

**Appendix C:**

**PUBLIC SCOPING REPORT**

**Forge River Watershed Sewer Project**

Mastic-Shirley Proposed Sewer District

Town of Brookhaven, New York

**FEMA-DR-4085-NY HMGP**

**Fourth Revision: November 9, 2016**

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## **1.0 INTRODUCTION**

### **1.1 Overview**

On October 29, 2012, Hurricane Sandy caused storm damage to several areas across the state of New York. President Barack Obama declared Hurricane Sandy a major disaster on October 30, 2012. The declaration authorized the Department of Homeland Security-Federal Emergency Management Agency (FEMA) to provide assistance to New York State per federal disaster declaration DR-4085-NY and in accordance with Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 United States Code [USC] 5170c), as amended; the Sandy Recovery Improvement Act of 2013; and the accompanying Disaster Relief Appropriations Act of 2013. Suffolk County (the subgrantee), has applied to the FEMA Hazard Mitigation Grant Program (HMGP) for funding of the Suffolk County Coastal Resiliency Initiative (the Initiative). The New York State Division of Homeland Security and Emergency Services (DSHES) is the grantee partner.

FEMA is the lead agency under the National Environmental Policy Act (NEPA) and related laws for the environmental review of the proposed action. The Governor’s Office of Storm Recovery (GOSR) is the lead agency pursuant to the State Environmental Quality Review Act (SEQRA) and related laws for the environmental review of the proposed action.

To satisfy environmental review requirements concurrently under NEPA and SEQRA, a coordinated NEPA draft environmental assessment (EA) and SEQRA draft environmental impact statement (EIS) will be prepared that comprehensively address the requirements of both laws and regulations, in accordance with both NEPA (42 United States Code [USC] 4321–4370h) and SEQRA (Environmental Conservation Law [ECL] Sections 3-0301(1)(b), 3-0301(2)(m), and 8-0113 with promulgating regulations found at 6 New York Codes, Rules and Regulations [NYCRR] Part 617). These coordinated NEPA/SEQRA documents will evaluate the proposed action and alternatives for the Forge River Watershed Sewer Project.

### **1.2 Purpose of this Report**

This report summarizes the public participation process for, and the public comments resulting from, the Forge River Watershed Sewer Project public scoping meeting and comment period. The process of determining the scope, focus, and content of an environmental document is known as “scoping.” Scoping meetings are a useful opportunity to obtain information from the public and governmental agencies. In particular, the scoping process asks agencies and interested parties to provide input on the proposed alternatives, the purpose and need for the project, the proposed topics of evaluation, and potential impacts and mitigation measures to be considered. The scoping process will also allow FEMA and GOSR to coordinate with other cooperating (NEPA) or involved (SEQRA) agencies to reach agreement on relevant issues to minimize the inclusion of unnecessary issues. Should FEMA determine that the project would result in significant impacts and therefore require an EIS, the public scoping process for SEQRA will also satisfy the public scoping requirements of NEPA.

### **1.3 Project Location and Background**

Forge River, the most eutrophic waterbody in Suffolk County, is located within the hamlets of Mastic and Shirley in the Town of Brookhaven. The proposed project area at the time of public scoping encompasses approximately 750 acres in the densely developed residential and commercial area bounded by Sunrise Highway to the north, Poospatuck Creek to the south,

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William Floyd Parkway to the west, and Forge River and its tributaries to the east, as well as a proposed 13.7-acre parcel and a 17.0-acre expansion area parcel located on the Brookhaven Calabro Airport situated north of Sunrise Highway (New York State Route 27). Existing land uses in the project area include commercial and retail storefronts, offices, and restaurants along the Montauk Highway corridor and primarily residential properties. Groundwater in the area takes two years or less to flow to the Forge River. (After completion of the scoping process, the project area was expanded to include “Phase III,” which consists of 1,568 primarily residential parcels located along Forge River primarily to the south of the Phase I/II area.)

The project area is subject to heavy rainfall events that lead to regular surface and groundwater flooding and a combination of both ground and surface water flooding, with varying intensity and frequency. The project area has experienced intense flooding during events such as Hurricane Sandy in 2012; Hurricane Irene in 2011; and other unnamed seasonal storms, nor’easters, and hurricanes. Such flooding conditions are likely to increase as a result of climate change, with rising sea levels, increasing frequency or severity of storm events, and potential changes to floodplain boundaries.

Sanitary wastewater disposal in the project area is provided by sub- and non-performing on-site wastewater treatment and disposal systems (OSWS). While the exact number of system failures cannot be quantified, many of the OSWS in the project area failed during Hurricane Sandy and will continue to be subject to failures during future storm events. During Hurricane Sandy, 238 residential systems and 11 commercial systems in the project area experienced surface water inundation.

OSWS failures result when systems are flooded by heavy rainfall or submerged in shallow groundwater that rises during storm events, reducing system capacity and/or inhibiting or eliminating system treatment or disposal capability, as described below.

- *Capacity failure* occurs when tidal inundation of the land surface saturates soils above and around the systems and causes water to enter the systems or when groundwater rises into the cesspool or leaching pools, reducing system hydraulic capacity. Capacity failure manifests itself by slow draining domestic plumbing or backup of wastewater into the home or basement of buildings served by the systems. In cases of limited capacity that can linger for weeks or months, the systems are used only for essential wastewater disposal, usually excrement disposal and bathing. Other uses, including dishwashing and laundry wastewater disposal, must be curtailed
- *Treatment and disposal failure* occurs when groundwater or flood waters inundate the systems or soils immediately beneath the systems, disrupting the biologic treatment activity in the systems. A 2-foot vertical separation between the bottom of the cesspool or leaching pool and the water table is necessary for decomposition of organic compounds, biodegradation of detergents, and die-off of bacteria and viruses. For an extended period of months to years following system failures caused by inundation, nutrients (e.g., nitrogen) and pathogens are discharged unabated to groundwater and potentially to nearby surface waterbodies, including the Forge River and Great South Bay.

The failure of OSWS causes public health risks associated with uncontrolled sewage discharges during and after storm events that create pathways for human exposure to harmful pathogens,

increase risk to human life and property, and degrade ecosystems that protect Long Island's south shore against storm surge.

Risks to human life and property include raw (untreated) sewage backups into buildings or yards and overflows onto the land or into surface waters; health/safety hazards and costs associated with the cleanup of raw sewage backups; loss of wastewater treatment; and beach closures as a result of non-point source pollution. Nitrogen and pathogen contamination of underlying groundwater and the downgradient surface waters contributes to the deterioration of ecosystem functions in the Great South Bay, including the decline in fisheries and associated job loss. The loss or degradation of coastal wetlands decreases their protective functions of reducing wave energy and amplitude, slowing water velocity, reducing flood height and storm surge, and stabilizing the shoreline through sediment deposition. These effects of capacity failures on human health and coastal wetlands can persist for extended periods of time following flood events.

Suffolk County worked with local community representatives on the Suffolk County Sewer District/Wastewater Treatment Task Force (Task Force) to delineate areas where investment in sanitary sewer and wastewater infrastructure could provide environmental, economic, and/or social benefits, and identify critical need areas where the implementation of sewerage infrastructure may be warranted and should be assessed. The Task Force and 2015 Suffolk County Comprehensive Water Resources Management Plan identified the connection of parcels in Southwest Sewer District #3, and the Carlls, Connetquot, Forge, and Patchogue River watersheds as key measures to address several water quality and environmental quality issues. Consequently, in 2013, a feasibility study was prepared for the Forge River Watershed to document the sewage collection and treatment/effluent discharge requirements, associated capital and operation costs, and environmental and economic benefits. The feasibility study was followed by the Forge River Nitrogen Reduction Report in 2014 (amended 2015), which evaluates engineering alternatives for sewerage the Mastic-Shirley Sewer District.

#### **1.4 Alternatives**

The following alternatives were presented at the agency and public scoping meetings for consideration during the scoping process: Alternative 1: No Action, Alternative 2: Proposed Action Alternative, and Alternative 3: Other Action Alternatives. Comments received during scoping will be considered as the selection of a range of alternatives is developed for the draft EA/EIS. The draft EA/EIS will also be made available for public review and comment. The alternatives presented at scoping are briefly described below.

##### ***1.4.1 Alternative 1: No Action***

Under the No-action Alternative, no new sewer district would be established and no additional sewer infrastructure or wastewater treatment facilities would be constructed to provide sanitary sewer service to presently unsewered parcels. The unsewered parcels in the project area would continue to use OSWS.

##### ***1.4.2 Alternative 2: Proposed Action Alternative***

The Proposed Action Alternative would involve establishing a county sewer district that would decommission the OSWS of 2,094 parcels in the project area and connect the parcels to a new sewer collection system that would flow to a proposed Advanced Wastewater Treatment Facility

(AWTF). These parcels would be primarily residential, with fewer commercial and non-residential parcels, and there would be no intent to sewer undevelopable lots, including presently vacant parcels within the proposed Mastic-Shirley Conservation Area. The total wastewater or sanitary flow from the project area is projected to be approximately 1.0 million gallons per day (MGD). The proposed action includes the following components:

- *Collection System.* A combination of gravity sewers and low-pressure sewers would be constructed. Gravity sewers are recommended for areas such as the Montauk Highway corridor and residential areas where the depth to groundwater is generally greater than 10 feet. Low-pressure sewers would be constructed in those areas where U.S. Geological Survey data estimate that the groundwater is less than 10 feet below grade; such areas primarily include residential properties near the Forge River and its tributaries. In addition, low-pressure sewers would serve properties located on the Poospatuck Reservation because of its proximity to the Forge River, anticipated shallow groundwater conditions, and build-out conditions that do not conform to current building code standards. A grinder pump station would be located on each property served by the low-pressure collection system. These stations would be buried near the existing on-site septic systems or cesspools. Pumping stations also would be required to convey sewage out of low-lying areas.
- *Wastewater Treatment.* Sanitary wastewater from the proposed sewer district would be conveyed to a new AWTF. The proposed site would be a 13.7-acre parcel located at Brookhaven Calabro Airport. A Membrane Bioreactor (MBR) facility is proposed for the AWTF that would provide the best available technology for nitrogen removal (i.e., effluent discharge would be between 3 and 5 milligrams per liter [mg/L]). The proposed action also includes a request for the release of land for an approximate 17.0-acre parcel adjacent to the eastern end of the proposed AWTF location and within the Brookhaven Calabro Airport property boundary to be reserved for future expansion and/or an additional recharge area. The process for disposing of treated effluent and potential impacts would also be described.

If approved, the sewer project could be completed within approximately six years, with the majority of new facilities operational in 2022. A discussion of long-term ownership and maintenance of the proposed sewer infrastructure would also be included.

### ***1.4.3 Alternative 3: Other Action Alternative(s)***

One or more other action alternatives will be identified during the alternatives screening process. Screening criteria will be established, such as performance thresholds, engineering design standards, and feasibility considerations, among others. The identified alternatives will be screened against these criteria, and the resulting screening process will narrow the wide range of alternatives down to a reasonable range that will be carried through for analysis in the draft EA/EIS. The screening process will describe the potential alternatives that were identified during screening, the criteria used for screening, and the results of the screening process, including which alternatives were screened out and why, and which were maintained for analysis and why. The alternative(s) maintained for analysis will become the “other action alternative(s)” evaluated in the draft EA/EIS. The other action alternative(s) may include a combination of the following project components:

- *Repairing and/or Replacing On-site Wastewater Treatment and Disposal Systems:* This alternative would repair and/or replace failing cesspools and septic systems in the same project area as Alternative 2 with modern, improved OSWS. In the short term, it would mitigate the health and safety hazards posed by OSWS failure for the same number of parcels, but the design life of new OSWS would be considerably less than centralized sanitary sewer infrastructure.
- *Different Wastewater Treatment Technology:* Rather than the MBR technology considered in Alternative 2, other action alternative(s) may employ a different suspended growth type activated sludge process for nitrogen removal such as the modified Ludzack-Ettinger process or sequencing batch reactor technology. These different treatment processes would treat the same volume of sanitary wastewater, but may result in higher levels of total effluent nitrogen concentration—10 mg/L for the modified Ludzack-Ettinger process and 4 to 6 mg/L for the sequencing batch reactor technology, compared to 3 to 5 mg/L for MBR. (Upon initiation of design, preliminary engineering recommended consideration of a sequencing batch reactor (SBR) facility, as well, under Alternative 2.)
- *Different Collection System Infrastructure:* Rather than the combination of gravity and low-pressure sewers considered in Alternative 2, other action alternative(s) may construct another type of collection system infrastructure throughout the same project area (e.g., vacuum sewers) or the same type of collection system infrastructure in a different project area (e.g., a combination of gravity and low-pressure sewers in a smaller or larger project area). These other alternatives may require additional infrastructure, such as the installation of a vacuum station to sustain the required negative pressure on the sewer line or additional pump stations.
- *Location Alternatives for AWTF:* The other action alternative(s) may use the same MBR technology as Alternative 2 but would analyze different location(s) for the AWTF and leaching area.
- *Different Location for Pump Stations:* The other action alternative(s) may use fewer pump stations than Alternative 2 and/or analyze different location(s) for the pumping stations.

## **1.5 Summary of Purpose and Need**

Section 404 of the Robert T. Stafford Relief and Emergency Assistance Act of 1974 (42 USC 5170c), as amended, authorizes FEMA to provide funding to eligible grant applicants for activities that have the purpose of reducing or eliminating risks to life and property from hazards and their effects. The primary purpose of the proposed action is to mitigate short-term and repetitive, adverse impacts on human life and property associated with OSWS failures in the Forge River Watershed in Suffolk County, New York, caused by natural hazards. The secondary purpose is to mitigate long-term, adverse impacts associated with such failures on surface waters and coastal wetlands that reduce the ability of these waters and wetlands to provide natural protection against storm surge.

The project is needed because OSWS in the project area are susceptible to both capacity and treatment or disposal failures during flood and heavy rain events. Many systems in the project area failed during Hurricane Sandy.

## **1.6 Project Participants**

GOSR, an office of New York State Homes and Community Renewal’s Housing Trust Fund Cooperation is the lead agency pursuant to SEQRA. FEMA is the lead agency for environmental review of the proposed action under NEPA and related laws. The environmental review will be coordinated to satisfy the requirements of both SEQRA and NEPA. Suffolk County is the subgrantee for FEMA funding of the Suffolk County Coastal Resiliency Initiative, and DSHES is the state grantee partner. Cooperating agencies under NEPA include the Federal Aviation Administration (FAA) and the U.S. Environmental Protection Agency (USEPA). Agencies involved with SEQRA include the New York State Environmental Facilities Corporation; DSHES; New York State Office of State Comptroller, Division of Legal Services; New York State Department of Environmental Conservation – Region 1; New York State Parks, Recreation & Historic Preservation; New York State Department of State Division of Coastal Resources; New York State Department of Transportation; Metropolitan Transportation Authority – Long Island Rail Road; Suffolk County; Suffolk County Planning Commission; the Town of Brookhaven; and the Town of Brookhaven Planning Board.

## **2.0 SCOPING PROCESS**

### **2.1 EA/EIS Scoping Activities**

The process of determining the scope, focus, and content of an environmental document is known as “scoping.” Scoping meetings are a useful opportunity to obtain information from the public and governmental agencies. In particular, the scoping process asks agencies and interested parties to provide input on the proposed alternatives, the purpose and need for the project, the proposed topics of evaluation, and potential impacts and mitigation measures to be considered. The scoping process also allows FEMA and GOSR to coordinate with other cooperating (NEPA) or involved/interested (SEQRA) agencies to reach agreement on relevant issues to minimize the inclusion of unnecessary issues.

FEMA and GOSR will work together to prepare a NEPA draft EA and SEQRA draft EIS, respectively, addressing all items identified in this scoping document. The two documents will be separate but coordinated. The EA will comply with Section 102 of NEPA, as amended. The Council on Environmental Quality Regulations for Implementation of NEPA (40 Code of Federal Regulations [CFR] 1500–1508), FEMA NEPA Desk Reference, and FAA Environmental Desk Reference for Airport Actions will be consulted in preparation of the draft EA. The draft EIS will comply with the SEQRA regulations (6 NYCRR Part 617), and the SEQR Handbook will be consulted for guidance regarding required content and methodology.

In accordance with the aforementioned regulations and FEMA regulations for NEPA compliance (44 CFR Part 10), FEMA is required during decision making to fully evaluate and consider the environmental consequences of major federal actions it funds or undertakes. Likewise, SEQRA requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision making; assess the environmental significance of all actions they have discretion to approve, fund, or directly undertake; and balance the environmental impacts with social and economic factors when deciding to approve or undertake an action.

Hard copies of the draft EA/EIS documents will be provided to allow for public review at the locations listed below. In addition, the draft EA/EIS documents will be posted on the FEMA,

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GOSR, and Suffolk County websites for public review, in accordance with 2005 amendments to SEQRA. A public hearing will also be held to receive comments from agencies and the public on the draft EA/EIS documents.

The Governor's Office of Storm Recovery  
25 Beaver Street, 5th Floor  
New York, New York 10004  
Monday–Friday, 9:00 am–4:00 pm

Town of Brookhaven  
Town Clerk  
1 Independence Hill, Farmingville, New York 11738  
Monday–Friday, 9:00 am–4:00 pm

Suffolk County  
Division of Planning & Environment  
H. Lee Dennison Building, 4th Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Monday–Friday, 9:00 am–4:00 pm

Brookhaven Free Library  
273 Beaver Dam Road  
Brookhaven, New York 11719  
Monday–Thursday, 9:30 am–8:00pm; Friday, 9:30am–5:00pm; and Saturday, 9:30am–5:00pm

## **2.2 Agency Scoping**

In accordance with 40 CFR 1501.7 requirements, FEMA (in partnership with GOSR) invited federal, state, and local agencies to participate in the project and provide their feedback during scoping.

### ***2.2.1 Cooperating Agencies***

Cooperating agencies are, by definition in 40 CFR 1508.5, federal agencies with jurisdiction (by law or special expertise) with respect to any environmental impact involved in the proposed project. Cooperating agencies under NEPA include FAA and USEPA

### ***2.2.2 Partner Agencies***

In addition to FEMA, FAA, and USEPA, interested and involved agencies under SEQRA are:

- New York State Environmental Facilities Corporation
- DSHES
- New York State Office of State Comptroller, Division of Legal Services
- New York State Department of Environmental Conservation – Region 1

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- New York Office of Parks, Recreation and Historic Preservation
- New York State Department of State Division of Coastal Resources
- New York State Department of Transportation
- Metropolitan Transportation Authority – Long Island Rail Road
- Suffolk County
- Suffolk County Planning Commission
- Town of Brookhaven
- Town of Brookhaven Planning Board

The roles and responsibilities of these agencies include, but are not limited to, participating in the scoping process, providing comments throughout the process, and sharing their expertise.

### ***2.2.3 Early Agency Coordination***

Informal consultation started at the Suffolk County Water Initiative bi-weekly meeting in spring 2015, followed by agency invitation letters in August 2015, and an early agency coordination meeting in November 2015. The purpose of the meeting was to review the scope of the project, the purpose and need of the proposed action, and discuss potential alternatives with the interested agencies. FEMA emailed interested agencies in fall 2015, inviting them to the informal meeting.

One agency scoping meeting was held on November 20, 2015, at the FEMA Sandy Recovery Office in Forest Hills, New York. Seventeen people representing eight agencies and jurisdictions attended the meeting, including FEMA, USEPA, FAA, GOSR, the Environmental Facilities Corporation, DSHES, Suffolk County, and Louis Berger.

FEMA hosted the meeting, and discussion topics included the purpose and need, alternatives, and environmental review of Forge River.

## **2.3 Public Scoping**

Public scoping is an important element in the public involvement process and helps GOSR and FEMA to determine the focus and content of the draft EA/EIS. Strategies used to engage the public to participate in the environmental review process and attend the scoping meeting included: (1) making it easy to participate, (2) providing easy-to-understand information that helped people share informed scoping comments, (3) offering multiple ways to obtain information and provide comments, and (4) ensuring stakeholders were aware of the planning process and were shown how public input will be used.

The scoping process identifies and informs the scope of environmental issues to be addressed in an EA/EIS and is a specific regulatory requirement associated with NEPA regulations 40 CFR parts 1500–1508. Public and agency scoping is an integral part of determining the range of issues to be addressed in an EA/EIS, informing the development of the alternatives to be analyzed, and identifying the issues and concerns important to the public and to local, state, and federal agencies.

This report outlines GOSR’s scoping activities to share project information and solicit public and agency input on the scope of analysis and range of alternatives for the Forge River Watershed

Sewer Project. This report also summarizes the comments gathered during the scoping period, identifies the substantive issues, and explains how these comments will be addressed.

### **2.3.1 Public Notification Activities**

A newspaper display ad was placed in one local paper, and notices were posted in public places throughout the community. Additionally, documents were uploaded to the GOSR website that provided pertinent project and scoping information. Copies of the public scoping meeting materials are provided in Appendices A and B.

#### **Mailing Notification Database**

The project team developed a project mailing notification database by compiling the contact information for public agencies and other stakeholders interested in the project. The database includes 63 federal, state, and local agencies; 1,811 residents in or near the proposed project area; and members of the public. The notification database includes physical mailing addresses, not email addresses.

Federal, state, and local agencies were identified by determining any agencies that would potentially (a) have a discretionary approval over the proposed project; (b) contribute funding to the proposed project; or (c) have interest in the project due to geographic proximity, jurisdiction, or other considerations. Representatives from GOSR, FEMA, and Suffolk County reviewed this list of agencies. A notice of SEQRA positive declaration, public scoping meeting, and public comment period; notice of NEPA EA; notice of early public review of a proposal in 100-year floodplain and wetlands (Executive Orders 11988 and 11990); and notice of Section 106, National Historic Preservation Act review (54 U.S.C. 306108) was mailed to each of these agencies.

Postcards were mailed on January 8, 2016, to 1,811 physical addresses in or near the proposed project area that may be impacted by construction and implementation of the potential project, including all physical addresses of parcels within the boundary of Phase I/II and additional parcels that may experience construction impacts as a result of potential routing of construction traffic. The physical addresses were reviewed by representatives from GOSR, FEMA, and Suffolk County. The general public was notified via the newspaper advertisement and project website, as discussed below.

#### **Newspaper Advertisement**

To invite the public to the scoping meetings and notify individuals about the comment period, a legal advertisement was placed in one newspaper in Suffolk County, the *Newsday*. *Newsday* was selected based on its geographic focus, audited circulation numbers, and readership diversity. The legal notice ran for one day, on Wednesday December 23, 2015.

The notice included pertinent information about the project, including the proposed action, the purpose and need, and the anticipated impacts. The notice stated that the release of the Draft Scope of Work would be made available for public review and comment until February 16, 2016; a scoping meeting would be held on January 26, 2016, from 6:00 pm to 8:00 pm at William Paca Middle School, 338 Blanco, Mastic Beach, NY 11951; and that the Draft Scope of Work could also be viewed and downloaded from the following website location:

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<http://stormrecovery.ny.gov/environmental-docs>. The locations listed below were included as sites where a hard copy of the Draft Scope of Work would be made available for viewing:

The Governor's Office of Storm Recovery  
25 Beaver Street, 5th Floor  
New York, New York 10004  
Monday–Friday, 9:00 am–4:00 pm

Town of Brookhaven  
Town Clerk  
1 Independence Hill, Farmingville, New York 11738  
Monday–Friday, 9:00 am–4:00 pm

Suffolk County  
Division of Planning & Environment  
H. Lee Dennison Building, 4th Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Monday–Friday, 9:00 am–4:00 pm

Brookhaven Free Library  
273 Beaver Dam Road  
Brookhaven, New York 11719  
Monday–Thursday, 9:30 am–8:00pm; Friday, 9:30am–5:00pm; and Saturday, 9:30am–5:00pm

Lastly, the notice mentioned that comments related to the Draft Scope of Work for the NEPA Draft EA; proposal in a 100-Year Floodplain and Wetlands (Executive Orders 11988 and 11990); or Section 106, National Historic Preservation Act Review (54 U.S.C. 306108), should be sent to:

FEMA NY Sandy Recovery Office  
118-35 Queens Blvd  
Forest Hills, New York 11375  
Attn: Brandon M. Webb  
EHP Special Projects Lead  
917-753-2821  
FEMA-4085-Comment@fema.dhs.gov

For any comments related to the Draft Scope of Work for the SEQRA draft EIS, the notice directed commenters to:

Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12260  
Attn: Thomas J. King, Esq.  
Director – Bureau of Environmental Review and Assessment  
Assistant General Counsel  
518-473-0015  
nyscdbg\_dr\_er@nyshcr.org

Text of the legal notice and a copy of its publication in *Newsday* are included in Appendix A.

