
SUPPLEMENTAL FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

RIVERSIDE SEWER DISTRICT

Hamlet of Riverside, Town of Southampton,
Suffolk County, New York

NPV No. 15128

Prepared for Submission to:

Town of Southampton Town Board
116 Hampton Road
Southampton, New York 11968
Contact: Janice Scherer
Town Planning and Development Administrator
Phone: (631) 702-1801

Prepared by:



NELSON POPE VOORHIS

environmental • land use • planning

70 Maxess Road
Melville, NY 11747
Contact: Carrie O'Farrell, AICP, Senior Partner
office: 631.427.5665 | cofarrell@nelsonpopevoorhis.com

April 2024

Date Accepted by Lead Agency _____ April 9th, 2024

SUPPLEMENTAL FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
Riverside Sewer District
Town of Southampton, Suffolk County, New York

SEQRA Type I Action
Classification:

Lead Agency: Town of Southampton, Town Board
116 Hampton Road
Southampton, New York 11968

For Information Office of the Town Clerk
Contact: Town Hall, Town of Southampton
116 Hampton Road
Southampton, New York 11968
Contact: Sundry Schermeyer, Town Clerk
(631) 287-5740

Prepared by:	<i>(Environmental Analysis & Planning)</i>	<i>(Input, Review and Coordination)</i>
	Nelson, Pope & Voorhis, LLC 70 Maxess Road Melville, New York 11747 Contact: Carrie O’Farrell, AICP Senior Partner (631) 427-5665	Town of Southampton 116 Hampton Road Southampton, NY 11968 Contact: Janice Scherer, Town Planning & Development Administrator 631-702-1801

(Engineering)
N+P Engineering, Architecture & Land
Surveying, PLLC
70 Maxess Road
Melville, New York 11747
Contact: Tom Lembo, P.E.,
Senior Partner
(631) 427-5665

This document, along with the Supplemental Draft Generic Environmental Impact Statement (SGDEIS), represents the Supplemental Final Generic Environmental Impact Statement (SFGEIS) for the subject action. Copies of the SFGEIS are available for public review and comment at the Town of Southampton Clerk’s Office, 116 Hampton Road, Southampton, NY 11968. See also the 2015 DGEIS, FGEIS and SEQRA Findings Statement for the Riverside BOA Step II Nomination Study, Riverside Revitalization Action Plan and Zoning Map and Code Amendments available online and at the Clerk’s office for additional background information.

Date SFGEIS Accepted: April 9th, 2024

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SECTION 1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 Purpose of this Document

This document is the Supplemental Final Generic Environmental Impact Statement (SFGEIS) for the proposed Riverside Sewer District and its sewer collection, conveyance, treatment and disposal system. The need to establish a sewer district was identified as a critical next step in the environmental review conducted in 2015 for the Riverside Brownfield Opportunities Area (BOA) Step II Nomination Study, Riverside Revitalization Action Plan (RRAP), and the adopted Riverside Overlay District (ROD) Zoning Map revisions and Code amendments. The boundaries of the proposed Sewer District are the same as the previously adopted Riverside Overlay District (and BOA study area), which are generally located:

- North of the David A. Sarnoff Preserve;
- South of the Peconic River;
- East of the Little Peconic River; and
- West of Black Creek Pond, White Brook Drive, and tidal and freshwater wetlands associated with the Peconic River and Estuary.

See **Location Map** in **Appendix A** of this SFGEIS for the boundaries of the district and **Appendices G-1 and G-2** for written legal descriptions of the boundaries of the Sewer District's Phase I and Phase II project areas, respectively.

The proposed Sewer District is 467.5± acres and contains a total of 542 tax lots (including Phase I and Phase II areas), most of which are developed but have redevelopment or additional development potential under existing zoning or the ROD.

This SFGEIS incorporates the November 2023 Supplemental Draft Generic Environmental Impact Statement (SDGEIS) for the Proposed Action by reference as per Section 617.9(b)(8) of the implementing regulations of the State Environmental Quality Review Act (SEQRA), so that the combination of these two documents constitute the full Supplemental Generic Environmental Impact Statement (EIS) for the Proposed Action.

This SFGEIS also incorporates the prior October 8, 2015 Draft Generic Environmental Impact Statement (GEIS), the December 8, 2015 Final GEIS and December 22, 2015 SEQRA Findings Statement for the Riverside BOA, RRAP and Official Zoning Map and Code Amendments (ROD).

The 2015 GEIS and Findings Statement and 2023 SDGEIS are available for review in hardcopy at:

- The Southampton Town Hall Clerk's Office 116 Hampton Road Southampton, NY, Monday through Friday, 8:30 AM to 4:00 PM; or

The 2015 GEIS and Findings Statement and 2023 SDGEIS are available for review online at:

- The Town of Southampton’s official website at the following web addresses:
 - 2023 SDGEIS: <https://www.southamptontownny.gov/1835/Riverside-STP>
 - 2015 BOA, RRAP, ROD DGEIS, FGEIS, and SEQRA Findings Statement: <https://www.southamptontownny.gov/960/Riverside-Revitalization-Action-Plan-RRA>

As required by SEQRA’s implementing regulations, once the Town Board/Lead Agency accepts the SFGEIS as adequate and accurate for posting and distribution, a minimum 10-day SFGEIS consideration period must be provided prior to preparation and adoption of the Supplemental SEQRA Findings Statement.

The purpose of this SFGEIS is to:

- Assemble all substantive verbal and written comments received from the public and involved and interested agencies on the Subject Action during the:
 - public review and participation process beginning on November 14, 2023, when the SDGEIS was accepted by the Town Board and extending through the 115 day (16+ week) written comment period ending March 1, 2024; and
 - the three public hearings held for the environmental review on December 12, 2023, January 23, 2024, and February 15, 2024 (joint hearing with the Map and Plan); and
- Consider each substantive related question and comment entered into the record and provide written responses to each.¹
- Identify any necessary revisions, amendments, or mitigation strategies for the Proposed Action.
- Demonstrate compliance with SEQRA and its implementing legislation at 6 NYCRR Part 617.

The Proposed Action seeks to address numerous critical needs of the community identified by residents, Town officials and its consultants to meet immediate environmental concerns and essential social and economic concerns and long-range community sustainability.

This SFGEIS is part of the official record under the SEQRA process outlined in 6 NYCRR Part 617, with statutory authority and enabling legislation under Article 8 of the New York State Environmental Conservation Law (ECL).

¹ The SEQR Handbook, Fourth Edition (2020) states that “[t]he lead agency may choose to group comments by topic, and respond only once for each topic, so that responses in the final EIS are not repetitive. Comments do not need to be responded to individually or in order of receipt.”

1.2 Project Description

The proposed project involves:

- Creation of a 467.5± acre sewer district consisting of 542± tax lots in the Hamlet of Riverside, Town of Southampton (separated into two phases).
- Construction of a Sewage Treatment Plant (STP), consisting of a Sequencing Batch Reactor (SBR) or Membrane Bio-Reactor (MBR) (to be determined during Technical Design phase), and two sewage leaching areas consisting of subsurface leaching pools for treated effluent on land located north of the Phillips Avenue School's recreational field and south of Flanders Road (SR 24) on the west side of the Enterprise Zone Drive industrial subdivision in central Riverside, Town of Southampton. The proposed treatment and disposal property consists of seven adjacent vacant town owned lots (one lot is currently in the process of being purchased and will be finalized upon removal of one small existing structure on that site) identified as Suffolk County Tax Map Nos. (SCTM #s) 900-141-1-9.14, 9.17, 9.25, 9.29, 9.30, 9.31 and 9.32 totaling 10.82± acres. A section of Enterprise Zone Drive totaling 0.96± acres located between the two lots to the east (Lots 9.29 and 9.30) and the five lots to its west (Lots 9.14, 9.17, 9.25, 9.31 and 9.32) will be merged and incorporated into the project site to provide the necessary land area to accommodate the proposed STP and leaching area (bringing the total STP and subsurface discharge/leaching area to 11.78± acres). However, the western portion of Enterprise Zone Drive will be reconstructed on the east side of Lots 9.29 and 9.30 to allow for continued public access along the frontage of all privately owned lots in the Enterprise Zone subdivision. The new Enterprise Zone Drive right of way will require 0.33 ± acres, resulting in **11.45± acres** remaining for the final STP/leaching site (see **STP Concept Plan, Attachment 1**).
- The treatment technology as discussed in the March 2024 Clean Water State Revolving Fund (CWSRF) Engineering Report (**Appendix B**) and March 2024 Map and Plan will be contained within a 201.25± foot by 146.5± foot one-story building that will be 16.5± feet in height. All process tanks, controls, and influent pump station for the proposed sewage treatment plant will be fully enclosed inside a single 29,484± SF masonry block building. The building will house the influent pump station with controls, a laboratory, a mechanical room, an electrical room, and up to a four-train treatment system that discharges into the ground through leaching pools sited a minimum of two (2) feet above the groundwater table. All process tanks will be made of reinforced concrete. A generator will be included within the enclosure for emergency electrical back to ensure uninterrupted service should there be a power failure. The building will be located in order to comply with the required setbacks to adjacent properties. MBR technology is also considered and, if chosen, would have a smaller building footprint but may have higher operational and maintenance costs.
- The preliminary preferred STP as noted in the March 2024 CWSRF Engineering Report (**Appendix B**) and March 2024 Map and Plan (**Appendix I**) based on a review of available and approvable technologies, costs, maintenance and operations is an SBR as discussed in the Riverside Revitalization Sewage Treatment Plant Clean Water State Revolving

Fund (CWSRF) Engineering Report and SDGEIS (**Appendix B**). As part of the SEQRA review, benefits of an MBR system were also noted and are acceptable subject to final engineering review and design consideration.

- The Phase 1 treated effluent subsurface disposal and leaching area will be located on the south side of the proposed STP and the Phase 2 subsurface leaching area will be on the north side of the proposed STP. Together, the network of subsurface leaching pools in Phase I and Phase II leaching areas will cover 6.6 acres and have an estimated cost of \$1,049,500 for both phases (\$524,750 for each phase of leaching pool installation). During each phase, the respective leaching area will be fully excavated, all pools will be installed and the leaching area backfilled.
- Where appropriate as shown on the preliminary plans (**Attachment 1**), a combination of conventional sewer mains will be installed within street rights-of-way throughout the Sewer District (Riverside community) and force mains will be installed across land located east of the intersection of Pine Street and Old Quogue Road to the proposed STP over portions of SCTM #900-139-2-24 & 26; 900-139-3-10.2 and 23; 900-139-2-25 and 26; and 900-141-1-9.32. A small section of force main will be installed across the street from proposed Pump Station 3 between Riverleigh Avenue and the terminus of Vail Avenue over the south end of SCTM lot #900-139-2-54.1. A gravity main will be installed within an unopened private road right-of-way identified as SCTM #900-139-3-30.2.
- A maximum of four small (1,225± SF) precast pump houses are proposed. These pump houses include:
 - Pump Station No. 1: North and east of the intersection of Riverhead-Moriches Road/Lake Avenue (CR-63) and Maynard Street on land identified as SCTM #900-138-2-29.1 (Budget Hotel site). Pump Station No. 1 would be constructed during Phase I of the project.
 - Pump Station No. 2: North side of Flanders Road (SR 24) on land owned by the State of New York and used in part for stormwater recharge identified as SCTM #900-118-2-20.2. Pump Station No. 2 would be constructed during Phase I of the project.
 - Pump Station No. 3: West side of Riverleigh Avenue, north of the northeast corner of the Riverwoods community on vacant land identified as SCTM #900-139-2-82.1. Pump Station No. 3 would be constructed during Phase I of the project.
 - Pump Station No. 4: North of the intersection of Old Quogue Road and Ludlam Avenue along the west side of the Ludlam Park baseball field (SCTM #900-140-2-57.1) in an area that was previously cleared. Pump Station No. 4 would be constructed during Phase II of the project. See **Attachment 1, Overall Site Plan** for locations of proposed pump stations and typical **Partial Site Plan with Clearing Plan (Pump Station/ Force Main Plan)**.

1.3 SEQRA Procedure

1.3.1 Environmental Assessment Form, Lead Agency Coordination and SEQRA Positive Declaration

On June 20, 2023 the Town Board, with assistance from its environmental consultants, NPV prepared a Full Environmental Assessment Form (FEAF) Part 1 for the Subject Action. Upon submission and review, it was determined that the Proposed Action is best classified as a Type I Action pursuant to SEQRA and the regulating provisions of 6 NYCRR Part 617, thereby requiring Lead Agency coordination. The Town Board identified all involved agencies (i.e., those agencies that have or will have a discretionary decision associated with some aspect of the Proposed Action) and conducted Lead Agency coordination. Upon conclusion of the required 30-day Lead Agency coordination period and having received no express interest or objections to the Town Board leading the environmental review from other involved agencies, the Town Board assumed the role of Lead Agency for the environmental review.

The Town Board, staff and the Town's environmental consultants prepared FEAF Parts 2 and 3/ Determination of Significance and written Part 3 attachment to identify potential adverse environmental impacts and assess the general magnitude of potential impacts from the Proposed Action. The Town Board formally reviewed said documentation at its July 11, 2023 meeting, considered the possible magnitude and importance of each identified impact, and based on this review determined that one or more potentially moderate to large environmental impacts may result from the Proposed Action if not suitably addressed or mitigated. The Town Board, as Lead Agency, then formally adopted a "Positive Declaration" by resolution 2023-902 dated July 11, 2023 pursuant to 6 NYCRR (SEQR) Part 617.7 "Determination of Significance" and Chapter 157 "Environmental Quality Review" of the Southampton Town Code. Pursuant to this decision, the Town Board directed the Town Land Management Division to publish the Positive Declaration/Determination of Significance as required under 6 NYCRR Section 617.12(c) and that a notice be filed with the New York State Department of Environmental Conservation's (NYSDEC) Environmental Notice Bulletin (ENB). Applicable documents were filed and made available to all involved agencies. Through the issuance of this Positive Declaration, the Town staff and its consultants were directed to prepare and submit a full Supplemental Draft Generic Environmental Impact Statement (SDGEIS) for the Proposed Action, namely the construction of a municipal sewage treatment plant in a Light Industrial Zone with the associated collection and conveyance system. Said system will be attendant to the establishment of a sewer district service area to occur in two (2) Phases.

1.3.2 Preparation and Acceptance of SDGEIS and Scheduling of a Public Hearing

As per § 617.8, "Scoping," of 6 NYCRR Part 617 (SEQR), scoping is required for all EISs (except for Supplemental EISs)," therefore based on the information contained in the 2015 DGEIS,

FGEIS and Findings Statement, the Positive Declaration adopted by the Southampton Town Board on July 11, 2023 by Resolution 2023-902, issues of concern and the required content of the SDGEIS was determined. The resolution was circulated to all involved and interested agencies and a Notice of a Positive Declaration was published in the NYSDEC's Environmental Notice Bulletin (ENB) on August 30, 2023. In addition, on May 17, 2023 (prior to adoption of the Positive Declaration) the Town's Planning and Development Administrator had attended a Flanders Riverside Northampton Community Association (FRNCA) civic meeting to present an update to the community on the proposed project and to discuss related planning activities with the community.

An SDGEIS was prepared and submitted to the Town for review and acceptance in October of 2023. The Town Land Management Division reviewed the document, requested additional information and revisions and the SDGEIS was revised and resubmitted in accordance with Town requests. The Town Board reviewed the November 2023 SDGEIS for its overall content and based on the July 11, 2023 Positive Declaration, 2015 DGEIS, FGEIS and Findings Statement, and the DEIS content requirements contained in Section 617.9 of SEQR, and on November 14, 2023, by Resolution 2023-1339, the Town Board by a unanimous (5-0) vote deemed the SDGEIS adequate for public review for the purpose of SEQRA and scheduled a public hearing for the siting and construction of the STP and associated leaching areas and collection and conveyance systems. The resolution also directed Town staff to notify all involved and interested agencies of the Town Board's acceptance of the SDGEIS and provide copies of the SDGEIS to each involved agency. A notice of acceptance and scheduling of the public hearing for December 12, 2023 was published in the NYSDEC ENB on November 22, 2023 as required by SEQRA. The public hearing notice indicated that the scheduled hearing could be attended in person at Town Hall or via videoconferencing (*Zoom*) and the notice was published in a newspaper having area wide circulation (*Southampton Press*) in accordance with Town and SEQRA publishing requirements at 617.12(c)2.² Town contact information was also provided in the notices for anyone with questions. The SDGEIS was made available for public review at Town Hall, located at 116 Hampton Road Southampton in the Town Clerk's office and at the Riverhead Free Library located at 330 Court Street, Riverhead. An electronic version of the SDGEIS was also uploaded to the Town's website for public access and review.

On December 12, 2023, the first of three public hearings was held at the Town of Southampton's Town Hall Meeting Room to again present the Proposed Action and solicit input from the Town Board and public on the proposed action and environmental review.

In total, 24 members of the general public and five Board members asked questions, provided commentary or clarifications, and voiced their opinions, concerns and recommendations at the three SEQRA hearings; while Town staff and the technical consulting team provided additional information and clarification. At the conclusion of the third public hearing, the SEQRA hearings were closed by the Town Board by a vote of 5 in favor and 0 opposed, and the written

² The *Southampton Press* is also available online.

comment period for the SDGEIS was left open for a period of 14 days until the close of business on Friday March 1, 2024. Four additional Map and Plan hearings were held after the joint hearing (five Map and Plan hearings total). Written correspondence was also mailed to area residents in both English and Spanish to advise residents of the proposed project. The Sewer District Map and Plan are provided in Appendix I.

1.3.3 Final Environmental Impact Statement

Acceptance of this SFGEIS represents the penultimate step in the SEQRA review process, and along with the SDGEIS and prior 2015 GEIS, Findings Statement provides the basis from which the Town Board/Lead Agency will prepare its final supplemental “Statement of Findings.” The FEIS identifies and addresses all substantive verbal and written comments received from the public and involved and interested agencies from the acceptance of the SDGEIS and filing of a notice of Completion on or about November 14, 2023 through the December 12, 2023, January 23, 2024, and February 15, 2024 public hearings, to the close of the written comment period on March 1, 2024. This public participation period spanned a total of 115 days (16+weeks) far exceeding the written comment only or one optional public hearing and 30-day comment period required by SEQRA.

This SFGEIS also provides the public and involved and interested agencies with the following essential information:

- descriptive information about the Proposed Action under review;
- documentation of the SEQRA process and the Proposed Action’s consistency with procedural requirements;
- a summary of written and verbal comments and questions received during the designated public review and comment period;
- the source and manner of delivery of each comment or question (i.e., verbal comments received during the public hearings, letter, memo, email, petition, etc.);
- responses to all substantive comments received during the designated public review phase;
- any necessary corrections, changes, information or amendments to the Proposed Action and/or SDGEIS;
- additional analyses of the Proposed Action’s potential environmental effects; and
- any further strategies and techniques identified for mitigating impacts that may not have been previously identified.

In addition, all information contained within the prior completed, reviewed, and duly vetted SDGEIS and the 2015 DGEIS, FGEIS, and Findings Statement, including but not limited to all text, figures, diagrams, simulations, maps, plans, tables, and appendices, were incorporated by reference, with details on how to access these materials online or in hard copy as required by SEQRA. The 2015 documents as well as the SDGEIS and this SFGEIS were prepared in

accordance with the standards, procedures and requirements of SEQRA and its implementing regulations promulgated in 6 NYCRR Part 617.

Once this SFGEIS is accepted by the Town Board as Lead Agency, a minimum 10-day public and agency FEIS consideration period must be provided before a Supplemental Findings Statement is considered and a final decision on environmental impacts may be rendered by the Lead Agency in this matter.

1.3.4 Findings Statement

Once the public involved and interested agency SFGEIS consideration period has elapsed, a SEQRA Statement of Findings (“Findings Statement”) will be prepared by the Town of Southampton Town Board as lead agency. A Findings Statement is a written document that outlines the SEQRA process, certifies that all SEQRA standards and procedures have been fulfilled, and identifies environmental, as well as the social and economic considerations that have been weighed in rendering a decision to approve or disapprove the Proposed Action from an environmental perspective. The Findings Statement also outlines identified impacts, required mitigation techniques and strategies, and discusses the project alternatives considered.

1.4 Organization of this Document

Appendix C-1 contains the December 12, 2023 public hearing transcript including verbal comments from the public entered into the record at this hearing, **Appendix C-2** contains the January 23, 2024 public hearing transcript, and **Appendix C-3** contains the February 15, 2024 public hearing transcript. **Appendix D** contains all written comments and correspondence received on the project during the 115-day (16+week) SDGEIS written comment period extending from November 14, 2023 to March 1, 2024. As required by SEQRA, only those comments that are “substantive” and relevant to the Proposed Action and its potential environmental impacts merit a response. **Appendix B** contains the most recently updated CWSRF Engineering Report last revised March 2024.

Section 2.0 of this SGFEIS presents a summary of all relevant and substantive written and verbal comments received on the SDGEIS, district and capital improvements that were received from the public, civic groups, organizations, and involved and interested agencies through the close of the public hearing and written public comment period on March 1, 2024. A reasoned evaluation and written response to all substantive related comments was then provided for each substantive action-related comment received as required by SEQRA.

Comments that are directed toward the content, scope, subject matter, information and data provided; the tables, figures, analyses, rationale, conclusions, procedures, and other substantive aspects of the SDGEIS (e.g., impacts, mitigations, and alternatives); and the plans, project design, and documents comprising the Proposed Action are considered “substantive” and are responded to in **Section 2**. Any general statements that express only opposition or support for the Action without elaboration will be noted. A response to general statements may be provided but is not required under 6 NYCRR Part 617 SEQR be the intent of this FEIS is to be thorough. Comments are grouped by topic to prevent unnecessary redundancy and to provide more detailed responses to issues of greatest concern.

Each substantive comment or question appearing in the hearing transcript or written correspondence was identified and assigned an identification code based on the speaker, organization, or author’s initials and the order in which each speaker/ author’s comments or questions were presented. The described coding system allows those reviewing the SFGEIS to easily identify the commenter and refer back to the original comment and dialogue provided in the respective **Appendices**.

Table 1-1 lists the names, affiliations, and speaker identification codes for substantive related questions and comments relating to the project, including the plans and environmental assessment under review received during the December 12, 2023, January 23, 2024, and February 13, 2024 hearings. Names of anyone who spoke at the public hearing are spelled as provided in the hearing transcript unless they also submitted written comments. **Table 1-2** contains a list of written correspondence received by the Lead Agency during the DEIS review

process, from the acceptance of the DEIS to the close of the written comment period, including the name of the person who authored the correspondence; the agency, office or organization they are affiliated with, or whether they are a resident; date of correspondence; and an assigned comment code for easy reference. The section of the SFGEIS in which a comment or question is addressed in this document is also indicated in the margin next to the original comment or question in the hearing transcript (**Appendices C-1, C-2 and C-3**) or written correspondence (letter/ email/ memo) (**Appendix D**) to facilitate cross-referencing.

Table 1-1
VERBAL COMMENTS ENTERED INTO THE RECORD
During Town Board Public Hearings Held
December 12, 2023, January 23, 2024, and February 15, 2024

Total Speakers	Name	Town Board Member, Resident, Agency or Organization	Speaker ID Codes	Total Comments
<i>December 12, 2023 SDGEIS Public Hearing</i>				
1	John Bouvier	Town of Southampton Councilman	CB-1 – CB-7	7
2	Jay Schneiderman	Town of Southampton Supervisor	SS-1 – SS-2	2
3	Tommy John Schiavoni	Town of Southampton Councilman	CS-1 – CS-4	4
4	Dawn Thomas	Administrator, Town of Riverhead Department of Economic Development, Planning & Building	DT-1 – DT-11	11
5	Jeffery Seeman	Environmental Consultant to the Town of Riverhead	JS-1 – JS-4	4
6	James M. Burke	Town of Southampton Town Attorney	AB-1	1
7	Ken Coenen	President, Midoke Environmental LLC	KC-1 – KC-6	6
8	Angela Huneault	President of Flanders-Riverside- Northampton Community Association (FRANCA)	AH-1 – AH-3	3
<i>January 23, 2024 SDGEIS Public Hearing</i>				
9	Maria Moore	Town of Southampton Supervisor	SM-1 – SM-10	10
10	Tommy John Schiavoni	Town of Southampton Councilman	CS1-1 – CS1-11	11
11	Michael Iasilli	Town of Southampton Councilman	MI-1 – MI-3	3
12	Cynthia McNamara	Town of Southampton Councilwoman	CM-1 – CM-3	3
13	Tim Hubbard	Town of Riverhead Supervisor	TH-1 – TH-8	8
14	Jeffery Seeman	Environmental Consultant to the Town of Riverhead	JS1-1 – JS1-5	5
<i>February 15, 2024 SDGEIS and Map and Plan Public Hearing</i>				
15	Tommy John Schiavoni	Town of Southampton Councilman	S2-1 – CS2-5	5
16	Maria Moore	Town of Southampton Supervisor	SM1-1 – SM1-6	6
17	Cynthia McNamara	Town of Southampton Councilwoman	CM2-1 – CM2-5	5
18	Bill Pell	Town of Southampton Councilman	CP-1	1
19	Michael A. Iasilli	Town of Southampton Councilman	CI-1 – CI-2	2
20	Gayle Lombardi	Hampton Bays Resident	GL-1 – GL-7	7

Total Speakers	Name	Town Board Member, Resident, Agency or Organization	Speaker ID Codes	Total Comments
21	Jeffery Seeman	Environmental Consultant to the Town of Riverhead	JS2-1 – JS2-6	6
22	Dawn Thomas	Administrator, Town of Riverhead Department of Economic Development, Planning & Building	DT1-1 – DT1-11	11
23	Angela Huneault	President of Flanders-Riverside- Northampton Community Association (FRANCA)	AH1-1 – AH1-4	4
24	Brendan Fredette	Riverside Property Owner	BF-1 – BF-7	7
24	TOTAL			132

*See December 12, 2023, January 23, 2024 and February 15, 2024 public hearing transcripts provided in **Appendices C-1, C-2, and C-3**, respectively.

Based on a review of the record from the three public hearings, a total of 24 individuals spoke³ and entered 132 substantive and related comments or questions into the record. All verbal comments and questions are addressed in **Section 2.0** of this FEIS. Comments from members of the Town Board were responded to directly at the hearing and are contained in the public hearing transcript but are included herein to provide a complete record and more detailed or clarified responses as needed.

³ Several individuals spoke at two or all three public hearings. Does not include Town Planning Staff and consultants who presented information.

Table 1-2
WRITTEN COMMENTS RECEIVED
November 14, 2023 — March 1, 2024

Total Letters, Email & Memos	Author	Affiliation/Agency/Residency	Date of Letter	Written Comment Codes ⁴	Total Comments
1	Michael Reichel	Superintendent of Riverhead Sewer District	06/28/22	RSC-1	1
2	Julie Hargrave	Policy and Planning Manager Central Pine Barrens Joint Planning and Policy Commission	05/17/23	PBC1-1 – PBC1-3	3
3	Dawn C. Thomas, Esq.	Community Development Director, Town of Riverhead Community Development Department	05/18/23	RCDD-1 – RCDD-2	2
4	Jeffery W. Szabo	Chief Executive Officer, Suffolk County Water Authority	05/22/23	SCWA-1 – SCWA-3	3
5	Dr. Augustine E. Tornatore	Superintendent of Schools, Riverhead Central School District	05/22/23	RCSD-1 – RCSD-2	2
6	John Corral	Environmental Projects Coordinator Suffolk County Division of Planning & Environment	01/10/24	SCPC-1 – SCPC-2	2
7	Michael S. Librizzi	NYSDOT Regional Real Estate Officer	12/01/23	DOT-1	1
8	Colin J. Palmer Cheryl Pedish Gregory S. Wallace	RCSD Board of Education, President Interim Superintendent of Schools RCFA Union President	12/11/23	RCSD2-1	1
9	Dawn C. Thomas, Esq.	Administrator, Riverhead Department of	12/12/23	RDED-1 – RDED-7	7
10	Jeffery L. Seeman, CEP	Certified Environmental Professional on behalf of the Riverhead Town Board	12/12/23	JSw-1 – JSw-15	15
11	Julie Hargrave	Policy and Planning Manager Central Pine Barrens Joint Planning and Policy Commission	12/20/23	PBC2-1 – PBC2-14	14
12	Craig A. Platt	Public Works Special Project Supervisor, SCDPW, Suffolk County Sewer Agency	12/26/23	SCSA-1	1
13	Ken Coenen	President, Midoke Environmental LLC	1/9/24	KCw-1 – KCw-42	42
14	Jeffery W. Szabo	Chief Executive Officer, Suffolk County Water Authority	01/11/24	SCWA-1b – SCWA-3b	3
15	Jeffery L. Seeman, CEP	Certified Environmental Professional on behalf of the Riverhead Town Board	1/23/24	JS1w-1 – JS1w-27	28
16	Town of Southampton Planning Board	Town of Southampton Planning Board Resolution	01/25/24	SPB-1 – SPB-8	8
17	Timothy C. Hubbard	Riverhead Town Supervisor	01/26/24	THw-1 – THw-9	9

⁴ A lower case “w” is used to differentiate between comments provided verbally at a public hearing and comments from the same person that were submitted in writing.

Supplemental Final Generic Environmental Impact Statement
Riverside Sewer District

Total Letters, Email & Memos	Author	Affiliation/Agency/Residency	Date of Letter	Written Comment Codes ⁴	Total Comments
18	Jeffery L. Seeman, CEP	Certified Environmental Professional on behalf of the Riverhead Town Board	02/15/24	JS2w-1 – JS2w-8	8
19	Craig Lovallo	Assistant Director of Traffic and Permits Suffolk County Department of Public Works	02/20/24	SCDPW-1 – SCDPW-3	3
20	Timothy C. Hubbard	Riverhead Town Supervisor	02/20/24	TH2w-1 – TH2w-7	7
21	Gayle Lombardi	Hampton Bays Resident	02/21/24	GLw-1 – GLw-6	6
22	Jeffery L. Seeman, CEP	Certified Environmental Professional on behalf of the Riverhead Town Board	02/21/24	JS4w-1 – JS4w-28	28
23	Jeffery L. Seeman, CEP	Certified Environmental Professional on behalf of the Riverhead Town Board	02/27/24	JS3w-1 – JS3w-2	2
24	Stephen McDonly	Riverside Resident	02/29/24	StMc-1	1
25	John Corral	Environmental Projects Coordinator Suffolk County, Division of Planning and Environment	03/25/24	SCPC1-1	1
25	TOTALS				198

*All written comments (letters, memos and emails) are provided in **Appendix D**.

During the 115-day (16+week) comment period, a total of 25 written correspondences were received, containing a total of 198 comments or questions including agency coordination and review letters from Town of Southampton Planning Department, NYSDOT Regional Real Estate Office, Suffolk County Water Authority, Suffolk County Department of Public Works (Suffolk County Sewer Agency and Traffic and Permits Division), Suffolk County Division of Planning & Environment, Central Pine Barrens Joint Planning and Policy Commission, Riverhead School District and Town of Riverhead consultants, staff and officials.

Adding the total comments received during the three public hearings to the written comments received during the written comment period, a total of 330 comments or questions were entered into the record during the 115-day public participation period.

The comments, questions and responses provide information for the Lead Agency and other involved agencies to consider when preparing their Findings Statement and making informed decisions on the Proposed Action. Once the SFGEIS is accepted by the Town Board as Lead Agency as adequate for public review, and the required minimum 10-day public consideration period for the SFGEIS is set and elapses, the Town Board/Lead Agency's responsibility for completing the SFGEIS under SEQRA at 6 NYCRR Part 617.9 (b)(8) will be satisfied and the Town Board will issue its Statement of Findings, concluding the SEQRA process.

1.5 Modifications, Additional Project Mitigations, and Clarifications

Based on input received during the public comment period, several clarifications to information provided in the SDGEIS or project updates are discussed below.

