



South Shore Audubon Society
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Thank you for providing the public with an opportunity to submit spoken and written comments at the September 9, 2024 Scoping Meeting for the Draft Scope for the Environmental Impact Statement for the proposed Sands Integrated Resort Lease for the approximately 80-acre location also known for decades as the “Nassau Hub” site and referred to as that in these comments.

The South Shore Audubon Society of Freeport, NY submits the thoughtful comments below regarding the Nassau Hub project’s potential environmental impacts on two of its closest neighbors, Hempstead Plains Preserve and Francis T. Purcell Preserve (as well as other adjacent green spaces to be defined below). Both these preserves border the proposed Nassau Hub site. They’re both grasslands, ecologically significant and even globally rare. And they are the last preserved remnants of what once was the Hempstead Plains. These grassland preserves potentially hold up to 30 endangered, threatened, special concern or rare species of plants and animals (see Appendix A). These species are protected and aided by New York State because they are of such great conservation concern – and they should be of concern to us all.

I am writing to tell you that I’m afraid the nature preserves bordering the Nassau Hub and the native NY flora and fauna there will be endangered by the large-scale development proposed for the Sands Integrated Resort.

About Hempstead Plains and its Preserves

Before the arrival of the Europeans, native grasses and herbs grew on Long Island in vast open spaces which were created by natural fires or cleared or burned by the native Americans. The largest of these, the Hempstead Plains, once stretched the entire length of Nassau County. It is now almost completely paved over and virtually extinct. Source: www.ehamptonny.gov

The Hempstead Plains once covered 40,000 acres. Nassau County designated **Hempstead Plains Preserve**, a 19-acre parcel of land, for perpetual preservation in recognition of its unique ecological and historical value. Historically, the Hempstead Plains served as the “Cradle of Aviation” and home to the former Mitchell Field Air Force base and several early flight endeavors, including Charles A. Lindbergh’s historic flight in his *Spirit of St. Louis* from Long Island to Paris, France. It was the world’s first solo, nonstop transatlantic flight.

The **Francis T. Purcell Preserve** is a 27-acre portion of the Hempstead Plains, a highly ecological and historically significant preserve in central Nassau County. It is named for the 1978–1987 Nassau County Executive. Purcell Preserve is part of Nassau county’s green-space holdings but is not designed for public access currently. Source: www.nassaucountyny.gov

The Critical Importance of the Preserves to the Environment and to the Public

Since 1970, three billion birds have been lost in North America. Bird populations have declined in almost every habitat – forests, shorelines, mountains, deserts, etc. Grassland birds have declined more than any others. Grassland obligate birds have evolved over millions of years to mostly only live, forage and reproduce in grasslands. As grasslands vanish, mainly due to development, grassland bird species vanish; they have nowhere left to live in Nassau County. We also lose grassland pollinator species and grassland plants from Long Island’s biodiversity.

There is an economic benefit of birds and pollinators for agriculture and our food supply. That’s why NYS passed the Birds and Bees Protection Act of 2023. Hempstead Plains pollinators, birds and plants also benefit our mental well-being to know they are still out there, as they have been since native Americans sculpted Hempstead Plains, that we cared and conserved them, did not let them disappear, and our children and grandchildren can still go visit them here.

The preserves offer a totally unique opportunity to study the native ecosystems of Nassau County, for students from pre-K through PHDs, environmental scientists, the community, as well as the public.

South Shore Audubon is an environmental conservation organization and a nonprofit, all-volunteer chapter of the National Audubon Society. We are a member of the Audubon Council of New York State. SSAS’s territory covers the southern half of Nassau County.

The mission of the SSAS is to promote environmental education; conduct research pertaining to local bird populations, wildlife, and habitat; and to preserve and restore our environment, through responsible activism, for the benefit of both people and wildlife.