Suffolk County issued a press release notifying the public of the meeting on January 24, 2016. *Newsday* also published an article on the project entitled, “Officials prepare to move Forge River sewage treatment plan forward” on January 13, 2016. The article discussed the project and announced the public meeting. Text of the press release and a copy of the article’s publication in *Newsday* are included in Appendix A.

### **Project Website**

The project website, <http://stormrecovery.ny.gov/environmental-docs>, provided links to documents pertinent to the project, including the Draft Scope of Work, the Scoping Notice, the SEQRA Environmental Assessment forms 1 through 3, and the presentation from the Scoping Meeting.

### **Elected Local Official Briefings**

GOSR notified elected officials of the Suffolk County area prior to the scoping meeting by providing them the scoping notice information listed above, via e-mail. Those officials contacted included:

- Congressman Lee Zeldin (assistant Bill Doyle)
- Senator Kenneth LaValle
- Assemblyman Dean Murray
- County Executive Steve Bellone
- Legislator Kate Browning
- Town Supervisor Ed Romaine
- Mastic Beach Village Mayor Maura Spery

### **2.3.2 Public Scoping Meeting**

FEMA hosted a public scoping meeting on January 26, 2016, from 6:00 p.m. to 8:00 p.m. to inform the public about the project and gather input on the scope of the environmental studies, draft purpose and need statements, and project alternatives to be evaluated. The meeting complied with NEPA guidelines. The meeting was held close to the project area at the William Paca Middle School, in the Village of Mastic Beach. The scoping meeting occurred mid-scoping period to allow people an opportunity to become familiar with the project materials available on the website prior to the meeting and to submit comments following the meeting.

The room used for the public scoping meeting was Americans with Disabilities Act-accessible; all notification materials announced that special accommodations would be provided upon request. No requests for special accommodations were received; however, a sign language interpreter was provided despite the lack of request. Suffolk County officials indicated that the demographics of the area were such that non-English language translators were not required during the scoping process.

A total of 92 people registered at the public meeting, although there may have been additional attendees who did not sign in. Two written comments were received at the meeting, and 19 speakers provided oral comments.

### **Public Scoping Meeting Format**

The meeting began with an informal open house and exhibit boards, followed by a presentation. During the open house session, project team members were present at exhibit boards to answer questions related to the technical aspects of the project. The open house provided attendees with an opportunity to review the project information and clarify their understanding of the project and environmental process. Following the open house, staff from Fitzgerald & Halliday began a PowerPoint presentation introducing the project and welcoming the public to the meeting. A GOSR representative provided an overview of the project and NEPA and SEQRA processes.

Written comments were accepted on comment cards provided at the meeting and also accepted by mail, fax, and email after the meetings until the close of the comment period on February 16, 2016. Emphasis was placed on the importance of the community providing comments before the comment deadline, regardless of the submittal method. At the beginning of the meeting a sign-in sheet was provided for those attendees who wanted to provide oral comments. After the presentation, attendees were invited to provide oral comments and were asked to keep their comments to three minutes. Those oral comments were captured by the court reporter. At the conclusion of the meeting, attendees wishing to provide additional oral comments were invited to speak for a second time.

### **Public Meeting Materials**

Each meeting attendee was offered the following materials at the meeting: a comment card, a business card, and a factsheet on the project. The comment card allowed attendees to submit written comments during the meeting or to mail them in after the meeting. The comment card was designed as a self-mailer so that individuals could mail comments to FEMA if they needed more time to consider them after the public scoping meeting. Business cards were created for the meeting that had links to comment on the project. These cards were distributed during the scoping meeting, and extras were left at the Mastic, Shirley, and Center Moriches libraries. The project factsheet was offered to meeting attendees to provide additional information on the purpose and need, scope of work, location, and three alternatives presented as part of scoping.

Project exhibit boards were developed and used during the public open house. The boards included information about the purpose and need, location and alternatives overview, timeline, and a map of the Forge River Watershed Sewer Project Area.

## **2.4 Comments Received**

The public scoping period began on December 23, 2015, when the Scoping Notice was published, and lasted until February 16, 2016. All interested parties were provided opportunities to submit written comments at the public scoping meeting, to submit comments in writing via email, fax, or letter, and to provide verbal comments at the public scoping meeting that was recorded by a court reporter. The comment cards distributed at the public meeting were designed to facilitate the submission of written comments at the public meeting or via mail during the public comment period.

In total, 14 public comment letters, emails, and comment cards; 3 agency comment letters, emails, and comment cards; and 19 oral comments (heard during the public hearing) were received by the close of the public comment period. Each letter, email, and comment card discussed multiple topics. Comments received after the conclusion of the official comment period were (and will continue to be) reviewed but may not be included in the official record for the scoping period. Comments are still being solicited via the project website. Copies of all public comments received are included in Appendix C; copies of all agency comments received are included in Appendix D.

### **3.0 SUMMARY OF SCOPING COMMENTS**

FEMA and GOSR accepted comments on the project throughout the scoping period, from December 23, 2015, until February 16, 2016. All the public comments can be found in Appendix C.

#### **3.1 Summary of Substantive Comments**

All letters, emails, oral comments, and comment card submissions were reviewed and categorized in an electronic database. The database contains information documenting the name of the commenter, the agency or organization the commenter represents, the method by which the comment was received, and the topic categories addressed in the comment. The full text of each comment is included in Appendices C and D.

The comments fit into five topic categories: project purpose and need, costs of the project, environmental impacts, miscellaneous, and new alternatives. The follow sections summarize the comments received during the scoping period based on the environmental resource categories that will be discussed in the draft EA/EIS.

The draft EA/EIS will look at the potential for impacts raised by the public; the agencies will evaluate comments regarding the scope, purpose and need, and alternatives.

#### **3.2 Public Comments Related to Purpose and Need**

Many comments that were submitted related to the purpose and need and scope of the project. Commenters questioned whether the sewer project was necessary for the area, if other wastewater systems should be considered, and if this was an actual coastal resiliency project.

*Response:*

- *The project is needed because the project area is subject to heavy rainfall events that lead to elevated groundwater and regular flooding, which can cause failures of OSWS. When OSWS fail, untreated sewage is discharged into the environment, resulting in immediate hazards to human health and damages to property, as well as long-term degradation of coastal wetlands. The proposed project seeks to mitigate short-term, repetitive, adverse impacts on human life and property associated with OSWS failures in the Forge River Watershed in Suffolk County, New York, caused by natural hazards, as well as mitigate long-term, adverse impacts associated with such failures on surface waters and coastal wetlands that reduce the ability of these waters and wetlands to provide natural protection against storm surge.*
- *The draft EA will evaluate a third action alternative that considers other wastewater treatment systems. This alternative would repair and/or replace existing OSWS with upgraded OSWS to achieve an effluent quality of up to 19 mg/L for total nitrogen.*

- *The proposed project is a coastal resiliency project because it would mitigate short- and long-term impacts associated with OSWS failures in the Forge River Watershed and with failures on surface waters and coastal wetlands, respectively. In doing so, it would contribute significantly to the Suffolk County Coastal Resiliency Initiative's goal of mitigating impacts on human life and property, surface waters, and coastal wetlands associated with OSWS failures caused by natural hazards (rain events, storm surge, and coastal flooding).*
- *Mastic-Shirley is one of the seven currently unsewered areas that the Suffolk County Sewer District/Wastewater Treatment Task Force identified as a critical area of need for centralized sewer service. The Draft Mastic-Shirley Feasibility Study (CDM Smith, 2014) and Forge River Nitrogen Reduction Report, Sewering of Mastic/Shirley, EFC Report C1-5140-01-00 (CDM Smith, 2015) documented the needs of the proposed district, including sewage collection and treatment/effluent discharge requirements and various benefits.*

Many commenters indicated that they felt the purpose of the project is economic development, rather than mitigation or water quality, which they felt should be the main purpose. One commenter spoke in contradiction of this point, stating that economic development might be necessary considering the business closures and need in the community for an economic catalyst.

*Response:*

- *As noted in the purpose and need of the Scoping Document, the purpose of this project is not economic development, but rather, to mitigate short- and long-term adverse impacts associated with OSWS failures in the Forge River Watershed and with failures on surface waters and coastal wetlands, respectively. For the purpose of the land use and socioeconomic analyses in the draft EA, the No-action Alternative will include increased development according to the Montauk Highway Corridor Study and Land Use Plan and as permitted by zoning. With the exception of development according to the Montauk Highway Corridor Study and Land Use Plan and as permitted by the zoning, it is assumed that currently vacant parcels will not be developed. However, the analyses in the draft EA/EIS will assess the potential for induced growth and indirect effects on population, employment, housing units, property values, and net fiscal flow based on this existing zoning.*

### **3.3 Public Comments Related to the Scope of the Environmental Analysis**

One commenter indicated that the former duck farm along the Upper Forge River was the major cause of the nitrogen pollution historically, and should be considered. Some commenters spoke specifically to types of analyses that should be conducted, discussing the need for cumulative, indirect, and secondary impact analyses; a build-out analysis of what the district needs; mitigation plans; and an analysis of impacts on new single-family residences in the project area. Other commenters suggested the need for mitigation plans and due process for complying with Suffolk County laws for dealing with tidal wetlands, freshwater wetlands, and State Pollution Discharge Elimination System (SPDES) permits as well as cultural resources.

One commenter outlined certain projects in the project area that should be considered under the cumulative impacts analysis, including: The Town of Brookhaven Multifamily Housing Code, the Advanced OSWS Demonstration in Suffolk County, the Town of Brookhaven (Airport) Perimeter

*Appendix C: Public Scoping Report  
Forge River Watershed Sewer Project, Town of Brookhaven, NY*

Road Project (OTRPRP), and The Town of Brookhaven's proposal to require decrease nitrogen outflow within 500 feet of the shoreline. The OTRPRP, specifically, was mentioned as a possible project that could result in adverse impacts on visual resources and neighborhood aesthetics/character, which should be addressed in the analysis.

*Response:*

- *As required by the implementing regulations of NEPA, the impact analysis will evaluate the direct and indirect (including secondary) effects of all alternatives, as well as the contribution of the action alternatives to cumulative impacts when combined with other past, present, and reasonably foreseeable projects in the area.*
- *The draft EA will outline the proposed mitigation measures for each resource topic, and required mitigation will be discussed in the permits and project conditions chapter.*
- *The draft EA will evaluate the impacts on single-family residences under the socioeconomics resource topic.*
- *The proposed project will require several approvals, permits, and consultations that will be discussed in the permits and project conditions chapter. A preliminary list of these approvals, permits, and consultations includes: approval of the creation of a Mastic-Shirley Sewer District by public referendum, compliance with Section 14.09 of the New York State Historic Preservation Act and Section 106 of the National Historic Preservation Act/Tribal Consultation; compliance with Section 7, Threatened/Endangered Species Coordination; SPDES permit and compliance with Suffolk County Article 6 and Article 7 requirements; SPDES General Permit for Stormwater Discharges from Construction Activity, including preparation of a stormwater pollution prevention plan; approval from Suffolk County Department of Health Services; and compliance with Suffolk County Department of Health Services and Suffolk County Department of Public Works sewage treatment plant design and space requirements.*
- *The analysis of water quality in the draft EA will consider other sources of nitrogen loading beyond failing OSWS, such as agricultural practices.*

Other public comments related to the environmental analysis dealt mostly with contamination, socioeconomics, and impacts on coastal resources and wetlands. The comments entailed inquiries from the public such as how the project would impact estuaries and wetlands, what remediation plans are in place if the sewer backup plan fails, and how neighbors would be compensated for their losses. One commenter further inquired as to what provisions have been made to hide the plant from view on the west side and how the plant would impact the nearby playground and ballfields.

Other commenters indicated that the project would saturate their land and pollute their soil without any benefit. Commenters reiterated the lack of benefit they perceived from this project and said the project would cost them money because it would pollute their soils. One commenter felt the project may impact home prices.

*Response:*

- *The draft EA will include detailed analyses of all possible adverse as well as beneficial impacts on the human and natural environment, where potential impacts have been identified, including:*

*Appendix C: Public Scoping Report  
Forge River Watershed Sewer Project, Town of Brookhaven, NY*

- *Geology, topography, and soils (potential impacts to earth resources related to contamination)*
- *Air quality*
- *Water quality (potential impacts to water resources related to contamination)*
- *Wetlands and coastal resources*
- *Floodplains*
- *Vegetation*
- *Wildlife and fish*
- *Threatened and endangered species*
- *Cultural resources*
- *Land use and planning*
- *Socioeconomics*
- *Environmental justice*
- *Community Facilities and Services*
- *Noise*
- *Transportation*
- *Public services and utilities*
- *Public health and safety*
- *Climate change*
- *Visual resources*

### **3.4 Public Comments Related to the Project Area**

Many commenters suggested the project area, sewer line location, and sewer plant location should be changed to have more beneficial effects on the community. Commenters mentioned the project area should include Mastic Beach, Montauk Corridor, the Lower Peninsula, and the East River. Commenters also suggested the treatment plant should be located on the northwest portion of its current site, within the project area that is being sewerred, or away from residences. One commenter asked why so much of the project area was located outside of the Forge River Watershed.

*Response:*

- *During the Public Scoping Meeting, FEMA and GOSR indicated that the draft EA/EIS will provide a detailed analysis of the project area, defined as Phases I, and II of the project area identified in the Draft Mastic-Shirley Feasibility Study. In response to public comments received during scoping, Phase III will also be included in the project area for detailed analysis. Phase IV will be evaluated as a reasonably foreseeable future project in the assessment of cumulative impacts.*

*Appendix C: Public Scoping Report  
Forge River Watershed Sewer Project, Town of Brookhaven, NY*

- *Several studies considered alternate locations for the AWTF outlined in an Alternatives Screening Report prepared by GOSR. The alternative locations for locating the AWTF facility included the Brookhaven Calabro Airport and the “Links at Shirley Golf Course.” The golf course site was eventually eliminated as an alternative site because of the much higher costs associated with constructing a force main from the master pump station. As a result, the airport site was chosen for the AWTF because it was much closer to the master pump station, would require a shorter force main, and would be less costly.*
- *Approximately 90 percent of the Phase I/II area is located within the Forge River Watershed; the remaining 10 percent of the area is located within the Carmans River Watershed to the west. The entire Phase III area is located within the Forge River Watershed. The Phase IV area is located in the watershed of Narrow Bay to the south and Bellport Bay in the west—both bays are part of Great South Bay. For Phases I to IV, 46 percent of the project area is located in the Forge River Watershed, 2 percent is located in the Carmans River Watershed, and 52 percent is located in the Great South Bay Watershed.*

Other concerns expressed by commenters included:

- The sewer district should not be located near the airport where there are numerous plane crashes yearly.
- The Brookhaven lab had contaminated groundwater and should be addressed.
- The project should build 3.5 miles of pipeline down Neighborhood Road and up Mastic Road to be ready to connect when the project is completed because the county cannot afford to wait 15 to 20 years.

*Response:*

- *Because the Brookhaven Calabro Airport is one potential site under consideration for the location of the wastewater treatment plant, the EA will evaluate the proposed actions under NEPA and applicable “special purpose laws” pursuant to FAA order 5050.4b, NEPA Implementing Instructions for Airport Actions, and FAA Order 1050.1F, Environmental Impacts: Policies and Procedures. While none of the project alternatives are anticipated to interfere with aviation navigation, potential construction impacts related to aviation navigation will be evaluated in the draft EA. In addition, FAA is a cooperating agency for the review of this project under NEPA, and FEMA is coordinating with both FAA and the Town of Brookhaven.*
- *The draft EA will discuss existing groundwater contamination and the potential for nearby contaminated sites under both the water quality resource topic and the geology, topography and soils resource topic.*
- *The project area to be evaluated in the draft EA will include Phase III, while the Phase IV area will be evaluated in the analysis of cumulative effects. Together, Phases III and IV encompass the area of Neighborhood Road and Mastic Road.*

### **3.5 Public Comments Related to Alternatives**

Many commenters inadvertently expressed support for the No-action Alternative by either voicing opposition to the project or suggesting it was not necessary. One commenter opposed the project

and indicated that sewerage had failed the community in many categories, including creating untenable costs and drinking water drawdown. Other commenters were in support of sewerage, and therefore the action alternatives, expressing that the current infrastructure was antiquated and long overdue for improvements and updates.

*Response:*

- *The draft EA will evaluate the potential costs of the project alternatives to residential and commercial property owners under the socioeconomics resource topic.*
- *The draft EA will evaluate the potential impacts of the project alternatives to drinking water supply and quality under the water quality resource topic.*

One commenter suggested additional alternatives should be considered that abandon the idea of sewerage and focus instead on implementing waterless, closed, on-site wastewater systems that would avoid contamination or pollution and reuse waste as a fertilizer.

*Response:*

- *The use as a bathroom-only solution addresses only part of the pollution problem; the majority of the household volume of water is grey and has to be conveyed for treatment. Kitchen waste would have to be brought to the bathroom for disposal. Although minor, there would also be homeowner attention (fan, pump, and a liquid cartridge) and compost usage. Local regulations would require revision related to “fertilizer” use.*

### **3.6 Public Comments Related to Costs**

Commenters who discussed the costs of the project asked how this would affect local taxes and suggested that the Sandy Relief Fund be used to build the sewer. One commenter requested a full cost analysis of the project, including the costs of the construction or retrofit, costs of deteriorating infrastructure, a full analysis for storm scenarios, and the long-term maintenance costs.

*Response:*

- *While a full benefit-cost analysis is beyond the analysis required by NEPA to evaluate the potential for significant impacts related to the project alternatives, the draft EA will consider costs in the socioeconomics resource topic. In addition, a benefit-cost analysis was prepared as part of the Hazard Mitigation Grant Application to FEMA.*

## **4.0 REFERENCES**

CDM Smith. 2014. Mastic Shirley Feasibility Study, Map & Plan for: Mastic/Shirley. Prepared in association with H2M and Bowne AE&T Group. Prepared for Suffolk County. March 2014.

CDM Smith. 2015. Forge River Nitrogen Reduction Report, Sewering of Mastic/Shirley, EFC Report C1-5140-01-00. Prepared in association with H2M and Bowne AE&T Group. Prepared for Suffolk County. August 2014; amended June 2015.

Suffolk County Department of Public Works (SCDPW). 2016. Personal communication, February 26, 2016.

## **APPENDIX A: SCOPING NOTIFICATION MATERIALS**

# Forge River Watershed Sewer Project Public Scoping Meeting

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*Tuesday January 26th, 2016 • 6 pm to 8 pm*

*William Paca Middle School Gymnasium, 338 Blanco Drive Mastic Beach, NY*

***The proposed Forge River Watershed Sewer Project in the Town of Brookhaven requires environmental review under New York State Environmental Quality Review Act (SEQRA) and the federal National Environmental Policy Act (NEPA) and related laws.***

*Suffolk County has applied to FEMA's Hazard Mitigation Grant Program for funding of the Suffolk County Coastal Resiliency Initiative. The Initiative includes five sewer infrastructure projects that seek to mitigate impacts to human life and property, water bodies and coastal wetlands caused by failures of cesspools and septic systems. As part of the Initiative, the Forge River Watershed Sewer Project proposes to establish the Mastic-Shirley Sewer District.*

***We want your comments on the Draft Scope of Work for the environmental review. The Draft Scope of Work is available for viewing and downloading at this website: <http://stormrecovery.ny.gov/environmental-docs>. The Draft Scope of Work is also available at public locations, all of which are listed on the website.***

***Public comments can be submitted until February 16, 2016.  
The website identifies how to submit written comments.***



***For special needs contact:***

***Mary Barthelme***

*Governor's Office of Storm Recovery*

*(518) 473-0154*

*Mary.Barthelme@stormrecovery.ny.gov*

***For more information check out the website:  
<http://stormrecovery.ny.gov/environmental-docs>***

Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260

## **PUBLIC MEETING**

Forge River Watershed Sewer Project

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*Tuesday January 26th, 2016 • 6 pm to 8 pm*  
**William Paca Middle School Gymnasium,**  
*338 Blanco Drive Mastic Beach, NY*

## **PUBLIC NOTICE**

### **NOTICE OF SEQRA POSITIVE DECLARATION, PUBLIC SCOPING MEETING, AND PUBLIC COMMENT PERIOD; NEPA ENVIRONMENTAL ASSESSMENT; NOTICE OF EARLY PUBLIC REVIEW OF A PROPOSAL IN 100-YEAR FLOODPLAIN AND WETLANDS (EO 11988 AND EO 11990); NOTICE OF SECTION 106, NATIONAL HISTORIC PRESERVATION ACT REVIEW (54 U.S.C. 306108)**

#### **FORGE RIVER WATERSHED SEWER PROJECT Mastic-Shirley Proposed Sewer District Town of Brookhaven, NY**

December 23, 2015

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Notification is hereby given to the public that the Governor's Office of Storm Recovery (GOSR), an office of New York State Homes and Community Renewal's Housing Trust Fund Corporation (HTFC), as lead agency pursuant to the State Environmental Quality Review Act (SEQRA) (New York State Environmental Conservation Law Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113), has issued a positive declaration and intends on holding a public scoping session to prepare a Draft Environmental Impact Statement (DEIS) for the proposed Forge River Watershed Sewer Project (the "proposed action") in the Town of Brookhaven, Suffolk County, New York. The Department of Homeland Security-Federal Emergency Management Agency (FEMA) proposes to serve as lead agency for environmental review of the proposed action under the National Environmental Policy Act (NEPA) and related laws.

The environmental review will be coordinated to satisfy the requirements of both SEQRA and NEPA. In accordance with SEQRA and its implementing regulations found at 6 NYCRR Part 617, GOSR has established itself as SEQRA lead agency and classified the proposed action as a Type I Action under 6 NYCRR 617.4. A full Environmental Assessment Form (EAF) Part 1 regarding the proposed action has been circulated for review and comment to interested and involved agencies. GOSR has evaluated the criteria found under 6 NYCRR 617.7(c), completed Parts 2 and 3 of the EAF, and determined that the proposed action described below may result in one or more significant environmental impacts and will therefore require the preparation of a SEQRA DEIS. GOSR will hold a public scoping session to focus the DEIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or nonsignificant. In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. §§4321-4370h), FEMA as NEPA lead agency will prepare a Draft Environmental Assessment (EA) to determine the environmental significance of the proposed action.

Suffolk County, (Subgrantee), has applied to FEMA's Hazard Mitigation Grant Program (HMGP) for funding of the Suffolk County Coastal Resiliency Initiative. The New York State Division of Homeland Security and Emergency Services (DSHES) is the State Grantee partner. The Suffolk County Coastal Resiliency Initiative seeks to mitigate impacts to human life and property, surface waters and coastal wetlands, associated with onsite wastewater treatment and disposal system

failures caused by natural hazards. The natural hazards to be mitigated by this project are risks from rain events, storm surge and coastal flooding particularly, as they contribute to rising water tables and the potential for septic failures for up to 74% of homes in Suffolk County which rely on onsite wastewater treatment and disposal systems such as septic and cesspools (“onsite systems”). The Initiative would be accomplished through five projects that would sewer parcels currently using onsite systems. These five projects are located in the Southwest Sewer District No. 3 (SSD #3), Carlls, Connetquot, Forge, and Patchogue River watersheds.

The proposed action concerns the sewerage of properties within the Forge River Watershed – one of the five watersheds included in the Suffolk County Coastal Resiliency Initiative. The Forge River Watershed project is functionally, geographically, hydrologically and hydraulically separate from the four other projects included in the Suffolk County Coastal Resiliency Initiative, and has independent utility and a distinct schedule for implementation. Therefore, a permissibly separate environmental review process for this project will be completed under SEQRA and NEPA along with a robust analysis of potential indirect and cumulative effects to ensure the review will be no less protective of the environment. The SEQRA DEIS and NEPA EA will evaluate the proposed action and alternatives for the Forge River Watershed Sewer Project.

The proposed action involves the establishment of a County sewer district that would include areas within the densely developed residential and commercial area bounded by the Sunrise Highway to the North, the Poospatuck Creek to the South, the William Floyd Parkway to the West and the Forge River and its tributaries to the East. A map with the specific project area boundary is available at <http://stormrecovery.ny.gov/environmental-docs>. The proposed action proposes to decommission onsite systems within the project area and connect parcels to a new sewer collection system that would flow to a proposed new advanced wastewater treatment facility (AWTF).

The primary purpose of the proposed action is to mitigate short-term and repetitive, adverse impacts to human life and property associated with onsite system failures in the Forge River watershed in Suffolk County, New York caused by natural hazards. The secondary purpose is to mitigate long-term, adverse impacts associated with such failures on surface waters and coastal wetlands, reducing their ability to provide natural protection against storm surge. The project is needed because onsite systems (such as septic tanks and cesspools) in the project area within the Forge River watershed are susceptible to both capacity and treatment or disposal failures during flood events. The failure of onsite systems causes public health risks associated with uncontrolled wastewater discharges during and after storm events, thereby creating pathways for human exposure to harmful pathogens, increasing risk to human life and property, and degrading ecosystems that protect Long Island’s south shore against storm surge.