- An updated CWSRF Report was issued March 2024 (**Appendix B**) to address March 25, 2024, comments received as part of the NYS Environmental Facilities Corporation's (EFC) ongoing project review. The revisions provided several clarifications in the report regarding design flow assumptions, breakdown of sources of capital funding for the project and cost per household projections, and addressing technical questions regarding inflow and infiltration, confirmation of discharge location and basis of cost projections.
- The Riverside Sewer District Map and Plan were revised to address EFC comments regarding the breakdown of costs, see **Appendix I**.
- For clarity, the last revision date (November 7, 2023) was added to **Attachment 1**, STP Conceptual Site Plan and Alternatives.
- A highway work permit, rather than an easement, will be requested for the proposed pump station located next to the State Drainage Basin and Flanders Road (SR 24).
- The total lot area of the final STP/leaching site is 11.45± acres. Total projected clearing is 11.11± acres including 8.89± acres of CGA pine barrens forest and Town APOD area (i.e., the area south of Flanders Road) plus 2.16± acres of successional old field and successional shrubland, and 0.06± acres of southern hardwood forest.
- The statement that there is 145 acres of preserved land in the ROD is incorrect. The existing RO-7 "Parkland District" within the Sewer District consists of 57.64 acres of publicly owned land including passive and active recreational resources. The Town recently acquired an additional 40.3 acres of vacant environmentally sensitive land outside but adjacent to the northeast corner of the sewer district adjacent to one of the RO-7 zones (land formerly considered as a possible constructed wetlands discharge site). Another property within the proposed Sewer District adjacent but outside of one of the RO-7 districts (SCTM: 900-118-2-25) totaling 4.5 acres, is also owned by the Town. A small vacant 0.9-acre parcel located on the northwest side of the traffic circle, is also owned by the Town. There are also a number of smaller Town owned lots in the district and thousands of acres of previously preserved Town, County and State parks and open spaces outside but contiguous to the south, east and west of the proposed district. These include but are not limited to the David A. Sarnoff Preserve, Cranberry Bog County Park, and other large "unnamed" preserved open spaces.

The SDGEIS assesses maximum worst case scenarios. SBR and MBR are considered to be acceptable technologies in NYS with a final decision to be made once the Board has had time to fully consider the treatment options and advantages and disadvantages of each. The Town intends to prepare a Basis of Design Report (BODR) during the initial design phase of the project to further evaluate the viability of all proven and NYS accepted treatment technologies for the STP and for additional EFC review and approval prior to construction.

During the public comment period, the Town of Riverhead requested the expansion of the proposed Sewer District to include the County Center and Jail (hereafter, "County Center") located west of the proposed Sewer District and currently connected to the Town of Riverhead's sewage treatment plant. This request is under consideration by the Town Board with the Town Board recognizing that inclusion in the District could be considered further in full partnership with the County of Suffolk present at all discussions. Future inclusion of the County Center, if the Board opts to pursue this, will be subject to applicable procedural requirements and coordination. However, at this time, the Town intends to proceed with the Sewer District Boundary and Phase I connection plan as previously proposed and envisioned in order to:

- meet funding and planning deadlines;
- prevent unnecessary delays in project implementation that has been underway for the past 20 years;
- allow for additional coordination with the Town of Riverhead, the Riverhead Sewer District, and Suffolk County DPW, SCDHS and other representatives to conduct further cost/benefit analyses and SEQRA assessments at their own expense; and
- permit the connection of existing unsewered areas in the Riverside community that are of utmost importance in terms of public health and environmental protection and to move forward with development, redevelopment and revitalization process in support of the community's previously agreed upon and adopted initiatives.

SECTION 2.0 COMMENTS AND RESPONSES

2.0 COMMENTS AND RESPONSES

Responses to substantive¹ questions and comments relating to the Subject Action entered into the public record during the December 12, 2023, January 23, 2024 and February 15, 2024 public hearings or submitted in writing to the Southampton Town Board (“Lead Agency”) during the designated SDGEIS written comment period beginning November 14, 2023 upon SDGEIS acceptance and filing of a Notice of Completion to the close of the written comment period on March 1, 2024 are addressed herein. In attendance at the December 2023, January 2024 and February 2024 public hearings were members of the Southampton Town Board/Lead Agency, Southampton Town Land Management staff, members of the general public, representatives of the Town of Riverhead, and the Town of Southampton’s environmental, engineering and finance consultants. The Town provided project consultants Nelson Pope Voorhis (NPV) (environmental) and Nelson + Pope (N+P) (engineering) with copies of the December 12, 2023, January 23, 2024 and February 15, 2024 SEQRA hearing transcripts, including the names of each speaker and verbatim comments and questions as transcribed (see **Appendices C-1, C-2 and C-3**, respectively). Written correspondence received during the SDGEIS review period and involved and interested agency and service provider correspondence are provided in **Appendix D**. The public hearing transcripts, along with all written correspondence received during the designated comment period represent the full record of SDGEIS comments received to date.

Questions and comments relating to the SDGEIS for the proposed Riverside Sewer District and sewer infrastructure are grouped by general topic to minimize repetitiveness and facilitate broader and more detailed response on key topics. In instances where a speaker or written correspondence expresses general support or opposition without further elaboration, or where there is general agreement with a comment, the comment may be identified simply as “acknowledged.” In these instances, additional information is not required but may be provided for clarification or to provide additional pertinent information.

2.1 Project History, SEQRA Process, Community and Agency Outreach

Comments RDED-3, DT-2, DT-3, JS2w-6, JS2w-8, TH2w-6, JS4w-23: Over 10 years ago, Southampton Town launched a comprehensive effort to bring revitalization to Riverside known as the Riverside Revitalization Action Plan (RRAP). This plan resulted in the adoption of an overlay zoning district (Riverside Overlay District (“ROD”) which calls for the creation of a significant number of residential units, the majority of which are proposed to be rental units. The implementation of that plan, which contains many excellent recommendations, was wholly

¹ According to the 2020 “SEQR Handbook, Fourth Edition” in determining whether comments received are “substantive,” the Lead Agency should assess the relevance of the comments to identified impacts, alternatives and mitigation, or whether the comments raise important, new environmental issues, not previously addressed (NYSDEC, 2020).

dependent upon the creation of a means through which to manage the septic flow for that proposed density. Now that Southampton is making progress on its plan to create an STP, the likelihood of development in Riverside is greater and the impacts created by the planned density could soon be realized. Per the FGEIS for the Riverside BOA and RRAP amendments, up to 3.2 million square feet of development, including 2,300 residential units and could potentially occur within a very small geographical area. The lion's share of that density would be focused on the northern part of the Riverside traffic circle - the area closest to Downtown Riverhead and located within the Riverhead Central School District.

The SDGEIS prepared for the proposed Riverside Sewer District did not assess the potential impacts of a reduced density alternative as identified in the December 22, 2015 Findings Statement. When considering the Growth Inducing Impacts of the proposed Riverside Sewer System and Treatment Plant, the SDGEIS should assess how a reduction in residential units under the Theoretical Development Scenario (TDS) (Draft GEIS: Riverside BOA, Revitalization Action Plan and Zoning Amendments, Oct. 2015 Table 7- Theoretical Development Scenarios Zones RO-1 through RO-6, which theoretically identified development of 2,267 residential dwelling units) would reduce nitrogen impacts on: water quality, water use, the Riverhead Central School District, other services provided by Riverhead (library, fire protection, public transportation, postal, hospital and medical, and children's recreation) and how expanding the Riverside Sewer District and accepting the wastewater flow from the County facilities could support the proposed District's revenues without the additional impacts typically generated by thousands of residential units.

Response: The maximum *theoretical* buildout was examined by the GEIS in 2015 and represents an absolute upper limit that was determined acceptable by the environmental review with the identified mitigations. The ultimate future land uses that may be proposed are flexible within the identified threshold limits and will be dependent on market demand, available sewer capacity, community needs and other factors as discussed in the adopted GEIS. Until a site plan permit application is generated for a specific project, it is impossible to absolutely conclude in the abstract what the specific density of a proposal may be. Any consideration of a reduced density impact of a hypothetical project is equally premature and purely academic. Pursuant to SEQRA (6NYCRR Part 617.10(c)), "Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance." The adopted GEIS set a build out threshold and identified potential impacts, mitigative measures and additional requirements such as fair share mitigation, but does not guarantee any specific density to any property.

The 2015 GEIS identified the need for further evaluation of sewage treatment options and siting of the required STP and supporting infrastructure as a critical step to advance redevelopment as envisioned by the RRAP and the adopted ROD. The purpose of this Supplemental SEQRA process is to evaluate the range of reasonable alternatives for the installation of a Sewage Treatment Plant on municipally-owned property and the attendant collection and conveyance system that

will serve the special district, considering the objectives and capabilities of the Town and alternatives presented in the EFC value planning report. Site specific impacts of development projects which could not be fully addressed at the time of the 2015 GEIS will require additional environmental review as identified by the 2015 GEIS and adopted Findings Statement.

The 2015 GEIS included an assessment of the No Action Alternative, buildout under existing underlying zoning and preliminary sewer alternatives which included consideration of use of other regional facilities and identification of possible locations for the proposed new STP in Riverside. (See also response to **Comment JS4w-3** et. al in **Section 2.3** for the list of 13 alternatives considered in the 2023 SDGEIS and the four additional alternatives considered by the 2015 GEIS, including two No Action Alternatives and development under existing zoning (buildout) for the Sewer District).

As discussed in Section 3.2.1 of the 2015 FGEIS, the 2015 Findings Statement, and 2023 SDGEIS, based on additional nitrogen loading analysis, it was determined that a reduced residential unit density and/or providing wastewater treatment for existing developed areas would provide a means to reduce nitrogen loading below what would occur if the revitalization and implementation of ROD did not occur (i.e., development complying with existing underlying zoning that conforms to Article 6² of the Suffolk County Sanitary Code (SCSC) for development of remaining vacant lots and sub-dividable properties in the study area). Because nitrogen loading is based on the volume of wastewater and the concentration of nitrogen with advanced treatment wastewater having lower nitrogen concentrations than untreated wastewater, the reductions in nitrogen loading to meet existing permitted loads under Article 6 of SCSC could be achieved in several ways, including: sewerage of existing unsewered areas in the Study Area/Sewer District; reduction in the number of residential units built under the Theoretical Development Scenario; treatment and discharge of wastewater in deep recharge areas outside of the Study Area; or, advanced nitrogen removal technologies (tertiary treatment). The Proposed Action includes both tertiary treatment and the connection of existing uses within the proposed Sewer District. The actual amount and mix of development that occurs will be based on a number of factors, including capacity available for new development in each of the two planned phases for sewer connections.

Regarding future land uses, the RRAP calls for the provision of “a broad range of housing types and price points,” so that the development of condominiums, townhouses, single-family homes or cottages for ownership is absolutely encouraged and allowed. In fact, the RRAP indicates the goal of creating a mixed-use downtown setting which includes residential, commercial, retail, office, hospitality, parks, open space, cultural and civic uses. Nowhere does the plan state that the intention is to just create a significant number of rental units. Based on these goals, the projected *buildout* (or TDS) considered by the original 2015 GEIS and Findings Statement also

² Suffolk County Sanitary Code Article 6 “Single-Family Residence Realty Subdivisions, Developments and Other Construction Projects,” last revised January 1, 2018.

included other uses such as retail, professional and medical offices, hotel, light industry, and cultural and recreational land uses. The adopted ROD also permits a myriad of other mixed land uses in its seven overlay districts. Landowners are permitted to develop in accordance with the underlying zoning which allows various other potential land uses or they may choose to develop in accordance with ROD standards and conditions. The purpose of the previous BOA, RRAP and ROD was to not only provide affordable, workforce, market rate, multifamily, senior citizen and other types of housing, but to also create opportunities for:

- brownfield restoration,
- business development/re-development,
- local investment,
- economic growth,
- area revitalization,
- creation of temporary construction jobs,
- creation of permanent full and part-time operational jobs,
- generation of tax revenue,
- improved conditions for disadvantaged individuals,
- crime reduction, and
- enhancement of the overall fiscal/economic well-being of the area and it's residents.

Riverwoods is an existing senior mobile park community and currently represents about 50 percent of the residential units in Riverside. Existing single-family residential developments in central Riverside, specifically along the Sewer District's easterly and westerly boundaries are expected to remain.

The numerous previous actions occurring over the past 20 years, and more recently, in 2015 with the BOA Study, RRAP, and ROD also sought to improve capital infrastructure, community services and create a self-sustaining mixed-use community with its own unique sense of place, while protecting myriad highly critical and sensitive natural resources. The 2015 DGEIS, FGEIS, Findings Statement, BOA Step II Nomination, RRAP, and ROD, and assessment of the Theoretical Development Scenario (TDS) were each fully vetted, a hard look was taken, future additional environmental review for specific actions were identified (including the critical step of sewage treatment feasibility), and were duly accepted by the Town Board, with the BOA Study, Findings Statement and RRAP each adopted. The ROD was enacted and the Official Zoning Map was subsequently amended with overwhelming support from the community. Demographic conditions have not significantly changed in the Riverside community, and there is still a need to implement the proposed plans to promote the benefits intended by these plans. There has been very little development, mainly due to the lack of sewers in the area. The needs of the community and the methods to address these needs are still very much the same with repeated calls from the community for continued action.

The focus of this SGEIS is on the means of sewage collection, treatment and disposal to achieve the previously identified goals and the previously approved planning, policy and regulatory instruments. The analysis of potential impacts related to the TDS development has already been addressed through prior SEQRA review documents.

The Town may consider a possible future extension of the sewer district and connection of the County Center to the proposed STP based on STP capacity and various other considerations; however, the focus of this SFGEIS is to facilitate the revitalization intended for the community of Riverside. It is not possible to know the exact level of development that will be achieved as compared to what is addressed by the RRAP, and ROD, and/or assessment of the Theoretical Development Scenario (TDS). This will be based on market conditions and project demand. No meaningful revitalization can occur without the STP. Once wastewater treatment is available, the envisioned goals for this area have the potential to be realized, and as market conditions determine the level of development which is achieved, further options for future connections and allocations of flow may be explored.

Comments JSw-2, JS-1, JS4w-1, JS1w-10, JS1w-11: The proposed Riverside Sewer District and its sewage collection and treatment infrastructure are critical for Southampton to continue its redevelopment efforts to revitalize Riverside. The Town Board of Riverhead supports these efforts and wants to acknowledge that had the Southampton Town Board, as Lead Agency, elected to exercise its option under SEQRA to have formally Scoped the Supplemental DGEIS the following issues and comments could have been addressed earlier in the SEQRA process.

This decision failed to identify significant environmental concerns early in the SEQRA process and to date the environment concerns identified by the Town of Riverhead and the public at large remain outstanding.

Response: See response to **Comments RDED-3, DT-2** above. Given the extensive record of land use plans for Riverside revitalization and the SEQRA record that has been established to assess the potential impacts of these initiatives, the appropriate means to analyze the impacts of the proposed STP is through a Supplemental EIS. Pursuant to 6NYCRR Part 617.9 (a)(7)(iii), scoping is not required for a Supplemental EIS. As a result, all appropriate SEQRA procedures were followed for the Proposed Action.

A sewer district and connection of existing and future land uses to an STP is an element of and is absolutely necessary for, the implementation of the previously assessed and approved BOA, RRAP and ROD which leads to achieving the many critical goals and vision identified by the community. The project was designed to address numerous socioeconomic goals, but also to be protective of the various sensitive environmental resources in the community. This protection is not only from future development as envisioned by the TDS, but also from existing dense development on small often substandard sized lots that currently discharge sanitary wastes

directly into the ground through individual onsite conventional septic systems and possibly antiquated cesspools with very little treatment.

During the current SEQRA review and public outreach process, the Town received 11 letters and verbal testimony at the three SEQRA public hearings from Riverhead officials and representatives. In total, 130 comments were received from these individuals. Southampton Town is aware of the Town of Riverhead's issues and concerns as expressed through the SEQRA process. The Town of Southampton has welcomed these comments, has carefully considered them, and, consistent with social, economic and other essential considerations among the environmental priorities and reasonable alternatives available will ensure that impacts from the project are mitigated to the maximum extent practicable. The Town remains open to the advancement of mutual goals and project mitigations where appropriate in the future.

The STP, as proposed, will help reduce pollutant loading from unsewered land uses, many of which are on substandard sized lots within the central Riverside community, as well as to promote necessary economic growth to ensure the social and economic health of the Riverside community as detailed in the BOA, RRAP and ROD within the delineated boundaries of the proposed Sewer District.

According to Town of Riverhead representatives, the County Center has been discharging its wastes to the Riverhead STP since the 1960s, where its wastes are treated and discharged in accordance with a SPDES permit and would do so until such time that Suffolk County developed other disposal alternatives. The Town of Riverhead has had many opportunities to express its desire to have the County Center connect to the proposed Riverside Sewer District so that it may meet its farmland preservation goals and the redirection of its development rights to its Downtown. The Town of Southampton is considering this, along with the social, economic and environmental issues and its commitment to the Riverside community over the past 20 years.

Comment JSw-15, JS4w-12, JS-15: As the Riverhead Town Board will be required to approve the potential transfer of the County facility wastewater disposal system and existing infrastructure from the Riverhead Sewer District to the proposed Riverside Sewer District, the Commissioners of the Riverhead Sewer District should be listed as a SEQRA Involved Agency, not an Interested Party.

The two Alternatives required the Riverhead Town Board as Commissioners of the RSD to take an action (i.e., "make a decision") to accept the Alternative(s), enter a "Shared Services Agreement" with the Town of Southampton, or reject the out-of-district wastewater and or biosolids generated by Riverside. The Commissioners of the RSD have not undertaken such action.

Response: The Proposed Action involves creation of the Riverside Sewer District and its sewer collection, conveyance, treatment and disposal system for the Riverside Overlay District (which is also the BOA study area). As discussed in **Section 1.1**, the proposed Sewer District boundary does not include the County Center at this time and, therefore, no formal permits or approvals are required from the Town of Riverhead. If the Town Board opts to pursue future expansion of the Sewer District boundary to include the County Center, it will be subject to applicable procedural requirements and coordination.

With respect to the Alternatives involving the Riverhead Sewer District, it is noted that the Town contacted the Town of Riverhead to explore these Alternatives and the Riverhead Sewer District Superintendent responded by letter dated March 25, 2022, stating the following:

“I have received your letter requesting a meeting to discuss the proposed Riverside Sewer District. After meeting with my Town Board liaison, a meeting will not be necessary. The Riverhead Sewer District does not have sufficient capacity to accept the flow from your project. The Riverhead Sewer District code prohibits the acceptance of sewer sludge from other treatment plants. The district is in the process of upgrading its solids treatment system to process its sludge to Class A Biosolids. The upgrade is designed only to treat the sludge generated at the Riverhead Sewer Treatment Plant.”

The possible acceptance of sewage flow and sludge by the Riverhead Sewer District were among the alternatives required by the Town of Southampton to be included in the SDGEIS to ensure a “hard look” was taken. The written statement by the Town Superintendent and Town Board liaison was received during the preparation of the SDGEIS, before the final submission of the SDGEIS, but was included in the SDGEIS document as documentation of alternatives considered. These options have therefore since been eliminated, until such time that the Town of Riverhead upgrades its own facility, amends its Code and changes its decision. To date, the Town of Southampton knows of no such amendment and has no indication that there is a change in its policies.

Based on the above input, the Town of Southampton has planned to direct all of its projected future sanitary flow to the proposed STP and resulting biosolids (“sludge”) will be transferred to Bergen Point for processing and disposal.

Other high-ranking officials and the Town of Riverhead’s environmental consultant have also stated in testimony to the Town Board and in written correspondence that the Riverhead STP does not have the capacity to serve Riverside and that Riverhead does not have the capacity to meet its own needs based on its Comprehensive Plan update (currently in preparation and subject to environmental review and adoption by the Riverhead Town Board).

Section 9 of the SDGEIS (“Alternatives”), therefore, includes one paragraph simply acknowledging the Riverhead Sewer District’s letter and that this alternative was determined to not be feasible at this time. Inclusion in the SDGEIS was a way of documenting for the Town Board, Town staff, community, and record that the two options (out of the 13 alternatives considered by the SDGEIS) were considered but were not possible at this time.

In summary, the Town of Southampton has coordinated with and received comments from the Town of Riverhead, Riverhead Sewer District Superintendent and Town Board liaison in this regard. The Town will continue to work with the Town of Riverhead and others (e.g., nearby Flanders and Northampton) as needed during the construction and ultimate operation of the Riverside STP.

Comments JSw-16, JS2-2, JS4w-27, JS-16: Since the Lead Agency elected not to Scope the SDGEIS, the substantive comments listed above will only be addressed in the SFGEIS. As SEQRA provides no comment period on the Final SGEIS, the Riverhead Town Board requests a preliminary review of the responses, and further recommends an open dialogue be established prior to completing the Final SGEIS whereby the Riverhead Town Board’s comments shall be adequately addressed.

Response: As stated in SEQRA’s implementing legislation at 6 NYCRR Part 617, Section 617.9 (a), “Scoping is required for all EISs (except for Supplemental EISs)...”

As provided on page 137, Nos. 12, 13 and 14 of the 2020 SEQR Handbook, Fourth Edition:

Does SEQR require a hearing on a final EIS?

No. Neither the SEQR statute nor the regulations provide for a hearing on a final EIS.

Is there a comment period for final EISs?

No. SEQR requires that the lead agency and all other involved agencies must wait for at least ten days after the filing of the final EIS before making their findings and final decisions on the action. This period is not a comment period, but instead allows time for the involved agencies and any interested parties to consider the final EIS. While concerned parties, or other agencies, may comment in writing to the lead agency on the final EIS, the lead agency has no obligation to respond to comments on a final EIS.

Is there any value in commenting on a final EIS?

Interested parties or agencies may choose to submit comments on a final EIS to clarify points made earlier, or to identify comments that have not been satisfactorily responded to in the final EIS. These comments could influence the

lead agency, or other involved agencies, in making findings and taking final actions.

It is clear that an open dialogue has been provided for every stakeholder, involved or interested agency, and member of the public.

The Town Board of the Town of Southampton is the Lead Agency that is tasked with determining that all comments are adequately addressed. The Town takes all comments into consideration to ensure the best plan possible is put forward and that the Supplemental Findings Statement will be written in a way that prevents or minimizes environmental impacts to the maximum extent practicable, assesses the various reasonable, viable and mitigative alternatives identified, and addresses mutual and priority concerns where possible and beneficial. See response to the comment below for a discussion of the public outreach process for the Proposed Action.

Comments SPB-7, THw-9, JS4w-28, JS2-5: The Planning Board recommends that the Town Board engage in community outreach and education regarding the proposed sewage treatment plant and district formation.

While changes to your current plan could take a bit more work to implement, it is important to remember that public hearings are designed to generate public comment on important issues and often create a better result. Rest assured that the Town of Riverhead will work with you in any way possible to ensure that there is minimal, if any delay in moving this project forward.

The Proposed Action is located within the proposed Environmental Justice Area (EJA) of Riverside and within the EJA located in Downtown Riverhead. An Enhanced Public Participation Program is required. To date, only the minimum public participation requirements of SEQRA and public hearing announcements needed for the formation of the Riverside Sewer District have been publicly noticed. These public notices are not substitutes for EJA standards. An approvable Enhanced Public Participation for the Proposed Action has not been distributed the Riverside/Riverhead/EJA community and must be available in English and Spanish languages.

Response: The following is a summary of some of the public and involved and interested agency outreach the Town has engaged in to date:

1. The Town's Planning and Development Administrator attended a Flanders, Riverside, Northampton Community Association (FRNCA) meeting on May 17, 2023 to present an update to the community on the proposed project and to discuss other related planning issues and activities.
2. Town representatives have been in touch with FRANCA representatives, received commentary from them at two of the three SEQRA hearings, and FRANCA has continued to keep its members informed and has continued its support and work implementing the revitalization plan.

3. The Town Board held three (3) public hearings on SDGEIS and SEQRA process. An opportunity for anyone and everyone who wished to comment on the Proposed Action or ask questions either in person or in writing was provided. Note: SEQRA does not require a public hearing.
4. The Town Board held five (5) public hearings on the Map and Plan (one being a joint hearing on the SEQRA review). The fifth hearing is scheduled for April 9, 2024. Therefore, in total, there were seven (7) public hearings, including two SEQRA hearings, one joint SEQRA and Map and Plan Hearing, and four additional Map and Plan hearings. The SEQRA process was not completed until all hearings had been held.
5. These hearings were held both in person and live via *Zoom* to people who were unable to attend in person, as well as by video recording on the Town's website after each hearing.
6. The Town Board has also held publicly accessible and watchable work sessions to discuss the Proposed Action and to update newly elected members of the Town Board as well as the community.
7. The original public hearing was advertised in the NYSDEC's Environmental Notice Bulletin (ENB) and *Southampton Press* in both hard copy and online as required, and documents were posted online and made available for review in person at Town Hall and at the Riverhead Public Library .
8. Written correspondence was mailed to area residents, in both English and Spanish, to advise all English and Spanish speaking residents of the proposed project and opportunities for public input. The correspondence included links and QR Codes to the SDGEIS and the Map and Plan Report, as well as the Zoom link for the public hearing.
9. The Town Board provided the community with a 115-day (16+week) written comment period during the SDGEIS public participation component of the project which is 85 days longer than SEQRA's 30-day requirement. (Does not include additional time for consideration of the Map and Plan and public and agency input received.
10. Coordination was conducted with various involved and interested agencies and community service providers, including the:
 - Town of Riverhead
 - Riverhead Central School District
 - Riverhead Sewer District
 - FRNCA (civic group)
 - Central Pine Barrens Joint Planning and Policy Commission
 - Suffolk County Department of Health Services
 - Suffolk County Department of Public Works
 - Suffolk County Water Authority
 - Suffolk County Sewer Authority
 - Peconic Estuary Partnership
 - Suffolk County Planning Commission

- Several offices of the New York State Department of Environmental Conservation (including a meeting between multiple NYSDEC personnel, Town Staff, and NPV)
 - New York State Department of Transportation
 - New York State Environmental Facilities Corporation
 - Southampton Town Planning Board
 - US Environmental Protection Agency
11. Outreach including meetings was conducted with applicable offices and departments of the Town of Southampton and Town of Riverhead.
 12. Review of the CWSRF Engineering Report by Arcadis which conducted a three-day value planning workshop to review the report, completed an engineering report, and engaged with the Town and its consultants.
 13. CPBJPPC public hearing held February 21, 2024, which provided the public, the Commission and the Town of Riverhead with an additional opportunity to provide input.
 14. An SFGEIS that responds to 330 comments received during the three SEQRA hearings and 115-day written comment period.
 15. The Town Board will consider the SDGEIS and SFGEIS, in conjunction with the prior BOA Step II Nomination Study, RRAP, ROD code and Zoning Map amendments, the prior DGEIS, FGEIS, and Findings Statement, in the Final Supplemental Findings Statement before making a final decision.

A thorough and fully compliant SEQRA and public participation process also occurred between 2013 and 2015 when the BOA Step II Nomination, RRAP, ROD Study, ROD adoption, Official Zoning Map amendment, and GEIS and Findings Statement were considered of which this SGEIS is part. Between 2013 and 2015, the BOA Study, RRAP, ROD Code, ROD zoning map amendments and GEIS were extensively vetted and received considerable input and overwhelming support from the community including initial input on STP siting and other preliminary considerations related to sewerage. The following is a sample of the activities that were conducted between 2013 and 2015.

2015 Crowd Source Placemaking (CSPM) for BOA Study, RRAP, ROD Code and Zoning Map Amendments

Riverside Rediscovered

Immediately after signing the Master Developer Agreement with the Town of Southampton, Renaissance Downtowns conducted an extensive search for a community liaison to help facilitate the online and face-to-face community engagement process. Siris Barrios was selected for this task. The community liaison began stewarding Riverside Rediscovered, meeting with community leaders and local residents to better understand their collective values and visions for the future of Riverside. In the summer of 2014 Renaissance Downtowns opened a CSPM Community Office on 108 Peconic Avenue. Riverside Rediscovered was born in August 2014 at the kick-off community meeting in the presence of Town officials, by a vote of about 50 residents in

attendance. Siris, a resident of Hampton Bays, with experience in community organizing, reached out to all community residents, businesses, and other stakeholders.

The mobile home communities (Riverwoods, Parkview and Peconic Bay Mobile Homes) represent the largest population in Riverside, and their respective associations participated in the CSPM process. Riverwoods is a senior mobile park community. This community represents about 50% of the units in Riverside, and the Riverwoods Civic Association was very active with Riverside Rediscovered. Parkview is a 60-unit co-op mobile home community whose residents were and are very involved and supportive of the project.

FRNCA was and still is the strongest and most consistent advocate for revitalization. FRNCA has taken the lead in advocating for the reconfiguration of the traffic circle, the STP, the bridge, county park use, and area revitalization. FRNCA has consistently had a representative at public meeting and public hearings for the proposed project including the current sewerage phase, to provide input and community sentiment. The majority of the FRNCA members represent Flanders residents.

In 2010, most Riverside members split with FRNCA to start the Riverside Revitalization Community Corporation (RRCC). RRCC existed only for a short period of time, leaving the Riverside community without a civic group to advocate for its residents.

The Community Liaison for the BOA, RRAP, and ROD processes immediately began meeting with civic, religious, non-profit and business groups in the immediate vicinity of Riverside, most of which are located in Flanders. Local residents expressed the desire to have meetings hosted in Riverside, as in the past they felt voiceless and disempowered by the lack of community engagement in Riverside. The Community asked if Riverside Rediscovered would host a “Monthly Meet Up” at the local elementary school and Riverside Rediscovered office to involve as many residents as possible, many of whom lack access to transportation. Hosting the monthly “meet-ups” exclusively in Riverside significantly increased resident participation. Riverside Rediscovered continued to meet formally and informally with organized groups and individuals. Riverside Rediscovered also fostered key relationships with representatives of each organized group. During this period RR talked to over 500 residents face-to-face and conducted special outreach with local pastors and congregations in order to reach a wide audience.

Door Knocking

Riverside Rediscovered spent time door knocking throughout the Hamlet. During this process RR witnessed the living conditions of residents firsthand and saw a range of housing types and conditions spanning from mansions to nicely manicured homes to slum housing. Residents engaged in this effort wholly welcomed the idea of developing the area.

CSPM Online

The *Riverside Rediscovered* website launched in August 2014. RR also launched a Riverside Rediscovered Facebook Page which currently has 675 followers.

As previously noted, there has been significant effort over the course of the past 20 years in planning for the future, including past sewer feasibility studies. A summary of some of the planning studies and environmental reviews that have taken place in Riverside that have led to the final adopted plans and zoning is provided below. These planning efforts were accompanied by corresponding environmental assessments, public hearings, civic meetings, written comment periods, and public postings:

- 2004 Flanders/Riverside/Northampton Revitalization Study (Ferrandino & Associates, Inc; and Dvirka & Bartilucci, P.C./Greenwood Associates)
- 2006 Blight Study (Saccardi & Schiff, Inc.)
- 2008 Riverside Hamlet Plan (Hutton Associates & L.K. McLean Associates, P.C.)
- 2008 DGEIS for the Riverside Hamlet Plan (Cashin Associates, P.C.)
- 2009 Riverside Urban Renewal Plan (Saccardi & Schiff, Inc.)
- 2013 Flanders Riverside Corridor Sewer Feasibility Study (CDM Smith, H2M, and Bowne AE&T Group) sponsored by Suffolk County
- 2015 Brownfield Opportunities Area (BOA) Step II Nomination Study
- 2015 Riverside Revitalization Action Plan
- 2015 Riverside Overlay District (ROD) and Official Zoning Map change
- 2015 Riverside BOA, Revitalization Action Plan and Zoning Amendments Draft and Final GEIS and Findings Statement
- Suffolk County Department of Public Works traffic circle assessment and redesign studies and construction
- Town Land Acquisitions (along Peconic River and former Five Towns property)
- 2023 Clean Water State Revolving Fund Sewage Treatment Engineering Report
- 2023 Riverside Sewer District SDGEIS and SFGEIS (Findings Statement pending)
- 2024 Sewer District Map and Plan

Overall, the Riverside revitalization efforts have received tremendous support from the Riverside community over the years. Significant opportunity has been provided for public input using a multitude of methods during this process. The past and current SEQRA process have complied with the requirements of 6NYCRR Part 617, and all substantive comments received have been addressed.

