

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

FINDING OF NO SIGNIFICANT IMPACT

Project: Wyandanch Intermodal Transit Facility

Applicant: Town of Babylon

Project Location: Wyandanch, Town of Babylon, Suffolk County, NY

I. INTRODUCTION AND PROJECT IDENTIFICATION

The Town of Babylon (i.e. the Town) proposes to construct the Wyandanch Intermodal Transit Facility in Wyandanch, Town of Babylon, Suffolk County, NY. Based on the *Wyandanch Intermodal Transit Facility Environmental Assessment* dated July 2010 (the EA), prepared in compliance with the *National Environmental Policy Act* of 1969 as amended (NEPA) (42 U.S.C. Section 4321 et. seq.) and Federal Transit Administration’s implementing regulations (23 CFR Part 771), the Federal Transit Administration (FTA) finds, in accordance with 23 CFR Section 771.121, that the Wyandanch Intermodal Transit Facility (hereinafter referred to as “the Project”), will result in no significant impact on the environment.

The EA was also prepared in accordance with Section 106 of the *National Historic Preservation Act* of 1966, as amended; Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”; and other applicable federal statutes, rules, and regulations. The Project does not involve use of any existing public park, recreation area, wildlife or waterfowl refuge, or historic resource; therefore, an evaluation of the Project under Section 4(f) of the *U.S. Department of Transportation Act* of 1966 was not required.

It should be noted that some analysis contained in the Findings section of this FONSI – specifically under section “11. Natural Resources” – was inadvertently not contained in the final EA. This analysis is contained in the *Technical Memorandum* dated July 12, 2010 to the Town of Babylon, available on the Town of Babylon’s website (<http://www.townofbabylon.com/>), and incorporated by reference herein.

The Project includes seven components: 1) a new structured parking garage, 2) new public open space with new and relocated bus stops, 3) a drop-off and pick-up area, 4) a new street network to provide access to these facilities, 5) off-site roadway and streetscape improvements along Straight Path, 6) drainage improvements, and 7) the installation of signage and wayfinding elements.

The Project is located in downtown Wyandanch adjacent to the Metropolitan Transportation Authority (MTA) Long Island Rail Road (LIRR) Wyandanch station. The Project is located on a site encompassing an approximately 13.9-acre area (Project Site) located immediately north of the LIRR tracks on the east side of Straight Path.

II. BACKGROUND

The Wyandanch Intermodal Transit Facility Project is the result of an extensive community-based revitalization process. The Town of Babylon began the process in 2002 with development of a comprehensive plan for Wyandanch, called *Wyandanch Rising* (i.e., the Wyandanch Hamlet Plan), which was adopted in 2004. In 2008, as part of the overall revitalization effort for

downtown Wyandanch, the Town of Babylon designated an area along both sides of Straight Path in downtown Wyandanch, including the Project Site, as an Urban Renewal Area. In June 2008, the Town completed a feasibility study funded by FTA for development of a transit facility at the Wyandanch train station—*Wyandanch Intermodal Transit Facility Feasibility Study* (June 2008). The study included recommendations for a community-based transit plan, new structured parking, a new transit facility, downtown revitalization, enhanced pedestrian safety, and creation of public spaces. The Town of Babylon’s *Final Wyandanch Downtown Revitalization Plan*, completed in May 2009, set forth the *Urban Renewal Plan* for the downtown Wyandanch Urban Renewal Area, and recommended construction of an intermodal transit center near the Wyandanch station, and creation of a new street grid to create parcels with a shape and size conducive for development and to provide access to the proposed intermodal transit facility. The Project is one element of the Town’s *Revitalization Plan*.

III. PURPOSE AND NEED

The Project has multiple purposes, all related to transportation and revitalizing downtown Wyandanch as a component of a larger downtown revitalization strategy that has been initiated by the Town of Babylon. These purposes include the following: 1) providing additional parking capacity for LIRR commuters; 2) consolidating parking to allow additional, non-parking-related transit-oriented development near the LIRR Wyandanch station; 3) creating an intermodal hub that provides an opportunity for connections between the various modes of transportation, including taxis, vehicles, pedestrian, bus, and rail and provide a downtown destination; 4) encouraging redevelopment and investment in the vicinity of the Project Site through a strategic street network that allows for adequately sized development parcels and that will serve the proposed intermodal transit facility by providing improved traffic circulation; and 5) improving physical, aesthetic, and safety conditions along the Straight Path corridor and within downtown Wyandanch. These actions, together with the Town’s other planning efforts, will help to stimulate economic redevelopment within downtown Wyandanch.

The need for the Project is demonstrated by the following factors: overcrowded parking lots, increased LIRR and Suffolk County Transit ridership, no central transit collector location, poor vehicular and pedestrian safety, and lack of investment in the area. Collectively, these factors have led the Town to consider the development of the Project with the intermodal facility at the core.

IV. PROJECT ALTERNATIVES

The EA reviewed two alternatives: the Preferred Alternative, i.e. the proposed Wyandanch Intermodal Transit Facility, and the No Action Alternative.