Negative Impact of the Nassau Hub on the Preserves

The Nassau Hub proposal, if realized without the considerations and concessions listed below, will have a huge and irreparable impact on our last bastion of prime native Hempstead Plains / Long Island grassland ecosystem. It would finish off the last remnants of the once-vast Hempstead Plains forever. It would eradicate this part of Nassau County's natural heritage and leave no environmental legacy for future generations.

Ways to Save the Hempstead Plains for Our and Future Generations

1. Nassau County should enact now to design and (when it's ready) to open Purcell Preserve for public nature-viewing access, which is currently prohibited.
2. Provide an environmental buffer or border to insulate Purcell Preserve from any visual, light, noise or other environmental encroachment from the Nassau Hub.
3. Keep Nassau Hub traffic flow off the short, non-strategic Nassau County roadway, James Doolittle Blvd, except for Purcell Preserve visitors only.
4. We ask for Nassau County to continue to provide for and increase fiscal responsibility and funding consideration to further preserve and enhance the Hempstead Plains preserves – to prepare and open Purcell Preserve to public nature-viewing and to strengthen the 100 acres of Hempstead Plains conservation area proposed in Appendix B to mitigate the proposed Nassau Hub project stressors.
5. Any new development at the Nassau Hub should include bird-safe building design, especially with glass and reducing lighting on avian migratory nights. Seatuck Environmental Association has submitted comments under their own separate cover, and SSAS fully endorses and approves of Seatuck's bird-safe building comments as they apply to any new development at the Nassau Hub.
6. With potential for up to 350-foot-high towers or buildings, ensure that no portion of Purcell Preserve or Hempstead Plains Preserve gets shaded out by that.
7. Coordinate with nearby Nassau Hub neighbor, Covanta, to ensure that air and water pollution produced by Nassau Hub development are below acceptable limits, especially as LI air quality already exceeds WHO limits on particulate matter, and LI water is already contaminated with PFAS, 1,4 dioxane, VOCs, and the latest ecocides, neonicotinoids. The first three are known carcinogens; the last was just banned by the Birds and Bees Protection Act of 2023, which will help phase neonic ecocides out of NY agriculture, landscaping, food supply, water supply by 2029.
8. Comply with NYS Climate Leadership and Community Protection Act (CLCPA) aim to achieve 85% reduction in greenhouse gas emissions by 2050, with an interim target of 40% by 2030.
9. A document like a NYS DEC Comprehensive Habitat Protection Plan (CHPP) or a proxy for it should be drafted, signed into effect, and followed for the maintenance, mowing schedule, care, and conservation of the Hempstead Plains Preserve, Purcell Preserve, and adjoining Hempstead Plains parcels B, D, E, F, G in Appendix B.
10. It is prudent to include the cumulative impact of the Nassau police compound and the proposed Langone project along with the proposed Nassau Hub project. Collectively, they will ALL surround and encroach negatively on the ecological, recreational, educational, and aesthetic value of what remains of the Hempstead Plains. It's not only the Nassau Hub that's endangering HPP and Purcell, but all the surrounding development from every angle. One can currently see the encroachment of the Nassau Police property on HPP, as they are building out the back lot now along their shared property line with HPP. So, we also need that neighbor to address the environmental impact on HPP, including putting up a view-, light- and noise-buffering divider along their property facing HPP, such as a thick hedgerow.

I urge all county offices, committees, officials, potential developers, local municipalities, community leaders and residents, and the public to look closely and consider the environmental impacts and comments made in this letter.

These comments comprise the defining core of South Shore Audubon's interest in what happens, or does not happen, to the Nassau Hub. Please stand with us in our interest to preserve and improve the last of the Hempstead Plains environment, and conserve LI grassland species that still want and need to exist here, however perilously clinging onto their lives and their last remaining habitat in central Nassau County. Please let's help them to persevere in our world. If we don't, who will?

Thank you very much for your time and consideration to this important matter.