Comments GLw-1, GL-1, GLw-2, GL-2, GLw-3, GL-3, GLw-4, GL-4, GLw-5: I recognize that the current Town Board is now responsible for critical decisions on projects in progress from the Schneiderman Administration. It is my assertion that you can only make those critical decisions with complete and accurate information from your advisors. It may take time to unravel and understand what has transpired.

The February 15, 2024, public hearing was the third of three public hearings related to the SGEIS for the siting and construction of an STP for the redevelopment of Riverside.

I listened to several Town of Riverhead officials voice concerns related to the accuracy and completeness of the information provided to the Southampton Town Board from its land management staff and consultants at the prior two public hearings. As a taxpayer, it raised significant concern for this tax-funded project. To the extent that this project is funded by the county or state, every taxpayer in the Town of Riverhead is funding this project as well as every taxpayer in every municipality in the county and state. The Town Board of the Town of Southampton is accountable and responsible to every taxpayer in every municipality in the county and state.

First, the Lead Agency in a SEQRA process is responsible for the accuracy and completeness of the FEIS. That cannot be delegated. The NYS Department of Environmental Conservation SEQRA Handbook, Fourth Edition, 2020 at Chapter SF Q & A 9 elaborates on the regulations under SEQRA:

“Who is responsible for the preparation of the final EIS?

The lead agency is responsible for the adequacy and accuracy of the final EIS.... The lead agency must also consult with other involved agencies, or with outside consultants, but this in no way reduces the responsibility of the lead agency for the final product (emphasis added).”

Pursuant to *Jackson v New York State Urban Dev. Corp* 34 N.Y.2d 222, 313 N.E.2d 321, 356 N.Y.S.2d 833), the agency is required to comply with the applicable law, identify the relevant areas of environmental concern, take a “hard look” at them and made a reasoned elaboration of the basis for its determinations.

“When an agency fails or refuses to undertake necessary analyses, improperly defers or delays a full and complete consideration of relevant areas of environmental concern or does not support its conclusions with rationally based assumptions and studies, the State Environmental Quality Review Act (SEQRA) findings statement approving the final environmental impact statement (FEIS) **must be vacated as arbitrary and irrational.**” (*McKinney’s ECL § 8-0101 et seq.*)

As noted in the *Matter of County of Orange v. Village of Kiryas Joel* 11 Misc.3d 1056(A), 815 N.Y.S.2d 494 (Table), 2005 WL 3802969 (N.Y.Sup.), 2005 N.Y. Slip Op. 52270(U) (aff. 44 A.D.3d 765)

“One cannot presume that the requisite “hard look” was taken based on the thickness of the DEIS or because the consultants were highly regarded in their fields.”

Here, the Court decided:

“ ... in certain substantive areas enumerated herein, the FEIS does not take a hard look at specific aspects of the project. Based on the foregoing, the Statement of Findings adopted by the Village on July 8, 2004, are hereby vacated.”

Response: See **Section 1**, which outlines the background of study and environmental review completed to date by the Town and responses to comments JS4w-21, JS4w-24, JS4w-21, JS4w-26, JS4w-22, JS1w-9 below. The Proposed Action is the establishment of a Sewer District for the ROD, which was one of a list of future actions and studies identified to facilitate future development under the ROD. The Town Board and its legal Counsel understand the responsibilities and requirements and will continue to conduct the environmental review in accordance with the required standards and regulations. Responses to all Town of Riverhead and its consultants’ comments are provided herein.

Comments GL-5, GLw-6, GL-6: In the case of *Lombardi v. Town of Southampton* an environmental issue was identified mid- process and was not fully addressed as the investigation was not complete at the time of the approval for the Final SGEIS. There was fatigue regarding the HBDOD by the Town Board. The Board, for all intents and purposes, dismissed this issue too and completed its review.

The Supreme Court agreed with Petitioners and annulled the HBDOD on the grounds that the NYS DEC had not completed their investigation. There was significant case law on this subject matter.

I offer the above-stated comments as a “cautionary tale” as the litigant in *Lombardi v. Town of Southampton* to the Town Board. The Town Board cannot delegate or defer its responsibility for the completeness or accuracy of the environmental review no matter how many years have lapsed since this process started or who prepared the analyses and/or the magnitude of the analyses.

Response: The Town seeks to provide a thorough and compliant analysis of all projects proposed within the Town’s jurisdiction and will continue to do so by exercising its review authority under SEQRA.

Comment JS4w-9: The SEQRA Public Hearing was closed on February 15, 2024; with acceptance of written comments extended until Sunday, February 25, 2024; anticipating the last date for written comments to be Monday, February 26, 2024.

Response: As discussed by the Town Board at the February 15th public hearing and articulated on the online public hearing video (time of statement 1.3 hrs.) and in the subsequent meeting

minutes posted by the Town, the public hearing for the SEQRA review was extended for “two weeks” (14 days) from the close of the hearing. Therefore, comments on the environmental review were accepted for the SFGEIS until the close of business on Friday March 1, 2024. The 14-day comment period after the close of the hearings and 115-day (16+week) written comment period far exceed SEQRA’s total 30-day and minimum 10-day period following the close of a public hearing requirement. During this time frame, the commenter spoke at all three SEQRA hearings, at four of the Map and Plan Report hearings (this prior to the scheduled fifth Map and Plan hearing), at the CPBJPPC hearing, and submitted four separate letters. The Town has listened to, understood, reviewed, considered and responded to these comments.

Comments JS4w-21, JS4w-24: The DGEIS/FGEIS and Findings Statement prepared for the RRAP was adopted by the Town of Southampton nearly a decade ago. A Supplemental GEIS should address relevant temporal and anthropogenic changes that have occurred since the issuance of the earlier Findings Statement. Instead, the SDGEIS for the sewer project relies on the original SDGEIS/SFGEIS.

Response: The SDGEIS is for the creation of the sewer district for the previously approved/ adopted and overwhelmingly supported BOA, RRAP, and ROD and official Zoning Map amendments. It is part of and supplemental to the full 2015 GEIS and Findings Statement (adopted December 2015) which was eight years old at the time the SDGEIS was submitted. Over this time, very few changes have occurred in the Riverside Sewer District and Study Area with the exception of the construction of a few small industrial uses in the Enterprise Zone industrial subdivision, a new building at the traffic circle, and traffic circle improvements.

The statement that the SDGEIS and SFGEIS relied exclusively on the original GEIS is simply false. The existing conditions in the Supplemental DGEIS for the proposed Sewer District were based on current existing land use and existing environmental conditions in the area, some of which includes some baseline information from the original GEIS where change has not occurred. Poverty, crime, lack of opportunity, lack of affordable housing, blight, need for economic growth and business development, are still prevalent.

Again, the focus of the current Action is on the creation of the Sewer District, the capital infrastructure necessary to implement the previously approved prior plans and zoning amendments, and the impacts and mitigations available to meet the identified goals and objectives and minimize impacts from the sewerage. The 2015 GEIS considered a TDS that represented an upper limit development scenario and sewer flow to base the environmental review on. This flow included design flow from baseline existing conditions and the necessary growth and investment needed to meet the BOA, RRAP and ROD objectives.

Comments JS4w-21, JS4w-26, JS4w-22, JS1w-9: The sanitary flow projections estimated in the Riverside Map & Plan are based on the DGEIS/FGEIS and their TDS:

Section 3-Sanitary Flow Projections

“For the entire Riverside Hamlet, the anticipated flow rate was determined by the TDS as described in the NP&V DGEIS. The TDS estimated that new development would generate 538,065 GPD and 171,072 GPD of existing flow would remain.”

Therefore, the total sanitary wastewater estimated by the TDS is 709,137 GPD. However, it has since been determined that based on buildout scenarios, the average anticipated flow generated by the entire community will be approximately 800,000 GPD.

Below is the table from the DGEIS/FEIS that describes land uses proposed by the RRAP.

Land Use	Additional Square Feet, Rooms, and Dwelling Units
Retail	133,517 Square Feet
Professional Office	37,000 Square Feet
Medical Office	25,000 Square Feet
Hotel	97 Hotel Rooms
Residential Units*	2,267 Dwelling Units*
Adult Care/Nursing Home	63,910 Square Feet
Artisan Lofts/Production	30,900 Square Feet
Cultural	11,032 Square Feet
Indoor Ice Skating/Hockey Rink	100,000 SF, plus parking
Parking Garage	550 Spaces
Surface Parking Lots	1,602 Spaces
On-Street Parking Spaces	1,107 Spaces

Considering the expected 2,267 residential dwelling units are significant generators of sanitary wastewater and the Map & Plan stated, *“The high density residential and commercial properties were given priority for determining the service area,”* one can recognize Southampton’s main purpose and benefit of the service area boundary is for “Expected New Development” and not for managing existing wastewater generated in Riverside. This concept shifts an extraordinary environmental burden upon Riverhead, because there is an expectation that Riverhead, not Southampton will continue managing the County Facility’s wastewater, even though the Facilities that are located beyond the municipal boundary of Riverhead, but inside the Town of Southampton.

Response: There appears to be a fundamental misunderstanding as to the purpose of the 2015 BOA, RRAP, ROD and GEIS and the currently proposed (2023-24) Sewer District and SDGEIS. The commenter is correct that part of the purpose of the proposed Sewer District is to connect the community’s numerous substandard sized lots, including three densely populated mobile home

parks that rely on septic systems and/or cesspools to a state-of-the-art STP, and that the purpose is in part to protect the: 1) Peconic River, 2) Peconic Estuary, 3) Little Peconic River, 4) freshwater wetlands, 5) tidal wetlands, 6) the Central Pine Barrens, 7) the Central Suffolk Special Groundwater Protection Area (SGPA), 8) the Town's Aquifer Protection Overlay District (APOD), and 9) public health; however, it was also proposed to meet numerous other critical goals as expressed over and over throughout the many plans, hearings, meetings, environmental reviews and resolutions of approval. As stated in the 2015 GEIS:

The Proposed Action is a development and redevelopment planning initiative designed to assist the Town in achieving numerous long-standing community goals to revitalize the Riverside Hamlet. As described in RRAP (Appendix A-1) and Section 12.0 (Socioeconomics) [of the 2015 DGEIS], Riverside is currently the single most economically distressed community on all of Long Island. In comparison with other distressed communities in Suffolk County such as Gordon Heights and Wyandanch, ranked as second and third most distressed respectively, Riverside has significantly higher unemployment (nearly 4% higher than Gordon Heights) and a substantially lower median income (More than \$20,000 less than Wyandanch), but receives comparatively less public assistance income. Riverside's median home value is only 19% of that of Suffolk County's (\$395,200), 12% of the Town of Southampton's (\$612,700), 20% of the neighboring Riverhead's (\$372,700) and 26% of the next most distressed community.

The currently proposed RRAP and Overlay Zones have been preceded by years of study and extensive community and agency outreach that has recognized a critical need for economic development and the revitalization of the Riverside community with the purpose of creating a vibrant and successful mixed-use hamlet center that enhances community character, protects area environmental resources, and promotes sustainable economic development. The Overlay Zones are intended to provide the flexibility to allow for varying uses, densities, building heights, and design options radiating out from a central core that would eliminate blight and achieve desired redevelopment by encouraging and incentivizing a mix of land uses (e.g., commercial/retail and office uses with upper-level residential uses) on assembled properties or individual parcels. A key goal in the establishment of the proposed Overlay Zones is to provide a distinct walkable hamlet center that will augment the community's sense of place, improve the aesthetic qualities of the built environment, enhance the overall quality of life of its residents, offer incentives for local investment, create new employment opportunities, provide a variety of goods and services to locals and visitors, expand and diversify the local housing stock, and stimulate additional economic activity and fiscal well-being.

Town and Master Developer Objectives

Both the Town and Master Developer seek to create a comprehensive economic development strategy that utilizes the principles of social, economic and environmental responsibility to finally establish the hamlet of Riverside as a center of activity within a mixed-use, transit-oriented setting. The primary objectives are summarized below:

- Create an opportunity for a more economically successful and environmentally responsible hamlet center with a more harmonious and pedestrian-oriented public realm than can be achieved under the regulations in the underlying zoning that is currently in effect;
- Expand employment opportunities throughout the hamlet center and surrounding area;
- Encourage green building design, including sustainable technologies such as rooftop gardens and agriculture, appropriate stormwater management including green infrastructure, photovoltaic energy sources and other renewable energy and water and energy conservation technologies;
- Ensure the inclusion of a range of quality public parks and open spaces;
- Promote sustainable and mixed-use development that creates a network of connected streets, parks, walkways and vibrant street-level storefront commerce that will provide for an active environment and a sense of security and safety;
- Transform underutilized and underperforming properties in the ROD to productive uses;
- Reduce automobile dependency by creating a compact, pedestrian oriented, mixed-use environment;
- Provide sufficient building densities and land uses within walking distance from the Hamlet Center;
- Leverage the extraordinary access to existing rail and bus transit by linking land use with alternative transportation opportunities;
- Provide for a diverse mix of residential living choices;
- Create incentives to concentrate development in the downtown core and within ¼ mile of the traffic circle, in walkable distances from the Riverhead train station;
- Promote civic, institutional, commercial, retail, hospitality, entertainment, recreational and residential activity throughout the hamlet core districts;
- Provide public access to the riverfront;
- Encourage participation by private property owners using Riverside Incentive Bonuses (RIBs) within the ROD;
- The fulfillment of long-established Town and community goals developed through extensive community participation, by helping to reestablish an appropriately scaled pedestrian-oriented mixed use hamlet center;
- Development and redevelopment of vacant and underutilized properties and providing a set of land uses that are appropriate and compatible with land uses in and around the Study Area;
- Diversification of the community's housing stock by providing both market rate and Community Benefit Units (50 percent of the total units), significantly increasing affordable workforce housing options for persons with diverse housing needs;
- Elimination of blight, cleaning-up of contaminated or brownfield sites, needed infill development, revitalization of the area, and increases in property values;

- Generation of many temporary construction jobs as well as more permanent part-time and full-time employment opportunities at future retail, restaurant, office, personal services, hospitality, industrial, recreational, and cultural facilities and new maintenance positions at multifamily residential buildings;
- Creation of a walkable multimodal (car, bus, train, taxi, bicycle and pedestrian) transit-oriented community and new road improvements that will mitigate traffic impacts to the maximum extent practicable;
- Creation of a new sense of place, with high levels and community interaction through building designs and parcel layouts, an increased level of “eyes on the street” to promote public safety, new pedestrian amenities, attractive architecture and landscaping, and outdoor community spaces, all under a coordinated form-based master plan;
- Construction of new buildings that are more energy efficient and fixtures and plumbing that conserves water for future generations;
- Enhancement of public access to the Peconic River and between the Riverside Hamlet Center and Downtown Riverhead;
- Use and connection to an advanced sewage treatment facility;
- Cleanup of existing environmental conditions during demolition and site preparation for new development.

As described above, the proposed Sewer District and capital improvements are not a sewer project for the entirety of the Riverside area or the region. The sewer district boundary was developed based on many years of planning efforts and designed to serve the specific portion of Riverside previously identified in the BOA, 2015 GEIS, RRAP, and ROD and official Zoning Map amendments.

It is also noted that while the Town of Southampton’s goals and objectives are clear and fully vetted through the adoption of the 2015 GEIS and the pending SFGIS, the Town of Riverhead has yet to fully vet its stated plans to transfer additional development rights and resulting density to the West Main Street area, through SEQRA.

As noted throughout the County Center, which is already discharging to an STP, is not included in the current action based on grave environmental, social and economic issues and priorities. In addition, the County of Suffolk has not been informed of Riverhead’s intentions or requested the Town of Southampton to initiate this action. The Town may consider a connection and extension of the District to include the County Center at some time in the future based on facility capacity, funding, other available options, and numerous other considerations, including actual plans by Riverhead that have yet to materialize.

Finally, with respect to the County Center and Jail not being located in the Town of Riverhead: Out of town services (and out-of-district) are common between the two municipalities as evidenced by the Riverhead Sewer District serving the County facility for the past 60 years. In addition, Riverside is partially served by the Riverhead Central School District (Phillips

Elementary School which serves Riverhead residents is located in Riverside and the Riverhead High School and Middle School are in Riverhead); Riverside is located in the Riverhead postal district; Riverside is served by the Riverhead Fire District; and the County Jail and County facilities which serve the Riverhead, Southampton, and the rest of Suffolk County are in Riverside. Whether the County Center is inside or outside of the Town of Riverhead makes no difference whatsoever. The fact that the Riverhead Sewer District operates and maintains infrastructure serving the County facilities and has been serving the County Center for the past 60 years is of greater importance.

It is noted that at the CPBJPPC hearing, Riverhead Supervisor Hubbard indicated on the record that the County Center has a design flow/set aside requirement of 200,000 gpd. The Town of Southampton's revitalization plans for the area is based on a serious need for revival of an area that has been ranked as the most economically distressed community in Suffolk County in order to address the multitude of human and natural and man-made environmental issues occurring. This critical mass of redevelopment and revitalization is estimated to generate 800,000 gpd wastewater flow in its full capacity, with 400,000 gpd in Phase I (noting that the SPDES permit limits have yet to be established by the NYSDEC). If the Town were to include the County Center at this time, Phase I of the proposed Riverside STP would not have sufficient capacity to realize the RRAP objectives and therefore the Town would not meet the stated goals for revitalization. In addition, the Town risks losing a significant amount of BIL funding and placement on the Intended Use Plan by EFC by going back to include this area.

The proposed leaching areas for the Riverside STP are located within the Central Pine Barrens and based on the size of the available Town owned land to accommodate the STP, including the necessary land acquisitions to make it possible, also cannot accommodate additional capacity or recharge.

The Town of Riverhead must consider and evaluate other alternative methods to accommodate the existing and future development and associated sewer demands from the possible transfer of development rights from the 7,000 acres of farmland to the Downtown area. This may include connection to the EPCAL STP, construction of satellite STPs (just as exist throughout the County and are used on individual multifamily residential developments), expansion of its STP, or numerous other potentially viable options.

As indicated throughout this SFGEIS, the Town Board of Southampton may consider a possible future connection of the County Center and Jail in the future should capacity be available, and it becomes a priority. It is clear, however, that the available volume of flow to the Town of Riverhead if the County connects to the Riverside STP in the future, is far short of the volume needed to serve the 7,000 acres of potential development rights that would be transferred to West Main Street or elsewhere downtown. The Town of Riverhead will have to assess this and the associated impacts through its own SEQRA review.

Comment JS1w-11, JS1w-12: If the County government facilities were excluded by simple error and lack of knowledge regarding existing conditions, then under SEQRA, it must now be considered “new information,” requiring a full SEQRA level evaluation, the equivalent of a Supplement to the Supplemental DGEIS. The statements offered by Riverhead are not simply a public comment to the SDGEIS, with anticipation of “possible connection in the future by expanding the district or via an out of district agreement.” That type of response in a Final GEIS fails to provide accurate description of existing area wide wastewater conditions, does not provide an accurate generic impact assessment, and potentially creates a major flaw in the SGEIS SEQRA review process. Consequently, the SEQRA Findings Statement could theoretically become equally deficient.

Response: The presence of the County Center and its existing connection to the Riverhead Sewer District is not new information. It has been considered for years. For example, in Suffolk County’s 2013 Draft Feasibility Study Map and Plan for Flanders/Riverside prepared by CDM Smith in conjunction with H2M and Bowne AE&T Group (p 3-17), the report states that:

“After the Riverhead Town Supervisor reviewed the flow projections and discharge limitations with the Town engineer, he concluded that Riverhead could not accept any wastewater flow from the Town of Southampton, following his determination; this alternative was also eliminated from further consideration. It was agreed that wastewater flow from the County Center would continue to be treated at the Riverhead facility. No other existing treatment plants with the potential to accept wastewater flow from the Flanders Riverside study area were identified.”

According to the Town of Riverhead, the County Center has been connected to the Riverhead Treatment Plant since the 1960s and has the benefit of service, unlike the Riverside community. The proposed Riverside Sewer District Boundaries were created over many years of consideration and reflect the community’s goals, priorities and objectives and is based on the study areas of the Blight Study, Sewer Feasibility Study, and Urban Renewal Plan.

The Town has in fact listened to and read the numerous comments by the Town of Riverhead and its representatives, have carefully considered them, and contemplated the boundaries of the Study Area and Sewer District for years. Connection of the County Center is not consistent with the Proposed Action and its fundamental purposes and priorities at this time. Connection of the County Center and Jail to the proposed STP is not relevant to the Proposed Action and does not impact Riverhead preliminary farmland preservation goals. Connection of the County Center to the Riverside STP at this time is of less importance from an environmental and social and economic standpoint, was not planned for or funded under the current action and can be further addressed by Riverhead in the future through other means, if not ultimate district extension and connection to the proposed STP if capacity is available.

2.2 Proposed Sewer District Formation, Infrastructure, and Operations

Comments KCw-15, KCw-16, KCw-17, KCw-33, SM-6, KC-2, KCw-6, KCw-7, KCw-41, KCw-42: On page 1-22 one of the advantages of a Sequencing Batch Reactor (SBR) STP it is stated that the STP is “Easily upgradeable to include secondary and tertiary treatment by installing mixers and filters. “Are these “upgrades” part of the proposal under consideration or are they going to be added and subject to further reports, reviews and costs? If they are included, what do they consist of and how will they be incorporated into the design?”

In Section 1.4.1 of the SDGEIS it is noted that the MBR alternative has a smaller overall footprint, yet the document has a stated preference for the SBR alternative. Is this because it is a more expensive alternative that NPV has experience in designing and administering? It should be noted that an MBR facility has hydraulic flexibility as described for the SBR alternative that is equally adjustable with controllers.

The MBR produces higher biomass concentrations for higher quality treatment, less sludge production, provides longer retention times and a highly efficient treatment process. Yet apparently a larger footprint with lesser quality effluent is preferable. This contrasts with the statement on page 1-25 that “N+P evaluated MBR, SBR and other technologies currently available for wastewater treatment and concluded that the SBR technology would be the best fit for the project from the standpoint of operational flexibility and cost assessment.” Why?

It is noted on page 5-36 “...that the proposed STP will have a positive overall effect on the environment including the SGPA by providing the highest sewage treatment possible and reducing overall nitrogen concentrations in groundwater.” This is largely true, except that the author’s preference for an SBR facility does not make this a reality. Modern MBR technology is far more effective than SBR’s in treating water to near drinking water quality standards, with a smaller footprint and at a lower cost.

Do you have enough land to accommodate the SBR footprint? I think the Town can do a lot better by changing the design of the plant from an SBR (Sequencing Batch Reactor) to an MBR (Membrane Bio-Reactor). The MBR gives you better quality effluent at less cost and a smaller footprint.

Response: The June 2023 Clean Water State Revolving Fund (CWSRF) Engineering Report prepared by Nelson & Pope Engineers included in Appendix B of the 2023 SDGEIS and latest March 2024 CWSRF Engineering Report with minor unassociated revisions provided in **Appendix B** of this SFGEIS provide a comparison of the MBR, SBR and other waste treatment and disposal alternatives. Either type of STP will provide tertiary level treatment and be NYSDEC/SCDHS approved. The MBR has a smaller footprint than the SBR but has higher operation and maintenance costs. The Town will weigh and balance the pros and cons of the MBR and SBR

technologies and make a final decision based on the SGEIS and identified pros, cons, public and agency input and the Town's engineering and financial consultants.

Comments KCw-18, KCw-35: Page 1-25 of the SDGEIS finds that an odor control system would be designed and installed, if needed, yet such a system is not described on the previous pages where details are set forth for the components of SBR and MBR systems.

On page 7-14 odor control is discussed and the conclusion is reached that "Regarding odors, a masonry structure will enclose the STP equipment and treatment processes, thereby containing odors. If odors become an issue, odor control technologies will be installed." Contrast this statement with those on page 1-9 where it is stated that "odor control technology will be provided." The authors obviously thought about the issue but seem not to have a good grasp of the consequences of not providing adequate odor control, especially for a SBR option as they obviously prefer.

Response: As stated in the 2020 SEQRA Handbook Fourth Edition p. 98, No. 4, EISs should be written in plain language that can be read and understood by all. Highly technical material should be summarized in the text of the EIS and, if that technical material must be presented in its entirety, it should be included as an appendix. Please note that the details of the engineering analysis and pros and cons of the facilities considered were provided in the Riverside Revitalization Sewage Treatment Plant Clean Water State Revolving Fund Engineering Report provided in Appendix B of the SDGEIS and updated with minor edits only in **Appendix B** of this SFGEIS.

The CWSRF Engineering Report considered odors and determined that treatment will take place entirely within a concrete STP structure and the treated effluent will be discharged directly from the interior of the building below grade into the subsurface leaching pool network, thereby minimizing odors. The plant is also required to meet NYSDEC setback requirements further mitigating potential odors to the closest receptor.

Odor control is important and the Town intends to include odor control based on feasible treatment configurations that will be decided in the final engineering plan with input from regulatory agencies such as NYSDEC and SCDHS. A full basis of design report will be included with the design documents. The pump station will also be equipped with an air intake fan.

Comments KCw-20, KCw-31: Effluent leaching area: First, it seems like the decision to use leaching pools has already been made based on the discussion provided in this section regardless of the options for injection wells and created wetlands that were mentioned. Details on the effluent leaching area differ between the area required as shown on page 1-22 and that shown on page 1-25 of the SDGEIS. In most cases, the leaching pools will only provide a 2-foot separation from the bottom to the groundwater level, and due to the discharge, there is likely to

be some mounding of the groundwater due to the discharge. This is not discussed. Additionally, to maximize the discharge distance to groundwater, should shallower pools or perhaps a drain field (leaching field) be considered instead of the large leaching field with 10-foot leaching pools?

Due to the relatively shallow depth to groundwater, why wasn't a drain field considered for the recharge of the effluent? Use of a drain field would increase the percolation of the effluent by several feet before contacting the groundwater table.

Response: The proposed leaching fields will be designed to provide a minimum of three feet of separation between the bottom of the pools and the groundwater table. Use of leaching pools maximizes subsurface storage capacity compared to shallow leaching galleys, while providing the required separation between the pool bottom and water table. In general, the estimated time period for treated effluent to enter groundwater from the base of a leaching pool is around 90 days. For these reasons, the leaching pools have been identified as the preferred alternative.

Final decisions on the treatment configuration and effluent discharge will be made with further input from regulatory agencies such as NYSDEC and SCDHS with a technical design report accompanying the final engineering design documents.

Comment KCw-22: On page 2-10 of the SDGEIS it is noted that "Site grading operations will be undertaken in a manner that supports the reincorporation of excavated material back into the proposed leaching area. How is this going to happen as each leaching pool will require excavation of over 10 yards of material which will need to be removed rather than reincorporated into the site? For 640 pools, there is probably nearly 6,000 cubic yards of material that will need to be addressed.

Response: Soil will be incorporated back into the site to the maximum extent possible with possible raising of the site elevation if needed in the final design. It is fully expected that some soil will have to be removed from the site.

Comment KCw-21: As a proposed mitigation measure, on page 2-9 of the SDGEIS it is noted that "The advanced tertiary level of treatment that will be provided and control of stormwater ...will help reduce or eliminate potential soil, groundwater and subsurface impacts." Page 1-22 notes that for the N+P preferred option of an SBR, the plant would be "easily upgradeable to include secondary and tertiary treatment." Again, contradictory information is being provided without clarity to the reader. This is exacerbated by statements on page 3-8 where drainage outfalls are noted to a lake and the Peconic River.

Can the stormwater discharges be eliminated, and water diverted to the STP in an effort to eliminate some of the stormwater runoff which is a stated goal in many diverse water reports spanning decades of research and recommendations?

Response: As noted previously, the STP will provide tertiary level treatment. The discussion of adaptability is simply one of the general benefits of the SBR system due to its adaptability and is not applicable to the current action.

The projected and available capacity of the STP is for sanitary wastewater and the anticipated flow does not account for treating stormwater which would add costs and additional land requirements and would reduce system capacity. The original GEIS for the BOA, RRAP, ROD and Official Zoning Map amendments goes into detail about the use of green stormwater infrastructure to address runoff issues where practical.

Comments KCw-24, KCw-29: Page 3-11 it is stated that, "...stormwater runoff does not inherently contain significant concentrations of contaminants but is very effective at 'washing' them from streets, parking lots, sidewalks, concrete pads outdoor materials storage areas, lawns, gardens and other surfaces, mobilizing both soluble and non-soluble materials, and transporting them to areas of deposition by point and nonpoint discharges where they accumulate in groundwater and surface waters." What does this mean?

Response: Sources of contaminants in stormwater runoff are derived mainly from materials on the ground surface such as from fertilizers and pesticides, leaked or spilled oil and gasoline, etc. and are less associated with atmospheric pollutants in rainfall. Runoff typically washes pollutants that have accumulated on the ground surface into leaching pools, recharge basins or point sources thereby concentrating the contaminants they carry to discharge locations.

Comments KCw-25, KCw-29: Page 3-14 notes that a threat to groundwater comes from, among other sources, "stormwater runoff recharged into groundwater from recharge basins, drywells and leaching pools...". Page 3-18 notes recommendations for treatment of stormwater to include green infrastructure yet it does not seem that such consideration has been attempted, nor has the option of treating some of the stormwater at the STP.

On page 5-19 there is discussion of stormwater runoff and recharge, particularly at the STP site. Why is there no discussion about collecting and treating stormwater at the STP from the site and perhaps some of the adjacent roadways, especially where existing drainage structures will be removed and possibly replaced?

Response: The focus of this SDGEIS is on the creation of the sewer district and construction of needed sewer infrastructure. Drainage generated on the STP site and relocated section of Enterprise Zone Drive will be captured and recharged by roof drains and/or into catch basins and subsurface leaching pools, in accordance with Town standards. The original (2015) DGEIS included various stormwater management recommendations noting "pre-treatment of stormwater runoff prior to infiltration using "green infrastructure" practices such as vegetated

swales, filter strips, rain gardens, green roofs and other best management practices (BMPs) in accordance with the New York State Stormwater Management Design Manual and the Suffolk County Planning Commission Managing Stormwater Guide.”

The planned capacity of the proposed STP does not account for the treatment of stormwater from onsite or throughout the proposed Sewer District which would dramatically decrease sewage treatment capacity, require more land, increase costs and reduce the efficacy of the BOA, RRAP and ROD for achieving the identified long range socioeconomic goals. The GEIS/SGEIS call for the use of Stormwater Best Management Practices (BMPs), including green infrastructure (landscaped buffers, rain gardens, green roofs, vegetated swales, etc.) for future development and redevelopment for pretreatment of stormwater prior to infiltration, where practicable. In any case, all necessary stormwater infrastructure must comply with applicable State and Town standards and is subject to final Town Engineering and/or Stormwater Management Officer review and approval. Most of the 11.45-acre STP/ leaching facility site will consist of pervious “green” ground cover that support plant uptake, evaporation, transpiration and direct leaching of precipitation into the ground, as well as the collection and subsurface recharge of roof runoff into drywells or stormwater leaching pools.

With respect to construction of the STP, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared, in accordance with MS4 requirements, to capture and recharge all stormwater generated on the STP property on-site. SWPPPs will also be required for any future development or redevelopment that is part of the proposed revitalization efforts that involves more than one acre

Comments CS-4, KS-5, CS1-5: [Councilman Schiavoni to Mr. Coenen]: Is there a difference in energy consumption between the two systems (SBR and MBR) you cite?

Mr. Coenen: The MBRs are less energy intensive.

Response: According to N+P’s wastewater management engineers, the MBR typically uses more energy than an SBR as the MBR requires additional blowers for treatment (i.e., one blower for each tank) compared to the SBR’s one blower for every two tanks. The SBR and MBR systems are otherwise similar in terms of energy demand. See also the response to **Comment SPB-5** below.

Comment SPB-5: The Planning Board recommends the installation of solar panels atop the proposed sewage treatment plant building, in order to offset energy consumption at the site, consistent with the recommendations of the Climate Action Plan.