The proposed action may significantly affect one or more of the following environmental factors: Geology, Topography, and Soils; Air Quality; Water Quality; Wetlands; Floodplains; Coastal Resources; Vegetation; Wildlife and Fish; Threatened and Endangered Species and Critical Habitat; Cultural Resources; Aesthetic Resources; Socioeconomic Resources and Environmental

Justice; Land Use and Planning; Community Facilities and Services; Noise; Transportation; Public Services and Utilities; Public Health and Safety; Hazardous Materials; Climate Change; and Cumulative Impacts.

In the Draft EA and DEIS, FEMA and GOSR will consider a no action alternative, the proposed action, and a reasonable range of other action alternatives. Other action alternatives may include a combination of the following project components: different wastewater treatment technologies, different collection system infrastructure, location alternatives for the proposed advanced wastewater treatment facility, location alternatives for the proposed pump stations, and repairing and/or replacing onsite systems.

Additional reviews of the proposed action will be undertaken in coordination with the environmental review described above, including, but not limited to, those reviews required under Section 106 of the National Historic Preservation Act (54 U.S.C. 306108); Section 404 of the Clean Water Act (33 U.S.C. 1251 *et.seq.*); Section 1424(e) of the Safe Drinking Water Act (42 U.S.C. 300h-3(e)); and in accordance with the requirements for public review of a proposal in a 100-year floodplain and wetlands (Executive Order (EO) 11988 and EO 11990). The Town of Brookhaven's Calabro Airport is one site under consideration for the location of the advanced wastewater treatment facility and associated leaching field. Therefore, a potential release of airport property will be considered as part of the proposed action to be evaluated in the Draft EA and DEIS.

Cooperating agencies identified under NEPA include the Federal Aviation Administration (FAA), Environmental Protection Agency (EPA), and potentially others. The draft EA will be prepared to meet all environmental and other relevant regulatory requirements of these agencies. Involved Agencies identified under SEQRA include the New York State Environmental Facilities Corporation; DSHES ; New York State Office of State Comptroller, Division of Legal Services; New York State Department of Environmental Conservation (NYS DEC) - Region 1; New York State Parks, Recreation & Historic Preservation; New York State Department of State Division of Coastal Resources; New York State Department of Transportation; Metropolitan Transportation Authority – Long Island Rail Road; Suffolk County; Suffolk County Planning Commission; Town of Brookhaven and Town of Brookhaven Planning Board.

A Draft Scope of Work (“scope” or “scoping document”) for the coordinated Draft EA and DEIS is available for public review and comment at the public locations and website listed below. Comments relating to the Draft Scope of Work are requested and will be accepted by the contact person listed below until February 16, 2016. Additionally, public scoping will be conducted, including a public scoping meeting on January 26, 2016 from 6:00 pm to 8:00 pm at William Paca Middle School, 338 Blanco Drive, Mastic Beach, NY 11951. The process of determining the scope, focus and content of an environmental document is known as “scoping.” Scoping meetings are a useful opportunity to obtain information from the public and governmental agencies. In particular, the scoping process asks agencies and interested parties to provide input on the proposed alternatives, the purpose and need for the project, the proposed topics of evaluation, and potential

impacts and mitigation measures to be considered. The scoping process will also allow FEMA and GOSR to coordinate with other cooperating (NEPA) or involved (SEQRA) agencies to reach agreement on relevant issues in order to minimize the inclusion of unnecessary issues. Should FEMA determine that the project would result in significant impacts and therefore require an Environmental Impact Statement (EIS), the public scoping process for SEQRA will also satisfy the public scoping requirements of NEPA.

Following the public scoping process, coordinated Draft EA and DEIS documents will be prepared for the proposed action and alternatives. When the Draft EA and DEIS are completed, a notice will be sent to individuals and groups known to have an interest in the Draft EA and DEIS and particularly in the environmental impact issues identified therein. Any person or agency interested in receiving a notice and commenting on the Draft EA and DEIS should contact the person listed below.

The Draft Scope can be viewed and downloaded from the following website location: <http://stormrecovery.ny.gov/environmental-docs>. A hard copy of the Draft Scope is available for viewing at the following locations:

GOSR

25 Beaver Street, 5th Floor  
New York, New York 10004  
Mon – Fri 9:00 am – 4:00 pm

Town of Brookhaven

Town Clerk  
1 Independence Hill, Farmingville, NY 11738  
Mon – Fri 9:00 am – 4:00 pm

Suffolk County

Division of Planning & Environment  
H. Lee Dennison Building, 4<sup>th</sup> Floor  
100 Veterans Memorial Hwy  
Hauppauge, NY 11788  
Mon – Fri 9:00 am – 4:00 pm

Brookhaven Free Library

273 Beaver Dam Road  
Brookhaven, NY 11719  
Mon – Thurs 9:30 am – 8pm; Fri 9:30am – 5pm; Sat 9:30am – 5pm

**Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain and Wetlands (EO 11988 and EO 11990).** This is to give notice that FEMA has determined that the above referenced proposed action in the Town of Brookhaven, Suffolk County, New York (“proposed action”) is located partially in the 100-year floodplain, and partially in the 500-year floodplain. The proposed action involves the establishment of a County sewer district which would decommission onsite systems within the project area and connect parcels to a new sewer collection system that would flow to a proposed new advanced wastewater treatment facility (AWTF). The project area encompasses approximately 750 acres, of which approximately 45 acres are located in the floodplain. The proposed action may also involve temporary or permanent impacts in jurisdictional wetlands. Maps of floodplain and wetlands areas are provided in the Draft Scope available at the locations listed above. As required by EO 11988, Floodplain Management, and Executive Order 11990, Protection of Wetlands, and in accordance with 44 CFR Part 9, FEMA will be identifying and evaluating practicable alternatives to locating the action in the floodplain and wetlands, as well as potential impacts on the floodplain and wetlands. The proposed project seeks to mitigate impacts to human life and property associated with onsite system failures during flood hazard events, as well as impacts associated with such failures on surface waters and coastal wetlands, and their resulting ability to provide natural protection against storm surge. As such, it intends to reduce the extent and degree of flood hazard in the project area.

All interested agencies, tribes, groups, and persons are invited to submit written comments on the proposed action and the Draft Scope of Work to the appropriate CONTACT PERSON listed below. All comments submitted on or before February 16, 2016 will be considered prior to the preparation and distribution of the coordinated Draft EA and DEIS.

**CONTACT PERSON:**

For any comments related to the Draft Scope of Work for the NEPA Draft EA; proposal in a 100-Year Floodplain and Wetlands (EO 11988 and EO 11990); or Section 106, National Historic Preservation Act Review (54 U.S.C. 306108), please contact:

FEMA NY SRO  
118-35 Queens Blvd  
Forest Hills NY 11375  
Attn: Brandon M. Webb  
EHP Special Projects Lead  
917-753-2821  
[FEMA-4085-Comment@fema.dhs.gov](mailto:FEMA-4085-Comment@fema.dhs.gov)

For any comments related to the Draft Scope of Work for the SEQRA DEIS, please contact:

Governor’s Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260

Attn: Thomas J. King, Esq.  
Director – Bureau of Environmental Review and Assessment  
Assistant General Counsel  
518-473-0015  
[nyscdbg\\_dr\\_er@nyshcr.org](mailto:nyscdbg_dr_er@nyshcr.org)

All comments must be submitted electronically or postmarked on or before February 16, 2016 or they will not be considered for the Draft Scope of Work.

Legal Notice # 21143848 PUBLIC NOTICE

NOTICE OF SEORA POSITIVE DECLARATION, PUBLIC SCOPING MEETING, AND PUBLIC COMMENT PERIOD; NEPA ENVIRONMENTAL ASSESSMENT; NOTICE OF PROPOSED ACTION FOR A 100-YEAR FLOODPLAIN AND WETLANDS (EO 11988 AND EO 11990); NOTICE OF SECTION 106, NATIONAL HISTORIC PRESERVATION ACT REVIEW (54 U.S.C. 306108) FORGE RIVER WATERSHED SEWER PROJECT

Mastic-Shirley Proposed Sewer District Town of Babylon, NY December 23, 2015 Notification is hereby given to the public that the Governor's Office of Storm Recovery (GOSR), an office of New York State Homes and Community Renewal's Housing Trust Fund Corporation (HTFC), as lead agency pursuant to the State Environmental Quality Review Act (SEQRA) (New York State Environmental Conservation Law Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113), has issued a positive declaration and intends on holding a public scoping session to prepare a Draft Environmental Impact Statement (DEIS) for the proposed Forge River Watershed Sewer Project (the "proposed action") and the Town of Brookhaven, Suffolk County, New York. The Department of Homeland Security-Federal Emergency Management Agency (FEMA) proposes to serve as lead agency for environmental review of the proposed action under the National Environmental Policy Act (NEPA) and related laws.

The environmental review will be coordinated to satisfy the requirements of both SEQRA and NEPA. In accordance with SEQRA and its implementing regulations found at 6 NYCRR Part 17, GOSR has established itself as SEQRA lead agency and classified the proposed action as a Type I Action under 6 NYCRR Part 17. A Full Environmental Assessment Form (EAF) Part I regarding the proposed action has been circulated for review and comment to interested and involved agencies. GOSR has evaluated the criteria found under 6 NYCRR 617.7(c), completed Parts 2 and 3 of the EAF, and determined that the proposed action described below may result in one or more significant environmental impacts and will therefore require the preparation of a SEQRA DEIS. GOSR will hold a public scoping session to focus the DEIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or nonsignificant. In accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. §84321-4370h), FEMA as NEPA lead agency will prepare a Draft Environmental Assessment (EA) to determine the environmental significance of the proposed action.

Suffolk County, (Subgrantee), has applied to FEMA's Hazard Mitigation Grant Program (HMGP) for funding of the Suffolk County Coastal Resiliency Initiative. The New York State Division of Homeland Security and Emergency Services (DSHES) is the State Grantee partner. The Suffolk County Coastal Resiliency Initiative seeks to mitigate impacts to human life and property, surface waters and coastal wetlands, associated with onsite wastewater and disposal system failures caused by natural hazards. The natural hazards to be mitigated by this project are risks from rain events, storm surge and coastal flooding particularly, as they contribute to rising water tables and the potential for septic failures for up to 74% of homes in Suffolk County which rely on onsite wastewater treatment and disposal systems such as septic and cesspools ("onsite systems"). The Initiative would be accomplished through five projects that would sewer parcels currently using onsite systems. These five projects are located in the Southwest Sewer District No. 3 (SSD #3), Carls, Connetquot, Forge, and Patchogue River watersheds.

The proposed action concerns the severing of properties within the Forge River Watershed - one of the five watersheds included in the Suffolk County Coastal Resiliency Initiative. The Forge River Watershed project is functionally, geographically, hydrologically and hydraulically separate from the four other projects included in the Suffolk County Coastal Resiliency Initiative, and has independent utility and a distinct schedule for implementation. Therefore, a permissibly separate environmental review process for this project will be completed under SEQRA and NEPA along with a robust analysis of potential indirect and cumulative impacts. The proposed action involves the establishment of a County sewer district that would include areas within the densely developed residential and commercial area bounded by the Sunrise Highway to the North, the Poospatuck Creek to the South, the William Floyd Parkway to the West and the Forge River and its tributaries to the East. A map with the specific project area boundary is available at http://stormrecovery.ny.gov/environmental-docs. The proposed action proposes to decommission onsite systems within the project area and connect parcels to a new sewer collection system that would flow to a proposed new advanced wastewater treatment facility (AWTF).

The primary purpose of the proposed action is to mitigate short-term and repetitive, adverse impacts to human life and property associated with onsite system failures in the Forge River watershed in Suffolk County, New York caused by natural hazards. The secondary purpose is to mitigate long-term, adverse impacts associated with such failures on surface waters and coastal wetlands, reducing their ability to provide natural protection against storm surge. The project is needed because onsite systems (such as septic tanks and cesspools) in the project area are old and are susceptible to both capacity and treatment or disposal failures during flood events. The failure of onsite systems causes public health risks associated with uncontrolled wastewater discharges during and after storm events, thereby creating pathways for human exposure to harmful pathogens, increasing risk to human life and property, and degrading ecosystems that protect Long Island's south shore against storm surge.

The proposed action may significantly affect one or more of the following environmental factors: Geology, Topography, and Soils; Air Quality; Water Quality; Wetlands; Floodplains; Coastal Resources; Vegetation; Wildlife and Fish; Threatened and Endangered Species and Critical Habitat; Cultural Resources; Aesthetic Resources; Socioeconomic Resources and Environmental Justice; Land Use and Planning; Community Facilities and Services; Noise; Transportation; Public Services and Utilities; Public Health and Safety; Hazardous Materials; Climate Change; and Cumulative Impacts.

In the Draft EA and DEIS, FEMA and GOSR will consider a no action alternative, the proposed action, and a reasonable range of other action alternatives. The proposed action may include a combination of the following project components: different project wastewater treatment technologies, different collection system infrastructure, location alternatives for the proposed advanced wastewater treatment facility, location alternatives for the proposed pump stations, and repairing and/or replacing onsite systems.

Additional reviews of the proposed action will be undertaken in coordination with the environmental review described above, including, but not limited to, those reviews required under Section 106 of the National Historic Preservation Act (54 U.S.C. 306108); Section 108 of the Clean Water Act (33 U.S.C. 1251 et seq.); Section 1424(e) of the Safe Drinking Water Act (42 U.S.C. 300h-3(e)); and in accordance with the requirements for public review of a proposal in a 100-year floodplain and wetlands (Executive Order (EO) 11988 and EO 11990). The Town of Brookhaven's Calbro Airport is one site under consideration for the location of the advanced wastewater treatment facility and associated leaching field. Therefore, a potential release of airport property will be considered as part of the proposed action to be evaluated in the Draft EA and DEIS.

Cooperating agencies identified under NEPA include the Federal Aviation Administration (FAA), Environmental Protection Agency (EPA) and potentially, others. The draft EA will be prepared to meet all environmental and other relevant regulatory requirements of these agencies. Involved Agencies identified under SEQRA include the New York State Environmental Facilities Corporation; DSHES; New York State Office of State Comptroller, Division of Legal Services; New York State Department of Environmental Conservation (NYS DEC) - Region 1; New York State Parks, Recreation & Historic Preservation; New York State Department of State Division of Coastal Resources; New York State Department of Transportation; Metropolitan Transportation Authority - Long Island Rail Road; Suffolk County; Suffolk County Planning Commission; Town of Brookhaven and Town of Brookhaven Planning Board.

A Draft Scope of Work ("scope" or "scoping document") for the coordinated Draft EA and DEIS is available for public review and comment at the public locations and website listed below. Comments relating to the Draft Scope of Work are requested and will be accepted by the contact person listed below until February 16, 2016. Additionally, public scoping will be conducted, including a public scoping meeting on January 26, 2016 from 6:00 pm to 8:00 pm at William Paca Middle School, 338 Blanco Drive, Mastic, NY. The process of determining the scope, focus and content of an environmental document is known as "scoping." Scoping meetings are a useful opportunity to obtain information from the public and governmental agencies. In particular, the scoping process asks agencies and interested parties to provide input on the proposed alternatives, the purpose and need for the project, the proposed topics of evaluation, and potential impacts and mitigation measures to be considered. The scoping process will also allow FEMA and GOSR to coordinate with other cooperating (NEPA) or involved (SEQRA) agencies to reach agreement on relevant issues in order to minimize the inclusion of unnecessary issues. Should FEMA determine that the proposed action will result in significant impacts and therefore require an Environmental Impact Statement (EIS), the public scoping process for SEQRA will also satisfy the public scoping requirements of NEPA.

Following the public scoping process, coordinated Draft EA and DEIS documents will be prepared for the proposed action and alternatives. When the Draft EA and DEIS are completed, a notice will be sent to individuals and groups known to have an interest in the Draft EA and DEIS and particularly in the environmental impact issues identified therein. Any person or agency interested in receiving a copy of the Draft EA and DEIS should contact the person whose name is listed below. The Draft EA and DEIS can be viewed and downloaded from the following website location: http://stormrecovery.ny.gov/environmental-docs. A hard copy of the Draft Scope is available for viewing at the following locations:

- GOSR
- 25 Beaver Street, 5th Floor
- New York, New York 10004
- Mon - Fri 9:00 am - 4:00 pm
- Town of Brookhaven
- Town Clerk
- 1 Independence Hill, Farmingville, NY 11738
- Mon - Fri 9:00 am - 4:00 pm
- Suffolk County
- Division of Planning & Environment
- H. Lee Dennison Building, 4th Floor
- 100 Veterans Memorial Hwy
- Hauppauge, NY 11788
- Mon - Fri 9:00 am - 4:00 pm
- Brookhaven Free Library
- 273 Beaver Dam Road
- Brookhaven, NY 11719
- Mon - Thurs 9:30 am - 8pm; Fri 9:30am - 5pm; Sat 9:30am - 5pm

Notice for Early Public Review of a Proposed Activity in a 100-Year Floodplain and Wetlands (EO 11988 and EO 11990). This is to give notice that FEMA has determined that the above referenced proposed action in the Town of Brookhaven, Suffolk County, New York ("proposed action") is located partially in the 100-year floodplain, and partially in the 500-year floodplain. The proposed action involves the establishment of a County sewer district which would decommission onsite systems within the project area and connect parcels to a new sewer collection system that would flow to a proposed new advanced wastewater treatment facility (AWTF). The project area encompasses approximately 750 acres, of which approximately 45 acres are located in the 100-year floodplain. The proposed action may also involve temporary or permanent impacts in jurisdictional wetlands. Maps of floodplain and wetlands areas are provided in the Draft Scope available at the locations listed above. As required by EO 11988, Floodplain Management, and Executive Order 11990, Protection of Wetlands, and in accordance with 44 CFR Part 9, FEMA will be identifying and evaluating practicable alternatives to locating the floodplain and wetlands, as well as potential impacts on the floodplain and wetlands. The proposed project seeks to mitigate impacts to human life and property associated with onsite system failures during flood hazard events, as well as impacts associated with such failures on surface waters and coastal wetlands, and their resulting ability to provide natural protection against storm surge. As such, it intends to reduce the extent and degree of flood hazard in the project area.

All interested agencies and groups are invited to submit written comments on the proposed action and the Draft Scope of Work to the appropriate CONTACT PERSON listed below. All comments submitted on or before February 16, 2016 will be considered prior to the preparation and distribution of the coordinated Draft EA and DEIS.

CONTACT PERSON: For any comments related to the Draft Scope of Work for the NEPA Draft EA; proposal in a 100-Year Floodplain and Wetlands (EO 11988 and EO 11990); or Section 106, National Historic Preservation Act Review (54 U.S.C. 306108), please contact: FEMA NY SRO 118-25 Queens Blvd Forest Hills NY 11275 Attn: Brandon M. Webb EHP Special Projects Lead 917-783-2821

FEMA-4085-Comment@fema.dhs.gov For any comments related to the Draft Scope of Work for the SEQRA DEIS, please contact: Governor's Office of Storm Recovery 59 Washington Avenue Suite 1224 Albany, New York 12242 Attn: Thomas J. King, Esq. Director - Bureau of Environmental Review and Assessment Assistant General Counsel 518-473-0015 nyocbo@nyshscr.org All comments must be submitted electronically or postmarked on or before February 16, 2016 or they will not be considered for the Draft Scope of Work.

Legal Notice # 21138922 LOW OFFICES OF DONALD T. RAVE, Jr. 11 The Plaza Locust Valley, New York 11660 Tel: 516-671-1295 Fax: 516-671-1294 Attorneys for Petitioner UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

NOTICE OF COMPLAINT FOR EXONERATION FROM OR LIMITATION OF LIABILITY IN THE MATTER OF THE COMPLAINT OF KENNETH GRAFF, AS OWNER OF THE S/V ALWAYS FAITHFUL, A 34 FOOT CATALINA SAILING VESSEL FOR EXONERATION FROM OR LIMITATION OF LIABILITY

PLEASE TAKE NOTICE that KENNETH GRAFF, as the owner of a 34 foot 1986 Catalina sailing vessel named "ALWAYS FAITHFUL" U.S.C.G. Official No. 697672 (hereinafter referred to as the "vessel") has filed a Complaint for Exoneration from or Limitation of Liability in accordance with United States Maritime Law, specifically the Vessel Owner's Limitation of Liability Act, Title 46 U.S.C. §30501 et seq. involving admiralty and maritime claims within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and Supplemental Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, for any claims and/or losses arising out of an incident which occurred on the evening of June 30, 2015 in or about the navigable waters of Northport Harbor, Long Island, New York, as more fully described in the Complaint (hereinafter referred to as "the incident").

PLEASE TAKE FURTHER NOTICE that all persons, firms, entities or corporations, having any claim or suit, against the Petitioner arising or resulting from the incident, must file a Claim as provided in Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, with the Clerk of the Court, at the United States Courthouse, Eastern District of New York, 100 Federal Plaza, Central Islip, New York, 11772 and must deliver or mail to the attorney for the Petitioner, Donald T. Rave, Jr., LAW OFFICES OF DONALD T. RAVE, JR., 11 The Plaza, Locust Valley, New York 11660, a copy thereof on or before the day of December 31, 2015, or be defaulted. Personal attendance is not required. Further, any claimant desiring to contest Petitioner's right either to Exoneration from or Limitation of Liability shall file an Answer to the Complaint on or before the aforesaid date, as required by Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, or be defaulted, Dated Central Islip, New York November 25, 2015 DOUGLAS PALMER Clerk of the Court Laurie Coleman Deputy Clerk

Legal Notice # 21143774 NOTICE OF ADOPTION OF RESOLUTION NOTICE IS HEREBY GIVEN that the Town Board of the Town of Babylon, County of Suffolk, State of New York, at a regular meeting thereof held on the 16th day of December 2015 duly adopted a resolution, an abstract of which is as follows: RESOLUTION NO. 892 DECEMBER 16, 2015 ADOPTING LOCAL LAW NO. 19 OF 2015 AMENDING CHAPTER 153, ARTICLE I OF THE BABYLON TOWN CODE (RENTAL UNITS) WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 16th day of December 2015 upon the question of enactment of Local Law No. 19 of 2015 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 153, Article I; NOW, THEREFORE, be it RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 19 of 2015, of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

LOCAL LAW NO. 19 OF 2015 A Local Law amending the Code of the Town of Babylon, Chapter 153, Article I. EXHIBIT "A" CHAPTER 153, Article I Add: 153-6 Compliance required, revocation of permit A. No permit or renewal thereof shall be issued under any application unless the property shall be in compliance with all the provisions of the Code of the Town of Babylon, the New York State Building Code, New York State Property Maintenance Code, the sanitary and housing regulations of the County of Suffolk and the laws of the County of Suffolk and State of New York.

B. Prior to the issuance of any such permit or renewal thereof, the property owner shall provide a certification from a licensed professional engineer or a Town building inspector that the property which is the subject of the application is in compliance with all the provisions of the Code of the Town of Babylon, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York. C. The Chief Building Inspector may revoke a rental permit or approval issued under the provisions of this chapter upon application of the Town Attorney's office for any of the following reasons: (1) Where he or she finds that there has been any false statement or misrepresentation as to a material fact in the application, plans or specifications on which the building permit was based; or (2) Where he or she finds that the rental permit was issued in error and should not have been issued in accordance with the applicable law; or (3) Failure to maintain the necessary requirements as outlined in this article, or occurrence of unlawful activities at or about the premises; (4) There is fighting or violent, tumultuous or threatening behavior by any occupant of the premises; (5) There is unreasonable noise from the premises on a regular basis; (6) There are repeated calls to the police for disturbances and/or disputes at the premises; (7) There is obstruction of vehicular or pedestrian traffic due to vehicles from or at the premises; (8) There is a hazardous or physically offensive condition created by an act of an occupant or owner of the premises; (9) For existing violations of the Babylon Town Code on the premises; (10) When violations of any state or local law exist on the premises;

(11) When there exists a public nuisance as defined in Babylon Town Code Article III Chapter 165. (12) Any other reason where the Board finds it is in the best interest of the community to revoke the permit due to health, welfare and safety concerns. D. Such revocation shall take place after notice to the applicant and an opportunity for the applicant to be heard by the Building Inspector. E. No fees, as provided for pursuant to § 153-5 of this Code, shall be refunded after the revocation of a building permit. Dated: December 16, 2015 at the Town of Babylon, Suffolk County, New York. BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON CAROL QUIRK, TOWN CLERK

LEGAL NOTICES

Legal Notice # 21143906 Notice of Formation of Commack Family Dental PLLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 12/14/15. Office location: Suffolk County. SSNY designated as agent of PLLC upon whom process against it may be served. 5 S NY shal ma il p r o c e s s t o : 6 4 7 Commack Co. Connetquot, NY 11746. Purpose: practice the profession of Dentistry.

which is also the principal business location. Purpose: Any lawful purpose. Legal Notice # 21137449 FDTTP MANAGEMENT, LLC Articles of Org. filed NY Sec. of State (SSNY) 11/18/2015. Office in Suffolk Co. SSNY design. agent of LLC upon whom process may be served. SSNY shall mail copy of process to 500 BI-County Blvd., Ste. 217N, Farmingdale, NY 11735, which is also the principal business location. Purpose: Any lawful purpose.