Russ Comeau, President
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Appendix A – 30 Grassland Specialist Species of Conservation Concern

Existing remnant patches of Hempstead Plains grassland are surrounded by urban development and illegal garbage dumping has been common. It is extremely vulnerable to further development and associated disturbances. It has been colonized by invasive exotic species, and successional shrublands or successional southern hardwoods.

However, adequate protection, restoration, proper management, and no further development in and around the sites, should allow the Hempstead grassland's viability to improve. Source: guides.nynhp.org/hempstead-plains-grassland/

LI Grassland Specialist Birds (1) Endangered, (3) Threatened, (3) Special Concern, (2) High Priority

#	Common Name	Scientific Name	Species Status
1	Short-eared Owl	<i>Asio flammeus</i>	NY/LI: Endangered ¹
2	Northern Harrier	<i>Circus hudsonius</i>	NY/LI Threatened ²
3	Upland Sandpiper	<i>Bartramia longicauda</i>	NY/LI Threatened ²
4	Henslow's Sparrow	<i>Centronyx henslowii</i>	NY/LI Threatened ²
5	Horned Lark	<i>Eremophila alpestris</i>	NY/LI Special Concern ³
6	Vesper Sparrow	<i>Poocetes gramineus</i>	NY/LI Special Concern ³
7	Grasshopper Sparrow	<i>Ammodramus savannarum</i>	NY/LI Special Concern ³
8	Bobolink	<i>Dolichonyx oryzivorus</i>	NY/LI High Priority ⁴
9	Eastern Meadowlark	<i>Sturnella magna</i>	NY/LI High Priority ⁴

¹: Endangered native species in imminent danger of extirpation or extinction in NYS.

²: Threatened native species likely to become an NYS endangered species within the foreseeable future.

³: Native species for which a welfare concern or risk of endangerment has been documented in NYS.

⁴: High Priority Species of Greatest Conservation Need

Source: NYS DEC

Pollinators of the Hempstead Plains Preserves - (1) Threatened, (1) Critically Imperiled

#	Common Name	Scientific Name	Species Status
10	Frosted Elfin	<i>Callophrys irus</i>	NY/LI Threatened ⁷
11	Hand-maid Moth	<i>Datana ranaeiceps</i>	NY/LI Critically Imperiled

Plants of the Hempstead Plains Preserves - (4) Endangered, (14) Threatened, (1) Rare

#	Common Name	Scientific Name	Species Status
12	Sandplain Gerardia	<i>Agalinis decemloba</i>	Fed & NY Endangered ^{5,6}
13	Soapwort Gentian	<i>Gentiana saponaria</i>	NY/LI Endangered ⁶
14	Eastern Silvery Aster	<i>Symphytotrichum concolor</i>	NY/LI Endangered ⁶
15	Britton's Coast Violet	<i>Viola brittoniana</i>	NY/LI Endangered ⁶
16	Stargrass	<i>Aletris farinosa</i>	NY/LI Threatened ⁷
17	Purple Milkweed	<i>Asclepias purpurascens</i>	NY/LI Threatened ⁷
18	Green Milkweed	<i>Asclepias viridiflora</i>	NY/LI Threatened ⁷
19	Midland Sedge	<i>Carex mesochorea</i>	NY/LI Threatened ⁷
20	Bushy Rock Rose	<i>Crocianthemum dumosum</i>	NY/LI Threatened ⁷
21	Low Rock Rose	<i>Crocianthemum propinquum</i>	NY/LI Threatened ⁷
22	Small-leaved Trefoil	<i>Desmodium ciliare</i>	NY/LI Threatened ⁷
23	Narrowleaf Bush Clover	<i>Lespedeza angustifolia</i>	NY/LI Threatened ⁷
24	Nuttall's Milkwort	<i>Polygala nuttallii</i>	NY/LI Threatened ⁷
25	Blunt Mountain Mint	<i>Pycnanthemum muticum</i>	NY/LI Threatened ⁷
26	Few-flowered Nutrush	<i>Scleria pauciflora</i>	NY/LI Threatened ⁷
27	Narrowleaf Whitetop Aster	<i>Sricocarpus linifolius</i>	NY/LI Threatened ⁷
28	Hyssopleaf Hedge Nettle	<i>Stachys hyssopifolia</i>	NY/LI Threatened ⁷
29	Northern Gama Grass	<i>Tripsacum dactyloides</i>	NY/LI Threatened ⁷
30	Birds-foot Violet	<i>Viola pedata</i>	NY/LI Rare ⁸

