 5:00pm. Additionally, all lighting would be shielded so as not to flow onto adjacent and surrounding properties pursuant to §85-862 of the Town Code.

If Yes:

i. When is the peak traffic expected (Check all that apply): ☑ Morning ☑ Evening ☐ Weekend

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks):

223 vehicle trips total during the weekday morning and weekday evening peak hours. Type of trucks proposed are fleet and/or delivery vehicles.

iii. Parking spaces: Existing ______ Proposed ______ Net increase/decrease + 1,083

iv. Does the proposed action include any shared use parking?

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

Site access is proposed via one new right-in/right-out driveway along Express Drive South, in addition to the existing access from Sills Road.

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?

If Yes:

i. Estimate annual electricity demand during operation of the proposed action:

Buildings 1 and 2 would have a peak daily electric demand of 3,325 kWh.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

PSEG-LI

iii. Will the proposed action require a new, or an upgrade, to an existing substation?

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00am-6:00pm**
- Saturday: Not permitted**
- Sunday: Not permitted**
- Holidays: Not permitted**

ii. During Operations:

- Monday - Friday: See below***
- Saturday: See below***
- Sunday: See below***
- Holidays: See below***

* A Traffic Assessment Letter Report (dated June 2021, revised November 2022 and revised January 2023) has been prepared by Stonefield Engineering & Design LLC.

** Construction would only take place within the permitted hours pursuant to §50-6(B)(7) of the Town of Brookhaven Town Code - Noise Control.

*** It is anticipated the operations of the user would be Monday through Friday 8:00am to 5:00pm. Should the hours of operation extend beyond this timeframe, all operations would be compliant with the Town Noise Ordinance. Although the primary operations would occur as indicated above, railcar deliveries and pickups between the LIRR and the transloading buildings will be subject to the freight carriers availability and could therefore take place outside of Monday through Friday 6:00am to 5:00pm. Additionally, all lighting would be shielded so as not to flow onto adjacent and surrounding properties pursuant to §85-862 of the Town Code.
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  
☐ Yes ☐ No  
If yes:  
i. Provide details including sources, time of day and duration:

Temporary noise during construction would be expected. Construction would occur during non-sensitive hours (7:00am-6:00pm weekdays and none on weekends). There are no significant changes to noise expected from the proposed action. The 2017 VDEIS and 2017 Negative Declaration established no significant adverse impacts would result.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  
☐ Yes ☐ No  
Describe: 

n. Will the proposed action have outdoor lighting?  
☐ Yes ☐ No  

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
The proposed Lighting Plan includes exterior site lighting and wall-mounted fixtures. Exterior lighting would be full cut-off, dark sky compliant pole-mounted light fixtures at 30± feet in height and equipped with housing shields to direct light downward. The proposed wall-mounted light fixtures would be 41± to 52± tons per month* (unit of time).  
ii. Will the proposed action remove existing natural barriers that could act as a light barrier or screen?  
☐ Yes ☐ No  
Describe: 

o. Does the proposed action have the potential to produce odors for more than one hour per day?  
☐ Yes ☐ No  
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: 

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  
☐ Yes ☐ No  
If Yes:

i. Product(s) to be stored

ii. Volume(s) ________ per unit time ________ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  
☐ Yes ☐ No  
If Yes:

i. Describe proposed treatment(s):

All landscaped areas would be professionally maintained and consist of native and drought-tolerant species. Additionally, as required by the 2017 Negative Declaration, plantings for the recharge basins consists of species indicative of the Ecological Communities of New York State (ECNYS) Successional Old Field community. If pesticides are required; only registered pesticides would be used and applied by certified applicators. The application of these pesticides would be limited to the impacted areas and would not be spread across all of the landscaped areas.

ii. Will the proposed action use Integrated Pest Management Practices?  
☐ Yes ☐ No  

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  
☐ Yes ☐ No  
If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per TBD (unit of time)
- Operation: 41± to 52± tons per month* (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Recyclables to be disposed of in accordance with established regulations.
- Operation: Recyclables to be disposed of in accordance with established regulations.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Disposal of solid waste by private carter service at a licensed facility to be determined.
- Operation: Disposal of solid waste by private carter service at a licensed facility to be determined.

---

s. Does the proposed action include construction or modification of a solid waste management facility?  

□ Yes  ✔ No  
If Yes:  

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities):  

ii. Anticipated rate of disposal/processing:  
   • __________ Tons/month, if transfer or other non-combustion/thermal treatment, or  
   • __________ Tons/hour, if combustion or thermal treatment  

iii. If landfill, anticipated site life: ____________________ years


t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  

□ Yes  ✔ No  
If Yes:  

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:  

ii. Generally describe processes or activities involving hazardous wastes or constituents:  

iii. Specify amount to be handled or generated _____ tons/month  

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:  

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  

□ Yes  ✔ No  
If Yes: provide name and location of facility:  

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  

---

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.  

i. Check all uses that occur on, adjoining and near the project site.  

☐ Urban  ✔ Industrial  ☐ Commercial  ✔ Residential (suburban)  ☐ Rural (non-farm)  

☐ Forest  ✔ Agriculture  ☐ Aquatic  ✔ Other (specify): Vacant; Municipal (Correctional Facility); Recreational; Institutional  

ii. If mix of uses, generally describe:  

Surrounding land uses include industrial, agricultural, utilities, vacant, municipal, recreational, institutional and a transportation corridors (Express Drive South and I-495)

b. Land uses and covertypes on the project site.  