Response: As stated in the CWSRF Engineering Report (**Appendix B**) and the SDGEIS, two renewable energy options, wind and solar, are being considered for the STP facility. Each produces energy that will reduce the operating costs of the plant but at differing rates. Three

layouts were considered, 1) rooftop solar panel coverage, 2) rooftop wind turbine farm, and 3) a combination of solar panels with a wind turbine perimeter. According to **Section 3.1.8** (“Renewable Energy Options”) of the CWSF Engineering Report, the size of the SBR STP roof would be large enough to accommodate as many as 1,450 panels.

At the time this option was evaluated the average electrical cost was approximately \$0.22 per kilowatt-hour. N+P estimated that it would take a little more than five years for the panels to generate enough energy to cover the cost of the panels themselves. This does not take into consideration construction, maintenance and servicing costs. The market for rooftop wind turbines is not as fully established as solar panels.

There are many different designs that claim to optimize the efficiency of turbines. To allow for adequate spacing for wind flow, it was estimated that approximately forty-eight turbines can be installed on the roof in an offset layout. Based on an average energy generation and the current electrical cost, it was estimated that the wind turbine layout would take a little more than eleven years to generate enough energy to cover the cost of the turbines. Again, this did not take into consideration construction, maintenance and servicing costs.

The third option evaluated was to combine the wind turbine and solar panel layouts. The solar panel rooftop option was kept the same only with wind turbines around the perimeter of the rooftop only. This layout was estimated to take approximately eight years to cover the cost of the materials, again without additional expenses taken into consideration. It is important to note that none of the options would generate enough energy to make any of the STP process options self-sustaining. A connection to the electric grid will be required despite any installation of renewable energy sources. Therefore, the renewable energy sources’ installation will not affect the construction of the STP. If there are any grant opportunities with NYSERDA or other agencies, the Town will pursue them. The panels or turbines can be installed at any point after the building has been constructed and should have no impact on the treatment process.

Comment KC-4: The economic discussion in the SDGEIS is way off. It says the SBR is cheaper. It never has been and never will be. An MBR is much less expensive and it can be built faster and installed quicker. If you’re looking to get a big bang for the buck, that’s the way to go. SBR technology is cumbersome, expensive to build and costly to maintain.

Response: The cost estimates provided in the CWSRF Engineering Report are from 2018 and were peer reviewed by Arcadis. As previously noted, operationally, the MBR typically uses more energy than an SBR as the MBR requires additional blowers for the treatment process (i.e., one blower for each tank) compared to the SBR’s one blower for every two tanks. In addition, since internal recycle for the MBR system is required there is a larger energy demand during operations due to the additional pumping equipment. The final decision regarding the proposed treatment technology will be made after preliminary design discussions with the Town’s selected

engineering consultants and in consultation workshops with regulatory agencies. As indicated in the Map & Plan Report, the Town has sufficient funding to construct either treatment system.

Comment KCw-13: On pages 1-19 through 1-21 of the SDGEIS, economic benefits are shown in 2015 dollars. Why haven't they been adjusted to provide a current snapshot of the anticipated revenues?

Response: The economic benefits of fully implementing the RRAP and ROD were considered in the previously publicly reviewed, fully vetted, and accepted GEIS and Findings Statement and adopted RRAP and ROD Zoning. These were provided in the SDGEIS as background regarding the overall benefits of sewerage. This SGEIS is simply the creation of the Riverside Sewer District and plan for construction of an STP and associated infrastructure to serve the approved RRAP and ROD. The costs and available funding were all thoroughly reviewed, presented to the Town Board and public and have been and will continue to be carefully evaluated through the final engineering design.

Comment KCw-2, JS1w-13, JS1-4, JS1w-14, JS1w-16, JS1w-17, JS1w-18, JS1w-19, JS1w-20, JS1w-21, JS1w-22, SM-1, SM-7: The plan is to construct a new STP that will service the Riverside community. It will be either a 500,000 gallon per day (gpd) plant as noted on page 1-10 and 6-20, or an 800,000 gpd plant as noted on pages 1-22, 6-22 and 9-10. There is little guidance in the document about the size and peak flow as peak flow could be 800,000 gpd or 2,344,000 gpd depending on which page one is reading.

There are conflicting statements within the applications, studies and reports regarding the existing wastewater flow generated from within the Proposed Riverside District Boundary. None of the existing flows generated by Suffolk County facilities, located in Riverside, were included in the existing conditions description.

Descriptions stated in the studies and reports claim, the Riverside Sewer District project is designed to accommodate an existing flow from 840 housing units and land uses located within the 440-acre proposed sewer district of 171,072 GPD. However, the Theoretical Development Scenario of the Riverside Overlay District will provide 192,000 SF of retail and professional space "that will support market demand" and 2,300 new housing units all of which have been projected a need for accommodating an additional 538,065 GPD from the new development. The recommended combined flows of exiting land use and future land uses (for planning, engineering design and construction) is 800,000 GPD. Based on this recommended design flow:

800,000 GPD divided by 171,072 GPD (described as existing flow) equals a design flow that is 4.76 times the existing flow, which means the proposed wastewater collection and treatment facilities are nearly five times greater than what is necessary to improve existing water quality conditions.

How many gallons of sewage flow is currently generated within the proposed Riverside Sewer District boundaries?

Response: There are two ways that sewer flow, whether discharged into public sewers or into private onsite septic systems, is calculated. One way is using SCDHS design standards.¹ These standards (or multipliers) are based on the type and size of each proposed land use and the maximum capacity needed to ensure that sewer generated from the use will be fully accommodated by the system under “worst case” highest flow conditions. Therefore, this approach provides an artificially high projection to ensure that a system has more than enough capacity to manage a maximum discharge scenario. The second method is measuring the actual flow being discharged into a sewer system.

Flow Projections

Various numbers are presented for different purposes throughout the planning and environmental assessment. For example, there is the:

1. Existing (built) flow projection based on SCWA water use records (94,132 gpd);
2. Existing flow based on SCDHS design standards (171,072 gpd);
3. Existing flow based on SCDHS design standards plus projected as-of-right flow under the original underlying zoning on vacant or underutilized lots to get the total as-of-right flow (287,000 gpd rounded to 300,000 gpd);
4. There is a calculation for the maximum additional flow under the ROD (538,065 gpd rounded down to 500,000 gpd); and
5. Maximum flow at full buildout under the RRAP and ROD is rounded to 800,000 gpd which would be the maximum capacity of the system.

The 500,000 gpd reference refers to the TDS peak design flow projection used for the previously adopted (2015) GEIS, Findings Statement, RRAP and ROD to which this SGEIS is a supplement. That volume is based strictly on future development. An additional maximum 300,000 gpd design flow is allocated toward the connection of existing development currently utilizing conventional septic systems and cesspools in the community plus additional development under the underlying zoning on vacant or underdeveloped lots. Connection of existing development will help to reduce impacts associated with these low quality and substandard systems.

The total maximum capacity of the proposed STP as indicated throughout the SDGEIS (other than providing background) and the CWSRF Engineering Report is 800,000 gpd based on design flow. Both references to 500,000 gpd (pp. 1-10 and 6-20) specifically note that the 500,000 gpd is the

¹ Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other than Single-family Residences (July 21, 2020), Page 16, Table 1, Project Density Loading Rates & Design Sewage Flow Rates

TDS used in the previously adopted 2015 GEIS and Findings Statement for the BOA, RRAP and ROD. The 800,000 gpd total is the maximum projected facility capacity based on existing and future design flows.

Phasing

With regard to Phase I and Phase II sewage flows, project phasing, and existing versus future growth under the TDS and ROD, areas shown in yellow on the Phasing Map (**Attached**) will be sewered first (Phase I). Phase I includes areas determined to be of most need for sewerage due to the presence of three densely populated mobile home parks (Riverwoods, Parkview and Peconic Bay Mobile Homes), land around the traffic circle, the numerous small lots between Old Quogue Road and Riverleigh Avenue, and locations in the district that are most in need of revitalization. Phase II is shown on the Phasing Map in blue/gray which includes the areas along the east and west sides of the Proposed Sewer District, south of the Enterprise Zone Industrial Subdivision and proposed STP site, and the area north of Flanders Road (excluding the previously mentioned mobile home parks addressed in Phase I) which consists mostly of parks, open space and RO-7 zoned (Parkland District) lots.

Phase I development and corresponding flow is expected to consist of the entire existing flow in this area with the remaining balance to be allocated for new TDS ROD development totaling a maximum of 400,000 gpd, subject to NYSDEC permit requirements. The same would take place under Phase II, with the entire existing flow in this area and the balance to be for new TDS ROD development totaling 400,000 gpd.

Regarding the second and third comments, again, there is a fundamental misunderstanding of the prior work that was conducted for the Proposed Revitalization and Sewer District or a willing misrepresentation of the facts to distort the proposal to meet a narrative. First of all, the Proposed Action involves the creation of the Riverside Sewer District to specifically serve the area identified by the BOA, RRAP, ROD, GEIS and SGEIS and contemplated by project funding efforts. The Proposed Action is NOT an area wide sewer project. That is, it is not proposed to serve the adjacent community of Flanders that is currently unsewered and contains dense development along the shores of the estuary, although it may be contemplated in the future. It is also not for the adjacent community of Northampton which is within the Central Pine Barrens is surrounded by parkland and includes Wildwood Lake and the headwaters of the Little Peconic River. And it is not for the County Center and Jail which is also located in an environmentally sensitive area but is already connected to the Town of Riverhead which has been serving this facility for decades. These areas are not considered, as they are not a priority, not reasonable or viable for the Town to pursue at this time, require considerably more investigation after completion of an array of plans, nor are they relevant to the Subject Action. This Proposed Action involves only that area shown on the district boundary map (**Appendix A, Location Map and Attached Plans**) and

included in the boundary description (**Appendices G-1 and G-2**) which has been studied for many years and determined to be the most appropriate boundary for the Action.

Comments JSw-7, JSw-8, JSw-9, JSw-10, JSw-11, JSw-12, JSw-13, JS-2, CB-7, JS-4, AB-1, TH-9, JS1-1, JS1-2, CS1-9, CS1-10, JS1-5, THw-6, THw-7, THw-8, JS2w-2, JS2w-3, JS2w-4, JS2w-5, JS2-1, DT1-2, DT1-6, DT1-8, DT1-9, DT1-11, JS3w-1, JS3w-2, TH2w-2, TH2w-3, TH2w-4, TH2w-5, JS4w-5, JS4w-6, JS4w-7, JS4w-8, JS4w-10, JS1w-5, JS1w-6, JS1w-7, JS1w-8, JS1w-25, JS1w-26, JS1w-27, JS-6, JS-7, JS-8, JS-9, JS-10, JS-11, JS-12, JS-13, JS-14, DT1-7: The Map and Plan do not show the County Center included in the district. The SDGEIS must include the County facilities in the assessment and as part of the proposed Riverside Sewer District or as a potential connection from outside the proposed district's boundary because of its proximity to the proposed Riverside Sewer District infrastructure.

Considering the proposed Riverside Sewer District consists of more than 12 miles of collection pipes, four (4) pump stations and a treatment plant designed for processing 800,000 GPD, adding the Suffolk County Center and County Correctional Facility is not unreasonable. The Suffolk County Department of Health Services sanitary design flow standards showed the Suffolk County Correctional Facility at (+/-) 122,000 GPD and the County Center and Courts at (+/-) 47,000 GPD for a total of (+/-) 169,000 GPD. The meter reading recorded by Riverhead shows closer to an average of 100,000 GPD as the total flow from these County facilities.

The SDGEIS must develop a timeframe for the County facility's connection(s) in Phase 1 to relieve the Riverhead Sewer District from the current temporary arrangement of accepting wastewater from outside its sewer district boundary.

This approach will provide the Riverhead Sewer District with much needed capacity at the Riverhead treatment plant and serve to "kick start" the proposed Riverside Sewer District and its treatment plant. Inclusion of the County Center wastewater will provide the Southampton/Riverside Sewer District with a revenue stream from the sewer fees. The County could realize a reduction in fees and the additional revenue could lower sewer fees in the district.

Riverhead is in the process of updating the Town's Comprehensive Plan. A critical component of the Plan is continuation of farmland preservation through a proposed transfer of development rights from agricultural land (currently zoned for residential use) to receiving areas where higher density can be accommodated by Riverhead's municipal sewer and water supply systems. A limiting factor is the existing capacity of the Riverhead treatment plant to support anticipated increased density of the receiving areas, thus placing added pressure on the Town's farmland preservation efforts.

Preservation of agriculture is a regional goal and the primary purpose of the Town of Riverhead's Community Preservation Fund (CPF). Unfortunately, the way the CPF is currently structured,

poorer communities, like Riverhead, are left without the ability to preserve Riverhead's agricultural heritage, agricultural economy and open spaces the way other wealthier east end towns have been able to. The result of this is environmental injustice.

The relief from the County's sanitary flow, which Riverhead has served by-out-of-district agreements since the 1960s (until Suffolk County developed other disposal alternatives), will provide Riverhead the much-needed capacity to direct development to locations served by the Riverhead Sewer District and connect unsewered units located along the Peconic River Corridor that are degrading the River's water quality. It makes no environmental sense to sewer the downstream Riverside community unless Riverhead can provide sewer connections at locations upstream on its side of the River.

The County Center is about 1,000 feet from the proposed Sewer District and the nearest point to connect the County Center to the proposed Sewer District is on the east side of the traffic circle and the necessary Riverside infrastructure will be available during Phase I.

The sewerage of Riverside/Southampton would also eliminate a significant amount of nitrogen from entering the Peconic Estuary upstream from the proposed Riverside STP. The inclusion of the County Center and Suffolk County Correctional Facility in the Riverside STP, would permit both Towns, Riverside STP and Riverhead Sewer District, to capture almost all of the nitrogen flows that are now going directly into the Peconic River and permit each Town to continue its revitalization efforts. Based upon the potential to afford farmland preservation, as well as the improvement of the health of the Peconic River and revitalization of the West Main Street area, we, the Town of Riverhead, strenuously urge that the proposed Riverside STP Map and Plan be immediately revised and expanded to include the Suffolk County Center and Correctional Facility.

The Town of Riverhead Town Board, as Commissioners of the Riverhead Sewer District will cooperate with the Lead Agency to provide support for the Riverside Sewer District.

The nearest major development is 2.4 miles. The 45-acre County Facilities are roughly 300 feet from the Sewer District.

Response: The original BOA, RRAP, ROD code and Official Zoning Map amendments focus on the area within the boundaries of the prior Study Area and currently proposed Sewer District. The SDGEIS focuses primarily on the type, location, capacity, feasibility, performance, design and other factors for establishing a sewer district and constructing sewer infrastructure with a maximum capacity of 800,000 gpd to meet the Riverside community's most urgent public health, safety and environmental goals, identified by the adopted plans and zoning. The STP is needed to provide the essential infrastructure to implement the previously approved BOA Study, RRAP and ROD, protect the environment and foster economic opportunities for area residents.

Currently, the County Center and Jail which serves Riverside, Riverhead and the rest of Suffolk County is connected to the Riverhead Sewer District and its STP. Therefore, the County Center and Facility is not contributing a significant load of nitrogen to the Estuary wastewater is being treated at the Riverhead STP; however, the area within the Proposed Riverside Sewer District is presently not sewered and contributing high concentrations of nitrogen to the River and Estuary. Furthermore, economic growth that is necessary (as has been going on in Downtown Riverhead) and imperative within the proposed Riverside Sewer District boundary to address severe poverty, crime, and a lack of opportunity and provide jobs, basic capital infrastructure, affordable housing, and new business opportunities as discussed in the Riverside Revitalization Plan.

Future sewer connections will be determined as projects are proposed and will be based on need within the identified priority study area which includes three pre-existing mobile home parks and numerous single-family homes on small lots that rely on individual sanitary systems or cesspools at densities that exceed current SCDHS standards.

In the meantime, the Town of Riverhead will need to complete and approve its Comprehensive Plan and TDR program, assess traffic and other environmental impacts from the projected transferred development density (which has not been publicly vetted), determine how it may impact Riverhead and Riverside's infrastructure, identify any necessary improvements and mitigation measures, create a plan for the sewerage and waste disposal to accommodate the 7,000 acres of TDRs, indicate and analyze if zoning map and code modifications will be needed, consider all reasonable alternatives including alternative receiving areas, expanding its STP, constructing new STPs (e.g., along Route 58), etc., fully assess its plans pursuant to an EIS with the required public outreach particularly outreach to the Town of Southampton which may be affected, and much more before any of its currently preliminary stated goals can be implemented.

The 100,000 gpd mentioned above is actual County Center/County Jail flow and not the design capacity flow (noted as 169,000± GPD in the comment above and generally as 200,000 GPD in other testimony). The design capacity flow would need to be set aside in the Riverside STP if the Town opts to consider future connection of the County Center. This represents up to a quarter of the Riverside STP's capacity. Inclusion of the County Center/County Jail into Phase I of the proposed STP would prevent the Town from connecting all existing parcels identified in Phase I, to the STP or realizing the revitalization goals by allowing for new development. The Proposed Action involves an STP that is sized in accordance with design flow for existing and future uses within the ROD; connection of the Country Center to the proposed Riverside Sewer District has never been contemplated as part of the Proposed Action. See also the response to **Comments RCSD-1, DT-7** in **Section 2.9** "School District and other Intermunicipal Districts and Infrastructure of this FEIS."

The maximum capacity of the proposed Sewer District's STP and leaching area is 800,000 gpd. Whether the County Center and Jail connect or all 800,000 gpd of flow is allocated to the currently identified proposed Riverside Sewer District, the capacity is the same (800,000 gpd). Connecting the County Center and Jail does not reduce user fees any more than if all flow comes from the critical mass of future development needed in the proposed district to meet identified goals.

The closest residential community in the Town of Southampton to the Proposed Riverside Sewer District is Flanders which is approximately 2,000 feet east of the Proposed Sewer District boundary on both sides of Flanders Road. Like other nearby places in the area, the depth to groundwater in parts of Flanders is shallow, it is located near various freshwater and tidal wetlands and surface waters, and parts of Flanders are within FEMA 100-year and 500-year flood zones. The difference between Flanders and the County Center is that it is an unsewered, densely developed, tax paying, low income single-family, largely minority residential community that utilizes septic systems and cesspools. Parts of Flanders are located along the shores of the Peconic River, Reeves Bay, Flanders Bay, and in the Peconic Estuary and Environs Critical Environmental Area. Other parts contain freshwater wetlands, and unlike the County Center and Jail Site, is adjacent to designated environmentally sensitive NYSDEC tidal wetlands north of Flanders Road. The section of Flanders south of Flanders Road is in the Central Pine Barrens and is adjacent to David A. Sarnoff Preserve and Flanders County Park. Despite the potential need to sewer this area sometime in the future based on the above considerations, the first priority is and has always been the central Riverside community as delineated for the reasons discussed in detail throughout this document and other studies, plans and zoning throughout many years.

Comment JS1w-28: Recognizing the proposed design of the Riverside STP is significantly greater than what the existing wastewater base flow requires, and by design, has flexibility for low cost and operational future expansion, it is strongly recommended the inclusion of County facilities be added.

Response: As noted by Riverhead Supervisor Hubbard, the design flow for the County Center and Jail is 200,000 gpd. Including the County facilities in Phase I of the sewer district will prevent the Town of Southampton from connecting all the parcels identified in the Phase I Sewer District Map, thereby reducing the benefits accrued from tertiary treatment of the existing effluent. However, the Town of Southampton will continue to monitor the capacity of the proposed STP as development and redevelopment occurs to see if, in the future, an extension of the proposed Sewer District to include the County Center and Jail is viable, appropriate, affordable, and meets mutual goals. In the meantime, it is recommended that the Town of Riverhead obtain consensus from its community to finally adopt its Comprehensive Plan Update, conduct the necessary studies, finalize all plans, prepare the requisite environmental assessments, and consider the various alternatives to address its future planning and sewerage needs.

Comment JS1w-3, JS1w-4, JS1w-5, JS1w-6: During the December 12, 2023, SEQRA hearing it may have surprised the Lead Agency that Riverhead requested the Riverside Sewer District Boundary include the Suffolk County government facilities and jail. Riverhead's purpose of removing the County's wastewater flow from the Riverhead Sewer District is not for increasing development in Riverhead. Riverhead's purpose is for its future environmental protection through land preservation.

Because Riverhead does not have the CPF revenue that other Towns have amassed, Riverhead must maximize opportunities for preserving open space and farmland through an enhanced TDR Program. The proposed revisions to the TDR Program identify land north of the Historical Sound Avenue Corridor as a Sending Area. This is agricultural land, currently zoned for two-acre residential development and is unsewered.

The proposed Receiving Areas are located along the western section of Main Street in the Downtown area. This region is sewerred or can be easily connected to our existing system. This area is contiguous to the Peconic River Corridor, with existing structures primarily using inadequate sanitary systems, which like Riverside, are adding nitrogen loads to the Peconic Estuary.

The burden of treating the wastewater from outside the RSD has reduced the District's capacity of the treatment plant and reduced availability for units within the RSD to connect. The out of District flow is significantly impacting Riverhead's farmland preservation efforts and simultaneously reducing Riverhead's ability to enhance water quality improvements for the Peconic Estuary.

Response: The comment indicates that the purpose of the above preliminary planning is to preserve farmland, sewer an area along West Main Street without an overall increase in development in the Town of Riverhead; however, the transfer of development rights from north of the Historical Sound Avenue Corridor to West Main Street will remove considerable (up to 7,000 acres) of density from large swaths of existing farmland to Riverhead's Downtown enabling increased density along West Main Street. If the TDR program was of significant importance, the Town of Riverhead would have enacted it and required TDRs for the newly enacted Transit Oriented Development adjacent to the train station. In that case, new density (rental apartments) was recently approved in the zoning code with no consideration for requiring TDRs.

The goals of the Town of Riverhead to protect farmland and sewer an unsewered area are laudable. However, the Town of Southampton therefore looks forward to seeing the completed and approved Comprehensive Plan, adopted TDR program, plans for the sewer extension, the EIS that thoroughly assesses these plans, and an adopted Findings Statement with a final Determination of Significance for these actions. As part of the EIS, all reasonable and viable alternatives to these actions including other ways of preserving farmland, plans to upgrade

Riverhead's STP, construction of satellite STPs for large developments or for the Route 58 corridor, use of I/A systems, or a multitude of others. Whether the County Center and Jail connect to Riverside or not, Riverhead's STP will not have the capacity to accommodate 7,000 acres of development rights. The Town of Southampton has always taken an open, proactive and positive approach to working with the Town of Riverhead as an adjacent municipality and will continue to do so. The Town of Southampton at this time will focus on the most pressing environmental priorities which include:

- sewerage the identified unsewered area to protect Riverside's rich and sensitive array of natural resources and protect public health, in accordance with the 2013 sewer feasibility study, approved 2015 BOA, RRAP, and ROD and the amended zoning map, and the funding secured for the proposed project to date;
- meeting the urgent need for brownfield remediation to protect the health and safety of Riverside residents;
- eliminating blight to create a desirable place to live and a sense of pride in the community;
- creating needed affordable, workforce, and market rate multigenerational housing at a time when housing costs and interest rates have skyrocketed;
- Stimulating local business creation and economic growth to meet the critical mass needed to bolster this depressed area;
- creating jobs in an area with high unemployment; and
- providing tax ratable development to support essential community services.

The Town's SDGEIS and SFGEIS fully comply with SEQRA standards and procedural requirements. They identify and examine potential impacts from the construction and operation of the proposed STP and pump stations, the installation of sewers, issues of water quality and other factors on the local environment and consider all relevant and substantive comments entered into the record. Consistent with social and economic considerations, the SGEIS has assessed the Proposed Action among the viable and reasonable alternatives considered appropriate by the project sponsor and has mitigated these impacts to the maximum extent practicable.

Comment BF-3, BF-4, BF-5, BF-7: I've heard a lot about removing the County Center from the Riverhead Sewer District and having it connect to the proposed Riverside Sewer District. Maybe there's another solution where the County Center can stay in the Riverhead Sewer District, and if they need excess capacity, and there is excess capacity here in the future, then potentially they can come to the Board and ask for that, rather than, doing it now at this stage. So, my point being is that maybe there is a solution that doesn't involve changing the Map and Plan now to connect the County Center. We did a little bit of a case study on this a couple of years ago. There is also a district in Calverton, you all probably know, which I don't know if that's been considered here on the Riverhead side.

Another option is to wait for Phase II, or if there is additional capacity in Phase I, allow them to request a connection to Riverside, just like Peconic Paddler did with Riverhead.

Response: There are various potential solutions. The Town of Southampton may consider the option of expanding the District to allow the County Center to connect to the Riverside STP at some point in the future, but other solutions are available such as expansion of the Riverhead STP, the County acquiring nearby land and constructing its own STP, relocation and consolidation of the County's facilities in Yaphank or somewhere else, and numerous others.

In any event, Phase I of the proposed Sewer District plan is currently reserved for central Riverside's residential community, which is by far the Town's highest priority, with the potential to connect the County Center once certain critical baseline needs of the Riverside community is met and additional capacity is still available and connection of the County Center is found to be the best option.

Comment JS2-6, JS2-6: The Town of Riverhead's TDR program is focusing on moving development west of Roanoke Avenue along Main Street in Downtown Riverhead, where we have some sewer, but we need to expand the district to connect that receiving area. Also, we have inadequate sanitary systems at the existing facilities along that section of Riverhead. It makes no environmental sense to me for you to invest \$35,000,000 downstream to address water quality issues. If Riverhead can't get that flow, we need to address the upstream issues and improve the water quality of the river upgradient.

Response: Riverside is also upstream of and adjacent to the Peconic River and Estuary, not to mention the Little Peconic River, freshwater and tidal creeks and wetlands. All surface and groundwater flow in the Riverside community flow toward these water bodies including the sanitary waste discharges of three mobile home parks and single-family homes on substandard lots. The Riverside community is also within a Central Pine Barrens Compatible Growth Area, Central Suffolk Special Groundwater Protection Area, Town Aquifer Protection Overlay District and in proximity to other sensitive environmental resources including tidal and freshwater wetlands and ponds.

The Town of Southampton has specifically secured funding for the current project based on its needs and merits which include not only the protection of sensitive environmental resources in Riverside, but a host of social and economic issues associated with this poor and disadvantaged community. Connecting a County facility that is already connected to an STP is not an environmental priority at this time. Moreover, connecting the County facility to the first Phase of the STP will prevent the Town from connecting all the parcels identified in the Phase I Sewer District Map, thereby reducing the benefits accrued from tertiary treatment of the existing effluent.

It should also be noted that in 2000, the Town of Riverhead and associated funding agencies invested a significant sum of money to upgrade its STP including the installation of sequencing batch reactors (SBR's) and the use of ultraviolet light for disinfection with a permitted capacity of 1,200,000 gallons per day. This has enabled Riverhead to allow considerable new construction and revitalization of its Downtown including several relatively new multistory buildings and increase commercial development along the Route 58 corridor.

Comment CM-2 (*Question to Town of Riverhead Representative per Comment JS1-3*): How much revenue would Riverhead lose if the County Center were to connect to the proposed Riverside STP instead?

Response: According to Riverhead Town representative per **Comment JS1-3**, the Town of Riverhead wouldn't be losing any revenue, because it would be able to charge others a sewer fee for the additional 100,000± gallons per day that it would have after the connection to the County Center was discontinued. Since the County Center and Jail is outside of Riverhead's Sewer District, there is a special agreement between the two. That agreement is subject to negotiation on a periodic basis and is outside the purview of the Town of Southampton.

Comments SM-8, SM-9, CS1-11, CM-3: If the Town were to continue to coordinate with the Town of Riverhead and further consider connecting the County Center, how would that affect the planning and funding processes? Would any connection occur during the first or second sewer phases or would there be a Phase III?

Response: The County Center is not currently part of the proposed Riverside Sewer District and according to Riverhead officials and its environmental consultant, the County Center has been utilizing the Riverhead STP since the 1960s through a mutual agreement between the two parties. If there are no other options such as expansion of the Riverhead STP to accommodate its pending plans, possible relocation of the County Jail to another location, the Town of Riverhead completes and adopts its Comprehensive Plan, smaller satellite onsite STPs and disposal systems are determined to be infeasible, if the County seeks a connection with the Town of Southampton, if an agreement is made to connect the County facility, if capacity is available in Riverside, if the existing infrastructure (sewers and pump stations) serving the County are sufficient, and other possible considerations, a connection to Riverside might occur in the future pending all requisite planning and funding for this purpose.

Amending the project plan to include the County facilities in the first Phase of the Sewer District will likely result in a loss of funding through the New York State Environmental Facilities Corporation (NYS EFC), which is requiring that the Town of Southampton establish a Sewer District by June 15, 2024 in order to apply for financing. As this funding source is equivalent to half the total project cost, the project is unlikely to proceed without the NYS EFC funds.

The Southampton Town Board may consider including the County facilities in a future Phase of (Sewer District expansion, requiring a new Map & Plan Report). However, the County facilities' 200,000 gpd design flow represents approximately 25% of both phases of the STP, thus, suppressing revitalization of this State and federally designated Disadvantaged Community.

Comments KCw-14, KCw-40: Page 1-21 of the SDGEIS, under the heading of Description of the Proposed Action, it is noted that as part of the engineering assessment, several available state of the art STP technologies were evaluated...including Sequencing Batch Reactors, Membrane Bio-Reactor and Biologically Engineered Single Sludge Treatment (BESST). Apparently, the BESST was discarded without further review as evidenced on the following pages 1-22 and 1-23 where the technology isn't described in any detail or discussed further.

There is no real discussion of the use of alternative technologies in the Alternatives Section, despite being required as noted on page 9-1. MBR Technology and BESST were inadequately addressed in the February 2022 Arcadis report and the recommendations taken in this document continue the inadequacy.

Response: As previously noted, the 2020 SEQR Handbook, Fourth Edition p. 98, No. 4, states that EISs should be written in plain language that can be read and understood by all. Highly technical material should be summarized in the text of the EIS and, if that technical material must be presented in its entirety, it should be included as an appendix.

The CWSRF Engineering Report (**Appendix B**), which is an element of the SDGEIS, contains information and evaluation of nine "Alternatives" including several currently available and SCDHS-approved STP technologies:

1. Conventional Disposal Systems;
2. Collection and Pump Station Systems to a Nearby Existing Treatment Facility;
3. Collection and Pump Station System to a Treatment Facility Within the Community;
4. Biologically Engineered Single Sludge (BESST);
5. Membrane Bio-Reactor (MBR);
6. Single Batch Reactor (SBR);
7. Janicki Bioenergy;
8. Renewable Energy Options; and
9. Centralized vs. De-Centralized systems.

The BESST system was assessed as part of the CWSRF Engineering Report. One of the factors leading to its elimination from consideration is the size of the STP footprint relative to the size of the proposed STP site.

In addition, Arcadis of New York, Inc. (Arcadis) conducted a three-day value planning (VP) study of the proposed wastewater collection and treatment system in the Riverside Community. The VP study was completed for the New York State Environmental Facilities Corporation (EFC) and for the Town of Southampton (Town) as part of the Environmental Justice (EJ) Hardship Financing process. The project was at a conceptual report level of completion. The workshop was conducted at both the Town of Southampton offices and at the Residence Inn in Riverhead from September 14th through 16th, 2021. The VE team was tasked with applying the SAVE International® six phase (in-workshop) Value Methodology Job Plan to evaluate the conceptual design submission, prepared by Nelson & Pope dated September 2018 or the “baseline concept.” The objective of the study was to identify value-improving alternative proposals to the baseline concept that may reduce project costs, project schedule and project risks, and improve project performance.

The alternative proposals presented in the February 2022 VE report provided solutions addressing the basic project functions and focused on providing clarification of elements that require additional vetting as the project proceeded. Key functional solutions that also provide cost savings include options to transfer either solids treatment or liquid and solids treatment to Riverhead WRRF (requires governance arrangement with Riverhead to make this happen. Riverhead is one of a few options for providing potential solids treatment).² Other alternative proposals looked at replacing the constructed wetlands with an injection gallery. The VE process and report provided an important assessment of the project at its early stages and the ideas and additional clarifications presented by Arcadis helped to guide the planning process toward the full facility design.

A final decision as to the preferred facility will be determined after the final engineering report is completed and through a series of meetings with the selected design engineer, NYSDEC and the Health Department that will include further public participation.

