

**PORT OF EGYPT MARINE, INC.**  
**ENVIRONMENTAL ASSESSMENT**



**New York State Governor's Office of Storm Recovery**  
**May 5, 2016**

<b>PORT OF EGYPT MARINE, INC. - SMALL BUSINESS GRANT PROGRAM</b> <b>PROJECT #103-ED-728-13</b> <b>ENVIRONMENTAL ASSESSMENT &amp; ERR PROJECT SUMMARY</b>	
<b>Responsible Entity:</b>	New York State Homes & Community Renewal – Housing Trust Fund Corporation Cooperating with the Governor’s Office of Storm Recovery (GOSR)
<b>Certifying Officer:</b>	Thomas J. King, Esq., Assistant General Counsel and Certifying Officer, Governor’s Office of Storm Recovery
<b>Project Name:</b>	Port of Egypt Marine, Inc.
<b>Funding Recipient:</b>	Port of Egypt Marine, Inc.
<b>Federal Agency:</b>	U.S. Department of Housing & Urban Development (HUD)
<b>Project #:</b>	103-ED-728-13
<b>Project Sponsor:</b>	New York State Housing Trust Fund Corporation
<b>Program Name:</b>	New York State Community Development Block Grant-Disaster Recovery Small Business Grant Program (April 2013)
<b>Project Address:</b>	62300 Main Road, Town of Southold, New York 11971
<b>Project County:</b>	Suffolk County, NY
<b>Estimated Project Cost:</b>	\$100,000.00
<b>Project Sponsor Address:</b>	Governor’s Office of Storm Recovery 99 Washington Avenue, Suite 1224 Albany, N.Y. 12231
<b>Primary Contact/ Person To Direct Comments:</b>	Thomas King, Esq., Assistant General Counsel and Certifying Officer, Governor’s Office of Storm Recovery
<b>E-Mail address:</b>	<i>Thomas.King@stormrecovery.ny.gov</i>
<b>Telephone Number:</b>	(518) 473-0015
<b>Project NEPA Classification:</b>	24 CFR 58.36
<b>ENVIRONMENTAL FINDING:</b>	<input checked="" type="checkbox"/> <b>Finding of No Significant Impact</b> - The project will not result in a significant impact on the quality of the human environment.  <input type="checkbox"/> <b>Finding of Significant Impact</b> - The project may significantly affect the quality of the human environment.
	<p>The undersigned hereby certifies that New York State Housing Trust Fund Corporation has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.</p> <p>Preparer Signature:    <hr/> <b>NAME:</b> Thomas J. King, Esq.  <b>Title/Agency:</b> Assistant General Counsel &amp; Certifying Officer - Governor’s Office of Storm Recovery  <b>Date:</b> 5/5/2016</p>
<b>Environmental Assessment Prepared By:</b>	Tectonic Engineering & Surveying PO Box 37, 70 Pleasant Hill Road Mountainville, NY 10953

**Introduction:**

Port of Egypt Marine, Inc., is a marina located at 62300 Main Road, Southold, New York (**Attachment 1**). This business is a 5.27-acre waterfront property with nine (9) structures dating back to the 1940's. According to the Port of Egypt Marine, Inc. website, amenities include 150 single-loaded slips, high/dry stack storage for 80 boats, a boat launching ramp, a fuel dock (gas & diesel), a bait cutting station, a pumpout station, a 25-ton travel lift, a marine supply store, boat sales, full boat winterization and spring commissioning services, mechanic services, and boat handling lessons. Superstorm Sandy caused the original docks to become detached and displaced during high waters and electric panels were damaged due to water inundation. The docks were replaced and piles anchoring the docks were replaced with taller pilings to prevent the same type of damage during future storms. The electric panels were raised to prevent future water damage. See **Attachment 2** for a sketch map of work locations.

**Project Activities:** This proposed support involves HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) program funding (\$100,000) for reimbursement of completed marina infrastructure mitigation. Completed project activities included the replacement of the floating docks located outside of the inner marina basin. The existing steel pipe piles, which hold the floating docks, were replaced with taller, thicker-walled (4-inch diameter to replace 3-inch diameter) pipes. The new piles extend five feet higher than the existing piles to prevent the docks from coming loose during potential future high water events. Additional pipe piles were placed on the inside of the floating docks (between the bulkhead and floating dock) allowing both sides of the floating dock to be supported. The existing electric panels located at the marina were raised and replaced and new electric lines were installed on the new floating dock systems. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. All completed project activities included mitigation work located within previously disturbed areas. However, the additional pilings may be considered new construction in the wetland.

Additionally, a previous environmental review for \$89,632.46 for separate activities categorized under 24 CFR 58.35(a) for this Applicant was completed on August 8, 2014 and is included in the environmental review record. Thus, the total combined funding for this applicant is \$189,632.46.

**Background & Context:** The business is majority owned by William Lieblein and Kae Lieblein, and the business also has several other partial shareholders. According to the business website, the company began selling Grady-White boats in 1960, and has since become one of the top-selling dealers nationally and acknowledged annually for leadership in customer service and satisfaction. Today, the service department's technicians continue to be re-certified yearly and boat-handling lessons are offered with every sale. Port of Egypt Marine, Inc. is also a Yamaha Flagship Dealer and an authorized service dealer of Volvo-Penta engines. The marina has an expansive view of Southold Bay overlooking a bird sanctuary and the business property also has a hotel and restaurant on it.

According to the Town of Southold's Natural Hazards 2013 Draft (within the New Comprehensive Plan for the Town of Southold), the Town of Southold has experienced significant weather-related occurrences including numerous hurricanes, tropical storms, severe thunderstorms, and nor'easters within the last century. The hazards from these storms include flooding, wind damage, shoreline erosion, and tornadoes. The Town of Southold has 220 miles of shoreline and over 1,100 homes and many businesses located in the floodplain which are vulnerable to coastal flooding. According to the Suffolk County's Mitigation Plan 2014 Update, the Town of Southold has a history going back to 1638, is approximately 54 square miles in size, including Fishers, Plum, and Robins Islands, and has an average growth rate of 17% per decade since the 1790s. According to the Suffolk County's Multi-Jurisdictional Multi-Hazard Mitigation 2007 Plan, severe storms, severe winter storms, and nor'easters are noted as high risks for Suffolk County, and are predicted to frequently occur.

**Purpose & Need for the Project:**

Superstorm Sandy impacted the business causing flooding, power outage, and business interruption. Documentation of loss and completed work is supported by a site visit. In the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without the return of businesses and jobs to a disaster-impacted area, recovery may be impossible. Therefore, HUD strongly encourages grantees to envision economic revitalization as a cornerstone to a long-term recovery” (78 FR 14335). The CDBG-DR funding assistance will allow for the continued operation of the business as a marina. Additionally, the mitigation activities were aimed at preparing for, and limiting damage from, future natural hazards.

**ENVIRONMENTAL ASSESSMENT FACTORS/ SCREENING**

*[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]*

*Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact.*

**Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. *Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.*

<b>Land Development</b>	<b>Code</b>	<b>Source or Documentation</b>
Conformance with Comprehensive Plans and Zoning	1	<p>The <u>Town of Southold Zoning Map</u>, Cutchogue to Greenport section, indicates that the Subject Property is in a Marine II (MII) district. According to Article XIII (MII District), Chapter 280 (Zoning), and 280-54 (Purpose) of the <u>Town of Southold Code</u>, the MII District is intended “to provide a waterfront location for a wide range of water-dependent and water-related uses, which are those uses which require or benefit from direct access to or location in marine or tidal waters and which, in general, are located on major waterways, open bayfronts or the Long Island Sound.” By providing support for the continued use of the Subject Property as a marina, the public will maintain direct access to the water, as is consistent with the MII District designation.</p> <p>The Subject Property is not located in an area that is included in a New York State Department of Environmental Conservation (NYSDEC) watershed plan.</p> <p><a href="http://www.dec.ny.gov/chemical/99985.html">http://www.dec.ny.gov/chemical/99985.html</a></p>
Compatibility and Urban Impact	1	<p>The mitigation project at the marina business is consistent with the developed area. There are marinas, businesses, and residential properties with water access within the area of the business. The project did not increase urban areas or the density of buildings or structures on or off the land. The mitigation work occurred within a Marine II (MII) district and supports the local economy by continuing a business that supports recreational and commercial access to local waterways.</p>
Slope	1	<p>Per the USGS Topographic Map for this Subject Property (<b>Attachment 1</b>) and a site inspection, the business is located on a relatively flat area of land adjacent to Budds Pond. The completed mitigation activities did not involve a change in slope on the Subject Property or surrounding area. The scope of work was not meant to influence slope or displace coastal floodplain, it was intended to advance site design and improvements that could prevent potential undesirable impacts to the marina infrastructure in the event of a future storm.</p>
Erosion	1	<p>The mitigation activities did not involve work that would affect erosion of the Subject Property.</p>
Soil Suitability	1	<p>U.S. Department of Agriculture (USDA) Natural Resources</p>

	<p>Conservation Service (NRCS) maps provide information on soils types and properties that influence development of building sites. The information is intended for land use planning, evaluating land use alternatives, and for planning site investigations prior to design and construction. According to the NRCS soils map data, the soils on the property are fill land/dredged materials (<b>Attachment 3</b>).</p> <p>Considering the completed work was for floating docks and electric panel work and did not include the new construction of buildings or extensive subsurface foundations, it is expected that the designs and specifications used in the mitigation activities addressed soil suitability constraints.</p> <p>No undesirable impacts are to known to have occurred as a result of the completed mitigation work.</p>
<p>Hazards and Nuisances including Site Safety</p>	<p>1 <b><u>Subject Property Records Review</u></b></p> <p><b>County Records:</b> The Subject Property is not located within 3,000 feet of a toxic or solid waste landfill site. A FOIL request for Bulk Storage records for the Subject Property was submitted to the Suffolk County Department of Health on 7/23/2014. The Department of Health provided a Tank Compliance Inspection Data Sheet dated 8/8/2014, which noted that the Subject Property has five tanks in service and one 250-gallon waste oil tank that has been removed. The five tanks in service at the time of the report included one 250-gallon steel/iron #2 fuel oil tank, one 250-gallon waste oil tank, two 2,000-gallon steel/iron gasoline tanks, and one 1,000-gallon steel/iron diesel tank. The last inspection according to the Inspection Report was dated 8/5/2011. There were no unregistered tanks noted in the report.</p> <p><b>EPA Records:</b> The Subject Property is not listed on an EPA Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list. A review of the EPA Resource Conservation and Recovery (RCRA) Database indicates that the Subject Property is listed as a water discharger facility. The facility has been in non-compliance of the Clean Water Act (CWA) for the last 12 quarters due to permit schedule violations. The violations are reported as being Category II Reportable Non-Compliance Violations. A Category II reportable non-compliance is not considered significant non-compliance. Although the facility located on the Subject Property has reported violations, it is not likely to have an adverse environmental effect at the Subject Property due to the minor and administrative nature of the violations.</p> <p><b>NYSDEC Records:</b> The Subject Property is not listed as an environmental remediation site on the Environmental Remediation Database or in the Petroleum Bulk Storage Database. The Subject Property is identified twice in the</p>

NYSDEC Spill Incidents Database. The first spill involved an unknown amount of raw sewage released from the Subject Property into the sewer. The spill occurred on September 1, 2003 and was closed by the NYSDEC on September 3, 2003. A spill being closed means that the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary or the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number).

Additionally, an unknown amount of raw sewage was released from the Subject Property into the surface waters of Peconic Bay. The spill occurred on September 22, 2015 and was closed on September 25, 2015. These spills are not considered a hazard that could affect the health and safety of the occupants or conflict with the intended utilization of the Subject Property because any contamination released into the sewer would be carried away from the Subject Property through the existing sewer lines and any contamination spilled into the surface water of the Peconic Bay was likely dispersed by natural forces.

**Environmental Site Inspection**

The Subject Property was inspected on 4/12/2015. It was noted during this inspection that the Subject Property was a commercial site and that there was visible evidence of storage tanks and fuel pumps on the Subject Property.

**Surrounding Properties Records Review**

**EPA Records:** There are three (3) EPA RCRA, air emissions, and water discharger facilities located within 3,000 feet of the Subject Property. Albertson Marine Inc. is a water discharger facility located immediately adjacent to the Subject Property. Mobil Oil Corp. is a RCRA facility located approximately 2,500 feet southwest of the Subject Property. No violations have been reported at either of these facilities; as such, they are not likely to have an adverse environmental effect on the Subject Property.

Corazzini Brothers, Inc. is an air emissions facility that has been mapped by the NEPAssist tool as being located approximately 3,000 feet north of the Subject Property. However, the actual physical location of Corazzi Brothers, Inc. is greater than 4,500 feet northeast of the Subject Property. The facility was previously in non-compliance of the Clean Air Act (CAA) from January 1, 2013 to September 30, 2014, with New Source Performance Standards (NSPS) and State Implementation Plan (SIP) violations. Although this facility has previous violations, it is not likely to have an adverse environmental effect on the Subject Property due to the distance from the Subject Property and its current compliance.

**NYSDEC Records:** Thirteen (13) spills have been reported on properties located near the Subject Property. All thirteen (13) spills have been closed by the NYSDEC and are not considered a concern to the Subject Property due to the minor nature of the spills, their distance away from the Subject Property, their cross-gradient location, and/ or location on the opposite side of a hydraulic barrier from the Subject Property.

A review of the NYSDEC Environmental Remediation, Bulk Storage, and Spill Databases resulted in the identification of one petroleum bulk storage facility located approximately 2,600 feet northeast of the Subject Property. There are four reported underground storage tanks located at this facility. The NYSDEC records indicate that the tanks are unregulated gasoline and diesel tanks. As this facility is located approximately 2,600 feet northeast from the Subject Property and on the opposite side of a hydraulic barrier, it is not considered to have an adverse environmental effect on the Subject Property.

**In Summary:** The completed scope of work for the Subject Property involved only minor ground disturbance for dock repair. The Subject Property was not likely affected by the prior spills, discharge events or the surrounding facilities due to their distance away from the Subject Property, location across a hydraulic barrier, or minor nature of the reported incidents. As a result, the project activities did not involve actions that would have involved potential recognized environmental conditions/contamination. Therefore, a Phase I Environmental Site Assessment (ESA) or Phase II ESA is not warranted. As such, no further action is required at this time. Maps, NYSDEC and EPA reports, Site Inspection documentation, and Suffolk County Department of Health FOIL records are provided in the case 103-ED-728-13 HUD Environmental Standards Review, annexed hereto as **Attachment 4**.

Building or structures to be rehabilitated must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor (Cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos pertaining to demolition and renovation in 40 CFR 61.145, and the National Emission Standard for Asbestos pertaining to waste disposal for manufacturing, fabricating, demolition, and spraying operations in 40 CFR 61.150. Activities must comply with applicable federal, state, and local laws and regulations regarding lead-based paint.

The Subject Property is not residential and, therefore, HUD's Lead Safe Housing Rules do not apply with regard to lead-based paint (LBP).

Based on the EPA's Map of Radon Zones, the Subject Property

		is located within Zone 3, which is a zone that has a predicted average indoor radon screening levels less than 2 pCi/L (Low Potential). Due to the low potential for elevated indoor radon levels and that project activities included outdoor work on non-building structures only, no additional steps are required for radon mitigation.
Energy Consumption	1	The project activities did not expand an existing business relative to conditions prior to Superstorm Sandy or increase long-term energy consumption. Thus, no impacts to energy consumption are expected.

<b>Noise - Contribution to Community Noise Levels</b>	1	The business use is not a noise-sensitive use. The funded mitigation is for reimbursement of completed floating dock and electric panel work. This project did not generate excessive noise during the short-term period of physical work and there is no future work as a result of the proposed funding.
<b>Air Quality</b> Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	<p>This project did not involve physical work that would substantively affect the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality resulted from project activities.</p> <p>This project is located in Suffolk County, which is listed as a current nonattainment county for all 8-hour ozone. Given the limited nature of the completed mitigation activities, it is unlikely that the project affected ozone.</p> <p><a href="http://www.epa.gov/airquality/greenbk/ancl.html">http://www.epa.gov/airquality/greenbk/ancl.html</a></p> <p>Suffolk County</p> <p>8-Hr Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Marginal)</p>
<b>Environmental Design</b> Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The completed mitigation work at the existing business is consistent with the current use at the Subject Property and returned the marina facility to pre-storm conditions. Thus, the project is consistent with surrounding uses and was completed at an appropriate scale which will not detract from the aesthetic quality of surrounding areas.

<b>Socioeconomic</b>	<b>Code</b>	<b>Source or Documentation</b>
Demographic Changes	Character 1	The completed mitigation work did not induce any change in the demographic character of the area.
Displacement	1	The completed project work did not displace individuals or families, destroy jobs, local businesses or public community facilities or disproportionately affect particular populations.
Employment and Income Patterns	2	The completed project activities did not adversely affect employment opportunities or income patterns. Short-term construction jobs could have resulted from the project. Moreover, the project is intended to protect this small business from future flood damage, which will allow for the continued and uninterrupted employment of the business's employees.

**Community Facilities  
and Services**

	<b>Code</b>	<b>Source or Documentation</b>
Educational Facilities	1	The completed mitigation work at this existing business did not introduce any new populations that would increase the student population of the area. As such, the project will not have an impact on educational facilities.
Commercial Facilities	1	The project involved mitigation work at an existing business, and did not introduce any new development that would require additional retail services or other commercial facilities.
Health Care	1	The project did not introduce any new development that would require the availability of routine or emergency health services.
Social Services	1	The project did not impact social services. Social services are provided by a range of non-profit and government agencies.
Solid Waste	1	The project did not introduce new business development that would generate solid wastes on an ongoing basis.
Waste Water	1	The project did not introduce development that would generate waste water.
Storm Water	1	The project did not involve activities that would have affected storm water runoff characteristics on the Subject Property.
Water Supply	1	The project did not increase demand for water.
Public Safety - Police	1	The project did not generate new demand for police services.
- Fire	1	The project did not generate new demand for fire services.
- Emergency Medical	1	The project did not generate new demand for emergency medical services.
Open Space & Recreation - Open Space	1	The project involved mitigation activities at an existing business and did not introduce new development that would have generated demand for open space resources or impede open space access. Moreover, the completed work will allow the continued existence of the property as a marina, which by nature of its business, allows access to open space (waterways), and recreational opportunities.
- Recreation	1	The project did not introduce new development that would generate demand for recreational resources nor will it impede recreational access. The completed mitigation work at this business was intended to protect marina infrastructure in the event of a future storm.
- Cultural Facilities	1	Based on a Section 106 project review, in accordance with a determination by the State Historic Preservation Office (SHPO) received on January 27, 2016, this project did not affect historic properties. No further action will be required. See SHPO letter of determination annexed hereto as <b>Attachment 5</b> .  Additionally, as the mitigation work involved work within the footprint of a pre-existing structure and ground disturbance only occurred in previously disturbed areas, there is no adverse effect on tribal resources, and no consultation with the Tribal Historic Preservation Officer is required.
Transportation	1	The project involved mitigation work at an existing business, and besides limited trips generated by construction vehicles during a short window of construction, the project did not

		introduce new development that generates continuing demand for transport or transport services.
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**Natural Features**

**Source or Documentation**

Water Resources	1	The project involved mitigation at an existing business and did not introduce new demand for groundwater or surface water as water supply and nor did the project introduce septic flows that may affect groundwater.
Surface Water	1	The project involved mitigation work at an existing business and the project only replaced and mitigated existing infrastructure. Therefore, surface water impacts are not changed from the pre-existing conditions at this marina facility.
Unique Natural Features and Agricultural Lands	1	According to NYSDEC’s Environmental Resource Map, the Subject Property is not located in a significant natural community or significant natural community buffer ( <b>Attachment 6</b> ). The Subject Property is a marina and not agricultural land.
Vegetation and Wildlife	1	<p>According to information reviewed on the NYSDEC Environmental Resource Mapper at <a href="http://www.dec.ny.gov/imsmaps/ERM/viewer.htm">http://www.dec.ny.gov/imsmaps/ERM/viewer.htm</a>, the Subject Property is located within NYSDEC’s designated rare, threatened or endangered species generalized review area per the NYS Natural Heritage Program (NHP) (<b>Attachment 6</b>).</p> <p>The NHP indicated that it maintained records of threatened/endangered/special concern birds and a plant at the Subject Property or in its vicinity including: the Black Skimmer, Common Tern, Piping Plover, Least Tern, Roseate Tern, and Cut-leaved Evening-Primrose plant (<b>Attachment 7</b>). The completed mitigation work was performed on existing structures in previously disturbed areas. Therefore, the project would not have had affected these species.</p> <p>The United States Fish and Wildlife Service’s (USFWS) Official Species List for the project area indicates that the Piping Plover (<i>Charadrius melodus</i>), Red Knot (<i>Calidris canutus rufa</i>), Roseate Tern (<i>Sterna dougallii dougallii</i>), Sandplain Gerardia (<i>Agalinis acuta</i>), Seabeach Amaranth (<i>Amaranthus pumilus</i>), and the Northern Long-eared Bat (<i>Myotis septentrionalis</i>) should be considered in an effects analysis for the project area. The project activities were reviewed and determined to have had no effect on listed species. The USFWS acknowledged receipt of the “no effect” determination for this project and requested that a copy of the determination and supporting materials be submitted to any involved federal agency for their final ESA determination. As this project will not involve direct consultation or authorization from other federal agencies, no further Endangered Species Act coordination or consultation is required, and the project is determined to not have an effect on the aforementioned species (<b>Attachment 7</b>).</p>

	<p>National Marine Fisheries Service (NMFS) Maps for the Atlantic Coast indicate that the project occurred within the estimated range of sea turtles and sturgeon distinct population segments (DPSs). After a review of the completed project activities, it was concluded that the project did not have an effect on the listed species (<b>Attachment 7</b>). No further action is necessary.</p>
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**ENVIRONMENTAL ASSESSMENT WORK SHEET**

**Directions:** *The Responsible Entity (RE) must make a determination as to whether the activities affiliated with the project will affect the resource under consideration and trigger formal compliance consultation procedures with the appropriate oversight agency and/or subsequent mitigation. You may consult guidance by clicking on links in each box below which also will take you to information from agency web sites. If the activity affects the resource, indicate (A) in the Status Determination Column below. Or indicate (B) in that column if the activity does not affect the resources under consideration. The compliance documentation column should indicate what source documentation was used to make the compliance determination and copies of all necessary documentation should be attached to the completed form for inclusion in the Environmental Review Record (ERR).*

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5	Status Determination (A or B)	Compliance Documentation
Wetland Protection [Executive Order 11990]	B	<p>Based on the USFWS National Wetlands Inventory maps, there are mapped wetlands on or immediately adjacent to the Subject Property. Additionally, the NYSDEC Environmental Resource Mapper and/or NYSDEC Tidal Wetland Maps indicate the Subject Property is located within or immediately adjacent to tidal wetlands. Wetlands maps are annexed hereto as <b>Attachment 6</b>.</p> <p>The scope of work included rehabilitation to the existing docks and electrical panels. There were no direct impacts outside of the footprint of the existing infrastructure to the surrounding state and federally regulated wetlands. The mitigation work completed on the docks are consistent with Tidal Wetlands Land Use Regulations (6 NYCRR Part 661) categories 18 and 21 due to project activities taking place in the littoral zone. Category 18 does not require a permit for work in the littoral zone involving: <i>“Relocation or rearrangement of floating docks, open pile docks, and similar structures within an established marina or boat basin where such activities involve no disturbance of a tidal wetland other than removing or relocating anchors or pilings.”</i> Category 21 does not require a permit for work in the littoral zone involving: <i>“Ordinary maintenance and repair (not involving expansion or substantial restoration, reconstruction or modification) of existing functional structures, facilities, or improved areas, including but not limited to bridges, roads, highways, railroad beds, bulkheads, docks, beaches, piers, wharves, pilings, dolphins, buildings, landscaped or paved areas, lawns, and agricultural - and mosquito control ditches, - including for example, replacing broken boards in docks, repainting structures, re-driving pilings, resurfacing paved areas, installing or removing lawful structures on a seasonal basis.”</i> Furthermore, the project adhered to a NYSDEC Hurricane Sandy General Permit (GP-0-12-006) which authorized stabilization of existing functional structures (<b>Attachment 8</b>).</p>

		<p>The repairs to the docks and electrical panels are consistent with the USACE Nationwide Permit 3(a) “<i>The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure of fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modifications.</i>”</p> <p>Town authorization for the completed work, through a Hurricane Sandy Emergency Permit dated 11/2/2012, is included in <b>Attachment 8</b>.</p>
Coastal Zone Management [Coastal Zone Management Act, 1972, sec. 307 (c) and (d)]	B	<p>The project is located within the NYS Coastal Boundary (<b>Attachment 6</b>). The State of New York Department of State (DOS) has determined that this project meets the Department’s general consistency concurrence criteria, and that the DOS has no objection to the use of HUD CDBG-DR funds for the activity. A copy of the DOS general consistency concurrence document is attached in <b>Attachment 9</b>.</p>
Historic Preservation [36 CFR Part 800]	B	<p>Based on a Section 106 project review, in accordance with a determination by the New York SHPO received on January 27, 2016, this project did not affect historic properties. No further action will be required. See SHPO letter of determination annexed hereto as <b>Attachment 5</b>.</p>
Floodplain Management [Executive Order 11988; 24 CFR Part 55]	A	<p>Portions of the property, including areas of the completed work, are located within 100-year floodplain (SFHA-AE Zone) per the FEMA floodplain map number 36103C0159H, effective date September 25, 2009 (<b>Attachment 6</b>). Compliance is documented in the <i>Floodplain Management (EO 11988) &amp; Protection of Wetlands (EO 11990) Determination</i>, annexed hereto as <b>Attachment 10</b>.</p>
Sole Source Aquifers [40 CFR 149]	B	<p>The Subject Property is located above the Nassau-Suffolk sole source aquifer. Project activities occurred on pre-existing structures. The project activities were reviewed according to the non-housing project activity initial screen criteria form included in <b>Attachment 11</b>. Based on this review, the project does not meet criteria which would require this project to be forwarded to the Environmental Protection Agency (EPA) for preliminary sole source aquifer review. Therefore, there is compliance with this section and no further action is necessary.</p>
Endangered Species Act [50 CFR 402]	B	<p>According to information reviewed on NYSDEC Environmental Resource Mapper at <a href="http://www.dec.ny.gov/imsmaps/ERM/viewer.htm">http://www.dec.ny.gov/imsmaps/ERM/viewer.htm</a>, the Subject Property is located within NYSDEC’s designated rare, threatened or endangered species generalized review area per the NHP (<b>Attachment 6</b>).</p> <p>The NHP indicated that it maintained records of threatened/endangered/special concern birds and a plant at the Subject Property or in its vicinity including: the Black</p>

		<p>Skimmer, Common Tern, Piping Plover, Least Tern, Roseate Tern, and Cut-leaved Evening Primrose plant (<b>Attachment 7</b>). The completed mitigation work was performed on existing structures in previously disturbed areas. Therefore, the project would not have affected these species.</p> <p>The USFWS’s Official Species List for the project area indicates that the Piping Plover (<i>Charadrius melodus</i>), Red Knot (<i>Calidris canutus rufa</i>), Roseate Tern (<i>Sterna dougallii dougallii</i>), Sandplain Gerardia (<i>Agalinis acuta</i>), Seabeach Amaranth (<i>Amaranthus pumilus</i>), and the Northern Long-eared Bat (<i>Myotis septentrionalis</i>) should be considered in an effects analysis for the project area. The project activities were reviewed and determined to have had no effect on listed species. The USFWS acknowledged receipt of the “no effect” determination for this project and requested that a copy of the determination and supporting materials be submitted to any involved federal agency for their final ESA determination. As this project will not involve direct consultation or authorization from other federal agencies, no further Endangered Species Act coordination or consultation is required, and the project is determined to not have an effect on the aforementioned species (<b>Attachment 7</b>).</p> <p>NMFS Maps for the Atlantic Coast indicate that the project occurred within the estimated range of sea turtles and sturgeon DPSs. After a review of the completed project activities, it was concluded that the project would have had no effect on the listed species (<b>Attachment 7</b>). No further action is necessary.</p>
Wild and Scenic Rivers [16 U.S.C. 1271, Sec. 7(b), (c)]	B	The U.S. Department of the Interior and the NYSDEC designate Carmans, Peconic, and Nissequogue Rivers as scenic rivers within Suffolk County. The project area is not located adjacent to these watercourses. Therefore, no further compliance needs to be met for this section.
Clean Air Act [40 CFR Parts 6, 51, 93]	B	<p>This project did not involve physical work that would have substantively affected the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality resulted from the project activities.</p> <p>This project is located in Suffolk County, which is listed as a current nonattainment county for 8-Hour Ozone.</p> <p>Suffolk County - 8-Hr Ozone (2008) New York-N. New Jersey-Long Island, NY-NJ-CT - (Marginal)</p> <p><a href="http://www.epa.gov/airquality/greenbk/ancl.html">http://www.epa.gov/airquality/greenbk/ancl.html</a></p>
Farmland Policy Act [7 CFR Part 658]	B	Not Applicable. The project occurred within the footprint of previously existing infrastructure at a developed marina basin and does not involve agricultural lands.
Environmental Justice [Executive Order 12898]	B	This rehabilitation and economic development project did not occur in a State-identified EJ area

		<a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/suffolkejeast.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/suffolkejeast.pdf</a> . The project is intended to provide funds for mitigation repairs at a damaged business and will support business continuity and community and economic development. The project does not contribute to or promote environmental injustice.
Noise Abatement and Control [24 CFR Part 51, Subpart B]	B	The business use is not a noise-sensitive use. No further compliance analysis is necessary.
Explosive and Flammable Operations [24 CFR Part 51 C]	B	Acceptable separation distance requirements do not apply to this mitigation work because the definition for HUD-assisted projects in 24 CFR Part 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. The environmental review for this project involves rehabilitation of a pre-existing non-residential development that existed prior to the disaster. Pursuant to Part 51 Subpart C 'HUD-assisted project' Definition (in 51.201), it does not involve increasing residential or business densities, converting the type of use of a building to habitation, or making a vacant building habitable; therefore, there is not a requirement to comply under 24 CFR Part 51 Subpart C.
Airport Clear Zones and Accident Potential Zones [24 CFR Part 51 Subpart D]	B	The project does not involve acquisition; therefore, airport clear zone requirements are not applicable (also confirming compliance with 58.6).

<b>Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.6 and Other State Laws</b>	<b>Status Determination (A or B)</b>	<b>Compliance Documentation</b>
Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	A	Based on the Flood Insurance Rate Map 36103C0159H, (effective date September 25, 2009) portions of the Subject Property are located within Special Flood Hazard Area. Proof of National Flood Insurance Program (NFIP) insurance is required, if available. See attached FEMA Firmette ( <b>Attachment 6</b> ). The Applicant shall be required to show proof of current flood insurance prior to closeout, and when received, proof of current flood insurance shall be appended to the ERR.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	B	Based on the attached FEMA Firmette ( <b>Attachment 6</b> ), annotated to show the project location, the Subject Property is not located in or immediately adjacent to (within 150 feet) a Coastal Barrier Resource Area System Unit or Otherwise Protected Area.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	B	The project did not involve the purchase or acquisition of a property and is not within one mile of a military airport or 2,500 feet of any civil airport. Therefore, no impacts would result.

## SUMMARY OF FINDINGS

HUD CDBG-DR funding would provide the Applicant funding for completed construction-related mitigation work on the floating dock and electric panel system, and is consistent with the marina use at the business location. The project activities allow for the continued operation of the business as a marina, and the mitigation work is expected to benefit the marina and surrounding properties by increasing resiliency. Additionally, the completed mitigation work could limit the impact of future storm surges across the marina and surrounding neighborhood.