<table>
<thead>
<tr>
<th>Land use or Covertype</th>
<th>Current Acreage</th>
<th>Acreage After Project Completion</th>
<th>Change (Acres +/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, buildings, and other paved or impervious surfaces</td>
<td>0±</td>
<td>59.87±</td>
<td>+59.87±</td>
</tr>
<tr>
<td>Forested</td>
<td>6.60±</td>
<td>6.60±</td>
<td>0±</td>
</tr>
<tr>
<td>Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Agricultural (includes active orchards, field, greenhouse etc.)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Surface water features (lakes, ponds, streams, rivers, etc.)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Wetlands (freshwater or tidal)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-vegetated (bare rock, earth or fill)</td>
<td>86.36±</td>
<td>0±</td>
<td>-86.36±</td>
</tr>
<tr>
<td>Other Describe: Landscaping and recharge areas</td>
<td>0±</td>
<td>26.49±</td>
<td>+26.49±</td>
</tr>
</tbody>
</table>
c. Is the project site presently used by members of the community for public recreation?  
   i. If Yes: explain:
      ☐ Yes ☑ No

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  
   If Yes, 
   i. Identify Facilities:
      ____________________________________________________________
      ____________________________________________________________

  e. Does the project site contain an existing dam?  
     i. Dimensions of the dam and impoundment:
        • Dam height: __________________________ feet
        • Dam length: __________________________ feet
        • Surface area: __________________________ acres
        • Volume impounded: ________________________ gallons OR acre-feet
     ii. Dam's existing hazard classification:  
         ____________________________________________________________
     iii. Provide date and summarize results of last inspection:
         ____________________________________________________________
         ____________________________________________________________

  f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  
     If Yes: 
     i. Has the facility been formally closed?  
        ☐ Yes ☑ No 
        If yes, cite sources/documentation: __________________________________________
     ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
         ____________________________________________________________
         ____________________________________________________________
     iii. Describe any development constraints due to the prior solid waste activities:
         ____________________________________________________________
         ____________________________________________________________

  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  
     If Yes: 
     i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
         ____________________________________________________________
         ____________________________________________________________

  h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  
     If Yes: 
     i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:
        ☐ Yes – Spills Incidents database
        ☐ Yes – Environmental Site Remediation database
        ☐ Neither database
        Provide DEC ID number(s):
     ii. If site has been subject of RCRA corrective activities, describe control measures:
         ____________________________________________________________
         ____________________________________________________________
     iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  
        ☐ Yes ☑ No
        If yes, provide DEC ID number(s):
        ____________________________________________________________
     iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
        ____________________________________________________________
        ____________________________________________________________
v. Is the project site subject to an institutional control limiting property uses?  
   • If yes, DEC site ID number:  
   • Describe the type of institutional control (e.g., deed restriction or easement):  
   • Describe any use limitations:  
   • Describe any engineering controls:  
   • Will the project affect the institutional or engineering controls in place?  

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site?  
   1,400± feet below grade surface (bgs)

b. Are there bedrock outcroppings on the project site?  (Note: If Yes, what proportion of the site is comprised of bedrock outcroppings?)
   Riverhead sandy loam 0-3% slopes (RdA) 13.3± %
   Carver and Plymouth sands 15-35% slopes (CpE) 12.2± %
   Haven loam 0-2% slopes (HaA) 21.8± %
   Plymouth loamy coarse sand 0-3% slopes (PIA) 39.9± %
   
   d. What is the average depth to the water table on the project site?  
      Average:  
   
   e. Drainage status of project site soils:  
      Well Drained:  
      Moderately Well Drained:  
      Poorly Drained:  

f. Approximate proportion of proposed action site with slopes:  
   0-10%:  
   10-15%:  
   15% or greater:  

   g. Are there any unique geologic features on the project site?  
      If Yes, describe:  

   h. Surface water features.  
      i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  
      ii. Do any wetlands or other waterbodies adjoin the project site?  
      iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  

   iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
      • Streams:  
      • Lakes or Ponds:  
      • Wetlands:  

   v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  
      If yes, name of impaired water body/bodies and basis for listing as impaired:  

   h. Surface water features.  
      i. Is the project site in a designated Floodway?  
      j. Is the project site in the 100-year Floodplain?  
      k. Is the project site in the 500-year Floodplain?  

   l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  
      If Yes:
      i. Name of aquifer: Sole Source Aquifer Names: Nassau-Suffolk SSA

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m. Identify the predominant wildlife species that occupy or use the project site:

Species in suburban landscapes prefer open, early successional habitats and are tolerant of human activity expected. An ecological study was conducted as part of the August 2017 VDEIS that identified species present at the subject property. Wildlife on site included but were not limited to common birds, mammals and herpetofauna observed during the July 2016 survey and/or expected to be present on the site.

n. Does the project site contain a designated significant natural community? □ Yes □ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation):

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:
   • Currently: ______________________ acres
   • Following completion of project as proposed: ______________________ acres
   • Gain or loss (indicate + or -): ______________________ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?

   □ Yes □ No

If Yes:

i. Species and listing (endangered or threatened):

Northern Long-eared Bat and Eastern Box Turtle. No Northern Long-eared bats were observed. Two Eastern Box Turtles were observed during surveying and were relocated to the 62-acre Conservation Easement.

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?

   □ Yes □ No

If Yes:

i. CEA name:

ii. Basis for designation:

iii. Designating agency and date:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? □ Yes □ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present?

   □ Yes □ No

   i. If Yes: acreage(s) on project site?

   ii. Source(s) of soil rating(s):


c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?

   □ Yes □ No

If Yes:

i. Nature of the natural landmark: □ Biological Community □ Geological Feature

   ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

   __________________________________________________________

   __________________________________________________________


d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?

   □ Yes □ No

If Yes:

i. CEA name:

ii. Basis for designation:

iii. Designating agency and date:
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  
   - Yes ☐ No ☑  
   If Yes:  
   1. Nature of historic/archaeological resource: ☐ Archaeological Site  ☐ Historic Building or District  
   2. Name:  
   3. Brief description of attributes on which listing is based:  

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  
   - Yes ☐ No ☑  

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  
   - Yes ☑ No ☐  
   If Yes:  
   1. Identify resource: *See below  
   2. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): *See below  
   3. Distance between project and resource: *See below miles.  

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  
   - Yes ☐ No ☑  
   If Yes:  
   1. Identify the name of the river and its designation:  
   2. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  
      - Yes ☐ No ☑  

**F. Additional Information**  
Attach any additional information which may be needed to clarify your project.  

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.  

