

GENTING CASINO
SEQRA ENVIRONMENTAL IMPACT STATEMENT SCOPE DOCUMENT

SUMMARY OF VILLAGE REQUESTS TO MODIFY SCOPE
AND
TOWN BOARD'S RESPONSE IN THE FINAL ADOPTED DOCUMENT

Following is a summary of the modifications to the SEQRA Draft Scope that were requested by the Village -- a SEQRA Interested Agency -- and the Town Board's response as reflected in their adopted Final Scope:

CHAPTER III:
EXISTING CONDITIONS, ANTICIPATED IMPACTS AND PROPOSED MITIGATION

1. LAND USE, ZONING AND PUBLIC POLICY

- ❖ Village Request: Under "Potential Impacts," include in the comprehensive impact analysis the Project's effect on the community character of the Village of Tuxedo Park, including the Project's impact on the Village's listing on the National Register of Historic Places.
- ✓ Town Response: Agreed in part. Scope modified to include the following under "Potential Impacts" (p. 10):

A discussion of the Project's impact on Town (including Village of Tuxedo Park, East Village and other representative areas) community character will also be discussed, to the extent that it is documented in other sections of this DEIS that there will be a change in property values, traffic, noise, lighting, air quality, security or visibility due to the Project.

2. GEOLOGY, SOILS, AND TOPOGRAPHY

- ❖ Village Request: Under "Potential Impacts," include the potential impact of any dredging of the Ramapo River, and quantify the amount of material that might be removed.
- ✗ Town Response: Not adopted.

3. VEGETATION AND WILDLIFE

- ❖ Village Request: Under "Potential Impacts," include "Bald Eagle" as an additional listed species to receive a field survey study.
- ✓ Town Response: Agreed and adopted. (*See pp. 12-13*)

4. WETLANDS AND SURFACE WATERS

- ❖ Village Request: Under “Potential Impacts,” include impacts related to the flooding of the waterways in and around the Project site, including the Warwick Brook, Ramapo River & Route 17 area, which are prone to flooding.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Potential Impacts” (p. 14):

The watersheds, and water bodies, to which the project will drain will be identified. The evaluation will specifically consider the Indian Kill, Warwick Brook, and Ramapo River.

- ❖ Village Request: Under “Potential Impacts,” include impacts related to any dredging of the Ramapo River as a specific impact to be evaluated.

- ✗ Town Response: Not adopted.

6. GROUNDWATER RESOURCES

- ❖ Village Request: Under “Existing Condition,s” include groundwater mapping as a method to determine the depth to groundwater and aquifer characteristics.

- ✗ Town Response: Not adopted.

Note: the following was added under “Potential Impacts” (p. 16):

The results of the geotechnical report, which shall be included as an Appendix to the DEIS, shall include data regarding depth to groundwater and aquifer characteristics.

7. WATER SUPPLY

- ❖ Village Request: Under “Potential Impacts,” evaluate the impact of the Project’s withdrawal of water on the Tuxedo Lake Reservoir, the Warwick Brook, and Ramapo River.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Potential Impacts” (p. 17):

The DEIS will address the potential impact on Tuxedo Lake and Wee Wah Lake, which is a drinking water supply for the Village of Tuxedo Park. The DEIS will evaluate whether Tuxedo Lake, and any contributing stream such as Warwick Brook, are located within the watershed to which the Project Site will drain, and the DEIS will fully evaluate the potential impacts to that water supply system.

- ❖ Village Request: Under “Potential Impacts,” require all correspondence, including electronic correspondence, between the Applicant (including its consultants) and United Water to be immediately forwarded to the Lead Agency.

- ✘ Town Response: Not adopted.

9. ENERGY USE AND INFRASTRUCTURE CAPACITY

- ❖ Village Request: Under “Potential Impacts,” include the following:

A discussion and study of any potential adverse impacts upon Orange and Rockland Utilities customers will be provided, including customers in the Village of Tuxedo Park, owing to any priority of service commitments to the Applicant or practices that might result in a detriment to other Orange and Rockland Utilities customers.

- ✘ Town Response: Not adopted.

- ❖ Village Request: Under “Mitigation,” include discussion of measures related to the feasibility of purchasing renewable energy credits, carbon credits, or other financial or economic climate mitigations for green house gas (GHG) emissions and carbon generated by the Project.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Mitigation” (p. 19):

Mitigation of greenhouse gases will be discussed, including use of renewable power for the facilities’ power needs and plans to mitigate carbon emissions from increased traffic.

10. VISUAL CHARACTER AND AESTHETIC RESOURCES

- ❖ Village Request: Under “Potential Impacts,” in which the Village is listed as a designated point of view shed analysis, require that the view sheds studied include viewpoint locations that are designated by the Village.

- ✘ Town Response: Not adopted.

- ❖ Village Request: Under “Proposed Project,” add the following language:

The totality of the lighting systems on the Project Site shall be assessed to determine the impact of the Project Site lighting on the night sky as viewed from the Village of Tuxedo Park, at such locations reasonably designated by the Village of Tuxedo Park, which designation shall be accomplished within 10 days of the Applicant’s written request to the Mayor for such designated locations.

- ✘ Town Response: Not adopted.