Legal Notice # 21143985 GULL HAVEN COMMONS, LLC Arts of Org. filed with the SSNY on 12/16/15. est date to dissolve: 12/31/2114. Office: Suffolk County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 715 South County Road, Bay Shore, NY 11706. Purpose: Any lawful purpose.

Legal Notice # 21137462 GENISIS JON PAUL, LLC Articles of Org. filed NY Sec. of State (SSNY) 11/18/2015. Office in Suffolk Co. SSNY design. agent of LLC upon whom process may be served. SSNY shall mail copy of process to 500 BI-County Blvd., Ste. 217N, Farmingdale, NY 11735, which is also the principal business location. Purpose: Any lawful purpose.

HASKELL PRODUCTIONS LLC Articles of Org. filed NY Sec. of State (SSNY) 11/7/2015. Office in Suffolk Co. SSNY design. agent of LLC upon whom process may be served. SSNY shall mail copy of process to 500 BI-County Blvd., Ste. 217N, Farmingdale, NY 11735.

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Legal Notice # 21143772 NOTICE OF PUBLIC HEARING TOWN OF BABYLON PLEASE TAKE NOTICE that the Town Board of the Town of Babylon will hold a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 6th day of January 2016 at 3:30 p.m. prevailing time, to consider amendments to the Town of Babylon Uniform Code of Traffic Ordinances. EXHIBIT "A"

ADD to Schedule K:	Hamlet	Regulation
Name of Street/Side Location:	Hamlet	Regulation
Peacock Lane/ South side	NB	No parking
From a point 230 feet +/- east of Pacific Street east for 90 feet +/-		7:00 a.m. to 4:00 p.m. School Days
Name of Street/Side Location:	Hamlet	Regulation
Great Neck Road (C. R. 477) East side	CO	No parking
From a point 370 feet +/- north of Reith Street (Keith Street) north for 100 feet +/-		
Dated: December 16, 2015, Town of Babylon		
BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON		
CAROL QUIRK, TOWN CLERK		

Legal 2114396401 Hearing Date and Time: January 6, 2016, at 1:30 p.m. (ET) Objection Deadline: December 30, 2015 at 4:00 p.m. (ET) UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK In re: ROXANNE GAIL CARFORA, D.O., P.C. d/b/a : Chapter 11 AGELESS 360 MEDICAL GROUP, P.C. : Case No. 15-74328 Debtor. X

NOTICE OF HEARING TO CONSIDER APPROVAL OF THE SALE OF SUBSTANTIALLY ALL OF THE DEBTOR'S ASSETS NOTICE IS HEREBY GIVEN, as follows: On December 16, 2015, Roxanne Gail Carfora, D.O., P.C. d/b/a Ageless 360 Medical Group, P.C., the debtor and debtor in possession (the "Debtor") in the above-captioned chapter 11 case (this "Chapter 11 Case") filed a motion (the "Motion") which sought entry of an order pursuant to sections 105, 363, and 365 of Title 11 of the United States Code (the "Bankruptcy Code"), and Rules 2002, 6004, and 6006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") (i) Approving the Asset Purchase Agreement Subject to Higher And Better Offer; And (ii) (A) Approving the Sale of Certain Assets Of The Debtor Free And Clear of Liens, Claims, And Encumbrances; (B) Authorizing Practice Management LLC (the "Purchaser"), (B) Authorizing the Rejection Of Certain Unexpired Leases And Executory Contracts, And (C) Granting Related Relief.

The sale of the Acquired Assets remains subject to higher or better offers for the Acquired Assets and Bankruptcy Court approval. All interested parties are invited to make competing offers (each a "Competing Offer") for the Acquired Assets in accordance with the terms of the Motion and the notice annexed to the Motion. The deadline to submit a Competing Offer is December 30, 2015 at 4:00 p.m. (ET) (the "Competing Offer Deadline"). Competing Offers must (a) be in writing and (b) be received by Tracy L. Kiestadt and Maeghan J. McLoughlin at Kiestadt Winters Jureller Southard & Stevens, LLP, 200 West 41st St., 17th Floor, New York, New York 10036 so that such bid is received no later than the Competing Offer Deadline. Pursuant to the Motion, if a Competing Offer other than the Purchaser's offer is received by the Competing Offer Deadline, the Debtor will request approval of the Bankruptcy Court to conduct an auction, or, alternatively, submit bidding procedures specifying the process for submitting bids and conducting an auction, subject to Bankruptcy Court approval.

A hearing on the Motion (the "Sale Hearing") will be held on January 6, 2016 at 1:30 p.m. (ET) before the Honorable Robert E. Grossman, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of New York, Courtroom 860, located at the Alfonso M. D'Amato Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722. Objections, if any, to the Motion must (a) be made in writing, (b) state with particularity the reasons for the objection or response, (c) conform to the Bankruptcy Rules and the Local Bankruptcy Rules for the Eastern District of New York, (d) set forth the name of the objecting party, the nature and basis of the objection, and the specific grounds on which the objection is based, and be filed with the Clerk of the Court (with a copy to be delivered to the Chambers of the Honorable Robert E. Grossman, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of New York, Courtroom 860, located at the Alfonso M. D'Amato Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722), or (e) be received by (i) counsel to the Debtor, Tracy L. Kiestadt, Esq., Southard & Stevens, LLP, 200 West 41st St., 17th Floor, New York, New York 10036, Attn: Tracy L. Kiestadt, Esq.; (ii) counsel to the Purchaser, Raymond Iryami Law Firm P.C., 305 Madison Avenue, 46th Floor, New York, New York 10155, Attn: Raymond Iryami, Esq.; and (iii) the Office of the U.S. Trustee, 560 Federal Plaza, Central Islip, NY 11722, Attn: Stan Yang, Trial Attorney, so as to be actually received no later than 4:00 p.m. (EST) on December 30, 2015. Copies of the Motion and requests for information concerning the sale of the Acquired Assets can also be obtained by telephonic, written, or e-mail request to the undersigned counsel to the Debtor, Attn: Tracy L. Kiestadt or Maeghan J. McLoughlin, telephone: (212) 972-3000 or e-mail: Kiestadt@kiestadt.com or mmcoughlin@kiestadt.com.

Dated: New York, New York December 17, 2015 KLESTADT WINTERS JURELLER SOUTHARD & STEVENS, LLP Attorneys for Debtor and Debtor in Possession By: /s/ Tracy L. Kiestadt 1783 Maeghan J. McLoughlin 200 West 41st St., 17th Floor, New York, New York 10036 T: (212) 972-3000 F: (212) 972-2245 \*Capitalized terms used but not otherwise defined herein shall be ascribed the meanings provided in the Motion.

Text from Suffolk County Press Release:

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## SEWER DISTRICT MEETING

### ENVIRONMENTAL REVIEW

Tuesday January 26, 2016 at 6:00 p.m.

Paca Middle School

338 Blanco Dr.

Mastic Beach, NY 11951

Required environmental review of the proposed Montauk Highway sewer district and sewer treatment plant to be built at the airport will be the subject of a meeting to be held by Suffolk County this Tuesday.

This “scoping session” provides an opportunity for the public to identify potential adverse impacts of the proposed project to be included in the County’s environmental review.

The cumulative impact of sewers and “growth-inducing” aspects of the project must be addressed by the County. This is important because the Town has already rezoned land on both sides of the Montauk Highway corridor for high-density housing of up to 14 units per acre. If sewers are built, apartments and more traffic will soon follow.

The impacts on existing conditions, community character, air, noise, groundwater and soil must also be considered. Due to construction of the proposed sewer treatment plant at the airport, our area faces the most serious adverse impacts without any benefit.

Although this meeting is limited to the required environmental review, it is critical that County officials hear from us. Please attend if possible so the voices of those seeking to foist this sewer treatment plant on our community are not the only ones heard.

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# Officials prepare to move Forge River sewage treatment plan forward

January 13, 2016 By Carl MacGowan [carl.macgowan@newsday.com](mailto:carl.macgowan@newsday.com)



The Forge River is seen from the Forge River Marina in Mastic on Monday, Jan. 11, 2016. Officials hope to begin a river cleanup. (Credit: Newsday / John Paraskevas)

State and Suffolk County officials are preparing to take the next steps in a plan to build a multimillion-dollar sewage treatment system designed to clean up the polluted Forge River and protect homes and businesses in Mastic from flooding.

Environmental advocates and some residents have for years said a modern sewer system is needed to replace cesspools that leak harmful nitrates into the groundwater, creating algae blooms that starve fish of oxygen.

Help finally arrived after superstorm Sandy flooded the Mastic area. The 2012 storm persuaded federal and state authorities to provide funding for five projects — including the Forge River plan — to harden Long Island shorelines against future storms.

Construction of the Forge River project is expected to cost about \$168 million, Suffolk Public Works Commissioner Gil Anderson said. Officials hope federal and state funds will pay the entire cost, said Legis. Kate Browning (WF-Shirley).

The Forge is Suffolk's most algae-infested river, according to a report by the Governor's Office of Storm Recovery.

"Nitrogen levels to the Forge River will be dramatically reduced once we have sewers," Browning said in an interview, recalling fish die-offs in the river caused by excessive nitrates.



“You actually could see the fish jumping up out of the water to try to get oxygen.”

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The county plans to create a sewer district on the west side of the river, south of Sunrise Highway and east of William Floyd Parkway. The sewage treatment plant would be built on Brookhaven Town-owned land at Calabro Airport in Shirley. Browning said the district would serve up to 79 businesses and more than 2,000 homes.

The county plans to hold a referendum later this year or next year asking residents to approve the plan, Anderson said. Construction is expected to start in 2018 and should be completed in two to three years, he said.

A public meeting, part of the state environmental review process, is scheduled for 6 p.m. on Jan. 26 at William Paca Middle School in Mastic Beach.

Superstorm Sandy in 2012 opened a breach on Fire Island that has helped to flush the river, improving conditions somewhat. The storm also flooded riverbanks, heightening concerns that antiquated cesspools could be destroyed by more flooding.

Local residents' views of the sewer plan are mixed.

Mastic resident Ron Lupski, president of Save the Forge River, said he welcomes the plan, although he acknowledges some residents of his working-class neighborhood do not.

“I would pay [for] it through my taxes,” said Lupski, a union carpenter. “It’s a poorer community, so some people might not be able to afford it.”

Brookhaven Town officials have said they support the project. County and town officials are discussing details of where the plant would be located at the airport, Supervisor Edward P. Romaine said.

“It would be a shame if this project wasn’t completed,” he said. “This is a project that is of great import for cleaning up the Forge River and providing effective sanitary waste disposal, which is critical to the area.”

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# Forge River Watershed Sewer Project NEPA / SEQRA Environmental Review

## Public Scoping Meeting

January 26, 2016



**FEMA**



GOVERNOR'S OFFICE OF STORM RECOVERY

# Agenda

- **Introductions**
- **Scoping Meeting**
  - **Why Are We Here?**
  - **What Are We Planning to Do?**
  - **How Do We Get It Done?**
- **Information Gathering**



**FEMA**



**GOVERNOR'S OFFICE OF STORM RECOVERY**

# Scoping Meeting Overview

- Project Background
- Project Schedule
- Environmental Review Process
- Purpose and Need
- Proposed Action and Alternatives
- Environmental Review Schedule & Analysis
- How to Access the Draft Scope
- How to Submit Comments



**FEMA**



GOVERNOR'S OFFICE OF STORM RECOVERY

# Project Background

Up to 74% of Suffolk County households have onsite wastewater treatment disposal systems



Area is subject to heavy rainfall events such as Hurricane Sandy and Hurricane Irene

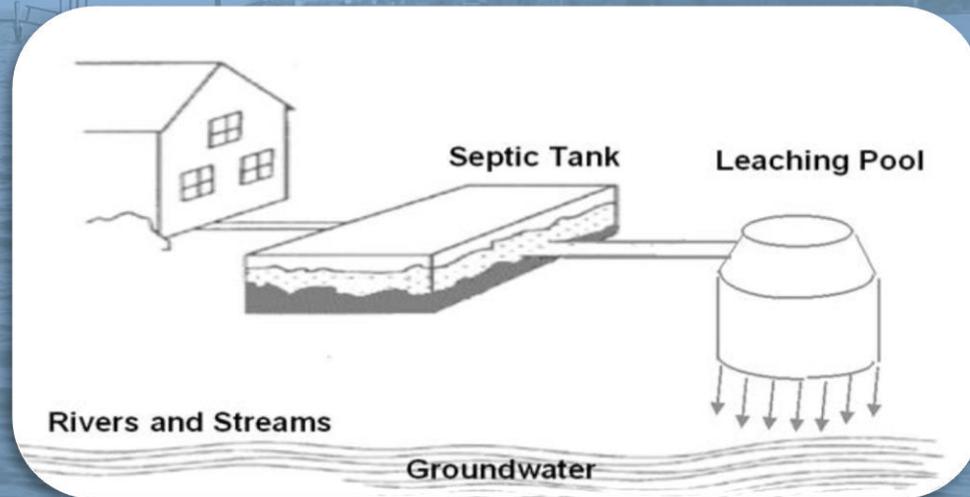


Septic systems can fail due to flooding and/or groundwater elevation from these storm events



Septic system failure leads to sewage backups and groundwater pollution

Typical onsite wastewater treatment disposal system layout



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# Project Background

Suffolk County has applied to the Hazard Mitigation Grant Program for funding of the Suffolk County Coastal Resiliency Initiative to mitigate impacts associated with septic system failures in 5 project areas:

- *Southwest Sewer District No. 3 (SSD #3)*
- *Carlls River Watershed*
- *Connetquot River Watershed*
- *Patchogue River Watershed*
- *Forge River Watershed*



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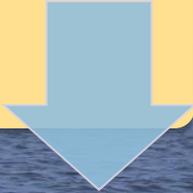
GOVERNOR'S OFFICE OF STORM RECOVERY

# How did we get here?

Numerous heavy rainfall events such as Hurricane Sandy and Hurricane Irene led to sewage backups and groundwater pollution as a result of septic system failure



Suffolk County worked with local community representatives on the Suffolk County Sewer District/Wastewater Treatment Task Force.



In 2013, a feasibility study was prepared for the Forge River Watershed to document the sewage collection and treatment/effluent discharge requirements, associated capital and operation costs, and environmental and economic benefits.



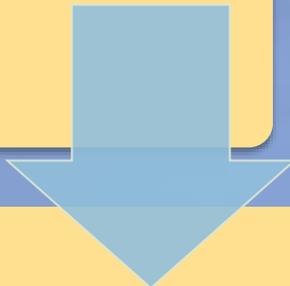
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# How did we get here?

In 2014, the feasibility study was followed by the Forge River Nitrogen Reduction Report (amended in 2015) which evaluated engineering alternatives for sewerage of the proposed County sewer district.



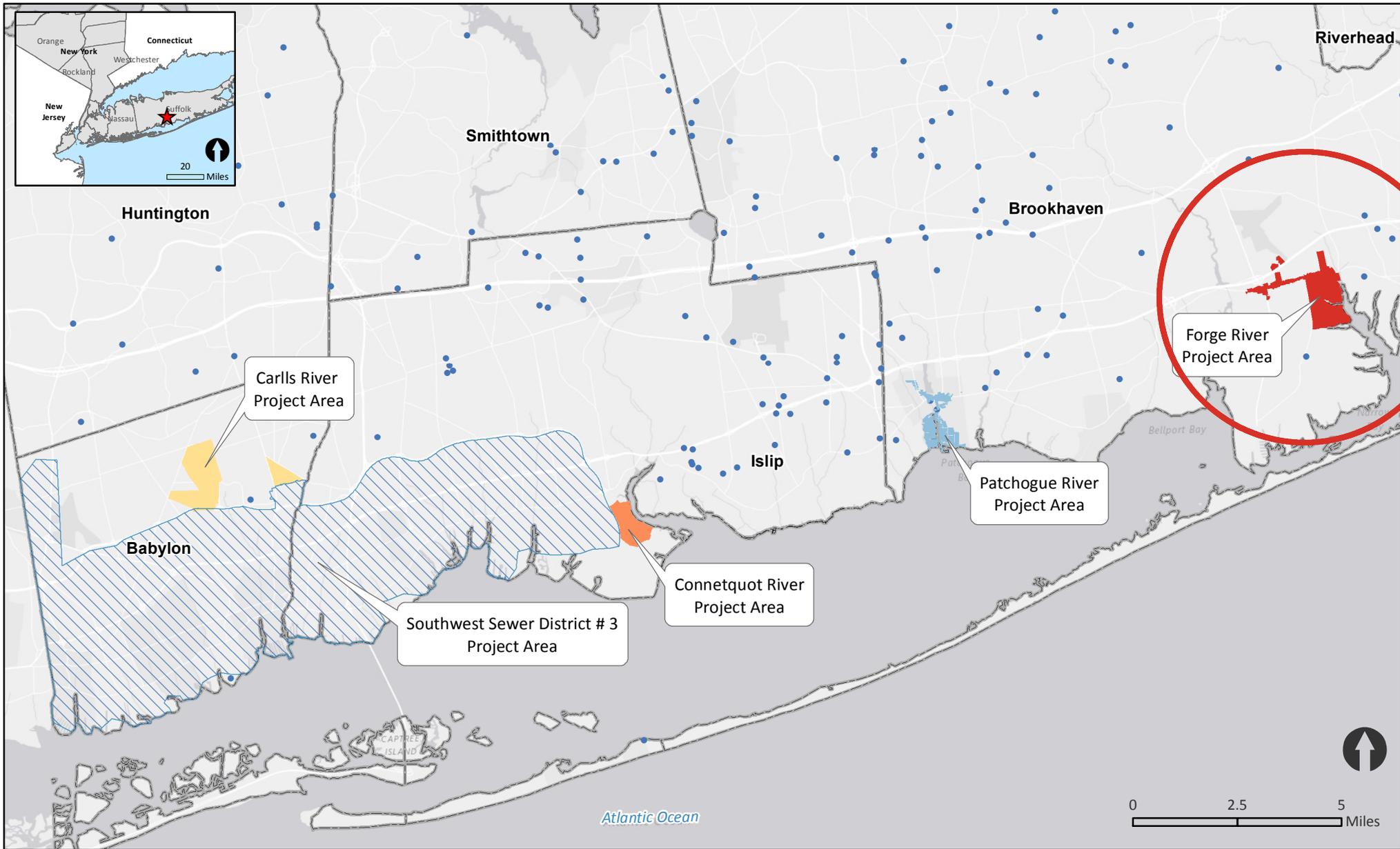
The Task Force and *2015 Suffolk County Comprehensive Water Resources Management Plan* identified the connection of parcels in the Forge River watersheds as a key measure to address several water quality and environmental quality issues.



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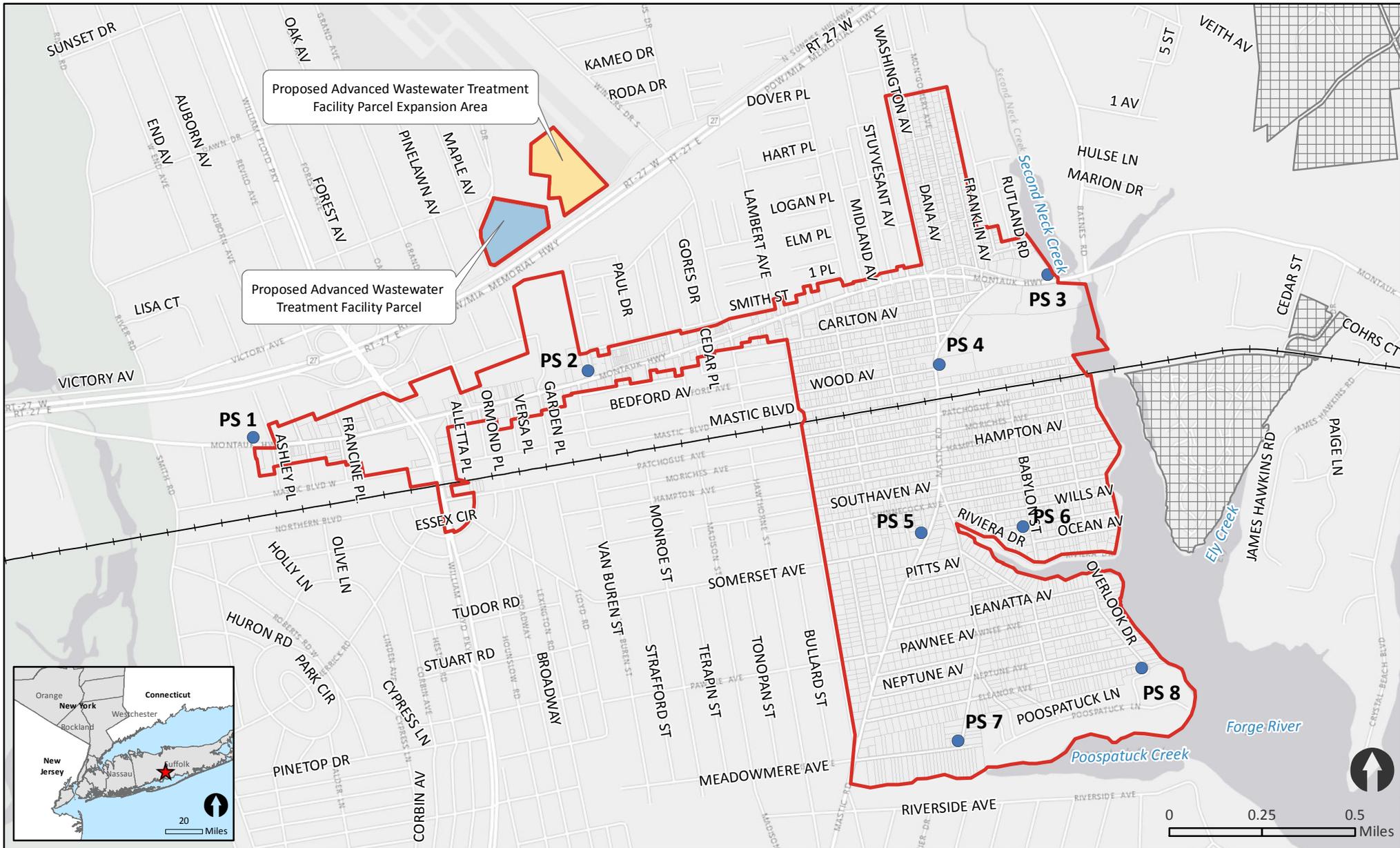


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- Suffolk County Towns
- Existing Sewer Districts
- Existing Sewage Treatment Plants
- Carlls River Project Area
- Connetquot River Project Area
- Forge River Project Area
- Patchogue River Project Area
- Southwest Sewer District # 3 Project Area

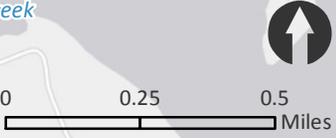
# Suffolk County Coastal Resiliency Initiative



-  Private Sewer Areas
-  MTA Long Island Railroad
-  Proposed Project Area
-  Proposed Project Area Parcels
-  Proposed Pump Stations (PS-1 to PS-8)

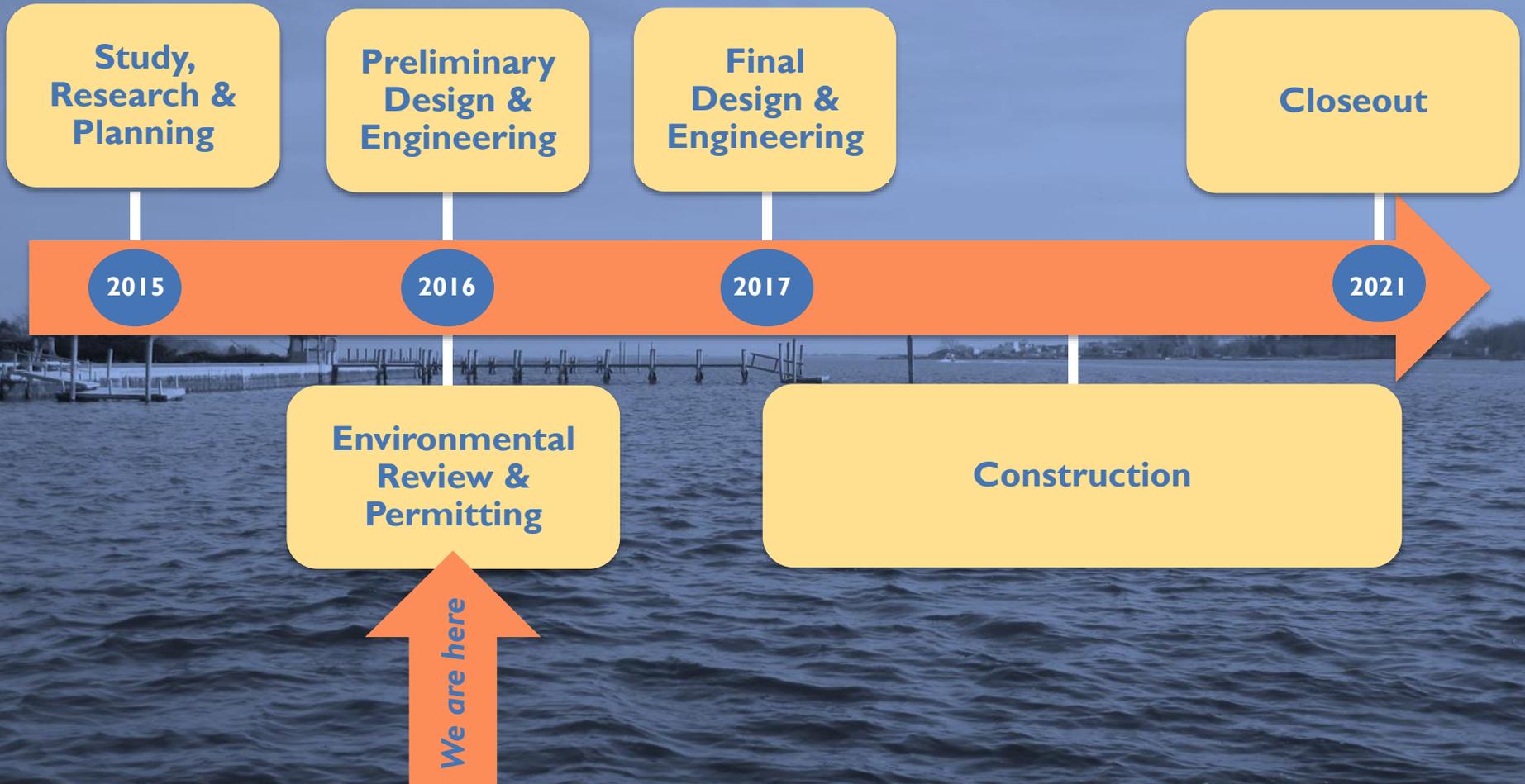
- Proposed Advanced Wastewater Treatment Facility (AWTF)**
-  Proposed Advanced Wastewater Treatment Facility Parcel
-  Proposed Advanced Wastewater Treatment Facility Expansion Area

# Forge River Watershed Sewer Project Area



Source: Suffolk County GIS (2014); Gayron deBruin; New York State GIS (2013); ESRI Gray Base Map (2014).