⁵: Listed as Endangered under the Federal Endangered Species Act.

⁶: Listed as Endangered by NYS: In imminent danger of extirpation in NY.

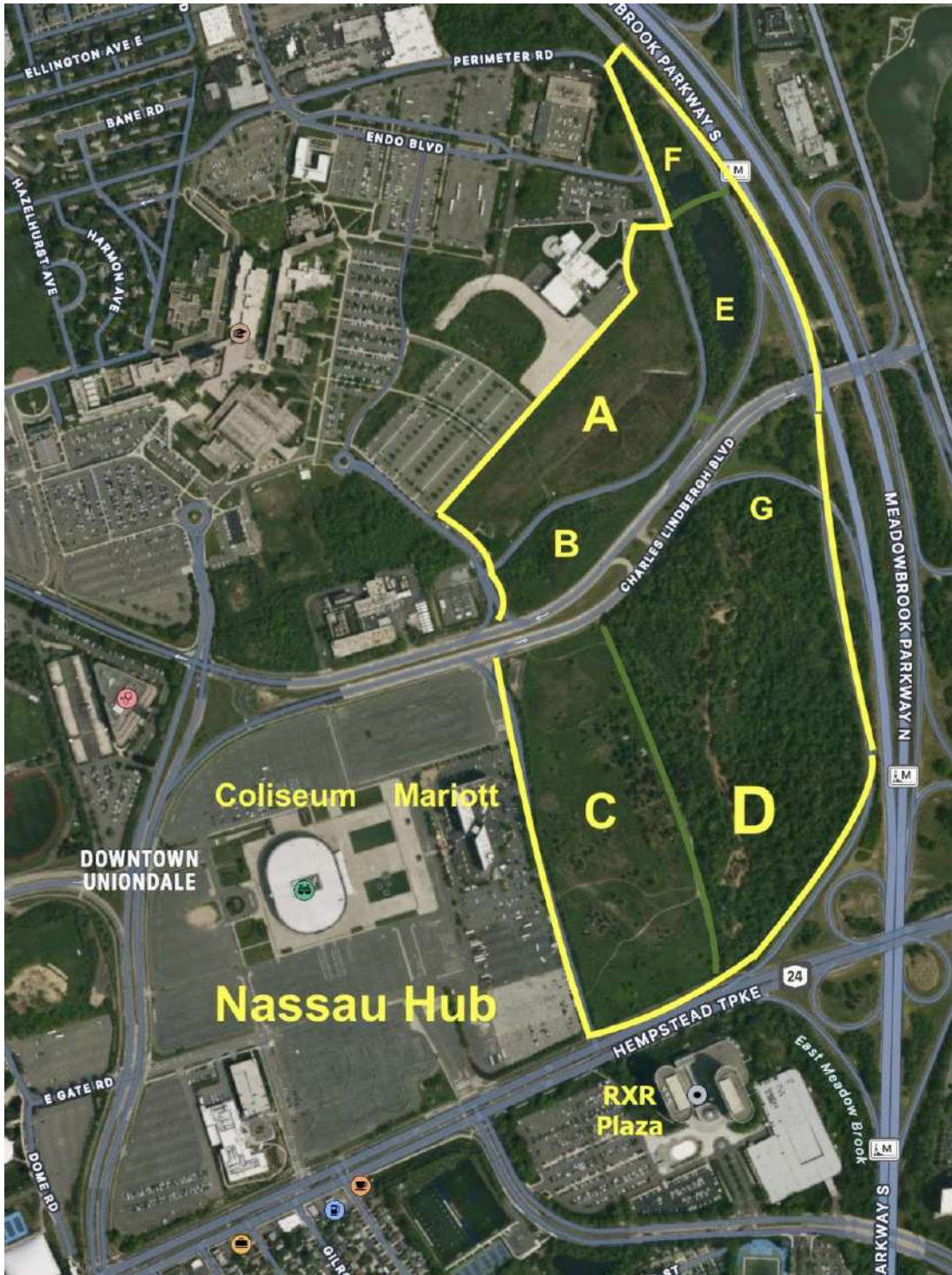
⁷: Listed as Threatened by NYS: Likely to become Endangered in the foreseeable future.