PREFERRED ALTERNATIVE

The Preferred Alternative – referred to in this Finding of No Significant Impact (FONSI) as “the Project” – consists of the construction of a new intermodal transit facility on Suffolk County Tax Lots 40-2-11, 40-2-12, and 40-2-14 (refer to the Project Site Tax Map in Figure 2-1 of the EA). The properties are located immediately north of the LIRR tracks. The Project Site also includes a portion of Acorn Street, which is owned by the Town of Babylon, and a portion of a lot (Suffolk County Tax Lot 40-2-13) owned by the MTA that includes the LIRR Wyandanch station and an existing commuter parking lot. The Town of Babylon is currently working on and will enter into a permanent agreement with the MTA regarding the long-term use of this property.

The Preferred Alternative consists of seven components:

1. Construction of a new structured parking garage on the Project Site, with approximately 2,000 spaces on six levels including the roof, to accommodate commuters at the LIRR Wyandanch station.
2. Construction of a plaza area on the Project Site at the LIRR Wyandanch station to provide public open space at the intermodal transit facility as well as a new bus pull-out (a dedicated curbside bus lane, out of the moving traffic lane) on Straight Path, just south of the intersection with Acorn Street, along the western edge of the plaza.
3. Establishment of a drop-off and pick-up area on the Project Site along Acorn Street to serve commuters and taxis.
4. Creation of a new street network adjacent to the Project Site. This street network will provide access to the intermodal facility and future access to and connections with development to be implemented as part of the build-out of the Town of Babylon's *Wyandanch Downtown Revitalization Plan* (May 2009).
5. Implementation of roadway and streetscape improvements to Straight Path between the LIRR tracks and Nicolls Road, to increase safety for commuters traveling to and from the new intermodal facility, and safety for bus passengers on routes using Straight Path.
6. Implementation of drainage improvements on the Project Site and along Straight Path, which include leaching basins and vegetative plantings, to handle storm water.
7. Installation of signage and way finding on and off the Project Site to make navigation to the train station and intermodal facility easier.

The specific Project components related to the new street network and improvements to Straight Path are as follows:

- a. Relocation of the intersection of Acorn Street and Straight Path away from the railroad crossing;
- b. Realignment of Acorn Street to the north to provide safer operations in the vicinity of the railroad tracks;
- c. Realignment of the Acorn intersection by meeting Straight Path at a right angle, rather than a 45-degree angle as in the current condition;
- d. Signalization of the Acorn/Straight Path intersection opposite N. 12th Street;
- e. Modification along Straight Path between approximately Long Island Avenue and Nicolls Road within the existing curb lines to provide 10-foot moving lanes and 8-foot parking lanes, in order to slow traffic and provide safer vehicle and pedestrian conditions, with plan to have the southbound direction be one lane in this area, and physical separation of left-turn bays (where left turn lanes are required and allowed);
- f. Installation of curb extensions at areas near the train station where high pedestrian volumes are anticipated (e.g. between the pedestrian entrance to the parking garage and the plaza and train station platform); and
- g. Removal of the existing traffic signal at Straight Path and Merritt Avenue, and installation of new traffic signals along Straight Path at Washington Avenue and the realigned Acorn Street.

The Project elements above have been discussed with and approved by the relevant Suffolk County agencies, as noted below.

NO ACTION ALTERNATIVE

Under the No Action Alternative, the Wyandanch Intermodal Transit Facility Project would not be constructed. The existing structures on the Project Site would likely remain, with the remainder of the site continuing to be used as free and uncoordinated surface parking for the LIRR Wyandanch station; no new street network would be developed; Straight Path would continue to be a high-speed, heavily traveled roadway that does not encourage pedestrian or bicycle traffic or promote safety; and downtown Wyandanch would continue to function in its degraded condition with no distinct hamlet center to focus redevelopment opportunities.

Under the No Action Alternative, the Project Site would remain under current ownership. The commercial strip would continue to be leased to commercial tenants or, in some cases, would remain vacant.

The No Action Alternative assumes that future background conditions will occur independently of the Project. According to the Town, there are no major development projects in the vicinity of the Project Site planned for completion by 2012, aside from the relocation of the Martin Luther King Jr. Community Health Center, which currently sits on the southwest corner of Straight Path and Long Island Avenue.

V. PUBLIC OUTREACH AND AGENCY COORDINATION

Notice of availability for the EA was published in *Newsday*, a newspaper with headquarters in Melville, NY, on July 26, 2010 and the 30-day review period ended on August 24, 2010. The EA was available for review in three locations: 1) Town of Babylon Town Hall, 2) FTA Region 2 office, and 3) online at <http://www.townofbabylon.com/whatsnew.cfm>. During the public comment period no comments on the draft EA were received from the public or any interested or involved agencies.