**G. Verification**  
I certify that the information provided is true to the best of my knowledge.  

Applicant/Sponsor Name Brookhaven Logistics Center, LLC Date November 18, 2022, Revised December 13, 2022  
Revised February 1, 2023  

Signature Rebecca R. Morrow, CFM  
P.W. Grosser Consulting, Inc. as environmental consultant to the Applicant  

Title Senior Environmental Planner, Project Manager  

*Scenic resources within 5 miles of the subject property include but are not limited to: Montauk Highway State Parkway Suffolk County, NY 1.7± miles; Carmans River State Scenic River Brookhaven, NY 2.4± miles; Wertheim National Wildlife Refuge National Wildlife Refuge 340 Smith Rd, Shirley, NY 2.81± miles; Longwood Pine Barrens State Forest State Forest Reserve Brookhaven, NY 4.37± miles.*
B. Government Approvals – List of Involved Agencies with Contact Names and Addresses (As Available)

Town of Brookhaven Town Board
Supervisor Edward P. Romaine
Town Hall
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Division of Planning, Environmental Protection and Engineering
James M. Tullo
Commissioner of Planning
Town of Brookhaven Division of Planning, Environmental Protection and Engineering
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Division of Stormwater
Veronica King
1 Independence Hill
Farmingville, NY 11738

Town of Brookhaven Building Department
Greg Brown
Building Permits Coordinator
Town Hall
1 Independence Hill
Farmingville, NY 11738

Suffolk County Water Authority
Attn: Lisa Cetta
New Construction
4060 Sunrise Highway, PO Box 38
Oakdale, NY 11769

Suffolk County Department of Health Services
Adrian Casillas
Division of Environmental Quality - Office of Wastewater Management
360 Yaphank Avenue, Suite 2C
Yaphank, NY 11908

Suffolk County Department of Public Works
John Berchtold
335 Yaphank Avenue
Yaphank, NY 11980

Long Island Power Authority
boardoftrustees@lipower.org

National Grid
Rudy Wynter
President – New York
175 East Old Country Road
Hicksville, NY 11801

**PSEG – Long Island**
PSEG Long Island Building and Renovation Services
[BRSLJ@pseg.com](mailto:BRSLJ@pseg.com)

**New York State Department of Transportation**
Olumuyiwa Fajolu
New York State Department of Transportation, Region 10
Traffic & Safety
250 Veterans Memorial Highway, Room 6A-7
Hauppauge, NY 11788

**Surface Transportation Board**
Martin Oberman
Chairman
395 E Street SW
Washington D.C 20424
Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

### 1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

**If “Yes”, answer questions a - j. If “No”, move on to Section 2.**

<table>
<thead>
<tr>
<th>Question</th>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may involve construction on land where depth to water table is less than 3 feet.</td>
<td>E2d</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may involve construction on slopes of 15% or greater.</td>
<td>E2f</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.</td>
<td>E2a</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.</td>
<td>D2a</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may involve construction that continues for more than one year or in multiple phases.</td>
<td>D1e</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).</td>
<td>D2e, D2q</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>g. The proposed action is, or may be, located within a Coastal Erosion hazard area.</td>
<td>B1i</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>h. Other impacts:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2. Impact on Geological Features
The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  
If “Yes”, answer questions a - c. If “No”, move on to Section 3.

<table>
<thead>
<tr>
<th>a. Identify the specific land form(s) attached: ________________________________</th>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>E2g</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: ________________________________</td>
<td>E3c</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>c. Other impacts: ________________________________</td>
<td></td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

3. Impacts on Surface Water
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  
If “Yes”, answer questions a - l. If “No”, move on to Section 4.

<table>
<thead>
<tr>
<th>a. The proposed action may create a new water body.</th>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D2b, D1h</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.</td>
<td>D2b</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.</td>
<td>D2a</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.</td>
<td>E2h</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.</td>
<td>D2a, D2h</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.</td>
<td>D2c</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).</td>
<td>D2d</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.</td>
<td>D2e</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.</td>
<td>E2h</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>j. The proposed action may involve the application of pesticides or herbicides in or around any water body.</td>
<td>D2q, E2h</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.</td>
<td>D1a, D2d</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>
4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If “Yes”, answer questions a - h. If “No”, move on to Section 5.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.</td>
<td>D2c ✔</td>
<td>□</td>
</tr>
<tr>
<td>b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.</td>
<td>D2c ✔</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action may allow or result in residential uses in areas without water and sewer services.</td>
<td>D1a, D2c ✔</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action may include or require wastewater discharged to groundwater.</td>
<td>D2d, E2l ✔</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.</td>
<td>D2c, E1f, E1g, E1h ✔</td>
<td>□</td>
</tr>
<tr>
<td>f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.</td>
<td>D2p, E2l ✔</td>
<td>□</td>
</tr>
<tr>
<td>g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.</td>
<td>E2h, D2q, E2l, D2c ✔</td>
<td>□</td>
</tr>
<tr>
<td>h. Other impacts: ___________________________________________________________</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

If “Yes”, answer questions a - g. If “No”, move on to Section 6.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may result in development in a designated floodway.</td>
<td>E2i ✔</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may result in development within a 100 year floodplain.</td>
<td>E2j ✔</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action may result in development within a 500 year floodplain.</td>
<td>E2k ✔</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action may result in, or require, modification of existing drainage patterns.</td>
<td>D2b, D2e ✔</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action may change flood water flows that contribute to flooding.</td>
<td>D2b, E2i, E2j, E2k ✔</td>
<td>□</td>
</tr>
<tr>
<td>f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?</td>
<td>E1e ✔</td>
<td>□</td>
</tr>
</tbody>
</table>
6. **Impacts on Air**

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g)

If “Yes”, answer questions a - f. If “No”, move on to Section 7.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
</table>
| a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:  
  i. More than 1000 tons/year of carbon dioxide (CO₂)  
  ii. More than 3.5 tons/year of nitrous oxide (N₂O)  
  iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)  
  iv. More than .045 tons/year of sulfur hexafluoride (SF₆)  
  v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions  
  vi. 43 tons/year or more of methane | D2g   |   |   |
| b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants. | D2g   |   |   |
| c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU’s per hour. | D2f, D2g   |   |   |
| d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above. | D2g   |   |   |
| e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour. | D2s   |   |   |
| f. Other impacts: ___________________________ |   |   | |

7. **Impact on Plants and Animals**

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If “Yes”, answer questions a - j. If “No”, move on to Section 8.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.</td>
<td>E2o</td>
<td></td>
</tr>
<tr>
<td>b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.</td>
<td>E2o</td>
<td></td>
</tr>
<tr>
<td>c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.</td>
<td>E2p</td>
<td></td>
</tr>
<tr>
<td>d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.</td>
<td>E2p</td>
<td></td>
</tr>
</tbody>
</table>
### Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