The project activities occurred within the footprint of previously existing structures and impacts to flora and fauna would have been limited due to the short-term duration of construction-related activities. As documented in this environmental review record, there were no impacts to rare, threatened, or endangered species as a result of this project. The project complies with coastal policies, and it is anticipated that this project will have continued beneficial impacts for coastal resiliency for the marina and the surrounding neighborhood.

## ALTERNATIVES TO THE PROPOSED ACTION

### **Alternatives & Project Modifications Considered** [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

One potential alternative is to relocate the business to avoid potential future impacts at its current location. However, the marina business is functionally dependent on its location on the water. Thus, locating the business outside of the 100-year floodplain is not practicable. Finding other suitable locations for this marina business elsewhere, within a reasonable distance of the current location, is anticipated to be difficult due to the highly developed and occupied nature of coastal land.

A second alternative would be to limit funding to only floating dock or electric panel work costs, rather than assisting with both expenses. However, the mitigation construction of both are necessary in order to maintain uninterrupted business at this location and increase resiliency to future storms. The mitigation work will protect the investments, and it will also provide a greater degree of protection to the surrounding residences and businesses on the River. Thus, providing assistance is deemed preferable.

### **No Action Alternative** [24 CFR 58.40(e)]

The “no action” alternative means that there would not be assistance provided for floating dock or electric panel work. Without assistance, the work may not be completed and the business could struggle to provide services to its customers. Moreover, the “no action” alternative would leave the business and the surrounding properties vulnerable to future flood damage and would render the business owner’s ability to mitigate future flood damages significantly impeded. This action would greatly affect this business and the surrounding community, as recovery would be greatly impaired due to lack of financial support. Thus, the “no action” alternative would not support this business’s recovery nor help the community recover from these storms.

### **Mitigation Measures Recommended** [24 CFR 58.40(d), 40 CFR 1508.20]

To prevent future flood damage, the business owner completed mitigation work. The floating docks located outside of the inner marina basin were replaced. The existing steel pipe piles, which hold the floating docks, were replaced with taller, thicker-walled (4-inch diameter to replace 3-inch diameter) pipes. The new piles extend five feet higher than the existing piles to prevent the docks from coming loose during potential future high water events. Additional pipe piles were placed on the inside of the floating docks (between the bulkhead and floating dock) allowing both sides of the floating dock to be supported. The existing electric panels located at the marina were raised and replaced and new electric lines were installed on the new floating dock systems. The original floats used on the dock were made

from Styrofoam and have been replaced by more environmentally sound material. All completed project activities included mitigation work located within previously disturbed areas.

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with NEPA and other laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. **Failure to obtain and comply with all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.**

**ADDITIONAL STUDIES PERFORMED &/OR LIST OF SOURCES, AGENCIES AND PERSONS CONSULTED [40 CFR 1508.9(b)] (With studies or summaries attached)**

- Attachment 1: Location Maps (Street Map, Topographic Map, Aerial Map)
- Attachment 2: Sketch Map of Work Locations
- Attachment 3: USDA NRCS Soils Map and Supplemental Information
- Attachment 4: HUD Environmental Standards Review
- Attachment 5: New York SHPO Determination
- Attachment 6: NYSDEC Environmental Resource Map; USFWS NWI Map; Coastal Maps; Tidal Map, Coastal Barrier Resource Map, FEMA Firmette
- Attachment 7: Section 7 ESA Compliance
- Attachment 8: Environmental Permits
- Attachment 9: Department of State Coastal Consistency Determination
- Attachment 10: Floodplain Management (EO 11988) & Protection of Wetlands (EO 11990) Determination
- Attachment 11: Sole Source Aquifer Documentation

**Other Sources:**

Town of Southold Zoning Map <http://www.southoldtownny.gov/DocumentCenter/View/1149>

Town of Southold Code  
<http://ecode360.com/5162710>

Town of Southold's Natural Hazards 2013 Draft  
Suffolk County's Multi-Jurisdictional Multi-Hazard Mitigation 2007 Plan  
<http://www.southoldtownny.gov/DocumentCenter/View/1763>

Suffolk County's Mitigation Plan 2014 Update  
<http://apps.suffolkcountyny.gov/RESPOND/Sections%208%20-%209/Section%209.43%20-%20Town%20of%20Southold.pdf>

Port of Egypt Maine, Inc. website  
<http://www.poemarine.com/>

**DETERMINATION:** The preparers have complied with all provisions of 24 CFR Part 58, Subpart E—Environmental Review Process: Environmental Assessments, examining alternatives to the project itself, feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, determined the following:

- (1) Finding of No Significant Impact (FONSI), whereby the Responsible Entity may proceed to Dissemination and publication of the FONSI, per regulations found at 24 CFR Part 58, sec. **58.43(a)**.

Preparer Signature: \_\_\_\_\_ Date: 5/5/2016

Name/Title/Organization: Tectonic Engineering & Surveying Consultants, P.C.

Certifying Officer Signature:  \_\_\_\_\_ Date: 5/5/2016

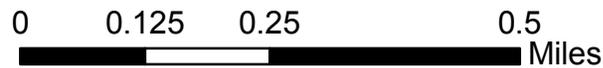
Name/Title: Thomas J. King, Assistant General Counsel & Certifying Officer

# **Attachment 1**

## Location Maps

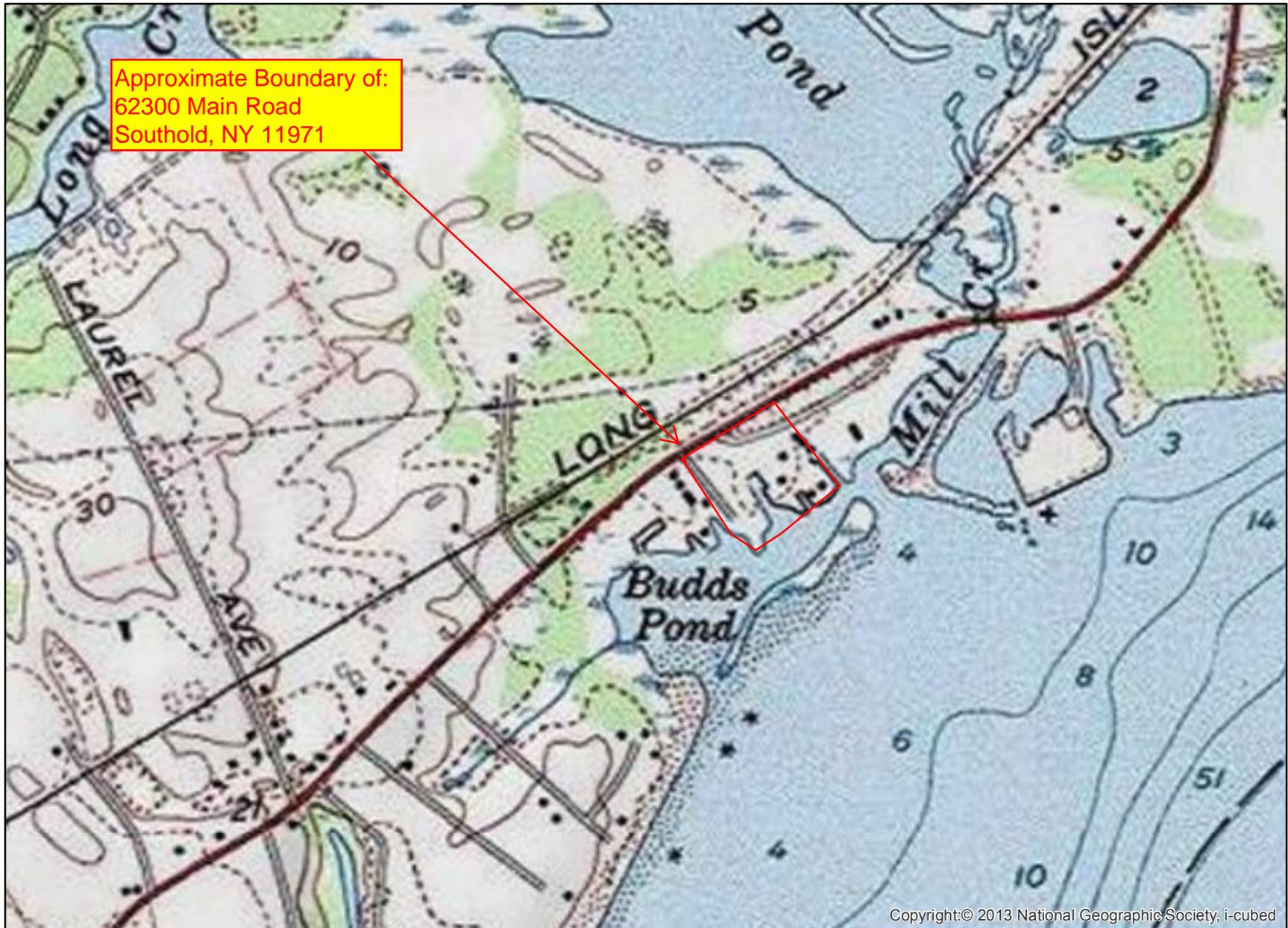


Approximate Boundary of:  
62300 Main Road  
Southold, NY 11971

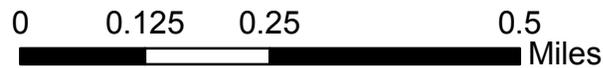


Street Map  
Port Egypt Marine, Inc.  
62300 Main Road  
Southold, New York 11971  
Suffolk County

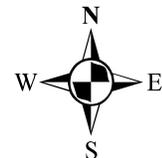


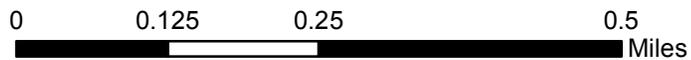


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Topographic Map  
Port Egypt Marine, Inc.  
62300 Main Road  
Southold, New York 11971  
Suffolk County

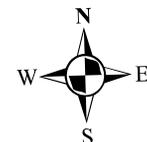




Practical Solutions, Exceptional Service

1:10,000

Aerial Map  
Port Egypt Marine, Inc.  
62300 Main Road  
Southold, New York 11971  
Suffolk County



# **Attachment 2**

## Sketch Map of Work Locations



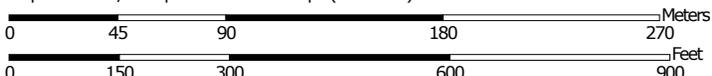
# **Attachment 3**

## **USDA NRCS Soils Maps and Supplemental Information**

Soil Map—Suffolk County, New York



Map Scale: 1:3,120 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

**Special Point Features**

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Suffolk County, New York  
 Survey Area Data: Version 13, Sep 24, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 28, 2011—May 12, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Suffolk County, New York (NY103)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Bd	Berryland mucky sand	0.5	2.3%
Fd	Fill land, dredged material	12.9	60.8%
W	Water	7.8	36.9%
<b>Totals for Area of Interest</b>		<b>21.1</b>	<b>100.0%</b>

## Suffolk County, New York

### Fd—Fill land, dredged material

#### Map Unit Setting

*National map unit symbol:* 9x6r

*Mean annual precipitation:* 45 to 50 inches

*Mean annual air temperature:* 50 to 54 degrees F

*Frost-free period:* 150 to 225 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Fill land, dredged material:* 95 percent

*Minor components:* 5 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Fill Land, Dredged Material

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 7s

#### Minor Components

##### Dune land

*Percent of map unit:* 5 percent

## Data Source Information

Soil Survey Area: Suffolk County, New York

Survey Area Data: Version 13, Sep 24, 2015

## Suffolk County, New York

### Bd—Berryland mucky sand

#### Map Unit Setting

*National map unit symbol:* 9x67  
*Mean annual precipitation:* 45 to 50 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 150 to 225 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Berryland and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Berryland

##### Setting

*Landform:* Depressions  
*Landform position (two-dimensional):* Toeslope  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Acid sandy marine deposits

##### Typical profile

*Oi - 0 to 2 inches:* slightly decomposed plant material  
*Oa - 2 to 10 inches:* highly decomposed plant material  
*A - 10 to 15 inches:* mucky sand  
*Bh - 15 to 20 inches:* sand  
*Bs - 20 to 30 inches:* sand  
*BC - 30 to 40 inches:* sand  
*C - 40 to 60 inches:* sand

##### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Very poorly drained  
*Capacity of the most limiting layer to transmit water (Ksat):*  
Moderately high to high (0.20 to 5.95 in/hr)  
*Depth to water table:* About 0 to 6 inches  
*Frequency of flooding:* Frequent  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 5w  
*Hydrologic Soil Group:* A/D

### **Minor Components**

#### **Atsion**

*Percent of map unit: 5 percent*

*Landform: Depressions*

#### **Wareham**

*Percent of map unit: 5 percent*

*Landform: Depressions*

#### **Muck**

*Percent of map unit: 5 percent*

*Landform: Marshes, swamps*

#### **Unnamed soils**

*Percent of map unit: 5 percent*

## **Data Source Information**

Soil Survey Area: Suffolk County, New York

Survey Area Data: Version 13, Sep 24, 2015

## Suffolk County, New York

### W—Water

#### Map Unit Setting

*National map unit symbol:* 9x85

*Mean annual precipitation:* 45 to 50 inches

*Mean annual air temperature:* 50 to 54 degrees F

*Frost-free period:* 150 to 225 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Water:* 100 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Data Source Information

Soil Survey Area: Suffolk County, New York

Survey Area Data: Version 13, Sep 24, 2015

# Attachment 4

HUD Environmental Standards Review

## Case 103-ED-728-13 HUD Environmental Standards Review

**Property Address: 62300 Main Road, Southold, New York**

### **Introduction**

The purpose of this review is to ensure that the project complies with U.S. Department of Housing and Urban Development (HUD) environmental standards in relation to 24 CFR Part 58.5. Properties that are proposed for use in HUD programs “must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.”

A desktop review was performed to identify whether the Subject Property referenced in the title of this document complies with the following criteria:

- (i) is not Listed on an U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list;
- (ii) is not located within 3,000 feet of a toxic or solid waste landfill site;
- (iii) does not have an underground storage tank;
- (iv) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

### **Summary of Findings**

#### **Records Review for the Subject Property**

**County Records:** The Subject Property is not located within 3,000 feet of a toxic or solid waste landfill site. A FOIL request for Bulk Storage records for the Subject Property was submitted to the Suffolk County Department of Health on 7/23/2014. The Department of Health provided a Tank Compliance Inspection Data Sheet dated 8/8/2014, which noted that the Subject Property has five tanks in service and one 250-gallon waste oil tank that has been removed. The five tanks in service at the time of the report included one 250-gallon steel/ iron #2 fuel oil tank, one 250-gallon waste oil tank, two 2,000-gallon steel/ iron gasoline tanks, and one 1,000-gallon steel/ iron diesel tank. The last inspection according to the Inspection Report was dated 8/5/2011. There were no unregistered tanks noted in the report.

**EPA Records:** The Subject Property is not listed on an EPA Superfund National Priorities or CERCLA list or equivalent State list. A review of the EPA Resource Conservation and Recovery (RCRA) Database indicates that the Subject Property is listed as a water discharger facility. The facility has been in non-compliance of the Clean Water Act (CWA) for the last 12 quarters due to permit schedule violations. The violations are reported as being Category II Reportable Non-Compliance Violations. A Category II reportable non-compliance is not considered significant non-compliance. Although the facility located on the Subject Property has reported violations, it is not likely to have an adverse environmental effect at the Subject Property due to the minor and administrative nature of the violations.

**New York State Department of Environmental Conservation (NYSDEC) Records:** The Subject Property is not listed either as an environmental remediation site on the Environmental Remediation Database or in the Petroleum Bulk Storage Database. The Subject Property is identified twice in the NYSDEC Spill Incidents Database. The first spill involved an unknown amount of raw sewage released from the Subject Property into the sewer. The spill occurred on September 1, 2003 and was closed by the NYSDEC on September 3, 2003. A spill being closed means that the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are

necessary or the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number).

Additionally, an unknown amount of raw sewage was released from the Subject Property into the surface waters of Peconic Bay. The spill occurred on September 22, 2015 and was closed on September 25, 2015. These spills are not considered a hazard that could affect the health and safety of the occupants or conflict with the intended utilization of the Subject Property because any contamination released into the sewer would be carried away from the Subject Property through the existing sewer lines and any contamination spilled into the surface water of Peconic Bay was likely dispersed by natural forces.

### **Environmental Site Inspection**

The Subject Property was inspected on 4/12/2015. It was noted during this inspection that the Subject Property was a commercial site, and that there was visible evidence of storage tanks and fuel pumps on the Subject Property. However, the inspector indicated that there were no hazardous conditions or environmental concerns visible at the time of inspection.

### **Records Review for the Surrounding Properties**

**EPA Records:** There are three EPA RCRA, air emissions, and water discharger facilities located within 3,000 feet of the Subject Property. Albertson Marine Inc. is a water discharger facility located immediately adjacent to the Subject Property. Mobil Oil Corp. is a RCRA facility located approximately 2,500 feet southwest of the Subject Property. No violations have been reported at either of these facilities; as such, they are not likely to have an adverse environmental effect on the Subject Property.

Corazzini Brothers, Inc. is an air emissions facility that has been mapped by the NEPAassist tool as being located approximately 3,000 feet north of the Subject Property. However, the actual physical location of Corazzi Brothers, Inc. is greater than 4,500 feet northeast of the Subject Property. The facility was previously in non-compliance of the Clean Air Act (CAA) from January 1, 2013 to September 30, 2014, with New Source Performance Standards (NSPS) and State Implementation Plan (SIP) violations. Although this facility has previous violations, it is not likely to have an adverse environmental effect on the Subject Property due to the distance from the Subject Property and its current compliance.

**NYSDEC Records:** Thirteen (13) spills have been reported on properties located near the Subject Property. All thirteen (13) spills have been closed by the NYSDEC and are not considered a concern to the Subject Property due to the minor nature of the spills, their distance away from the Subject Property, their cross-gradient location, or location on the opposite side of a hydraulic barrier from the Subject Property.

A review of the NYSDEC Environmental Remediation, Bulk Storage, and Spill Databases resulted in the identification of one petroleum bulk storage facility located approximately 2,600 feet northeast of the Subject Property. There are four reported underground storage tanks located at this facility. The NYSDEC records indicate that the tanks are unregulated gasoline and diesel tanks. As this facility is located approximately 2,600 feet northeast from the Subject Property and located on the opposite side of a hydraulic barrier, it is not likely to have an adverse environmental effect on the Subject Property.

**In Summary:** Based on a review of available environmental records for the Subject Property and surrounding area, the Subject Property is unlikely to contain hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. The completed scope of work for the Subject Property involved only minor ground disturbance for dock repair. The Subject Property was not likely affected by the prior spills, discharge events or the surrounding facilities due to their distance away from the Subject Property, location across a hydraulic barrier, or minor nature of the reported incidents.

As a result, the project activities did not involve actions that would have involved potential recognized environmental conditions/contamination. Therefore, a Phase I Environmental Site Assessment (ESA) or Phase II ESA is not warranted. Maps, NYSDEC and EPA reports, Site Inspection documentation, and Suffolk County Department of Health FOIL records are provided at the end of this report.

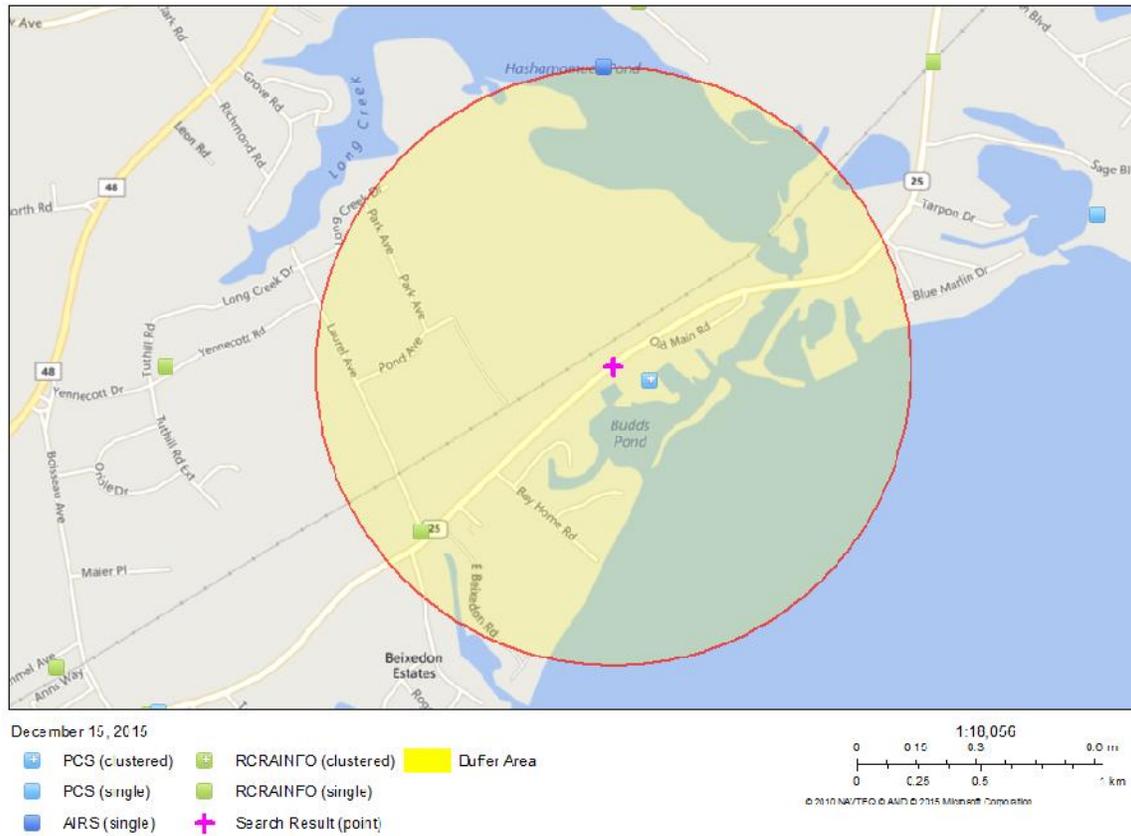
**Data Sources:** Tectonic has reviewed the following sources to make the above determinations: Hazardous Waste records contained in the RCRA, the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) for sites listed under CERCLA (otherwise known as Superfund), EPA's Toxic Release Inventory Database (TRI), and the EPA Radiation Information Database (RADInfo).

Tectonic reviewed the NYSDEC Remedial Site Database to assess whether the site is registered as a NYS Superfund or Environmental Restoration site. The NYSDEC Environmental Remediation Database includes records of sites that are part of the NYS Superfund, Brownfield Cleanup, Environmental Restoration, and Voluntary Cleanup Programs. The Database also includes a Registry of Inactive Hazardous Waste Disposal Sites.

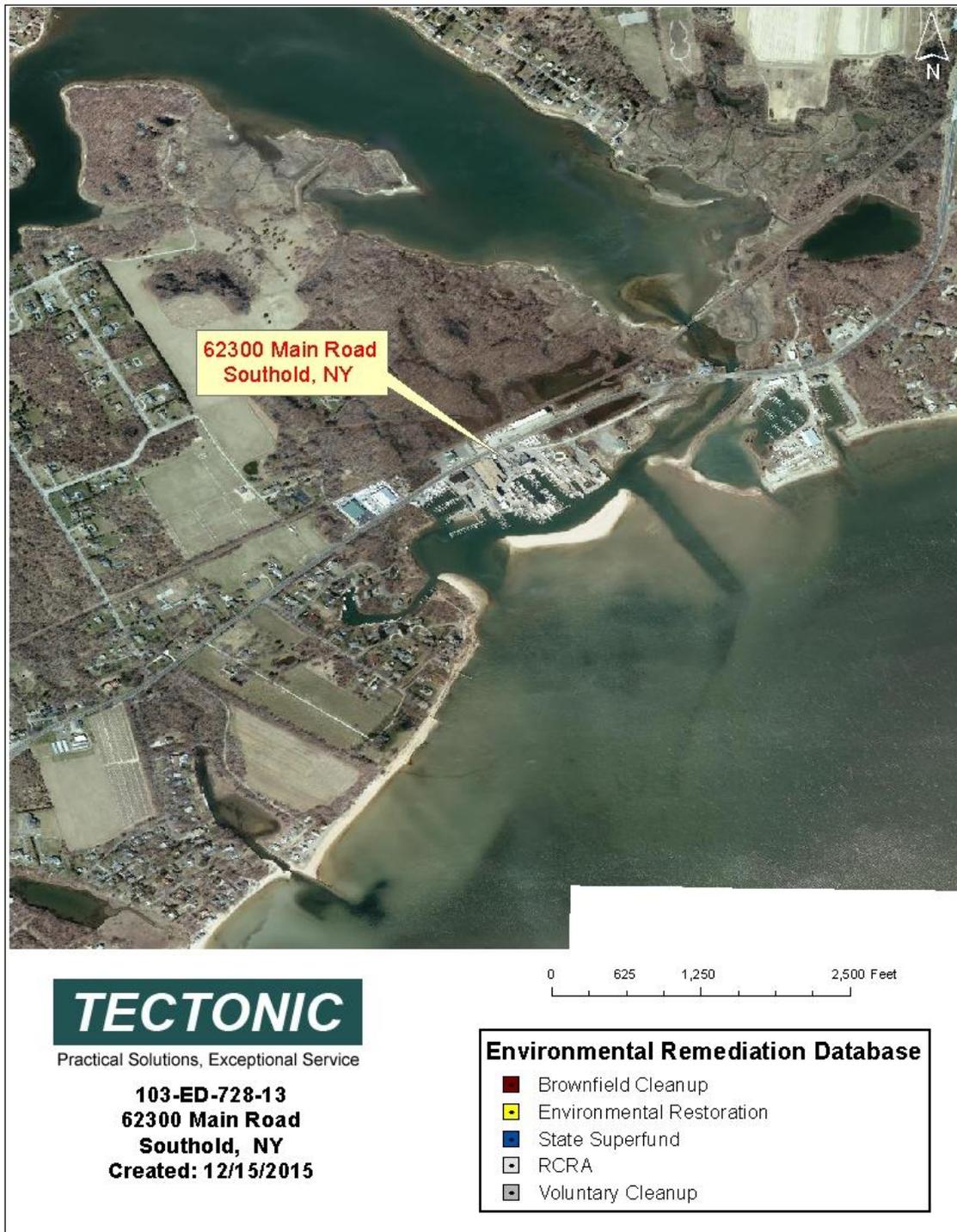
Tectonic requested and, if available, reviewed Suffolk County records retained by the Suffolk County Department of Health Services to determine if the Property has an underground storage tank (besides a residential fuel tank) or any other storage tank. The NYSDEC Bulk Storage Database was reviewed for records of facilities that are or have been regulated according to one of the Bulk Storage Programs - Chemical Bulk Storage or Major Oil Facility. The NYSDEC Spill Incident Database was used to determine the potential effects of spills on or near the Subject Property. A desktop review of Google Earth was used in conjunction with a map of active municipal landfills (provided by the NYSDEC) in determining whether there was a landfill within 3,000 feet of the Subject Property.

# Maps





**Figure 2:** Hazardous waste sites and handlers (green marker), toxic release sites (blue marker), Superfund and brownfield sites (orange markers), and facilities regulated by the U.S. EPA for radiation and radioactivity (pink marker). The Subject Property is indicated by a purple cross symbol, and a 3,000 foot buffer around the Subject Property is represented by the red circle.



**Figure 3:** Environmental remediation sites listed in the NYSDEC Environmental Remediation Database. Brownfield cleanups are depicted by dark red symbols, Environmental Restoration Programs by yellow symbols, State Superfund sites by black symbols, RCRA sites by white symbols, and Voluntary Cleanup sites by gray symbols



**Figure 4:** Properties listed on the NYSDEC Bulk Storage Database. Petroleum Bulk Storage is represented by green markers, Chemical Bulk Storage by purple markers, and Major Oil Storage Facilities by red markers.

**U.S. EPA Reports for the Subject**  
**Property and Properties Contiguous to**  
**the Subject Property**

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## Detailed Facility Report

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### Facility Summary



**PORT OF EGYPT MARINE**  
62300 MAIN RD, SOUTHOLD, NY 11971

FRS ID: 110035860119  
EPA Region: 02  
Latitude: 41.076  
Longitude: -72.403  
Locational Data Source: NPDES  
Industry: Marinas  
Indian Country: N

#### 3-Year Compliance Status



#### Enforcement and Compliance Summary

Statute	Map (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs In NC (of 12)	Qtrs In Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CWA	1	07/25/2013	Noncompliance	12	0	--	--	--	--	--

#### Related Reports

- CWA Pollutant Loading Report
- CWA Effluent Charts

#### Regulatory Information

Clean Air Act: No Information  
Clean Water Act: Minor, Permit Effective (NYR02AS01)  
Resource Conservation and Recovery Act: No Information  
Safe Drinking Water Act: No Information

#### Other Regulatory Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eG&K1): No Information  
Toxic Releases (TRI): No Information

[Go To Enforcement/Compliance Details](#)

### Facility/System Characteristics

#### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Area	Permit Expiration Date	Indian Country	Latitude	Longitude
TRC		110035860119					N	41.076	-72.403
ICP	CWA	NY0004501	Minor Control Permit Covered Facility	Effective	Open Water Industrial	09/30/2017	N	41.076	-72.403

#### Facility Address

System	Statute	Identifier	Facility Name	Facility Address
TRC		110035860119	PORT OF EGYPT MARINE	62300 MAIN RD, SOUTHOLD, NY 11971
ICP	CWA	NY0004501	PORT OF EGYPT MARINE	62300 MAIN RD, SOUTHOLD, NY 11971

#### Facility SIC Codes

System	Identifier	SIC Code	SIC Desc
ICP	NY0004501	1900	Marinas

#### Facility NAICS Codes

System	Identifier	NAICS Code	NAICS Desc
No data records returned			

#### Facility Tribe Information

Tribal Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned		

Enforcement and Compliance

**Compliance Monitoring History (5 years)**

State	Source ID	System	Inspection Type	Lead Agency	Date	Finding
CWA	NYE00A301	ICP	Evaluation	State	02/25/2013	

Entries in italics are not considered inspections in official counts.

**Compliance Summary Data**

State	Source ID	Current EPC/RCFV	Description	Current Ac. Cnt	Cnt. in RC (of 12)
CWA	NYE00A301			06/09/2015	12

**Three Year Compliance Status by Quarter**

State	Program/Inspected/Inspection Type	QTR 1 10/01-12/31 2012	QTR 2 01/01-03/31 2013	QTR 3 04/01-06/30 2013	QTR 4 07/01-09/30 2013	QTR 5 10/01-12/31 2013	QTR 6 01/01-03/31 2014	QTR 7 04/01-06/30 2014	QTR 8 07/01-09/30 2014	QTR 9 10/01-12/31 2014	QTR 10 01/01-03/31 2015	QTR 11 04/01-06/30 2015	QTR 12 07/01-09/30 2015	QTR 13* 10/01-12/31 2015
	Facility Level Status	In Viol	In Viol	In Viol	In Viol									
	2M/CEHC History	II (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)	III (By Viol)
	Permit Schedule Violations													
CWA	Schedule Event advanced latest reported: Data/Program Report										02-25-15-0504-15			
CWA	Schedule Event advanced and not reported: Data/Program Report	05-31-09	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****

\*Quarter 13 is draft/unofficial and has not been fully quality assured. Read more

**Informal Enforcement Actions (5 Years)**

State	Source ID	Type of Action	Lead Agency	Date
No data records returned				

**Formal Enforcement Actions (5 Years)**

State	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
No data records returned						

**ICIS Case History (5 years)**

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Invest/Field Date	Settlement Date	Final Penalty	State/Local Penalty	ESP Cost	Comp Action Cost
No data records returned										

Environmental Conditions

**Water Quality**

Point ID	Combined Sewer System?	Number of C/D Outfalls	Watched (BWC 9)	Watched Name (BWC 9)	Watched (BWC 12)	Watched Name (BWC 12)	Reporting Waste	Impaired Waste	Impaired Class	Causes of Impairment(s) by Group(s)	Watched with EPA In-lab Aquatic Species?
No data records returned											

<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110035860119>

12/17/2015

Permit ID	Combined Sewer System?	Number of CSD Outfalls	Watershed (HUC 8)	Watershed Name (HUC 8)	Watershed (HUC 12)	Watershed Name (HUC 12)	Receiving Water	Impaired Water	Impaired Class	Causes of Impairment(s) by Group(s)	Water not used for Irrigation or Aquatic Species?
HY000451			02000202	SOUTHERN LONG ISLAND	0200020002	Shelter Island Sound-Orient Harbor		No	S	PATROGENS   POLYCHLORINATED BIPHENYLS (PCBS)	Yes

**Waterbody Designated Uses**

BEACH Code	Waterbody Name	Recreational Use	Residential Use	Aquatic Life Use	Fishfish Use	Beach Closure Within Last Year	Beach Closure Within Last Two Years
020002000004		No	No	No	No	No	No

**Air Quality**

Non-Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
Yes	Particulate Matter

Pollutants

**TRI History of Reported Chemicals Released in Pounds per Year at Site**

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTW	Unauthorized Discharges	Releases to Land	Total On-site Releases	Total Off-site Releases
No data records returned.								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned.