Local agencies and interested parties have been consulted as part of the Project's public outreach and agency coordination process. The Town has met with the Suffolk County Department of Public Works to discuss the potential traffic impacts of the Project and gain approval of proposed design changes to Straight Path, which is a county road. The Town of Babylon has also discussed the proposed relocation of bus stops with Suffolk County Transit, which has indicated support of the proposed modifications at a project review meeting held at Babylon Town Hall on January 19, 2010 with the Suffolk County Department of Public Works Commissioner, Town of Babylon staff and Suffolk County Transportation staff. There were also several other follow-up meetings that included Town staff and consultants with Suffolk County staff between February and July 2010. Suffolk County Transit will need to review and approve final plans and design drawings for relocation of the existing bus stop and the construction of the new bus pull-out lane adjacent to the Project plaza, prior to the implementation of these improvements. In addition, FTA and the Town have completed consultation with the State Historic Preservation Office (SHPO) at the New York State Office of Parks, Recreation and Historic Preservation, which includes a review of effects on historic resources under Section 106 of the *National Historic Preservation Act*.

In addition, the Town of Babylon sponsored and/or participated in meetings held with specific groups throughout 2007 and the first half of 2008 to update representatives of the community on

the planning and development efforts for downtown Wyandanch, including the feasibility study for what is now the Project. A Public Information Meeting on the *Wyandanch Downtown Revitalization Plan* and the *Wyandanch Intermodal Transit Facility Feasibility Study*, and alternatives for the Project, was held in Wyandanch at Wyandanch Youth Services on September 18, 2007. Additionally, the Town of Babylon sponsored and/or participated in meetings held in late 2008, throughout 2009, and into 2010 to update the community on the Project and the overall planning efforts for downtown Wyandanch.

TRANSPORTATION CONFORMITY

The New York Metropolitan Council found the Project to conform to the Environmental Protection Agency's air quality standards for transportation-related pollutants and subsequently included the Project in both the *Regional Transportation Plan* and the Transportation Improvement Program (PIN 082614). The Project is incorporated into the Statewide Transportation Improvement Program by the New York State Department of Transportation.

FINDINGS

1. Land Use, Zoning, and Public Policy

The Project will not have adverse impacts on land use, zoning, or public policy.

The Project is consistent with state, regional, and local plans. The Project conforms to the Town of Babylon's *Wyandanch Downtown Revitalization Plan*, which encourages the development of an intermodal transit facility to encourage transit-oriented development, improve parking conditions, introduce a public plaza to provide much needed open space and a place for community gathering for area residents and workers, and create a garage that is functionally connected to the train station. The proposed new street grid and improvements to Straight Path near the Project Site are also critical first steps in the future development of downtown Wyandanch in accordance with established public policies for the area.

2. Socioeconomic Conditions

The Project will require the acquisition of three tax parcels on the Project Site, one of which is owned by Suffolk County and two by private parties. The parcels will be acquired through condemnation, only if required, following coordination with the property owners. This will result in the displacement of the businesses in the retail center and the Huntington Honda vehicle storage facility on the Project Site. An estimated 62 employees will be affected. The Town of Babylon contacted property owners in June 2010 concerning relocations, and the relocation-related assistance that is available to them. With Mitigation Measure #1 described below, there will not be any significant adverse displacement impacts as a result of implementing the Project.

3. Community Character

The Project will not have an adverse impact on community character. The Project is part of the Town of Babylon's larger effort to redevelop and revitalize downtown Wyandanch and a critical component and, as such, will contribute to an overall improvement in the community character of the area.

4. Historic and Archaeological Resources

No historic resources were identified within the Area of Potential Effect for the Project. In a letter dated September 21, 2009, the SHPO made a determination of "No Effect" upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

5. Urban Design and Visual Resources

The project will not have an adverse impact on urban design or visual resources. The Site Plan will be presented to the Town of Babylon Planning Board and Architectural Review Board for review of the design and approval.

6. Transportation

The Project will not result in significant adverse impacts to transit service, traffic conditions, parking, or pedestrian safety in the study area. In contrast, it is intended to improve traffic conditions, parking, and pedestrian safety.

TRAFFIC AND PEDESTRIANS

The roadway improvements planned as part of the Project will provide access to LIRR commuters and others near the train station. Traffic conditions will improve as the roadway network in and around the site will provide additional routes to and from the planned parking structure. This will allow commuters to enter and exit the site by vehicle from the roadway that is most compatible with their origin or destination, rather than from limited access points as the current configuration affords.

The improvements planned as part of the Project, including traffic calming measures, will also enhance pedestrian safety. In addition, the general design of the area immediately adjacent to the LIRR station will be focused on reducing vehicular speeds and prioritizing pedestrian access and safety.

A standard traffic analysis was conducted for the Project, with the new roadway network improvements. As a result of this analysis, traffic conditions in the vicinity of the Project Site were found to be acceptable, as documented in the EA.

To enhance safety, the Project includes narrower travel lanes and on-street parking along Straight Path to slow traffic along the roadway. These traffic calming measures, as well as the installation of an additional traffic signal along Straight Path, will make conditions safer for vehicles and pedestrians, consistent with the Project goals and objectives. Other improvements to enhance safety include better marked pedestrian crosswalks and the realignment of Acorn Street to the north, so that conflicting side-street volumes will no longer be immediately north of the railroad tracks. All of these changes and improvements that will result from the implementation of the Project are consistent with the Project's goals and objectives.