*If “Yes”, answer questions a - h. If “No”, move on to Section 9.*

<table>
<thead>
<tr>
<th>Question</th>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.</td>
<td>E2c, E3b</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).</td>
<td>E1a, Elb</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.</td>
<td>E3b</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.</td>
<td>E1b, E3a</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may disrupt or prevent installation of an agricultural land management system.</td>
<td>E1a, E1b</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.</td>
<td>C2c, C3, D2c, D2d</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>g. The proposed action may disrupt or prevent installation of an agricultural land management system.</td>
<td>E1a, E1b</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>h. Other impacts:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
9. **Impact on Aesthetic Resources**

   The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

   *If “Yes”, answer questions a - g. If “No”, go to Section 10.*

<table>
<thead>
<tr>
<th>Relevance of Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.</td>
<td>E3h</td>
<td>✔</td>
</tr>
<tr>
<td>b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.</td>
<td>E3h, C2b</td>
<td>✔</td>
</tr>
<tr>
<td>c. The proposed action may be visible from publicly accessible vantage points:</td>
<td>E3h</td>
<td>✔</td>
</tr>
<tr>
<td>1. Seasonally (e.g., screened by summer foliage, but visible during other seasons)</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>2. Year round</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. The situation or activity in which viewers are engaged while viewing the proposed action is:</td>
<td>E3h</td>
<td>✔</td>
</tr>
<tr>
<td>1. Routine travel by residents, including travel to and from work</td>
<td>E2q, E1c</td>
<td>✗</td>
</tr>
<tr>
<td>2. Recreational or tourism based activities</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.</td>
<td>E3h</td>
<td>✗</td>
</tr>
<tr>
<td>f. There are similar projects visible within the following distance of the proposed project:</td>
<td>D1a, E1a, D1f, D1g</td>
<td>✗</td>
</tr>
<tr>
<td>0-1/2 mile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>½ -3 mile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3-5 mile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5+ mile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Other impacts: ______________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10. **Impact on Historic and Archeological Resources**

   The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

   *If “Yes”, answer questions a - e. If “No”, go to Section 11.*

<table>
<thead>
<tr>
<th>Relevance of Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.</td>
<td>E3e</td>
<td></td>
</tr>
<tr>
<td>b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.</td>
<td>E3f</td>
<td></td>
</tr>
<tr>
<td>c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.</td>
<td>E3g</td>
<td></td>
</tr>
</tbody>
</table>

Source: ____________________________________________________________

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d. Other impacts: ______________________________________________________
   ______________________________________________________

If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:

i. The proposed action may result in the destruction or alteration of all or part of the site or property.
   E3e, E3g, E3f

ii. The proposed action may result in the alteration of the property’s setting or integrity.
   E3e, E3f, E3g, E1a, E1b

iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.
   E3e, E3f, E3g, E3h, C2, C3

11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If “Yes”, answer questions a - e. If “No”, go to Section 12.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may result in the loss of a current or future recreational resource.</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action may eliminate open space or recreational resource in an area with few such resources.</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action may result in loss of an area now used informally by the community as an open space resource.</td>
<td>✓</td>
<td>□</td>
</tr>
<tr>
<td>e. Other impacts: ______________________________________________________</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>

12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If “Yes”, answer questions a - c. If “No”, go to Section 13.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.</td>
<td>□</td>
<td>□</td>
</tr>
<tr>
<td>c. Other impacts: ______________________________________________________</td>
<td>□</td>
<td>□</td>
</tr>
</tbody>
</table>
### 13. Impact on Transportation
The proposed action may result in a change to existing transportation systems.  
(See Part 1. D.2.j)
If “Yes”, answer questions a - f. If “No”, go to Section 14.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Projected traffic increase may exceed capacity of existing road network.</td>
<td>D2j (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.</td>
<td>D2j (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>c. The proposed action will degrade existing transit access.</td>
<td>D2j (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>d. The proposed action will degrade existing pedestrian or bicycle accommodations.</td>
<td>D2j (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>e. The proposed action may alter the present pattern of movement of people or goods.</td>
<td>D2j (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>f. Other impacts: ____________________________________________________________</td>
<td>(☐)</td>
<td>(☐)</td>
</tr>
</tbody>
</table>

The proposed action may cause an increase in the use of any form of energy.  
(See Part 1. D.2.k)
If “Yes”, answer questions a - e. If “No”, go to Section 15.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action will require a new, or an upgrade to an existing, substation.</td>
<td>D2k (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.</td>
<td>D1f, D1q, D2k (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.</td>
<td>D2k (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.</td>
<td>D1g (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>e. Other Impacts: ____________________________________________________________</td>
<td>(☐)</td>
<td>(☐)</td>
</tr>
</tbody>
</table>

### 15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting.  
(See Part 1. D.2.m., n., and o.)
If “Yes”, answer questions a - f. If “No”, go to Section 16.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may produce sound above noise levels established by local regulation.</td>
<td>D2m (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.</td>
<td>D2m, E1d (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>c. The proposed action may result in routine odors for more than one hour per day.</td>
<td>D2o (✔)</td>
<td>(☐)</td>
</tr>
<tr>
<td>Impact on Human Health</td>
<td>Relevant Part I Question(s)</td>
<td>No, or small impact may occur</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.</td>
<td>E1d</td>
<td>☐</td>
</tr>
<tr>
<td>b. The site of the proposed action is currently undergoing remediation.</td>
<td>E1g, E1h</td>
<td>☐</td>
</tr>
<tr>
<td>c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.</td>
<td>E1g, E1h</td>
<td>☐</td>
</tr>
<tr>
<td>d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).</td>
<td>E1g, E1h</td>
<td>☐</td>
</tr>
<tr>
<td>e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.</td>
<td>E1g, E1h</td>
<td>☐</td>
</tr>
<tr>
<td>f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.</td>
<td>D2t</td>
<td>☐</td>
</tr>
<tr>
<td>g. The proposed action involves construction or modification of a solid waste management facility.</td>
<td>D2q, E1f</td>
<td>☐</td>
</tr>
<tr>
<td>h. The proposed action may result in the unearthing of solid or hazardous waste.</td>
<td>D2q, E1f</td>
<td>☐</td>
</tr>
<tr>
<td>i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.</td>
<td>D2r, D2s</td>
<td>☐</td>
</tr>
<tr>
<td>j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.</td>
<td>E1f, E1g, E1h</td>
<td>☐</td>
</tr>
<tr>
<td>k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.</td>
<td>E1f, E1g</td>
<td>☐</td>
</tr>
<tr>
<td>l. The proposed action may result in the release of contaminated leachate from the project site.</td>
<td>D2s, E1f, D2r</td>
<td>☐</td>
</tr>
<tr>
<td>m. Other impacts: ______________________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.)