Demographic Profile

**Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area	3	Land Area	56%	Households in Area	3,614
Center Latitude	41.076	Water Area	46%	Housing Units in Area	6,341
Center Longitude	-72.403	Population Density	600/sq mi	Households on Public Assistance	66
Total Persons	8,781	Race and Minority	19%	Persons Below Poverty Level	1,471

Race Breakdown	Persons (%)	Age Breakdown	Persons (%)
White	7,624 (86.8%)	Child 5 years and younger	402 (4.59%)
African American	302 (3.42%)	Minor 17 years and younger	1,709 (19.46%)
Hispanic Origin	1,243 (14.16%)	Adults 18 years and older	7,073 (80.52%)
Asian/Pacific Islander	92 (1.05%)	Senior 65 years and older	2,186 (24.89%)
American Indian	9 (0.1%)		
Other/Multiracial	734 (8.31%)		

Education Level (Persons 25 & older)	Persons (%)	Income Breakdown	Households (%)
Less than 9th Grade	332 (4.36%)	Less than \$15,000	269 (7.11%)
9th through 12th Grade	362 (4.69%)	\$15,000 - \$25,000	248 (6.52%)
High School Diploma	1,836 (26.37%)	\$25,000 - \$50,000	978 (25.67%)
Some College/2-yr	1,747 (25.06%)	\$50,000 - \$75,000	638 (17.38%)

Education Level (Percent 25 & above)	Percent (%)	Income Breakdown	Household (%)
B.S. & A. or More	26.72 (36.32%)	Greater than \$75,000	1.64 (43.33%)

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## Detailed Facility Report

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### Facility Summary

**ALBERTSON MARINE INC**  
61500 MAIN RD, SOUTHOLD, NY 11971

FRS ID: 110019544581  
EPA Region: 02  
Latitude: 41.075  
Longitude: -72.404  
Locational Data Source: NPDES  
Industry: Marinas  
Indian Country: N

#### 3-Year Compliance Status

Quarters	No Violation	Noncompliance	Significant Violation	Unknown
1	1	0	0	0
2	1	0	0	0
3	1	0	0	0
4	1	0	0	0
5	1	0	0	0
6	1	0	0	0
7	1	0	0	0
8	1	0	0	0
9	1	0	0	0
10	1	0	0	0
11	1	0	0	0
12	1	0	0	0

#### Enforcement and Compliance Summary

State	Ins (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CWA	1	07/25/2013	No Violation	0	0	--	--	--	--	--

#### Related Reports

- CWA Pollutant Loading Report
- CWA Effluent Charts

#### Regulatory Information

Clean Air Act: No Information  
Clean Water Act: Minor, Permit Effective (10/30/2010)  
Resource Conservation and Recovery Act: No Information  
Safe Drinking Water Act: No Information

#### Other Regulatory Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGR): No Information  
Toxic Releases (TRI): No Information

[Go To Enforcement/Compliance Details](#)

### Facility/System Characteristics

#### Facility/System Characteristics

System	State	Identifier	License	Status	Area	Permit Expiration Date	Indian Country	Latitude	Longitude
PCS		110019544581					N	41.075	-72.404
ICD	CWA	NY0002950	Minor, General Permit Covered Facility	Final	61500 Main Rd, Southold	10/30/2010	N	41.075	-72.404

#### Facility Address

System	State	Identifier	Facility Name	Facility Address
PCS		110019544581	ALBERTSON MARINE INC	61500 MAIN RD, SOUTHOLD, NY 11971
ICD	CWA	NY0002950	BUNDS BOW MARINA	61500 RTE 95, SOUTHOLD, NY 11971

#### Facility NAICS Codes

System	Identifier	SIC Code	SIC Desc.
ICD	NY0002950	4483	Marinas

#### Facility Tribe Information

Tribal Name	EPA Tribal ID	Declarer in Tribal (y/n)
No data records returned		

Enforcement and Compliance

**Compliance Monitoring History (5 years)**

Status	Source ID	System	Inspection Type	Lead Agency	Date	Findings
CWA	HY000220	RP	Evaluation	State	09/25/2013	

Entries in *italics* are not considered inspections in official counts.

**Compliance Summary Data**

Status	Source ID	Current SIC/RCPP	Description	Current As Of	Com in RC of 13
CWA	HY000220			09/25/2013	0

**Three Year Compliance Status by Quarter**

Status	Program/Status/Inspection Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13*
CWA (Source ID HY000220)		10/01-12/31/2012	01/01-03/31/2013	04/01-06/30/2013	07/01-09/30/2013	10/01-12/31/2013	01/01-03/31/2014	04/01-06/30/2014	07/01-09/30/2014	10/01-12/31/2014	01/01-03/31/2015	04/01-06/30/2015	07/01-09/30/2015	10/01-12/31/2015
Facility Level Status		No Viol	Not											
SIC/RCPP History														

\*Quarter 13 is draft/unofficial and has not been fully quality assured. Read more

**Informal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date
No data records returned				

**Formal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
No data records returned						

**ICIS Case History (5 years)**

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Invest/Field Date	Settlement Date	Federal Penalty	Fine/Local Penalty	SEP Cost	Comp Action Cost
No data records returned										

Environmental Conditions

**Water Quality**

Point ID	Combined Sewer System?	Number of CDDs/Conduits	Watershed (DEC 8)	Watershed Name (DEC 8)	Watershed (DEC 12)	Watershed Name (DEC 12)	Receiving Water	Impaired Waters	Impaired Class	Causes of Impairment(s) by Group(s)	Watershed with EPA 303(d) Aquatic Species?
HY000220			00000202	SOUTHERN LONG ISLAND	000002020202	Southern Long Island Sound		No	5	PATROGGENSE (POLYCHLORINATED BIPHENYL) (PCB)	Yes

**Waterbody Designated Uses**

BEACH Code	Waterbody Name	Recreational Use	Fishery Use	Aquatic Life Use	Fishfish Use	Drinking Closure Within Last Year	Drinking Closure Within Last Two Years

<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110019544581>

12/17/2015

BEACH Code	Wastewater Name	Exceptional Use	Recreational Use	Aquatic Life Use	Fishfish Use	Beach Closure Within Last Year	Beach Closure Within Last Two Years
02302200004		No	No	No	No	No	No

**Air Quality**

How Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
Yes	Particulate Matter

Pollutants

**TRI History of Reported Chemicals Released in Pounds per Year at Site**

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfer to POTW	Underground Injections	Releases to Land	Total Off-site Releases	Total Off-site Releases
No data records returned								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned

Demographic Profile

**Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area	3	Land Area	56%	Households in Area	3,497
Center Latitude	41.075	Water Area	46%	Household Units in Area	6,121
Center Longitude	-92.464	Population Density	573/sq mi	Households on Public Assistance	67
Total Persons	8,634	Percent Minority	18%	Persons Below Poverty Level	1,277

Race Breakdown	Persons (%)	Age Breakdown	Persons (%)
White	7,462 (87.2%)	Child 5 years and younger	386 (4.5%)
African American	265 (3.1%)	Minor 17 years and younger	1,658 (19.5%)
Hispanic Origin	1,124 (13.2%)	Adults 18 years and older	6,825 (80.4%)
Asian/Pacific Islander	89 (1.0%)	Senior 65 years and older	2,152 (25.3%)
American Indian	8 (0.1%)		
Other/Multiracial	680 (8.0%)		

Education Level (Persons 25 & older)	Persons (%)	Income Breakdown	Households (%)
Less than 9th Grade	299 (4.4%)	Less than \$15,000	248 (6.8%)
9th through 12th Grade	370 (5.4%)	\$15,000 - \$25,000	236 (6.4%)
High School Diploma	1,774 (26.1%)	\$25,000 - \$50,000	948 (25.3%)
Some College/2-yr	1,696 (25.0%)	\$50,000 - \$75,000	640 (17.3%)
B.S. A. or More	2,637 (38.9%)	Greater than \$75,000	1,611 (43.7%)

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## Detailed Facility Report

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### Facility Summary



**MOBIL OI CORP SS #M0J**  
539 RTE 25A & LAUREL AVE, NORTHPORT, NY 11768

FRS ID: 11000985115  
EPA Region: 02  
Latitude: 41.07185  
Longitude: -72.41135  
Locational Data Source: RCRAINFO  
Industry: No description found  
Indian Country: N

#### 3-Year Compliance Status



RCRA

Quarters: 1 2 3 4 5 6 7 8 9 10 11 12

Legend: No Violation (Blue), Noncompliance (Yellow), Significant Violation (Red), Unknown (Grey)

#### Enforcement and Compliance Summary

Statute	Insp (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
RCRA	--	--	No Violation	0	0	--	--	--	--	--

#### Regulatory Information

Clean Air Act: No Information  
Clean Water Act: No Information  
Resource Conservation and Recovery Act: Inactive ( ) Other (NYD987029626)  
Safe Drinking Water Act: No Information

#### Other Regulatory Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGRT): No Information  
Toxic Releases (TRI): No Information

[Go To Enforcement/Compliance Details](#)

### Facility/System Characteristics

#### Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Address	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		11000985115					N	41.07185	-72.41135
RLC	RCRA	NYD987029626	Other	Inactive ( )			N	41.07185	-72.41135

#### Facility Address

System	Statute	Identifier	Facility Name	Facility Address
FRS		11000985115	MOBIL OI CORP SS #M0J	539 RTE 25A & LAUREL AVE, NORTHPORT, NY 11768
RCRA	RCRA	NYD987029626	MOBIL OI CORP SS #M0J	539 RTE 25A & LAUREL AVE, NORTHPORT, NY 11768

#### Facility SIC Codes

System	Identifier	SIC Code	SIC Desc
No data records returned.			

#### Facility NAICS Codes

System	Identifier	NAICS Code	NAICS Desc
No data records returned.			

#### Facility Tribal Information

Tribal Name	EPA Tribal ID	Distance to Tribal (miles)
No data records returned.		

Enforcement and Compliance

**Compliance Monitoring History (5 years)**

Status	Source ID	System	Inspection Type	Lead Agency	Date	Finding
No data records returned						

Entries in italics are not considered inspections in official counts.

**Compliance Summary Data**

State	Source ID	Current SRC/BPV	Description	Current Act. Of	Qtr in RC (of 12)
RCRA	NY198702626	No		12/4/2015	0

**Three Year Compliance Status by Quarter**

State	Program/Status/Inspection Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12
RCRA (Source ID: NY198702626)		04/01-03/31/2013	04/01-06/30/2013	07/01-09/30/2013	10/01-12/31/2013	01/01-03/31/2014	04/01-06/30/2014	07/01-09/30/2014	10/01-12/31/2014	01/01-03/31/2015	04/01-06/30/2015	07/01-09/30/2015	10/01-12/31/2015
RCRA	Facility-Level Status												

**Informal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date
No data records returned				

**Formal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
No data records returned						

**ICIS Case History (5 years)**

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Start/Final Date	Settlement Date	Federal Penalty	Fine/Local Penalty	SEP Cost	Comp Action Cost
No data records returned										

Environmental Conditions

**Water Quality**

Penalty ID: Combined Sewer System / Monitor of CDO Outside / Watershed (RDC 8) / Watershed Name (RDC 8) / Watershed (RDC 12) / Watershed Name (RDC 12) / Restoring Water / Impaired Water / Impaired Class / Cause of Impairment (by Group) / Watershed with BSA-listed Aquatic Species?

No data records returned										
--------------------------	--	--	--	--	--	--	--	--	--	--

**Waterbody Designated Uses**

REACH Code	Waterbody Name	Ecosystemic Use	Recreational Use	Aquatic Life Use	Shellfish Use	Beach Closure Within Last Year	Beach Closure Within Last Two Years
No data records returned							

REACH Code	Wastbody Name	Exceptional Use	Personnel Use	Aquatic Life Use	Shellfish Use	Beach Closure Within Last Year	Beach Closure Within Last Two Year
No data records returned							

**Air Quality**

How Attainment Area?	Unknown(s)
Yes	None
No	Lead
Yes	Particulate Matter

Pollutants

**TRI History of Reported Chemicals Released in Pounds per Year at Site**

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTW	Unregulated Emissions	Releases to Land	Total Chemical Releases	Total Off-Site Releases
No data records returned								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned

Demographic Profile

**Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Ratio of Area	0	Land Area	54%	Households in Area	3,004
Center Latitude	41.07825	Water Area	46%	Household Units in Area	5,392
Center Longitude	-72.41135	Population Density	494/sq mi.	Households on Public Assistance	68
Total Persons	7,187	Percent Minority	13%	Percent Below Poverty Level	9%

Race Breakdown	Persons (%)	Age Breakdown	Persons (%)
White	6,572 (91.44%)	Child 5 years and younger	313 (4.36%)
African-American	125 (1.74%)	Minor 17 years and younger	1,389 (19.32%)
Hispanic Origin	697 (9.7%)	Adult 18 years and older	5,768 (80.67%)
Asian/Pacific Islander	78 (1.09%)	Senior 65 years and older	1,469 (20.57%)
American Indian	4 (0.05%)		
Other/Multiracial	409 (5.69%)		

Education Level (Persons 25 & 6 older)	Persons (%)	Income Breakdown	Household (%)
Less than 9th Grade	369 (5.14%)	Less than \$15,000	180 (5.1%)
9th through 12th Grade	306 (4.26%)	\$15,000 - \$25,000	188 (5.3%)
High School Diploma	1,409 (19.46%)	\$25,000 - \$50,000	822 (23.2%)
Some College/2-yr	1,443 (19.93%)	\$50,000 - \$75,000	534 (15.1%)
B.S. or A. or More	2,341 (32.6%)	Greater than \$75,000	1,413 (39.8%)

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**Facility Summary**



**CORAZZINI BROTHERS INC**  
67240 RT 25 MAIN RD, GREENPORT, NY 11944

FRS ID: 110019561936  
EPA Region: 02  
Latitude: 41.08465  
Longitude: -72.404694  
Locational Data Source: FIS  
Industry: Petroleum and Coal Products Manufacturing  
Indian Country: N



**3-Year Compliance Status**

CAA

Quarters: 1 2 3 4 5 6 7 8 9 10 11 12

Legend: No Violation (Blue), Noncompliance (Yellow), Significant Violation (Red), Unknown (Grey)

**Enforcement and Compliance Summary**

Statute	Insps (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CSA	--	--	No Violation	7	0	--	--	--	--	--

**Regulatory Information**

Clean Air Act: Operating Synthetic Minor (NY0000NY147380000G)  
Clean Water Act: No Information  
Resource Conservation and Recovery Act: No Information  
Safe Drinking Water Act: No Information

**Other Regulatory Reports**

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGR): No Information  
Toxic Releases (TRI): No Information

[Go To Enforcement/Compliance Details](#)

**Facility/System Characteristics**

**Facility/System Characteristics**

System	Statute	Identifier	Universal	Status	Area	Permit Expiration Date	Indian Country	Latitude	Longitude
FSA		110019561936					N	41.08465	-72.404694
NIC	CSA	SYNTHETIC MINOR	Synthetic Minor Process	Operating	GREENPORT, NY		N		

**Facility Address**

System	Statute	Identifier	Facility Name	Facility Address
FSA		110019561936	67240 RT 25 MAIN RD, GREENPORT, NY 11944	67240 RT 25 MAIN RD, GREENPORT, NY 11944
NIC	CSA	SYNTHETIC MINOR	67240 RT 25 MAIN RD, GREENPORT, NY 11944	67240 RT 25 MAIN RD, GREENPORT, NY 11944

**Facility SIC Codes**

System	Identifier	SIC Code	SIC Desc
FSA	110019561936	2841	Coal and Other Mining and Mining

**Facility NAICS Codes**

System	Identifier	NAICS Code	NAICS Desc
FSA	110019561936	204121	Coal Mining, Not on the Black Box Listing

**Facility Tribe Information**

Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
Blackwell Nation		

Enforcement and Compliance

**Compliance Monitoring History (5 years)**

Status	Source ID	System	Inspection Type	Lead Agency	Date	Finding
No data records returned						

Entries in italics are not considered inspections in official counts.

**Compliance Summary Data**

State	Source ID	Control Strategy	Description	Complet. Of	Obs. in RCs (C12)
CAA	NY0000147300006	No		12/12/2015	7

**Three Year Compliance Status by Quarter**

Status	Program/Status/Violation Type	QTR 1 (01/01-03/31/2013)	QTR 2 (04/01-06/30/2013)	QTR 3 (07/01-09/30/2013)	QTR 4 (10/01-12/31/2013)	QTR 5 (01/01-03/31/2014)	QTR 6 (04/01-06/30/2014)	QTR 7 (07/01-09/30/2014)	QTR 8 (10/01-12/31/2014)	QTR 9 (01/01-03/31/2015)	QTR 10 (04/01-06/30/2015)	QTR 11 (07/01-09/30/2015)	QTR 12 (10/01-12/31/2015)
CAA	NY0000147300006	Viol	No Viol	No Viol	No Viol	No Viol	No Viol						
<b>NPV History</b>													
	Violation Type	Program	Delistment										
<b>Historic Violations</b>													
CAA	NPV	V-EM6PFO											
CAA	SP	V-EM6PFO											

**Informal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date
No data records returned				

**Formal Enforcement Actions (5 Years)**

Status	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
No data records returned						

**ICIS Case History (5 years)**

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Issued/Final Date	Settlement Date	Federal Penalty	State/Local Penalty	REP Cost	Comp Action Cost
No data records returned										

Environmental Conditions

**Water Quality**

Facility ID	Combined Sewer System	Number of CPO Outfalls	Watched HUC 8	Watched Name (HUC 8)	Watched HUC 12	Watched Name (HUC 12)	Receiving Water	Impaired Water	Impaired Class	Class of Compliance	Group(s)	Watched WQS A-Band Agency Specific?
No data records returned												

**Waterbody Designated Uses**

BEACH Code	Waterbody Name	Exceptional Use	Recreational Use	Aquatic Life Use	Shellfish Use	Beach Closure Within Last Year	Beach Closure Within Last Two Years
No data records returned							

**Air Quality**

Non-Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
Yes	Particulate Matter

Pollutants

**TRI History of Reported Chemicals Released in Pounds per Year at Site**

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharge	Off-Site Transfer to POTW	Underground Injection	Release to Land	Total On-site Release	Total Off-site Release
No data records returned								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned

Demographic Profile

**Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area	3	Land Area	32%	Households in Area	3,336
Center latitude	41.08665	Water Area	46%	Household Units in Area	5,962
Center Longitude	-72.406994	Population Density	684/sq. mi.	Households on Public Assistance	32
Total Persons	8,573	Percent Minority	23%	Percent Below Poverty Level	1,726

Race Breakdown	Persons (%)	Age Breakdown	Persons (%)
White	7,192 (83.89%)	Child 5 years and younger	450 (4.78%)
African American	370 (4.32%)	Minor 17 years and younger	1,648 (19.22%)
Hispanic Origin	1,416 (16.52%)	Adult 18 years and older	6,925 (80.78%)
Asian/Pacific Islander	81 (0.94%)	Infant 0-5 years and older	2,092 (24.4%)
American Indian	17 (0.2%)		
Other/Multiracial	912 (10.64%)		

Education Level (Persons 25 & older)	Persons (%)	Income Breakdown	Households (%)
Less than 9th Grade	449 (6.33%)	Less than \$15,000	325 (8.23%)
9th through 12th Grade	384 (5.38%)	\$15,000 - \$25,000	271 (7.29%)
High School Diploma	1,811 (26.23%)	\$25,000 - \$50,000	948 (26.06%)
Some College/2 yr.	1,755 (25.52%)	\$50,000 - \$75,000	597 (16.07%)
B.S. B.A. or More	2,479 (36.04%)	Greater than \$75,000	1,254 (33.83%)



**NYSDEC Reports for Spills,**  
**Petroleum Bulk Storage, and**  
**Environmental Remediation Sites**  
**Located on or Within Close Proximity**  
**to the Subject Property**



## Spill Incidents Database Search Results

Record Count: 31 Rows: 1 to 31



	Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1.	8601524	06/04/1986	UNKNOWN	Suffolk	SOUTHOLD	MAIN ROAD
2.	8703345	07/24/1987	ALBERTSON MARINA	Suffolk	SOUTHOLD	MAIN ROAD
3.	8803110	07/11/1988	CHENEY WELL	Suffolk	SOUTHOLD	5500/5040 MAIN BAY VIEW
4.	8901438	05/12/1989	CARPLUK S/S	Suffolk	SOUTHOLD	950 BAY VIEW & MAIN RD
5.	9011282	01/24/1991	CARPLUK S/S	Suffolk	SOUTHOLD	950 BAY VIEW & MAIN RD
6.	9201151	04/29/1992	MOBIL	Suffolk	SOUTHOLD	MAIN STREET
7.	9208395	10/21/1992	LORETTA DIMAGGO RESIDENCE	Suffolk	SOUTHOLD	MAIN ROAD
8.	9506685	08/31/1995	GULF STATION	Suffolk	SOUTHOLD	950 BAY VIEW & MAIN RD
9.	9510789	11/27/1995	PILLES RESIDENCE	Suffolk	SOUTHOLD	45195 MAIN ROAD
10.	9609265	10/24/1996	MOBIL GAS STATION	Suffolk	SOUTHOLD	MAIN ROAD & YOUNGS AVENUE
11.	9825109	10/30/1998	CARPLUKS/GULF	Suffolk	SOUTHOLD	STREET/BAYVIEW ST
12.	0002603	06/01/2000	SCWA- WELL 1	Suffolk	SOUTHOLD	MAIN BAYVIEW ROAD
13.	0003814	06/28/2000	UNKNOWN	Suffolk	SOUTHOLD	MAIN ROAD
14.	0009208	11/09/2000	PAGANO'S PIZZA	Suffolk	SOUTHOLD	53345 MAIN ROAD
15.	0125011	04/05/2001	HOWIE RESIDENCE	Suffolk	SOUTHOLD	45195 MAIN ROAD
16.	0109204	12/17/2001	GULF STATION	Suffolk	SOUTHOLD	160 MAIN BAYVIEW ROAD
17.	0325268	09/02/2003	PORT OF EGYPT MARINE INC	Suffolk	SOUTHOLD	MAIN ROAD
18.	0314328	03/31/2004	UNKNOWN	Suffolk	SOUTHOLD	MAIN BAYVIEW RD/CLEARVIEW
19.	0425238	09/03/2004	GULF	Suffolk	SOUTHOLD	MAIN/MAIN BAYVIEW
20.	0514994	03/30/2006	RESIDENCE	Suffolk	SOUTHOLD	55474 MAIN ROAD

21.	<input type="text" value="0802666"/>	06/09/2008	UNKNOWN	Suffolk	SOUTHOLDTAKAPOS ROAD/MAIN BAYVIEW
22.	<input type="text" value="1002423"/>	06/02/2010	EMPIRE SERVICE STATION	Suffolk	SOUTHOLD160 RTE 25/ MAIN ROAD
23.	<input type="text" value="1004920"/>	07/31/2010	UNKNOWN	Suffolk	SOUTHOLD57225 MAIN ROAD
24.	<input type="text" value="1007980"/>	10/28/2010	CAPITAL ONE BANK	Suffolk	SOUTHOLD54375 MAIN ROAD
25.	<input type="text" value="1106154"/>	08/28/2011	UNKNOWN	Suffolk	SOUTHOLDMAIN ROAD
26.	<input type="text" value="1210199"/>	11/12/2012	UNKNOWN	Suffolk	SOUTHOLD275 MAIN BAYVIEW RD/PINE NECK RD
27.	<input type="text" value="1213846"/>	12/22/2012	UNKNOWN	Suffolk	SOUTHOLD67380 MAIN ROAD
28.	<input type="text" value="1215265"/>	02/01/2013	OLD BARGE RESTAURANT	Suffolk	SOUTHOLD750 MAIN ROAD
29.	<input type="text" value="1304303"/>	07/20/2013	IFO RESIDENCE	Suffolk	SOUTHOLD9720 MAIN BAYVIEW RD
30.	<input type="text" value="1306564"/>	09/23/2013	UNKNOWN	Suffolk	SOUTHOLD64300 MAIN RD
31.	<input type="text" value="1506746"/>	09/25/2015	PORT OF EGYPT MARINA	Suffolk	SOUTHOLD62300 MAIN ROAD



## Spill Incidents Database Search Details

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### Spill Record

#### Administrative Information

**DEC Region:** 1

**Spill Number:** 1506746

#### Spill Date/Time

**Spill Date:** 09/22/2015 **Spill Time:** 12:00:00 PM

**Call Received Date:** 09/25/2015 **Call Received Time:** 01:12:00 PM

#### Location

**Spill Name:** PORT OF EGYPT MARINA

**Address:** 62300 MAIN ROAD

**City:** SOUTHOLD **County:** Suffolk

#### Spill Description

##### Material Spilled Amount Spilled Resource Affected

raw sewage      UNKNOWN      Surface Water

**Cause:** Unknown

**Source:** Commercial/Industrial

**Waterbody:** PECONIC BAY

#### Record Close

**Date Spill Closed:** 09/25/2015

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

[Return To Results](#)

[Refine This Search](#)

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## Spill Incidents Database Search Details

---

### Spill Record

#### Administrative Information

**DEC Region:** 1

**Spill Number:** 8703345

#### Spill Date/Time

**Spill Date:** 07/10/1987 **Spill Time:** 12:00:00 PM

**Call Received Date:** 07/24/1987 **Call Received Time:** 11:20:00 AM

#### Location

**Spill Name:** ALBERTSON MARINA

**Address:** MAIN ROAD

**City:** SOUTHOLD **County:** Suffolk

#### Spill Description

**Material Spilled** **Amount Spilled** **Resource Affected**

diesel UNKNOWN Surface Water

**Cause:** Other

**Source:** Vessel

**Waterbody:** SOUTHOLD BAY

#### Record Close

**Date Spill Closed:** 12/24/1990

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

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[Refine This Search](#)

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## Spill Incidents Database Search Details

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### Spill Record

#### Administrative Information

**DEC Region:** 1

**Spill Number:** 0325268

#### Spill Date/Time

**Spill Date:** 09/01/2003 **Spill Time:** 10:00:00 AM

**Call Received Date:** 09/02/2003 **Call Received Time:** 04:29:00 PM

#### Location

**Spill Name:** PORT OF EGYPT MARINE INC

**Address:** MAIN ROAD

**City:** SOUTHOLD **County:** Suffolk

#### Spill Description

##### Material Spilled Amount Spilled Resource Affected

raw sewage      UNKNOWN      Sewer

**Cause:** Other

**Source:** Institutional, Educational, Gov., Other

**Waterbody:**

#### Record Close

**Date Spill Closed:** 09/03/2003

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

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[Return To Results](#)

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## Spill Incidents Database Search Details

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### Spill Record

#### Administrative Information

**DEC Region:** 1

**Spill Number:** 1306564

#### Spill Date/Time

**Spill Date:** 09/23/2013 **Spill Time:** 09:15:00 AM

**Call Received Date:** 09/23/2013 **Call Received Time:** 09:31:00 AM

#### Location

**Spill Name:** UNKNOWN

**Address:** 64300 MAIN RD

**City:** SOUTHOLD **County:** Suffolk

#### Spill Description

##### Material Spilled Amount Spilled Resource Affected

transformer oil      3 Gal.      Soil

**Cause:** Equipment Failure

**Source:** Transformer

**Waterbody:**

#### Record Close

**Date Spill Closed:** 01/06/2014

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

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Department of  
Environmental  
Conservation

## Spill Incidents Database Search Results

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Record Count: 1 Rows: 1 to 1

Export to XLS | Export to CSV

Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1. <a href="#">411641</a>	11/07/1994	HALL RESIDENCE	Suffolk	SOUTHOLD	760 LONG CREEK DRIVE

Refine To: [See All](#)



## Spill Incidents Database Search Results

---

Record Count: 1 Rows: 1 to 1

Export to XLS | Export to CSV

Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1. 14124.1	06/06/2004	INTERSECTION	Southfolk	SOUTHOLD	ROUTE 25 / LAUREL AVENUE

Refine T & S: 0



## Bulk Storage Database Search Details

### Facility Information

**Site No.:** 1-000062  
**Status:** Unregulated/Closed  
**Expiration Date:**  
**Site Type:** PBS  
**Site Name:** EMPIRE  
**Address:** MAIN RD X BAYVIEW  
**Locality:** SOUTHOLD  
**State:** NY  
**Zipcode:** 11971  
**County:** Suffolk

### Owner(s) Information

**Facility Owner:** ALI  
NY

### Tank Information

**4 Tanks Found**

Tank No	Tank Location	Status	Capacity (Gal.)
1	Underground	Unregulated	0
2	Underground	Unregulated	0
3	Underground	Unregulated	0
4	Underground	Unregulated	0

[Return To Results](#)

[Refine This Search](#)



## Bulk Storage Database Search Details

### Tank Information

[Next Tank](#)

[Last Tank](#)

**Site No:** 1-000062  
**Site Name:** EMPIRE  
**Tank No:** 1  
**Tank Location:** Underground  
**Tank Status:** Unregulated  
**Tank Install Date:**  
**Tank Closed Date:**  
**Tank Capacity:** 0 gal.  
**Product Stored:** gasoline  
**Percentage:** 100%  
**Tank Type:** 06 - Fiberglass Reinforced Plastic (FRP)  
**Tank Internal Protection:** None  
**Tank External Protection:** None  
**Tank Secondary Containment:** None  
**Tank Leak Detection:** None  
**Overfill:** None  
**Spill Prevention:** None  
**Dispenser:** None  
**Pipe Location:** None  
**Pipe Type:** None  
**Pipe External Protection:** None  
**Piping Secondary Containment:** None  
**Piping Leak Detection:** None  
**Tank Next Test Due:**  
**Tank Last Test:**  
**Tank Test Method:** Testing Not Required

[Refine This Search](#)

[Return To Facility](#)



## Bulk Storage Database Search Details

### Tank Information

[First Tank](#) [Previous Tank](#) [Next Tank](#) [Last Tank](#)

**Site No:** 1-000062  
**Site Name:** EMPIRE  
**Tank No:** 2  
**Tank Location:** Underground  
**Tank Status:** Unregulated  
**Tank Install Date:**  
**Tank Closed Date:**  
**Tank Capacity:** 0 gal.  
**Product Stored:** gasoline  
**Percentage:** 100%  
**Tank Type:** 06 - Fiberglass Reinforced Plastic (FRP)  
**Tank Internal Protection:** None  
**Tank External Protection:** None  
**Tank Secondary Containment:** None  
**Tank Leak Detection:** None  
**Overfill:** None  
**Spill Prevention:** None  
**Dispenser:** None  
**Pipe Location:** None  
**Pipe Type:** None  
**Pipe External Protection:** None  
**Piping Secondary Containment:** None  
**Piping Leak Detection:** None  
**Tank Next Test Due:**  
**Tank Last Test:**  
**Tank Test Method:** Testing Not Required

[Refine This Search](#)

[Return To Facility](#)



## Bulk Storage Database Search Details

### Tank Information

**Site No:** 1-000062  
**Site Name:** EMPIRE  
**Tank No:** 3  
**Tank Location:** Underground  
**Tank Status:** Unregulated  
**Tank Install Date:**  
**Tank Closed Date:**  
**Tank Capacity:** 0 gal.  
**Product Stored:** gasoline  
**Percentage:** 100%  
**Tank Type:** 06 - Fiberglass Reinforced Plastic (FRP)  
**Tank Internal Protection:** None  
**Tank External Protection:** None  
**Tank Secondary Containment:** None  
**Tank Leak Detection:** None  
**Overfill:** None  
**Spill Prevention:** None  
**Dispenser:** None  
**Pipe Location:** None  
**Pipe Type:** None  
**Pipe External Protection:** None  
**Piping Secondary Containment:** None  
**Piping Leak Detection:** None  
**Tank Next Test Due:**  
**Tank Last Test:**  
**Tank Test Method:** Testing Not Required



## Bulk Storage Database Search Details

### Tank Information

[First Tank](#)

[Previous Tank](#)

**Site No:** 1-000062  
**Site Name:** EMPIRE  
**Tank No:** 4  
**Tank Location:** Underground  
**Tank Status:** Unregulated  
**Tank Install Date:**  
**Tank Closed Date:**  
**Tank Capacity:** 0 gal.  
**Product Stored:** diesel  
**Percentage:** 100%  
**Tank Type:** 06 - Fiberglass Reinforced Plastic (FRP)  
**Tank Internal Protection:** None  
**Tank External Protection:** None  
**Tank Secondary Containment:** None  
**Tank Leak Detection:** None  
**Overfill:** None  
**Spill Prevention:** None  
**Dispenser:** None  
**Pipe Location:** None  
**Pipe Type:** None  
**Pipe External Protection:** None  
**Piping Secondary Containment:** None  
**Piping Leak Detection:** None  
**Tank Next Test Due:**  
**Tank Last Test:**  
**Tank Test Method:** Testing Not Required

[Refine This Search](#)

[Return To Facility](#)

7/25/14

7/23/14  
PC

F11 7719

### APPLICATION FOR PUBLIC ACCESS TO RECORDS Suffolk County Department of Health Services

INSTRUCTIONS TO APPLICANT: Please complete Section I of this form. Do not leave any areas blank. You can also use the print button to create a hard copy and submit the signed form to the Freedom of Information Officer.