PARKING

The Project includes a new 2,000-space parking structure. Commuter parking will increase from the existing capacity of 1,100 to 2,000 available spaces at the LIRR station. The Project includes new on-street parking spaces to accommodate future growth in the downtown area. Access to the garage will be provided by two access roads. The proposed parking garage will provide almost 900 parking spaces beyond what exists today, for use by commuters, taking pressure off of the overcrowded parking areas at stations in the surrounding communities.

TRANSIT

Transit service will be generally unaffected, although ridership increases are anticipated as a result of the availability of additional parking and improved access to the station. LIRR has provided a letter in support of the project (see Attachment A). The Project will require continued coordination between LIRR and Suffolk County so that a more effective intermodal facility can

be achieved. As part of the proposed roadway and streetscape improvements, to better coordinate bus service into the intermodal facility, the bus stop that is currently located at Straight Path and Long Island Avenue will be relocated to Straight Path between Merritt Avenue and N. 13th Street, with new stops adjacent to and across the street from the proposed public plaza. The new northbound stop will include a bus pull-out adjacent to the plaza, which will remove buses from traffic immediately north of the railroad tracks and prevent them from blocking the right-turn lane. The Town of Babylon has discussed these elements of the Project with Suffolk County (at meetings spanning the period between January and July 2010), which has indicated its support of these modifications and improvements. Suffolk County Transit will need to review and approve final plans and design drawings for relocation of the existing bus stop and the construction of the new bus pull-out lane adjacent to the Project plaza, prior to the implementation of these improvements.

7. Air Quality

The Project will not have significant adverse air quality impacts, based on the results of the analyses conducted for the Project, as described below.

The air quality screening analysis conducted for the Project demonstrated that none of the study area intersections require detailed microscale air quality analysis; therefore, no significant adverse air quality impacts are expected to occur as a result of the Project's mobile sources.

The maximum predicted carbon monoxide (CO) concentrations from the proposed parking garage were also analyzed. The CO impacts from the proposed parking garage were predicted to be substantially below the applicable standard; therefore, the proposed Project will not result in any significant adverse air quality impacts.

8. Noise/Vibration

The Project will not have significant adverse noise or vibration impacts. The noise analysis considered the Project's potential effects on noise related to three sources: 1) the rerouting of traffic with changes in street operations; 2) new vehicle trips associated with development of the intermodal transit facility; and 3) vehicular activity within the intermodal transit facility.

The analysis considered three nearby receptor sites, and concluded that, based on FTA impact criteria, the Project will not result in any moderate impacts or severe noise impacts at two of the receptor sites. At the third receptor site (a church on the west side of Straight Path between N. 12th and N. 13th Streets), the Project will result in a moderate noise impact. This impact will occur because of the Project-related increase in vehicular traffic on Straight Path. Because of the relatively high ambient noise levels near the Project Site and the existence of double-glazed windows and air-conditioning at the church, no additional measures to mitigate the moderate impacts are planned.

9. Infrastructure

The increase in water, energy, and solid waste services required by the Project will not pose a significant adverse impact to the providers of these services since the increase will be nominal. Further, installation of a new sewer system is scheduled to begin in summer 2010 as part of a separate initiative. This new system will provide adequate coverage for the Project Site.

10. Contaminated Materials

Based on the findings of the Phase I Environmental Site Assessment prepared for the Project (August 2009) and the potential construction activities for the Project, with the proposed

mitigation measures described below (Mitigation Measures #2 and #5e), no adverse impacts related to hazardous materials will occur during the construction of the Project. Following construction, there will be no significant adverse impacts related to hazardous materials. The Phase I Environmental Site Assessment identified the potential for contamination of soil and/or groundwater at the site because of past and present activities on the site. Therefore, a subsurface (Phase II) investigation will be conducted to determine whether those activities have affected subsurface conditions. Based on the results of the subsurface (Phase II) investigation, a Remedial Action Plan (RAP) will be prepared to address both identified and unanticipated conditions that may be encountered during project construction.

11. Natural Resources

The Project Site is not within a floodplain; it is not within a Special Groundwater Protection Area; and there are no surface waters or mapped wetlands on the Project Site or in the immediate area; and the Project Site consists entirely of impervious surfaces. Based upon the existing site characteristics the Project will not result in any adverse impacts on natural resources, including floodplains, water resources (groundwater and surface water), geology, soils, and hydrology, and vegetation and wildlife (including endangered species). A review was undertaken of the U.S. Fish and Wildlife Service's listing of threatened and endangered plant and animal species for Suffolk County. None of the species listed will be impacted as none have been found to be present during any of the general observation site visits conducted for the Project. As virtually the entire Project Site is either occupied with structures or paved, and is not located at or near the shoreline, and does not possess other required habitat features that would support the listed species, none of these species¹ is expected to be found at the Project Site.

On March 26, 2007, a letter of correspondence was sent on behalf of the Town of Babylon to the Informational Services division of the New York State Natural Heritage Program (NHP), to request information regarding the presence of any rare species and their habitats on the project area for the *Wyandanch Downtown Revitalization Plan*, which includes the Project Site. The response from NHP dated April 9, 2007 (see Attachment B) indicates that several rare species and ecological communities are known to occur in the vicinity of the Project Site. While these species of flora and fauna can be expected to be found in the Town of Babylon (see *Technical Memorandum*), because of the developed nature of the Project Site and the types of habitat required, these species are not present on the Project Site. Therefore, the Project will not have adverse impacts on threatened or endangered species pursuant to the *Endangered Species Act*.