If “Yes”, answer questions a - h. If “No”, go to Section 18.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).</td>
<td>C2, C3, D1a E1a, E1b</td>
<td>□</td>
</tr>
<tr>
<td>b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.</td>
<td>C2</td>
<td>□</td>
</tr>
<tr>
<td>c. The proposed action is inconsistent with local land use plans or zoning regulations.</td>
<td>C2, C2, C3</td>
<td>□</td>
</tr>
<tr>
<td>d. The proposed action is inconsistent with any County plans, or other regional land use plans.</td>
<td>C2, C2</td>
<td>□</td>
</tr>
<tr>
<td>e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.</td>
<td>C3, D1c, D1d, D1f, D1d, Elb</td>
<td>□</td>
</tr>
<tr>
<td>f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.</td>
<td>C4, D2c, D2d D2j</td>
<td>□</td>
</tr>
<tr>
<td>g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)</td>
<td>C2a</td>
<td>□</td>
</tr>
<tr>
<td>h. Other: _____________________________________________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3)

If “Yes”, answer questions a - g. If “No”, proceed to Part 3.

<table>
<thead>
<tr>
<th>Relevant Part I Question(s)</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.</td>
<td>E3e, E3f, E3g</td>
<td>✔</td>
</tr>
<tr>
<td>b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)</td>
<td>C4</td>
<td>✔</td>
</tr>
<tr>
<td>c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.</td>
<td>C2, C3, D1f D1g, E1a</td>
<td>✔</td>
</tr>
<tr>
<td>d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.</td>
<td>C2, E3</td>
<td>✔</td>
</tr>
<tr>
<td>e. The proposed action is inconsistent with the predominant architectural scale and character.</td>
<td>C2, C3</td>
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<tr>
<td>f. Proposed action is inconsistent with the character of the existing natural landscape.</td>
<td>C2, C3 E1a, E1b E2g, E2h</td>
<td>✔</td>
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<tr>
<td>g. Other impacts: _____________________________________________________________</td>
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PRINT FULL FORM
Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact.
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Please see the State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form Part 3 Reasoned Elaboration Memo to James M. Tullo, Commissioner, PELM, from Peter E. Fountaine, Pr. Environmental Analyst, Division of Environmental Protection, PELM, dated March 29, 2023.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ✔ Type 1     ☐ Unlisted
Identify portions of EAF completed for this Project: ✔ Part 1    ✔ Part 2    ✔ Part 3
Upon review of the information recorded on this EAF, as noted, plus this additional support information and considering both the magnitude and importance of each identified potential impact, it is the conclusion of

| 🎉 A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued. |
| 🎉 B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency: |

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

| ☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued. |

Name of Action: Brookhaven Logistics Center
Name of Lead Agency: Town Board of the Town of Brookhaven
Name of Responsible Officer in Lead Agency:
Title of Responsible Officer:
Signature of Responsible Officer in Lead Agency: ______________________ Date: ______________________
Signature of Preparer (if different from Responsible Officer) ______________________ Date: 3/29/23

For Further Information:
Contact Person: Peter E. Fountaine
Address: One Independence Hill, Farmingville, NY 11738
Telephone Number: 631-451-6455
E-mail: pfountaine@brookhaven.ny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:
Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
## SHEET INDEX

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### Site Notes

- **General:**
  - Construction activities must comply with all applicable regulations, permits, and guidelines. Project activities must be completed in a manner that minimizes disturbance to the environment and is consistent with the approved construction plan.
  - All construction activities shall be completed in a manner consistent with the approved construction plan, including proper placement of temporary site access roads.

- **Utilities:**
  - Prior to starting any other work on the site, the contractor shall notify appropriate utility companies and provide them with a copy of the approved construction plan.
  - All utility lines and services shall be marked prior to construction.

- **Surveys:**
  - Survey data shall be used for the purpose of locating utility lines, preparing construction plans, and for construction purposes.

- **Logistics:**
  - Site contractor shall furnish concrete encasement of duct banks if required by the utility company and as indicated on the drawings.

- **Parking:**
  - Parking totals shall be determined based on the approved construction plan.

---

### Elevation

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### Utilities Legend

- **Existing:**
  - Utility features marked with solid lines.

- **Proposed:**
  - Utility features marked with dashed lines.

- **Notes:**
  - Any additional information or notes related to the utilities.

---

### Survey Information

- **Surveyor:** PW Grosser Consulting Engineers

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### Civil Site Notes

- **General:**
  - Site contractor shall control stormwater runoff during construction to prevent adverse impacts.

- **Utilities:**
  - Utility pipe materials shall be as follows, unless otherwise noted on the plan:

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<th>Material</th>
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<tr>
<td>Sewer</td>
<td>PVC</td>
</tr>
<tr>
<td>Gas</td>
<td>PVC</td>
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</table>

- **Parking:**
  - Parking totals shall be determined based on the approved construction plan.

---

### Property Information - Zoning

- **Property:**
  - General Description: Commercial
  - Zoning: General Business

---

### Loading Docks

- **Trans-Load Building 1:**
  - Dimensions: 100' x 100'
  - Door Size: 40' x 40'
  - Lift Capacity: 50,000 lbs

---

### Civil Site Notes

- **General:**
  - Construction site plans and specifications shall be used for the purpose of locating utility lines, preparing construction plans, and for construction purposes.

- **Utilities:**
  - Utility lines shall be marked prior to construction.

- **Parking:**
  - Parking totals shall be determined based on the approved construction plan.