Comments KCw-34, KCw-36, CS1-3, CM-1: Page 5-42 of the SDGEIS opens discussion on utilization of discharging treated effluent to constructed wetlands and further notes that this is not the preferred alternative.

In Section 9, Alternatives, Section 9-2 addresses the discharge of treated effluent to Constructed Wetlands. As described, this would be a 4.3 acre constructed wetland created in the dredge spoil area adjacent to the Peconic River. Wetlands would be ‘constructed’ at between 7+/- feet to 12+/- feet above msl. This sounds more like a recharge basin rather than a constructed wetland.

² As previously discussed, the Sewer District Supervisor and Town Board liaison determined that the Riverhead Sewer District code prohibits the acceptance of sewer sludge from other treatment plants. Therefore, this alternative was eliminated as an option for the purpose of the currently proposed action and the Town will use the Bergen Point facility for this purpose unless circumstances change.

The entire discussion of the use of constructed wetlands is rather convoluted and needs to be reevaluated, especially where the costs are discussed on page 9-9.

As an aside from this project that we're talking about here today, the Peconic Estuary Program has given the Town a grant to reconstruct wetlands in that area. So, thanks to the Peconic Estuary Program.

So, the constructed wetlands alternative is off the table?

Response: The constructed wetland that was considered for effluent discharge by the SDGEIS is not a stormwater recharge basin. It is a sewage effluent discharge and treatment system that uses the natural functions of a wetland including its hydric vegetation, soils, and their associated microbial assemblages to improve effluent water quality before final discharge. The wetland would be planted with emergent herbaceous wetlands plants and other native and suitably adapted wetland species that are tolerant of occasional flooding and saturated soils. Recharge basins are not typically planted with wetlands vegetation or constructed with either a compacted clay layer or impermeable liner at its base to reduce or prevent direct recharge and retain discharged effluent; nor do they have a suitable planting base that supports emergent plants, other wetlands vegetation and local fauna. Constructing the wetland at the elevations indicated prevents periodic flooding within the Peconic River / Estuary floodplain, ensures that the base of the wetland is above groundwater and separates the facility from native wetlands.

The constructed wetlands method of treated effluent disposal is not preferred or recommended for this project at this time based on the available information and assessment. Nevertheless, it is another positive step in the RRAP implementation to protect sensitive environmental and ecological resources in Riverside including the Estuary, restore part of the shoreline to a more natural condition, while striving for and meeting land development and socioeconomic goals.

The acquisition of additional land at the northeast end of the proposed Sewer District and restoration of wetlands is another positive development that is consistent with the recommendations of the RRAP. As discussed in the prior GEIS and this SFGEIS, a Fair Share Environmental Mitigation Fund was recommended by the RRAP which would help support this effort once the revitalization is underway.

Comments CS-1, SM-2: Is it correct that the proposed sewer infrastructure (STP, sewage leaching areas, and sewer main installations) will take place in two phases? If so, is there enough land to accommodate the necessary infrastructure on the available land? Where are the two leaching areas proposed?

Response: Yes. There is sufficient land area to accommodate the necessary facility and appurtenances and the proposed sewer plan includes two phases of infrastructure

improvements (see attached **Phase I and Phase II Overall Site Plan**.) Areas shown in yellow on this plan comprise Phase I which includes construction of the STP, the southerly subsurface treated effluent leaching area, Pump Stations 1, 2 and 3 and the necessary gravity sewer collection system and force mains in this area. Phase I focuses mostly on the central portions of the proposed Sewer District, most of the area in Riverside north of the traffic circle and the three mobile home parks.

Phase II is shown in blue/gray on the phasing plan and includes the northerly subsurface treated effluent leaching area, Pump Station 4, and the gravity sewers, low pressure force mains, and force mains needed to serve Phase II areas. Phase II sewerage will be focused primarily on the east and west sides of the proposed Sewer District and includes areas north of Flanders Road that are less of a priority such as areas that are mostly natural and within the RO-7 Parkland Overlay Zones, the Phillips Elementary School site, and the single-family residential neighborhoods on the east and west sides of the Sewer District. See attached **Phase I and Phase II Overall Site Plan** for more detail.

As noted above and shown on the attached **STP Concept Plan** there would be two phases of leaching pool installation. The first involves the 2.38-acre area to the south and east of the proposed STP and the second phase of leaching pool installation would be the 2.38-acre area shown to the north and west of the STP which would be installed if and when additional leaching area is needed. Each phase would accommodate and recharge up to 400,000 gpd of treated effluent into the ground using subsurface leaching pools. Based on the proposed plans and CSWRF Engineering Report (**Appendix B**), the proposed STP and leaching site is of sufficient size to accommodate the required volumes and numbers of leaching pools at the required spacing.

Comments CS1-1, CS1-4: How long do STPs last? Once we put this infrastructure in, it's going to be there for a long time.

Response: Typically, the types of STPs considered by this assessment are designed for anywhere between 30 and 40 years. The concrete in the system would normally last about 50 years.

Comments CS2-1, CS-2, SM-10: I have a questions about Town Law 12-A and the formation of the sewer district. Do we have to undergo this same process when we undertake Phase II of the proposed project? If the Town Board or future Town Board wanted to extend the district (for example, if we wanted to include the County Center and County Jail) or other additional hookups, would we have to undergo the same process that we are going through now at that time?

Response: Phase I and II are contemplated within this SEQRA review but the Map and Plan report is specific to the boundaries and parcels located in Phase I only. So, the same process for the Map and Plan will take place when the Town is ready to undertake Phase II A future sewer extension

or district expansion (Phase III or beyond) must also undergo the same process and would require additional SEQRA assessment to take a hard look at any impacts associated with the action.

Comments SM-1, SM1-2, SM1-3: Will the proposed sewerage include connection to the home and not just the property line? If so, do we need an easement for that connection or just a letter from the homeowner? Would the cost of abandoning existing individual septic systems be covered?

Response: The proposed project includes connections from the home to the street. Easements are not required but permission from each homeowner is. The Town will accomplish this through a Local Law, much like was done for the Hamlet of East Quogue, when the Town funded a public drinking water program there using the Community Preservation Fund (CPF). This could be done either as a reimbursement where people have it hooked up themselves and then are reimbursed for the cost, or the Town could get permission from the property owner to allow the connection to their house. Typically, as indicated by the Town of Southampton Supervisor, the hookup fees only bring the sewer mains to the front property line of a house and the property owner is then expected to pay for the connection from the street to the house. In this case, funding will be available for the connection as well. Costs associated with abandoning existing septic systems and cesspools will be paid for with no expense to the landowner.

Comment JSw4-10, JS4w-11: From the Hamlet of Riverside Sewer District Information Map & Plan Report: Section 2.6 Sewer Area and Service Area Boundary Description “The proposed district service area will comprise two hundred thirty-seven tax lots within the hamlet of Riverside as is shown in Figure 1 and Figure 2. The service area boundary does not include all properties located within the Hamlet. The high density residential and commercial properties were given priority for determining the service area.”

As per the Hamlet’s existing conditions, this statement is not accurate. The Sewer Area and Service Area Boundary apparently was drawn and is described solely to favor new development of high density residential and commercial uses. It was not drawn with respect to wastewater generated by existing development. An accurate boundary of the Riverside Hamlet includes the existing County Facilities. These existing County Facilities are mentioned in the SDGEIS on page 6-3, with no description of their wastewater generation and qualify as “commercial/institutional.” The Sewer Area and Service Area Boundary provide no description of the County Facilities, why the land use was not identified as “high priority” commercial/ institutional and why the County wastewater was excluded from the Riverside Sewer District Service Area Boundary.

Response: The County Center is not part of the duly adopted BOA, RRAP, and ROD study areas and is not part of the Proposed Sewer District. Neither is Flanders, which is also unsewered, is adjacent to the Sewer District, and includes many single-family homes on small lots along the

waterfront. The adjacent hamlet of Northampton is also not considered part of the District. These adjacent communities in the Town of Southampton are not included because they were not within the Study Area established by the Town the Blight Study, Urban Renewal Plan, Suffolk County's Sewer Feasibility Study, the BOA, RRAP, and ultimately the adopted ROD.

The Town of Southampton (through the Blight Study, Urban Renewal Plan, Suffolk County's Sewer Feasibility Study, the BOA, RRAP, ROD, GEIS, SGEIS) has considered the most pressing needs of the Riverside community, its priorities for capital infrastructure and determined the geographical focus and limits of the Sewer District. If the Town of Riverhead and County would like to discuss the possibility of the Sewer District being expanded and the County Center connecting to the proposed Riverside Sewer District in the future, the Town may entertain that during future phases of the Sewer District. But for now, the County Center is currently sewered and is outside of the proposed Sewer District boundaries for this project.

2.3 STP and Disposal System Alternatives; Coordination with the Riverhead Sewer District

Comment MI-1: Have you looked at alternatives that would reduce the amount of clearing in the pine barrens?

Response: Yes. The SDGEIS considered the use of constructed wetlands located outside of the Central Pine Barrens CGA, north of Flanders Road, near the Peconic River to dispose of treated effluent thereby eliminating the clearing necessary for leaching pools at the STP site. The SDGEIS also considered installing deep injection wells at the STP site rather than using leaching fields which would have greatly reduced clearing.

As discussed in the Alternatives section of the SDGEIS (Section 9) in detail, the negative aspects of constructed wetlands and injection wells far exceeded those of the leaching pool option. Also considered were several different STP technologies. The BESST STP was eliminated from consideration based in part on its large footprint and the limited land area of the proposed STP site. While the Town Board is still weighing the benefits of both SBR and MBR treatment technology, the STP has been designed to accommodate the SBR technology, which has a larger footprint than an MBR system. A final decision on treatment technology will be made upon completion of preliminary (30%) engineering design deliverable.

Comments KC-3, KCw-37, KCw-39, KCw-23, SPB-2, CB-1: The document has a discussion about injection wells that are 100 feet deep to the Lloyd Aquifer. One-hundred-foot-deep wells are not a deal breaker. One-thousand-foot-deep wells are certainly a deal breaker.

The discussion of the use of injection wells is similarly flawed as the 100-foot depth for the wells is a continuing error that apparently dates to a 2015 Arcadis report that identifies the depth to the Lloyd aquifer as 100 feet. Page 9-12 correctly notes that the Lloyd Aquifer is between 1,000 and 1,500 feet deep, but the logic of using 100-foot-deep wells carries through the discussion.

It should be noted that the cost comparison compares the cost of installing 100-foot-deep recharge wells to the Lloyd aquifer. The Lloyd aquifer is approximately 1,000 feet deep and cost comparisons using the 100-foot-deep wells are inaccurate at best.

Page 3-11 of the SDGEIS notes that the Lloyd Aquifer is approximately 1,000 feet deep in the Riverside area and is saline. I'm not sure about the Lloyd Aquifer being saline as many papers by the USGS as well as public policy for decades has called for the protection of the Lloyd as a future water source if the other two aquifers become contaminated.

The Southampton Town Planning Board supports the preferred alternative that utilizes leaching pools, as the use of injection wells does not comply with Environmental Conservation Law (ECL §15-1528).

I understand you eliminated the Injection well and construction well alternatives as potential means of disposal. I think that's a wise move for a bunch of reasons.

Response: The Lloyd Aquifer is over 1,000 feet below ground in the Riverside area (see **Appendix H** for a geologic cross section and the Lloyd Aquifer contour map). Consideration of this option was based on the fact that the Lloyd Aquifer is a confined unit that is expected to be saline on the east end of Long Island as noted by **Nemickas and Koszalla, 1982**¹:

In all parts of the South Fork, saline water extends into the Magothy aquifer and, in many areas, into the upper glacial aquifer as well. Hence, it is improbable that the Lloyd aquifer contains freshwater, and it cannot be considered as a potential freshwater supply.

The Lloyd Aquifer in the area is “capped” by a 100-200-foot-thick impervious geologic layer known as the Raritan Clay, thereby potentially isolating any treated effluent from the potable sole source aquifers above and making it an attractive option for further consideration. As noted in the SDGEIS, however, several factors identified early on led to the elimination of this option as the preferred alternative:

- Injection may require disinfection depending on EPA and NYSDEC regulations.
- Deep injection does not allow for the water quality benefits of filtration through the zone of aeration as compared to leaching pools and therefore does not maximize the level of treatment in an area with sensitive ground and surface waters.
- The “Riverside Revitalization Sewage Treatment Plant and Collection Value Planning Final Report,” prepared by ARCADIS U.S., Inc., dated November 2, 2021, last revised February 7, 2022, estimates that 100-foot-deep injection wells could be installed at the site, in order to reach the Lloyd Aquifer. However, this estimate does not account for the site-specific depths to the Lloyd Aquifer, on the south fork of Long Island, which can be between 1,000 and 1,500 feet below grade. Wells installed in the Lloyd Aquifer would be very deep -1,000+/- feet (and considerably more expensive to install and maintain) and there may be restrictions on discharges to this aquifer.
- According to the “Hydrology of the Lloyd Aquifer on Long Island, New York – A Brief Summary of USGS Investigations”, prepared by the USGS, dated December 2005, the sediments of the Lloyd Aquifer, on eastern Long Island, consist of sand and gravel, commonly within a clayey matrix, which has a moderate to low permeability, which may prevent adequate dispersion of treated effluent.
- The Lloyd Aquifer does not serve the general public on the east end. It is the Upper Glacial and Magothy Aquifers that provide the drinking water. Since the Upper Glacial and Magothy are part of Long Island's Sole Source Aquifer and is the primary source of

¹ Nemickas, Bronius and Koszalla, Edward J., 1982. Geohydrologic Appraisal of Water Resources of the South Fork, Long Island, NY. Geological Survey Water Supply Paper 2073, in cooperation with Suffolk County Water Authority and Suffolk County Department of Health Services. US Government Printing Office. Page 41.

drinking water on the on the east end, direct discharge of treated wastes into these resources without the benefit of additional leaching and filtration through unsaturated/aerated soils is not recommended.

- Some groundwater mounding may occur around wells which can affect discharge if not properly spaced.
- Scaling, corrosion and clogging of wells can occur and maintenance of deep wells may be difficult or costly and require anti-scalants, chlorine, corrosion inhibitors, or bacteriostatic agents.
- Additional equipment would be required to pump effluent, which would add costs, and require additional periodic maintenance.
- Injection well installation requires permits from the EPA New York Division and NYSDEC Permits Division for a SPDES discharge permit. A 1999 EPA study titled “The Class V Underground Injection Control Study, Volume 7, Sewage Treatment Effluent Wells” provided a nationwide inventory of wastewater injection wells. The study indicated that the state of New York did not report any documented sewage effluent, but there may be fewer than fifty undocumented wells state-wide. NPV conducted a search for information and conducted outreach to federal, state, and county agencies and found very little information on the use of this technique for wastewater disposal in the State. Therefore, a record of issues, successes, failures, and lessons learned for this technique under local geologic and hydrogeologic conditions is largely absent.
- Use of injection wells for wastewater recharge is not the typical method of sanitary effluent recharge used on Long Island. New York did not report any documented sewage effluent injections wells in New York State. A search for information and outreach to federal, state, and county agencies found very little information on the use of this technique for wastewater disposal in the State. Therefore, a record of issues, successes, failures, and lessons learned for this technique under local geologic and hydrogeologic conditions is largely absent.
- Energy costs would be higher than if constructed wetlands were used; however, the proposed STP is expected to include rooftop solar and/or air turbines to help offset costs.
- Finally, as noted by the Southampton Planning Board above, pursuant to New York State Chapter 43-B, Environmental Conservation, Article 15, Water Resources, Title 15, Section 1528 of 2022, “Water Supply,” a moratorium has been established on the granting of new permits to drill public water supply, private water supply or industrial wells into the Lloyd Sands or to permit new withdrawals of water from the Lloyd Sands or to permit the storage or pumping of water into the Lloyd Sands. Such moratorium applies to all areas that are not coastal communities, provided however that such moratorium applies to all areas including coastal communities for the storage or pumping of water into the Lloyd Sands. The waters of the Lloyd Sands will be reserved for the use of coastal communities during the moratorium, however, nothing required there shall affect the permits of wells presently screened in the Lloyd Sands and withdrawing water therefrom.

- Groundwater within the Lloyd Aquifer in Nassau County and Queens is fresh and is used as a source of drinking water in that area. The drawdown of the aquifer due to over pumping in that area and the aquifer's slow rate of recharge have contributed to restrictions on new well installation for drinking water supplies.

See **Section 9** of the SDGEIS for a full discussion of the advantages and disadvantages of each effluent discharge alternative considered by the environmental review.

Comments KCw-5, SM-4: Review of the SDGEIS finds that there is not any real discussion about the type of facility being proposed where on page 1-25 there is a conclusion offered that "N+P evaluated MBR, SBR and other technologies currently available for wastewater treatment and concluded that the SBR technology would be the best fit for the project from the standpoint of operational flexibility and cost assessment.

Are MBR's more expensive to maintain in the future due to the need for periodically replacing the filters?

Response: As previously noted, the engineering analysis including the assessment of STP alternatives are provided in the Riverside Revitalization Sewage Treatment Plant Clean Water State Revolving Fund Engineering Report which is provided in Appendix B of the SDGEIS and an updated version is available in **Appendix B** of this SFGEIS.

An SBR involves a single tank process which provides mechanical reliability, as there is just one blower and one pump installed in each of the tanks. It is easily upgradable in modular fashion, and therefore is conducive to the envisioned 400,000 gpd Phase II expansion. Equipment such as air pumps used in the SBR process can serve two tanks at a time thereby optimizing efficiency and reducing equipment needs and related costs, while providing a very high level of treatment. The SBR's biggest disadvantage is the system's greater overall footprint as compared to the MBR.

Advantages of the MBR are the smaller system footprint, have a higher quality effluent and in some cases can treat emergent contaminants depending on membrane pore size. As far as its disadvantages, the MBR has slightly larger upfront costs, and operations and maintenance are higher as each tank must have its own equipment. The membranes can also sometimes get clogged, which can increase costs.

A final decision on the type of system to be used has not been made and will be based on the advantages and disadvantages of each. The environmental review has been based on maximum conditions with both the SBR and MBR falling within acceptable treatment thresholds. During the next phases of system design, the Health Department-approved technologies will be considered, vendors will be vetted, and final costs will be determined.

Comment RSD-1: One Sewer District alternative that was explored by the Town was a possible connection to the Riverhead Sewer District and a second was to request that just the solids portion of the process be sent to the Riverside STP. A letter was received from the Riverhead Sewer District's Superintendent Michael Reichel who indicated the following:

I have received your letter requesting a meeting to discuss the proposed Riverside Sewer District. After meeting with my Town Board liaison, a meeting will not be necessary. The Riverhead Sewer District does not have sufficient capacity to accept the flow from your project. The Riverhead Sewer District code prohibits the acceptance of sewer sludge from other treatment plants. The district is in the process of upgrading its solids treatment system to process its sludge to Class A Biosolids. The upgrade is designed only to treat the sludge generated at the Riverhead Sewer Treatment Plant.

Response: The Town has reviewed several other alternatives and determined that the currently proposed option for a Riverside STP and onsite subsurface leaching pools is the best and most viable option for the proposed Riverside Sewer District. See discussion of examination of treated effluent disposal alternatives in **Section 9** of the SDGEIS.

Comments JS4w-3, CS2-4, JS4w-12, JS4w-13, JS4w-14, JS4w-15, JS4w-16, JS4w-17, JS4w-18, JS4w-25, JS2w-7: The Riverhead Sewer District's STP was listed as a SEQRA SDGEIS Alternative and assumed without study, the Riverhead STP's capacity to extend service to additional out-of-district users and was contrary to written comments by the Superintendent of the Riverhead Sewer District. This scenario involved the Riverside Revitalization Action Plan (RRAP) Study Area's wastewater and sludge be connected and consolidated into the Riverhead Sewer District. Riverhead would be responsible for accepting and treating the Riverside wastewater at its STP and managing its biosolids.

(Asked to a Town of Riverhead representative during the hearing): The proposed Sewer District will be faced with the disposition of its sludge. I know from Sag Harbor, that the Village of Sag Harbor has to take that sludge out. Is that something that Riverhead would be willing to work with us on?

(Response from Riverhead representative: We would love to talk to you about it. Anything and everything we can do to work collaboratively. It's worth the discussion.)

The SEQRA classification of the Town of Riverhead as an "Interested Party" and not a SEQRA "Involved Agency" was an error at the onset of the SEQRA Coordinated Review process. The Lead Agency and its lead consultants who prepared the SDGEIS and included the RSD as Alternatives have no record of decision by the Commissioners of the RSD, agreeing or not agreeing with the Alternatives. The SDGEIS relied only on a letter received from the RSD Superintendent, dated June 28, 2022.

Even accepting the RSD Superintendent's response as adequate for the SEQRA record, the letter confirmed the RSD could not accept the wastewater or sludge from Riverside. The SDGEIS did not offer an additional or substitute Alternative to convey the out-of-district Riverside wastewater to the RSD.

Once these potential Alternatives were explored and ruled out, additional proposed Alternatives, must have been given the hard look under SEQRA. This approach reduced the Alternatives from five to three, including the No Build Alternative.

The SDGEIS for the Sewer District did not include a reduced density alternative.

Response: The Town is open to working with the Town of Riverhead as well and identifying the best strategies and solutions to address identified issues and the potential for shared services. However, as noted in the previous comment by the Riverhead Sewer District Superintendent in his June 28, 2022 letter, "The Riverhead Sewer District code prohibits the acceptance of sewer sludge from other treatment plants. The district is in the process of upgrading its solids treatment system to process its sludge to Class A Biosolids. The upgrade is designed only to treat the sludge generated at the Riverhead Sewer Treatment Plant."

The input from the Riverhead Sewer District Superintendent and the Town Board liaison stating that Riverhead did not have capacity led to the elimination of this option as a serious consideration at this time. In addition, as indicated by representatives of the Town of Riverhead several times, the Riverhead STP does not currently have the capacity to accommodate the Town of Riverhead's long-range plan for sewerage the area between the Downtown and Route 58 and to preserve farmland by transferring development rights into the downtown.

As indicated above, outreach was conducted with the Riverhead Sewer District Superintendent and the Town Board liaison in 2022 and seven public hearings were held by the Town which included 3 SEQRA hearings, 3 Map and Plan hearings, and one joint SEQRA/Map and Plan hearing) with Town of Riverhead representatives attending all. During this time, there has been no indication that the Sewer District revised its Code or reconsidered its decision despite knowledge by the attending Riverhead representatives that this option is not being considered at this time.

For this reason, the Town of Southampton must ship its biosolids to Bergen Point for disposal. Should circumstances change, in the future, the Town may be interested in discussing this further with the Riverhead Town Board/Sewer Superintendent. As the Riverhead Sewer District is not accepting effluent or bio-solids from the hamlet of Riverside, and the Town of Riverhead is not permitting or funding the proposed project it is not considered an "Involved Agency".

Regarding alternatives, as noted in 6 NYCRR Part 617, Subsection 617.9(b)(5)(v) of (SEQR), a DEIS "shall include a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor" (emphasis added). Moreover, as determined in *Webster Assoc. v. Town of Webster*, 59 NY2d 220 (1983);

Matter of Env'tl. Def.Fund v. Flacke, 96 AD2d 862 (2d Dept 1983); Consol. Edison v. N.Y. State Dept. of Env'tl. Conservation, 112 AD2d 989(2d Dept 1985), the courts held that in an environmental impact statement only reasonable alternatives must be addressed and that such alternatives must be viable as well as technologically and economically feasible.

Alternatives considered by the SDGEIS, include those assessed by the SDGEIS including those discussed in the CWSRF Engineering Report (**Appendix B**) that were deemed to be reasonable and feasible considering the goals and objectives of the Town of Southampton and Riverside community, community needs, plan histories and documentation, funding, and the combination of many other factors. This included 13 alternatives in total, including the two that were quickly eliminated as not feasible at this time. Thirteen alternatives far exceed the number of alternatives considered by a typical environmental review which sometimes is as few as one including only the requisite "No Action Alternative." The SDGEIS is fully consistent with and far exceeds the requirements of SEQRA.

Alternatives that were considered include:

Treatment Options

1. Conventional Disposal Systems
2. Collection and Pump Station Systems to a Nearby Existing Treatment Facility
3. Collection and Pump Station Systems to a Treatment Facility Within the Community
4. Biologically Engineered Single Sludge (BESST) STP
5. Membrane Bio-Reactor (MBR) Single Batch Reactor STP
6. Janicki Bioenergy STP
7. Renewable Energy Options
8. Centralized vs. De-Centralized facilities

Disposal Alternatives

9. The No-Action Alternative
10. Alternative 2: Constructed Wetlands
11. Alternative 3: Injection Wells
12. Alternative 4: Riverhead STP - Assessment of an alternative where a shared services agreement is executed by the Town of Southampton and Town of Riverhead to allow the Riverside community to connect to the Riverhead STP for treatment and disposal of all Riverside wastes.
13. Alternative 5: Shared Services Agreement - Assessment of an alternative where a shared services agreement is executed by the Town of Southampton and the Town of Riverhead to expand and upgrade the Riverhead STP to accept only solids from the Riverside STP.

In addition, the 2015 GEIS of which this SDGEIS is a supplement considered:

14. The No Action Alternative for future development;
15. Development under existing zoning for the Sewer District;
16. The potential use of other area STPs; and
17. Different locations for an STP within the proposed Sewer District.

The Town of Southampton also reached out to the Town of Riverhead and Riverhead Sewer District back in 2015 to investigate the possibility of connecting to the Riverhead STP. As documented in the 2015 SDGEIS:

“Past outreach to facility representatives has indicated an unwillingness to extend service to the Riverside community because the project is located in the Town of Southampton, not the Town of Riverhead and the plant’s handling capacity and permits are based on the projected needs of the Riverhead service area and additional planned development along the CR 58 corridor.”

In 2013, Suffolk County Department of Public Works (SCDPW) commissioned a study to explore the feasibility of providing sanitary sewer service along the Flanders-Riverside Corridor including the subject Study Area south of SR 24. The purpose of this study was to advance prospects for business development, improve the local economy, expand housing opportunities and protect the environment. This Feasibility Study is a precursor to the more recent studies and addressed sewage collection, treatment and effluent discharge requirements, associated capital and operational costs, as well as the economic and environmental benefits associated with sewerage the Flanders Riverside Corridor. The study also assessed the possibility of utilizing other existing STPs in the area **(CDM Smith; H2M; and Bowne AE&T Group, 2013)**.

According to the 2013 Draft Feasibility Study Map and Plan for Flanders/Riverside by CDM Smith in conjunction with H2M and Bowne AE&T Group (p 3-17):

“After the Riverhead Town Supervisor reviewed the flow projections and discharge limitations with the Town engineer, he concluded that Riverhead could not accept any wastewater flow from the Town of Southampton, following his determination; this alternative was also eliminated from further consideration. It was agreed that wastewater flow from the County Center would continue to be treated at the Riverhead facility.”

(emphasis added)

The current action does not include a connection to the County Center (nor the community of Flanders, the community of Northampton, or other areas or land uses for that matter) as their inclusion is not consistent with the purpose and objectives of the duly adopted 2015 BOA Study, RRAP, ROD code and zoning map amendments and the Riverside community’s priorities. This already sewered County facility is not part of the central Riverside community and revitalization area, is not the focus of the Proposed Action and is not a priority at this time.

The Town of Southampton, consistent with social, economic and other essential considerations from among the reasonable alternatives available, has mitigated impacts to the maximum extent practicable while meeting the intended goals, issues, concerns and priorities of the Proposed Action and Riverside community.

Comment JS4w-19: Conveyance of the wastewater to the RSD via the County's Nugent Drive pump station, discharges to the infrastructure (manholes and sewer pipes) located at West Main Street and continues to flow easterly. This flow (100,000 gpd) limits the sewer system's capacity for accepting future connections within the Riverhead Sewer District proper. The age and diameter of the sewer pipes and pump station located at McDermott Avenue (East Main Street) are also limiting factors, and surcharges within this section of the infrastructure are not uncommon.

Response: As noted above, the Town of Riverhead has been consistently clear that the Riverhead Sewer District does not have sufficient capacity to treat effluent from the hamlet of Riverside. As such, this alternative was ruled out. Although the Town of Riverhead has requested that the County facilities be connected to the proposed Riverside STP, the currently requested funding is for the Proposed Action and does not include the connection and acceptance of flow from the County Center or the upgrade of the Riverhead Sewer District's existing infrastructure. As is the case with all sewer districts, and occurs from time to time on Long Island, extension and connection to the proposed STP can be contemplated in the future which may include upgrades or new infrastructure and funding.

Comments JSw-4, JSw-5, JSw-6. JS-5: The Southampton Flanders/ Northampton/ Riverside Revitalization Study (**Ferrandino & Associates, et al., March 2004**) identified Riverside as inclusive of the County Government Center, and as one of the area's revitalization objectives, recommended Southampton, "Coordinate development with neighboring Riverhead."

As early as July 2013, Suffolk County and Southampton Town representatives, confirmed to the attendees at a FRANCA public meeting, that any potential or proposal for a Riverside sewer collection system to convey its wastewater via a connection to the Riverhead Sewer District was not possible.

The SDGEIS Riverside Sewer District (November 2023) identified as Alternative 4: "An assessment of an alternative where a shared services agreement is executed by the Town of Southampton and Town of Riverhead to allow the Riverside community to connect to Riverhead STP for treatment and disposal of all Riverside wastes." In response to the proposed SDGEIS Alternative, a letter from the Riverhead Sewer District again confirmed the District has no capacity at the treatment plant to accept the projected wastewater flow from Riverside and furthermore, is restricted from accepting sewage sludge from outside the District.

As part of its standard review procedure, New York State Environmental Facilities Corporation requested information regarding the potential for local and/or shared sanitary infrastructure for its evaluation of the proposed Riverside Sewer District. However, as the Riverhead facilities have already been ruled out, the Riverhead Town Board was concerned why Alternative 4 was included in the SDGEIS.

Response: First, the referenced 2004 Study is the oldest of the local studies referenced in the SDGEIS and SFGEIS and was superseded and clearly improved by several other subsequent planning efforts. The County Center is not a site that is in need of community revitalization and is largely the responsibility of the County. The Town of Southampton has always coordinated with the Town of Riverhead as required and seeks current up-to-date information when it does.

Alternative 4 was required by the Town of Southampton to assess the benefits and current potential for a shared services agreement executed by the Town of Southampton and Town of Riverhead to allow the Riverside community to connect to the Riverhead STP for treatment and disposal of all Riverside wastes and/or to accept sewage sludge. The purpose of this option was to explore whether circumstances had changed and what seemed to be a potentially beneficial solution for treating existing and future sanitary wastes from the Riverside community to meet community goals, protect the environment, and eliminate those options that were not possible or not optimal. Assessing this alternative required outreach to the Riverside Sewer District's Superintendent to ask about current conditions and current position on acceptance of flow and/or sludge from Riverside which is documented in the SDGEIS as part of the steps in determining the best method of sewage treatment and disposal.

Investigating the above options demonstrates the Town's due diligence and commitment to taking a "hard look" at the currently best available alternatives, documenting its efforts as part of the SEQRA process, and meeting funding requirements. Ultimately, as noted above, the Riverhead Sewer District Superintendent and Town Board Liaison indicated that its facility did not have the capacity to serve the Riverside community, which is formally acknowledged and documented by the SDGEIS, that it's Code does not permit the acceptance of sludge from other municipalities, and that any capacity it has would be used for Town of Riverhead development. See response to **Comment RSD-1** above.

Comment KCw-4: Starting on page 1-3 the document states that the review now includes: "Assessment of the preferred project which calls for the construction of a Membrane Bioreactor (MBR) or a Sequencing Batch Reactor (SBR) as determined by a final Technical Design Report, with a maximum effluent discharge goal of 10 mg/l or less." I assume they are speaking about the nitrogen discharge being kept to 10 mg/l but it could refer to a variety of other parameters.

Response: The 10 mg/l or less refers to Total Nitrogen (TN) concentration in treated effluent. The CWSRF Engineering Report in Appendix B of the SDGEIS and **Appendix B** of this SFGEIS discusses

this in more detail. The 10 mg/l nitrogen concentration was used as an upper limit for both the MBR and SBR systems, although both systems can achieve much lower concentrations under optimal conditions.