# Approximate Project Timeline



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# Environmental Review Process



**FEMA**

lead agency under the National Environmental Policy Act (NEPA)



**Governor's Office  
of Storm Recovery**

lead agency pursuant to the State Environmental Quality Review Act (SEQRA)



**Coordinated  
NEPA  
environmental  
assessment (EA)  
& SEQRA  
environmental  
impact  
statement (EIS)**



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# Concurrent NEPA and SEQRA Environmental Review

- Both NEPA/SEQRA require agencies to determine whether a decision is subject to environmental review and whether an EIS should be prepared.
- Formal threshold requiring an EIS under NEPA is when an action “will cause an adverse environmental impact”, while the EIS threshold under SEQRA is when an action “may cause an adverse environmental impact”
- A Coordinated Environmental review is desirable to avoid redundancy and facilitate public review.



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# Purpose & Need

## *Purpose:*

- To mitigate *short-term and repetitive*, adverse impacts on human life and property associated with septic system failures caused by natural hazards and to mitigate the long-term, adverse impacts of onsite systems on surface waters and coastal wetlands that reduce the ability of these waters and wetlands to provide natural protection against storm surge.



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# Purpose & Need

## *Need:*

- Onsite wastewater treatment disposal systems in the project area are susceptible to both capacity and treatment / disposal failures during flooding and heavy rain events. Onsite systems in the project area failed during Hurricane Sandy.



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# Proposed Action & Alternatives

## Alternative I: No Action

- *No new sewer district would be established and no additional sewer infrastructure or wastewater treatment facilities would be constructed to provide sanitary sewer service to presently unsewered parcels.*
- *The unsewered parcels in the project area would continue to use onsite wastewater treatment disposal systems.*



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# Proposed Action & Alternatives

## Alternative 2: Proposed Action

- New Wastewater Collection and Conveyance System: decommissioning of onsite treatment disposal systems for approximately 2,094 parcels and connecting these parcels to the new collection system with a combination of gravity and low-pressure sewers
- New Wastewater Treatment Facility: wastewater from the newly connected parcels would flow to a newly constructed membrane bioreactor (MBR) advanced wastewater treatment facility (AWTF)



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# Proposed Action & Alternatives

## Alternative 3: Other Action Alternative(s)

- Repairing/Replacing septic systems
- Different Wastewater Treatment Technology
- Different Collection System Infrastructure
- Location Alternatives for AWTF
- Different Locations for Pump Stations

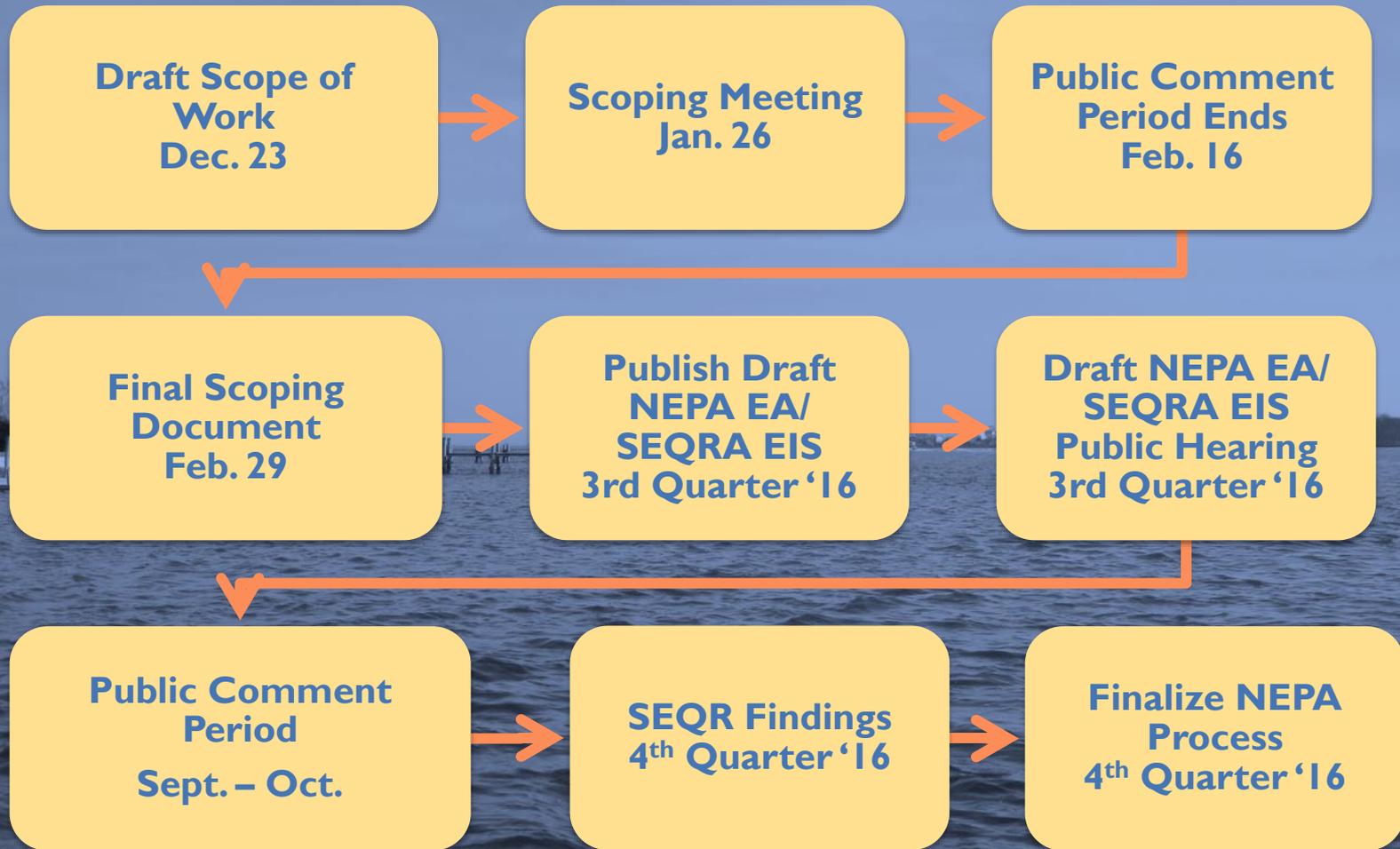


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# Environmental Review Schedule



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# Environmental Impact Analysis

- **Analysis will identify:**
  - whether or not there are adverse impacts
  - any avoidance/mitigation measures that should be applied, and
  - if impacts cannot be mitigated, unavoidable adverse impacts will be described.



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# Environmental Impact Analysis

**Physical  
Resources**

**Water  
Resources**

**Biological  
Resources**

**Land Use and  
Planning**

**Transportation**

**Noise**

**Public Services  
and Utilities**

**Socioeconomics**

**Environmental  
Justice**

**Public Health  
and Safety**

**Hazardous  
Materials**

**Cultural  
Resources**

**Construction  
Impacts**



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# Draft Scoping Document

The Draft Scope can be viewed/downloaded from the following website locations:

<http://www.suffolkcountyny.gov/Departments/PublicWorks/Sanitation/ForgeRiverProject.aspx>

<http://stormrecovery.ny.gov/environmental-docs>

Print versions of the Draft Scope are available at:

GOSR  
25 Beaver Street, 5th Floor  
New York, New York 10004

Suffolk County  
Division of Planning & Environment  
H. Lee Dennison Building, 4th Floor  
100 Veterans Memorial Hwy  
Hauppauge, NY 11788

Town of Brookhaven  
Town Clerk  
1 Independence Hill,  
Farmingville, NY 11738

Brookhaven Free Library  
273 Beaver Dam Road  
Brookhaven, NY 11719



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# Provide your Comments

To provide comments related to the Draft Scope of Work for the NEPA Draft EA/SEQRA DEIS, please email:

[nyscdbg\\_dr\\_er@nyshcr.org](mailto:nyscdbg_dr_er@nyshcr.org)

**\*All comments must be submitted or postmarked on or before February 16, 2016**



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*Appendix C: Draft Public Scoping Report  
Forge River Watershed Sewer Project, Town of Brookhaven, NY*

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## **APPENDIX B: SCOPING MEETING MATERIALS**

# SUFFOLK COUNTY COASTAL RESILIENCY INITIATIVE

Suffolk County has applied to the FEMA Hazard Mitigation Grant Program for funding of the Suffolk County Coastal Resiliency Initiative to mitigate impacts associated with onsite wastewater treatment disposal system failures in 5 project areas:

- Southwest Sewer District No. 3 (SSD #3)
- Carlls River Watershed
- Connetquot River Watershed
- Patchogue River Watershed
- **Forge River Watershed**

## FORGE RIVER WATERSHED SEWER PROJECT

Hamlets of Mastic and Shirley, Town of Brookhaven

### PURPOSE and NEED

**PURPOSE:** To mitigate the short-term and repetitive, adverse impacts on human life and property associated with onsite wastewater treatment disposal system failures caused by natural hazards and to mitigate the long-term, adverse impacts of onsite systems on surface waters and coastal wetlands that reduce the ability of these waters and wetlands to provide natural protection against storm surge.

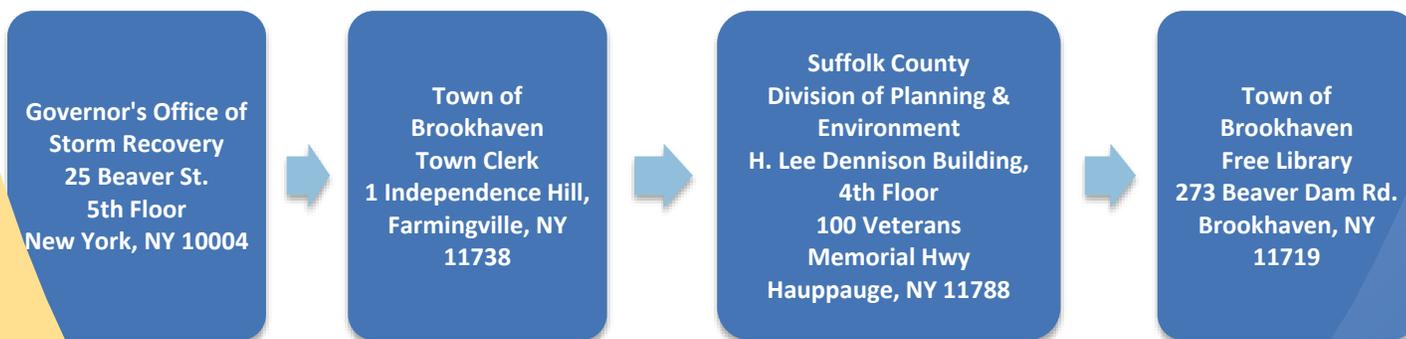
**NEED:** Onsite septic systems in the project area are susceptible to both capacity and treatment or disposal failures during flood and heavy rain events. Onsite systems in the project area failed during Hurricane Sandy.

### ACCESSING THE DRAFT SCOPE OF WORK

The Draft Scope can be viewed/downloaded from the following website location:

<http://stormrecovery.ny.gov/environmental-docs>

Print versions of the Draft Scope are available at the following locations:



### GET INVOLVED

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[nyscdbg\\_dr\\_er@nysocr.org](mailto:nyscdbg_dr_er@nysocr.org)



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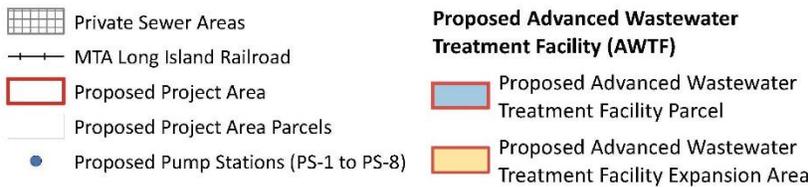
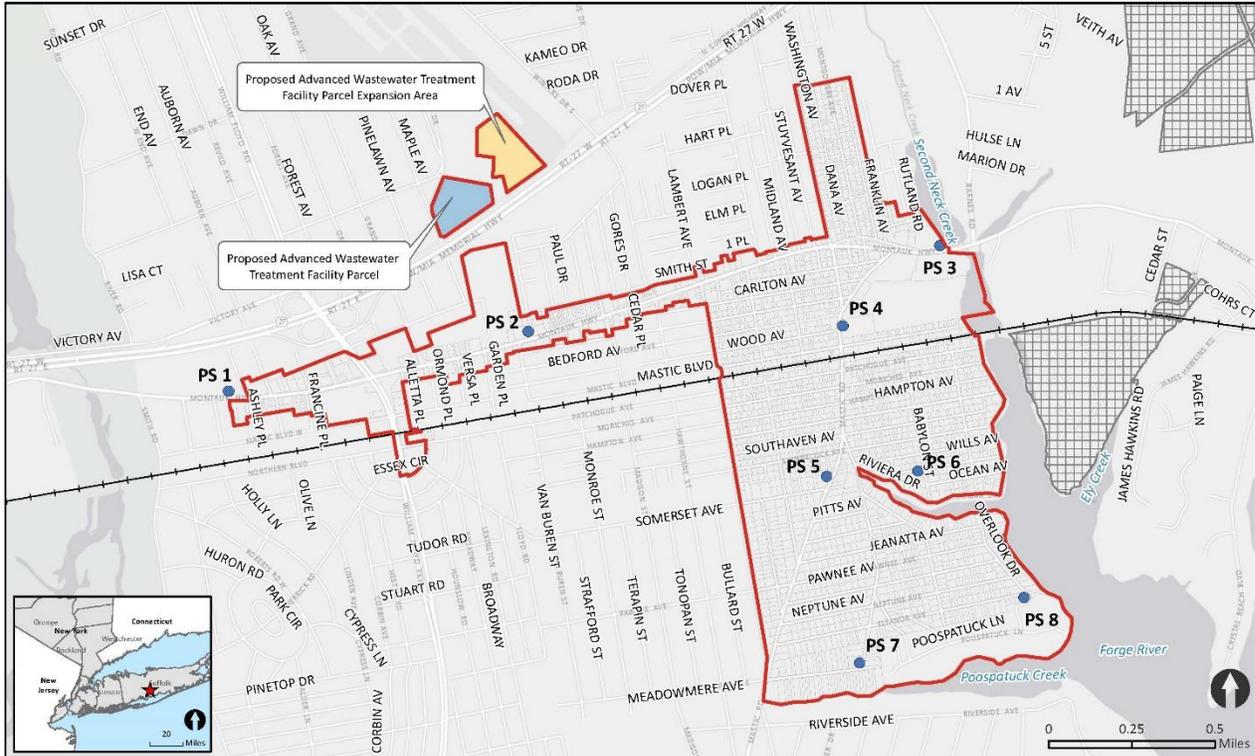
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# FORGE RIVER WATERSHED SEWER PROJECT

Hamlets of Mastic and Shirley, Town of Brookhaven

## LOCATION

The proposed project area encompasses approximately 750 acres in the densely developed residential and commercial area bounded by Sunrise Highway (Rt. 27) to the north, Poospatuck Creek to the south, William Floyd Parkway to the west, and Forge River and its tributaries to the east.



## Forge River Watershed Sewer Project Area

Source: Suffolk County GIS (2014); Gayron deBrain; New York State GIS (2013); ESRI Grid Base; Map (2014).

## ALTERNATIVES UNDER CONSIDERATION

**ALTERNATIVE 1:** Under the No-action Alternative, **no** new sewer district would be established and **no** additional sewer infrastructure or wastewater treatment facilities would be constructed to provide sanitary sewer service to presently unsewered parcels. The unsewered parcels in the project area would continue to use onsite wastewater treatment disposal systems.

**ALTERNATIVE 2:** The Proposed Action Alternative would involve establishing a new County wastewater collection and conveyance system that would decommission onsite wastewater treatment disposal systems for approximately 2,094 parcels and would connect these parcels to the new collection system with a combination of gravity and low-pressure sewers. Wastewater from the newly connected parcels would flow to a newly constructed membrane bioreactor (MBR) advanced wastewater treatment facility (AWTF).

**ALTERNATIVE 3:** One or more other action alternatives will be identified during the alternatives screening process. Screening criteria will be established, such as performance thresholds, engineering design standards, and feasibility considerations, among others. The other action alternative(s) may include a combination of the following project components:

- Repairing/Replacing onsite systems
- Different Wastewater Treatment Technology
- Different Collection System Infrastructure
- Location Alternatives for AWTF
- Different Locations for Pump Stations



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# SUFFOLK COUNTY COASTAL RESILIENCY INITIATIVE

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Hamlets of Mastic and Shirley, Town of Brookhaven

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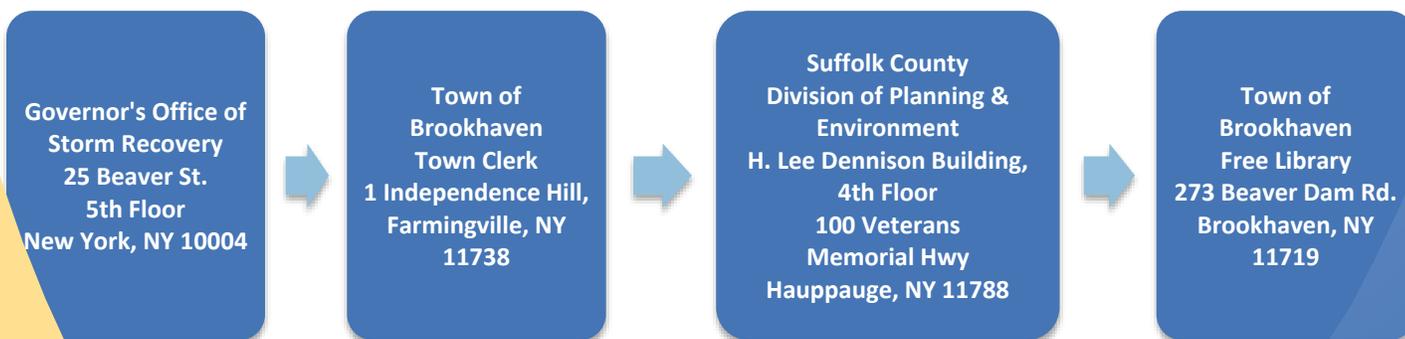
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[nyscdbg\\_dr\\_er@nysocr.org](mailto:nyscdbg_dr_er@nysocr.org)



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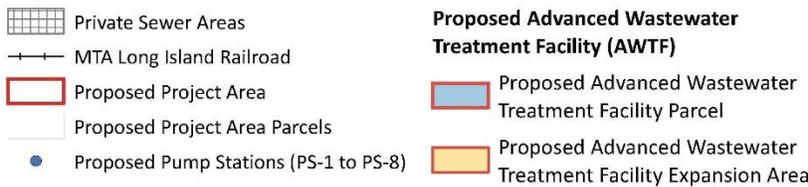
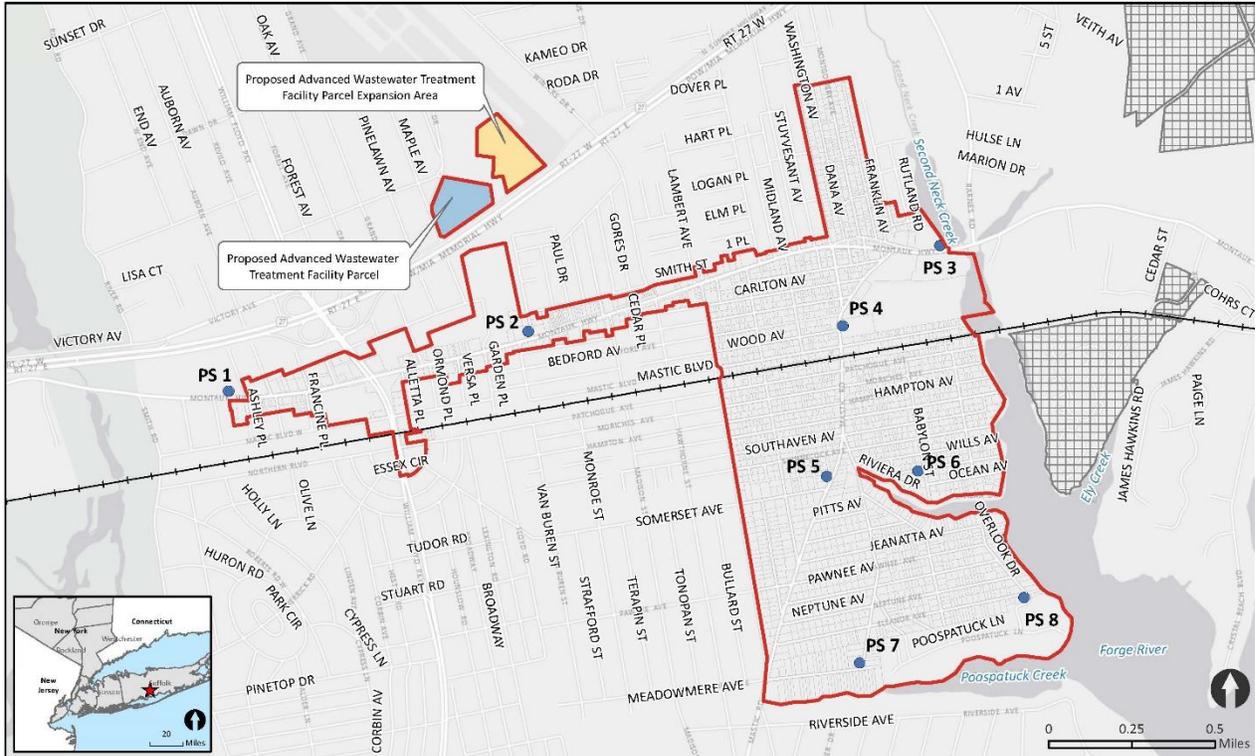
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# FORGE RIVER WATERSHED SEWER PROJECT

Hamlets of Mastic and Shirley, Town of Brookhaven

## LOCATION

The proposed project area encompasses approximately 750 acres in the densely developed residential and commercial area bounded by Sunrise Highway (Rt. 27) to the north, Poospatuck Creek to the south, William Floyd Parkway to the west, and Forge River and its tributaries to the east.