---

###几何和排水图例

- **现有:**
  - 工程图例标记为实线。

- **规划:**
  - 工程图例标记为虚线。

- **注释:**
  - 任何与工程图例相关的额外信息或注释。

---

### 区域和财产图例

- **地面线:**
  - 现有线标记为实线。

- **规划:**
  - 规划线标记为虚线。

- **注释:**
  - 任何与区域和财产图例相关的额外信息或注释。

---

### 停车图例

- **现有:**
  - 停车位标记为实线。

- **规划:**
  - 停车位标记为虚线。

- **注释:**
  - 任何与停车位相关的额外信息或注释。

---

### 道路和财产图例

- **现有:**
  - 道路线标记为实线。

- **规划:**
  - 道路线标记为虚线。

- **注释:**
  - 任何与道路和财产图例相关的额外信息或注释。

---

### 坡度和排水图例

- **现有:**
  - 坡度和排水线标记为实线。

- **规划:**
  - 坡度和排水线标记为虚线。

- **注释:**
  - 任何与坡度和排水图例相关的额外信息或注释。

---

### 清单及备注

- **清单:**
  - 工程清单的相应部分。

- **备注:**
  - 任何与工程清单相关的额外信息或备注。
Lead Agency: The Town Board of the Town of Brookhaven
One Independence Hill
Farmingville, NY 11738

Title of Action: Proposed Brookhaven Rail Terminal (BRT) Expansion

Applicant: Brookhaven Rail LLC f/k/a U.S. Rail New York LLC
Brookhaven Terminal Operations
205 Sills Road
Yaphank, New York 11980

SEQRA Status: Type I

Project: Administrative SEQRA/Plan Review in accordance with the March 17, 2016 Stipulation of Settlement

Location: Brookhaven Logistics Center, LLC
Parcels B and C (92.96-acres)
S/s Express Drive South, E/s of Sills Road (County Road 101), N/o the Ronkonkoma-to-Greenport Line of the Long Island Railroad (LIRR), and approximately 2,000 feet W/o Yaphank Avenue (County Road 21), Yaphank

SCTM #: Numerous tax parcels on the Suffolk County Tax Map Section 663, 664, 704, and 705, bounded on the north by the LIE South Service Road and on the south by the LIRR. See attached Property Tax Map List.

This notice is issued pursuant to the United States District Court Eastern District of New York, Case Number 2:14-cv-02286, ordered stipulation to complete Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

Description of Action:
In accordance with the 2016 Stipulation, the Current Proposed Development Plan is to develop Parcels B and C with transloading warehouse and distribution buildings in accordance with the 2016 Stipulation and 2022 Development Agreement and is therefore, subject to administrative site plan review. The Current Proposed Development Plan includes a rail spur extension for two (2) proposed transloading buildings on Parcels B and C.

The proposed Building 1 is 585,071± square feet (SF) and Building 2 is 650,900± SF. Building 1 would be positioned within the northern portion of the parcels closer towards Express Drive South and Building 2 would be positioned within the southern portion of the parcels closer towards the LIRR rail line. The development plan includes a rail spur extension for the proposed transloading buildings on Parcels B and C. Approximately 7,906 linear feet of rail track would serve the two (2) transloading buildings and would connect to the LIRR Line along the southern boundary of both parcels. The rail would extend along the eastern boundary of Parcel C. Track would be installed midway between Buildings 1 and 2 and extend along the north side of Building 2, parallel to the northern loading docks.
As part of the proposed action, perimeter landscaping would be installed on Parcels B and C, and existing vegetated and forested areas would be retained. A buffer of evergreen vegetation will be installed, as prescribed by the Town of Brookhaven, along the boundary of the LIE. Landscaped islands would also be installed within the proposed automobile parking areas. In accordance with the 2017 Negative Declaration, approximately 20± acres (19.39± acres were required) of Pitch Pine Oak Forest on Parcels B and C would be preserved.

The proposed drainage includes two recharge basins, which would be created near the northern boundary of Parcels B and C. The proposed drainage plan and methods to accommodate and recharge stormwater are consistent with the 2017 VDEIS (i.e., recharge basins, leaching pools, catch basins).

**Reasons Supporting Determination:**
The prior BRT proposal was the subject of a comprehensive Voluntary Draft Environmental Impact Statement, prepared in 2017 (hereinafter the “2017 VDEIS”). That SEQR process culminated in the adoption of a Negative Declaration by the Town of Brookhaven Town Board on September 14, 2017 (hereinafter the “2017 Negative Declaration”). The 2017 VDEIS set forth the existing conditions of the approximately 350 acres of which Parcels B and C (the subject of the instant SEQR process) are a part, evaluated the potential significant adverse impacts associated with implementation of the prior BRT proposal, and identified mitigation measures for those impacts identified as significant and adverse. The 2017 VDEIS also evaluated alternatives to the prior BRT proposal. The SEQR compliance activities for the BRT proposal and those associated with the current proposed action are required to conform to the requirements of the March 17, 2016 Stipulation of Settlement (herein after the “Stipulation”).

**Pursuant to the Stipulation:**
“The [SEQRA] review and approval process for the Railway Expansion shall proceed before the Town Board on an expedited basis under an established and agreed upon process and procedure complying with the Administrative SEQRA/Plan Review process and Applicable Town Code Provision application to resolution of litigated environmental matters, and without public hearings.”

The proposed action is considered a Type I action and coordinated to interested and involved agencies on February 22, 2023 to satisfy the SEQRA requirements for the establishment of Lead Agency. Comments were received from the Suffolk County Water Authority and the Town’s court appointed consultant, VHB.

As explained previously, the Town of Brookhaven Town Board issued a Negative Declaration after review of the 2017 VDEIS. As set forth below, the current proposed development of Parcels B and C is substantively consistent with the aforesaid 2017 Negative Declaration, as follows.

**Soils and Topography:**
In accordance with the Stipulation, the proposed grading process would re-use native soil onsite for fill purposes to the maximum extent feasible, with the goal of minimizing the need to export native sand or import fill materials. The 2017 VDEIS proposed 960,000± to 1,150,000± cubic yards (cy) of material to be cut and removed from Parcels B and C. The current grading plan for Parcels B and C indicates that approximately 52,000 cy of material will be taken from Parcel D to facilitate development of Parcels B and C. As the current development plan would result in no net cut in material and only approximately 52,000 cy of material would be transported from
Parcel D, the proposed development of Parcels B and C would have lesser impacts than those considered in the 2017 Negative Declaration.

- Consistent with the 2017 Negative Declaration, the following erosion and sediment control measures will be implemented:
  - Construction fencing will be installed along the limits of the clearing and grading areas. Specifically, silt fencing with orange safety construction fencing to extend 24 inches above the silt fence to ensure no disturbance occurs on the 6.6± acres of area to remain will be utilized.
  - Existing vegetation to remain will be protected during construction.
  - Sediment barriers will be installed in critical areas.
  - Stabilized construction entrances will be installed and maintained.
  - Clearing and grading will be scheduled to minimize size of exposed areas and the length of time areas are exposed.
  - Cleared areas and stockpiles have been kept stabilized following the tree clearing on Parcels B and C. Parcels B and C were cleared pursuant to tree clearing permits issued by the Town of Brookhaven on January 25, 2022.
  - Dust control will be instituted to prevent surface and air movement of dust from areas of soil disturbance.
  - Drainage inlets will be protected using sediment barriers and traps as required.
  - Erosion control measures will remain in place until disturbed areas are permanently stabilized.