¹ In the case of the plant species, seabeach amaranth is a coastal beach species and sandplain gerardia is a plant of fields growing in association with grasses. Such habitats are lacking on-site. While small whorled pogonia is known historically for the region, there has not been confirmation of its continued presence in recent decades, and it is presumed extirpated from this region of Long Island. Small whorled pogonia inhabits semi-open, mesic forests and is known to grow in association with ferns, club mosses, low-lying evergreen forbs, witch hazel, and frequently a canopy of paper birch, none of which are found on the Project Site. The five turtle species mentioned are all marine species and are therefore unable to use the Project Site. Shortnose sturgeon is a fish that frequents the Hudson River, and would not be present on the Project Site. The piping plover and roseate tern are shore birds and would not frequent the inland, impervious Project Site (see *Technical Memorandum*).

12. Construction Impacts

The construction of the Project will result in localized, temporary disruptions; however, construction of the Project would be of relatively short duration (approximately 12 months) and would not result in substantial construction-related effects.

Construction activities required for the Project could be disruptive to nearby uses because of the noise, dust, and increased trucking activity associated with construction. However, the Project Site is buffered from sensitive uses (such as residences or community facilities) on all sides, which will limit the disruption to any sensitive uses.

Access will be maintained to the industrial area that is east of the Project Site, including the businesses that use the Washington Avenue extension through the area where the new off-site roadway network is to be created. Operations at the LIRR Wyandanch station will not be disrupted during construction, and operations of nearby bus routes will be maintained. At all times, parking for LIRR commuters will be maintained on the Project Site and in the surrounding area, which includes the Project Site as well as the area of new roadway network and street improvements.

While the new parking structure and the northern and southern access roads to the structure, and the N. 9th Street Extension along the eastern boundary of the site, are being constructed, existing commuter parking on the Project Site and in the surrounding area will be maintained. Construction of the Project will result in the phased removal of the existing surface parking on the Project Site; however, temporary paved off-street replacement parking for commuters will be created and provided during the Project's entire construction period. When construction on the public plaza and remaining roadways through the site will occur, the new garage will open to serve commuters using the LIRR Wyandanch station.

Mitigation Measures (#5a and #5b), as described below, will be implemented to minimize the disruption from construction.

13. Safety and Security

The Project will not have adverse public safety and/or security impacts. The Project will not have adverse public safety and/or security impacts. The roadway improvements, public plaza, and 2000-space commuter parking structure would incorporate safety features in their design, such as pedestrian-scaled lighting and unobstructed clear sight lines. The property would continue to be patrolled by the Suffolk County Police Department. In addition, the traffic calming measures and pedestrian enhancements proposed for Straight Path and the LIRR Wyandanch station area would improve pedestrian and vehicular safety in those areas, consistent with Project goals and objectives. As a result, the Project would greatly enhance the safety and security of the Project area.

14. Indirect and Cumulative Effects

The Project will not have any significant adverse indirect or cumulative impacts. Overall, the Project will largely have beneficial indirect effects on the surrounding community and the Town of Babylon as a whole. The Project is expected to serve as the initial catalyst for future mixed-use, higher-density, transit-oriented development as envisioned for downtown Wyandanch in the Town of Babylon's *Wyandanch Downtown Revitalization Plan* (May 2009). The Revitalization Plan analyzed the projected full build-out of the Wyandanch Urban Renewal Area (which includes the Project Site), including the proposed Wyandanch Intermodal Transit Facility. The

analysis presented in the *Wyandanch Downtown Revitalization Plan* considered a full range of environmental issues and did not identify any potential significant adverse impacts. Conversely, implementation of the *Wyandanch Downtown Revitalization Plan*, including the proposed Intermodal Transit Facility, is expected to result in largely positive benefits for the hamlet and region.

Based on the analysis contained in the Revitalization Plan, which analyzed a much larger overall development build-out that included the Intermodal Facility as part of the development scenario examined, it is expected that, cumulatively, these projects (the Wyandanch Intermodal Transit Facility and the other development projects examined as part of the Revitalization Plan) will serve to alleviate blighted conditions and act as catalysts for the revitalization and redevelopment of downtown Wyandanch.

15. Environmental Justice

The proposed Wyandanch Intermodal Transit Facility is located in an area with minority and low-income populations. There are five census block groups substantially within a ¼-mile radius of the Project Site, each of which is considered both a minority and low-income community and a potential environmental justice area. The nearest residences to the Project Site are approximately 200 feet away, along N. 12th and N. 13th Streets across from the Project Site to the northwest, and south of the Project Site on the south side of the LIRR tracks. As discussed throughout the EA, the proposed Wyandanch Intermodal Transit Facility Project will not result in any significant adverse impacts related to noise, vibration, traffic or air quality conditions, or any other environmental analysis area examined in the EA. While some localized adverse impacts could occur in the study area during the construction phase of the Project, these impacts will be temporary and will end once construction is complete. Moreover, mitigation measures will be employed to minimize any potential adverse effects. Therefore, the Project will not result in any disproportionately high and adverse impacts on environmental justice populations. This determination involved consideration of existing environmental burdens in the study area, cumulative effects, and proposed mitigation measures. The Project is part of a larger effort to redevelop and revitalize downtown Wyandanch and is aimed at improving environmental and economic conditions for Wyandanch's residents, most of whom are minorities and many of whom are low-income. The Project will not have significant adverse impacts or result in disproportionate impacts on minority or low-income populations (i.e. potential environmental justice areas).