Date of Application: 7/22/14  
 Applicant Represents: Tectonic Engineering & Surveying Consultants  
 Applicant's Name: Joshua Gomez  
 Applicant's Address: 70 Pleasant Hill Rd. Mountainville, NY  
 Applicant's Phone: (845) 534-5959 Applicant's Email: Jgomez@tectonicengineering.com  
 Applicants Signature: [Signature]

Describe the record sought and include a complete tax map number (District, Section, Block & Lot in the proper format). If possible supply date(s), a file title, file reference number, the physical address and any other information that will help locate the record desired.

Seating Bulk Storage records (ie. are there tanks petroleum or chemical?)  
for the property located at: Port of Egypt Marine  
62302 Main Rd.  
Southold, NY 11971  
 Tax Map ID #: 1000 05600 0600 006001 ADD 1000 05600 0600 00400

**SECTION I -**

I HEREBY APPLY TO:

- Inspect the following record
- Receive a copy of the following document(s)

Please send to:

Acting Freedom of Information Officer:  
 Agency Name:  
 Address:

Michelle Rosen  
 Suffolk County Department of Health Services  
 3500 Sunrise Highway, Suite 124  
 Post Office Box 9006  
 Great River, NY 11739-9006  
 Fax # 631-854-0156

**SECTION II - For use by Freedom of Information Officer (or designee) only**

- Approved. Call to arrange an appointment to inspect the requested record.  
 Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_
- Records not possessed or maintained by this agency.
- Records cannot be found after diligent search.
- Denied. Reason for denial: \_\_\_\_\_
- Document(s) enclosed as requested.
- Receipt of this request is acknowledged. There will be a delay in supplying the requested record until payment of reproduction fee is received. The following fee applies \$ \_\_\_\_\_

Other: 400 PBS records, courtesy, no charge  
 Signature: A. Bower Title: DPE Date: 8/5/14

**Section III - Notice to applicant**

You have the right to appeal a denial of this application in writing to the Office of the County Attorney within 30 days of the denial. Information as to the person to contact is shown below. The contacted person must respond to you in writing within ten business days of receipt of your appeal.

Suffolk County Attorney  
 H. Lee Dennison Bld. 6th floor  
 Veterans Memorial Highway  
 Hauppauge, NY 11788

Business Telephone: (631) 853-4049  
 Tracking Number:  
 (Assigned by Agency)

#13682 - Port of Egypt Marine etc

File Ref No.: 13682  
 Reg No : 10-0055  
 Permit Issued : 09/01/2012

INSP TYPE: TANK ANNUAL [ ]  
 TANK REINSP [ ]  
 TANK RECON [ ]

Facility : PORT OF EGYPT MARINE INC  
 Street : 62300 MAIN RD RTE 25  
 Community : SOUTHOLD, NY 11971  
 Phone : (631) 765-2445

Fac Operator: PORT OF EGYPT MARINE INC  
 Mailing Addr: 62300 MAIN RD RTE 25 SOUTHOLD, NY 11971

1000 056.00 006 006.010 Inspection Zone: 2 Rank: D03

Tnk No	Location	Tank Capacity	Tank Contents	Off Use	PO Issued	Date Rmvd	Last Insp	Insp Code
1	ABOVE OUT	250	#2 FUEL OIL	EX			08/05/11	P1
2	ABOVE IN	250	WASTE OIL	00P	09/21/95		08/05/11	P1
3	ABOVE OUT	2000	GASOLINE	91P	01/01/86		08/05/11	P1
4	ABOVE OUT	2000	GASOLINE	91P	01/01/86		08/05/11	P1
5	ABOVE OUT	1000	DIESEL	91P	01/01/86		08/05/11	P1
6	ABOVE OUT	250	WASTE OIL	11REM	09/21/95	08/05/11	08/05/11	R1

Tank No: 1 Status: 01 IN SERVICE  
 Loc1 : 02 ABOVE - OUT Loc2 : UNKNOWN  
 Capacity: 250 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 02 #2 FUEL OIL Int Prot: 00 NONE  
 Container: 01 STEEL/ IRON Sec Con: 00 NONE  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: 02 SUCTION Fill Type: 01 PUMPED  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

08/08/2014

File Ref No.: 13682  
 Reg No : 10-0055  
 Permit Issued :09/01/2012

Facility : PORT OF EGYPT MARINE INC  
 Street : 62300 MAIN RD RTE 25  
 Community : SOUTHOLD, NY 11971  
 Phone : (631) 765-2445

Fac Operator: PORT OF EGYPT MARINE INC  
 Mailing Addr: 62300 MAIN RD RTE 25 SOUTHOLD, NY 11971

-----  
 Tank No: 2 Status: 01 IN SERVICE  
 Loc1 : 01 ABOVE - IN Loc2 : UNKNOWN  
 Capacity: 250 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 06 WASTE OIL Int Prot: UNKNOWN  
 Container: 99 UNKNOWN Sec Con: UNKNOWN  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: 02 SUCTION Fill Type: 03 GRAVITY  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

Tank No: 3 Status: 01 IN SERVICE  
 Loc1 : 02 ABOVE - OUT Loc2 : UNKNOWN  
 Capacity: 2000 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 01 GASOLINE Int Prot: 00 NONE  
 Container: 01 STEEL/ IRON Sec Con: 00 NONE  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: 02 SUCTION Fill Type: 03 GRAVITY  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

Tank No: 4 Status: 01 IN SERVICE  
 Loc1 : 02 ABOVE - OUT Loc2 : UNKNOWN  
 Capacity: 2000 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 01 GASOLINE Int Prot: 00 NONE  
 Container: 01 STEEL/ IRON Sec Con: 00 NONE  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: 02 SUCTION Fill Type: 03 GRAVITY  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

08/08/2014

File Ref No.: 13682  
 Reg No : 10-0055  
 Permit Issued :09/01/2012

Facility : PORT OF EGYPT MARINE INC  
 Street : 62300 MAIN RD RTE 25  
 Community : SOUTHDOLD, NY 11971  
 Phone : (631) 765-2445

Fac Operator: PORT OF EGYPT MARINE INC  
 Mailing Addr: 62300 MAIN RD RTE 25 SOUTHDOLD, NY 11971

-----  
 Tank No: 5 Status: 01 IN SERVICE  
 Loc1 : 02 ABOVE - OUT Loc2 : UNKNOWN  
 Capacity: 1000 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 07 DIESEL Int Prot: 00 NONE  
 Container: 01 STEEL/ IRON Sec Con: 00 NONE  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: 02 SUCTION Fill Type: 01 PUMPED  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

Tank No: 6 Status: 03 REMOVED  
 Loc1 : 02 ABOVE - OUT Loc2 : UNKNOWN  
 Capacity: 250 Units: 1 Gallons  
 Special Type: UNKNOWN Special Use: UNKNOWN Building:

Contents: 06 WASTE OIL Int Prot: 00 NONE  
 Container: 01 STEEL/ IRON Sec Con: 00 NONE  
 Leak Det: UNKNOWN Ext Corr Prot: UNKNOWN  
 Overfill: 00 Not Installed Spill Prev: UNKNOWN  
 Dispenser: UNKNOWN Fill Type:  
 Pipe Type: UNKNOWN Pipe Loc: UNKNOWN  
 Corr Prot: UNKNOWN Pipe Cont: UNKNOWN  
 Pipe Leak Det: UNKNOWN

File Ref No.: 13682  
Reg No : 10-0055  
Permit Issued :09/01/2012

Facility : PORT OF EGYPT MARINE INC  
Street : 62300 MAIN RD RTE 25  
Community : SOUTHDOLD, NY 11971  
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Fac Operator: PORT OF EGYPT MARINE INC  
Mailing Addr: 62300 MAIN RD RTE 25 SOUTHDOLD, NY 11971

\*\*\*\*\* ADD UNREGISTERED TANKS HERE - CONTINUE ON BACK \*\*\*\*\*

--	--	--	--	--	--	--	--	--	--

Date of Insp: \_\_\_\_\_ Name of Insp/Eng: \_\_\_\_\_

Facility Rep: \_\_\_\_\_ Title: \_\_\_\_\_

\*\*\*\*\*

VIOLATIONS NOTED: [Y] [N]

\*\*\*\*\*

- EPA SOC: 1) [ ] RP & RD IN COMPLIANCE  
2) [ ] RP VIOLATION, RD IN COMPLIANCE  
3) [ ] RP IN COMPLIANCE, RD VIOLATION  
4) [ ] RP & RD BOTH IN VIOLATION  
5) [ ] N/A - NOT EPA REGULATED  
6) [ ] N/D - NOT DETERMINED

\*\*\*\*\*

\* \_\_\_\_\_ \*

\* KEYED ON \_\_\_\_\_ BY \_\_\_\_\_ \*

\*\*\*\*\*

**CDBG-DR NEPA SITE INSPECTION FORM  
(24 CFR 58.5 COMPLIANT FIELD REVIEW FOR ACTIVITIES)**

**Purpose:** For an Activity falling under the 24 CFR 58.35(a), Categorical Exclusion, HUD requires responsible entities comply with criteria, standards, policies and regulations in accordance with the laws and regulations, applicable under the relevant criteria of 24 CFR 58.5, in order to ensure proper review of all laws and authorities. This Site inspection form is to be used by personnel to make observations, record data and generally document site conditions in support of a complete review under each of the applicable environmental review criteria define Sited in 24 CFR 58.5. It is essential that field personnel are prepared based on prior desktop review and research, to the extent practicable, prior to conducting the site inspections and exercise diligent care in the filed inspection portion of the review process to assure that all reasonable measures are taken to (identify and) mitigate HUD's exposure.

The following information shall be collected by qualified personnel, as applicable and reasonably ascertainable, in the field as conditions allow.

**GENERAL SITE INFORMATION**

**APPLICANT ID:** 103-ED-728-13 **PROJECT #:** \_\_\_\_\_

**PREPARER NAME/COMPANY:** Leslie Donnell **DATE:** 04/12/2015

**WEATHER/TEMP (F):** 58 **TIME ON SITE:** 12:00 **TIME OFF SITE:** 12:30

**STREET ADDRESS:** 62300 Main Road, Southold, NY11971

**OTHER STREETS THAT BOUND OR ABUTT THE SITE:** \_\_\_\_\_

**PROPERTY DESCRIPTION (BUSINESS NAME, RESIDENTIAL, LAND USE, ETC.):** Port of Egypt Marine, Inc. is a marina, boat dockage and fueling station.

**APPLICANT:** Katie Sepenoski

**PRESENT OWNER:** \_\_\_\_\_  
(if different from above)

**OWNERS AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_  
(Name/Title)

**YEAR BUILDING BUILT (if known):** \_\_\_\_\_

**HEATING FUEL:** N/A X GAS OIL PROPANE ELECTRIC

**PHOTOGRAPHS OF BUILDING AND PROPERTY (Describe and Reference):**

**CDBG-DR NEPA SITE INSPECTION FORM  
APPLICANTS ID: 103-ED-728-13  
HUD ENVIRONMENTAL STANDARDS**

**VISUAL INSPECTION OF BUILDING INTERIOR:**

- A) ASBESTOS-CONTAINING MATERIAL: NONE

---

- B) LEAD-BASED PAINT (FOR RESIDENTIAL PROPERTIES, CONSTRUCTED ON OR BEFORE 1978): NONE

---

- C) UNIVERSAL WASTE: NONE

---

- D) HAZARDOUS WASTE: NONE

---

- E) MOLD (any noticeable odor i.e. musty): NONE

---

**ADDITIONAL:**

- 1. *Request Copies of Asbestos Assessment Reports, from Owner.*
- 2. *Request Copies of Lead Assessment Reports from Owner, if Applicable (Residential built on or before 1978).*

**VISUAL INSPECTION OF EXTERIOR PROPERTY:**

As stated in 585 (2)(i) - It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases and radioactive substances where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property. The following checklist will need to be completed for applications and associated reviews falling under categorically excluded as it pertains to 58.35 (a) to thoroughly assess the site condition and to note any environmental issues that may be present on site.

**GENERAL SITE WALK-OVER (Walk perimeter and interior)**

**A) SITE DESCRIPTION**

Existing Structures (size, condition, age, use): The structures for which assistance is being requested are the docks that adjoin the marina's 1,685 feet of bulkhead. The age of the original docks is unknown, but they appear to be in good condition.

Bedrock observed: **NO**

**CDBG-DR NEPA SITE INSPECTION FORM**  
**APPLICANTS ID: 103-ED-728-13**

**B) SITE CHECKLIST**

Enter number for description or comment – **Take picture of concern.**  
 Enter "No" if not observed or not applicable.

- NO   Evidence of land alteration (fill placement, roads, etc.)  
  NO   Evidence of landfilling, building foundations trash, debris, etc.  
  NO   Evidence of depressions, excavations, septic tanks, drywells, etc.  
  NO   Evidence of water supply wells, monitoring wells, fill pipes or borings  
  NO   Evidence of Aboveground/Underground Storage tanks, fill holes  
  YES   Fuel pumps or old fuel island (including, marina's and docks)  
  NO   Soil Staining, sheen on or discoloration of water, veg distress  
  NO   ANY NOTICABLE ODORS OR SMELLS

**INTERVIEWS**

**Onsite interviews conducted (if available/applicable) of potentially knowledgeable parties such as: owner, user, government contacts.**

I met with Katie Sepenoski, who showed me around the marina's boat docks. Katie Sepenoski explained that the original (old) docks were damaged due to flooding and as a result of becoming detached and displaced. The original flotations used on the docks were made of Styrofoam, but the new docks utilize an environmental sound material in the flotation devices. There are also tall poles attaching the docks, so they are able to stay in position with higher water levels. The biggest concern is the damaged barrier island, that acts as a shield against wave action and erosion. The Applicant stated that the DEC and town trustees have approved the plans to reinforce the barrier island that surrounds the navigation channel that runs alongside the marina. There are two fuel pumps on the property. There were no hazardous conditions or environmental concerns visible at the time of inspection.

**Preparer Signature:**



**Date:** 04/12/2015

This original, signed document and related supporting material will be retained on file for possible use by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 5838) and in accordance with record keeping requirements for the HUD program(s).

NYS Community Development Block Grant Disaster Recovery (CDBG-DR) NY Rising Rental Program 1-2 Units

*This is a confidential internal document and is not for distribution*

DC#: Draft – Recommendation for Reconstruction Procedure

Document Control:  
Revision 4.5 – August 8, 2014

## Assessor's Checklist

The assessor assigned to each property shall ensure the following items are completed prior to leaving the subject property:

- |    |  |                                     |
|----|--|-------------------------------------|
| 1. | Right of Entry Form                            | <input checked="" type="checkbox"/> |
| 2. | Form 1 ISA – Recommendation for Reconstruction | <input checked="" type="checkbox"/> |
| 3. | Sketches                                       | <input checked="" type="checkbox"/> |
| 4. | Mold Investigation Form                        | <input checked="" type="checkbox"/> |
| 5. | Universal/Household Waste Inventory Sheet      | <input checked="" type="checkbox"/> |
| 6. | Environmental Questionnaire                    | <input checked="" type="checkbox"/> |
| 7. | Lead Notification                              | <input checked="" type="checkbox"/> |
| 8. | HQS Checklist                                  | <input checked="" type="checkbox"/> |

### REVISION CONTROL

Date	Revision #	Revised By	Comments
7/24/13	0	Michael Baranello	Document Created
9/5/13	1	Michael Baranello	
9/8/13	2	Michael Baranello	Streamlined Inspection Record
9/9/13	3	Michael Baranello	Removed HQS Checklist
9/10/13	4	Michael Baranello	Added Hazmat Assessment Checklist
9/12/13	4.2	Michael Baranello	Updated Environmental Questionnaire
9/14/13	4.3	Michael Baranello	General Revisions

NYS Community Development Block Grant Disaster Recovery (CDBG-DR)  
NY Rising Rental Program 1-2 Units

*This is a confidential internal document and is not for distribution*

DC#: Draft – Recommendation for Reconstruction Procedure

Document Control:  
Origination Date : August 2, 2013

INITIAL SITE ASSESSMENT  
RECOMMENDATION FOR RECONSTRUCTION

Upon arrival at the subject property the assessor shall make a determination as to whether the structure should be reconstructed based on a condition evaluation as follows:

- If the house has already been demolished.
- If the local municipality has determined the structure is either unsafe to enter or has determined that demolition is required, and has labelled the house as such.
- If, in the assessor's opinion, the structure is not safe to enter due to damage.
- If, in the assessor's opinion, the structural integrity of the structure has been compromised.
- If, in the assessor's opinion, there is a threat of imminent danger.

According to the U.S. Occupational Safety & Health Administration the term ***imminent danger*** means any conditions or practices which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through normal procedures.

If any of these conditions exist the assessor shall not enter the structure; the assessor shall notify their supervisor immediately; and the assessor shall fully complete the attached Form 1 – Initial Site Assessment Recommendation for Reconstruction.

Imminent danger due to environmental circumstances does not necessarily require reconstruction. However, the assessor shall use all precautions and personal protective equipment required for the nature of the environmental circumstances encountered.

NYS Community Development Block Grant Disaster Recovery (CDBG-DR)

NY Rising Rental Program 1-2 Units  
*This is a confidential internal document and is not for distribution*

DC#: Draft – Recommendation for Reconstruction Procedure      Document Control:  
Origination Date : August 2, 2013

FORM 1: INITIAL SITE ASSESSMENT  
RECOMMENDATION FOR RECONSTRUCTION

Inspector Name: Leslie Donnell      Inspection Date: 4-12-15

Damaged Property Information

Applicant Name: Port of Egypt Marine, Inc
Applicant Address: 62300 Main Road, Southold, NY
Applicant ID Number: 103-ED-728-13
GPS Coordinates:

Total Loss Evaluation: (check all that apply)

<input type="checkbox"/>	Structure Not Present
<input type="checkbox"/>	Structure Tagged for Demolition by city/county
<input type="checkbox"/>	Structure Unsafe to Enter
<input type="checkbox"/>	Structure Type is MHU with apparent Sandy damage
<input type="checkbox"/>	Major structural deterioration beyond repair
<input type="checkbox"/>	Moisture damage/mold/toxicity
<input type="checkbox"/>	Extensive damage to roofing, floor, sub-floor, or electrical/plumbing systems
<input type="checkbox"/>	

Inspector Must Document Condition with Photos and Provide Details below:

Hurricane Sandy Damage Verification:

I observed that the identified damages are consistent with damages caused by flooding and/or high winds commonly seen in the aftermath of Hurricane Sandy.
Inspector Name: Leslie Donnell
Inspector Signature: <i>Leslie Donnell</i>
Date: 4-12-15

NA

**Mold Investigation Form**

Site Address: 62300 Main Road, Southold, NY 11971

Inspector: Leslie Donnell Date: 4-12-15

LiRo Project No: 103-ED-728-13 Client Contract No.: \_\_\_\_\_

Use the chart below to rate the surfaces of the room for water/mold related damage. Under condition, use the following scale of 0 to 4:

- 0 = No visible signs of water/mold damage, intact
- 1 = Visible water stains only
- 2 = Visible mold, with or without water stains
- 3 = Visible mold (with or without water stains) and some damage to the base material (peeling wallpaper, warped wood, etc.)
- 4 = Mold and water damage so extensive that it affects the structural integrity of the surface

Room Code #	Rating: at Worst Area of Mold	Total Square Feet Affected at Worst Mold Area

**Room Codes:**

- 1. Living Room
- 2. Dining Room
- 3. Kitchen
- 4. First Bathroom
- 5. Second Bathroom
- 6. Master Bedroom
- 7. 2<sup>nd</sup> Bedroom
- 8. 3<sup>rd</sup> Bedroom
- 9. 4<sup>th</sup> Bedroom
- 10. Hallway
- 11. Basement
- 12. Asthmatic Bedroom

In the second column, note the number of square feet of the surface affected by the condition coded in the first column.



Department of Housing and Urban Development Appropriation Act, 2013

The Community Development Block Grant Program Disaster Recovery Program –  
Housing Assistance Programs – 1-2 Units

**NY RISING RENTAL PROGRAM 1-2 UNITS  
SUPPLEMENTAL ENVIRONMENTAL CHECKLIST**

Property address: 62300 Main Road

Southold, NY 11971

Application #: 103-ED-728-13

Date of Inspection: 4-12-15

**TO BE COMPLETED BY THE FIELD INSPECTOR; ATTACH ANY SPECIFIC NOTES, PHOTOS, AND ADDITIONAL MATERIAL:**

	Yes	No	Compliance Data Attach Supporting Material
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the Property, is there any visible apparent evidence of explosive or fire-prone materials such as liquid propane, gasoline, or other storage tanks on, adjacent to or visible from the Property? If yes, provide details.
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the Property, is there any visible apparent evidence that the project site is near a commercial or industrial property? <i>The property is a commercial site.</i> If yes, which company and the approximate distance.
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Based on your observations from the Property, is there any visible apparent evidence of foundations cracking or settling, basement flooding, etc. in the area of the site? If yes, specify.
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on your observations from the Property, there any visible apparent evidence of any natural areas or parks, or are there any ponds or parks adjacent to the site? If yes, specify. <i>Property borders water.</i>
5	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is there any visible apparent indication of any of the following on the Property (check all that apply): <input type="checkbox"/> distressed vegetation <input type="checkbox"/> oil/chemical spills <input type="checkbox"/> waste material/containers <input type="checkbox"/> loose/empty drums, barrels <input type="checkbox"/> soil staining, pools of liquid <input type="checkbox"/> abandoned machinery, cars, <input type="checkbox"/> transformers, fill/vent pipes,      refrigerators, etc. pipelines, drainage structures If yes, attach photos and note where on the Property these items are located.
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is there any visible apparent evidence of an underground or above-ground storage tank on the Property? If yes, specify which one and the location. Also specify the tank contents if possible. Please take a photograph of any tank(s).
7	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there active rills and gullies on the Property? If yes, provide photographs.

*Fuel pumps near docks.*

**NY RISING RENTAL PROGRAM 1-2 UNITS  
SUPPLEMENTAL ENVIRONMENTAL CHECKLIST**

	Yes	No	Compliance Data Attach Supporting Material
8	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is there any visible apparent indication of mold on the Property? If yes, describe location and extent.
9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is there any visible apparent evidence of asbestos, lead-based paint, or hazardous materials present in the structure? If yes, specify. Are removal plans or third-party clearance reports or operations and maintenance plans available from the property owner? If yes, attach copies.
10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there other unusual conditions visibly apparent on Property? Explain and attach supporting material. Please take photographs,

**Inspector's Signature:** By signing this document I agree that I performed, or am familiar with, the site inspection(s) that are described above and certify that, to the best of my knowledge, the information provided is true and correct.

Printed Name: Leslie Donnell

Firm: Worley Catastrophe

Signature: Leslie Donnell

Date: 4-12-15

Property address: 62300 Main Road, Southold, NY 11971

Application #: 103-ED-728-13

**CDBG-DR NEPA SITE INSPECTION FORM  
(24 CFR 58.5 COMPLIANT FIELD REVIEW FOR ACTIVITIES)**

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**PREPARER NAME/COMPANY:** Leslie Donnell **DATE:** 04/12/2015

**WEATHER/TEMP (F):** 58 **TIME ON SITE:** 12:00 **TIME OFF SITE:** 12:30

**STREET ADDRESS:** 62300 Main Road, Southold, NY11971

**OTHER STREETS THAT BOUND OR ABUTT THE SITE:** \_\_\_\_\_

**PROPERTY DESCRIPTION (BUSINESS NAME, RESIDENTIAL, LAND USE, ETC.):** Port of Egypt Marine, Inc. is a marina, boat dockage and fueling station.

**APPLICANT:** Katie Sepenoski

**PRESENT OWNER:** \_\_\_\_\_  
(if different from above)

**OWNERS AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_  
(Name/Title)

**YEAR BUILDING BUILT (if known):** \_\_\_\_\_

**HEATING FUEL:** N/A X GAS OIL PROPANE ELECTRIC

**PHOTOGRAPHS OF BUILDING AND PROPERTY (Describe and Reference):**

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APPLICANTS ID: 103-ED-728-13  
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---

- B) LEAD-BASED PAINT (FOR RESIDENTIAL PROPERTIES, CONSTRUCTED ON OR BEFORE 1978): NONE

---

- C) UNIVERSAL WASTE: NONE

---

- D) HAZARDOUS WASTE: NONE

---

- E) MOLD (any noticeable odor i.e. musty): NONE

---

**ADDITIONAL:**

- 1. *Request Copies of Asbestos Assessment Reports, from Owner.*
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**A) SITE DESCRIPTION**

Existing Structures (size, condition, age, use): The structures for which assistance is being requested are the docks that adjoin the marina's 1,685 feet of bulkhead. The age of the original docks is unknown, but they appear to be in good condition.

Bedrock observed: **NO**

**CDBG-DR NEPA SITE INSPECTION FORM**  
**APPLICANTS ID: 103-ED-728-13**

**B) SITE CHECKLIST**

Enter number for description or comment – **Take picture of concern.**  
 Enter "No" if not observed or not applicable.