## Forge River Watershed Sewer Project Area

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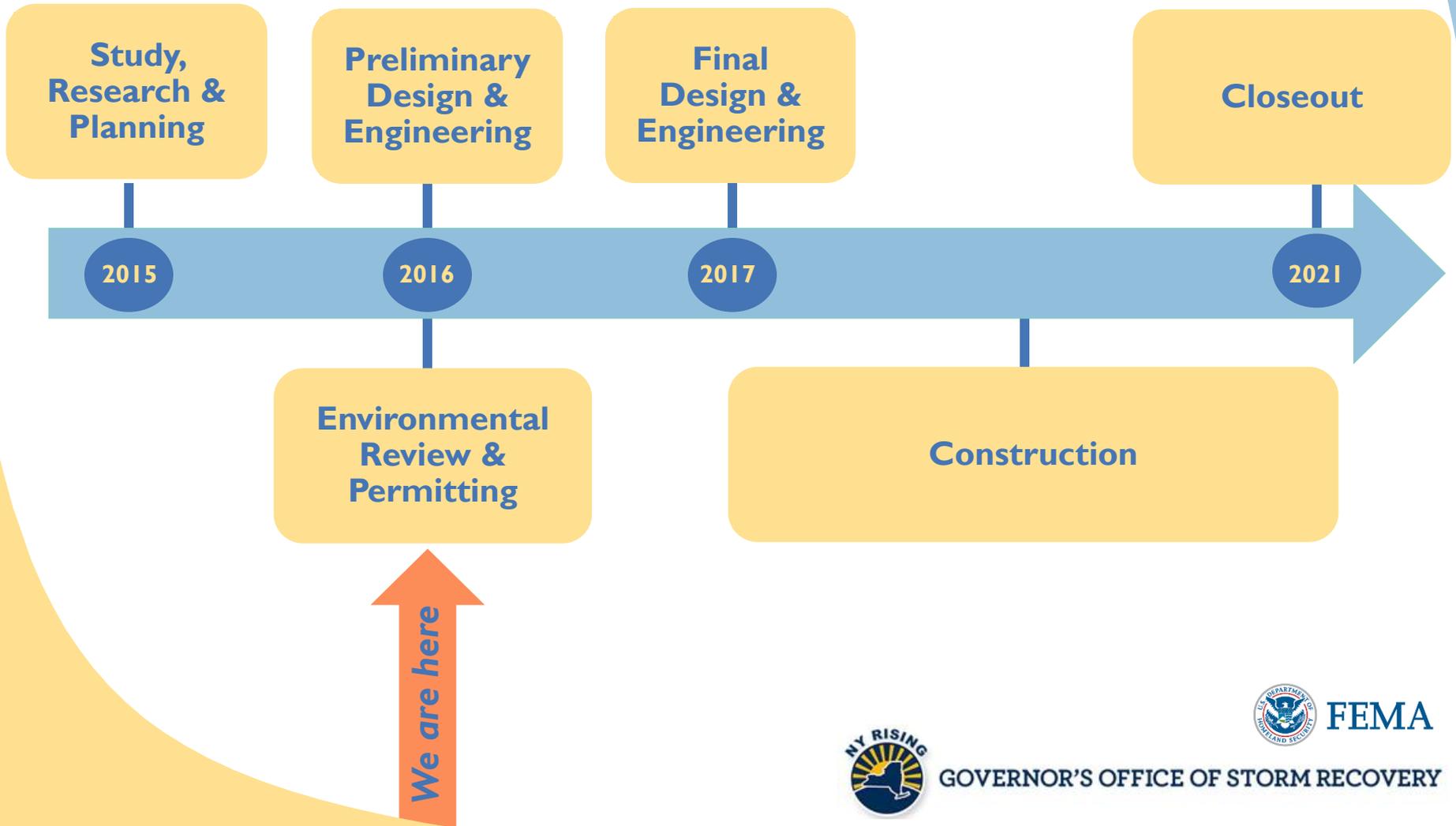
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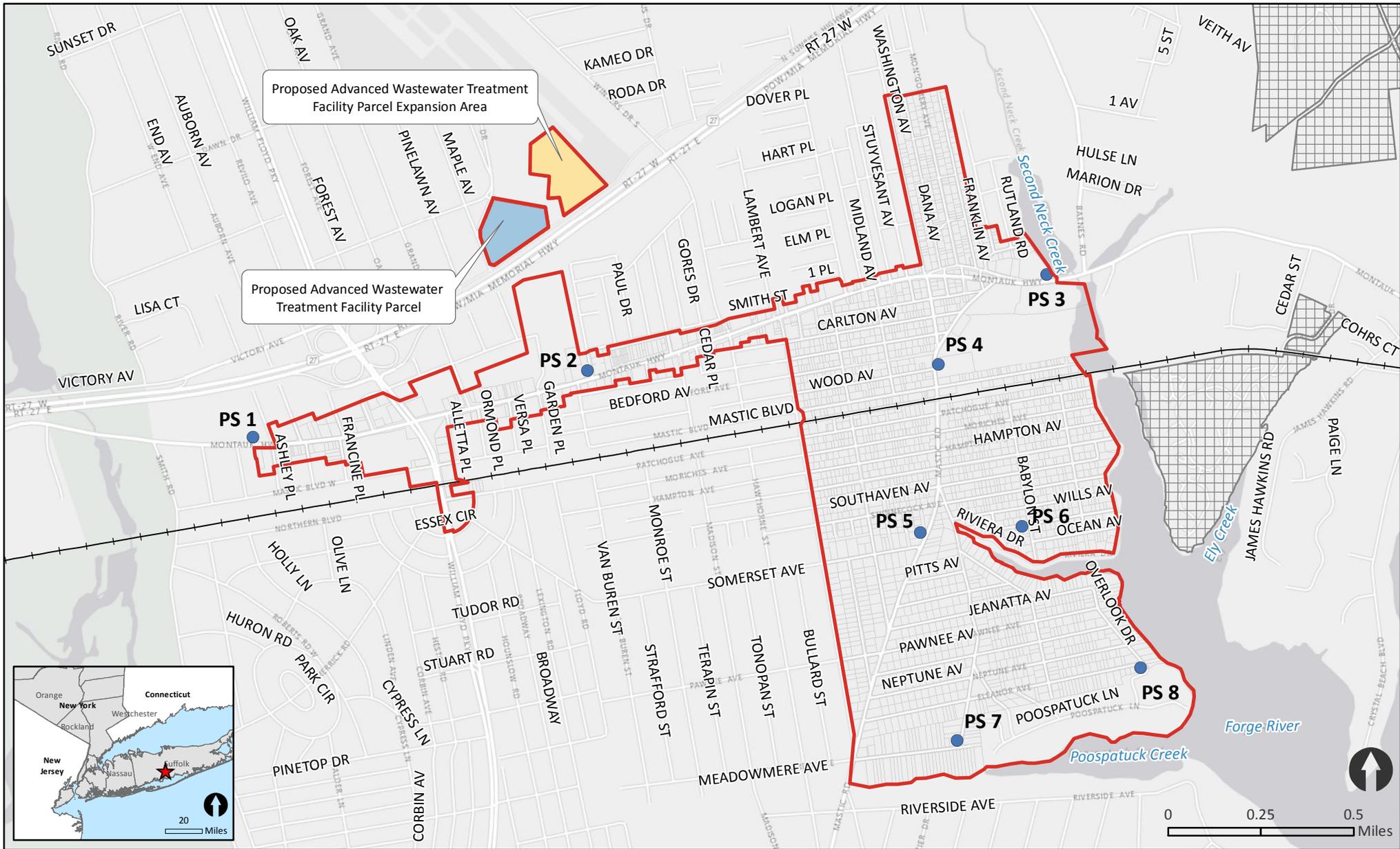
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# FORGE RIVER WATERSHED SEWER PROJECT

Hamlets of Mastic and Shirley, Town of Brookhaven

## Approximate Timeline:

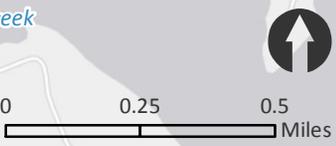




-  Private Sewer Areas
-  MTA Long Island Railroad
-  Proposed Project Area
-  Proposed Project Area Parcels
-  Proposed Pump Stations (PS-1 to PS-8)

- Proposed Advanced Wastewater Treatment Facility (AWTF)**
-  Proposed Advanced Wastewater Treatment Facility Parcel
-  Proposed Advanced Wastewater Treatment Facility Expansion Area

# Forge River Watershed Sewer Project Area



Source: Suffolk County GIS (2014); Gayron deBruin; New York State GIS (2013); ESRI Gray Base Map (2014).



## Forge River Watershed Sewer Project

**We want your comments on the  
Draft Scope of Work for the environmental review.**

Visit this website:

<http://stormrecovery.ny.gov/environmental-docs>

- View the Draft Scope of Work
- Find Public Locations to read the Draft Scope of Work
- Find out how to submit written comments

**Public comments can be submitted until February 16, 2016.**

# Front

Visit the Forge River Watershed Sewer Project Website:

<http://www.suffolkcountyny.gov/Departments/PublicWorks/Sanitation/ForgeRiverProject.aspx>



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# Back

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## **APPENDIX C: WRITTEN COMMENTS**

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Chris Anderson  
Organization/Affiliation: Mastic Beach Village (Board of Trustees)  
Street Address: 369 Neighborhood rd  
City: Mastic Beach State: Ny Zip Code: 11951  
Email: C.Anderson@masticbeachvillage.ny.gov

Comments: Mastic Beach should be included  
in this project as part of the 1<sup>st</sup> or 2<sup>nd</sup> phase.  
Mastic Beach needs a sewerage system for economic  
growth both in our downtown and waterfront  
areas.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).



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**OPEN SPACE COUNCIL**  
**PO BOX 275 + BROOKHAVEN, NY 11917**

To: Governor's Office for Storm Recovery (GOSR), lead agency for SEQRA  
FEMA Federal Emergency Management Agency, lead agency for NEPA

cc: Suffolk County DPW, subgrantee  
NYS Comptroller

Re: Draft Scoping Document  
Forge River and Carmans River Watershed Sewer Project  
Mastic-Shirley Proposed Sewer District  
FEMA-DR-4085-NY HMGP

---

January 26, 2016

Good evening. My name is Karen Blumer. I am speaking on behalf of the Open Space Council, an environmental advocacy 501(c)(3) organization, and its associated fund, the Carmans River Watershed Trust Fund. Although I am not speaking on their behalf, I am also a member of the Waste Water Treatment Subcommittee of LICAP — the Long Island Commission on Aquifer Protection, a joint Nassau and Suffolk County Commission working toward solutions to the dwindling quality and quantity of our Long Island groundwater.

We are requesting that the following two issues be included in the scoping for potential environmental impacts likely from this proposed project:

1. COMPARISON OF POLLUTION AND EFFICIENCY ANALYSIS OF SPECIFIC ALTERNATIVES TO SEWERING IN THE PROJECT AREA WHICH WE DO NOT SEE MENTIONED IN THE SCOPING DRAFT, INCLUDING BUT NOT LIMITED TO: ATUs (Advanced Treatment Units); CLOSED, WATERLESS SYSTEMS; AND UREA CAPTURE SYSTEMS

The proposed area to be sewerred is coastal and impacts our coastal waters. It is an area where the water table is high, in places with barely a two-to-fifteen-foot margin to groundwater. The project area bridges and directly flows toward and into two watersheds — that of the Forge River and the Carmans River. One (the Forge) is already designated as an "impaired, 303D" waterway; the other, the Carmans, has been nominated for the same NY State classification. The entire area is an alert zone for annual Sea Level Rise effects.

The continuation of water-based wastewater treatment systems, such as sewerred, is, in general, highly questionable, if not unacceptable. This is true especially in flood zones and coastal areas affected by Sea Level Rise, such as the one before you. We **must** consider **abandoning sewerred** totally and going instead to **waterless, closed, on-site systems, both new and as retrofits**. To consider the building and introduction of a new sewer system in this particular coastal area at this time when we have learned so many lessons about the disastrous environmental impacts from sewerred areas, suggests we have not learned anything at all. To request funding from a federal or local agency without considering the implementation of safe,

closed, inexpensive on-site alternatives, is an untenable public embarrassment.

Dr. Larry Swanson, Director of the Waste Reduction and Management Center of Stony Brook University's Marine Sciences Research Center, recently said at Long Island's Clean Water Partnership Conference that we must begin to consider and implement waterless wastewater systems on Long Island. Such systems would include waterless toilets that take human waste and turn it to a valuable commodity — fertilizer. They are systems where the waste product can either be collected by the manufacturing company, such as Clivus Multrum, does or can provide a new industry with training programs for those who would install, maintain and routinely collect the waste for sale.

Waterless systems are closed to the ground, therefore what would normally turn up as wastewater effluent from sewers does not exist. Closed systems produce zero nitrogen to groundwater or coastal tributaries, zero phosphorous, zero heavy metals, zero pharmaceuticals, and zero anything-else that would pollute our critical and dwindling drinking-water aquifer. They are routinely installed in areas of high water table, such as right on the beaches of Cape Cod.

Groundwater throughout Long Island is dwindling in quantity as a result of sewerage throughout Nassau County's coastal communities and also those of the East End where salt water intrusion makes groundwater impossible or dangerous to drink. We would project that within a short period if sewers are built in the Mastic-Shirley Peninsula, salt water intrusion will become a reality and the population will be left with salty, polluted, undrinkable water. We are requesting that **this possibility of saltwater intrusion as a result of sewerage** be included in the scope and given full analysis.

We are further requesting that the pollution potential from sewerage based on the reality of Nassau's sewerage and the Southwest Sewer District be assessed in terms of the projected sewerage of the project area and compared with the potential of pollution from closed systems.

## 2. COST ANALYSIS OF ALTERNATIVES TO SEWERING IN THIS AREA — INCLUDING ATUs (Advanced Treatment Units) and CLOSED, WATERLESS SYSTEMS, UREA CAPTURE, and CLUSTERING

We are also requesting that a cost analysis be included comparing total costs for a total retrofit and any anticipated new construction of closed and/or advanced on-site systems for the full population and businesses within the total project area given as an approximately 2,094 parcels in this environmental review, compared with costs for sewerage.

We request that costs include, for both the proposed sewerage and the waterless and other alternatives: (1) construction or retrofit in all phases, (2) maintenance on a long-term basis with life expectancy at tertiary treatment level, (3) ultimate costs expected as the infrastructure deteriorates, and (4) in storm surge events, such as disasters that have occurred at large and small STPs throughout Nassau and Suffolk. We request the full analysis for cost for all the various scenarios for a selection of ATUs, closed-system Compost toilets, the Woods Hole EcoMachine, Urea Capture and clustered versions of the appropriate systems where small parts of the community are treated together.

As an example, the figures that were projected in an earlier version of this sewerage project for the affected Mastic-Shirley population were estimated to be around \$75,000 to \$85,000 per site. This figure is probably underestimated and, further, it is unacceptable. An estimate for closed

systems is closer to \$15,000 per site, and given purchase in quantity, may be as low a \$10,000 or less per site. Cost of ATUs may range from \$20,000 to \$30,000. We ask for a full analysis of these comparisons.

One of the by-products of a closed waterless system is the gray water that comes from showers and dishwater sinks with the challenge of how to deal with it, especially in areas of high water table. Grey water must be treated as a resource. There are a number of solutions but one recent one to mention here: Sarah Lansdale, Director of Suffolk County Planning Department and John Turner, of Seatuck Environmental Association, have worked up and made public a map of potential Water Reuse Areas, taking grey water from STPs and re-using it to fertilize golf courses, therefore lowering water use and filtering out nutrients and other elements that are already polluting our groundwater.

We are requesting that an analysis for potential grey water re-use sites in the Mastic-Shirley peninsula be included in the scope with analysis given to delivery of such water from clustered or individual sites and added to the Suffolk County Re-use Potential map.

We are also requesting that any wastewater systems being considered for use in the Scope be required to meet a standard for effluent that meets the new Town of Brookhaven standard promulgated in 2015 for intermediate flows of up to 30,000 GPD, which is not to exceed an annual average of 3 ppm Nitrogen nor a monthly average of 5 ppm. Even though this standard current only applies to a certain size STP, the standard is stricter than the standard of the SCDHS now, but it is supported by the Department. Given the entire coastal nature of this area, we request that any water-based treatment considered be held to the same standard.

Sewering has failed us in so many categories — untenable cost; drinking water drawdown that results in emergency measures in too many areas; water drawdown that has left the ecology and hydrology of Long Island rivers, streams and other surface water bodies dried up and bankrupt. Sewering would promise the same for the Forge and Carmans watersheds.

Our water agencies, our methods of treating waste, our design of sustainable systems, especially in coastal areas such as Mastic-Shirley, need a sea change of design and mindset. It may take periods of discomfort to agencies, politicians, designers, and the general public. However it is worth it to create a safe and clean livable world. Returning to systems which don't work, such as sewerage, is ultimately ecologically, hydrologically, and fiscally irresponsible, and perpetuates failing engineering and ecological systems. They deprive us of our resources, such as clean water, that is our right under the Public Trust and on which our survival, especially on Long Island, depends.

Thank you for this opportunity to comment.

Karen Blumer  
Vice President, Open Space Council  
Administrator, Carmans River Watershed Trust Fund  
Member, Water for Long Island and the LI Clean Water Partnership  
Coordinating Committee, LI Water Forum  
Member, Waste Water Treatment Subcommittee, LI Commission on Aquifer Protection  
15 Dickerson Drive • Shoreham, NY 11786  
631-821-3337 • growingwild@optonline.net

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): DANNY CALABRO  
Organization/Affiliation: \_\_\_\_\_  
Street Address: 707 RIVIERA DR  
City: MASTIC BEACH State: NY Zip Code: 11951  
Email: c9/qst@juno.com

Comments: MASTIC BEACH needs sewers too!  
Many of the lowest elevation houses are  
in Mastic Beach, where conventional septic systems  
are least effective. Sewers will also greatly  
improve the prospects of economic development  
in this depressed area, especially along  
Mastic Rd. & Neighborhood Rd.  
For areas that will not be sewerred in the  
foreseeable future, high tech septic systems should  
be approved, especially in areas with a  
high water table. Current proposals would exclude  
many properties near the water, which need the  
new systems the most.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).



FEMA



GOVERNOR'S OFFICE OF STORM RECOVERY

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
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Name (required): EDWARD FITZGERALD  
Organization/Affiliation: \_\_\_\_\_  
Street Address: 55 MIDLAND AVE  
City: MASTIC State: NY Zip Code: 11950  
Email: edjfitz@optonline.net

Comments: IS there any consideration as to when the FRWSP will be expanded to include other streets not identified in the initial project?  
I fully appreciate the importance of sewerage the nantauk consider. Economic development will decrease the tax burden on residential properties while producing new revenues to enhance the remaining portions of this project.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

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Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
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## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): RAYMOND KEENAN  
Organization/Affiliation: MASTIC PARK CIVIC ASSOCIATION  
Street Address: P. O. BOX 504  
City: MORICHES State: NY Zip Code: 11955  
Email: rkeenan997@aol.com

Comments: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

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GOVERNOR'S OFFICE OF STORM RECOVERY

**Forge River Watershed Sewer Project**  
Mastic-Shirley Proposed Sewer District  
Town of Brookhaven  
FEMA-DR-4085-NY-HMGP

**Written Submission Supplementing Oral Comments  
Provided at Scoping Session (1/26/16)**

The following supplementary comments concern three discrete areas and alternatives that should be addressed in the EA/EIS:

1. Amending the project area
2. Cumulative impacts
3. AWTF siting

**1. Section 5.1 Proposed Action and Alternatives**

5.1.3 Other Action Alternatives (Project Area)

The scoping document states “most significant source of nitrogen loading to the Forge River and its tributaries . . . is nitrogen loading from the residential areas that were developed prior to establishment of Suffolk County Sanitary Code Article 6 density limitations.” See Draft Scoping document, Pg. 13-14 (hereinafter “Pg. \_\_\_”).

Speakers at the public scoping meeting commented that the proposed project was not primarily designed to maximize reduction of nitrogen flow to the Forge River as claimed, but rather to facilitate economic development along the Montauk Highway corridor. Pg. 24.

The proposed project area includes parcels in the commercial zone far from the Forge River and outside its watershed. Expenditure of funds for these extraneous parcels conflicts with the primary purpose of the project: “to mitigate short-term and repetitive, adverse impact . . . associated with OSWS failures in the Forge River Watershed . . . caused by natural hazards.” Pg. 3.

Conversely, the primary and secondary purposes of the project would be furthered by extension of the project to include areas in the coastal zone and the Forge River watershed that are not currently within the project area. Pgs. 3, 20.

Issue was taken at the scoping session with the bald assertion that “[m]any systems in the project area failed during Hurricane Sandy” and that “238 residential systems and 11 commercial systems in the project area experienced surface water inundation.” Pg. 4. Speakers testified only that parcels within the coastal zone lying south of the project area (Phase III and IV) experienced water inundation as a result of Sandy.

The absence of OSWS water inundation from Sandy or any other natural hazard along the Montauk Highway corridor (original Phase 1) supports removal of this area from the project area and extension of the current project to the coastal zone south of the project area to effectuate the project’s purposes.

The environmental impact of the Montauk Highway commercial corridor on the Forge River must be quantified, both in its current state and at the expected 2022 completion date. As the greatest impact to the Forge River, according to the scoping document, is “nitrogen loading from residential areas,” separate analysis of the commercial corridor and residential areas is mandated.

According to the Draft Feasibility Study (CP8189), “only about 5 percent of the nitrogen load conveyed to the Forge River via groundwater originated from commercial facilities.” A similar analysis for the coastal zone south of the current project area is needed to compare the environmental benefits of extending the project to this area rather than including the commercial corridor outside the 2-year contributory zone.

Nitrogen loading of the Forge from Phase III parcels, for example, is expected to far exceed that of commercial facilities studied. Inclusion of these parcels rather than the commercial corridor would therefore provide a more beneficial environmental impact. Connecting all residences in the coastal zone along the Forge River would provide the greatest benefit.

## **2. Section 4.0 Environmental Analysis Framework**

### **4.2 Impact Analysis (Cumulative Impact)**

“The analyses of potential long-term impacts will evaluate conditions with and without the proposed action and alternatives for 2022.” Pg. 8. This analyses will “account for other known developments, policy initiatives, and trends that are expected to influence future conditions in the project area.” Pg. 8. Under the scoping document or SEQRA itself, study of the proposed project’s impacts is not limited to the project area. Pgs. 11, 17, 22; 6 NYCRR 617.2(r).

The following initiatives and developments should be included within the scope of the EIS:

**A. Town of Brookhaven Multifamily Housing Code - Chapter 85 (“Zoning”), Article IX (“MF Residence District (Multi-Family)”) of the Town Code.**

Adopted as Local Law #23 of 2013, this amendment of Brookhaven’s Town Code designates large areas of land in or near existing commercial areas, including parcels on and near the Montauk Highway corridor in the project area, as a primary zone for multifamily housing of up to 12 units per acre.

Impacts of the expected density increases attributable to the amended MF code should be considered, especially upon completion of the proposed project. Moreover, the impact of additional commercial development in the project area that will be permitted once the project is completed must be examined. Pg. 24; Town 2004 downtown study, cited at Pg. 25.

**B. Advanced OSWS Demonstration (Suffolk County).**

The County is currently testing several alternative septic systems placed at single family homes around the County. These advanced OSWSs are in use at other locations throughout the country and are expected to dramatically reduce nitrogen outflow. The price of these systems is now less than one-third the per-house cost of connecting to the proposed project.

Utilizing these technologies would dramatically reduce, if not obviate, the need for sewers and an AWTF. Use of advanced OSWSs in tandem with a reduced project or as an alternative to the proposed project must be examined, in accordance with Suffolk County's approved Comprehensive Master Plan 2035.

Results of Suffolk County's advanced OSWS demonstration project must be considered before the EIS/EA is completed. It would be irrational to proceed without these results, given the potential cost savings and environmental advantages.

**C. Future expansion of the project.**

According to information provided by the County at the June 2015 Public Information Meeting, the AWTF is designed for an outflow of 3 million gallons per day (3 mgd). The initial phase of the project, according to the scoping document, will produce only 1 mgd. Pg. 9.