MITIGATION MEASURES

The Town of Babylon will implement the mitigation measures described in the EA and in this FONSI. The FTA will require in any grant for the Project that it be built in a manner consistent with that described in the EA and that all mitigation to which the Town is committed be implemented in accordance with the EA and this FONSI. FTA will require the Town to periodically submit written reports on its progress in implementing the mitigation commitments. FTA will monitor this progress through quarterly reviews of the Project's progress. The following mitigation measures will be implemented to avoid adverse effects:

1. All relocation activities and assistance will conform to the provisions of the *Uniform Relocation Assistance and Real Property Acquisition Policies Act* of 1970 as amended and applicable state laws. In accordance with these laws, owners and tenants of affected properties will be provided compensation and relocation assistance. With such

assistance, businesses and tenants that will be displaced as a result of the Project will likely be able to relocate close to their existing locations with minimal disruption to business activity and minimal loss of employment.

2. The *Remedial Action Plan* will include measures for managing contaminated on-site soil and groundwater, removing underground petroleum storage tanks, and procedures for stockpiling and off-site transportation and disposal in accordance with applicable federal, state, and local regulatory requirements. To minimize the potential for impacts to the community and construction workers, all work involving soil disturbance will also be performed under a Construction Health and Safety Plan (CHASP) that will specify dust control, air monitoring, and other appropriate actions including testing and/or monitoring if underground storage tanks, contaminated soil or groundwater, or unforeseen environmental conditions are encountered. These measures will ensure that further investigation and removal of any hazardous substances or contaminated materials is undertaken in a way that will protect workers and the public from potential adverse effects. Demolition and remediation activities will be performed in accordance with applicable local, state, and federal regulations.
3. The *Site Plan* will be presented to the Town of Babylon Planning Board and Architectural Review Board for review and approval of the design.
4. Suffolk County Transit will review and approve final plans and design drawings for relocation of the existing bus stop and the construction of the new bus pull-out lane adjacent to the Project plaza, prior to the implementation of these improvements.
5. The following mitigation measures will be implemented to minimize potential disruption to the community from construction:
 - a. Traffic: A *Maintenance and Protection of Traffic (MPT) Plan* will be developed to address traffic conditions during construction. The MPT Plan will be used to ensure traffic on Straight Path is not significantly disrupted during work on that roadway. A minimum of one lane in each direction will be maintained at all times through the construction zone.
 - b. Parking: At all times, parking for LIRR commuters will be maintained on the Project Site and in the immediate area. In most cases, the existing parking lots will be able to operate as they currently do while construction of the parking facility takes place. If any portion of the existing parking lots is required for staging or access to the construction site, additional space will be allocated where customer parking for the retail establishments currently exists. At the time of construction, these retail establishments will no longer be in operation, so this space will be used to create temporary commuter parking opportunities.
 - c. Air Quality: The potential for dust and air emissions will be limited during construction by the use of dust control measures and minimizing unnecessary idling for trucks and equipment.
 - d. Noise: As required by the Town Code, construction work will occur on weekdays between 7:00 AM and 8:00 PM. Some construction work could be required outside of those hours for particularly time-sensitive activities (such as certain concrete pouring activities that have to be completed without interruption). In certain situations, concrete must be poured continuously to form one structure without joints. This type of concrete pour is usually

associated with foundations and structural slabs at grade, which could require more than 8 hours to complete, depending on the size of the area being poured. If this type of situation occurs, the construction will be conducted in accordance with the Town Code, which requires a special variance for such work.

- e. Contaminated Materials: Prior to construction of the Project, further environmental investigation (Phase II investigation and asbestos and lead paint surveys) will be conducted that may identify the need for remedial activities. All demolition, excavation, and construction activities, including the removal and disposal of storage tanks, asbestos, contaminated soils and groundwater, and handling of lead-based paint, will be undertaken by licensed handlers in compliance with local, state, and federal regulations. Furthermore, all construction activities on the Project Site will be undertaken in accordance with a construction-specific *Health and Safety Plan* that will specify measures to protect workers and the general public during construction of the Project.
- f. Storm Water Pollution Prevention and Erosion and Sediment Control Plans: Because construction will affect a site of greater than one acre, a New York State Department of Environmental Conservation General State Pollutant Discharge Elimination System (SPDES) permit will be required for construction. As part of the permit process, a *Storm Water Pollution Prevention Plan* and an *Erosion and Sediment Control Plan* will be developed. These plans will identify procedures to be implemented for controlling and treating storm water from the Project Site and adjacent area during construction.