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  NO   Evidence of landfilling, building foundations trash, debris, etc.  
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  NO   Evidence of Aboveground/Underground Storage tanks, fill holes  
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  NO   Soil Staining, sheen on or discoloration of water, veg distress  
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**Preparer Signature:**



**Date:** 04/12/2015

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## Allowable Activities

Recreate NY Smart Home Program

1 Street Left

Date Taken: 4/12/2015

Taken By: Leslie Donnell



2 Street Right

Date Taken: 4/12/2015

Taken By: Leslie Donnell



## Allowable Activities

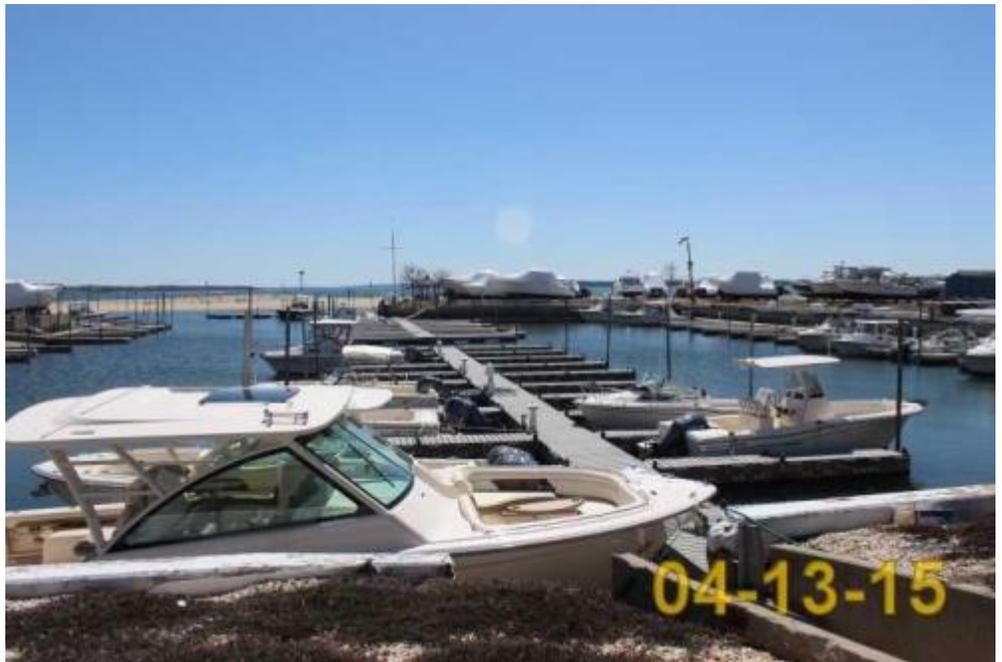
---

Recreate NY Smart Home Program

- 3 Bulkhead\_Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 4 Bulkhead\_Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

- 5 Bulkhead\_Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 6 Bulkhead\_Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

- 7 New Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 8 New Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

- 9 New Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 10 New Docks  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

---

Recreate NY Smart Home Program

11 New Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



12 New Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



## Allowable Activities

---

Recreate NY Smart Home Program

13 New Docks

Date Taken: 4/12/2015

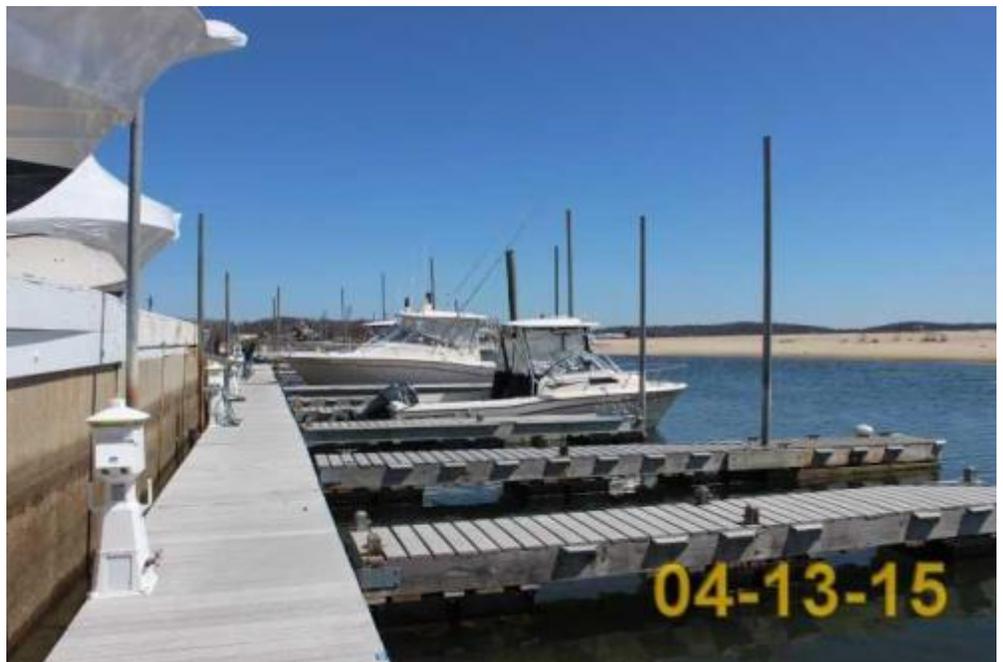
Taken By: Leslie Donnell



14 New Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

15 New Docks

Date Taken: 4/12/2015

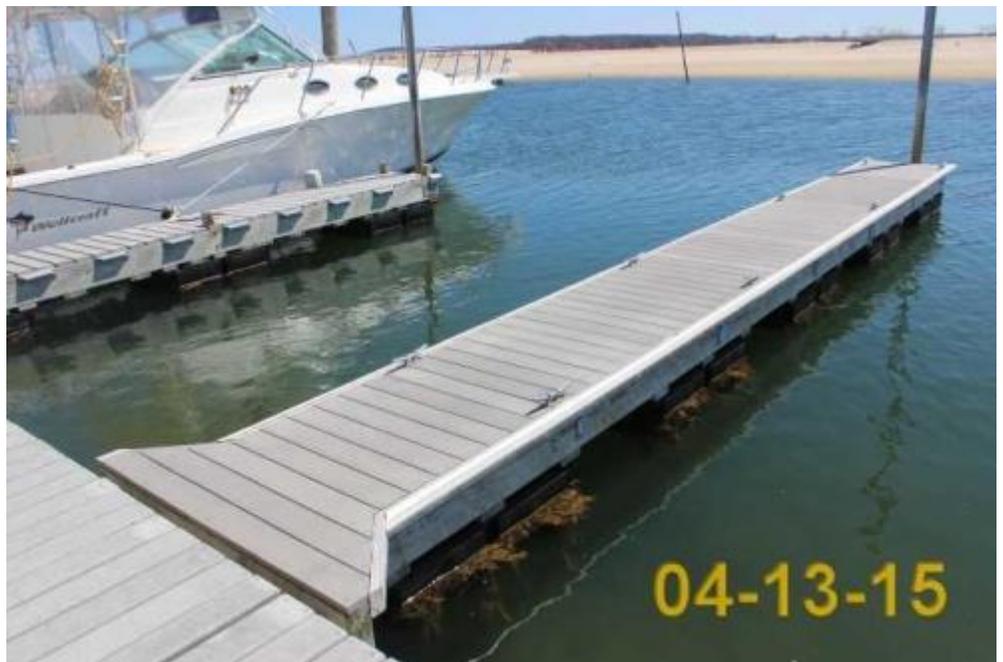
Taken By: Leslie Donnell



16 New Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



## Allowable Activities

### Recreate NY Smart Home Program

17 New Docks

Date Taken: 4/12/2015

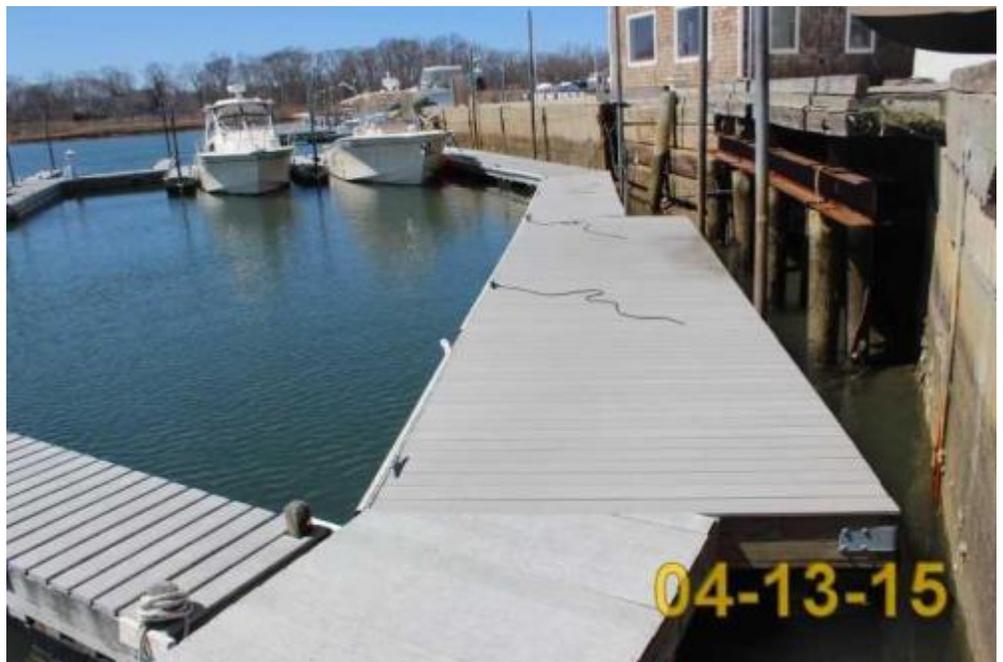
Taken By: Leslie Donnell



18 New Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



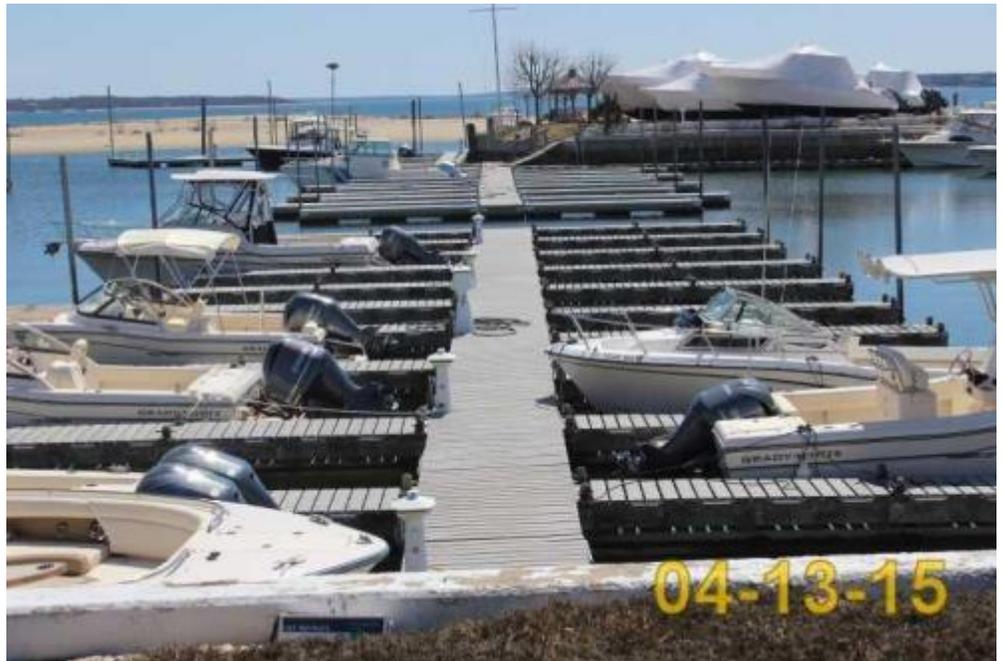
## Allowable Activities

Recreate NY Smart Home Program

19 Old Docks

Date Taken: 4/12/2015

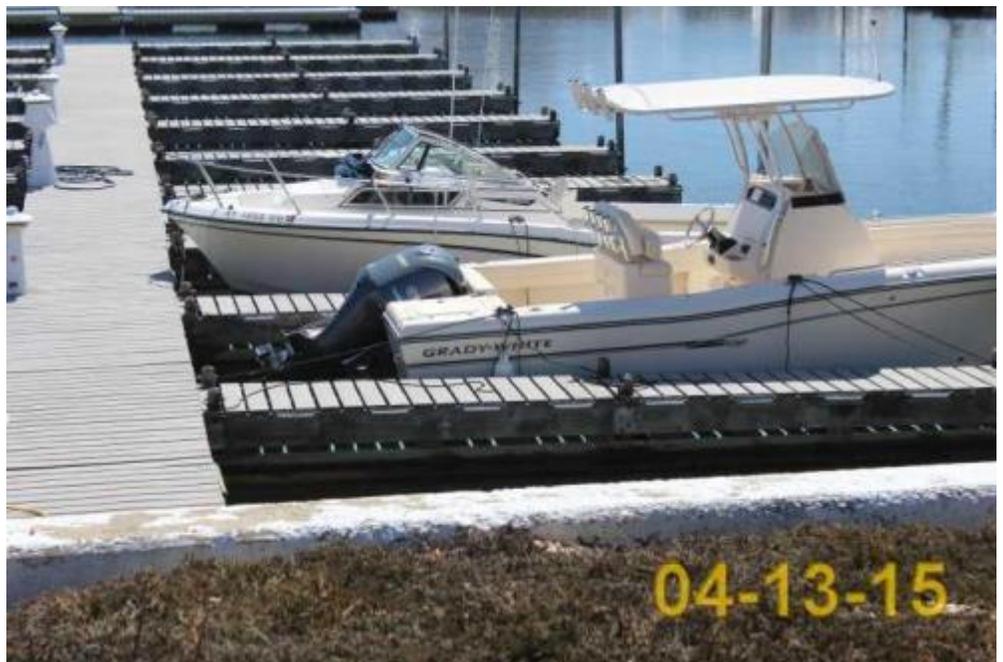
Taken By: Leslie Donnell



20 Old Docks

Date Taken: 4/12/2015

Taken By: Leslie Donnell



## Allowable Activities

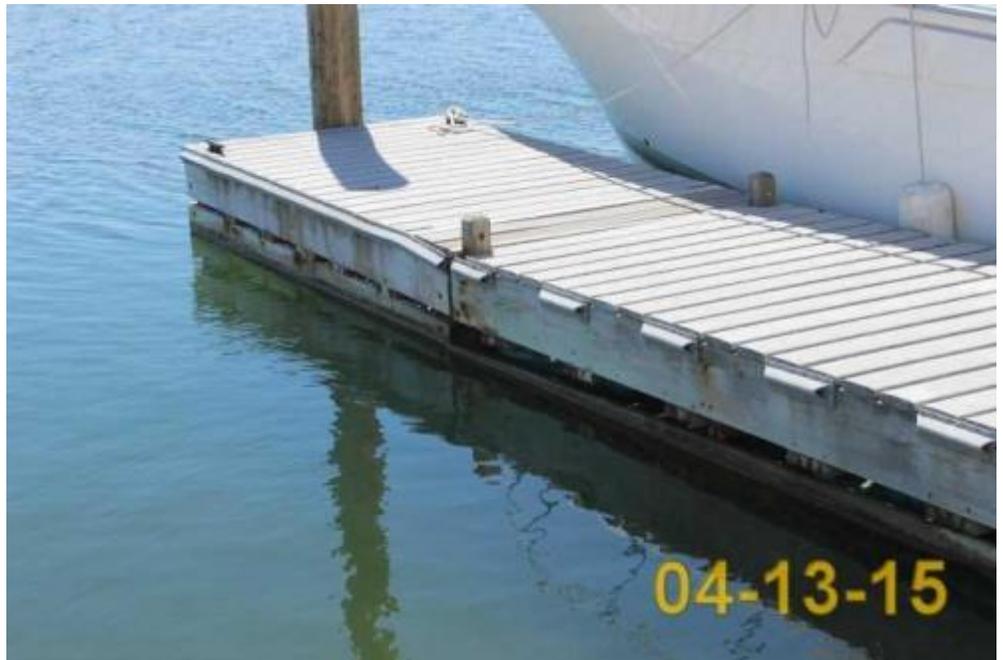
---

Recreate NY Smart Home Program

- 21 Old Dock  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 22 Old Dock  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

- 23 Fuel Pump  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



- 24 Fuel Pump  
Date Taken: 4/12/2015  
Taken By: Leslie Donnell



## Allowable Activities

Recreate NY Smart Home Program

25 Fuel Pumps

Date Taken: 4/12/2015

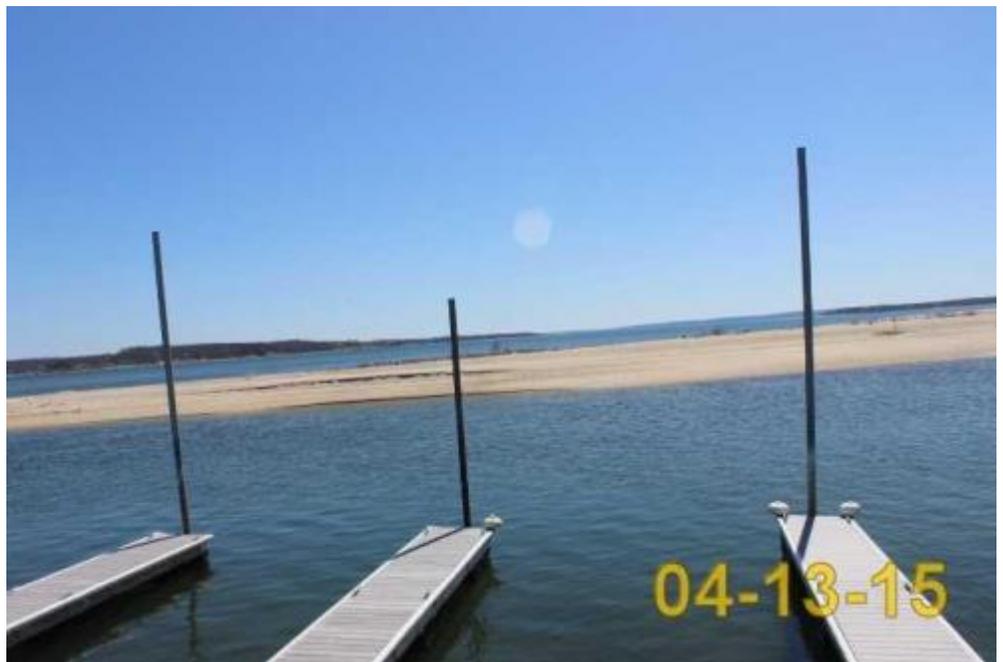
Taken By: Leslie Donnell



26 Barrier Island

Date Taken: 4/12/2015

Taken By: Leslie Donnell



# **Attachment 5**

New York State Historic  
Preservation Office  
Determination



# Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

January 27, 2016

Mr. Josh Gomez  
Environmental Scientist II  
Tectonic Engineering & Surveying Consultants. P.C  
70 Pleasant Hill Road  
Mountainville, NY 10953

Re: DHCR  
Port of Egypt Inc. 103-ED-728-2013  
62300 Main Road, Southold, NY 11971  
16PR00507

Dear Mr. Gomez:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the New York SHPO has determined that no historic properties will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Deputy Commissioner for Historic Preservation

# **Attachment 6**

NYSDEC Environmental Resource Map

USFWS NWI Map

NYS Coastal Boundary Map (2)

Tidal Map

Coastal Barrier Resource Map

FEMA Firmette

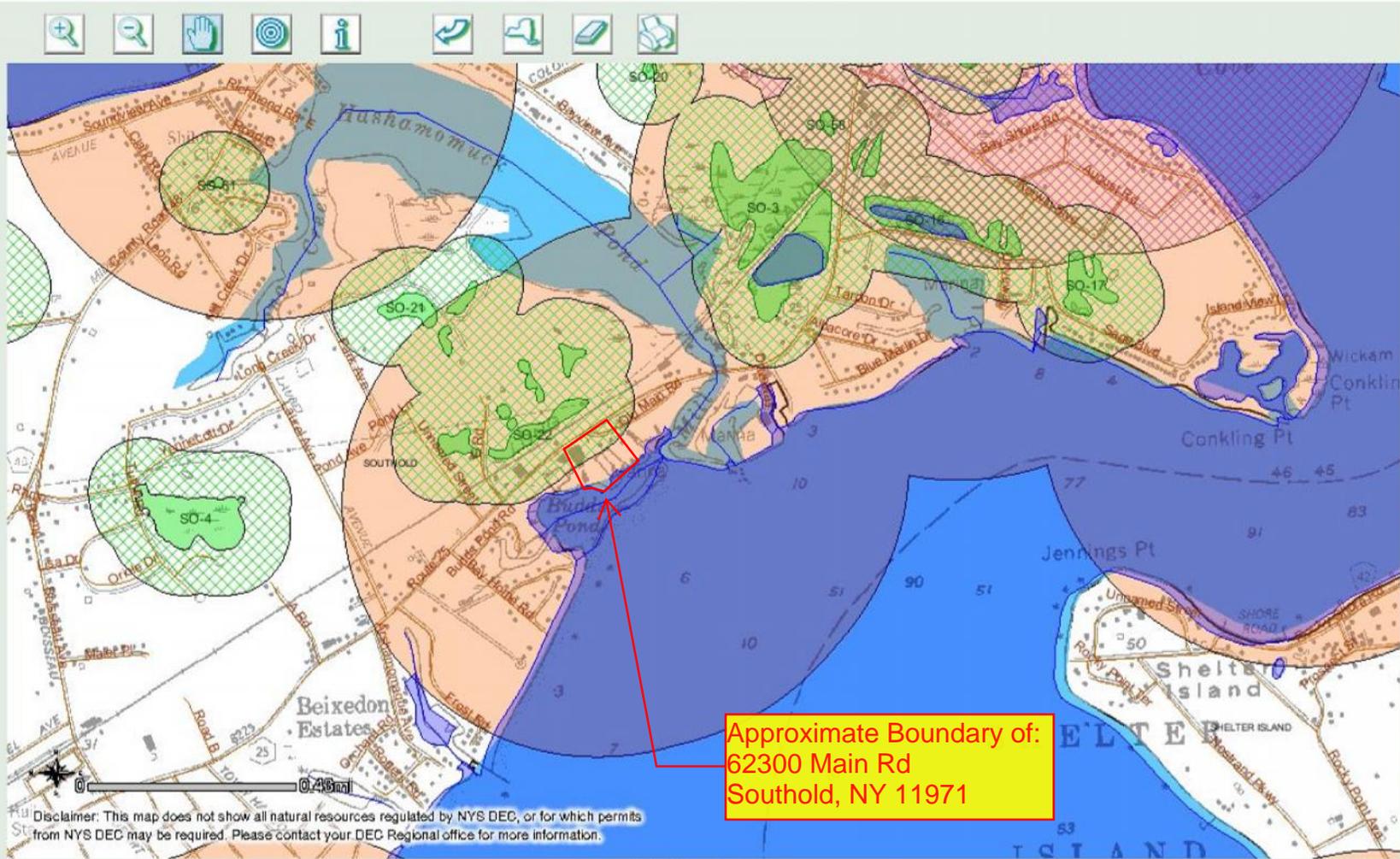


Search	Layers & Legend	Tell Me More...
Need a Permit?	Contacts	Help

**Map Layers & Legend**  
More layers appear as you zoom in.

- Classified Water Bodies
- Unique Geological Features
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Checkzone ?
- Rare Plants and Rare Animals
- Significant Natural Communities
- Natural Communities Vicinity ?
- Background Map
- Adirondack Park Boundary
- Counties

Click "Refresh Layers" to activate and deactivate layers.



Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

Selection cleared.



# U.S. Fish and Wildlife Service National Wetlands Inventory



## Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

## Riparian

- Herbaceous
- Forested/Shrub

## Riparian Status

- Digital Data

Approximate Boundary of:  
62300 Main Rd  
Southold, NY 11971

User Remarks:

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# Welcome to the NYS Coastal Boundary Map

🖱️ 🗺️ 🏠 📄 Help

🔍 Search

62300 Main Rd  
Southold, NY 11971

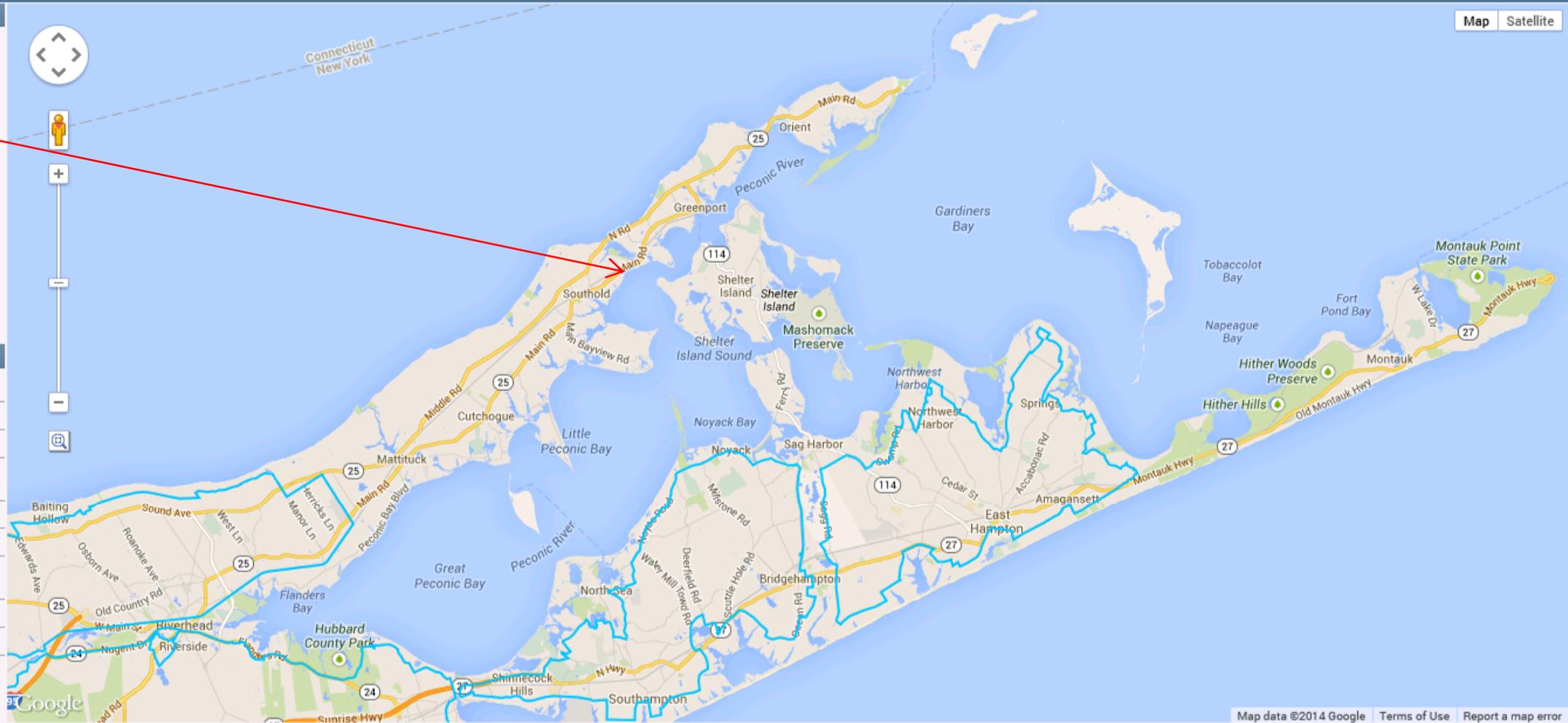
Find Address

Please note that the address marker is automatically placed along the street while certain activities may take place along the waterward property boundary. Please make sure to click and drag the marker to the exact location of the proposed activity for an accurate assessment of whether or not the activity would be located within any DOS Special Management Areas.

🔍 Layers

- Landward Coastal Boundary
- Scenic Areas \*
- Local Waterfront Revitalization Areas
- Local Waterfront Revitalization Program Communities
- Significant Coastal Fish and Wildlife Habitats
- DOS Identified Canals
- Long Island Sound CMP (excludes LWRP communities)
- Federally Owned Lands
- Native American Lands

\* GIS coverage is currently unavailable for the Scenic Areas designated in the Town of East Hampton. Please click [here](#) for information pertaining to these areas.



Map Satellite



Welcome to the NYS Coastal Boundary Map

Home Map Layers Help

Search

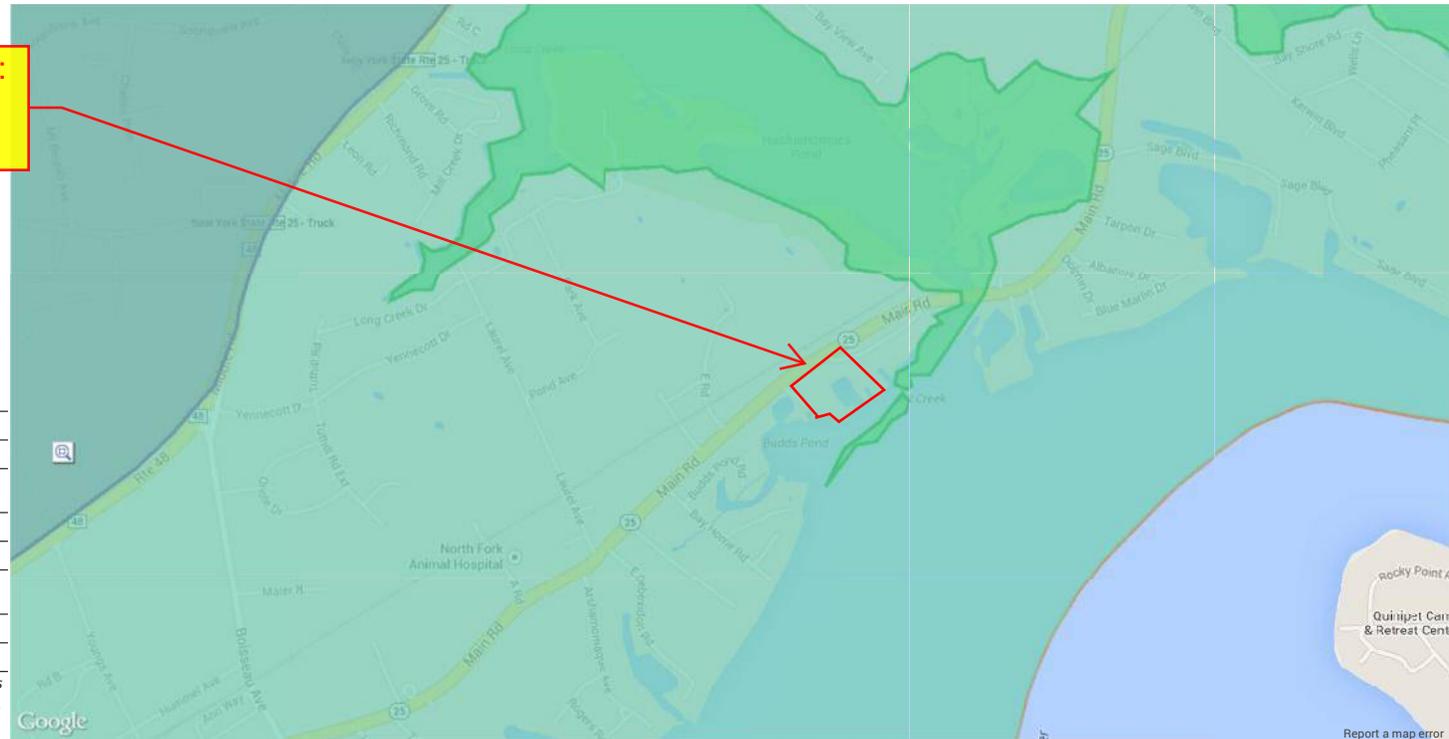
Approximate Boundary of:  
62300 Main Rd  
Southold, NY 11971

Please note that the address marker is automatically placed along the street while certain activities may take place along the waterward property boundary. Please make sure to click and drag the marker to the exact location of the proposed activity for an accurate assessment of whether or not the activity would be located within any DOS Special Management Areas.

Layers

- Landward Coastal Boundary
- Scenic Areas \*
- Local Waterfront Revitalization Areas
- Local Waterfront Revitalization Program Communities
- Significant Coastal Fish and Wildlife Habitats
- DOS Identified Canals
- Long Island Sound CMP (excludes LWRP communities)
- Federally Owned Lands
- Native American Lands

\* GIS coverage is currently unavailable for the Scenic Areas designated in the Town of East Hampton. Please click [here](#) for information pertaining to these areas.



Latitude: 42.803 Longitude: -75.399

The New York State Department of State makes every effort to post accurate and reliable information on this website. The Department of State does not guarantee or warrant that the information on this web site is complete, accurate or current. The information on this website is intended solely for the purpose of electronically providing the public with general coastal consistency-related information and convenient access to data resources. The Department of State neither assumes responsibility for the use or application of any material posted on this website nor responsibility for any error, omission or other discrepancy between the electronic and printed versions of documents.

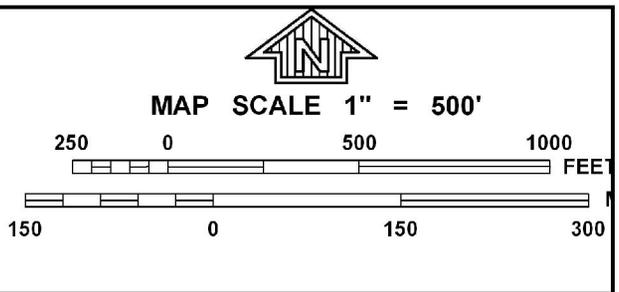
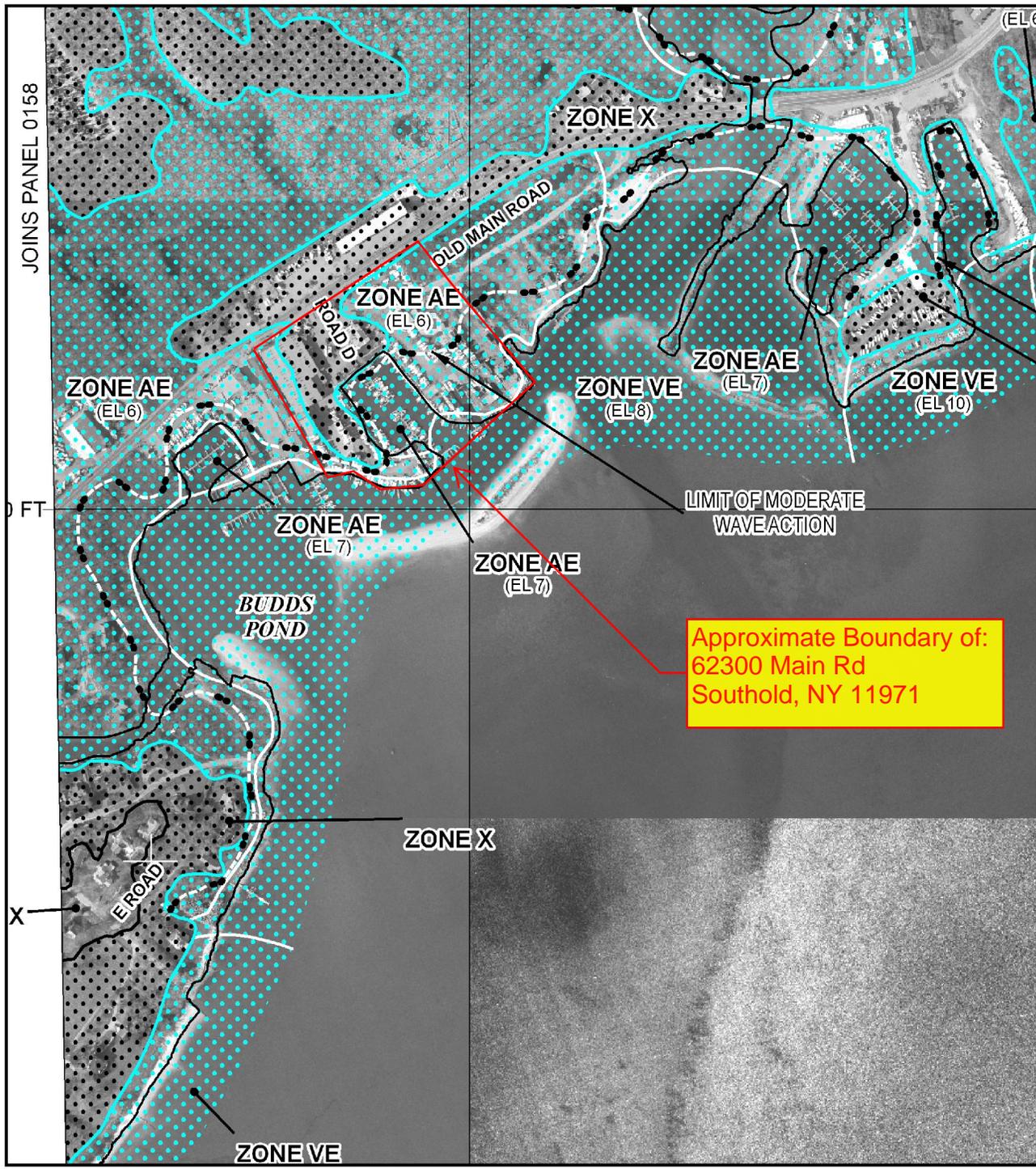
[DOS Home](#) | [A to Z Index](#) | [Applications](#) | [Accessibility](#) | [Privacy Policy](#) | [Disclaimer](#) | [Contact Us](#)

Approximate Boundary of:  
62300 Main Rd  
Southold, NY 11971



SHELLER ISLAND SOUND





NFP  
 NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0159H

**FIRM**  
 FLOOD INSURANCE RATE MAP

for SUFFOLK COUNTY, NEW YORK  
 (ALL JURISDICTIONS)

CONTAINS:

COMMUNITY	NUMBER
SHELTER ISLAND, TOWN OF	360809
SOUTHOLD, TOWN OF	360813

- NOTE -  
 THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1962 AND/OR SUBSEQUENT ENABLING LEGISLATION.