- Based on the Current Proposed Development Plan for Parcels B and C, the green space to be provided exceeds the 19.39±-acre requirement of the 2017 Negative Declaration.

- The installation of vegetated and pervious areas throughout Parcels B and C was chosen to accommodate stormwater runoff in lieu of pervious concrete due to constructability constraints. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.

- VHB completed on-site observations during grading and excavation activities of the asphalt milling surfacing where cars damaged by Superstorm Sandy had been stored on the northwest portion of Parcel C. VHB observed re-grading and cutting had advanced in all directions on Parcel C and that asphalt milling stockpiles were present in the northern portion of Parcels B and C. The car storage area was removed as part of this. All actions taken were in accordance with NYSDEC regulations. Accordingly, this item of the 2017 Negative Declaration has been addressed.

**Ecological Resources:**

- The 20± acres of green space to be provided on Parcels B and C is consistent with the measures specified in the 2017 Negative Declaration to preserve at least 19.39± acres of Pitch Pine Oak Forest, including the preservation of the existing forest along the eastern boundary of Parcel C and the southern boundary of Parcels B and C. The eastern boundary of Parcel C would include a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields’ outer boundaries.
Tree clearing on Parcels B and C was completed between January 19, 2022 and February 24, 2022 pursuant to the permits issued by the Town of Brookhaven on January 25, 2022. Wildlife sweeps were conducted prior to tree clearing and observed eastern box turtles were relocated, in accordance with the 2017 Negative Declaration.

To avoid potential adverse impacts to northern-long eared bat, the 2017 Negative Declaration identified a “window” of November 1 through March 31 within which tree clearing would be allowed. This timeframe was consistent with the NYSDEC regulatory window in effect at the time the 2017 Negative Declaration was adopted. This regulatory window was subsequently amended by NYSDEC to the period between December 1 and February 28 in Suffolk County. The tree clearing was completed between January 19, 2022 and February 24, 2022 in accordance with the NYSDEC restrictions.

The tree clearing did not adversely affect Wild Indigo observed within the LIPA property, assets, and easements. Wild Indigo is proposed to be planted along the LIPA easement and southern boundary of the subject property.

Water Resources:

- Pursuant to the 2017 Negative Declaration, Parcels B and C will be connected to the Yaphank County Center STP. On June 21, 2021, Suffolk County Sewer Agency approved the connection of the Current Proposed Development Plan for Parcels B and C for a sanitary flow of 49,240± gpd.

- The proposed plan does not increase the proposed development density of Parcels B and C, or the associated rate of sewage generation from these parcels from that addressed in the 2017 Negative Declaration and will comply with the applicable requirements of Article 6 of the Suffolk County Sanitary Code.

- The 2017 Negative Declaration discussed utilizing two drainage reserves on Parcels B and C to be planted with and/or colonized by herbaceous plants and shrubs representative of the ECNYS Successional Old Field community. The proposed drainage program for Parcels B and C have been modified to include two recharge basins in the northeast and northwest corners of the parcels. The landscaping plan notes the following species to be planted in the recharge basins: Sweet Vernal Grass (Anthoxanthum odoratum), Orchard Grass (Dactylis glomerata), Common Chickweed (Cerastium arvense), Common Evening Primrose (Oenothera biennis), Old-Field Cinquefoil (Potentilla simplex), Calico Aster (Aster/Asteriflorns), and New England Aster (Aster novae-angliae) The proposed design will manage stormwater runoff from the proposed development on Parcels B and C.

- Pursuant to the 2017 Negative Declaration, the drainage and erosion and sediment control plans will protect groundwater resources and facilitate stormwater recharge. Erosion and sediment control measures to be implemented will include sediment control, silt fence, construction road stabilization, concrete washout, soil stockpile with wire fencing, filter fabric drop inlet protection, stabilized construction entrance, temporary topsoil, fertilizer, seed, and mulch for stabilization, and temporary tree fencing.

- The 2017 Negative Declaration indicated pervious concrete should be used to the maximum extent practicable to promote the recharge of stormwater. However, it was determined the use of pervious concrete for proposed sidewalks and ADA access ramps would not be structurally feasible. Concrete would be used for all sidewalks and access
ramps. In lieu of permeable concrete, the proposed development area on Parcels B and C includes the installation of vegetated and pervious areas throughout the parcels to accommodate stormwater runoff. The recharge basin areas would be naturally vegetated to accommodate stormwater runoff.

- A SWPPP waiver was received from the Town of Brookhaven on October 5, 2022 for the Current Proposed Development Plan for Parcels B and C.

- Pursuant to the 2017 Negative Declaration, consultations with the SCWA were undertaken, and a water connection letter was received May 17, 2022. Water service would be connected to the existing water main in Sills Road. A signed Service Application and Agreement for a Commercial Property In a Delimited Area between SCWA and Brookhaven Logistics Center, LLC was executed on July 6, 2022.

- The handling and storage of hazardous materials is not anticipated.

**Land Use, Zoning and Community Character:**

- The buildings proposed on Parcels B and C are similar to those contemplated in the 2017 Negative Declaration and would not adversely affect the overall character of the site and surrounding properties.

- The use of the property for transloading and rail support purposes would continue to advance the goals identified in various County and regional comprehensive and/or strategic development plans, including: The Strategic Economic Development Plan for Long Island 2016 Update, Plan 2040: A Shared Vision for Sustainable Growth, the Suffolk County Comprehensive Master Plan 2035, and the Long Island 2035 Regional Comprehensive Plan.

**Transportation:**

- Site access for Parcels B and C is proposed via one (1) right-in/right-out driveway along Express Drive South as well as an emergency access ingress and egress road in the northeast corner of Parcel C.

- With respect to traffic, the applicant has indicated that the buildings are being designed for transloading and that the applicant would comply with the Stipulation and the site utilization and traffic assumptions set forth in the 2017 VDEIS.