FTA NEPA FINDING

FTA has reviewed the *Wyandanch Intermodal Transit Facility Environmental Assessment* and finds that the Project will have no significant impacts on the environment.

_____/signed by/_____

Anthony G. Carr
Deputy Regional Administrator

_____September 23, 2010_____

Date

ATTACHMENT A:

LIRR Letter of Support



September 7, 2010

Hon. Steven Bellone
Town of Babylon
200 East Sunrise Highway
Lindenhurst, NY 11757-2597

**Re: Wyandanch Intermodal Transit Facility Project, Hamlet of
Wyandanch, Town of Babylon, Suffolk County, New York**

Dear Supervisor Bellone:

The MTA Long Island Rail Road (LIRR) strongly supports the Town of Babylon's revitalization plans for downtown Wyandanch and supports the construction of a new intermodal transit facility in the vicinity of LIRR's Wyandanch Station.

The intermodal facility will serve as the centerpiece of the Town's efforts to redevelop and revitalize downtown Wyandanch. It will provide additional parking capacity to accommodate ridership growth associated with planned service to Grand Central Terminal, beginning in 2016. It will also create a vital link between LIRR, Suffolk County Transit buses, and taxis, and would include accommodations for pedestrians and bicyclists. This initiative will also serve as a catalyst for the creation of new public open spaces and plazas, redesigned roadway networks, and streetscape enhancements in the vicinity of the Station.

From the early stages, the LIRR has collaborated with the Town to ensure that transit services and community development plans complement each other. Going forward, the LIRR and the Town will continue to coordinate on issues related to design, pedestrian accessibility, and safe convenient intermodal connectivity.

Once again, the LIRR actively supports this initiative and looks forward to working with the Town on this and other planning and transportation-related initiatives.

Sincerely,

A handwritten signature in black ink that reads "Helena E. Williams". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Helena E. Williams
President

ATTACHMENT B:
**NHP Correspondence related to the Wyandanch Downtown
Revitalization Plan**



Environmental and Planning Consultants

3900 Veterans Memorial Highway, Suite 300
Bohemia, NY 11716
tel: 631 285-6980
fax: 631 285-6919
www.akrf.com

March 26, 2007

Ms. Jean Pietrusiak
Information Services
New York Natural Heritage Program
New York State Department of Environmental Conservation
625 Broadway, 5th Floor
Albany, NY 12233-4757

Re: New York Natural Heritage Program Database Request

Dear Ms. Pietrusiak:

AKRF, Inc. is preparing a Generic Environmental Impact Statement (GEIS) on behalf of the Town of Babylon under the State Environmental Quality Review Act (SEQRA) for multiple actions including designation of an Urban Renewal Area (URA) in downtown Wyandanch, the adoption of an Urban Renewal Plan (URP) for the proposed URA, and the designation of the hamlet of Wyandanch as a Brownfield Opportunity Area (BOA) under the State of New York's Brownfield Opportunity Area Program. Designation as a BOA is expected to facilitate the redevelopment of the area by making financial incentives available to private entities undertaking projects consistent with the URP. The project involves state funding from the New York State Department of State. At this time, we are preparing the existing conditions sections of the GEIS.

The project area, which is defined as the proposed URA within the larger proposed BOA, is regionally located in the hamlet of Wyandanch, north-central Town of Babylon, western Suffolk County, Long Island, New York. The project area is largely developed with a mix of residential, commercial, industrial, and institutional uses, with just a few large tracts of open space or preserved land, including Pinelawn Cemetery in the northwestern area and two public parks in the eastern portion. As shown on the attached map, the proposed BOA, which largely includes Wyandanch hamlet, is generally bounded by Nicolls Road to the north, Cumberbach Street to the south, the Carlls River to the east, and Little East Neck Road to the west, and includes the proposed URA along the Straight Path (County Road 2) corridor. The proposed BOA is more than 1,200 acres and incorporates over 3,600 tax parcels. The approximately 112-acre proposed URA largely comprises the downtown area of Wyandanch hamlet extending approximately 300 feet east and west of Straight Path from N. 9th Street on the north to Garrison Avenue on the south, and several lots along Long Island Avenue roughly stretching from Elk Street on the east to 22nd Street on the west.

This request is for data regarding any rare species or significant natural communities within the project area, which generally includes the hamlet of Wyandanch. In addition, a map indicating the location where these species of concern were identified would be useful. Enclosed is a U.S.

Jean Pietrusiak

2

Geological Survey topographical map that includes identifiable geographic features and clearly shows the boundaries of the project area.

If you have any questions or concerns, please feel free to contact me at (631) 285-6980. Thank you in advance for your attention to this matter.