Comment CB-2: What is the nitrogen discharge standard for those leaching fields? Is it 10 mg/l? Is it required to adhere to the State or National standard?

Response: The drinking water standard for nitrogen under the Federal Safe Drinking Water Act, as implemented by the Environmental Protection Agency (EPA) New York State Department of Health and SCDHS is 10 mg/l. The proposed STP provides tertiary level treatment to remove nitrogen and organic contaminants from the wastewater and produce effluent that complies with this standard. The proposed STP will also be located within the Central Pine Barrens CGA and is in proximity to the Peconic Estuary, both of which have nitrogen loading standards as discussed in the SDGEIS. Nitrogen concentrations in typical septic system effluent is several magnitudes higher than the drinking water standard.

Comment KCw-11, JS1w-24: On page 1-16 it is noted that the service area contributes approximately 5,976 pounds of nitrogen per year to the Peconic River. I assume that number is extrapolated from the 4.58 mg/l concentration described on page 1-17 coming from existing conventional onsite systems.

Documents referenced in the DSGEIS regarding the existing wastewater flow generated within the proposed District are at best confusing. This volume of existing unsewered wastewater is directly proportional to nitrogen impact to groundwater outflow to the Peconic Estuary. The nitrogen loads generated by existing conditions and impact to ground and surface water resources are the cornerstones for the Proposed Action.

In describing the existing conditions, NPV estimated "existing conditions generate a discharge of 14,326.25 pounds of nitrogen per year, which indicates Phase 1 of the proposed action would reduce nitrogen loads by 4,924 pound per year with the Riverside redevelopment plan enacted."

NPV further stated, "Estimated nitrogen discharge from the proposed Phase 1 STP, which in accordance with Riverside redevelopment plans is based on flow of 308,829 GPD at a maximum of 10 mg/L, or 25.76 lbs./day. This equates to 9,402 lbs./year." [sic. 9,402 pounds of nitrogen per year).

In another referenced publication Southampton WQIP-Proposal Summary Sheet 2022, (www.southamptontownny.gov/DocumentCenter/view), it is stated, "It is estimated that approximately 5,976 lbs. of nitrogen are added to the Peconic River every year by existing conventional septic systems within the Riverside area that are proposed to be part of the sewer district."

This quantity (5,976 lbs. N/year) matches the statement made in the Nelson & Pope page 29-Riverside STP CWSRF Report, in Section 2.3 Existing Facilities & Present Conditions, “From the Center for Watershed Protection’s Watershed Treatment Model (WTM) performed for the DGEIS by NP&V, the existing area contributes approximately 5,976 lbs./year of nitrogen to the Peconic River.”

Can the Town of Southampton explain how the number of pounds of nitrogen generated was calculated? What existing conditions flow volume was used? Why the annual amount of nitrogen discharged to the Estuary was estimated by NPV to be 14,326.25 pounds in one study, and the Town’s Summary Sheet and the CWSRF Report listed an annual amount of 5,976 pounds? Which of these estimates of annual nitrogen discharged by the existing conditions is correct? Are these estimates only for discharge to the Peconic River and Estuary? And if so, can this be clarified?

Response: The 5,976 lbs./year is not extrapolated from the 4.58 mg/l, as explained herein. Page 1-16 of the SDGEIS indicates the following: “According to the Center for Watershed Protection’s Watershed Treatment Model (WTM) performed for the SDGEIS by NPV, the existing service area contributes approximately 5,976 lbs./year of nitrogen to the Peconic River (**Caraco, Deb, P.E., Center for Watershed Protection, 2013**). This was determined using the WTM from the Center for Watershed Protection that seeks to estimate nitrogen contributed to the Peconic River” and is based on pollutant loads carried in stormwater runoff and discharged to the Peconic River.

Page 1-17 of the SDGEIS indicates the following: “According to research conducted by NPV as part of the BOA study, the community has a total nitrogen concentration in recharge of 4.58± mg/l, since conventional onsite treatment systems can only provide limited nitrogen treatment and reduction. In order to help improve the health of the estuary and its ecosystem, there needs to be a focus on the quality of discharge to the surface waters.” This is based on a mass-balance analysis using the NPV Simulation of Nitrogen in Recharge (SONIR) model of the existing conditions and nitrogen budget for the entire study area including all sources of nitrogen, specifically, wastewater, fertilization, atmospheric deposition and other minor sources. The 4.58 mg/l is a concentration of nitrogen in recharge across the entire study area, accounting for scientifically based nitrogen loss to the atmosphere and dilution by precipitation within the study area. As a result, the numbers 4.58 mg/l concentration of nitrogen in recharge and the 5,976 lbs./year are not directly relatable as they represent two different analyses, for two different sources of nitrogen, and two different receiving areas (contribution of nitrogen via stormwater runoff and contribution of nitrogen to subsurface recharge to groundwater). Both values are correct for the intended analyses. The SONIR analysis is only for the Riverside BOA study area and represents the nitrogen contributed to groundwater within the study area based on all source of nitrogen as explained above and in greater detail in Appendix D-2 and D-3 of the Draft Generic Environmental Impact Statement (DGEIS), Riverside BOA, Revitalization Action Plan and Zoning Amendments, dated October 2015.

Comment KCw-12: Page 1-17 states that the PEP (Peconic Estuary Partnership) was created to achieve a goal of 0.45 mg/l TN in all waters and 0.40 mg/l TN in shallow waters. As noted above, the SDGEIS is figuring a design of discharge at no more than 10 mg/l or some 20 times the recommended loading. If this is the case, why are we pursuing the plan as laid out?

Response: The SONIR analysis represents the nitrogen contributed to groundwater within the study area based on all sources of nitrogen. The 4.58 mg/l predicted concentration in recharge is based on a mass-balance analysis of all sources of nitrogen and the dilution factor of recharge. The concentration of nitrogen in recharge to groundwater within the study area is not directly related to the concentration of nitrogen measured in surface water. The nitrogen discharge limitation to groundwater established by SCDHS and NYS is 10 mg/l; this is not a surface water discharge limitation. The PEP goals for TN in surface water are based on actual measurements of nitrogen in surface water. The goals for surface water TN are not applicable to groundwater discharge limitations established by County/State agencies.

Once in groundwater, nitrogen is subject to transformation with distance from the source caused by natural attenuation. Transformation in groundwater occurs as a result of physical and biogeochemical processes including nitrification/denitrification, dispersion, advection and adsorption as well as microbial action.² Further transformation may occur as a result of physical/biogeochemical processes as groundwater outflows to surface water through wetlands and/or fine organic sediment layers of river bottoms where ion exchange combines with processes noted above to further reduce nitrogen concentrations.³

The land use plan evaluates nitrogen concentrations in recharge as related to applicable governmental standards. The Proposed Action will reduce overall total nitrogen concentrations while addressing numerous socioeconomic, land use and mitigating environmental concerns. The 10 mg/l is the upper limit and actual concentrations from the SBR and MBR treatment systems considered by the environmental review are expected to be lower with potential additional removal in soil and dilution in groundwater before entering the Estuary system. The 2015 BOA, RRAP and GEIS sought to address various pollutant concerns including contaminants from brownfields and from stormwater runoff through brownfield cleanup and use of green stormwater infrastructure, respectively.

It should be noted that Pages 60-61 of the PEP's *"Total Maximum Daily Load for Nitrogen in the Peconic Estuary, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meeting House Creek, Terrys Creek and Tributaries"*, prepared by Tetra Tech in September 2027,

² https://www.floridahealth.gov/environmental-health/onsite-sewage/research/_documents/nitrogen/task-d-lit-review.pdf

³ <https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2019JG005164>

in coordination with the US EPA and NYSDEC, indicates that sewerage may be required, in order to achieve the goals of the TMDL.

Comment CB-4: What level of nitrogen removal do the innovative/alternative (I/A) treatment systems achieve? How does this compare with the STP you are proposing? How many properties in the area are currently using I/A systems?

Response: Wastewater effluent from conventional septic systems averages 65 mg/l.⁴ Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTs) that have been approved for use in Suffolk County by the SCDHS are designed to reduce total nitrogen in treated effluent to a concentration that is no more than the County's 19 mg/l standard. As noted in the CWSRF Engineering Report, the SBR system would treat effluent to a concentration not exceeding 10 mg/l. MBRs are also quite effective at nitrogen removal and can produce nitrogen concentrations that are slightly lower than those produced by SBRs. Studies have shown that both technologies can produce concentrations below their respective standards. Therefore the 10 mg/l concentration used in this environmental assessment is the projected "ceiling" with both the MBR and SBR able to achieve even lower concentrations when properly operated and maintained.

Comment KCw-8: Additionally, MBR technology can provide near drinking water quality effluent which would minimize impacts to the environment. A recent pilot study undertaken at the West Woodside Suffolk County Wastewater Treatment facility that utilized enhanced MBR technology showed non detect levels for BOD, coliforms, total suspended solids and phosphorous. Ultra-low concentration of <3 mg/l total nitrogen in the effluent was achieved. For N+P to dismiss the MBR technology, as it appears to be the case, is a disservice to the community, the Town, and the environment.

Response: The MBR and SBR technologies are both considered suitable for the proposed Sewer District. The MBR technology is quite effective at nitrogen removal and has not been eliminated from consideration. During the next phases of system design, the SCDHS-approved technologies will be considered further.

Comment CB-5: Will the proposed collection system consist of gravity mains, force mains that must utilize pumps to convey wastewater or both?

Response: The proposed collection system will include a combination of gravity sewers, low pressure force mains, and force mains, as determined by on-site conditions and the final engineering/basis of design report. The future system must first undergo full engineering design. A total of four pump stations are proposed, three of which would be constructed during Phase I

⁴ https://reclaimourwater.info/portals/23/docs/2019_IAAnnualReport_withattachments_6-10-2020.pdf

of the capital infrastructure improvements and one would be constructed as part of Phase II of the improvements.

Comment KCw-27: Under the heading of increased sewer discharges, it is noted that “Wastewater discharges are subject to routine monitoring under the standards and requirements of a SPDES permit and operators, inspectors and maintenance personnel must be trained to oversee facilities and be available 24 hours/day 7 days/week. This may be difficult for the one part time operator noted previously and will be impossible when the plant “will be operated remotely by computers and, therefore, will be unmanned as noted on page 5-12 and 5-15.

Response: The proposed facility will be primarily monitored remotely; however, a trained professional will be onsite for at least three hours per day. If the State or County requires additional presence at the site, this will be provided. In any case, the requisite level of training will be required for all operations and maintenance staff and a suitable number of staff will be provided to ensure constant coverage.

2.4 Central Pine Barrens

Comments PBC2-1, SS-1, SS-2, PBC2-2, PBC2-4, PBC2-5, PBC1-2: The project constitutes development pursuant to New York State Environmental Conservation Law Article 57 §57-0107(13). As development, it must conform with the Central Pine Barrens Comprehensive Land Use Plan standards implemented by the Town Code. Please direct the applicant to submit a demonstration of conformance with the Plan. If it cannot conform, it may be revised to conform or the applicant must submit a hardship waiver request, subject to Commission review and decision.

Additionally, ECL Article 57 §57-0123(3)(a), states:

... “no application for development within the Central Pine Barrens area shall be approved by any municipality or county or agency thereof or the commission, and no state approval, certificate, license, consent, permit, or financial assistance for the construction of any structure or the disturbance of any land within such area shall be granted, unless such approval or grant conforms to the provisions of such land use plan;” ...

Please demonstrate conformance with the applicable standards of the Comprehensive Land Use Plan and specify the Plan provisions where waivers from conformance would be required for the Project.

Page 5-11 of the SDGEIS states, “The proposed Action will be reviewed as a Hardship Exemption.”

The Project is one of the specific elements of the hamlet plan. The Project will serve the entire hamlet. Implementation of the hamlet plan is a Development of Regional Significance (DRS). Therefore, a DRS application should be submitted for review by the Commission.

Response: Upon further discussion with the Central Pine Barrens Joint Policy and Planning Commission (CPBJPPC) it was determined that the project was not a Development of Regional Significance. As such, a Hardship Exemption Application was submitted to the CPBJPPC for consideration on January 3, 2024. A public hearing was held February 21, 2024. See **Appendix E-1** for the Hardship Exemption application submitted by the Town of Southampton to the CPBJPPC and **Appendix E-2** for a copy of the CPBJPPC’s February 21, 2024 public hearing transcript. The CPBJPPC provided a two-week written comment period upon closing the public hearing. On March 20, 2024, the CPBJPPC adopted a “Sense Resolution”, which indicated that the Town has provided sufficient documentation to demonstrate the need for a Hardship Exemption and that a final determination will be issued after it receives the final SEQRA record from the Town. See **Appendix E-3** for a copy of the Sense Resolution.

Comment PBC2-6: Central Pine Barrens Comprehensive Land Use Plan Guideline 5.3.3.1.5 Nitrate-nitrogen:

- The current nitrogen concentration in groundwater in the Study Area is 4.58 mg/l and 4.83 mg/l in the Central Pine Barrens portion of the Study Area.
- The projected nitrogen concentration is 4.38 mg/l in the Study Area and 4.55 mg/l in the Central Pine Barrens portion of the Study Area.
- Although reduced, the projected concentration exceeds the goal of 2.5 mg/l limit identified in this Guideline.
- Please specify if the applicant seeks a waiver from conformance with this Guideline.

Response: As noted by the Central Pine Barrens comment letter and discussed in the responses to comments in **Section 2.1** above, nitrogen loading under the Proposed Action (sewage treatment) is anticipated to reduce nitrogen concentrations below that of existing conditions in the Study Area (from 4.58 mg/l to 4.38 mg/l), but would result in nitrate-nitrogen of more than the 2.5 mg/l guideline. It is important to recognize that the project site is within the Compatible Growth area and the 2.5 mg/l guideline applies only to parcels located within the Core Preservation Area. As noted in the 2015 Revitalization Action Plan and Zoning Amendments Draft and Final GEIS, the Proposed Action will provide an overall reduction in nitrogen loading as compared to current conditions, while meeting numerous other critical socioeconomic objectives to improve conditions and the quality of life for the community. See **Appendix E-1 and E-2**.

Comment PBC2-7: Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.3.1.1 Article 6 of the Suffolk County Sanitary Code:

- The project site is a Receiving Area for Pine Barrens Credits. Regardless of the development of a Sewage Treatment Plant, if the projected wastewater flow is greater than the “as of right” flow under pre-revitalization plan conditions, the redemption of Pine Barrens Credits is encouraged to support the Plan’s complementary land use and credit program goals and objectives.
- Please demonstrate the Town’s continued conformance with the minimum 1:1 sending to receiving area ratio since the project reduces receiving area capacity.

Response: The Proposed Action is the construction of an STP to realize the Riverside Overlay District zoning that was previously studied as part of the 2015 Revitalization Action Plan and Zoning Amendments Draft and Final GEIS. Consideration has already been given to Riverside density and mechanisms to achieve the revitalization envisioned in Town land use plans. The projected wastewater flow is expected to be greater than the “as of right” flow under pre-revitalization plan conditions (see response to Comment KCw-2 et al. in Section 2.2). The CPBJPPC comment notes that redemption of Pine Barrens Credits (PBCs) is “encouraged.” Separate and apart from the Riverside revitalization initiative, the Town of Southampton seeks to redeem PBCs

where possible and appropriate. The broader revitalization of Riverside initiative is important to the locale and the region based on land use goals. Further, as stated in the 2015 SEQRA Findings Statement for the BOA Nomination, RRAP, Zoning Map amendments and ROD, a Fair Share Environmental Mitigation Fund (along with a Fair Share Traffic/Road Improvement and Community Benefit/Local Jobs) was contemplated as follows:

“Based on the importance of the Peconic Estuary and the Pine Barrens CLUP the Town is proposing several ways by which it may proactively mitigate potential impacts in these areas and protect or generally improve important ground and surface water resources. In total, approximately \$4.6 million is estimated to be allocated to the improvement of these based on the full Theoretical Development Scenario over the 10-year projection period. The Town will allocate funding where appropriate over time however it is anticipated that 50 percent will be used in support of the Pine Barrens and 50 percent toward projects in support of the health of the Peconic Estuary, including but not limited to wetlands restoration projects.^[1] Additional benefits (not mitigation) may include a public recreation fee that is dedicated for construction of the promenade access to the Riverfront and support for the maritime trail program on public lands.”

The Proposed Action facilitates other benefits. As noted in the 2015 SEQRA Findings Statement:

- The Subject Action, as envisioned under the ROD and anticipated Theoretical Development Scenario, will significantly increase taxes generated by the area, resulting in a substantial increase in revenues distributed to each taxing jurisdiction. At full buildout, the Theoretical Development Scenario is projected to generate over \$12.6 million in annual taxes. This represents a net increase of over \$10.3 million per year when compared to existing area conditions.
- If full build-out were realized, the Theoretical Development Scenario will levy over \$9.7 million to the Riverhead CSD. This represents 77.4 percent of the total taxes projected to be generated by the site.
- The 283 school-aged children are projected under the Theoretical Development Scenario, all assumed to be enrolled within public schools in the Riverhead CSD. It is projected that the 283 students will cost the Riverhead CSD approximately \$5.2 million in annual expenditures upon full buildout and occupancy of the development.
- It is estimated that the school district will receive over \$9.7 million in additional property taxes based on the Theoretical Development Scenario. This could help alleviate an increased burden on other taxpayers throughout the district.

¹ At the January 23, 2024 public hearing, Councilman Schiavoni mentioned that the Town recently received a grant from the Peconic Estuary Program for the reconstruction of wetlands along the Peconic River/Estuary (**Comment CS1-3**). Although not specifically related to the proposed sewer district or sewer infrastructure, it demonstrates the Town’s commitment to protect and restore Riverside’s natural resources while achieving necessary land use and socioeconomic goals of the BOA Study, RRAP and ROD.

The Riverside revitalization initiative, which is facilitated by the Proposed Action to construct an STP, is consistent with Town land use and planning goals. Fair share mitigation can assist in achieving other goals and objectives as noted herein.

In order to demonstrate the Town's continued conformance with the minimum 1:1 sending to receiving area ratio, the Town's Geographic Information Systems manager queried the Town's database and confirmed Southampton has a potential sending capacity of 73.99 credits in the Riverhead school district, with a receiving credits capacity of 177.2 credits, thus, exceeding the required 2:1 ratio (see **Appendix E-4**).

Comment PBC2-8: Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.3.4.1 Nondisturbance Buffers:

A freshwater wetland habitat is present on the south side of the property occupied by Suffolk Federal Credit Union (SCTM # 900-141-1-9.18), adjacent to the project site. Its extent should be mapped for the Project including whether it extends into lot 9.17 to ensure it is protected by buffers.

Please confirm the proposal will adhere to required setbacks and buffers to protect this wetland habitat. Presently, the plans in the document do not appear to identify the wetland habitat or measures and buffers to protect it.

Response: Please see attached in **Appendix D** a wetlands Letter of Non-jurisdiction, pursuant to Chapter 325 (Wetlands) of the Town Code, was provided by Martin Shea, Chief Environmental Analyst for the Town of Southampton (**Comment MS-1**) stating:

"Based upon a field assessment completed on Tuesday, January 2, 2024, the proposed activities are located approximately 216 feet landward of the nearest town regulated freshwater wetlands to the north, as shown on the attached "Suffolk Federal Credit Union Site Plan", sheet A-1.0, as prepared by KDA Holdings, last dated 12/22/2005. As such, a town wetlands permit is not required to proceed with phase I of this project."

NPV also conducted an assessment of this area for the current project and determined that although some stormwater runoff is expected to flow into this area on occasion, there are no wetland indicator species present indicating long term soil saturation in the root zone and no other evidence of wetlands. This location is also not shown on NYSDEC's Environmental Mapper as a NYSDEC jurisdictional wetland or a National Wetlands Inventory (NWI) feature.

Comments PBC2-9, PBC2-3, PBC2-12: Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.3.6.1 Vegetation Clearance Limits:

- Please clarify the proposed clearing references for the project including:
 - Page 4-15 refers to clearing 11.5 acres of natural pine barrens habitat in the CGA portion of the Study Area
 - Page 4-15 refers to clearing and reduction in habitat of 11.11+/- acres
 - Page 5-5 refers to clearing 11 acres
 - Page 5-22 refers to clearing 11.11 acres
 - Page 5-36 refers to clearing 11.45 acres
 - Page 5-24 refers to clearing 11.98 acres

Please clarify the project site area, the proposed clearing and area to remain natural and mitigation proposed for the project.

Response: Total projected clearing is 11.11± acres including 8.89± acres of CGA pine barrens forest and Town APOD area (i.e., the area south of Flanders Road) plus 2.16± acres of successional old field and successional shrubland, and 0.06± acres of southern hardwood forest. This includes areas to be cleared to install force mains that are not on the STP/leaching area site.

The 11.45± acre figure includes the area of the 7 tax lots comprising the STP/leaching facility property (10.82± acres), plus the section of the Enterprise Zone Drive ROW to be incorporated into the lots (0.96 acres), minus the estimated 0.33± acre section of new roadway to replace the section that is to be abandoned. Some of this area will remain uncleared.

The 11.98± acres of NLEB habitat indicated on page 5-24 included adjacent sections of roadways included as foraging areas. The 11.98± acres are hereby revised to state that the STP and leaching site consist of vegetative conditions that may provide potentially suitable NLEB foraging habitat, but no roosting opportunities are present.

The 11.5 acres stated on page 4-15 and 11 acres mentioned on page 5-5, were preliminary projections that were not updated when the plans were revised and the SDGEIS was finalized. These numbers should be 11.11 acres.

Comment KCw-32: Page 5-25 notes that clearing will be restricted at the facility between December 1 through February 28 when NLEBs are not expected to be present. Does this mean that this is the only time when clearing is permitted or is it prohibited during this time?

Response: The only endangered or threatened species of potential concern associated with the area of the proposed sewer improvements is the endangered Northern Long-Eared Bat (*Myotis septentrionalis*). The possible presence of this species on or near the proposed STP/leaching site is based on NYSDEC documentation of the existence of a NLEB bachelor colony within 1 mile of the proposed sewer facilities and a maternity colony within 1.25 miles, which are within this species' habitat range. As such, the possible presence or occasional visitation of the species

cannot be precluded. Therefore, the Town must conform with applicable NYSDEC requirements for protection of this species and restrict clearing of the site to the designated clearing window of December 1 through February 28 of any given year, unless otherwise authorized through site specific review and concurrence with NYSDEC and issuance of an Article 11 Endangered and Threatened Species Incidental Take Permit.

The proposed project will retain natural areas where possible, primarily along the perimeter of the site, and will revegetate the site with native grasses or other acceptable groundcovers that provide some level of natural restoration but also facilitates facility operation, function, and maintenance. The existing natural vegetation on the north side of the proposed STP will not be removed until such time as the Town undertakes construction of Phase II of the proposed STP facility, specifically, the installation of the Phase II leaching fields. The Town will coordinate with the NYSDEC before any clearing occurs on the site.

It is noted that any clearing required for future development pursuant to the ROD on individual sites will be subject to future site plan review and will need to conform with NYSDEC requirements under Article 11 of the NYSECL. If suitable habitat for the Northern Long-eared Bat (NLEB) is present, NYSDEC restricts allows clearing between December 1 and February 28. Individual site uses will need to conform with NYSDEC requirements for clearing, unless otherwise authorized by NYSDEC through site specific review of Article 11, no-take/no permit necessary requests, or through Article 11 permitting.

Comments KCw-26, KCw-30, CS1-8: Page 3-18 of the SDGEIS also notes that there will be 8.49 acres of lawn or reseeded land. That amount of lawn seems excessive and native vegetation should be used instead of lawn. It also would seem contrary to the requirements that “No more than 15% of any site may be established in fertilizer dependent vegetation under the current CLUP and CPBOD standards” as noted on page 3-21. Furthering the confusion is the statement on page 3-22 that “all proposed site uses will conform with the 15% restriction, and landscaping will use native species which do not require fertilization chemicals and irrigation to the maximum extent practicable.

Page 5-23 notes that the sewage recharge area will represent the largest area of clearing, as it must be free of trees, shrubs and roots. This area will however be reseeded preferably with native pine barrens cover vegetation after initial clearing. Other sections of the document mention lawns, landscaping, and native vegetation. Can we be specific about what is being proposed as there are contradictory statements on the following page?

Does the ground over the leaching fields have to be kept clear?

Response: The current environmental review is a supplement to the previous (2015) GEIS. The previous review discussed requirements for future developments to conform to the 15%

restriction, and landscaping will use native species to the maximum extent practicable which do not require fertilization and irrigation.

As stated in **Section 4.3, Ecological Resources, Mitigations**, of the SDGEIS it is recommended that:

Disturbed areas at and around the proposed STP facility and pump stations shall be developed and seeded or planted as soon as possible after disturbance using non-invasive native or well adapted species that require minimal maintenance if and where native species is not practical. Where possible consider using species identified in Figure 5-2, "Planting recommendations" of the Central Pine Barrens Comprehensive Land Use Plan and avoid planting invasive species identified in the same table under "Invasive, nonnative plants specifically not recommended" or those species identified in NYSDEC and NYSDAM's 2014 "New York State Prohibited and Regulated Invasive Plants".

Planting of trees and shrubs with extensive root systems is not practical for a sanitary leaching area as roots can impact the leaching pools and any vegetation needs to be periodically mowed; however, a seed mix containing native grasses such as big bluestem (*Andropogon gerardii*), little bluestem (*Schizachyrium scoparium*), switchgrass (*Panicum vergatum*), Indian grass (*Sorghastrum nutans*), and possibly Pennsylvania sedge (*Carex pensylvanica*) would be acceptable. Such groundcover would not require fertilization.

Comment PBC2-10: Page 5-24 refers to a 40.73-acre project site. Please identify the 40-acre site, its location, and explain how it relates to the proposal.

Response: The 40.73± acres noted is the total lot and right-of-way area of proposed improvements which includes all paved street rights-of-way in the Sewer District where all Phase I and Phase II gravity sewers, low-pressure force mains, and force mains will be installed, the entire lot sizes that the four pump stations will be located on (all but one of which is already cleared), off street force main locations, including paper streets, the STP and the two proposed leaching fields. The 40.73± acres include extensive paved areas, landscaped areas, as well as the 8.89± acres of pine barrens forest, 2.16± acres of successional old field and successional shrubland, and 0.06± acres of southern hardwood forest as discussed previously.

Comment PBC2-11: Pages 5-22 and 23 refer to clearing of 8.89± acres of vegetation in the CGA and provides a table that indicates 5.54± acres of clearing are permitted and a net additional clearing of 3.5± acres is proposed for the project. Please clarify if the applicant seeks a waiver to clear 3.5± acres more than the standard permits.

Response: The Town has submitted a Hardship Exemption to formally seek a waiver from the CPBJPPC for the necessary clearing associated with the construction of the STP and associated

conveyance infrastructure (see **Appendix E-1** for the Hardship Exemption application submitted by the Town of Southampton to the CPBJPPC). On March 20, 2024, the CPBJPPC adopted a “Sense Resolution”, which indicated that the Town has provided sufficient documentation to demonstrate the need for a Hardship Exemption and that a final determination will be issued after it receives the final SFGEIS and SEQRA Findings Statement from the Town. See **Appendix E-3** for a copy of the Sense Resolution.

Comment PBC2-13: Please specify if the applicant seeks a waiver for conformance with Standard 5.3.3.6.1 Vegetation Clearance Limits.

Response: The Town requested a waiver from Standard 5.3.3.6.1 Vegetation Clearance Limits. An application has been submitted to the CPBJPPC (see **Appendix E-1**). On March 20, 2024, the CPBJPPC adopted a “Sense Resolution”, which indicated that the Town has provided sufficient documentation to demonstrate the need for a Hardship Exemption and that a final determination will be issued after it receives the final SFGEIS and SEQRA Findings Statement from the Town. See **Appendix E-3** for a copy of the Sense Resolution.

Comment PBC2-14: Central Pine Barrens Comprehensive Land Use Plan Standard 5.3.3.6.2 Unfragmented Open Space:

- The document references property in the hamlet that was protected prior and unrelated to this project. Although the open space and land preservation efforts by the Town, County and State over many years is significant and supported for water resource and ecosystem protection, the project and past preservation efforts are not directly related to the project and therefore cannot be aligned directly or indirectly to this proposal or used as a mitigating factor for the project. (Pages 5-23 and 5-29)
- Please identify any open space that is contiguous or non-contiguous to the project site that is part of the project or offered as mitigation for the waivers requested.
- Page 5-27 refers to 145 acres in the ROD and Sewer District have already been preserved and the prior zoning “immortalizes their protection.” Please identify the location of the acreage and its relationship to this proposal.

Response: The statement that there is 145 acres of preserved land in the ROD is incorrect. The existing RO-7 “Parkland District” within the Sewer District consists of 57.64 acres of publicly owned land including passive and active recreational resources. The Town recently acquired an additional 40.3 acres of vacant environmentally sensitive land outside but adjacent to the northeast corner of the proposed Sewer District adjacent to one of the RO-7 zones (land formerly considered as a possible constructed wetlands discharge site). Another property within the proposed Sewer District adjacent but outside of one of the RO-7 districts (SCTM: 900-118-2-25) totaling 4.5 acres, is also owned by the Town. A small vacant 0.9-acre parcel located on the northwest side of the traffic circle, is also owned by the Town.

One of the RO-7 zones is the site of the proposed Riverside Maritime Trail Park which is currently being adapted to meet the community's vision as described by the Town of Southampton:

Development of the Riverside Maritime Trail Park with pedestrian access to the Peconic River, passive recreation and shoreline/wetland restoration, was a cornerstone feature of the Riverside Revitalization Action Plan (RRAP) and the Riverside Brownfield Opportunity Area (BOA) Plan. The Park will facilitate a re-orientation of land use and community life toward the River, providing a linkage between a new downtown Riverside and the River and functioning as an anchor for new mixed-use development and increased economic activity resulting in brownfield cleanup, blight mitigation and crime reduction.

As a public gathering space, the Park will provide a welcoming and safe environment, accessible and inviting to all ages and abilities. Programs, amenities and passive recreational activities that promote healthy living through design and enhance the livability of the community can begin to address the social isolation and other health issues that may be revealed in the Community Participatory Public Health Survey, which is part of the planning process.

The RRAP and the Riverside Overlay District envision and provide ultimately for a continuous, approximately 1.6-mile Trail from the east side of Peconic Avenue, eastward to Town owned land on the north side of NYS RT – 24 at the easterly end of the Riverside Overlay District, encompassing the County parkland as well as Town and privately owned properties that make up the balance of the river front. ²

There are also a number of smaller Town owned lots in the district and thousands of acres of previously preserved Town, County and State parks and open spaces outside but contiguous to the south, east and west of the proposed district. These include but are not limited to the David A. Sarnoff Preserve, Cranberry Bog County Park, and other large "unnamed" preserved open spaces.

Comment SM-3: I believe a public hearing has been scheduled by the Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC) for the required pine barrens applications.

Response: Yes. The Town submitted applications to the CPBJPPC for a Hardship Exemption and Development of Regional Significance (DRS). A hearing was held by the CPBJPPC on this matter on February 21, 2024. Staff and officials from the Towns of Southampton and Riverhead spoke at the hearing. The hearing was closed, and a 14-day written comment period was provided. At

² Town of Southampton official website (2018) <https://www.southamptontownny.gov/1226/Riverside-Maritime-Trail-Park>

its March 20, 2024 meeting, the CPBJPPC adopted a “Sense Resolution” for the Riverside Sewage Treatment Plant which is proposed in a section of the Central Pine Barrens’ Compatible Growth Area. The 4 to 1 vote in favor of adopting the resolution stated the following:

Resolved, that it is the Sense of the Commission that the Town’s February 21 presentation and supplemental material demonstrated the need for a hardship waiver under the criteria outlined in Article 57, and be it further

Resolved, the Commission has reviewed the determination of significance criteria outlined in the SEQRA regulations and identified no significant adverse environmental impacts on the Plan, and be it further

Resolved, that it is the Sense of the Commission that the Project conforms with the Land Use Standards outlined in Chapter 5 of the Plan, except for the clearing waiver request, and be it further

Resolved, the Commission provides this Sense Resolution to indicate that it anticipates that the completion of the Project’s review by the Town will not reveal any factor that causes the Commission’s understanding of the need for the Project, the rationale for a hardship exemption, or its environmental impacts to materially change, and be further

Resolved, the Commission will not issue a final determination on the Town’s hardship waiver request until it receives the final SEQRA record from the Town, and be it further

Resolved, this Sense Resolution does not constitute the Commission’s formal determination that the Project merits a hardship exemption and the Town is required to submit the complete SEQRA record so that the Commission make such a determination, and absent such submission within one year of the date of this Sense Resolution, this Sense Resolution will cease and self-expire and be of no further force and effect all without need of any further Commission action.