**PANEL 159 OF 1026**  
**MAP SUFFIX: H**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
 36103C0159H

**MAP REVISED**  
 SEPTEMBER 25, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# **Attachment 7**

NHP Information

USFWS Response

USFWS Determination

NMFS Determination

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife & Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5<sup>th</sup> Floor, Albany, New York 12233-4757  
**Phone:** (518) 402-8935 • **Fax:** (518) 402-8925  
**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



January 14, 2016

Joshua Gomez  
Tectonic Engineering & Surveying Consultants P.C.  
PO Box 37, 70 Pleasant Hill Road  
Mountainville, NY 10953

Re: GOSR Project ID 103-ED-728-13: Port of Egypt Marine, Inc., 62300 Main Road  
Town/City: Southold. County: Suffolk.

Dear Joshua Gomez:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

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

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at [www.dec.ny.gov/about/39381.html](http://www.dec.ny.gov/about/39381.html).

Sincerely,

A handwritten signature in black ink that reads "Andrea Chaloux". The signature is written in a cursive, flowing style.

Andrea Chaloux  
Environmental Review Specialist  
New York Natural Heritage Program



**The following state-listed animals have been documented  
in the vicinity of your project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

**For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 1 Office. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager.**

**A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.**

**The following species have been documented near the project site, within 0.25 mile. Potential onsite and offsite impacts from the project may need to be addressed.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Birds</b>			
<b>Black Skimmer</b> <i>Breeding</i>	<i>Rynchops niger</i>	Special Concern	266
<b>Common Tern</b> <i>Breeding</i>	<i>Sterna hirundo</i>	Threatened	3000
<b>Piping Plover</b> <i>Breeding</i>	<i>Charadrius melodus</i>	Endangered	Threatened 3942
<b>Least Tern</b> <i>Breeding</i>	<i>Sternula antillarum</i>	Threatened	6184

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants and rare animals have  
historical records  
at your project site, or in its vicinity.**

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site include a search for these species, particularly at sites that are currently undeveloped and may still contain suitable habitat.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NYS LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
<b>Birds</b>			
<b>Roseate Tern</b> Breeding 1977.	<i>Sterna dougallii</i>	Endangered and Federally Listed as Endangered	Critically Imperiled in NYS  9051
<b>Vascular Plants</b>			
<b>Cut-leaved Evening-primrose</b> 1880-05-30: New Egypt.	<i>Oenothera laciniata</i>	Endangered	Critically Imperiled in NYS  9293

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

emailed 1/29/2016



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

New York Field Office

3817 Luker Road

Cortland, NY 13045

Phone: (607) 753-9334 Fax: (607) 753-9699 (631) 256-0485 ext 2120

<http://www.fws.gov/northeast/nyfo>

To: Alicia Schultz

Date: January 29, 2016

USFWS File No: \_\_\_\_\_

Regarding your:  Letter  Fax  Email

Dated: Dec 15, 2015

For project: Batch 6 GOSR as described in Dec 15 2015 correspondence

Located: various

In Town/County: Nassau and Suffolk

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.

Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.

Is taking no action pursuant to ESA or any legislation at this time, but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s):  1/29/2016

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_



# Governor's Office of Storm Recovery



Andrew M. Cuomo  
Governor

Lisa Bova-Hiatt  
Executive Director

December 15, 2015

Mr. Steve Papa  
U.S. Fish and Wildlife Service  
Long Island Field Office  
340 Smith Road  
Shirley, NY 11967

**VIA EMAIL:** [steve\\_papa@fws.gov](mailto:steve_papa@fws.gov)

Re: Notice of No Effect for Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), Economic Development - Small Business Grant Program Proposed Projects, Batch 6 dated December 15, 2015

Dear Mr. Papa:

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the Economic Development - Small Business Grant Program. The environmental review for projects funded under the Small Business Grant Program are processed on a case-by-case basis in accordance with the United States Fish and Wildlife Service (USFWS), New York Field Office's online project review process. GOSR has made a "No Effect" determination for the projects described herein pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d), and the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat 755). This letter requests acknowledgement of this determination from the USFWS.

We have reviewed the projects in the attached list according to USFWS procedures. We completed our reviews on December 15, 2015 and are submitting our project review package to notice the USFWS of the "No Effect" determination made for the proposed projects pursuant to Section 7 of the ESA. We are submitting case materials so that the USFWS can acknowledge the

determination made by GOSR that the proposed projects will have “No Effect” on endangered/threatened species or critical habitat for species under USFWS jurisdiction for each project.

For additional information please contact me at (518) 474-0647 or [Alicia.Shultz@nyshcr.org](mailto:Alicia.Shultz@nyshcr.org).

Sincerely,



Alicia Shultz  
Community Developer – Environmental Services  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany NY 12207

**Enclosures:**

**Batch 6 Project List**

- A) Project A - Port of Egypt Marine, Inc.  
(103-ED-728-13)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- B) Project B – Last Man Standing Realty, Inc.  
(059-ED-33817-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- C) Project C – Lambrou & Sons Seafood Restaurant  
(059-ED-31883-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- D) Project D – Robert Louis, Inc. dba Osio Salon  
(059-ED-32256-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- E) Project E – Gatoff Realty Co. LLC  
(059-ED-33697-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List

- F) Project F – Island Gold, LLC**  
**(059-ED-32322-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- G) Project G – Bay Park Civic and Property Owners**  
**(059-ED-250-13)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- H) Project H – Andy’s Marine Service, Inc.**  
**(059-ED-33010-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- I) Project I – 315 South Bar Corp dba Shamrock South**  
**(059-ED-33640-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List
- J) Project K – River Road Parking LLC**  
**(059-ED-32540-2013)**
  - 1. Attachment 1: Site Location Maps
  - 2. Attachment 2: USFWS Official Species List

USFWS ESA Submission - Batch 6 dated December 15, 2015 - GOSR Small Business Grant Program

Enclosure	GOSR Project ID	Applicant Name	Applicant Address	Project Work Description	GOSR Project Review ESA Determination
A.	103-ED-728-13	Port of Egypt Marine, Inc.	62300 Main Road, Southold, Suffolk County, New York, 11971	<p>The project activities include reimbursement for completed purchases for mitigation supplies for repairs to the docks and slips along the outer portion of the marina. Additionally, the electric panels have been raised to prevent high waters from reaching them. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. The dock poles have been increased in height to prevent the docks from coming loose during higher water levels. <b>All completed work was in-place mitigation work. In-place and in-kind ground disturbance occurred in previously disturbed areas due to replacement floating dock poles.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All work occurred within previously disturbed areas on this developed marina property. No trees were affected, and the work occurred in an active marina where bulkheads do not provide habitat for the listed species. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
B.	059-ED-33817-2013	Last Man Standing Realty, Inc.	3222 Hempstead Turnpike, Levittown, Nassau County, New York, 11756	<p>The proposed project is for funding is for future roof repairs on the main roof area and on the lower step down of the building. This repair work will include ripping off and removing existing roof and discarding it, supply and installation of new 2 inch insulation boards screwed down with self-tapping screws and 3 inch plates, supply and installation of Ruberoid base sheet to the entire roof, supply and torching down of Ruberoid membrane, removal and changing (as necessary) aluminum parapet coping as needed, and supplying and painting newly installed roofing material with new silver coating. <b>All work to be performed is in-kind and in-place exterior roof work.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All work will be to a pre-existing structure in previously disturbed areas on a developed property. No habitat for the listed species will be affected. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
C.	059-ED-31883-2013	Lambrou & Sons Seafood Restaurant	4073 Austin Blvd, Island Park, Nassau County, New York, 11558	<p>The project includes reimbursement for completed construction activities, including building repair. Demolition work occurred in the bar area, where the brick planter and partition wall, hostess desk, wood paneling and planks on the right side of the bar, all the carpet, coat room wall, all wallpaper and upholstered panels on the face of the bar, and terra cotta tile in the entrance were all removed. Completed construction work in the bar area included cleaning the fireplace using acid etch, framing the shadow boxes where the upholstered panels were removed, installing chair rail molding around the perimeter of the room, preparing all the walls where wallpaper was removed and both priming and painting the walls. Additionally, porcelain tiles were laid and grouted in the bar room, with wood base molding added around the perimeter of the room.</p> <p>Demolition work was completed in the main dining room, including the removal of all the wallpaper and carpet. Completed construction work for the dining room involved preparing the walls to be painted, priming and painting the walls, replacing the water damaged sheetrock, installing new chair rails, installing base molding, installing shadow boxes, rolling partitions with shadow boxes, repairing the cracked and uneven floor, and installing fire rated carpet tile.</p> <p>Demolition work was completed in the men's and women's restrooms, including gutting both restrooms down to the wall studs. Completed renovation construction work for the restrooms involved running 1"-1½" water supply lines to the bathrooms, installing new fixtures and granite countertop with ADA accessibility, and installing new urinals, toilets, and sinks. This construction also included new green sheetrock, tiling the bathrooms to the ceiling, installing Hollywood saddles, installing a new drop ceiling, and installing accessories. Additionally, completed renovation in the foyer outside the bathroom included removal of the walls, and tiling and grouting the floor. A chair railing was installed at the top of the wall, and the doors and walls above the installed tile were painted. <b>This completed, in-kind work demolition and renovation work was interior work.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All work was completed inside a pre-existing building at this developed property. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
D.	059-ED-32256-2013	Robert Louis, Inc. dba Osio Salon	212A Merrick Road, Rockville Center, Nassau County, New York, 11570	<p>The project involves reimbursement for completed construction-related activities, including plumbing supplies and electrical work. The completed purchase of plumbing supplies involved the purchase of a vanity, sink, and faucet. Completed electrical work involved installing trac-lighting, removing wire and pipes from the front blow out stations, re-wiring stations to mount outlet boxes in cabinets, and rewiring on the main floor for shampoo chairs, hair driers, the coffee bar, the front and rear desks, and focused lighting. Completed electrical work in the basement involved lighting, outlets, sink pumps, and electric for the washer. <b>This completed, in-kind work was interior work.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All work was completed inside the pre-existing building at this developed property. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>

E.	059-ED-33697-2013	Gatoff Realty Co. LLC	1800 Access Rd., Oceanside, Nassau County, New York, 11572	<p>The project involves reimbursement for completed construction-related activities, including building repairs to the restrooms, overhead doors, interior work, electrical repairs, and an alarm system. The completed restroom repairs involved the replacement of toilet stalls with doors, a wall hung screen, and hardware that included hinges, hidden latches, and brackets. The overhead door work involved installing a heavy steel beam to create an 11 foot opening in an 8 inch thick wall, furnishing and installing 3 PCS 9" channeling to frame out the garage door opening, and installing an 11'x12' industrial rolling steel door and associated electric motor. Completed work also included installing an electric motor for an existing rolling steel door, supplying and installing a slide-gate operator, and installing photo-eyes safety equipment for the three (3) existing doors.</p> <p>Completed work included cutting into an existing rolling steel door curtain in order to install a wicket door (approximately 0'42"x7'0"), and to install a panic device with an exterior handle and rim cylinder with standard lock set. A block wall opening for the exterior door was cut, a new concrete ramp was installed, and an 8 inch concrete block interior partition was built by the overhead garage door. New openings for duct work were cut, closed, and sealed.</p> <p>Completed Electrical work included repairing the wiring for receptacles, and also light fixture wiring, which were damaged during Superstorm Sandy. The alarm system installation included the purchase of a Honeywell Vista 20P kit, Honeywell GSM Radio, a wired door-window contact, motion detectors, acoustic glass break, overhead door contact, an 8 zone expander, and cables. <b>All work performed was completed on a pre-existing building structure.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). The completed work was performed to a pre-existing building structure on this developed property. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
F.	059-ED-32322-2013	Island Gold, LLC	147 Main Street, East Rockaway, Nassau County, New York, 11518	<p>The project is reimbursement for completed construction related activities which included flooring repair. The completed flooring repair was carpet and carpet pad replacement. <b>This completed, in-kind work was interior work.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All work was completed inside the pre-existing building at this developed property. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
G.	059-ED-250-13	Bay Park Civic and Property Owners	7 Cooke St. E., East Rockaway, Nassau County, New York, 11518	<p>The project involves funding for completed building repairs, including boiler replacement, electrical work, exterior lighting, and roof repair. The completed boiler repair involved a gas boiler replacement with two replacement circulators and relays, a replacement low water cut off and vent damper, and wiring the boiler and controls. The completed electrical work included inspection of damage to building, disconnecting existing wiring exposed to salt water and making it safe for restoration of power, restoring power to first and second floors, installing a GFI receptacle and light for utility use, replacing eight (8) electrical outlets and boxes in the building, replacing the exterior GFI outlets and weatherproof covers on the deck, disconnecting the six (6) electric baseboard heaters at the electrical panel, cleaning the birds nest out of the electrical meter, connecting power to the building, and disconnecting the wire running outside to the outside bath.</p> <p>Additional electrical work included replacing two (2) main circuit breakers and main disconnects, and electrical work in the kitchen area, rear area, office, main room, outside work, bathroom wiring, and installing lighting at the exterior of the building. The work in the kitchen area involved running a dishwasher line, ice machine outlet, repairing three (3) counter outlets, and installing a refrigerator outlet on the back wall. Work in the rear area involved the installation of two (2) refrigerator outlets and disconnecting and removing the old dryer outlet. Work in the office included installing two (2) quad outlets, three (3) duplex outlets, and replacing matching fixtures. Work in the main room included rewiring eleven (11) outlets, an outlet in the closet back wall, and two air conditioner outlets. Bathroom work included checking and repairing the bathroom wiring.</p> <p>Outside work included replacing two (2) front outside lights and adding an outside outlet by the crawl space exhaust fan. Additionally, exterior lighting work included furnishing and installing five (5) fluorescent wall fixtures around the exterior of the building, and installing weatherproof outlets on the rear of building at the head of the canal. Roof work involved repair to two shingle roofs on the civic center. <b>All work performed was completed in-kind or in-place on or within this pre-existing building structure.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). Completed work occurred in previously disturbed areas on this developed property. The electrical meters are shown to be several feet off of the ground and are attached to the exterior of the building. Therefore, the nest cleaned off of the electrical meters would not have been a piping plover, red knot, and roseate tern nest because these species nest on the ground surface. Project activities occurred on or inside pre-existing structures and did not involve disturbance to previously undisturbed areas, and the project did not involve the removal or trimming of trees or vegetation.</p> <p>A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>

H.	059-ED-33010-2013	Andy's Marine Service, Inc.	46 Island park Pl, Island Park, Nassau County, New York, 11558	<p>Reimbursed construction includes building supplies in the form of building supplies and repair. Purchased building supplies included wood, nails and screws, safety equipment, replacement countertops and shelving, paint, epoxy and silicone, concrete powder, a push mower, and light bulbs.</p> <p>Completed work included the demolition of the store floor, door, trim, and cabinets, rubbish removal, and anti-microbial spray to open walls. Completed renovation work involved installing waincoat paneling and trim, installation of purchased cabinets &amp; countertops, installation of a storm door and front entrance door, purchase and installation of a replacement window, and painting the wainscoting with polyurethane.</p> <p>Additional interior repairs included the installation of a new boiler, a 50 gallon hot water heater, replacement of the refrigerated display case condenser, and electrical wiring and controls for the boiler and heater. Electrical work included removing all wiring that had been exposed to salt water, running a new feed from the main panel to a substation, trace five (5) UF circuits and energize, change of the pump disconnect, installation of new outlets, refeeding of lights and installing of switches, running new circuits for an outlet for the freezer and two (2) refrigerators, installing three (3) new GFIs with circuits, refeeding the hoist box, remaking connections and installing a new switch, removed wiring to outlets in the first floor apartment, installed new wiring and outlets, and changing the 200 AMP panel. <b>All work performed was completed on a pre-existing building structure.</b></p> <p>Completed purchase of dock supplies included replacement float drums, two (2) replacement gasoline dispenser computer heads, fasteners, wood, and polyurethane. <b>This completed, reimbursed exterior work is in-kind and in-place, in previously disturbed locations.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All completed work consisted of work in previously disturbed and actively used and managed areas on this developed property. Therefore, A "No Effect" determination is appropriate because the project will not occur within previously undisturbed suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
I.	059-ED-33640-2013	315 South Bar Corp dba Shamrock South	315 Guy Lomardo Ave, Freeport, Nassau County, New York, 11520	<p>The project activities are for reimbursement of the completed purchase of a replacement electric water heater.</p> <p>Additionally there is proposed future construction related activities including: proposed installation of a replacement 26'x2' cherry bar top and rails, removing and replacing damaged sheetrock walls on the perimeter wall, and all existing walls to 4' high, checking all walls for, and removing, mold if discovered, replacing the wainscot paneling up to four (4) feet high around the perimeter, removing the existing floor and mold on the floor, replace floor with new ¾ inch marine plywood in the main room and washroom, and remove the existing 14' back bar and cabinets (while checking for mold), and installing replacement 18' cabinets and 24' bar top. <b>All reimbursed completed and proposed future work is interior work.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All completed and proposed work are for areas inside the pre-existing building structure in a previously disturbed area on this developed property. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>
J.	059-ED-32540-13	River Road Parking, LLC	50 River Road, Sayville, Suffolk County, New York, 11782	<p>The project involves reimbursed for completed work for the replacement of the entry station and exit gate. These systems included replacement with a FlexScan Ready Magnetic strip ticket, MT-1703, a dual-detector direct drive gate, a replacement USB software key, a WatchGate Firewall Router, two (2) Fee Computers with On-Line credit card, two (2) magnetic stripe validators, and two (2) wall/pedestal mounted fee indicators. <b>All work performed was equipment purchase and in-kind and in-place exterior work with minor ground disturbance in previously disturbed areas to replace gates.</b></p>	<p>The USFWS Official Species List shows the Piping Plover, Red Knot, Roseate Tern, Sandplain Gerardia, Seabeach Amaranth, and Northern Long-Eared Bat as threatened and endangered species that could be in the project area (<b>Attachment 2</b>). All completed work occurred in previously disturbed paved areas on this developed parking lot facility. A "No Effect" determination is appropriate because the project will not occur within suitable habitat for any listed species and/or no habitat disturbance is anticipated.</p>

# Project A

# Attachment 1



62300 Main Rd  
Southold, NY

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013, Copyright:© 2013 National Geographic Society, i-cubed



# Street Map 62300 Main Road Southold, NY





Copyright © 2013 National Geographic Society, i-cubed



Topographic Map  
62300 Main Road  
Southold, NY





62300 Main Road  
Southold, NY 11971

Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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Aerial Map  
Port Egypt Marine, Inc.  
62300 Main Road  
Southold, New York 11971  
Suffolk County



# Attachment 2



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Long Island Ecological Services Field Office  
340 SMITH ROAD  
SHIRLEY, NY 11967  
PHONE: (631)286-0485 FAX: (631)286-4003

Consultation Code: 05E1LI00-2016-SLI-0028

November 12, 2015

Event Code: 05E1LI00-2016-E-00031

Project Name: Port of Eqypt Marine, Inc.

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

## To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Eqypt Marine, Inc.

## Official Species List

**Provided by:**

Long Island Ecological Services Field Office  
340 SMITH ROAD  
SHIRLEY, NY 11967  
(631) 286-0485

**Consultation Code:** 05E1LI00-2016-SLI-0028

**Event Code:** 05E1LI00-2016-E-00031

**Project Type:** Federal Grant / Loan Related

**Project Name:** Port of Eqypt Marine, Inc.

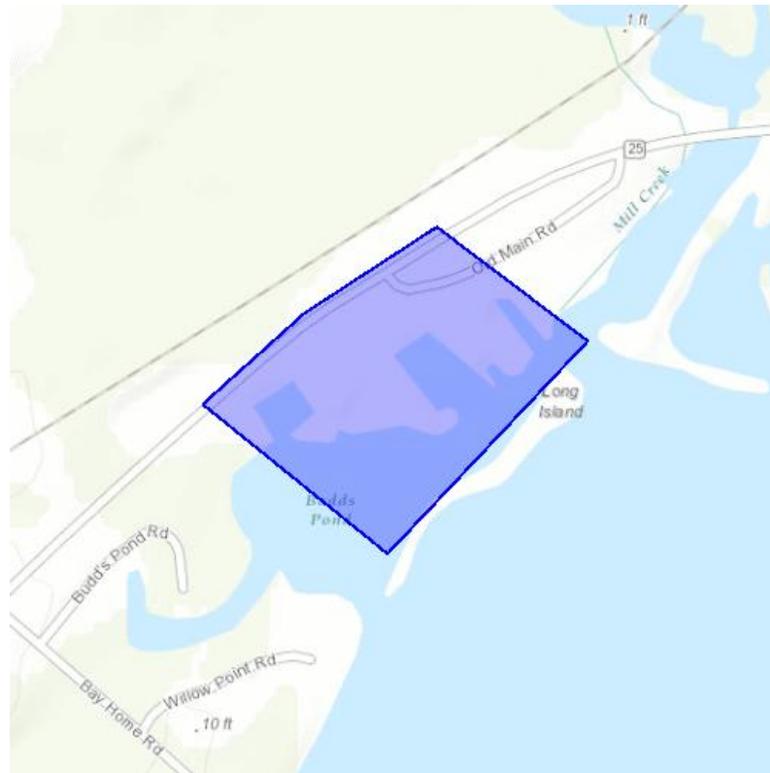
**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Eqypt Marine, Inc.

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-72.40559935569763 41.07570363115522, -72.40289568901062 41.07406177747717, -72.39998817443848 41.07638300688922, -72.40217685699463 41.07764468605263, -72.40411877632141 41.0766984289504, -72.40559935569763 41.07570363115522)))

**Project Counties:** Suffolk, NY



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Egypt Marine, Inc.

## Endangered Species Act Species List

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened		
Red Knot ( <i>Calidris canutus rufa</i> )	Threatened		
Roseate tern ( <i>Sterna dougallii dougallii</i> ) Population: northeast U.S. nesting pop.	Endangered		
<b>Flowering Plants</b>			
Sandplain gerardia ( <i>Agalinis acuta</i> )	Endangered		
Seabeach amaranth ( <i>Amaranthus pumilus</i> )	Threatened		
<b>Mammals</b>			
Northern long-eared Bat ( <i>Myotis septentrionalis</i> )	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Egypt Marine, Inc.

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.

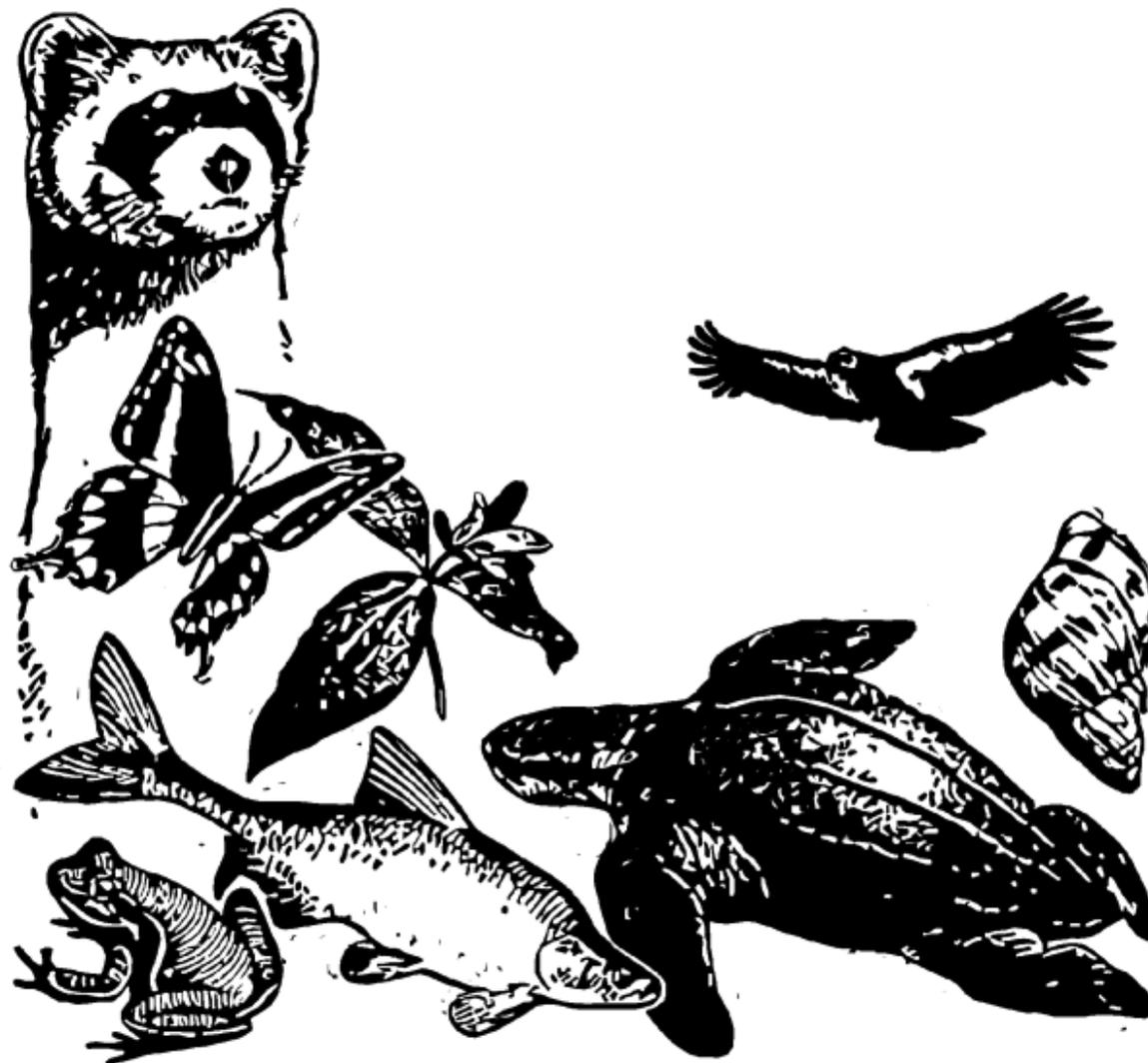
# Port of Eqypt Marine, Inc.

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## *IPaC Trust Resource Report*

Generated November 12, 2015 04:57 PM MST

This report is for informational purposes only and should not be used for planning or analyzing project-level impacts. For projects that require FWS review, please return to this project on the IPaC website and request an official species list from the Regulatory Documents page.



US Fish &amp; Wildlife Service

# IPaC Trust Resource Report



## Project Description

**NAME**

Port of Egypt Marine, Inc.

**PROJECT CODE**

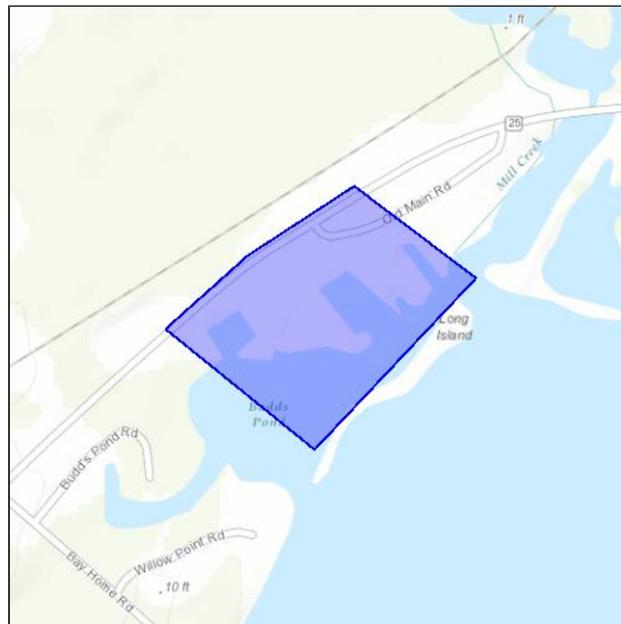
HF5S5-UNKTB-AOTO7-NYFB3-RKPIZQ

**LOCATION**

Suffolk County, New York

**DESCRIPTION**

No description provided



## U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

**Long Island Ecological Services Field Office**

340 Smith Road  
Shirley, NY 11967  
(631) 286-0485

# Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the [Endangered Species Program](#) and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under [Section 7](#) of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an official species list on the Regulatory Documents page.