Phase III and Phase IV have been mapped already. Draft Feasibility Study (CP8189). Extending sewer mains several miles to the Neighborhood Road downtown area has been proposed. However, connecting residential parcels in Mastic Beach is not being considered yet.

At the County meeting to discuss sewers in Center Moriches, one option for wastewater treatment was to connect to the "regional" AWTF to be constructed at Brookhaven Airport. Whether the proposed AWTF is limited to the Mastic-Shirley peninsula or wastewater from other communities is imported, the study should include the environmental impact of the AWTF at capacity flow rates.

**D. Brookhaven Town proposal to require decreased nitrogen outflow within 500' of shoreline.**

The Town recently adopted a stricter nitrogen standard for new construction and other residences located within 500' of a waterway. This rule, when and if it is enforced, will have an effect on the residential nitrogen loading of the

Forge River. Extension of the new standard to existing homes would dramatically increase that effect provided an outside funding source is identified.

**E. Town of Brookhaven (Airport) Perimeter Road Project (OTRPRP).**

A public scoping session was held in May 2013 concerning the Town's proposal to construct a 5.5 mile perimeter road at the Airport. The proposal would require a 50' clearing just inside the perimeter fence, resulting in the removal of many acres of the treed buffer zone.

The cumulative impact of this Town proposal and construction of the AWTF must be considered. Removal of the screening provided by buffer zone trees will increase the visual/aesthetic impact of the AWTF and diminish neighborhood character. Residents along Winters Drive, for example, would have a direct line of sight to the AWTF and its related operations that they would not otherwise have.

In the unlikely event this proposal is accepted by the voters, a more robust visual screening than has been discussed must be included. The much smaller Miller Place STP has a berm and extensive plantings between neighboring backyard residences. Here, the AWTF as proposed will face the front of neighboring residences with no plans for a berm or an enhanced planting screen.

### **3. Section 5.1 Proposed Action and Alternatives (Location Alternatives for AWTF)**

The scoping document asserts that Brookhaven Airport “is one potential site under consideration for the location of the AWTF.” Pg. 3. No other potential sites have been identified. Due to the absence of serious consideration of other sites to date under current circumstances, this siting determination must be reconsidered.

At the outset, it should be noted that the proposal to locate the AWTF at a site not within the sewer district it serves but rather in an area that itself is not served by sewers appears to be unique to this proposed project. There is no plan to extend the project to the community that encompasses the proposed AWTF site.

The westernmost parcel of the proposed site is the last significant stand of virgin woodland in the area. A host of local fauna currently inhabit the site. It is known in the neighborhood to be the home of a healthy number of bats.

While cost is not a controlling factor in the environmental review, this site was originally touted by the County as cost-free. That assertion proved false and the Town is now working on a lease of the site to the County for no less than \$175,000 per year for a 20-year term with two five-year renewal options.

After 20 years, sewer district residents will have paid at least \$3.5 million for the parcel and still have no ownership rights. After 30 years, that number rises to \$5.25 million.

The proposed AWTF site abuts a Town park with a playground and athletic fields that hosts a Town-sponsored summer camp for young children, Little League, soccer and other youth sports. The Town has devoted considerable resources in recent years to improving and expanding the park.

In addition to noise and sewage odors that are “most likely to occur during warm weather,” the AWTF “can produce . . . methane and nitrous oxide.” Pgs. 13, 30. Additionally, Suffolk County continues to exceed federal ozone limits and ozone alerts are not uncommon during the summer months. Due to the use of lead in aviation gasoline (Avgas), the airport itself is a producer of airborne lead that has well-documented impacts on childhood health and development.

Siting of the AWTF as proposed will have a disproportionate effect on children, who faces greater risk “during warm weather” when their use of the adjacent Ziegler park is at a maximum. In addition to Executive Order 13045, environmental justice requires that these cumulative threats to our most vulnerable population receive adequate review, including consideration of alternative sites to mitigate potential harms.

Groundwater flow from the proposed AWTF site must also be examined. The addition of up to 3 mgd will necessarily impact the local water table. Treated wastewater from the site would flow immediately toward an adjacent stretch of Sunrise Highway that is constructed below grade.

A public water well is located across Sunrise Highway on Lambert Avenue, Mastic, in close proximity to the AWTF site and in the direction of groundwater flow. The EIS must ensure that the well’s zone of contribution is not infringed upon by the leaching field.

Several alternative sites were discussed at the scoping session. The Dowling property at the north end of the airport, for example, was briefly considered by the County and rejected because of additional piping expenses, albeit at a fraction of the distance and cost of extending sewer mains to Neighborhood Road. At the time, no funding had been identified for the project.

The Dowling site offers an alternative that does not include exposing children at play in a Town park to chemical threats. We are informed Dowling is not in compliance with a County requirement to build an STP for its own facilities. There is a contiguous 25-acre parcel that is currently not being used and, as we know from media reports, Dowling is experiencing extreme financial distress.

While the proposed AWTF site is on the edge of the Forge River watershed, the Dowling site is well within the watershed. Draft Feasibility Study (CP8189) Figure 2-4. It features direct access from William Floyd Parkway, ensuring that residential areas remain undisturbed from truck traffic. Because the site is not located along a major roadway, the visual impact would be minimal.

The Dowling site has one significant drawback – it is not located within the project area. However, the proposed AWTF site is also non-contiguous with the proposed sewer district. Both sites are equivalent in this respect.

Manor Park Civic Association, P.O. Box 504, Moriches, NY 11955  
Raymond G. Keenan, President rkeen997@aol.com

The Dowling parcel, among others, was never seriously considered and must be revisited in light of current conditions. As noted above, ratepayers will pay a steep annual price to lease the proposed AWTF site, with no end date. Sewer district residents would, in effect, be subsidizing all other taxpayers in the Town in perpetuity.

Purchase of another site, by eminent domain or otherwise, offers an alternative that would result in outright ownership. In fact, rates should decrease once purchase bonds are paid off, thereby providing long-term financial relief to property owners in the sewer district.

The cost of additional piping to another site, if required, would be more than offset by these long-term savings. Lease of the proposed AWTF site is the worst deal for sewer district residents who will vote on this project and the best deal for everyone else in the Town.

We appreciate your consideration of these comments and concerns.

Sincerely,

*Raymond G. Keenan*

President, Manor Park Civic Association

RAYMOND G. KEENAN  
233 GRAND AVENUE  
SHIRLEY, NY 11967

February 3, 2016

N.Y.S. Governor's Office of Storm Recovery  
99 Washington St., Ste. 1224  
Albany, NY 12260

Re: Forge River Watershed Sewer Project  
FEMA-DR-4085-NY-HMGP

Dear Sirs:

Please see attached cover sheet (1 page) and scoping comments (8 pages) concerning the above-referenced project. I have also attached a Town of Brookhaven resolution approving the lease discussed on page 6 of the comments.

FYI, the proposed AWTF site is located within the area represented by the Manor Park Civic Association and members of our organization reside in close proximity to the site.

My contact information is listed below if you require anything further.

  
\_\_\_\_\_  
Raymond G. Keenan

Manor Park Civic Association  
P.O. Box 504  
Moriches, NY 11955  
(631) 603-9752  
[rkeenan997@aol.com](mailto:rkeenan997@aol.com)

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Kelly LaPietra Platt  
Organization/Affiliation: South Shore Press  
Street Address: PO BOX 373  
City: Center Moriches State: NY Zip Code: 11934  
Email: Friends of Kelly Platt @ yahoo.com

Comments: once the sewer project is complete, what would the cost of the hookup for the resident or will those fees be waived

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).



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GOVERNOR'S OFFICE OF STORM RECOVERY

# Forge River Watershed Sewer Project

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Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Kelly LaPietra Platt  
Organization/Affiliation: South Shore Press  
Street Address: PO Box 373  
City: Center Moriches State: NY Zip Code: 11934  
Email: Friends of Kelly Platt@yahoo.com

Comments: what is cost to the tax  
payers on this project and  
why is the dollar amount fluctuates  
month after month what will be  
taxed on village residents if this  
project is to take place.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

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Assistant General Counsel  
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Please use this comment form to let us know your thoughts.  
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Name (required): Kelly LaPietra, Platt  
Organization/Affiliation: South Shore Press  
Street Address: PO Box 373  
City: Center Moriches State: NY Zip Code: 11934  
Email: Friends of Kelly Platt @ yahoo.com

Comments: Are you aware that Brookhaven  
town did a study on the  
hazard mitigation of this area  
where the ~~proposed~~ proposed sewer  
project is to take affect and  
the impact it will have on  
the area residents + wildlife?  
study was done around 2004.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

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January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Nelly LaPietra- Platt  
Organization/Affiliation: South Shore Press  
Street Address: PO BOX 373  
City: Center Moriches State: NY Zip Code: 11934  
Email: friends of nelly platt @ yahoo.com

Comments: what is the environmental impact  
on the estuary & wetlands with this  
sewer project, and what backup  
plans are in place in case of  
system failure.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

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Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
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## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
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338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Kelly Platt  
Organization/Affiliation: South Shore Press  
Street Address: PO Box 373  
City: Centerville State: NY Zip Code: 11934  
Email: friends of Kelly Platt @ yahoo.com

Comments: What Remediation Plan is in place or will be implemented if sewer backup system fails, and contaminates the watershed etc.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
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# Forge River Watershed Sewer Project

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William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

1<sup>st</sup> Comment  
1/26/16

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): JOE MAY  
Organization/Affiliation: MASTIC PARK CIVIC  
Street Address: 72 RIVIERA  
City: MASTIC State: NY Zip Code: 11950  
Email: FISHCLAM22@ICLOUD

Comments: TO START I REQUEST ALL WRITTEN  
DATA OF FORGE RIVER GROUND WATER  
MONITORING RESULTS (AREA - LIRR TRACKS SOUTH  
OF RIVIERA DRIVE MASTIC TO AREA OF RIVERK  
DR + DOUGLASS ST MASTIC.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

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Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

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# Constituent Form

To/ KATE Browning, LEGISLATOR

SUFFOLK COUNTY / THIRD DISTRICT

Date ~~6/18/15~~ 1/26/16 SECOND REQUEST!  
(H) 631 281 4501

Constituent Name JOE MAY Phone (C) 631 942 6787

Address 72 RIVIERA DR, MASTIC NY 11950

Email Address PISHCLAM22@ICLOUD.COM

Problem SINCE THE UNSATISFACTION RATINGS OF  
STP #0198480 IN 2005 THE FORGE RIVER  
HAS ONLY BEEN TESTED. IN TEN YEARS 5000  
SCOTT'S WATER QUALITY DATA TESTS w/ HUNDREDS  
OF GROUND WELL TESTS HAVE BEEN TAKEN.

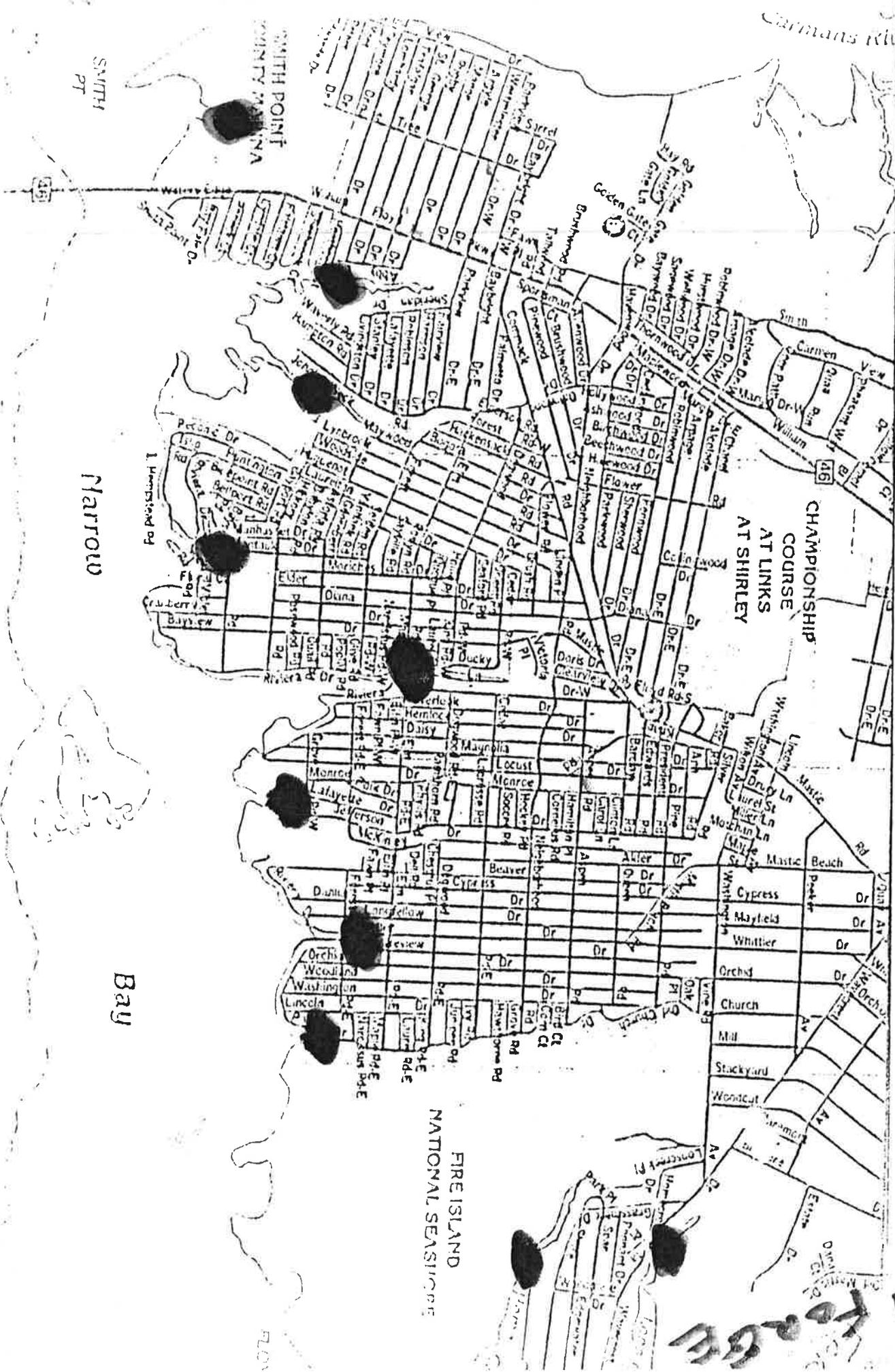
LITTLE OR NO SUCH TESTS HAVE BEEN TAKEN  
OF RIVER / CREEKS EAST NORWEST OF  
THE MOUTH OF FORGE RIVER. HOW DOES  
FORGE RIVER COMPARE TO "WATER STATION SITES"  
FROM SMITH POINT BRIDGE EAST TO SEATUCK  
CREEK EAST MORICHTS? FORGE RIVER WATER QUALITY  
HAS IMPROVED SINCE 2005!

SEE ATTACHED SHEETS (COMPARISON SITES)

Initial \_\_\_\_\_

Joe May

# REDAEST - WATER QUALITY DATA 10 SITES (WEST OF FORGE RIVER)



SMITH  
PT

SMITH POINT  
COUNTY MARINA

Narrow  
Bay

Bay

FIRE ISLAND  
NATIONAL SEASCAPE

CHAMPIONSHIP  
COURSE  
AT LINKS  
AT SHIRLEY

FORGE  
RIVER

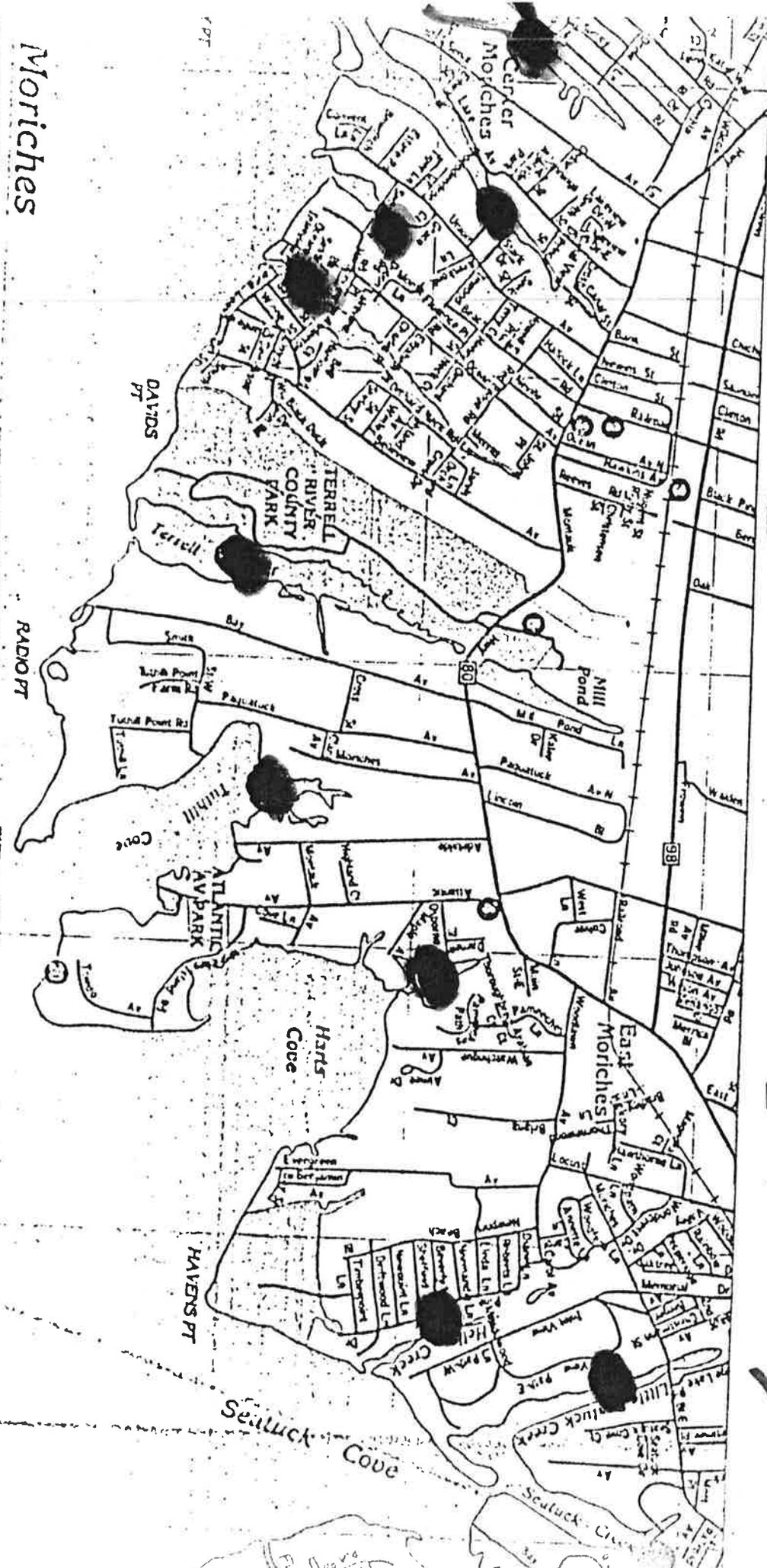
Carmans Rd

46

46

FLOR

# REQUEST WATER QUALITY DATA 10 SITES (EAST OF FORCE RIVER)



Moriches

Bay

DAVIDS PT

RADOPT

TUTTLE PT

HAVENS PT

Sealuck Cove

GOVT

COVER UP/LIES

# Forge River Area (Mastic/Moriches, N.Y.) Water Quality/Odor Complaint Investigation

Suffolk County Department of Health Services

Brian L. Harper, M.D., M.P.H., Commissioner

DATE  
→

Forge River Investigation  
July 12, 2005

SCDHS  
Office of Ecology

## Summary

During the week of 6/13/05, a number of complaints were received by the Suffolk County Department of Health Services (SCDHS) Division of Environmental Quality, Office of Ecology, concerning sewage-like odors in the upper Forge River/Wills Creek area of Mastic. Some complainants reported observing dead killies and crabs, and also indicated that some water areas were a whitish-gray in color. It was suggested by some that the sewage treatment plant at the Waterways Condominium Complex was at fault, while others indicated the Poospatuck Indian Reservation could be a source of a sewage discharge.

Figure 1 shows the Forge River and associated tributaries. Also shown are locations where water quality samples were collected by the Office of Ecology. The sites of the Waterways Condominium sewage treatment plant, the Poospatuck Indian Reservation, and area duck farms are also indicated.

Water testing done on 6/15, 6/21, and 6/30 found extremely low levels of dissolved oxygen (D.O.) throughout the area, particularly in bottom waters. In other areas of the county, low oxygen conditions have previously been associated with the production of hydrogen sulfide (H<sub>2</sub>S) odors (having a sewage-like or rotten egg smell) that resulted from natural microbial decay processes. Samples collected for coliform bacteria and nitrogen nutrient analyses showed levels typical of stressed (nutrient enriched, low dissolved oxygen, elevated temperatures) surface waters, and not those indicative of a significant point source of sewage contamination.

LIE \*

An inspection done by staff from the SCDHS Office of Wastewater Management found the Waterways Condominium sewage treatment plant to be functioning properly. The shoreline area of the Poospatuck Indian Reservation was inspected by boat; no evidence of any discharge was apparent. Since it is also located well south of where the most severe conditions were documented, it is unlikely the reservation was involved. Duck farms located on the upper Forge River are routinely inspected by the SCDHS Office of Pollution Control. The Jurgielewicz duck farm was inspected on 7/1 and found to be operating properly. No unusual odors were noted.

# Forge River Area (Mastic/Moriches, N.Y.) Water Quality/Odor Complaint Investigation

JULY 12, 2005

STATEMENT

FALSE

Suffolk County Department of Health Services  
Brian L. Harper, M.D., M.P.H., Commissioner

An inspection done by staff from the SCDHS Office of Wastewater Management found the Waterways Condominium sewage treatment plant to be functioning properly.

TRUE → FACTS

STP FAILED

### SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

FAC NAME Waterways Condos SPDES NO. 0198480 DATE 3/1/05

TYPE OF INSPECTION \_\_\_\_\_ annual  recon \_\_\_\_\_ unannounced  sample # 0045/605050

INSPECTOR I. Doroski WEATHER cold

RATING CODES: S = Satisfactory U = Unsatisfactory M = Marginal File Ref # 05673

ITEM	RATING	COMMENTS
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### SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

FAC NAME Waterways Condos SPDES NO. 0198480 DATE 6/6/05

TYPE OF INSPECTION \_\_\_\_\_ annual  recon \_\_\_\_\_ unannounced  sample # 0045/605060

INSPECTOR I. Doroski WEATHER SUNNY, HOT

RATING CODES: S = Satisfactory U = Unsatisfactory M = Marginal File Ref # 05673

ITEM	RATING	COMMENTS
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A. PRELIMINARY

pump sta.	(influent, intermediate, final)	* <u>Legal Action Needed</u>
pumps		
lights		
ventilation		
ladder		

### SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

FAC NAME Waterways Condos SPDES NO. 0198480 DATE 9/1/05

TYPE OF INSPECTION \_\_\_\_\_ annual  recon \_\_\_\_\_ unannounced  sample # 0045/605090

INSPECTOR I. Doroski WEATHER SUNNY

RATING CODES: S = Satisfactory U = Unsatisfactory M = Marginal File Ref # 05673

ITEM	RATING	COMMENTS
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A. PRELIMINARY

pump sta.	(influent, intermediate, final)	* <u>Legal Action Needed</u>
pumps		
lights		
ventilation		
ladder		

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Pat Peluso  
Organization/Affiliation: Chamber of Commerce Mastic & Shirley  
Street Address: 24 Fairmount Ct -  
City: Shirley State: N.Y. Zip Code: 11967  
Email: \_\_\_\_\_

Comments: The project makes no sense, unless  
the sewer lines are extended South on Mastic Rd  
to Neighborhood Rd and then West on Neighborhood Rd  
to W. F. Loyd Pkwy and East on Neighborhood Rd  
to Whittier Dr  
These are our main streets and have the most  
Population & density

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).



FEMA



GOVERNOR'S OFFICE OF STORM RECOVERY

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Susan Plunket  
Organization/Affiliation: \_\_\_\_\_  
Street Address: 112 ELM ROAD  
City: MASTIC BEACH State: N.Y. Zip Code: 11951  
Email: \_\_\_\_\_

Comments: I live and work in Mastic Beach. I raised a family here and love the area. I find it an insult to ignore us. I vote in every election and I have over 200 teachers just in my building. I returned to my home after "Sandy" in a row boat. My husband and I went out to eat in a RESTURANT on your map during the highest point of flooding. We need the ~~sewer~~<sup>sewer</sup> pipe to come down Mastic Rd. to Neigh borhood road.