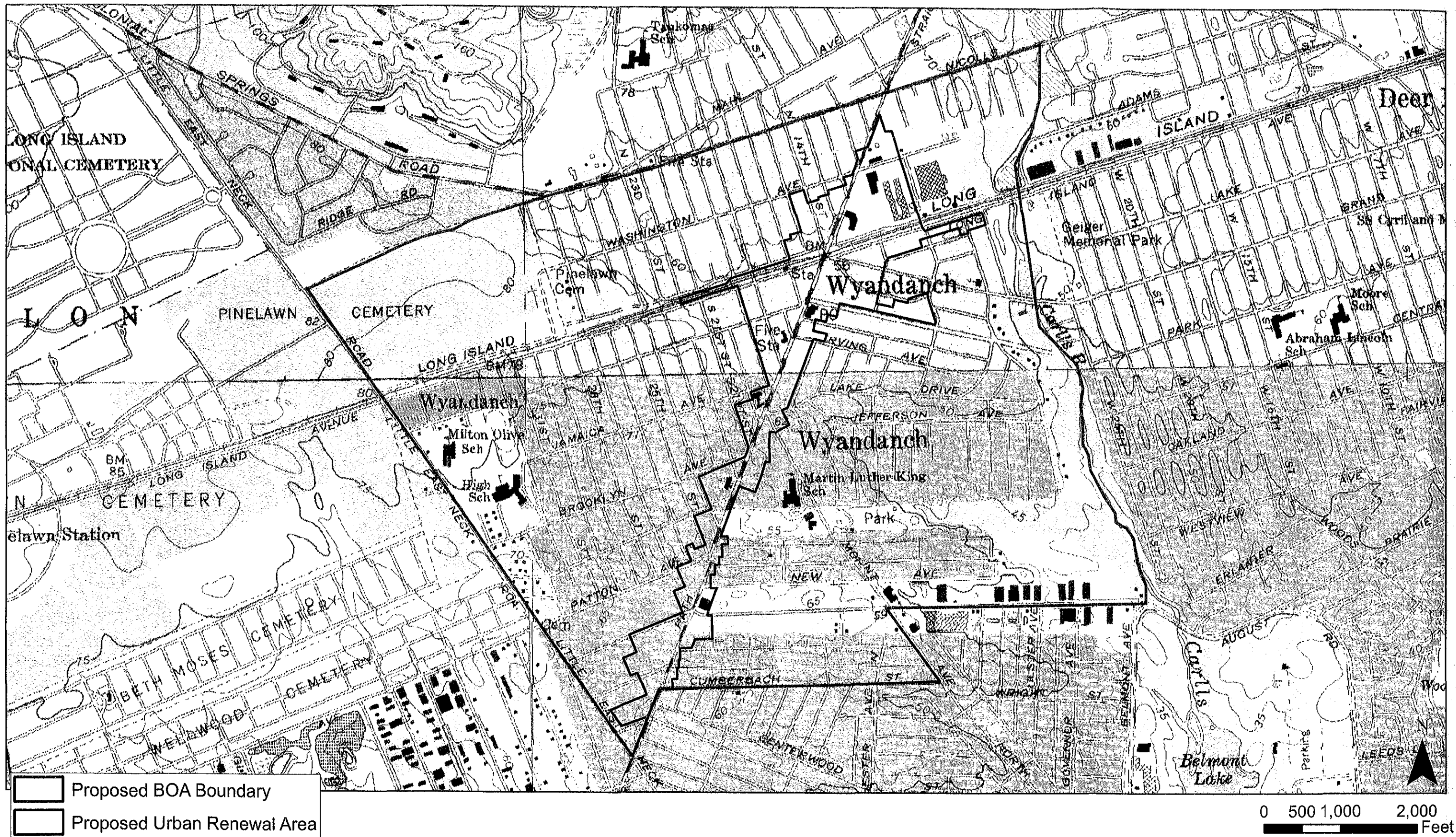
Sincerely,

AKRF, INC.

A handwritten signature in cursive script that reads "LDeFalco".

Lorianne DeFalco
Environmental Planner

cc: File
LD/wp



New York State Department of Environmental Conservation

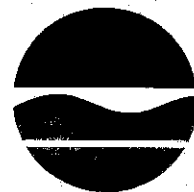
Division of Fish, Wildlife & Marine Resources

New York Natural Heritage Program

625 Broadway, Albany, New York 12233-4757

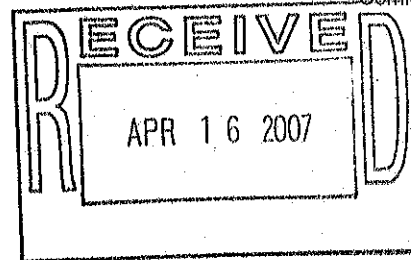
Phone: (518) 402-8935 • FAX: (518) 402-8925

Website: www.dec.state.ny.us



Alexander B. Granits
Commissioner

April 9, 2007



Lorianne De Falco
A K R F Environmental Consultants
3900 Veterans Memorial Hgwy, Suite 300
Bohemia, NY 11716

Dear Ms. De Falco:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Re-development of downtown Wyandanch, possible adoption of an Urban Renewal Plan, (BOA), area as indicated on the map you provided, located in the Town of Babylon, Hamlet of Wyandanch, Suffolk County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and should not be released to the public without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environment impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

Tara Seoane
Tara Seoane, Information Services
NY Natural Heritage Program

Encs.

cc: Reg. 1, Wildlife Mgr.
Reg. 1, Fisheries Mgr.
Peter Nye, Endangered Species Unit, Albany