The full Resolution is available for review in **Appendix E-3** of this SFGEIS.

2.5 Surface Waters and Wetlands

Comments JSw-3, KC-6, JS1w-1: The Riverhead Sewer District Commissioners wish not to impede the development of the proposed Riverside Sewer District and support the program to improve water quality and long-term protection of the Peconic Estuary.

Overall, the concept is fantastic for Riverside. I think it's necessary. It will improve the overall Peconic Estuary, the river, and water quality. It's a really good project but can be a lot better [see **Comments KC-2, KC-3, KC-4, KC-5, KC-7 and KCw-1**].

For the first time in history, members of Southampton Town Board shall serve as Sewer District Commissioners and assume legal responsibilities for the Riverside Sewer District. Although managing a municipal wastewater treatment plant and sewer system is new territory for Southampton, the Riverhead Town Boards have been managing and operating sewer system and wastewater treatment facilities for nearly 100 years.

Response: The Proposed Action will allow the community to meet a variety of socioeconomic goals while protecting the environment including the Peconic River, Little Peconic River, Peconic Estuary, other surface waters, fresh and tidal wetlands, and groundwater. The Town's primary purpose for seeking input from the public and involved and interested agencies is to improve projects, seek innovative ideas, and minimize environmental impacts consistent with social, economic and other essential considerations from among the reasonable alternatives available.

Comments RDED-1, DT-1, TH2w-1: Southampton's efforts to create an STP for Riverside to protect the Peconic Estuary are to be lauded. Protection of the Peconic Estuary is critical and this STP will allow for much needed and long-awaited new development. Riverhead created its downtown sewer system in the early part of the 20th century and it has been essential to the protection of the river and bay values as well as to the redevelopment and revitalization of Downtown Riverhead.

Response: Many benefits will be possible once the proposed Riverside Sewer District is formed, the capital improvements are constructed and operating, and the BOA Study, RRAP and ROD are implemented. Broadly, benefits will be environmental, fiscal, social and economic in nature.

Comments KCw-10: Page 1-16 at the end of the top paragraph has the following statement, "To prevent additional impacts from sewage disposal on the underlying aquifer and nearby Peconic River Estuary, area ponds, brooks and fresh and tidal creeks and wetlands, limits have also been established on the volume of untreated wastewater that can be generated by ROD development." Is there any untreated wastewater anticipated from future ROD development, or is this comment just superfluous?

Response: The restrictions have to do with development proposed under the ROD which will connect to the proposed sewers instead of utilizing conventional individual onsite septic systems. As stated in the 2015 SEQR Findings Statement: “any development opting into the ROD must be connected to a tertiary sewage treatment facility.” The Findings Statement also indicated that a future development proposed pursuant to the existing underlying zoning as opposed to the ROD that conforms with SCSC Article 6 minimum lot area requirements may utilize a private onsite sanitary system but “sewage flow that exceeds SCSC [Suffolk County Sanitary Code] Article 6 standards must connect to sewers.” Therefore, conventional septic systems under the RRAP would have been permitted in some cases. Since the adoption of the ROD in 2015, the Town has pursued funding opportunities for the construction of the STP and assistance for system hook up for existing homeowners within the proposed Sewer District. The intent and the current anticipated requirement is that all land uses in the district must connect to the sewer system in the future to protect the area’s natural resources and public health, safety and general welfare.

Comment CB-6: Is one of the interested parties the Peconic Estuary Partnership?

Response: Yes. The EAF attachment lists the PEP as an interested regional advisory agency and the Town resolution adopting a Positive Declaration was forwarded to the PEP as an interested agency. The proposed Sewer District and associated infrastructure is essential to the success of the RRAP and ROD and will help to protect the river and estuary’s use, water quality, and ecology, while enhancing access to the river.

It should be noted that Pages 60-61 of the PEP’s *“Total Maximum Daily Load for Nitrogen in the Peconic Estuary, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meeting House Creek, Terrys Creek and Tributaries”*, prepared by Tetra Tech in September 2007, in coordination with the US EPA and NYSDEC, indicates that sewerage may be required, in order to achieve the goals of the TMDL.

2.6 Groundwater and Drinking Water

Comments SCWA-2, SCWA-1b, SCWA-2b, SCWA-3b, SPB-3, MI-2, MI-3, SM-5: Treated effluent from these types of facilities has the potential to include emerging contaminants such as 1,4 Dioxane along with PFOA and PFOS which are all now regulated in New York State to extremely low levels. 1,4 Dioxane is not readily treated with conventional methods and SCWA has made a significant investment in research to treat wells impacted by this contaminant. SCWA is currently in the process of retrofitting treatment to many of our wells to remove these contaminants at a great cost to our ratepayers. In addition to the currently regulated contaminants, SCWA is concerned that a facility such as this will become a point source for high concentrations of unregulated pharmaceuticals and personal care products (PCPPs). Regulated or unregulated, SCWA believes that these contaminants should be treated at the source, not at the wellhead. Ideally, SCWA would like to see wastewater treatment that would prevent the introduction of all these contaminants to our groundwater supply. If this is not possible, then the developer and their engineer should be required to demonstrate that by the time the treated effluent from this facility reaches any public supply well screen, the concentrations of these contaminants are all below the drinking water standard.

The DGEIS as submitted indicates several STP technologies were evaluated to determine which system would be best suited for the community. Membrane Bio-Reactor (MBR) and Sequencing Batch Reactor (SBR) technologies would be most appropriate.

At this time SCWA supports the use of the MBR system with the understanding that the operators and maintenance personnel will be required to undergo rigorous certified training in the operation, maintenance, and monitoring of such systems.

Additionally, SCWA supports and encourages onsite groundwater sampling both up and down gradient of the proposed leaching fields while also providing the sampling results to SCWA.

These comments are consistent with those provided in our agency's prior comment letter of May 22, 2023, and our agency's strong belief that regulated and unregulated contaminants should be treated at the source, not at the wellhead.

The Planning Board recommends selection of treatment technology that provides the highest levels of treatment and adaptability.

You mentioned that PFOS and PFOA may still pass through the MBR's membrane. Do you have an approximate rate or can you explain how they would pass? The State is always looking at this issue and could require treatment for these contaminants in the future.

Did the assessment of alternatives include polishing filters, and if it did, would that address the PFOS.

Response: The proposed STP will provide tertiary level treatment and the Town is open to either the MBR or SBR technologies to serve the community and continues to evaluate the pros and cons of each. Test wells will be installed up and down water table gradient of the STP and leaching area and water quality will be sampled to monitor any changes to groundwater conditions over time. Trained professionals will be responsible for ongoing operations and maintenance to ensure that the system functions efficiently and effectively and any issues that may arise are promptly and suitably resolved.

The level of treatment the MBR can achieve depends in part on membrane pore size and the sizes of the compounds it seeks to filter out and whether they are long chain or short chain PFOS compounds. The assessment of technologies in the CWSRF Report included consideration of polishing filters to address PFOS (see **Appendix B**). The polishing filters that were considered only evaluated the removal of solids to protect the downstream leaching fields. An MBR can be added as a polishing filter to the end of an SBR or by using just the MBR.

As discussed in **Section 1.5**, the Town intends to prepare a Basis of Design Report during the initial design phase of the project to further evaluate the viability of all proven and NYS accepted treatment technologies for the STP and for additional EFC review and approval prior to construction.

Comments CS1-6, CS1-7: How is the effluent that comes out of the STP tested? I know that the State or County requires that testing occur every day. Does a person have to take the samples?

Response: Treated effluent samples are evaluated every day by a trained professional as part of standard operating procedures. There is a flow metering chamber located just before the treated effluent is discharged into the leaching field and grab samples are taken from this location.

Comments SCWA-3, KCw-19, SPB-6: Beyond the regulatory aspects of the permitting of this facility, we have concerns about its operation. To keep them functioning properly, a high level of operational and engineering expertise is required that may exceed the capabilities of the plant operators. The result can be the exceedance of discharge parameters and negative impacts to groundwater resources. We feel strongly that such potential negative impacts must be avoided to the maximum extent possible. This should be done through more rigorous operator certification and training along with stiffer penalties for violations.

It is stated that the operator is likely one part time employee who would be responsible for monitoring all conditions including nitrogen loading from system effluent. How is one part-time employee going to be responsible for operations and monitoring?

The Planning Board recommends creation of a grant program to help offset the annual operation and maintenance costs for low to moderate income household.

Response: Regarding the need for properly trained system operators and maintenance personnel, the Town fully supports ensuring adequate numbers of staff including backup if someone is sick or on vacation and the required training needed to ensure facility operations. As noted in the SDGEIS, most functions can be operated remotely but sufficient staff for inspection, maintenance and operation will be provided at least three hours per day.

As discussed at the January 18, 2024 Town Board work session, consideration is being made of utilizing CPF Water Quality funding for existing residential use hookups to the proposed sewer system and possible use of CPFs to assist in paying for the costs of operation and maintenance of the system, subject to an amendment to CPF requirements. The Town can continue to seek out and secure other funding over time. The costs of hookups for future development would be paid by the developer of that development.

Comment SPB-4: The Planning Board recommends that the beneficial reuse of treated graywater needs to be explored as a future initiative.

Response: The previously adopted RRAP considers various innovative development strategies:

- “Utilize energy-efficient and cleaner-burning natural gas systems; consider alternative heating/cooling methods including geothermal, heat pumps and/or solar roof systems.
- Reduce energy consumption through use of superior building insulation materials (i.e., insulations, windows, weather stripping, door seals, etc.).
- Utilize water-saving devices such as low-flow toilets, automatic faucet shut-offs and related equipment to reduce unnecessary water loss and resultant pumping energy loss.
- Utilize energy-efficient low wattage bulbs for facility exterior illumination and interior lighting wherever possible.
- Incentive-based use of “green development” options such as green roofs, grey-water and rainwater recycling, roof gardens, community gardens, etc.
- Incorporation of heat-island reduction requirements.” (emphasis added)

It will be the responsibility of future developers and the Planning Board to ensure that such features are incorporated into site plans pursuant to the adopted 2015 Findings Statement and the Supplemental Findings Statement for the current Sewer District supplemental environmental review.

2.7 Environmental Justice, Disadvantaged Communities and Other Community Social and Economic Considerations

Comments RDED-4, RDED-5, RDED-6, RDED-7, DT-4, DT-5, DT-6, DT-10, TH-8, THw-5: Although Riverside and Downtown Riverhead are located in different Towns, they effectively function as one community and one economic ecosystem. Both Riverside and Riverhead are Areas of Persistent Poverty, are in Environmental Justice Areas, and are considered Historically Disadvantaged. Both depend upon necessary infrastructure and services located in Riverhead Town. Both hamlets have struggled to be revitalized for many years. Accordingly, it is critical that Southampton and Riverhead Towns work closely together to ensure the best results in the redevelopment of Riverside as it will have a substantial impact on Riverhead and the infrastructure it provides to Riverside. As noted in preamble to the RRAP, many people - even those living in Riverside - are unaware that Riverside is not part of Riverhead Town.

Over the last 10 years since the Riverside Overlay District was created and enacted by the Southampton Town Board, many of the underlying assumptions and data contained in the RRAP have changed dramatically. In particular, the marked reduction of opportunities for home ownership and the consequential building of wealth, the increase in population due to COVID and migration and the increased need for workforce. In addition, Riverhead Town has supported and been successful in increasing residential development as part of the process of revitalization.

These new developments in demographics are clearly illustrated in the 2020 US Census as well as in the mapping tool created by ERASE Racism. As you will see when you use this tool, Riverside is already identified as “extremely high” in “people of color segregation”. Downtown Riverhead is identified as “moderately high” in the same category. These conditions require that whatever is built in Riverside facilitate the growth of diversity in economics, race and/or ethnicity. Failing to acknowledge and account for these facts could result in inadvertent exacerbation of the already “extremely high” segregation that exists in this area. The ERASE Racism Mapping tool also shows that the Riverhead Central School District is within the lowest category of the Educational Opportunity Index. The district must be considered in any development plans that could significantly impact it as it is already stretched to its limits.

Accordingly, Riverhead Town is hereby officially requesting to work with Southampton Town to review and possibly revise the plans in the RRAP and in the Riverside Overlay Zoning District to evaluate saturation and to ensure that the environmental, socioeconomic and economic impacts to the Riverside, to Downtown Riverhead community serve the residents of this community well. This work will also ensure that Southampton’s plans for its Sewage Treatment Plant are right sized for the development that is appropriate for the area and that unnecessary expenditures are avoided.

Response: The socioeconomic impacts and benefits of growth and revitalization were previously considered based on the 2015 SDGEIS Theoretical Development Scenario. The area remains a community of poverty and has a high proportion of minority and economically disadvantaged residents. There is still a need for housing, jobs, a healthy environment, to address crime and social and economic issues. The planning, guiding zoning, and funding sought and secured over the past 20 years have been specifically targeted toward assisting people of limited income, racial and ethnic minorities, and disadvantaged individuals and households throughout the area. Moreover, as expressed many times by members of the community and community representatives such as FRNCA, the establishment of the Sewer District is an essential step to advance the planning and many good intentions over decades into action.

As discussed in the 2015 Findings Statement for the BOA Nomination, RRAP, ROD, Zoning Code and official Zoning Map amendment there are numerous planned and anticipated socioeconomic benefits from the adopted plans and zoning. These include but are not limited to:

- The fulfillment of long-established Town and community goals developed through extensive community participation, by helping to reestablish an appropriately scaled, pedestrian-oriented mixed use hamlet center.
- The development and redevelopment of vacant and underutilized properties and providing a set of land uses that are appropriate and compatible with land uses in and around the ROD.
- The diversification of the community's housing stock by providing both market rate and Community Benefit Units (50 percent of the total units, with AMI up to 130%), significantly increasing affordable workforce housing options and ownership possibilities for young professionals and persons with diverse housing needs.
- The elimination of blight and clean-up of contaminated properties and brownfield sites;
- Construction of infill development.
- Revitalization of the community and increases in property values.
- Generation of many temporary construction jobs as well as more permanent part-time and full-time employment opportunities at future retail, restaurant, office, personal services, hospitality, industrial, recreational, and cultural facilities and new maintenance positions at multifamily residential buildings as well as secondary "spin-off" jobs both for Riverside and ripple effects to the surrounding communities, including downtown Riverhead.
- Requiring future Applicants for development to comply with Community Benefit Policies, which include provisions for local construction and operation jobs and a local contracting policy to ensure local job creation both during construction and on a permanent basis.
- Creation of a more walkable multimodal transit-oriented community facilitating car, bus, train, taxi, bicycle and pedestrian activity, and new road improvements and street

and pedestrian connections that will mitigate traffic impacts to the maximum extent practicable.

- Creation of a new sense of place, with increased community/social interaction through building design and parcel layouts, with an increased level of “eyes on the street” to promote public safety, new pedestrian amenities, attractive architecture and landscaping, and outdoor community spaces, all under a unified form-based master plan.
- Construction of new buildings that are more energy efficient and fixtures and plumbing that conserve water for future generations.
- Enhancement of public access to the Peconic River and between the Riverside Hamlet Center and Downtown Riverhead.
- Cleanup of existing environmental conditions during demolition and site preparation for new development.
- Various fiscal and economic benefits during the construction and operational stages of development.
- ***Connection to an advanced sewage treatment facility.***

Comment JS2-3, DT1-5, AH1-1, AH1-2, AH1-3, AH1-4, CS2-5, JS4w-2: In response to public comment and public participation, I would recommend you take a good look at the potential Environmental Justice Area where the County Center and Jail are located. Part of the Environmental Justice Area requirements is an enhanced public participation program. So, I would at least recommend you consider not meeting the minimum requirements of SEQRA and general public hearings but try to produce an actual plan to enhance your public participation.

We’ve had the Town Planning and Development Administrator speak before our community. The community’s attitude is let’s go, let’s go. Riverside had hope in 2015. We stood behind, the then Town Board. We took a picture, and it was all over every paper. They’re saying it’s time. That is what they keep saying. It is time. Let’s go.

Other developers have come in 30 years ago, 40 years ago and brought hope and said things were going to happen, and they did not happen. And then we have this overlay and they got excited. They saw the vision of what could possibly be in Riverside. And they do not want to lose that hope, they want to see this happen.

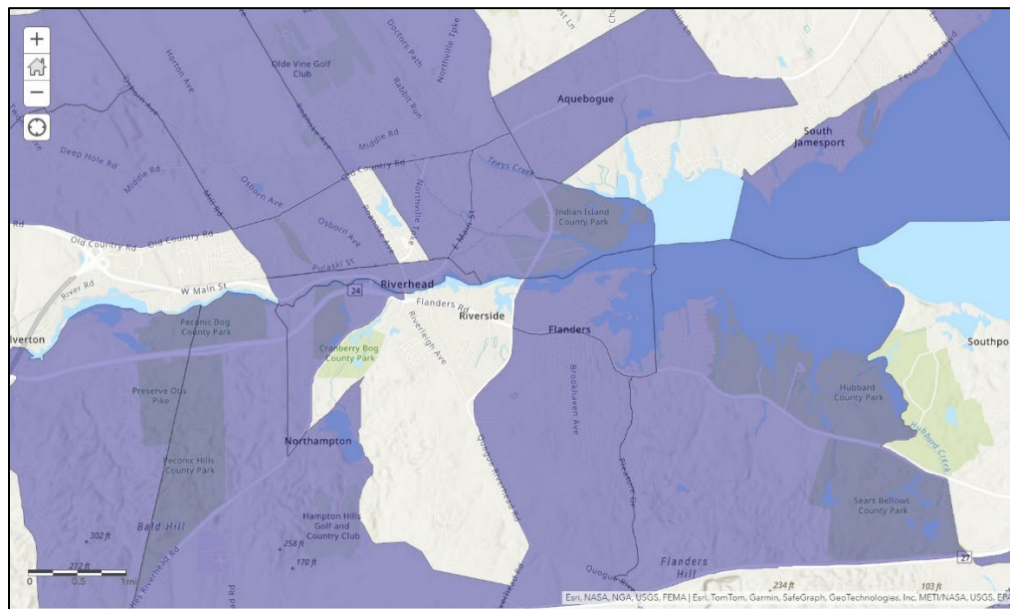
They want to see this go forward, have a district in place. We know there is some more homework that needs to be done. They don’t want to start over. This is a piece to the puzzle of what they’ve been hoping for.

FRNCA is willing to have the Town come again to discuss the project any time. We also will email-blast anything that you need us to email-blast. We will go on our social media, also, whatever we need to do to get the word out to have this go forward. We appreciate it.

I also can say to the Board, and, Councilwoman McNamara, you can confirm this, one of the complaints in the area is that the sewer district hasn't happened yet. When we (the Town) were there in 2018 and beyond, you know, that was what we heard consistently at every meeting. So that is in the sentiment there.

Response: Riverside is considered the most economically distressed community in both Suffolk County and Nassau County. It has the lowest median household income and approximately 40 percent of households within the Riverside area are living below federal poverty levels. The area also has the lowest household value. The central Riverside is also considered a Brownfield Opportunity Area (BOA), an Urban Renewal Area, was the subject of a 2006 Blight Study, and although it is not depicted as a Potential Environmental Justice Area on the NYSDEC's PEJA map (see below), the County Center and Jail and Downtown Riverhead are. Riverside is considered a Disadvantaged Community and is within a federal Environmental Justice Area. As such, the Town has conducted a comprehensive outreach campaign not including the work that has been undertaken over the past two decades, including the current ongoing phase to form the Sewer District which is essential to Riverside's success. See **Section 2.1** response to **Comment SPB-7** et. al for a listing of many of the steps taken in the comprehensive public and agency outreach process. Not only has this process complied with SEQRA but it has far exceeded SEQRA and Town requirements.

It should be noted that in its recent Request for Qualifications for Municipal Sewer Engineering Services, the Town requested that its selected engineering firm provide an extensive public outreach program during the next phase of engineering work (30% design) and preparation of the Basis of Design Report.



Disadvantaged Communities

Classification of the community as a “Disadvantaged Community” is based in part on community poverty levels and ethnic and racial minority makeup as determined by the Climate Justice Working Group (CJWG) pursuant to New York State’s Climate Act. The Climate Act seeks to ensure that frontline and otherwise underserved communities benefit from the State’s historic transition to cleaner, greener sources of energy, reduced pollution, cleaner air, and economic opportunities. The previous Blight Study, BOA Study, RRAP, ROD, GEIS, and plans and environmental review of the current Sewer District, identified numerous ways to address climate, energy, and air quality concerns while supporting essential economic growth, and environmental quality initiatives.

Regarding the proposed Sewer District, as noted in greater detail in the response to **Comment SPB-5 in Section 2.2** of this SFGEIS, an assessment of the possibility of installing solar and or wind generation facilities at the STP site was considered. As noted in the CWSRF Engineering Report, solar panels or turbines can be installed on the STP building at any point after the proposed STP building has been constructed and should have no impact on the treatment process. In the case of the larger SBR building, as many as 1,450 solar panels could be installed on the building roof.

The RRAP and previous GEIS also identified numerous strategies and techniques for reducing greenhouse gas emissions, air quality impacts, and excessive energy use by future development and redevelopment, such as:

- Remediation of brownfields and blight within the community to improve water and air quality.
- Compliance with NYSDEC air permit requirements, if applicable, though major sources of air emissions are not permitted in the ROD and minor facilities, such as auto-related uses and dry cleaners, require registrations through the DEC for minor emission sources.
- Mitigation of fugitive dust during construction using proper construction management techniques, erosion control measures, wetting of excessively dry soils, etc.
- Utilization of energy-efficient and cleaner-burning natural gas systems.
- Considering alternative heating/cooling methods including geothermal, heat pumps and/or solar roof systems.
- Reducing energy consumption through use of superior building insulation materials (i.e., insulations, windows, weather stripping, door seals, etc.).
- Installing water-saving devices such as low-flow toilets, automatic faucet shut-offs and related equipment to reduce unnecessary water loss and resultant pumping energy loss.
- Installing exterior lighting that complies with the Town’s Outdoor Lighting Standards (Chapter 330, Article XXIX) including the use of energy-efficient low wattage LED light bulbs, and light sensors or timers.

- Using incentive-based “green development” options such as green roofs, grey-water and rainwater recycling, roof gardens, community gardens, etc.
- Encouraging energy-efficient development and designs by incorporating certain contemporary energy conservation planning and design standards that are consistent, in all or part, with the US Green Buildings Council’s LEED® standards (though requiring specific accreditation under that standard is not contemplated).
- Seeking consistency with the recommendations of the Southampton 400+ Sustainability Plan.
- Reducing heat island effects by:
 - Implementing solar reflectance standards for building roofs constructed under the requirements of the ROD.
 - Providing shade from open structures such as those supporting solar photovoltaic panels, canopied walkways, and pergolas.
 - Including open grid pavement systems (at least 50% pervious).
 - Providing shade from tree canopy (within five years of landscape installation).
 - Using roofing materials that have a Solar Reflectance Index (SRI) value equal to or greater than the values in the table below for a minimum of 75% of a roof’s surface area of all new buildings within the project; or install a vegetated (“green”) roof for at least 50% of the roof area of all new buildings within the project. Combinations of SRI compliant and vegetated roofs can be used; provided they collectively cover 75% of the roof area of all new buildings.
 - Supporting pedestrian activity by creating a compact walkable mixed-use downtown community with shared parking.
 - Installing bike racks, providing bike lanes, and supporting bicycle storage amenities.
 - Ensuring the availability of community bus stops and shelters.

The Town has also more recently prepared the 2023 Town of Southampton Climate Action Plan which can also be utilized in furtherance of achieving climate, greenhouse emission, energy conservation and air quality goals.

The numerous plans, studies, environmental assessments, infrastructure projects, federal, state, county, local, and future developer funding mechanisms¹ created by over the years is testament (see response to **Comment SPB-7** in **Section 2.1**) to the Town’s commitment multiple sustainable environmental, social and economic objectives. The purpose of which was always to help low-income residents, minorities, disabled, and other disadvantaged individuals and families and address socioeconomic conditions and improve the quality of life for Riverside residents. The Town has specifically sought to increase local investment, business development, and economic growth; provide affordable housing, new construction and business development; generate

¹ Future developer-based funding mechanisms identified by the RRAP include Fair Share Environmental Protection and Enhancement Fund, Community Benefit Fund, and Traffic Improvements Fund.

operational jobs; protect and preserve area natural resources and open space; and create a safe, healthy and sustainable place for Riverside residents to live.

The Town has performed extensive public outreach over the past few years and has received overwhelming support for its work. Residents are ready for the change that they envisioned and have indicated as much many times. Since area specific revitalization efforts first began in 2004, the children of Riverside have grown and are now adults, having seen but few results. Land has been preserved, the Riverside Maritime Trail Park is being created, the traffic circle has been enhanced, other land was purchased for the siting of the proposed STP facility, and funding was received from the Peconic Estuary Program for wetlands restoration. The last piece to the puzzle before needed private investment can begin is the creation of the proposed Sewer District and sewer infrastructure.

See also the response to **Comments SPB-7 and THw-9** in **Section 2.1**.

2.8 Housing

Comments DT-8, TH-6: There are many predatory investors, and there's a lot of funding available for affordable housing, which is wonderful, but concentrating affordable housing in one area is something that is not wonderful necessarily.

Riverhead and Riverside/Southampton should put our respective planning teams together to ensure that any Riverside development does not result in inverse redlining, i.e., putting all affordable housing in an already highly segregated location.

Response: The proposed Sewer District formation and STP does not change the mix of residential units that was approved in 2015 pursuant to the BOA, RRAP, ROD, Zoning Code and Map amendments, GEIS and Findings Statement. The existing ROD Overlay Zones require that 50 percent of the residential units to be constructed as "Community Benefit Units",² administered in accordance with the standards and specifications of Chapter 216 of the Town Code "Housing for Income-Eligible Households; Community Housing Opportunity Fund." The remaining residential units would be market rate units. The workforce housing units may be provided as part of a mixed income project or as stand-alone developments throughout the ROD. The quality of these developments are required to be of the same standards of design, architecture and construction as full market rate units and be designed to be generally indistinguishable from a full market rate development. One of the fundamental purposes of the BOA, RRAP, and ROD is to serve existing residents of the area and others who are in need of affordable and workforce housing rather than gentrifying or pricing existing residents out of the area (See Section 330-412 of the Southampton Town Code). Moreover, it is expected that the many recommendations of the prior planning and zoning efforts will be economic growth, developer fair share inputs, and work opportunities that would economically benefit residents of the area.

In addition, the Town has various policies and adopted plans in place to ensure that new affordable housing is established *throughout* the Town including the Town's "Housing Plan" adopted in October of 2022 and associated 'project plan' addendum which was adopted in January 2024 and provides many recommendations in support of achieving its housing goals throughout the Town. The adoption of Proposition 3, a ballot referendum creating a 0.5 percent tax on certain real estate transfers was overwhelmingly supported by voters and will enable the Town to use Community Housing Fund monies to help 'bridge the gap' for home ownership and other methods to ensure that the workforce in the Town can continue to stay and support the local economy.

² The Town Code defines "Community Benefit Unit as: "Housing unit(s) which is (are) intended to provide a long-term benefit to the community as an affordable housing unit(s) for income-eligible households."

Comments TH-4, TH-5, THw-4, DT1-4, DT1-10, TH2w-6: The problem we have with the project is the proposed makeup of the housing stock under consideration for the revitalization.

Rather than 2,300 or so units of all affordable, we strongly urge the Town Board to consider a mix of senior housing, which won't impact our schools and parks as much, ownership units and single-family homes, market rate rentals, workforce rentals, and affordable rentals. Riverhead addressed this problem by providing housing of all types for people of all types. A balance of commercial development is also needed.

With respect to the RRAP, more than ten years have passed since it was initiated and we are all aware that the demographics in the Riverside and Downtown Riverhead area have changed dramatically. In order to avoid the over saturation and reduce segregation of these areas with affordable housing, it is imperative that the Towns rethink the composition of the uses and density in the redevelopment area mindful of Riverhead's work in the Downtown area and the changing demographics. The Town of Riverhead looks forward to working with Southampton in revisiting the RRAP. We have the potential to rethink this opportunity to dovetail with Riverhead's downtown plans and to address the current conditions and demographics in Riverside. Riverside residents deserve a true "live, work and play community".

Response: As noted above, the adopted plans and zoning do not call for 100 percent affordable units and do not call for 2,300 new units. The maximum *theoretical* buildout was examined by the GEIS in 2015 and represents an absolute upper limit that was determined acceptable by the environmental review with the identified mitigations. The ultimate future land uses that may be proposed are flexible within the identified threshold limits and will be dependent on market demand, available sewer capacity, community needs and other factors as discussed in the adopted GEIS.

Further, Page 43 of 2015 Finding Statement states, "*Overlay Zones require that 50 percent of the residential units built are constructed as Community Benefit Units, administered in accordance with the standards and specifications of Chapter 216 of the Town Code. The workforce housing units may be provided as part of a mixed income project or as stand-alone developments throughout the ROD.*"

Moreover, existing single-family residential neighborhoods, such as currently exist on the east and west sides of the proposed Sewer District are expected to remain. The RRAP calls for the provision of "a broad range of housing types and price points", so that the development of condominiums, townhouses, single family homes or cottages for ownership is absolutely encouraged and allowed. In fact, the RRAP indicates the goal of creating a mixed-use downtown setting which includes residential, commercial, retail, office, hospitality, parks, open space, cultural and civic uses. Nowhere does the plan state that the intention is to just create a significant number of rental units.

The previously approved BOA study, RRAP and enacted Zoning Map and ROD zoning and design standards were developed to provide a balance of necessary housing, commercial development, site remediation, and area revitalization; create jobs; generate tax revenues; identify necessary capital improvements; and provide economic growth and opportunity, while protecting the environment. The Town also prefers to serve current residents rather than displace them. The 2015 ROD and Zoning Map amendments created seven new overlay districts that allow and support the establishment of numerous mixed land uses determined appropriate by the community and Town Board. In addition to residential uses, potential future uses include professional offices, medical offices, home offices, residential care facilities, retail/commercial, professional services, hotels, educational uses, cultural and religious uses, recreational facilities, open space, and other land uses. Although not expressly required, senior and multigenerational housing is permitted in all of the above residential categories and is often pursued by developers to address significant current demand from the “Baby-Boomer” demographic. The above mix of land uses in conjunction with the existing Enterprise Zone Industrial Park and the many existing commercial, cultural, residential, open space, and recreational uses will help support the community and the mix of land uses envisioned by the residents of the community will help to create long-range community sustainability.

As previously noted, the Town may consider expansion of the District to connect the County Center as part of a future phase in partnership with Suffolk County and the Town of Riverhead. If the County Center is included, and the capacity of the STP remains the same, a reduction of the total number of dwelling units or other allowable uses would be necessary to offset the 200,000 GPD of wastewater flow associated with the County Center.

2.9 School District and Other Intermunicipal Districts and Capital Infrastructure

Comments RCSD-1-1, DT-7: Public school districts are charged with the education of those children residing in the communities they serve. For the Riverhead Central School District, it is the primary directive that guides all of our operations, initiatives, academic programming and services. We arrive at our jobs every day with a single purpose - to educate every child in the district's catchment area with a high-quality education that inspires and academically empowers our students to become successful, contributing citizens in our local community as well as in a global society.