⁸: Listed as Rare by NYS: Likely to become Threatened in the near future.

Source: New York Natural Heritage Program

Appendix B – Proposed 100-acre Hempstead Plains Conservation Area

A larger, more contiguous, and resilient Hempstead Plains conservation area can better diffuse environmental impacts from the Nassau Hub. Simply, more grassland with woodland edge combined to approx. 100 acres, will be more attractive to grassland specialist birds and wildlife, and conducive to restoring a lush biodiversity of NY native flora. There aren't many 100-acre tracts left in this part of Nassau County suited to preserve and restore, making this proposal critical.



Parcels A, C, D (but currently not B) have substantial intact acreage of Hempstead Plains grassland. Nevertheless, sections of all 4 parcels (A, B, C, D) should be prioritized to be restored back to Hempstead Plains grassland habitat by selectively replacing invasive plant tracts, successional old field, scrubland and hardwoods with appropriate Hempstead Plains grassland plant species.

Appendix B continued...

There's much to consider for preserving and restoring the following 7 different mini-ecosystems which are adjacent to yet distinctly demarcated from each other. Their proximity makes it possible for us to protect and preserve them as an exemplary series of Nassau County native habitats that reflect our natural heritage as well as our environmental legacy for future generations.

Now, I'm not saying these parcels aren't disturbed by man, they all have been. Yet they all retain their own essence of what such diverse ecosystems should each provide in being able to host and harbor obligate flora and fauna ecotypes specific to each parcel - and they all can be carefully cultivated to increasingly restore them into their more natural states incrementally over the years they're under new management by concerned LI environmentalists. Envision them as a natural environmental college campus with distinct habitat classrooms next door to each other, where one can study, learn and marvel at exemplary and authentic ecologies of Long Island nature and wild species specific to each classroom/parcel, all next to each other, one after another.

Up to 7 discrete areas (marked A to G) exist here, each representing different ecological examples of Nassau County natural habitat variations, all coexisting in the same relatively compact and contiguous geographic area where these varied habitats such as meadows, forests, swamps, and stream provide ecological niches for obligate species of plants, birds, invertebrates, and other LI endemic wildlife.

These 7 different Long Island ecological niches are:

1. **Parcel A: Hempstead Plains Preserve** – Approx. 19 acres of managed grassland with Visitor Center.
2. **Parcel B: Successional Woodland Plot** – Approx. 7 acres of successional Southern hardwoods tapering off into grassland. Hardwoods to be converted to 4-5 acres of founders plots for establishing a Nassau County ecotype native seed supply, and for public education.
3. **Parcel C: Purcell Preserve** – Approx 27 acres of unmanaged Hempstead Plains grassland reverting to scrubland and woodland.
4. **Parcel D: East Meadow Brook** – Approx 42 acres. Includes Nassau County's longest stream, the East Meadow Brook, with wooded and wetland ecosystems running alongside the Meadowbrook Parkway. This adds valuable biodiversity including LI native woodland and wetland plants, pollinators, and bird species. Parcel D also includes substantial acreage of Hempstead Plains grassland, albeit bisected by dirt bike trails. A dirt bike trail in a recreational park setting is certainly something to be considered for the enjoyment of Nassau County enthusiasts, but should not be in a NYS protected wetland or nature preserve.
5. **Parcel E: The Pond and Ravine** – Retention basin in the headwaters of the East Meadow Brook.
6. **Parcel F: Woodland Swamp** – Ecologically rich, tangled obligate hydrophytic flora with slow sluices of open water.
7. **Parcel G: Tall Pine-Oak Grove** – Slightly higher land with tallest, presumably oldest and most distinct stand of majestic pines and oaks within view - a bountiful ecosystem for obligate wildlife species.