## Birds

**Piping Plover** *Charadrius melodus* Threatened

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B079>

**Red Knot** *Calidris canutus rufa* Threatened

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0DM>

**Roseate Tern** *Sterna dougallii dougallii* Endangered

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B07O>

## Flowering Plants

**Sandplain Gerardia** *Agalinis acuta* Endangered

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=Q24K>

**Seabeach Amaranth** *Amaranthus pumilus* Threatened

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=Q2MZ>

## Mammals

**Northern Long-eared Bat** *Myotis septentrionalis*

Threatened

CRITICAL HABITAT

**No critical habitat** has been designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?scode=A0JE>

## Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

**There is no critical habitat within this project area**

# Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

<p><b>American Oystercatcher</b> <i>Haematopus palliatus</i> Year-round <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0G8">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0G8</a></p>	Bird of conservation concern
<p><b>American Bittern</b> <i>Botaurus lentiginosus</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0F3">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0F3</a></p>	Bird of conservation concern
<p><b>Bald Eagle</b> <i>Haliaeetus leucocephalus</i> Year-round <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B008">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B008</a></p>	Bird of conservation concern
<p><b>Black Rail</b> <i>Laterallus jamaicensis</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B09A">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B09A</a></p>	Bird of conservation concern
<p><b>Black Skimmer</b> <i>Rynchops niger</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0EO">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0EO</a></p>	Bird of conservation concern
<p><b>Black-billed Cuckoo</b> <i>Coccyzus erythrophthalmus</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0HI">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0HI</a></p>	Bird of conservation concern
<p><b>Blue-winged Warbler</b> <i>Vermivora pinus</i> Season: Breeding</p>	Bird of conservation concern
<p><b>Canada Warbler</b> <i>Wilsonia canadensis</i> Season: Breeding</p>	Bird of conservation concern
<p><b>Fox Sparrow</b> <i>Passerella iliaca</i> Season: Wintering</p>	Bird of conservation concern
<p><b>Gull-billed Tern</b> <i>Gelochelidon nilotica</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0JV">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0JV</a></p>	Bird of conservation concern
<p><b>Horned Grebe</b> <i>Podiceps auritus</i> Season: Wintering</p>	Bird of conservation concern
<p><b>Hudsonian Godwit</b> <i>Limosa haemastica</i> Season: Migrating</p>	Bird of conservation concern

<b>Least Bittern</b> <i>Ixobrychus exilis</i> Season: Breeding	Bird of conservation concern
<b>Least Tern</b> <i>Sterna antillarum</i> Season: Breeding	Bird of conservation concern
<b>Pied-billed Grebe</b> <i>Podilymbus podiceps</i> Year-round	Bird of conservation concern
<b>Prairie Warbler</b> <i>Dendroica discolor</i> Season: Breeding	Bird of conservation concern
<b>Purple Sandpiper</b> <i>Calidris maritima</i> Season: Wintering	Bird of conservation concern
<b>Red Knot</b> <i>Calidris canutus rufa</i> Season: Wintering <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0DM">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0DM</a>	Bird of conservation concern
<b>Rusty Blackbird</b> <i>Euphagus carolinus</i> Season: Wintering	Bird of conservation concern
<b>Saltmarsh Sparrow</b> <i>Ammodramus caudacutus</i> Season: Breeding	Bird of conservation concern
<b>Seaside Sparrow</b> <i>Ammodramus maritimus</i> Year-round	Bird of conservation concern
<b>Short-eared Owl</b> <i>Asio flammeus</i> Season: Wintering <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HD</a>	Bird of conservation concern
<b>Snowy Egret</b> <i>Egretta thula</i> Season: Breeding	Bird of conservation concern
<b>Upland Sandpiper</b> <i>Bartramia longicauda</i> Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HC">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0HC</a>	Bird of conservation concern
<b>Wood Thrush</b> <i>Hylocichla mustelina</i> Season: Breeding	Bird of conservation concern
<b>Worm Eating Warbler</b> <i>Helmitheros vermivorum</i> Season: Breeding	Bird of conservation concern

## Refuges

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

**There are no refuges within this project area**

## Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

### DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

## Estuarine And Marine Deepwater

<b>E1UBL</b>	55800.0 acres
<b>E1UBLx</b>	2.54 acres
<b>E1AB1L</b>	1.25 acres

## Estuarine And Marine Wetland

<b>E2US2P</b>	2.3 acres
---------------	-----------

## Freshwater Forested/shrub Wetland

<b>PSS1F</b>	1.85 acres
<b>PSS1E</b>	0.518 acre



# Governor's Office of Storm Recovery



Andrew M. Cuomo  
Governor

Lisa Bova-Hiatt  
Executive Director

March 30, 2016

Mr. Daniel Marrone  
Protected Resources Division  
NMFS Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

VIA EMAIL: [daniel.marrone@noaa.gov](mailto:daniel.marrone@noaa.gov)

Re: Notice of No Effect Determination  
Port of Egypt Marine, Inc.  
62300 Main Road, Town of Southold, Suffolk County, New York  
(Project #103-ED-728-13)

Dear Mr. Marrone:

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, was established to aid the statewide recovery of disaster-affected communities in New York State. GOSR is administering a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR), including the Economic Development - Small Business Grant Program. This letter requests acknowledgement from the National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NMFS), pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) and the Marine Mammal Protection Act (MMPA), for a single project proposed to receive CDBG-DR assistance. The environmental review for projects funded under the Small Business Grant Program are processed on a case-by-case basis in accordance with the NMFS Greater Atlantic Region Section 7 Program Guidance.

We have reviewed the above-referenced project according to NMFS procedures. We completed our review on 3/29/2016 and are submitting our project review package to request concurrence of the determination for a proposed project pursuant to Section 7 of the ESA. We are submitting case materials so that NMFS can indicate concurrence with the determination that the proposed project has “No Effect” on endangered and/or threatened species or critical habitat for marine species under NMFS jurisdiction.

## Species Data

NMFS Endangered Species Maps for the Atlantic Coast indicate that the project site is located within the estimated range of Atlantic Sturgeon (Endangered) Distinct Population Segments (DPSs) and Sea Turtles (Endangered) within the Atlantic Ocean. The NMFS Endangered Species Maps are included in **Attachment 1**.

### **Project Description**

Port of Egypt Marine, Inc. (Applicant) is a recreational marina, boat dockage and fueling station located at 62300 Main Road, Town of Southold, Suffolk County, New York (Subject Property). Based on Suffolk County Assessment data, this commercial property is identified as Parcel #1000056000600004000. The Subject Property is identified on the enclosed street map and USGS topographic map in **Attachment 2**.

As a result of Superstorm Sandy, the business experienced damages from flooding. The project activities include reimbursement of \$100,000.00 for completed purchases of mitigation supplies for repairs to the docks and slips along the outer portion of the marina. Additionally, the electric panels have been raised to prevent high waters from reaching them.

Completed construction-related activities include replacement of floating docks that were installed outside of the inner basin, the existing steel pipe piles which hold the floating docks were replaced with a taller, thicker walled (4-inch used to replace 3-inch diameter) pipe, the new piles extend 5 feet higher than the existing piles. The dock poles have been increased in height to prevent the docks from coming loose during higher water levels. Additional pipe piles were also added on the inside of the floating docks between the bulkhead and floating dock that allow both sides of the floating dock to be supported. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. All completed work was in-place mitigation work, and DEC is not requiring a permit for this work. In-place and in-kind ground disturbance occurred in previously disturbed areas during replacement of floating dock poles. The locations of project activities are included in **Attachment 3**.

The completed project activities being evaluated were performed at the Subject Property on or about 5/17/2013. There is no additional funding proposed for this Applicant.

### **Analysis**

The following analysis was used to determine any potential effect the completed project activities at the Subject Property could have had on the Sea Turtles and Atlantic Sturgeon. This analysis incorporates information provided online for the species, available at National Oceanic and Atmospheric Administration Protected Resources Information (<http://www.greateratlantic.fisheries.noaa.gov/protected/section7/listing/index.html>).

*Sea Turtles including the Green Sea Turtle (Chelonia mydas), Hawksbill Turtle (Eretmochelys imbricate), Kemp's Ridley Turtle (Lepidochelys kempii), Leatherback Turtle (Dermochelys coriacea), and Loggerhead Turtle (Caretta caretta).*

Green Turtles use beaches for nesting, open ocean convergence zones, and coastal areas for benthic feeding. In the U.S. Atlantic and Gulf of Mexico waters, Green Turtles can be found from Texas up to Massachusetts. The greatest threats to this turtle are harvesting of eggs and adults and incidental capture in fishing gear.

Hawksbill Turtles are most commonly associated with healthy coral reefs. Additionally, post-hatchlings are believed to occupy pelagic environments (open waters). The threats to this species include loss of coral reef habitat, harvesting of eggs and meat, and commercial use of nesting beaches.

Kemp's Ridley Turtles occupy neritic habitat (muddy/ sandy bottoms) where they feed on crabs, fish, and mollusks, and can be found along the Atlantic seaboard. Threats to this species include incidental capture in fishing gear and egg collection.

Leatherback Turtles are generally open ocean animals but are also known to forage in coastal waters. Atlantic Leatherbacks are largely found in Canada which is one of the largest seasonal foraging populations of leatherbacks in the Atlantic. Threats to the Leatherback Turtles include the harvesting of eggs and turtles and incidental capture in fishing gear.

Loggerhead Turtles generally occupy beaches (nesting), water, and nearshore coastal areas. Threats to this species include incidental capture in fishing gear and direct harvest of the species.

Generally, Sea Turtles lay their eggs during the summer months along the border of sand dunes under the sand to allow the hot sand to incubate the eggs. Once hatched, the juvenile turtles enter the water.

The completed construction work was performed within an active, pre-existing marina basin. The Sea Turtles arrive in New York in late June and can be present until mid-November. The docks and slips repair work was completed in an active marina and not in an area of sand dunes or beaches, so there would have been no effect to the Sea Turtles' eggs or hatchlings as a result of the docks and slips repair work.

No open ocean habitat was affected. The project activities did not include activities that are listed as threats to each of the individual Sea Turtle species. Additionally, the project did not occur in an area listed as critical habitat for any of the listed sea turtles. Therefore, this project would have had no effect on the listed Sea Turtle species.

#### Atlantic Sturgeon

Atlantic Sturgeon live in open waters of the ocean and spawn in freshwater tributaries such as the Hudson River where the salinity level is low. They are benthic feeders and typically forage on benthic invertebrates. Atlantic Sturgeon spend most of their life in brackish water and migrate into freshwater to spawn. The Atlantic Sturgeon overwinter in deep ocean water. Since the in-water work was performed in shallow water in a pre-

existing and actively maintained marina basin, the project activities did not affect breeding habitat for this species. Thus, it is our determination that the project activities performed at the Subject Property would have had “No Effect” to the Atlantic Sturgeon.

Due to the location of project activities, it is our determination that the project activities had “No Effect” on the marine species or their critical habitat listed above under NMFS jurisdiction. Therefore, we are seeking no objection to this “No Effect” determination.

For additional information, please contact me by email at [Alicia.Shultz@nyshcr.org](mailto:Alicia.Shultz@nyshcr.org) by telephone at (518) 474-0647.

Sincerely,

A rectangular box containing a handwritten signature in cursive that reads "Alicia Shultz".

Alicia Shultz  
Community Developer – Environmental Services  
New York State Homes and Community Renewal  
38-40 State Street, Hampton Plaza  
Albany, NY 12207

Attachments:

- 1) NMFS Endangered Species Map
- 2) Subject Property Maps (Street Map and USGS Map)
- 3) Location of Project Activities Map

# Attachment 1

# Estimated Range of Sea Turtles

77°W 76°W 75°W 74°W 73°W 72°W 71°W 70°W 69°W 68°W 67°W 66°W

45°N  
44°N  
43°N  
42°N  
41°N  
40°N  
39°N  
38°N  
37°N

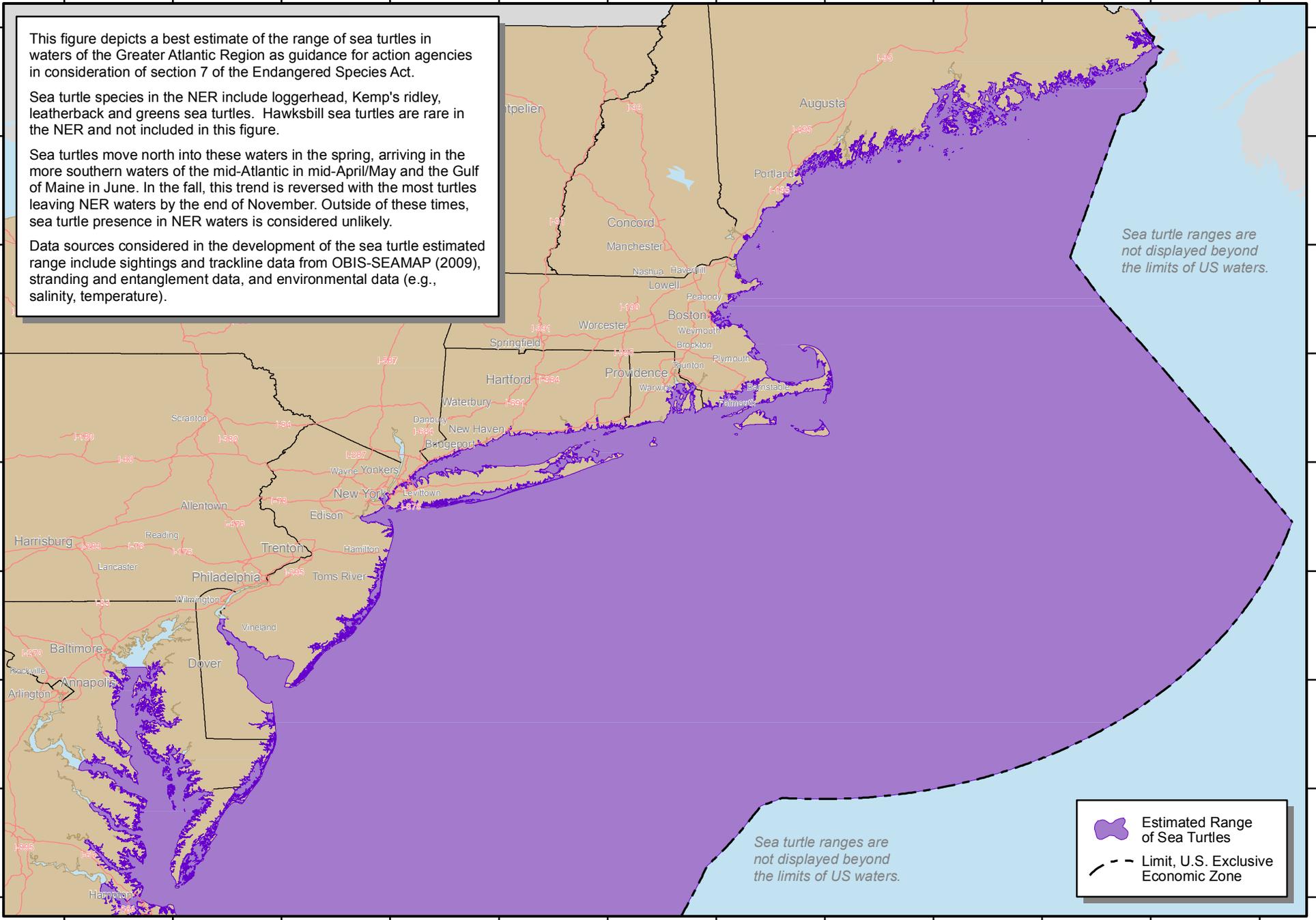
This figure depicts a best estimate of the range of sea turtles in waters of the Greater Atlantic Region as guidance for action agencies in consideration of section 7 of the Endangered Species Act.

Sea turtle species in the NER include loggerhead, Kemp's ridley, leatherback and greens sea turtles. Hawksbill sea turtles are rare in the NER and not included in this figure.

Sea turtles move north into these waters in the spring, arriving in the more southern waters of the mid-Atlantic in mid-April/May and the Gulf of Maine in June. In the fall, this trend is reversed with the most turtles leaving NER waters by the end of November. Outside of these times, sea turtle presence in NER waters is considered unlikely.

Data sources considered in the development of the sea turtle estimated range include sightings and trackline data from OBIS-SEAMAP (2009), stranding and entanglement data, and environmental data (e.g., salinity, temperature).

Sea turtle ranges are not displayed beyond the limits of US waters.



 Estimated Range of Sea Turtles  
 Limit, U.S. Exclusive Economic Zone

Sea turtle ranges are not displayed beyond the limits of US waters.

# Estimated Range of Atlantic Sturgeon Distinct Population Segments (DPSs)

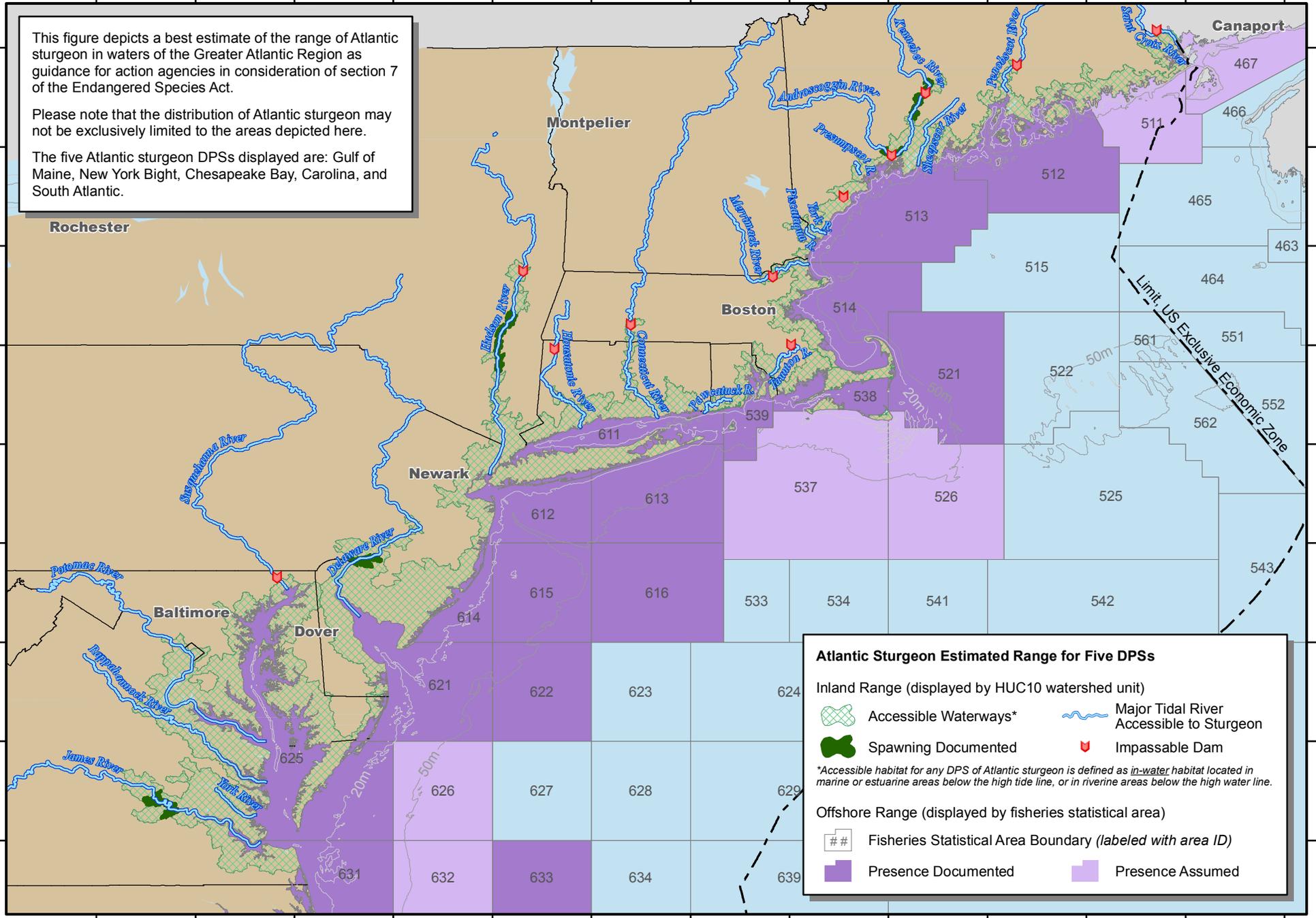
78°W 77°W 76°W 75°W 74°W 73°W 72°W 71°W 70°W 69°W 68°W 67°W 66°W

45°N  
44°N  
43°N  
42°N  
41°N  
40°N  
39°N  
38°N  
37°N

This figure depicts a best estimate of the range of Atlantic sturgeon in waters of the Greater Atlantic Region as guidance for action agencies in consideration of section 7 of the Endangered Species Act.

Please note that the distribution of Atlantic sturgeon may not be exclusively limited to the areas depicted here.

The five Atlantic sturgeon DPSs displayed are: Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, and South Atlantic.



**Atlantic Sturgeon Estimated Range for Five DPSs**

Inland Range (displayed by HUC10 watershed unit)

- Accessible Waterways\*
- Spawning Documented

Offshore Range (displayed by fisheries statistical area)

- Fisheries Statistical Area Boundary (labeled with area ID)
- Presence Documented
- Presence Assumed

Major Tidal River Accessible to Sturgeon

Impassable Dam

\*Accessible habitat for any DPS of Atlantic sturgeon is defined as in-water habitat located in marine or estuarine areas below the high tide line, or in riverine areas below the high water line.

# Attachment 2



62300 Main Rd  
Southold, NY

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013, Copyright:© 2013 National Geographic Society, i-cubed



# Street Map 62300 Main Road Southold, NY





Copyright © 2013 National Geographic Society, i-cubed



Topographic Map  
62300 Main Road  
Southold, NY



# Attachment 3



Approximate Location of Electric Panel

Area of Potential Effect

Approximate Location of Electric Panel

Port of Egypt - 62300 Main Road, Southold, New York

Port of Egypt Marine Inc

Budds Pond

© 2018 Google

Google earth

Imagery Date: 5/23/2015 lat: 41.025908° lon: -72.402619° elev: 3 ft eye alt: 1714 ft

Tour Guide 1994

# **Attachment 8**

## Environmental Permits

# SOUTHOLD TRUSTEES

No. 7502E, 7770E

Hurricane Sandy  
Emergency Permit

# PERMIT

Issued To Port of Egypt, Inc. Date 11/2/2012

Address 62300 Main Road, Southold  
SCTM # 56-6-3.4, 4 & 6.1

THIS NOTICE MUST BE DISPLAYED DURING CONSTRUCTION

TOWN TRUSTEES OFFICE, TOWN OF SOUTHOLD

SOUTHOLD, N.Y. 11971

TEL.: 765-1892



***NYSDEC NOI PROJECT DESCRIPTION***  
**for the**  
***PORT of EGYPT MARINE, INC. Property***

**Situate: 62300 Main Road; Southold, New York**  
**SCTM #: 1000-056-06-003.4, 004 & 006.1**

Applicant requests emergency approval to stabilize any and all existing structures, decking and walkways with temporary bracing/pilings; repair/reconstruct any and all existing & previously functional bulkheading & shoreline erosion structures; replacement of sand/materials to replace areas of erosion; all as a result of damages from Hurricane Sandy on October 29, 2012.

If applicable, applicant requests emergency approval to repair/reconstruct previously approved items\* as permitted in the following NYSDEC permits:

- (1) **NYSDEC Letter of Non-Jurisdiction** No. 1-4738-00099/00002, issued February 26, 1990, for repair of bulkhead, excavation and re-fill;
- (2) **NYSDEC Permit** No. 1-4738-00099/00004, issued February 3, 1995, for construction of a swimming pool, terrace, decking, septic system and fill;
- (3) **NYSDEC Permit** No. 1-4738-00099/00006, issued September 18, 1997, for rehabilitation of the marina;
- (4) **NYSDEC Permit** No. 1-4738-00099/00010, issued July 2, 2001, for reconstruction of a burned building;
- (5) **NYSDEC Permit** No. 1-4738-00099/00006, issued March 13, 2006, for modification of permit for a trench for water line, landscaping and clean fill;
- (6) **NYSDEC Permit** No. 1-4738-00099/00006, issued June 27, 2006, for modification of permit for installation of cement curb;
- (7) **NYSDEC Permit** No. 1-4738-00099/00011, issued February 19, 2010, for addition of walkways, decking, roof extension and gables;
- (8) **NYSDEC Permit** No. 1-4738-00099/00012, issued September 28, 2011, for increase in the width & length of finger floats, reduce number of slips, creation of wetland areas; and
- (9) **NYSDEC Permit** No. 1-4738-00099/00011, issued February 19, 2010, for addition of walkways, decking, roof extension and gables;
- (10) **NYSDEC Letter of Non-Jurisdiction** No. 1-4738-00099/00015, issued February 27, 2012; and
- (11) **NYSDEC Letter of Non-Jurisdiction** No. 1-4738-00099/00016, issued May 18, 2012, for fabric canopy (w/metal frame) over NYSDEC approved deck.

(\*Not inclusive of dredging at this point).

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00002
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Excavation & Fill in Navigable Waters
 <b>Application Type:</b>	New
 <b>Date Received:</b>	02/12/1990
 <b>Status:</b>	No Jurisdiction as of 02/26/1990
 <b>Complete Status:</b>	
 <b>UPA Class:</b>	
 <b>Short Description:</b>	REPAIR BH,EXCAVATE & REFILL
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	
 <b>SEQR Determination:</b>	
 <b>Lead Agency:</b>	
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	
 <b>Coastal Zone Status:</b>	
 <b>Final Disposition:</b>	No Jurisdiction as of 02/26/1990
 <b>Permit Effective Date:</b>	
 <b>Permit Expiration Date:</b>	
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	John A Wieland SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0359

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00004
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	11/16/1994
 <b>Status:</b>	Expired as of 02/28/2000
 <b>Complete Status:</b>	Complete as of 11/22/1994
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	CONSTRCT SWIMMG POOL,TERRACE,DECK,SEPTC SYSTM;FILL
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	
 <b>SEQR Determination:</b>	
 <b>Lead Agency:</b>	
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 02/03/1995
 <b>Permit Effective Date:</b>	02/03/1995
 <b>Permit Expiration Date:</b>	02/28/2000
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00006
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	07/23/1997
 <b>Status:</b>	Expired as of 09/17/2007
 <b>Complete Status:</b>	Complete as of 08/04/1997
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	REHABILITATE A MARINA
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Unlisted Action
 <b>SEQR Determination:</b>	Negative Declaration
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	A Structural-Archaeological Assessment Form has been completed. The proposed activity will not impact on registered, eligible or inventoried archaeological sites or historic structures.
 <b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 09/18/1997
 <b>Permit Effective Date:</b>	09/18/1997
 <b>Permit Expiration Date:</b>	09/17/2007
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	John A Wieland SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0359

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00009
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	P/C/I SPDES- Groundwater Discharge
 <b>Application Type:</b>	Renewal
 <b>Date Received:</b>	10/30/2000
 <b>Status:</b>	Expired as of 05/31/2011
 <b>Complete Status:</b>	Complete as of 11/13/2000
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	SPDES Fast-Track Renewal NY 018 0050
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 12/18/2000
 <b>Permit Effective Date:</b>	06/01/2001
 <b>Permit Expiration Date:</b>	05/31/2011
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Deborah J Knight 625 Broadway, Albany, NY 12233 Tel:(518)402-9167

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00010
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	04/20/2001
 <b>Status:</b>	Expired as of 07/02/2003
 <b>Complete Status:</b>	Complete as of 07/02/2001
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	Reconstruct burned building
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 07/02/2001
 <b>Permit Effective Date:</b>	07/02/2001
 <b>Permit Expiration Date:</b>	07/02/2003
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Susan Ackerman SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00009
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	P/C/I SPDES- Groundwater Discharge
 <b>Application Type:</b>	Department Initiated Modification
 <b>Date Received:</b>	05/19/2004
 <b>Status:</b>	Expired as of 05/31/2011
 <b>Complete Status:</b>	
 <b>UPA Class:</b>	
 <b>Short Description:</b>	DIM DUE TO THE CHANGE IN 6 NYCRR 750
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	
 <b>SEQR Determination:</b>	
 <b>Lead Agency:</b>	
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	
 <b>Coastal Zone Status:</b>	
 <b>Final Disposition:</b>	Modify Permit as of 06/04/2004
 <b>Permit Effective Date:</b>	06/04/2004
 <b>Permit Expiration Date:</b>	05/31/2011
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Andrea Sheeran 625 Broadway, Albany, NY 12233 Tel:(518)402-9167

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00006
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	Modification
 <b>Date Received:</b>	03/13/2006
 <b>Status:</b>	Expired as of 09/17/2007
 <b>Complete Status:</b>	
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	Mod - trench for water line, landscaping, 40cyds clean fill
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 03/13/2006
 <b>Permit Effective Date:</b>	03/13/2006
 <b>Permit Expiration Date:</b>	09/17/2007
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	NYSDEC Region 1 Headquarters, SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00006
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	Modification
 <b>Date Received:</b>	06/27/2006
 <b>Status:</b>	Expired as of 09/17/2007
 <b>Complete Status:</b>	
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	MOD #2 - INSTALL CEMENT CURB 15' LONG
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 06/27/2006
 <b>Permit Effective Date:</b>	06/27/2006
 <b>Permit Expiration Date:</b>	09/17/2007
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	NYSDEC Region 1 Headquarters, SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00011
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	08/28/2009
 <b>Status:</b>	Issued as of 02/18/2010
 <b>Complete Status:</b>	Complete as of 09/04/2009
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	add wood walkways, deck, roof extnesion and gables
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 02/18/2010
 <b>Permit Effective Date:</b>	02/19/2010
 <b>Permit Expiration Date:</b>	02/18/2015
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Susan Ackerman SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00009
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	P/C/I SPDES- Groundwater Discharge
 <b>Application Type:</b>	Renewal Treat as New
 <b>Date Received:</b>	10/08/2010
 <b>Status:</b>	Issued as of 11/29/2010
 <b>Complete Status:</b>	Complete as of 10/08/2010
 <b>UPA Class:</b>	Minor
 <b>Short Description:</b>	SPDES Fast Track Renewal for # NY0180050
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	Type II Action
 <b>SEQR Determination:</b>	Not Applicable
 <b>Lead Agency:</b>	None Designated
 <b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
 <b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
 <b>Coastal Zone Status:</b>	This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.
 <b>Final Disposition:</b>	Issued as of 11/29/2010
 <b>Permit Effective Date:</b>	06/01/2011
 <b>Permit Expiration Date:</b>	05/31/2021
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Lindy Sue Czubernat 625 Broadway, Albany, NY 12233 Tel:(518)402-9167

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

?	<b>Application ID:</b>	1-4738-00099/00012
	<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
	<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
	<b>Town or City:</b>	Southold
?	<b>Applicant:</b>	Port of Egypt Enterprises Inc
?	<b>Permit Type:</b>	Tidal Wetlands
?	<b>Application Type:</b>	New
?	<b>Date Received:</b>	02/17/2011
?	<b>Status:</b>	Issued as of 09/28/2011
?	<b>Complete Status:</b>	Complete as of 04/26/2011
?	<b>UPA Class:</b>	Minor
?	<b>Short Description:</b>	dredge, incrise width & length of finger floats, redu # slips, create wetland
?	<b>ENB Publication Date:</b>	
?	<b>Written Comments Due:</b>	
?	<b>SEQR Class:</b>	Type II Action
?	<b>SEQR Determination:</b>	Not Applicable
?	<b>Lead Agency:</b>	None Designated
?	<b>Environmental Justice:</b>	The application is not subject to the Department's Environmental Justice policy (CP-29). Either the permits needed for the project are not subject to the policy or it has been determined that the project would not affect a Potential Environmental Justice Area.
?	<b>SHPA Status:</b>	The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.
?	<b>Coastal Zone Status:</b>	This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.
?	<b>Final Disposition:</b>	Issued as of 09/28/2011
?	<b>Permit Effective Date:</b>	09/28/2011
?	<b>Permit Expiration Date:</b>	09/27/2021
	<b>Stimulus Project:</b>	No
	<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
	<b>DEC Contact:</b>	Claire K Werner SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(516)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00015
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	01/26/2012
 <b>Status:</b>	No Jurisdiction as of 04/27/2012
 <b>Complete Status:</b>	Incomplete as of 02/17/2012
 <b>UPA Class:</b>	
 <b>Short Description:</b>	Jurisdictional Inquiry
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	
 <b>SEQR Determination:</b>	
 <b>Lead Agency:</b>	
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	
 <b>Coastal Zone Status:</b>	
 <b>Final Disposition:</b>	No Jurisdiction as of 04/27/2012
 <b>Permit Effective Date:</b>	
 <b>Permit Expiration Date:</b>	
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Sherri L Aicher SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

## DEC Permit Application Detail

 <b>Application ID:</b>	1-4738-00099/00016
<b>Facility:</b>	Port of Egypt Marina & Seafood Barge Restaurant
<b>Location:</b>	Main Rd (ST Rte 25) - S Side - 1700 Ft E of Bay Home RD SCTM# 1000-56-6-4 & 6.1, Southold, NY 11971
<b>Town or City:</b>	Southold
 <b>Applicant:</b>	Port of Egypt Enterprises Inc
 <b>Permit Type:</b>	Tidal Wetlands
 <b>Application Type:</b>	New
 <b>Date Received:</b>	05/14/2012
 <b>Status:</b>	No Jurisdiction as of 05/18/2012
 <b>Complete Status:</b>	
 <b>UPA Class:</b>	
 <b>Short Description:</b>	NPN for fabric canopy on metal frame over NYSDEC approved deck
 <b>ENB Publication Date:</b>	
 <b>Written Comments Due:</b>	
 <b>SEQR Class:</b>	
 <b>SEQR Determination:</b>	
 <b>Lead Agency:</b>	
 <b>Environmental Justice:</b>	
 <b>SHPA Status:</b>	
 <b>Coastal Zone Status:</b>	
 <b>Final Disposition:</b>	No Jurisdiction as of 05/18/2012
 <b>Permit Effective Date:</b>	
 <b>Permit Expiration Date:</b>	
<b>Stimulus Project:</b>	No
<b>Other Known IDs:</b>	NY0180050 - State Pollutant Discharge Elimination System ID (USEPA) 1000-56-6-4 - Tax Map Number (each county) 1000-56-6-1 - Tax Map Number (each county)
<b>DEC Contact:</b>	Susan Ackerman SUNY @ Stony BROOK 50 Circle Rd, Stony Brook, NY 11790 Tel:(631)444-0365

Please [email the Regional Office](#) for additional information or questions regarding this application.