- The 2017 Negative Declaration proposed an underpass to connect Parcels B and C with Parcel D, which is no longer proposed. The current proposed action will provide turnout from the LIRR rail line, which the applicant asserts is a more efficient means of access, and will result in significantly less material being removed from Parcels B and C.

**Socioeconomics:**

- Consistent with the 2017 Negative Declaration, all assumed economic benefits associated with the prior BRT proposal (i.e., expanded employment opportunities during both construction and operation; increased tax revenues to the Town, County, and other jurisdictions; and enhanced building material supplies to support the local construction industry) would be realized as part of this proposed action.

**Community Facilities and Services:**
In accordance with the 2017 Negative Declaration, on-site security would be provided, and adequate exterior lighting would be provided throughout the subject property for security purposes on Parcels B and C. Also, future buildings would be constructed in compliance with the latest National Fire Protection Association Codes and Standards, and the project sponsor will consult with the Yaphank Fire Department regarding the placement of fire hydrants.

In accordance with the 2017 Negative Declaration, one new roadway connection would be created along the Long Island Expressway South Service Road to the north for Parcels B and C as well as an easement to be established along the northern portion of the LIPA property (east of Parcel A) to allow for circulation within Parcels A, B and C. An emergency access ingress and egress road would be constructed at the northeast corner of Parcel C.

Air Quality:
- The applicant has indicated that it would comply with the assumptions regarding the development of transloading buildings and rail support structures. Compliance with these assumptions and the 2017 Negative Declaration would yield the regional air quality benefits identified in the 2017 VDEIS as truck deliveries, with their associated air emissions, would be replaced with rail transportation.

- In accordance with the 2017 Negative Declaration, all mitigation measures presented would be implemented for the development of Parcels B and C (i.e., use of antifreeze in locomotives to reduce idling on cold days, use environmentally friendly switching locomotives to move cars, proper emission controls for construction vehicles, limit idling of construction vehicles and on-site equipment during operations, and dust control during construction).

Aesthetics, Community Character, and Visual Resources:
- In accordance with the 2017 Negative Declaration, the eastern boundary of Parcel C will contain a 75-foot-wide vegetated buffer between the proposed construction and the western boundary of the Suffolk County farm fields. The vegetated buffer would create a physical and visual buffer between the farm and the proposed construction and allowing for the continuation of the tree lines that currently mark the fields’ outer boundaries.

- The Current Proposed Development Plan for Parcels B and C includes a proposed retaining wall along the southern, western, and eastern boundaries of Parcels B and C which would reduce visibility of operations. In addition, the applicant has agreed to install evergreen plantings along the boundary with the LIE South Service Road to minimize visual impacts along the LIE. The proposed landscaping and lighting program for Parcels B and C would minimize potential local visual and aesthetic impacts.

The Proposed Action would result in a net positive impact for the numerous taxing districts, including Suffolk County, the Town of Brookhaven, Longwood Central School District, and South Country Central School District. The proposed action is anticipated to generate a combined total of $5,912,030 in annual property taxes, which is more than $5 million greater than the current taxes generated by development of the proposed action. The proposed action is expected to create approximately 650 new permanent jobs, as well as 579 short-term jobs per year during construction. Furthermore, the proposed action is anticipated to result in indirect economic growth to the surrounding area.
The industrial nature of the proposed action will be consistent with various other development near the subject property, as well as the zoning of the subject property. The proposed action will also be consistent with various Comprehensive Plans and other planning documents, and in many cases, will help to achieve planning goals such as, the increased use of freight rail, reduction of traffic and emissions from 40,000 trucks annually, industrial development along the LIE, economic growth, and sustainable transportation. The proposed action is not expected to have a significant adverse impact on socioeconomics or significant cumulative impacts from the BRT expansion and other pending projects in the immediate area. While environmental impacts will occur as a result of the proposed activity, no significant impact is expected to occur to: air, land, aesthetics, ground water, surface water, wetlands, cultural, open space, recreational, transportation or energy resources.

Review of the Full Environmental Assessment Forms Parts 1, 2, and 3, the criteria contained in Section 617.7, the application materials, aerial photographs, cultural resource maps, environmental assessments, and other supporting information including the 2017 Voluntary Draft Environmental Impact Statement (VDEIS), the September 14, 2017 SEQRA Negative Declaration, 2023 application materials, the 2016 So-Ordered Stipulation of Settlement, February 16, 2021 letter from the Town of Brookhaven, New York State Department of Environmental Conservation (NYSDEC) Supplemental Report, prepared by PW Grosser Consulting, dated November 2022, revised on December 2022, and February 2023 with appendices that identifies relevant areas of environmental concern find that this action is not anticipated to have a significant adverse impact upon the environment.

Review Agency: The Town Board of the Town of Brookhaven, as Lead Agency for the action contemplated herein, and after due deliberation, review, and analysis of the so-ordered stipulation of settlement, the VDEIS/EAF, supporting information, recommendations and conclusions of Comprehensive Plans and other planning documents, and the criteria set forth in 6 NYCRR § 617.7 determines that the proposed action will not result in significant impacts to the environment.

Review Agency: The Town Board of the Town of Brookhaven
Contact Person: Peter E. Fountaine, Division of Environmental Protection
Address: One Independence Hill, Farmingville, NY 11738
Phone: (631) 451-6455

Copies of this notice sent to:

ENB
Veronica King, Stormwater Manager, Town of Brookhaven Highway Department
Greg Brown, Building Permits Coordinator, Town of Brookhaven Building Department
Lisa Cetta, Manager of New Construction, Suffolk County Water Authority
Adrian Casillas, Assistant Public Health Engineer, Suffolk County Department of Health Services
John Berchtold, Associate Civil Engineer, Suffolk County Department of Public Works
Mark Fischl, Vice Chair, Long Island Power Authority Board of Trustees
Rudolph Wynter, President, National Grid New York
PSEG Long Island Building and Renovation Services
Olumuyiwa Fajolu, Traffic Operation and Safety Supervisor, New York State Department of Transportation
Martin Oberman, Chairman, Surface Transportation Board
Lisa M.G. Mulligan, CEO Brookhaven Industrial Development Agency
Applicant: Brookhaven Rail LLC f/k/a U.S. Rail New York LLC
This determination is not authorized and complete until signed and dated as follows:

____________________________________________________
Brookhaven Town Clerk

Date Resolution Adopted: ________________________________