As different as the above 7 ecosystems are, yet they are all here and woven tightly into this tapestry of the Nassau County environments that need the surrounding municipalities and communities to speak out to preserve, nurture and protect these special places for the benefit of wildlife and people, to conserve a remembrance of Nassau County's natural heritage and a lasting legacy for generations to come.

Appendix C – 30 NY Native Birds of Greatest Conservation Need for 2025-35

To be eligible for federal wildlife conservation funding, US states must develop a State Wildlife Action Plan (SWAP) every 10 years. New York's current SWAP, from 2015, is currently being updated for our 2025-35 SWAP plan.

SWAP plans must identify a Species of Greatest Conservation Need (SGCN) list, with the plan focused on identifying the habitats SGCN require, plus recommended actions to address the threats to ensure the conservation of SGCN within the state, before they become too rare or costly to restore.

Overall, 79 birds native to NYS are proposed for NY's 2025-35 SWAP list, because they are currently experiencing threats likely to jeopardize the future of their population here if action is not taken within the next 10 years.

On NY's SWAP list, thirty (30) **Endangered, Threatened, Special Concern, High Priority, and Species of Greatest Conservation Need** highlighted below can benefit from conservation actions and habitat improvements taken at the Nassau Hub preserves and parcels to address the threats these birds face here.

- **Endangered - In imminent danger of extirpation or extinction in NYS**
Loggerhead Shrike, Short-eared Owl.
- **Threatened - Likely to become a NYS endangered species within 10 years**
Common Nighthawk, Yellow-breasted Chat, Kentucky Warbler, Least Bittern, Upland Sandpiper, Henslow's Sparrow.
- **Special Concern - Welfare concern or risk of endangerment documented**
Peregrine Falcon, Bald Eagle, Northern Harrier, Barn Owl, Horned Lark, Vesper Sparrow, Grasshopper Sparrow.
- **High Priority Species of Greatest Conservation Need**
American Black Duck, Bay-breasted Warbler, Bobolink, Brown Thrasher, Canada Warbler, Cape May Warbler, Eastern Meadowlark, Northern Bobwhite, Olive-sided Flycatcher, Prothonotary Warbler, Rusty Blackbird.
- **Proposed New SGCN for 2025**
American Kestrel, Greater Yellowlegs, Long-eared Owl, Tennessee Warbler.

Nassau County native habitat color codes:

- **Yellow** – Grassland parcels A, B, C, D (14 SWAP species)
- **Blue** – Retention Pond parcel E (2 SWAP species)
- **Purple** – Swamp parcel F (4 SWAP species)
- **Gray** – Tree birds in woods and tree-lined edges, all parcels (5 SWAP species)
- **Green** – Tall Pine-Oak Grove parcel G (2 SWAP species)
- **Dense Thickets, Understory** - Parcels D to F (2 SWAP species)
- **Generalist** – All parcels (1 SWAP species)

Conservation actions to establish a 100-acre Hempstead Plains conservation area to mitigate environmental impacts of Nassau Hub development as proposed in this document, will also benefit several hundred other native bird and animal species as well as native plants whose populations in Nassau County and across Long Island have been declining sharply, but are not necessarily listed as highest state priorities on New York's State Wildlife Action Plan (SWAP).