# **Attachment 9**

Department of State Coastal  
Consistency Determination

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
WWW.DOS.NY.GOV

ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
ACTING SECRETARY OF STATE

April 20, 2016

Thomas King, Director  
Bureau of Environmental Review and Assessment  
Assistant General Counsel  
Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, New York 12260

Re: F-2016-0311(FA)  
GOSR - Port of Egypt Marine, Inc.  
Project #103-ED-728-13  
Reimbursement of completed project activities, which  
involved the purchase of mitigation supplies for repairs  
to the docks and for the repair of electric panels.  
Town of Southold, Suffolk County  
**General Concurrence - No Objection To Funding**

Dear Mr. King:

The Department of State received the information you submitted regarding the above matter on 4/6/2016.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of U. S. Housing and Urban Development funds for this financial assistance activity. This concurrence pertains to the financial assistance activity for this project only. If federal permits or other form of federal agency authorization is required for this activity, the Department of State will conduct a separate review for those permit activities. In such a case, please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

When communicating with us regarding this matter, please contact Jeffrey Zappieri at (518) 474-6000 and refer to our file #F-2016-0311(FA).

Sincerely,



Jeffrey Zappieri  
Supervisor, Consistency Review Unit  
Office of Planning and Development

JZ/dc

# Attachment 10

Floodplain Management (EO 11988) &  
Protection of Wetlands (EO 11990)  
Determination

**Case 103-ED-728-13 Floodplain Management (EO 11988) and Protection of Wetlands (EO 11990)**

**Determination**

***Commercial & Economic Development Initiative within NY State Community Development Block Grant Disaster Recovery Program***

*April 11, 2016*

**Introduction & Overview**

The purpose of Executive Order 11988, Floodplain Management, is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” The purpose of Executive Order 11990, Protection of Wetlands, is “to avoid to the extent possible the long- and short-term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative.” This report contains the analysis prescribed by 24 CFR Part 55.

This project involves U.S. Department of Housing & Urban Development (HUD) Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for marina infrastructure mitigation work for a single business impacted by Superstorm Sandy. The analysis that follows focuses on floodplain and wetland impacts. Based on the “non-substantial” level of work, and other case characteristics, it is concluded that there is a reasonable basis to proceed with funding for this project/activity within floodplain. Moreover, in the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without the return of businesses and jobs to a disaster-impacted area, recovery may be impossible. Therefore, HUD strongly encourages grantees to envision economic revitalization as a cornerstone to a long-term recovery” (78 FR 14335). Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives.

**Description of Proposed Action & Land Use**

Port of Egypt Marine, Inc., is a marina located at 62300 Main Road, Town of Southold, Suffolk County, NY. Per the Suffolk County Tax Map website, the property description shows eight (8) permanent structures and multiple other structures built on a 5.27-acre lot.

This proposed support involves Community Development Block Grant - Disaster Recovery (CDBG-DR) program funding (\$100,000) for reimbursement of completed marina infrastructure mitigation work. Completed project activities included the replacement of the floating docks located outside of the inner marina basin. The existing steel pipe piles, which hold the floating docks, were replaced with taller, thicker-walled (4-inch diameter to replace 3-inch diameter) pipes. The new piles extend five feet higher than the existing piles to prevent the docks from coming loose during potential future high water events. Additional pipe piles were placed on the inside of the floating docks (between the bulkhead and floating dock) allowing both sides of the floating dock to be supported. The existing electric panels located at the marina were raised and replaced and new electric lines were installed on the new floating dock systems. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. All completed project activities included mitigation work located within previously disturbed areas. However, the additional pilings may be considered new construction in the wetland.

**Applicable Regulatory Procedure Per EO 11988**

The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c). Funding is permissible for the use in the floodplain and wetland if the proposed action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.

Based on online data, including data managed and updated by the U.S. Fish & Wildlife Service (USFWS) and New York Department of Environmental Conservation (NYSDEC), there are mapped wetlands

adjacent to the Subject Property and work was completed in the wetlands. Thus, there was direct construction in wetlands present at the Subject Property. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, this analysis focuses on floodplains and wetlands.

According to 24 CFR §55, the completed mitigation work occurred in a community that is in the regular program of the National Flood Insurance Program (NFIP) and the community is currently in good standing. Using the total amount of damage reported after Superstorm Sandy, this project does not exceed the substantial improvement threshold of 50% in 24 CFR §55.2(b)(10). This is evidenced by Program materials indicating that there was not a substantial damage determination and improved property value data shows the cost of funded repairs is a small fraction of the total value which is shown to be greater than \$1,436,799.00. Additional dock piles were placed on the inside of the floating docks, between the bulkhead and the floating dock, which will allow both sides of the floating dock to be supported. All completed work was mitigation work performed within previously disturbed areas. However, the additional pilings may be considered new construction in the wetland. Thus, the full 8-step determination process in §55.20 was carried out as described below.

***Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.***

The location of the proposed action, per the applicable FEMA flood map Firmette, is within 100-year floodplain (SFHA - AE Zone). There is an established Base Flood Elevation (BFE) of 5 to 7 feet across the Subject Property. This action does not require an individual Section 404 permit under the Clean Water Act (see 55.20(a)(1)).

***Step 2. Initiate Public Notice for Early Review of Proposal.***

The early notice and corresponding 15-day public comment period started on April 11, 2016 with the "Notice of Early Public Review of a Proposed Activity in Wetlands and 100-Year Floodplain." being published in Newsday newspaper, with the 15-day period expiring on April 26, 2016. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on April 8, 2016: Federal Emergency Management Agency (FEMA); USFWS; U.S. Environmental Protection Agency (EPA); U.S. Army Corps of Engineers (USACE); NYSDEC; and New York State Office of Emergency Management. The notice was also sent to Suffolk County and the Town of Southold. (See Attachments 1 and 2 of this Floodplain Management EO 11988 and Protection of Wetlands Determination EO 11990 for the newspaper notice and affidavit to these agencies). No comments were received.

***Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain (or 500-year Floodplain if a Critical Action) or Wetland.***

The Program is structured to provide eligible businesses with loan or grant assistance for activities necessary to restore storm-damaged businesses, including through damage reimbursements, and support for rehabilitation, reconstruction, elevation, and/ or other mitigation activities. This small business suffered damage during Superstorm Sandy, as such, potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One potential alternative is to relocate the business out of the 100-year floodplain and wetland; however, this marina business is a functionally dependent water use. Therefore, it is imperative that this business be located in floodplain and/or wetland. Moreover, properties on water that have some portion of land not in 100-year floodplain are already developed. As such, relocation is not considered a viable option for this business.

Another alternative could have been to use a different type of dock and electrical infrastructure in lieu of the mitigation work that already occurred. However, the mitigation work completed was designed to limit damage in the event of future storms and had minimal impact on the wetland and floodplain.

Another alternative would be for “no action” to occur, meaning the Applicant would not be receiving reimbursement CDBG-DR funds to sustain its business. This option means there would be a potential inability for the business to rebuild after the storm and complete mitigation work in preparation for potential future storms. Furthermore, the ability for the owner to successfully mitigate any future damages from floods would be impeded due to the lack of financial support; which means the property would be more vulnerable. The “no action” alternative could greatly impact this business and the surrounding community, as recovery would be greatly impaired due to lack of support. Accordingly, the “no action” decision would neither support this business’s recovery nor help the community recover from the devastating storms.

The functional, water-dependent nature of this business necessitates location in wetland and floodplain. The main footprint/harbor of this property is an actively used waterfront property. Based on the land uses and the development pattern of this community, a prohibition on restoration and rehabilitation of this functionally dependent business within floodplain and wetland is not practicable or desirable.

The above identified alternatives will be re-evaluated in response to public comments received.

**Step 4. Identify & Evaluate Potential Direct & Indirect Impacts Associated with Occupancy or Modification of 100-year Floodplain and Potential Direct & Indirect Support of Floodplain and Wetland Development that Could Result from Proposed Action.**

**Floodplain Evaluation:**

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include consideration of potential for adverse impacts on water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge.

According to the FEMA Report - A Unified National Program for Floodplain Management, two definitions commonly used in evaluating actions in floodplain are “structural” and “non-structural” activities. Per the report, structural activity is usually intended to mean adjustments that modify the behavior of floodwaters through the use of measures such as public works dams, levees and channel work. Non-structural is usually intended to include all other adjustments (e.g., regulations, insurance, etc.) in the way society acts when occupying or modifying a floodplain. These definitions are used in describing impacts that may arise in association with potential advancement of this case.

*Natural moderation of floods*

As the Applicant’s property is one of many developed parcels situated within the 100-year floodplain, the continued occupancy may potentially result in future direct impacts to property during certain severe floods and related natural disasters. However, the direct effects to this property would be no greater than those expected to the other adjacent occupied properties within this floodplain.

*Living resources such as flora and fauna*

This land use may constitute a type of business where, after flooding, materials used in operations could potentially be released into the environment, thereby having unquantifiable potential to impact water quality maintenance and ecological resources. A potential impact that may arise is that materials used or stored on-site would be caused to be released into the environment, such as a result of wind or floodwaters. However, this would be more likely if there are not non-structural and structural floodproofing techniques in place, such as if materials are not stored in water-tight containers, and/ or said containers break or migrate out of a non-enclosed building due to lack of proper preparation. A qualitative evaluation suggests the potential

would be relatively small and if such releases do occur, it is likely as part of a potential area-wide impact. In such an instance, floatable debris could contribute to litter and if there were minor amounts of chemicals used on the Subject Property, floodwaters may induce rapid dilution. Given the nature of this business, the potential for an acute or chronic level of water quality impact from the Subject Property is low.

#### *Impacts to Property & Lives*

The action does present potential to impact commercial occupancy of the floodplain, but it does not impact residential structures or directly cause modification of the 100-year floodplain. The project does not alter the floodplain because it does not in any way directly or physically modify the floodplain through new ground disturbance – it only rehabilitates the pre-existing structure(s). Moreover, supporting the recovery of small businesses is an essential component of recovery in storm-affected communities, as recognized by the March 2013 Federal Register Notice.

Occupancy of this floodplain in this developed area has taken place since World War II. According to Suffolk County's Multi-Jurisdictional Hazard Mitigation Plan, 2014, the Town of Southold has a frequent probability of flooding or severe storms occurring. Considering the context of the area, this action represents an activity at only one parcel among others that are located within contiguous floodplain. Thus, funding this project/ activity does constitute indirect continued support of floodplain occupancy and development for this business. In the event of severe flooding and associated natural hazards in the future, there is potential for further damage to this property, business disruption, and impacts to this small business.

The predominantly in-kind and in-place rehabilitation of the site sustains area property values and community character within a district and neighborhood that has been settled for a long time. It enables continued viability of this small business, which might otherwise degrade, or cease to exist, without support in rehabilitating facilities, restarting business operations, and/or recouping some revenue lost as a result of the disaster. Similarly, the proposed investment supports the area by sustaining an asset. With sustained operations here, the market is not disrupted in that customers and tenants are required to travel greater distances. Support to sustain this business also helps ensure a diverse economic base. If this project were not funded, there probably would be other undefined, undesirable indirect impacts to lives and the area economy, on a short- and long-term basis, such as relating to economic multipliers and support that this business provides to surrounding businesses, as it purchases products and services.

#### *Cultural resources such as archaeological, historic & recreational aspects*

The impacted property appears to be older than 50 years of age. There are no recorded historic properties listed on or deemed eligible for the State and National Register of Historic Places adjacent to the Subject Property. The New York State Historic Preservation Office confirmed on January 27, 2016 that this project had no effect on historic resources. Without support, resources could degrade and there could be loss of development character and identity for the building and the area.

According to the Outdoor Industry Association's two-page fact sheet New York The Outdoor Recreation Economy, outdoor recreation generates \$338 Billion in consumer spending and 305,000 direct jobs within the State. This is an important sector of the regional economy and the subject business is an example of a constituent part of this aspect of the economic base. It is presumed that market demand for wholesale fish and bait services is strong and, if the service here were disrupted, consumer demand could not easily shift to other facilities located in floodplain because of finite supply.

#### *Agricultural, aquacultural, & forestry resources*

Suffolk County has agricultural and woodland sites in flood zone and there is substantial agriculture and fishing industry on Long Island, including aquaculture in the form of oyster farming. There is substantial agriculture and fishing industry in Nassau and Suffolk Counties on Long Island, including aquaculture in the form of oyster farming. While there appears to be a higher concentration of aquaculture on Eastern

Long Island, per the 2012 State Comptrollers Report Agriculture in Long Island and Agricultural Production by Commodity Group in Long Island (2007), aquaculture represents 2.9% of the economy at a \$7.5 million sales revenue. It is possible that if there is a materials release from this property, it could potentially affect natural resources including agricultural and forestry. However, while it is conceivable that flooding of a business like this could be part of a cumulative influence on such resources, the impact attributable to this use could not have been quantitatively derived, and the potential impact, with planning for and practice of non-structural management practices, is considered minor.

### **Wetland Evaluation**

The purpose of wetland evaluation is to consider factors relevant to a proposal's effect on the survival and quality of the wetland. These factors should include public health (including water supply and water quality), maintenance of natural systems, cost increases attributed to construction in wetland, and other uses of wetland in the public interest.

*Public health, safety, and welfare, including water supply, quality, recharge, and discharge; pollution; flood and storm hazards and hazard protection; and sediment and erosion.*

The project location is in wetlands that are designated tidal wetlands (NYSDEC) and estuarine/ marine deep-water (USFWS). These wetlands are not freshwater wetlands and, therefore, are not directly used for water supply. However, these tidal wetlands and deep-water estuarine wetlands along the coast can serve to absorb the force of storm waters and tidal erosion. These areas help protect upland soil and freshwater resources. The scope of work for this project involved mitigation work to restore the marina dock and electrical infrastructure and upgrade the infrastructure to better withstand potential future storms. This work is not suspected to pose a threat to public health and safety, or to increase flood and storm hazards. This is because the proposed action did not include reshaping or filling of the wetland. The completed work did not decrease the area of the wetland.

*Maintenance of natural systems, including conservation and long-term productivity of existing flora and fauna; species and habitat diversity and stability; natural hydrologic function; wetland type; fish; wildlife; timber; and food and fiber resources.*

The completed work did not further affect the natural systems/ wetlands at this pre-existing developed marina parcel, which is located in an area that is primarily developed with other marinas, commercial properties, and residential properties. As the work did not increase the area of the marina and occurred in the footprint of the previously existing infrastructure, it is presumed that there were no new adverse impacts on the existing flora/fauna, habitat, natural hydrologic function, or natural resources at the location.

*Cost increases attributed to wetland-required new construction and mitigation measures to minimize harm to wetlands that may result from such use.*

The completed work did not involve changing the area of the wetland by dredging, diking, filling, or by some other means. Consequently, there are no cost increases attributed to necessary mitigation measures to minimize harm to wetlands which could have resulted if those activities had occurred.

*Other uses of wetland in the public interest, including recreational, scientific, and cultural uses.*

This functionally dependent marina offers the public recreational access to waterways in the area. According to the Outdoor Industry Association's two-page fact sheet New York The Outdoor Recreation Economy, outdoor recreation generates \$338 billion in consumer spending and 305,000 direct jobs within the State. This is an important sector of the regional and local economy and the subject business is an example of a constituent part of this aspect of the economic base. It is presumed that market demand for marina services is strong and if the service here were disrupted, consumer demand could not simply shift to other marinas located in wetlands and floodplains because of finite supply.

**Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts To and From the 100-Year Floodplain and to Restore and Preserve its Natural and Beneficial Functions and Values.**

Given that mitigation funded by this Program is limited and does not rise to the level of substantial reconstruction, and considering the individual property scale, it is not financially feasible to specify other mitigation measures such as elevating the buildings, dry floodproofing the buildings, or promoting strategic retreat such as through government acquisition. However, it is reasonable to promote business owner awareness of future risks of natural hazards, including flooding, plus the physical, social and economic impacts that potential events could convey, including through potential for future physical damage to property, buildings, supplies, and equipment.

It is reasonable to promote business owner awareness of actions they can take to define and prepare for the impacts of many hazards they may face. There are free resources available to aid such preparedness planning found at the link: <http://www.ready.gov/business>. Also, the Applicant could consider participating in The Clean Marina Initiative, an incentive-based program promoted by the National Oceanic and Atmospheric Administration that offers information about engaging in marina-specific operating and maintenance procedures in order to protect coastal water quality.

**Step 6. Reevaluate the Alternatives and Proposed Action.**

The action to reimburse completed rehabilitation, mitigation, and business continuity at this small business is still practicable in light of exposure to flood hazards in the floodplain and wetland, possible adverse impacts on the floodplain, the extent to which it may aggravate current hazards to other floodplains, and the potential to disrupt natural and beneficial functions and values of floodplains. Moreover, the March 2013 Federal Register Notice strongly recommends that the grantee engage in a robust policy for ensuring small business recovery affected by the storm events, as such recovery is essential to the continued vitality of surrounding communities. Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives.

**Step 7. Issue Findings and Public Explanation.**

It is the finding of this report that there is no better alternative than to provide funding for this project. The location within floodplain cannot be avoided due to the water-dependent nature of this business. However, not funding this project would mean that this business could continue to recover from this storm.

A final notice, formally known as “Notice of Policy Determination” is being published in accordance with 24 CFR 55, for a 7-day comment period. The funds are needed to reimburse the Applicant for out of pocket expenses used to complete mitigation work after Superstorm Sandy. As a result, the comment periods for the FONSI/ NOIRROF and Final Notice and Public Review of activity in 100-year floodplain and wetland have been combined and will be published in the Newsday Newspaper on **May 9, 2016**; a letter will be distributed to appropriate agencies. The preceding floodplain EO 11988 Floodplain Management and EO 11990 Wetland Determination is open for comment for a period of seven days after the publication on **May 9, 2016**. The notice describes the reasons why the project must be located in the floodplain, alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values.

The affidavit of publication and any public comments received will be appended to the final Environmental Review Record at a future date.

***Step 8. Continuing Responsibility of Responsible Entity & Recipient.***

The Governor's Office of Storm Recovery (GOSR), operating under the auspices of the New York State Homes and Community Renewal's (NYSHCR) Housing Trust Fund Corporation, is the responsible entity. The responsible entity will make available educational materials regarding best practices for businesses located in floodplains. It will also require the business to demonstrate proof of current flood insurance, if available. It is acknowledged there is a continuing responsibility by the responsible entity to ensure, to the extent feasible and necessary, compliance with the steps herein.

# **Attachment 1**

## **Notice of Early Public Review Floodplain Management and Protection of Wetlands Executive Orders 11988 & 11990**



# Governor's Office of Storm Recovery



Andrew M. Cuomo  
Governor

Lisa Bawa-Hart  
Executive Director

## EARLY NOTICE AND PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN & WETLANDS

April 11, 2016

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes & Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The purpose of this early notice is to identify that GOSR is undertaking the decision-making process required by federal Executive Orders 11988 and 11990 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management and Protection of Wetlands). GOSR invites public comment on the potential effect on wetlands and 100-year floodplain from reimbursement funding for completed physical business restoration and mitigation activity at the functionally dependent location below. The project is part of the New York Rising Small Business Grant Program. GOSR is conducting this review in order to determine whether or not funding assistance should be granted.

**Project Name:** Port of Egypt Marine, Inc. (Project #103-ED-728-13) is a water-dependent, full-service marina located at 62300 Main Road, Town of Southold, Suffolk County, New York 11971.

**Brief Description of Project:** Port of Egypt Marine, Inc.'s docks and electrical infrastructure were damaged during Superstorm Sandy. The business is situated with access to Southold Bay in Suffolk County, New York, and there are other water-based businesses and residential properties nearby. There are extensive existing bulkheads at this business and within the surrounding community, and the community experienced major flooding and damages during Superstorm Sandy.

This proposed support involves CDBG-DR program funding of up to \$100,000 for reimbursement of completed marina infrastructure mitigation. Completed mitigation activities included the replacement of floating docks located outside of the inner marina basin and replacing and raising electric panels that feed the dock electrical services. The existing steel piles which hold the floating docks were replaced with taller and thicker walled pilings (4-inch diameter replaced 3-inch diameter). The piles have also been increased in height to prevent the docks from coming loose during potential future high water events; the new piles extend five feet higher than the previous piles. Additional dock piles were placed on the inside of the floating docks, between the bulkhead and the floating dock, which will allow both sides of the floating dock to be supported. The original floats used on the dock were made from Styrofoam and have been replaced by more environmentally sound material. All completed work was mitigation work within previously disturbed areas. However, the additional pilings may be considered new construction in the wetland.

The business property is approximately 5.3 acres, and the entire property is located in 100-year floodplain (SHFA Zone AE). It is estimated that less than 0.5 acres of wetland and floodplain

area were affected by the completed project activities. Since the action included pilings on both sides of the docks, the work could be interpreted as new construction in wetland. Thus, Executive Orders 11990 and 11988 require that the project not be supported if there are practicable alternatives to new construction in wetlands and development in floodplain. Additionally, proof of all applicable federal, state and local environmental permits will be required as a condition of funding.

There are multiple purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in protection of the natural environment have an opportunity to express their concerns and provide information about such subjects. Besides this general notice, certain local, state and federal agencies are being directly informed about the project. Second, adequate public notice is an important public education tool. Dissemination of information about wetland and floodplain development facilitates federal efforts to reduce the risks associated with the occupancy and modification of these areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Comments or requests for information from the public are invited and will be received for fifteen (15) days from the date of this publication. Any individual, group, or agency may submit written comments on the actions to: Attention Lori A. Shirley Certifying Officer, Governor's Office of Storm Recovery, 38-40 State Street, Hampton Plaza, Albany, New York 12207. Comments may also be submitted via email at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org) or by telephone, excepting public holidays, at (518) 474-0755 weekdays from 9:00 AM - 5:00 PM.

Sincerely,



Lori A. Shirley  
Certifying Officer  
Governor's Office of Storm Recovery  
April 11, 2016

## **Attachment 2**

# **Notice of Early Public Review Affidavit Floodplain Management and Protection of Wetlands Executive Orders 11988 & 11990**

# NEWSDAY AFFIDAVIT OF PUBLICATION

TECTONIC  
PO BOX 37  
MOUNTAINVILLE, NY 10953

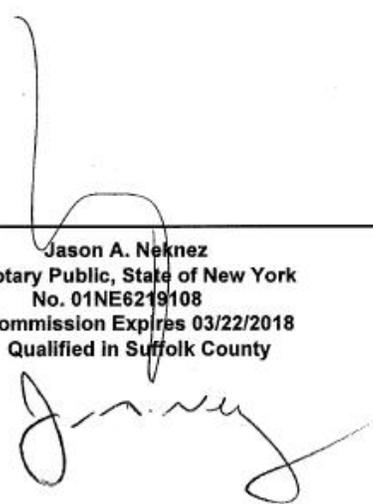
STATE OF NEW YORK)  
:SS.:  
COUNTY OF SUFFOLK)

Legal Notice No. 0021172132

R. Lopes of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday April 11, 2016 Suffolk

**SWORN** to before me this  
11 Day of April, 2016.

  
\_\_\_\_\_  
Jason A. Neknez  
Notary Public, State of New York  
No. 01NE6219108  
Commission Expires 03/22/2018  
Qualified in Suffolk County

## **Attachment 3**

### **Final Notice Floodplain Management and Protection of Wetlands Executive Orders 11988 & 11990**

#### **Note:**

The funds are needed immediately to reimburse the Applicant for out of pocket expenses for completed mitigation work. As a result, the comment periods for the FONSI/ NOIRROF and Final Notice and Public Review of activity in 100-year floodplain and wetland have been combined and will be published in the Newsday Paper on **May 9, 2016**. The preceding floodplain EO 11988 Floodplain Management and EO 11990 Wetland Determination is open for comment for a period of seven days after the publication on **May 9, 2016**.

The affidavit of publication and any public comments received will be appended to the final Environmental Review Record at a future date.

## **Attachment 4**

### **Final Notice Affidavit Floodplain Management and Protection of Wetlands Executive Orders 11988 & 11990**

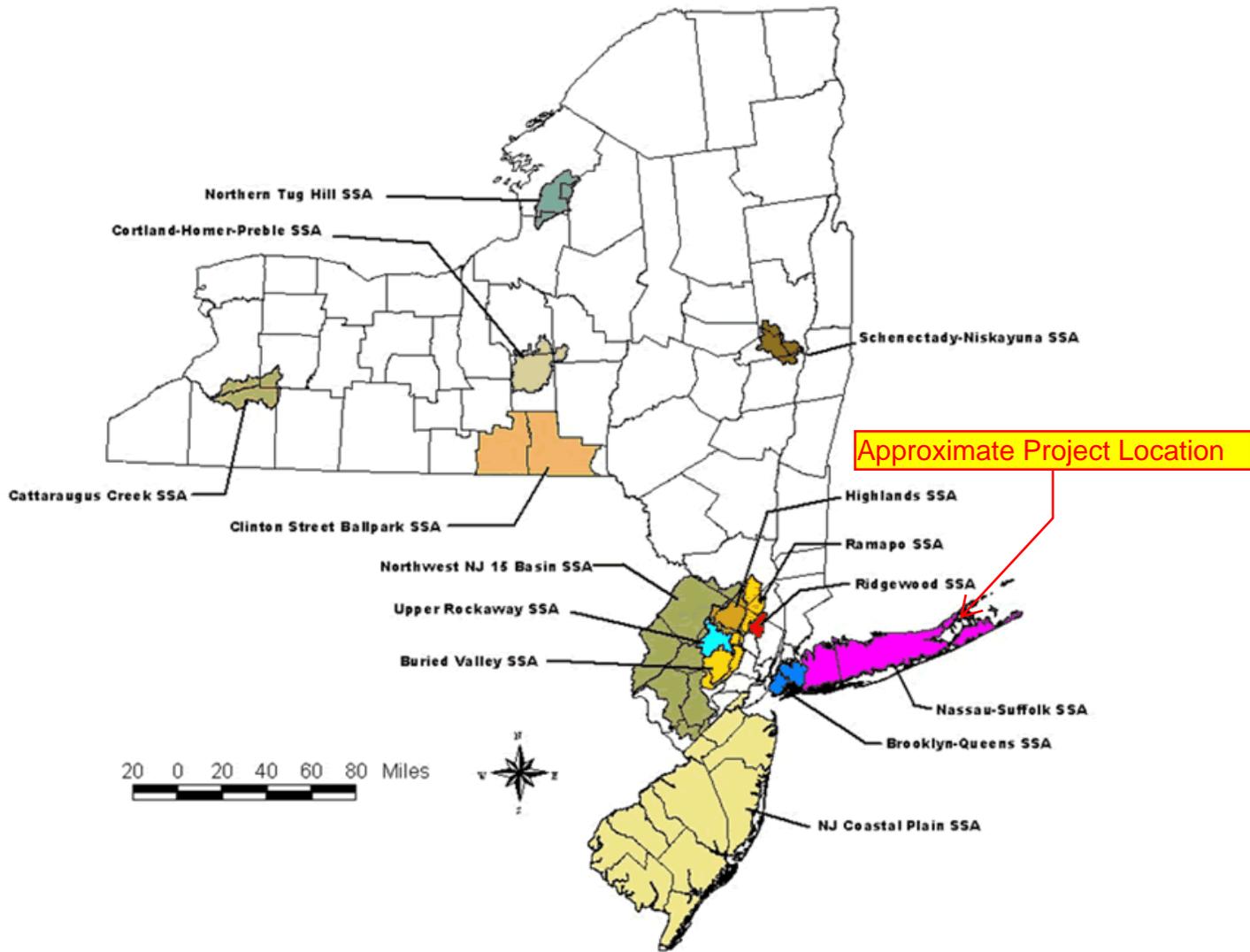
#### **Note:**

The funds are needed immediately to reimburse the Applicant for out of pocket expenses for mitigation work. As a result, the comment periods for the FONSI/ NOIRROF and Final Notice and Public Review of activity in 100-year floodplain and wetland have been combined and will be published in the Newsday Paper on **May 9, 2016**. The preceding EO 11988 Floodplain Management and EO 11990 Wetland Determination is open for comment for a period of seven days after the publication on **May 9, 2016**.

The affidavit of publication and any public comments received will be appended to the final Environmental Review Record at a future date.

# Attachment 11

## Sole Source Aquifer Map and Checklist



<http://www.epa.gov/region02/water/aquifer/>

ATTACHMENT 2.A

**NON-HOUSING/PROJECT ACTIVITY INITIAL SCREEN CRITERIA**

The following list of criteria questions are to be used as an initial screen to determine which **non-housing** projects/activities should be forwarded to the Environmental Protection Agency (EPA) for Preliminary Sole Source Aquifer (SSA) Review. (For housing projects/activities see Attachment 2.B) If any of the questions are answered affirmatively, Attachment 3, SSA Preliminary Review Requirements, should also be completed. The application/final statement, this Attachment, Attachment 3, and any other pertinent information should than be forwarded to EPA at the address below.

Any project/activity not meeting the criteria in this Attachment, but suspected of having a potential adverse effect on the Sole Source Aquifer should also be forwarded.

CRITERIA QUESTIONS	YES	NO	N/A
1. Is the project/activity located within a currently designated or proposed groundwater sensitive area such as a special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area, etc.? [This information can be obtained from the County or Regional Planning board, the local health department, the State health department or the State environmental agency.]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is the project/activity located within a one half mile radius (2640 feet) of a current or proposed public water supply well or wellfield? [This information can be obtained from the local health department, the State health department or the State environmental agency.]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Will the project/activity include or directly cause (check appropriate items):

	YES	NO	N/A
construction or expansion of solid waste disposal, recycling or conversion facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion or closure of landfills	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion of water supply facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion of on-site wastewater treatment plants or sewage trunk lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion of gas or petroleum trunk lines greater than 1320 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion of railroad spurs or similar extensions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
construction or expansion of municipal sewage treatment plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Will the project/activity include storage or handling of any hazardous constituents as listed in Attachment 4, Hazardous Constituents

5. Will the project/activity include bulk storage of petroleum in underground or above ground tanks in excess of 1100 gallons?  
(Please give what assurance they are done in a proper manner.)

6. Will the project/activity require a federal or state discharge elimination permit or modification of an existing permit?

This attachment was completed by:

Name: Joshua Gomez  
Title: Project Environmental Scientist  
Address: 70 Pleasant Hill Road  
Mountainville, NY 10953  
Telephone number: (845) 534-5959  
Date: 4/6/2016