Please leave this form with us today or submit any time during the comment period, which ends on **Feburary 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

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GOVERNOR'S OFFICE OF STORM RECOVERY

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Peter Reardon  
Organization/Affiliation: Resident  
Street Address: 12 Sweet Briar Dr.  
City: MASTIC State: NY Zip Code: 11950  
Email: PeterReardon@YAHOO.COM

Comments: IF THE MAJOR PARK AREA OF MASTIC  
IS NOT TO BE SEWERED THEN THERE IS ABSOLUTELY  
NO REASON TO SITE THIS PROJECT ON OUR  
DOORSTEP. WE WILL RECEIVE ALL OF THE DAMAGE  
NO BENEFIT.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).

## Fahey, Allison

---

**From:** Donovan, John (DPW) <John.Donovan@SUFFOLKCOUNTYNY.GOV>  
**Sent:** Tuesday, February 16, 2016 10:31 AM  
**To:** 'ishmerykow@aol.com'  
**Cc:** 'King, Thomas J (STORMRECOVERY)' (Thomas.King@stormrecovery.ny.gov); Fahey, Allison; Gonzalez, Jennifer; McGovern, Janice; Rukovets, Boris; Small, Darlene  
**Subject:** FW: Forge River Watershed Sewer Project

Ms. Shmerykowsky,

Thank you for your comments on this sewer project. We have forwarded them to the Environmental Review Team who are doing the Environmental Assessment for the project and will take into consideration all public comments.

Thank you,

John Donovan, P.E.  
Chief Engineer – Sanitation  
Suffolk County Department of Public Works  
631-852-4204

DISCLAIMER: The information contained in this transmission (including any attachments) may contain confidential information, privileged material (including material protected by the attorney-client or other applicable privileges), or constitutes non-public information. Any use of this information by anyone other than the intended recipient is prohibited. If you have received this transmission in error, please immediately reply to the sender and delete this information from your system. Use, dissemination, distribution, or reproduction of this transmission by unintended recipients is not authorized and may be unlawful.

-----Original Message-----

From: Small, Darlene On Behalf Of Public Works  
Sent: Tuesday, February 16, 2016 8:35 AM  
To: Donovan, John (DPW)  
Cc: Anderson, Gilbert  
Subject: FW: Forge River Watershed Sewer Project

Please see email below.

Darlene Small  
Suffolk County Department of Public Works Commissioner's Office

631.852.4012 Phone  
631.852.4165 Fax  
Email: [darlene.small@suffolkcountyny.gov](mailto:darlene.small@suffolkcountyny.gov)

DISCLAIMER: The information contained in this transmission (including any attachments) may contain confidential information, privileged material (including material protected by the attorney-client or other applicable privileges), or constitutes non-public information. Any use of this information by anyone other than the intended recipient is prohibited. If you have received this transmission in error, please immediately reply to the sender and delete this information from your system. Use, dissemination, distribution, or reproduction of this transmission by unintended recipients is not authorized and may be unlawful.

-----Original Message-----

From: ishmarykow@aol.com [mailto:ishmarykow@aol.com]

Sent: Saturday, February 13, 2016 12:27 PM

To: Public Works

Subject: Forge River Watershed Sewer Project

I am questioning why a sewer project is needed in this area, that only includes the main street and up far into the Dana Avenue area. Is it perhaps to accommodate the developer that has been trying to build multi unit housing of the north service road in the Forge River water shed area. Its very peculiar,. leaves one to doubt what the real intentions area. Secondly how could you put a sewer district near the airport and where there are numerous crashes yearly of the small planes. But most importantly there is a plume that goes from Brookhaven Lab with contaminated ground water since the 80s. I did a lot split on Kamio Drive which is directly east of the proposed site and while doing a well test it came up contaminated. Thirdly there is a state property directly south off Sunrise Highway that contaminated that whole neighborhood with the salt mines that were on the site without proper storage and the state did not inform anyone. When running well water test for the sale of homes it became apparent that this whole area from Park to Titmus had contamination. No one informed anyone from the State and it was the local real estate agents and people who lived in the area that lobbied and got public water but still had to pay for the hook ups even though it was the states fault. Mastic Beach is the area affected by water tables severely and this district should be in that area. I also was present when FEMA and other agencies addressed hurricane Sandy. One of the agencies that Gov. Cuomo hired who was from Texas was bragging how the governor hired them because he did not want to hire any state workers to address the problems. The state has made a deal with PSEG and it was supposed to be for the benefit but everyone's rates have sky-rocked to unaffordable power on Long Island. When the government installed the jetties in Westhampton it has eroded Smith Point Beach. There is no natural flow. Lastly Brookhaven Town will have to close the landfill soon. Is this a prelude to making this a garbage collection area? Homes have been continually bought up in surrounding areas for flight paths and the airport was not utilized to its full capacity. The Southport Shopping Center was built with money given to the Town for a South Service Road. Nothing was done. Is this because of the state is unwilling to give up its land.

Submitted By:

Name:: Irene shmarykowsky

Email:: ishmarykow@aol.com

## Lentz, Amy (STORMRECOVERY)

---

**From:** jay thomson <jsthomson@optonline.net>  
**Sent:** Monday, February 01, 2016 8:38 AM  
**To:** nyshcr.sm.nyscdbg.dr.er  
**Subject:** Forge River Watershed Sewer Project Comment

Name: J. S. Thomson  
Affiliation: Mastic Beach Resident  
Address: 42 Beaver Drive  
Mastic Beach, NY 11951  
E-Mail: [jsthomson@optonline.net](mailto:jsthomson@optonline.net)

Comments:

I attended the Public Scoping Meeting on January 26, 2016. While the scope of the Forge River Watershed Project is a step in the right direction, it falls considerably short of what is required at this point in time. Although residential sewage disposal leaching pools are contributing to the pollution of the Forge River watershed and need to be addressed, the prior duck farms along the upper Forge River were the major cause of nitrogen pollution historically. Although the farms are no longer in operation, I am unaware that all storm water runoff has been addressed. Mastic Beach, Shirley and Mastic comprise a densely populated peninsula, which is bordered on two sides by river watersheds and it extends well into the Great South Bay. It is abundantly clear that with this amount of aquatic surface area, that this peninsula is percolating large amounts of contaminants into the ground water and bay thus destroying the environment. I have personally seen a dramatic decrease in water quality in the bay over the last ten years, with brown tides, fish kills, etc. It is negligent on the part of this commission not to include this entire area in a comprehensive plan. It is unclear to me why the upper Forge River area was included in this "Suffolk County Coastal Resiliency Initiative" while areas such as Mastic Beach, which are at an equal or lower elevation, have not been included. Hurricane Sandy proved how vulnerable these areas are to coastal flooding. It is even less clear why such a large portion of commercial property along Montauk Highway, which is not in the flood plain, has been included in this plan. It is my belief that commercial development should be required to fund its own sewer requirements by whatever means available although sewage treatment facilities should be planned to accommodate their needs. In closing I would like to say that the scoping of this project "needs work" and that the needs of Mastic Beach and the other hamlets need to be addressed. At the very least technology, policy and funding for alternative, environmentally friendly septic systems should be made available to the residents of the Mastic Peninsula.

Sincerely,

J. S. Thomson

# Forge River Watershed Sewer Project

## Public Scoping Meeting for the Preparation of an Environmental Impact Statement

January 26th, 2016  
William Paca Middle School Gymnasium  
338 Blanco Drive Mastic Beach, NY

Please use this comment form to let us know your thoughts.  
These comments will become part of the official record.

Name (required): Ewa Wolmut-Stankiewicz  
Organization/Affiliation: belong to Pottersquash Creek Civic Assoc  
Street Address: 76 Mill Dr  
City: Mastic Beach State: NY Zip Code: 11951  
Email: EWA-AVA@hotmail.com

### Comments:

sandy relieve fund should be used to build sewer in the area which was most effected which is Mastic Beach. The biggest environmental polluter are septic systems which are partially in the ground water which is happening mostly south of Neighborhood Rd. we expect to get money in proportion to the area that suffered the most damage.

Please leave this form with us today or submit any time during the comment period, which ends on **February 16, 2016**, to either contact noted below:

Thomas J. King  
Director - Bureau of Environmental Review and Assessment  
Assistant General Counsel  
New York State Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260  
Nyscdbg\_dr\_er@nyshcr.org

Additional comments may be recorded on the back of this page (or you may attach additional materials).



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## **APPENDIX D: AGENCY COMMENTS**



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**FEB 03 2016**

Mr. Brandon M. Webb  
EHP Special Projects Lead  
FEMA NY SRO  
118-35 Queens Blvd.  
Forest Hills, NY 11375

RE: Forge River Watershed Sewer Project Scoping Document

Dear Mr. Webb:

The Environmental Protection Agency (EPA) has reviewed the draft scoping document dated December 23, 2015 prepared pursuant to the National Environmental Policy Act (NEPA) as well as New York's State Environmental Quality Review Act for the Forge River Watershed Sewer Project, Mastic-Shirley Proposed Sewer District located in the Town of Brookhaven, New York.

We offer the following scoping comments.

1. The environmental assessment should include an evaluation of the alternatives to the proposed project, including reasonable alternatives not within the jurisdiction of the lead agency.
2. The NEPA document should include a comprehensive evaluation of cumulative, indirect, and secondary impacts. The cumulative impacts analysis should consider the environmental impacts of the project as a whole, and, if any, as one of number of the other proposed and/or approved actions in the area that would have the potential to impact the same resources.
3. Section 5.2.2 Air Quality. As stated in the scoping document, Suffolk County is in nonattainment for the 8-hour ozone standards and a maintenance area for fine particulate matter. A general conformity applicability analysis for all direct and indirect construction emissions must be performed.
4. Section 5.2.10 Cultural Resources. The project area includes the Poospatuck Reservation. While the Poospatuck is not a federally recognized tribe, it is recognized by New York State, and therefore should be contacted regarding any cultural resource impacts.

5. Section 5.2.13 Land Use and Planning. The scoping document states that the EA/EIS will consider the potential effect of the proposed sewer project on existing and planned land use and development patterns along the Montauk Highway Corridor. The document should also consider whether the sewer project will induce the construction of any new single family residences in the project area, and the cumulative impacts of that residential growth.
6. In 1993, the Council of Environmental Quality guidance, Pollution Prevention and the National Environmental Policy Act, encouraged federal agencies to include the concepts of pollution prevention in EISs during the scoping alternatives analysis, mitigation measure development, and decision-making processes. For example, all construction equipment used should, at minimum, meet Tier 3 emission standards or Tier 4 if available. EPA has enclosed a greening factsheet on several areas, including building and clean diesel for your information.
7. The NEPA document should include any necessary mitigation plans, such as for wetlands and cultural resources.

Thank you for the opportunity to comment. If you have any questions concerning this letter, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely,



Grace Musumeci, Chief  
Environmental Review Section

Enclosure

## EPA Region 2 Green Recommendations

To the maximum extent possible, project managers are encouraged to utilize local and recycled materials; to recycle materials generated onsite; and to utilize technologies and fuels that minimize greenhouse gas emissions.

Further, to the extent feasible, renewable energy (including, but not limited to solar, wind, geothermal, biogas, and biomass) and energy-efficient technologies should be incorporated into the design, construction, and operation of all types of projects.

To that end, the following information and internet hyperlinks are provided for your consideration and use:

- **Multi-media green building and land design practices**

Utilize green building practices which have multi-media benefits, including energy efficiency, water conservation (see WaterSense below), and healthy indoor air quality. Apply building rating systems and no-cost online tools and guides, such as ENERGY STAR, Portfolio Manager, Target Finder, Indoor Air Quality Package, and WaterSense for building construction. The ENERGY STAR website (see below) includes, among other things, information on new single-family homes, multi-family homes, commercial and other buildings, and schools. The website also provides an ENERGY STAR "Training Center" free of charge.

U.S. Green Building Council (USGBC) LEED Programs and Guides: <http://www.usgbc.org/>

ENERGY STAR home page: <http://www.energystar.gov>

ENERGY STAR Target Finder (no-cost online tool to set energy performance targets):  
<http://www.energystar.gov/targetfinder>

Indoor Air Quality: <http://www.epa.gov/iaq>

- **Water conservation and efficiency in building construction**

Promote water conservation and efficiency through the use of water efficient products (e.g., toilets, faucets, showerheads) and practices. For new building construction and restoration projects, we recommend considering the use of products with the WaterSense label where appropriate. Devices receiving the EPA WaterSense label must be at least 20% more water efficient than (and must meet or exceed the performance standards of) non-labeled devices of the same type. Additionally, when possible, consider the use of WaterSense Certified Professional Irrigation Partners and WaterSense Builder Partners. These professionals use WaterSense labeled devices where appropriate, are trained in the latest water conservation practices, and use the latest water efficiency tools and technologies, including irrigation equipment and xeriscaping for landscaping and best management practices for construction in the WaterSense New Home Specifications. Visit the WaterSense website for tips on water efficiency, a WaterSense labeled product search tool, a list of WaterSense Partners, access to the Water Budget Tool at:

<http://www.epa.gov/watersense/>

In addition to using WaterSense labeled products and certified professionals, there are many water conservation strategies and best management practices that can be used in new construction and/or restoration. Here are some useful links to water conservation information:



- Whole Building Design Guide:  
[http://www.wbdg.org/resources/water\\_conservation.php](http://www.wbdg.org/resources/water_conservation.php)
  - Alliance for Water Efficiency:  
<http://www.allianceforwaterefficiency.org/>
  - Water Use It Wisely – 100 Ways to Conserve:  
<http://www.wateruseitwisely.com/100-ways-to-conserve/index.php>
  - Determining Energy Usage  
[http://water.epa.gov/infrastructure/sustain/energy\\_use.cfm](http://water.epa.gov/infrastructure/sustain/energy_use.cfm)
- **Green Building in Federal Agency Projects**  
The *Federal Green Construction Guide for Specifiers* includes helpful information for procuring green building products and construction/renovation services within the Federal government:  
<http://www.wbdg.org/design/greenspec.php>
  - **Use Environmentally Preferable Purchasing**  
Promote markets for environmentally preferable products by referencing EPA's multi-attribute Environmentally Preferable Purchasing guidance. Products and services include: Building and Construction, Carpets, Cleaning, Electronics, Fleets, Food Services, Landscaping, Meetings and Conferences, Office Supplies, and Paper.  
<http://www.epa.gov/epp>
  - **Purchase 'green' electronics, and measure their benefits**  
Require the purchase of desktop computers, monitors, and laptops that are registered as Silver or Gold products with EPEAT, the Electronics Product Environmental Assessment Tool at [www.epeat.net](http://www.epeat.net). Products registered with EPEAT use less energy, are easier to recycle, and can be more easily upgraded than non-registered products. Energy savings, CO<sub>2</sub> emission reductions, and other environmental benefits achieved by the purchase, use and recycling of EPEAT-registered products can be quantified using the Electronics Environmental Benefits Calculator:  
<http://eerc.ra.utk.edu/ccpct/eebc/eebc.html>  
  
[http://www.energystar.gov/index.cfm?c=products.pr\\_find\\_es\\_products](http://www.energystar.gov/index.cfm?c=products.pr_find_es_products)
  - **Consider Low Impact Development to help manage storm water**  
Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product.  
  
Implement site planning, design, construction, and maintenance strategies to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the building site with regard to the temperature, rate, volume, and duration of flow.  
  
Additional information: <http://water.epa.gov/polwaste/green/>  
<http://water.epa.gov/infrastructure/greeninfrastructure/>  
<http://www.epa.gov/nrmrl/wswrd/wq/models/swc/>
  - **Evaluate sustainable storm water management at brownfield sites**



Consider designs for storm water management on compacted, contaminated soils in dense urban areas:

Additional information: <http://www.epa.gov/brownfields/tools/swdp0408.pdf>

- **Alternative and Renewable Energy**

The Department of Energy's "Green Power Network" (GPN) provides information and markets that can be used to supply alternative generated electricity. The following link identifies several suppliers of renewable energy:

Additional information:

[http://apps3.eere.energy.gov/greenpower/buying/buying\\_power.shtml?](http://apps3.eere.energy.gov/greenpower/buying/buying_power.shtml?)

- **Clean Diesel**

For new equipment utilize contract specifications requiring advanced pollution controls and clean fuels: <http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf> and <http://www.epa.gov/cleandiesel/technologies/index.htm>

Implement diesel controls, cleaner fuel, and cleaner construction practices for on-road and off-road equipment used for transportation, soil movement, or other construction activities, including:

- Strategies and technologies that reduce unnecessary idling, including auxiliary power units, the use of electric equipment, and strict enforcement of idling limits; and
- Use of clean diesel through add-on control technologies like diesel particulate filters and diesel oxidation catalysts, repowers, or newer, cleaner equipment.

For more information on diesel emission controls in construction projects, please see:

<http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>

- **Utilizing recycled materials in construction projects**

Many industrial and construction byproducts are available for use in road, building or infrastructure construction. Use of these materials can save money and reduce environmental impacts. The Recycled Materials Resource Center has developed user guidelines for many recycled materials and compiled existing national specifications.

Additional information: <http://rmrc.wisc.edu>

<http://www.epa.gov/osw/consERVE/imr/index.htm>

<http://www.epa.gov/epawaste/consERVE/tools/cpg/products/index.htm>

<http://www.fhwa.dot.gov/pavement/recycling/rectools.cfm>

- **Greening demolition projects**

<http://detroitworkshop.com/2013/11/11/dfc-and-partners-launch-pilot-deconstruction-project/>

- **Encourage cost-efficient, environmentally friendly landscaping**

EPA's GreenScapes program provides cost-efficient and environmentally friendly solutions for landscaping. For additional information, please see:

<http://www.epa.gov/wastes/consERVE/tools/greenscapes/index.htm>

- **Incorporate on-site energy generation and energy efficient equipment upgrades into projects at drinking water and wastewater treatment facilities**

Consider using captured biogases in combined heat and power systems, and renewable energy (wind, solar, etc.) to generate energy for use on-site. Evaluate the potential energy savings associated with upgrading to more energy efficient equipment (pumps, motors, lighting, etc.).



Additional information: <http://water.epa.gov/infrastructure/sustain/goinggreen.cfm>  
<http://www.epa.gov/region9/waterinfrastructure/howto.html>

- **Incorporate green practices into remediation of contaminated sites**

Encourage or incentivize the use of green remediation practices, including designing treatment systems with optimum energy efficiency; use of passive energy technologies such as bio-remediation and phyto-remediation; use of renewable energy to meet power demands of energy-intensive treatment systems or auxiliary equipment; use of cleaner fuels, machinery, and vehicles; use of native plant species; and minimizing waste and water use.

Additional information: <http://clu.in.org/greenremediation/index.cfm>

- **Encourage development in brownfield sites**

Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. These sites are often "infrastructure-ready," eliminating the need to build new roads and utility lines which are necessary in undeveloped land.

Additional information: <http://www.epa.gov/brownfields/>

- **Encourage use of Smart Growth and transit-oriented development principles**

Smart Growth and transit oriented development (TOD) principles help preserve natural lands and critical environmental areas, and protect water and air quality by encouraging developments that are mixed-use, walkable and located near public transit. Encourage use of bicycling with bike commuter parking, storage, and changing facilities. Facilitate increased carpooling or alternative vehicles with preferable parking spaces and/or electric vehicle plug in spots.

Additional information: <http://www.epa.gov/smartgrowth>

- **Integrated Design Process**

The Integrated Design Process calls for the active and continuing engagement of all stakeholders throughout the building design, development, construction, and post-construction phases including the owners, architects, engineers, building department officials, and others. This process creates a higher-performing building at lower cost, allows various building systems to work together to eliminate redundant and unnecessary capacity, and minimizes change order costs.

Additional information: [http://www.wbdg.org/design/engage\\_process.php](http://www.wbdg.org/design/engage_process.php)



# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790

P: (631) 444-0365 | F: (631) 444-0360

[www.dec.ny.gov](http://www.dec.ny.gov)

February 16, 2016

Thomas J. King, Esq.  
Director- Bureau of Environmental Review and Assessment  
Assistant General Council  
Governor's Office of Storm Recovery  
99 Washington Ave., Suite 1224  
Albany, NY 12260

RE: Forge River Watershed Sewer District Draft Scope of Work Comments

Dear Mr. King:

The Department of Environmental Conservation (DEC) has completed its review of the Draft Scoping Document for the referenced action, which involves the connection of 2,094 parcels to a new advanced wastewater treatment plant (AWTF).

We have identified several topics or issues in the Draft Scoping Document which require clarification, further explanation or the addition of details in order to ensure that this document and the subsequent Draft Environmental Impact Statement (DEIS) contain all of the information and analysis necessary for the lead agency and the involved agencies to make the findings and determinations required of them at the conclusion of the process. Please see the following comments.

1. Section 5.1.3 considers an action alternative of "Repairing and/or Replacing On-site Wastewater Treatment and Disposal Systems." The DEIS should expand on the assessment of this alternative to include advanced on-site wastewater treatment and disposal system (OSWS) technologies. Specifically, the DEIS should consider the current Suffolk County Department of Health's advanced on-site treatment pilot program.  
<http://www.suffolkcountyny.gov/Departments/Planning/ReclaimOurWaterInitiativeUpdate.aspx>
2. Tidal Wetland Land Use Regulations (6 NYCRR Part 661.6) limit development within DEC jurisdiction to lots of 40,000 square feet in areas not served by a public sewage disposal systems. The creation of the Forge River Watershed Sewer District will decrease this minimum lot size to 20,000 square feet, thus increasing the development potential of the area. The DEIS must address the potential impacts of the new development restrictions on the surrounding wetlands.

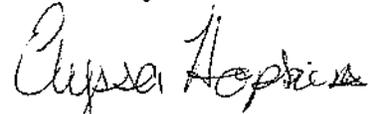


Department of  
Environmental  
Conservation

3. Suffolk County must apply for Tidal Wetlands, Freshwater Wetlands and State Pollutant Discharge Elimination System (SPDES) permits from DEC for the connection of parcels to the proposed AWTF.

We are available to discuss these comments or answer any questions you may have. I can be reached at (631) 444-0364 or at [elyssa.hopkins@dec.ny.gov](mailto:elyssa.hopkins@dec.ny.gov). Thank you for the opportunity to comment.

Sincerely,



Elyssa Hopkins  
Environmental Analyst

Cc: D. Rozell- NYSDEC  
file

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2015-0685  
MEETING: OCTOBER 1, 2015

AUTHORIZING THE  
SUPERVISOR/DEPUTY SUPERVISOR  
TO ENTER INTO A LEASE  
AGREEMENT WITH THE COUNTY OF  
SUFFOLK FOR PROPERTY LOCATED  
AT CALABRO AIRPORT

WHEREAS, the Town of Brookhaven is the owner of property located on the north side of Sunrise Highway and North Service Road between Maple Avenue and Winters Drive, Shirley, further identified as SCTM 0200-710.00-01.00-p/o 001.006; and

WHEREAS, the Town is desirous of entering into a lease agreement with the County of Suffolk for future development of a wastewater treatment plant and recharge field; and

WHEREAS, said property consists of three (3) parcels as follows: Parcel #1 - 12.874± acres; Parcel #2 - 17.058± acres; Parcel #3 - 2,833± square feet; and

WHEREAS, Parcel #1 and Parcel #2 will be leased for the land value and Parcel #3 will be leased for a Permanent Access and Utility Easement; and

WHEREAS, the term of the aforesaid agreement shall be for twenty years with an option to renew upon written notice by County of Suffolk to the Town of Brookhaven for 2 five-year extensions ; and

WHEREAS, the Town of Brookhaven shall receive an initial annual rental payment from the County of Suffolk in the amount of One Hundred Seventy-Five Thousand 00/100 (\$175,000.00) Dollars, with escalations to be negotiated; and

WHEREAS, said lease agreement is subject to FAA approval; and

WHEREAS, the Town Board of the Town of Brookhaven finds it beneficial and in the public interest to lease this property to the County of Suffolk.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Supervisor/Deputy Supervisor is hereby authorized to execute a Lease Agreement with the County of Suffolk for property located on the north side of Sunrise Highway and North Service Road between Maple Avenue and Winters Drive,

Shirley, further identified as SCTM 0200-710.00-01.00-p/o 001.006, for future development of a wastewater treatment plant and recharge field; and be it further

RESOLVED, the Town of Brookhaven shall receive an initial annual rental payment from the County of Suffolk in the amount of One Hundred Seventy-Five Thousand 00/100 (\$175,000.00) Dollars, with escalations to be negotiated; and be it further

RESOLVED, that said lease agreement is subject to FAA approval; and be it further

RESOLVED, that the form of the Lease Agreement shall be subject to the review and approval of the Town Attorney; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized, empowered and directed to take all actions necessary and appropriate to effectuate the terms of this resolution.

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