11. TRAFFIC, TRANSPORTATION AND PARKING

- ❖ Village Request: In the introductory paragraph, clarify that the traffic impact study must be in such detail to be able to support the needs of air and noise analyses.

- ✘ Town Response: Not adopted.

- ❖ Village Request: Include in the introductory paragraph that all traffic studies must analyze both the presence and absence of a toll payment at the proposed Thruway Exit 15B.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Potential Impacts” (p. 25):

An evaluation of traffic impacts associated with and without tolling Interchange 15B on the primary and secondary study areas shall be conducted. Tolling could divert traffic through NYS Route 17 thereby creating traffic impact at intersections within the Town and Village of Tuxedo and Village of Sloatsburg. The traffic analysis and supporting documentation shall evaluate both options (tolled and non-tolled) and summarize the anticipated traffic impacts under each condition.

- ❖ Village Request: Under “Existing Conditions,” add as an additional Primary Intersection Study Area, the intersection of Route 17 and Tuxedo Road, the primary entrance to Tuxedo Park.

- ✓ Town Response: Agreed in part. Scope modified to add the Tuxedo Road and Route 17 intersection, but as a “Secondary Study Area” (p. 22)

- ❖ Village Request: Add Sunday peak hours, as determined by the Town’s traffic consultant.

- ✓ Town Response: Agreed in part. Scope modified to include the following under Projected Traffic and Analysis Hours (p. 23):

The DEIS shall include an evaluation of Sunday traffic on the primary and secondary study areas, as well as I-87. High volumes of traffic have been observed, especially southbound on I-87, during certain seasons. Sunday traffic conditions shall be discussed in the DEIS, Depending on the outcome of the evaluation, additional detailed analysis on Sunday may be warranted. An explanation shall be provided as to why such conditions do not warrant a detailed analysis if none is provided.

- ❖ Village Request: Under “Potential Impacts,” provide a detailed discussion of the noted increased use of rail and bus traffic that will be generated by the Project, and its impact on (i) the existing quantity and flow of commuter traffic, and (ii) the associated rail station and bus stop capacity/availability for commuters.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Potential Impacts” (p. 24):

Anticipated increase in rail and bus ridership will be evaluated and method to pick-up and drop off transit riders will be described, anticipated routing of jitney and bus vehicles identified, and potential impacts evaluated. Alternative bus stop and rail station locations in the vicinity of interchange 15B will be considered for mitigation purposes. The impact analysis will consider the Tuxedo hamlet area as well as other areas that may be affected, and where visitors and employees may be anticipated to arrive by rail and travel to the casino via jitney or bus if a bus or rail stop is not provided outside the hamlet.

12. NOISE

- ❖ Village Request: Under “Existing Conditions” include the Village as a noise sensitive area that could be impacted during casino construction and/or operation, and monitor noise levels at locations designated by the Village, because this area may experience increased traffic noise from I-87.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Existing Conditions” (p. 26):

Up to three locations in the Village of Tuxedo Park will be approved by the Village and monitored.

- ❖ Village Request: Under “Potential Impacts,” include casino generators in the category of stationary sources that will have its noise impacts assessed quantitatively.

- ✓ Town Response: Agreed in part. Scope modified to include the following under “Potential Impacts” (p. 27):

The noise impact analysis will consider operations including but not limited to chillers, air handlers, substations, generators (including emergency generators), entertainment, and special events, including events at the amphitheater.

- ❖ Village Request: Under “Potential Impacts,” require the noise impact analysis to include all entertainment operations and special events to be conducted at the Project Site,

including events at the amphitheater. Entertainment operations not studied shall not be permitted unless and until the impacts are studied by an SEIS or otherwise. The noise impact analysis shall include the potential impact on Village residents, including the potential impact at such locations designated by the Village.

✘ Town Response: Not adopted.

❖ Village Request: Under “Potential Impacts” include the following:

If, and to the extent, air traffic to the Project Site is not studied in the DEIS, then no such air traffic shall be permitted, unless and until such activity is studied by the Lead Agency by an SEIS or otherwise.

✓ Town Response: Agreed in part. Scope modified to add the following under “Existing Conditions” (p. 26):

The Project does not propose air travel to or from the proposed Project Site. In addition, the Project Sponsor has committed not to own, lease, operate, pay for or contract for helicopter services to or from, any helicopter landing pad within the Town or within a 5-mile radius of the Town. Thus, helicopter noise associated with the Project will only be considered to extent aircraft paths are anticipated to result in increased air traffic within a 5-mile radius of the Town.

CHAPTER IV: CONSTRUCTION IMPACTS

❖ Village Request: Add the intersection of Route 17 at Tuxedo Road, the primary entrance to the Village, to those intersections that must be analyzed quantitatively in the construction traffic analysis.

✓ Town Response: Adopted (p. 33).

CHAPTER X: CUMULATIVE IMPACTS

❖ Village Request: add the following:

If a full Interchange 15B is not constructed (including a north and south entrance/exit), the project may not proceed without a detailed study of the traffic impacts resulting from a less than full Interchange 15B, by an SEIS or otherwise.

✓ Town Response: Agreed in part. Scope modified to include the following under “Project Purpose, Need and Benefits” (p. 9):

The Interchange 15B design is specifically incorporating a full interchange design, e.g., on- and off-ramps from/to northbound and southbound I-87.