To be successful in providing an environment that supports the quality education the children of the Riverhead community deserve, it is critical that each of our school buildings have sufficient capacity to provide for the necessary classrooms and support programming space required by its enrollment. Currently, our school buildings are at or very near capacity. Our need to accommodate expanding academic and support programming, such as computer labs, makerspace rooms, dedicated STEM labs, and additional music and fine arts continue to place greater challenges on the district. It is not an exaggeration to say that the district is at a tipping point when it comes to its space capacity. In 2018 and in 2020, the district attempted to address this significant districtwide space issue through bond referendums. Both were rejected by the community. While we have been creative and innovative in our use of current building space, it is clear that our district cannot absorb a significant increase in students without a commensurate increase in classroom and support programming capacity.

We appreciate the agenda and objectives of the RRAP being considered by the Town of Southampton Town Board. A plan that takes into consideration and provides for the impact of its full implementation is a plan we can support. However, the plan, as currently proposed, makes no accommodation, nor does it address the serious consequences it will have for the Riverhead Central School District.

Based on our understanding of the overall plan as described in the September 15, 2021 Town of Southampton Downtown Revitalization Initiative Round V (dri5) document, the proposed development includes:

- Over 2,300 new housing units, half of which will be designated affordable housing
- A projection of almost 4,000 new residents

All new housing units and the projected increase in population are all in the catchment area of a single Riverhead Central School District elementary school - the Phillips Avenue Elementary School.

With 4,000 new residents anticipated by this project, of which a good portion will be families taking advantage of the workforce housing opportunity it represents, it is reasonable to assume that several hundred, if not more, will be school-age children. It is of note that nowhere in the dri5 document does it project the number of school-age children that will be generated by the plan.

With hundreds, if not more, students entering the Riverhead Central School District, there must be included in this plan funding for the expansion of the Phillips Avenue Elementary School or the construction of a new Riverhead Central School District elementary school that will be dedicated to students from this new community. Additionally, with this many students progressing from the elementary level to our upper grades, there must be additional funding allocated for the expansion of the district's middle school and high school. It is clear from the outcome of both the 2020 and 2018 bond referendums, the greater Riverhead community is not prepared to take on an additional financial burden. The reality of hundreds of new students being enrolled in the district without the critically needed additional building capacity will severely impact our ability to deliver a quality education to our students. It will result in Phillips Avenue facing a crisis of over-enrollment, class sizes increasing at the upper grade levels, many important programs like music and art being relegated to carts and other programs being eliminated.

The increase in enrollment will also require additional teaching and support staff. This will add significantly to the district's annual operating budget. It is essential that tax revenue generated by this redevelopment initiative account for the increased costs to the district.

It is the nuances of our township boundaries that has placed control over the approval process for the proposed Riverside Revitalization Action Plan outside the province of the township and school district this plan will primarily impact. We respectfully request that the Town of Southampton Town Board consider our concerns and take the necessary steps to ensure any approvals given to the final plan include assurances that the developers accommodate the increased educational space needs of our District through new school construction or financial provisions to the school district. Without such assurances, we respectfully submit that we cannot support the Riverside Revitalization Action Plan as proposed in the dri5 document.

Response: The RRAP does not account for over "2,300 new housing units" and the future housing units were never proposed to be 100% affordable. Rather a range of price points and housing typologies to sustain a healthy community was proposed. See prior response and **Section 2.1**, that explains that the maximum theoretical buildout was examined by the GEIS in 2015 and represents an absolute upper limit that was determined acceptable by the environmental review with the identified mitigations. The ultimate future land uses that may be proposed are flexible within the identified threshold limits and will be dependent on market demand, available sewer capacity, community needs and other factors as discussed in the adopted GEIS. As stated in the

2015 SEQRA Findings Statement for the previously approved BOA Nomination, RRAP and Zoning Map revision and ROD, “[u]nder the full 10-year build-out of the Theoretical Development Scenario, 283 school age children (an additional 233 students accounting for redevelopment of existing lots) are anticipated to be generated. The Town and the Master Developer will work with the Riverhead CSD to evaluate the demographic projections and the expected enrollment changes based on current growth trends and the additional students anticipated from redevelopment pursuant to the Subject Action. Once a greater understanding of future enrollment and available classroom space is completed, a determination of facility needs to accommodate this growth can be evaluated, including the cost of necessary facility improvements and potential funding mechanisms. A “Fair Share” mitigation program and fund will be established based on the Subject Action’s proportional share of additional school age children to assist in providing revenue for necessary evaluation and implementation of facility upgrades (Mitigations and future actions relating to Fair Share Mitigation are discussed further under “Socioeconomic Considerations” in the 2015 Findings Statement].”

In addition, the previous BOA Nomination, RRAP, Zoning Map amendment, ROD Code, GEIS and 2015 SEQRA Findings Statement discussed how mixed retail, professional office, medical office, hotel, cultural and recreational uses would be proposed that do not place strain on the school district and but would substantially increase property tax revenues, sales taxes, building permit and other one-time fees and other revenues and payments to Fair Share Mitigation funds will offset these increased costs. Also, as noted in the 2015 Findings Statement, the Town, Master Developer and consultants will continue collaborating with the school to provide fair share mitigation as development goes forward.

Testimony from Town of Riverhead representatives at the public hearings held for the Subject Action indicated a desire to free up more sewer capacity for Riverhead by requesting that the County Center disconnect from the Riverhead Sewer District and connect to the proposed Riverside STP. It was also noted that there has been an increase in sewage flow at the Riverhead STP due to current development in the sewer district (Downtown Riverhead) and the Town of Riverhead is working on a Comprehensive Plan that includes acquiring and transferring development rights from Riverhead farms that are zoned for residential uses and transferring these development rights into the Riverhead Sewer District. It is recommended that the Town of Riverhead consider a similar fair share mitigation program to assist in addressing additional demand on the Riverhead school district.

Finally, it is noted that the Town of Southampton may consider accepting wastewater flow from the County Center in a future phase, which may result in a reduction in future residential units in Riverside to ensure sufficient capacity is available to serve the County Center. As identified in the 2015 Findings Statement, the Town of Southampton continue to work with the School District to address mutual goals and concerns and develop a Fair Share Mitigation Program based on the

proportional share of additional school age children associated with redevelopment under the ROD to assist in providing revenue for necessary evaluation and implementation of facility upgrades. It should be further noted that the Town of Southampton does not have an Industrial Development Agency (IDA) that grants tax abatements the way Riverhead IDA does. Therefore, tax revenue from development in the Town of Southampton and PILOT payments from CPF for preserved lands will still benefit the Riverhead Central School District.

Comments CS-2, CS-3, SS-2, TH-1, TH-2, TH-7, THw-2, THw-3, JS4w-4, DT-9: In many ways, Riverhead and Riverside function as one community. Which districts, capital infrastructure and community services do Riverside and Riverhead share? Are Riverside residents taxpaying members of these districts? Some of the future development will be tax ratable commercial development that will help the school district without adding children to the school district.

Riverside and the Town of Riverhead are deeply connected. We provide education to the Riverhead School District, we provide library services, fire protection services, public transportation, post office services, shopping and commerce, hospital and medical services, children's recreation, including parks, Little League, PAL, we even share a common zip code. The communities effectively rule and function, or effectively function as one unit.

We also share important demographics, as both areas are designated as Areas of Persistent Poverty, and Historically Disadvantaged and Environmental Justice Areas. Riverside is considered very highly segregated based on color. Downtown Riverhead is designated as highly segregated based on color. Redevelopment of Riverside cannot exacerbate the situation and cannot be allowed to overwhelm Riverhead's resources.

Riverhead and Riverside must make a mutual effort to ensure that all of the services provided by Riverhead to Riverside are not overwhelmed by the redevelopment.

Response: See response to comments above. The Riverhead Central School District, Riverhead Library District, and Riverhead Fire District/Riverhead Volunteer Fire Department serve the Riverside community. Riverside residents pay taxes to these districts and future residents and business owners would do the same. Riverhead Post Office, public transportation, and the nearby hospital in Riverhead also serve Riverside. The County offices and jail are in Riverside and have a Riverhead address but serve the Towns of Southampton, Riverhead and the rest of Suffolk County.

Drinking water is provided to Riverside by the Riverside Water District/ Suffolk County Water Authority. Police services in Riverside are provided by the Town of Southampton Police Department and New York State Police which operates a barracks at 234 Riverleigh Avenue in Riverside, and Ambulance services are provided by Flanders/ Northampton Volunteer Ambulance

Company, Inc. Phillips Avenue Elementary School, which is part of the Riverhead Central School District and serves Riverhead children, is located in Riverside, Town of Southampton. Residents of Riverside also do much of their shopping and commercial activity in Riverhead and may also contribute to the workforce needed in Riverhead.

The RRAP and ROD were designed to provide a balance of needed housing, commercial development, site remediation, area revitalization, job creation, tax generation, local capital infrastructure investments, and economic growth and opportunity, while protecting the environment.

2.10 Permits and Approvals

Comment PBC1-3: The proposal must conform to all other involved agency jurisdictions and permit requirements in effect on the project site.

Response: Comment acknowledged. The Town has been coordinating with multiple involved agencies, has submitted applications to the CPBJPPC, and will continue to work to secure all applicable permits and approvals identified in Section 1.5 of the 2023 SDGEIS. Also, it should be noted that future development in the sewer district must comply with the adopted ROD zoning ordinance or underlying zoning unless a variance is sought and is approved by the Zoning Board of Appeals. The Proposed Action has been and will continue to be guided by the policies and recommendations of previous area plans.

Comment DOT-1: Page 1-28 of the 2023 SDGEIS states that the installation of a pump station along a State right-of-way would be executed as an easement on land containing a State Drainage Basin. The pump station and sewer force main in a State right-of-way would not be installed under an easement but requires a Highway Work Permit, details of which still need to be addressed. Please correct this in the final GEIS.

Response: Comment acknowledged. A highway work permit will be requested for the proposed pump station located next to the State Drainage Basin and Flanders Road (SR 24).

Comment CB-3: Does this project, the proposed discharge or the Hardship Exemption from the Central Pine Barrens require any EPA approvals? I'd hate to be at a point where we can't go any farther because...

Response: The injection well alternative would have required an EPA permit; however, the leaching pool / leaching area disposal method, which is the preferred method of waste disposal for this project, does not require EPA approvals. However, as the Town is in receipt of Congressionally Directed Funding, the Town has submitted the documentation needed to obtain the required NEPA concurrence from the EPA.

Comments SCDPW-1, SCDPW-2, SCDPW-3: A permit is required from SCDPW pursuant to Section 136 of the Highway Law for the proposed access and any improvements this Department deems necessary along the County right-of-way.

Before a permit is issued by this Department for these improvements, documentation pursuant to Section 239F of the New York State General Municipal Law must be forwarded to us from the Town Building Department for our review and comments.

Proposed pumping stations one (1) and three (3) will require permits from this office.

Response: Comments acknowledged. The Town will work with the SCDPW to secure all required permits and approvals as requested.

2.11 Involved and Interested Agencies; Lead Agency Coordination; Coordinated Planning

Comments PBC1-1, SCPC-1, SCWA-1: The Central Pine Barrens Joint Planning and Policy Commission, Suffolk County Planning Commission and Suffolk County Water Authority each expressed no objection to the Town of Southampton Town Board assuming Lead Agency responsibilities for the SEQRA review.

Response: Comments acknowledged. The Town Board coordinated with all involved agencies during the SEQRA process. Letters of no objection were received from some agencies while others did not respond during the allocated minimum 30-day statutory period. On July 11, 2023, and after receiving no objection from other involved agencies, the Southampton Town Board by Resolution 2023-902 assumed the role of Lead Agency for the Subject Action.

Comment SCSA-1: In review of the documentation available it was noted that the project proposes to create a municipal sewer district (SD), construct, operate and maintain a sewage treatment plant (STP), and operate said SD. This project is within the jurisdiction of the Suffolk County Sewer Agency. As mentioned above; the Suffolk County Sewer Agency reserves the right to comment on this proposed project and would like to be informed of all actions taken pursuant to SEQRA and to be copied on submittals of the EAF, DEIS, FEIS reports.

Response: Comments acknowledged. It is noted that because the Proposed Project is a community sewer district that will be operated by the Town, authorization by the Suffolk County Sewer Agency is not required. The New York State Department of Health (NYSDOH), New York State Department of Environmental Conservation (NYSDEC) and Suffolk County Department of Health Services (SCDHS) will be involved in the review and approval of the proposed Sewer District, STP and conveyance system.

Comments RCDD-1, RCDD-2, RCSD-2, DT-11, JS-3, JS2w-1: As an interested party in the Town's SEQRA process for this project, we are hereby officially requesting that copies of all notices, resolutions, project and meeting information be forwarded to the Town Supervisor, Yvette Aguiar [now Tim Hubbard] at: Supervisor@townofriverheadny.gov with a copy to thomas@townofriverheadny.gov and to the Town of Riverhead's Town Attorney Erik Howard at Howard@townofriverheadny.gov.

The Riverhead Community Development Department and Riverhead Central School District look forward to seeing Southampton's progress in establishing an STP in this ecologically sensitive area, but also have serious concerns relating to the potential for dense residential and commercial development within the Riverhead Central School District and adjacent to Riverhead's downtown area, which we are working hard to revitalize. As such, we are keenly interested in participating in the SEQRA process for this project.

This plan can be wonderful, but it's important that it gets updated, and that we [The Town of Southampton and Town of Riverhead] look at it together, and that you understand what we've done and what we're doing on our side of the river.

We [Town of Riverhead] would like to have an open dialogue with the Town of Southampton long before finalization of the SFGEIS. We request that the responses provided through the SFGEIS be thorough, reasonable and defensible.

Response: The Town has held several open meetings and public hearings, attended a civic meeting, had meetings with Town of Riverhead officials and its consultants, provided opportunities to submit written comments on the Subject Action and the 2013-2015 BOA, RRAP, ROD Zoning Map Amendment and GEIS planning and environmental review processes were extensive. The Town has and will continue to coordinate with involved and interested agencies, including the Town of Riverhead as required and where necessary and hope to receive similar cooperation and outreach from Riverhead on its nearby planning projects. Over the course of the three SEQRA public hearings, and provided written comment period, the Town has received 11 letters and heard 6 presentations by Town of Riverhead representatives, not including input provided by three officials at the CPBJPPC hearing. Based on these letters and presentations, the Southampton Town Board fully understands the issues raised by the Town of Riverhead which is summed up by the Town of Riverhead's environmental consultant at the CPBJPPC hearing, when he indicated that "Riverhead has attended all three of the SEQRA hearings that have been held in Southampton. I understand that Southampton is fully aware of our concerns." The Town is aware of Riverhead's concerns and will continue to work to try to reach mutually beneficial goals.

Comment SCPC1-1: The SEQRA information on the Supplemental Draft Generic Environmental Impact Statement (SDGEIS) for the above project was received by the Suffolk County Planning Commission on March 6, 2024. Thank you for providing this information.

Please note that while the Suffolk County Planning Commission does not have comments at this time, the Suffolk County Planning Commission reserves the right to comment on this proposed action in the future and wants to be kept informed of all actions taken pursuant to SEQRA and continued to be provided with all related SEQR information.

Response: Comment acknowledged. Feel free to contact the Town if you should have further comments or concerns. The Town of Southampton gratefully acknowledges Suffolk County's very generous \$5 Million dollar ARPA contribution and \$250,000 water quality grant award to realize this project.

2.12 Funding

Comment JS4w-20: The Town of Riverhead should not be exposed to adverse impacts generated by accepting out-of-district wastewater when the Riverside Sewer District has ample capacity to include the County's wastewater. The Riverside sewer and STP projects are specifically designed and publicly financed to accept both existing wastewater and future wastewater described under the TDS. The SDGEIS simply developed a Riverside Study Area that excluded the Hamlet's true representation of the Existing Conditions relative to wastewater generation.

Response: The Proposed Action does not involve the sewerage of the entire Riverside community, or the waterfront areas of Flanders, or Northampton, or the County Center, just as the Riverhead Sewer District does not serve the entire Town of Riverhead (rather the Riverhead sewer district includes mainly the downtown and the Route 58 commercial corridor). These sewers have allowed the Town of Riverhead to grow significantly in recent years with several multi-story buildings that provide a significant amount of rental housing and new business growth. The 2013 draft sewer study and approved 2015 BOA Study, RRAP, ROD, zoning map amendments, 2015 GEIS, 2023-24 SGEIS, as well as the currently proposed Riverside Sewer District have been developed to do the same. Riverside seeks to protect its natural resources in the most densely developed part of the community where people live and there are no sewers. It also seeks desperately needed economic investment and community revitalization to finally meet the needs of the Riverside community.

Also, as noted throughout this SFGEIS, the Town of Southampton acknowledges the Town of Riverhead's request and may consider future connection of the County Center as part of a future district expansion in full partnership with Suffolk County present at all discussions.

Comment JS1w-15, JS1w-23: The Town of Southampton is seeking the use of the CPFWQF (\$2,500,000.00) for the planning, design, and construction of the Riverside Sewer District project. It is understood restrictions of CPFWQF prohibit projects that accommodate additional development. How is it possible to separate the funding to improve water quality and use of CPFWQF based on the existing flows, when the wastewater from new redevelopment is also accommodated by the Proposed Action?

Can the Town of Southampton explain how the proposed Riverside Sewer District financing can be supported by any use of its CPFWQF, because it appears that Phase 1 and Phase 2 cannot be considered separated by the prerequisite planning, engineering design and construction of infrastructure of the entire proposed District; and how the quantity of wastewater generated by future new development is not disproportionate to the existing conditions; and what is the existing conditions wastewater volume, with some identification of built, non-built and Suffolk County contributions of this total volume.

Response: Section 8 of the Sewer District Formation Map & Plan Report (see **Appendix I**) provides details of the anticipated costs for the Proposed Action, describes each of the funding sources and amounts of funding anticipated from each source. The CPF Water Quality Plan, which allows up to 20% of transfer tax revenues to be utilized for Water Quality Projects, was overwhelmingly approved by a ballot referendum vote. State Law Chapter 551 provides definitions for Water Quality Improvement Projects and the following definition for wastewater treatment:

“Wastewater treatment improvement project” means the planning, design, construction, acquisition, enlargement, extension, or alteration of a wastewater treatment facility, including alternative systems to a sewage treatment plant or traditional septic system, to treat, neutralize, stabilize, eliminate or partially eliminate sewage or reduce pollutants in treatment facility effluent, including permanent or pilot demonstration wastewater treatment projects, or equipment or furnishings thereof. Stormwater collecting systems and vessel pump-out stations shall also be included within the definition of a wastewater improvement project.

As described in the Map & Plan Report, the total anticipated cost for construction of the STP and associated infrastructure and conveyance systems is more than \$44 million. As discussed throughout this document, the establishment of a sewer district has significant water quality benefits as the Study Area contains existing dense development on small/substandard sized lots that currently discharge sanitary wastes directly into the ground through individual onsite conventional septic systems, and in some cases, antiquated cesspools with very little treatment. CPF funding was pursued as the formation of the Sewer District and connection of existing uses promotes the ability to provide better water quality to the surrounding natural resources and water sources. The CPF contribution to the proposed Sewer District construction and other costs associated with the project represents only a portion of the funding necessary for the overall project.

Comments KCw-9, KCw-38: Page 1-13 notes the network of subsurface leaching pools covering an area of 6.6 acres will have an estimated cost of \$1,120,000. If true, this would be a cost of \$1,750.00 per leaching pool which is entirely overly optimistic, and unrealistic.

The cost comparison to the use of leaching pools assumes that each leaching pool can be procured, delivered, installed and connected for \$1,750/pool. This is a fantasy. The cost of 2 10-foot leaching rings, 5 foot tall, along with a footing ring, and a 10’ diameter low dome is more than \$2,000.00 from a local supplier. These costs don’t include delivery, excavation, machinery, and labor for the installation.

Response: Cost estimates provided in the CWSRF Engineering Report are from 2018 and were peer reviewed by Arcadis. It is noted that the leaching pool installation would be completed all at once for each Phase by excavating the entire leaching area for the phase of construction and installing all pools and backfilling, rather than by individual pool by pool installations. This is just

one element of the construction, which will require machinery and labor throughout the construction process. The most recent Sewer District Formation Map and Plan Report provides an updated cost analysis (see **Appendix I**).

Comments CM2-1, CM2-2, CM2-3, CP-1, CI-1, SM1-4: I have a question about community outreach and how we're getting information to the homeowners in this area, being that the connections will be mandatory. Even though \$225 may not seem like a lot to some people, it will be an annual expense that land owners will have to incur, and I want to make sure that they're included in this process, and they know that this is not optional and that they will have to connect will be a cost that will have to be paid going forward.

People are working and living their lives, some may be working two or three jobs, and have kids they are taking care of. I just don't know if everyone is aware of what's proposed. Can we send them post cards?

Could we have a meeting in Flanders or Riverside or the Community Center? A mailing would be helpful.

Response: . The Town has mailed information to property owners in the proposed district in both English and Spanish informing them of the project. It should be noted, in terms of costs, that the annual cost of sewer service over many years is still much less than the cost of installing or replacing a septic system and periodically maintaining it to ensure it functions properly. Moreover, there are many benefits to the proposed sewerage that will greatly benefit Riverside residents, including increased local investment and area revitalization, brownfield remediation, installation of new capital infrastructure that is fully funded, enhanced local economic growth and anticipated increase property values, increased quality of life, quality affordable housing (505 Community Benefit), construction and operational jobs, enhanced community and environmental health and long-term community sustainability.

Finally, regarding the above referenced \$225 annual homeowner sewer fee, as discussed at the February 15, 2024 public hearing, the current financial focus has been on securing the funding for the necessary capital improvements to provide service. Nevertheless, the Town's financial consultant and Town staff continue to seek out available funding options to supplement or defray future operational and maintenance costs.

Also, in a recent Request for Qualifications for Municipal Sewer Engineering Services, the Town requested that the engineering firm provide an extensive public outreach program.

Comments CM2-4, CS2-3, CI-2, CM2-5, SM1-5, SM1-6: Are long term bonds from the Town needed to finance the capital improvements? Do we currently have monies encumbered for that purpose to cover the bonds in the short term? Do some of these funding sources have deadlines

that would put them at risk if the Board doesn't close the hearing soon? Do we have a date we need to close the Map and Plan hearing by? Do the documents that need to go to the EFC include bond resolutions? Do the bond resolutions require a hearing?

Response: The Town will have to issue bond resolutions that allow for the interim funding, because many of the grants are reimbursement-based grants, which means the Town will need have funding available up front and then apply for the reimbursement, in accordance with the funding entities requirements. Therefore, the bond provides a mechanism to address cash flow, which is common for large capital improvement projects. It is also noted that the initial portion of the project has been funded with CPF allocations from Town funds.

The Town's financial consultant and staff have prepared draft bond resolutions to authorize the short-term funding before June 2024 for the Town Board's review. As described in the Map & Plan Report (**Appendix I**), the Town has sought funding through the NYS Environmental Facilities Corporation (EFC) from the Clean Water State Revolving Fund (CWSRF). Under the CWSRF, EPA provides grants to capitalize state CWSRF loan programs. The Town has met the conditions to qualify for a 30 year interest free loan. Table 5 of the Map & Plan Report details the amount of funding the Town is expected to receive through various sources. While significant funding is coming from EFC at 0% interest, the EFC requires that bonds be backed with the Town's guarantee of repayment.

The Town has also sought funding through H.R.1319 – American Rescue Plan Act of 2021 (ARPA) allocated to Suffolk County. There are spending requirements and deadlines for some of this funding, which the Town intends to meet. There are a number of requirements associated with this funding, including the formation of the district in advance of a June 14, 2024 financing application deadline to EFC. The Town is on schedule to meet these requirements.

With regard to the bond resolutions, hearings are not specifically required, but in the event that the Board is inclined to close the public hearing on the Sewer District formation (after a total of five public hearings from December 12, 2023 through April 9, 2024) and adopt an order authorizing the formation of the District, it will be subject to a permissive referendum and potential Part 85 approval from the State Comptroller's office.

2.13 Miscellaneous Comments

Comment KCw-3: The SDGEIS as written contains a myriad of misinformation, factual errors on a grand scale and unsupported conclusions. Some errors contained in the document are carried over from previous reports that were not properly fact checked and point to the lack of responsibility exhibited by the authors of this document.

Response: See responses to specific comments delineated in this letter.

Comment KCw-28: In Section 3-3 found of pages 3-24 and 3-25 the Mitigation measures seem more like bullet point reiterations of a variety of requirements of the SCDHS, SCWA, SCSC and other involved agencies as opposed to actual mitigation measures specific to project at hand.

Response: The mitigations sections of the SDGEIS includes actions that are required through the implementation of and compliance with existing standards and requirements of other involved agencies, as well as any additional strategies or techniques that are specifically targeted for the Subject Action, either from the 2015 Findings Statement of which this action is part or the current 2023 SGEIS. The purpose is to fully educate the public and provide a more complete description and fuller understanding of the measures and mitigations that are available, what has been done, how impacts will be addressed and the concerns of the public that will be or already have been addressed to minimize environmental impacts to the maximum extent practicable. These standards and requirements, along with other identified techniques and strategies are part of the overall project mitigation.

Comment TH2w-7: Riverhead has questions relating to the Riverside master developer discussed in the 2015 RRAP and ROD Code selected by Southampton including: understanding what their role is, what the Town's contractual relationship is, whether they own or control any properties, how far into the future does that agreement reach and whether it would impact Southampton's ability to make necessary changes due to new circumstances.

Response: Information regarding the Master Developer, the Master Developer Agreement, and Master Developer responsibilities is discussed in detail throughout the previously vetted and duly adopted 2015 RRAP, ROD GEIS and BOA Step II Nomination Study. As defined by the ROD, the Master Developer is:

“The development entity selected by the Southampton Town Board to perform development in the Riverside Overlay District pursuant to the Master Developer Agreement executed on April 16, 2014.”

On August 22, 2013, the Town of Southampton issued a Request for Qualifications (RFQ) which sought responses by qualified and eligible organizations to guide the Municipality with the formulation of a Revitalization Action Plan (RRAP) in order to implement past efforts to help the Hamlet of Riverside. The Town sought a Master Developer to work with to implement the selected strategies for this revitalization. After responding to the RFQ and attending subsequent interviews, Renaissance Downtowns was selected by a unanimous bi-partisan vote as the Master Developer. Renaissance entered into a Public-Private Partnership with the Town of Southampton by signing a Master Developer Agreement (MDA) on April 16, 2014, again unanimously approved by the Supervisor and the Town Board. The MDA required Renaissance to work with the Town and the community to create the RRAP. The public-private partnership utilized in the preparation of the RRAP enabled the organic co-creation of a shared development vision resulting from a partnership between the Town, Master Developer and, most importantly, the community.

The Town selected Master Developer, Renaissance Downtowns (RD) to work with the community and its many stakeholders and implement proven planning strategies and placemaking techniques. As part of the Master Developer agreement between the Town and RD, RD committed to working closely with the community and employing crowd-source placemaking methods utilized successfully in other communities to produce the RRAP and the Town adopted it along with the Overlay District Zoning Code (ROD).

There is no date certain upon which the agreement terminates, however, the Town is reviewing the MDA to see how the shared goal of the Riverside revitalization can best be achieved. Based on a query of the Town's GIS-database, there are no properties currently owned by the entity known as "Renaissance Downtowns".

2.14 General Support/Project Benefits

Comments JSw-1, RDED-2, TH-3, THw-1, DT1-3: The Town of Riverhead Board supports the common and mutually beneficial goals of the revitalization efforts along both sides of the Peconic River. The environmental and socio-economic benefits to the communities of Riverhead and Southampton are well recognized.

Riverhead hopes and anticipates that the addition of a Riverside Sewage Treatment Plant will provide long awaited revitalization in the Riverside hamlet. It will help protect the Peconic Estuary, will benefit the entire East End region.

So, we all agree that the revitalization of Riverside is important, and that this revitalization and the improvement of river values is long overdue.

Response: It is expected and is certainly the goal of the Proposed Action that creation of the proposed sewer district, construction and operation of the proposed capital improvements, and implementation of the previous BOA, RRAP and ROD will have an overall positive effect on both the Riverside and Riverhead communities. Anticipated benefits of the Proposed Action on the Riverside community were provided in the SDGEIS and are summarized in **Appendix F** of this SFGEIS.

Comments JSw-14, JS2-4, DT1-1: The Town of Riverhead Town Board, as Commissioners of the Riverhead Sewer District will cooperate with the Lead Agency to provide support for the Riverside Sewer District and offer additional information regarding the County Center's existing sanitary disposal infrastructure.

Riverhead has been at the sewage treatment game for a hundred years and has a lot to offer. The Town of Riverhead offers to cooperate both with staff and in any technical capacity that it can offer.

Response: Comments acknowledged.

Comment KC-1: This is a very positive step to helping the area. However, some of the decisions made in this impact statement have missed the mark [see **Comments KC-2, KC-3, KC-4, KC-5, KC-7**].

Response: The Town and project consultants appreciate contrary opinions and input as they provide the bases for further examination of the project, its goals and recommendations, the environmental and technical analysis, its mitigations and conclusions which can help to improve the project. The Town along with its consulting project team will consider all comments, reassess

its recommendations as necessary and make changes as warranted in the best interests of the community. However, it should be noted that the “draft” SDGEIS is just that. The full SEQRA record will include the SDGEIS, SFGEIS and Supplemental Findings Statement (as well as the 2015 GEIS and Findings Statement) which will be completed and modified if and as needed prior to final decisions.

Comments AH-1, AH-2, AH-3, CS-4: I drove along Flanders Road and noticed that where you always talked about that pier, I call it a pier, there was always a building and then like a barn, seeing activity happening, good activity. The park, beautiful activity happening there, the Maritime Trail Park, which will eventually get a name, and then tonight, the sewer. We’re excited. We don’t want to see any more delays. We can’t wait to get shovels in the ground and for things to move forward.

I said years ago, at the end of 2014/beginning of 2015, that Riverside-Northampton-Flanders is a “diamond in the rough” and that we’re going to shine, and I see it happening. I see us being -- and it’s all because of you guys, what you – you did and how you listened. It took time. We had a pandemic, we know that. But I just want to thank you.

We’re excited to see what we’ve envisioned for all this time to actually come forth. And we’re looking forward to the development and whatever else comes our way.

[Councilman Schiavoni to the Board and audience] It should be noted that, Angela as the president of FRNCA, the meetings, the membership of the meetings, they’re incredibly positive on this project, so, you know we’ve been at many of them and they’re consistent with their support.

Response: Comments acknowledged. The Town appreciates the work, involvement, support and enthusiasm of FRNCA on this project, and we share FRNCA’s enthusiasm. The Proposed Action, along with the prior BOA, RRAP, ROD, and GEIS will provide many land use and socioeconomic benefits to the community, while minimizing environmental impacts to the maximum extent practicable. We will continue to work with FRNCA and all other stakeholders in a spirit of cooperation and purpose to implement the proposed plans and create a sense of place and quality of life for all.

Comments SPB-1, SPB-8: The Southampton Town Planning Board supports the proposed establishment of a sewer district, as well as the construction of the sewage treatment plant and associated collection and conveyance system consistent with the recommendations in its adopted January 25, 2024, Resolution ID # 45386. (See **Comments SPB-1 through SPB-8**).

Response: Project support is acknowledged.

Comment BF-1, BF-2, BF-3, BF-6: So, we've been through it a little bit, the ups and downs of the sewer. Rah-rah-rah. Really grateful for what's happening now and your movement on this. We are the owners of the Peconic Paddler in Riverside, which is located near the Riverhead/Southampton Town boundary. It's great to see what's going on, and we just want to express our support. We had some history, I think, as probably the closest property to the Town of Riverhead. I believe the sewer line between the County Center and the Riverhead STP goes past our property.

So, we have a bit of history with Riverhead Sewer District, because at one point we tried to connect to their sewers. It didn't go anywhere, but we did receive some insight as to the process of and out-of-district properties connecting to another town's sewer district. We tried to go through that process. In some multiverse it may have worked out, but it didn't work out in our case.

Response: Comment acknowledged. The Peconic Paddler property will be served by the proposed Riverside Sewer District and based on the attached **Phase I and Phase II Overall Site Plan** this would occur during the first phase of the project (Phase I).

Comments JS1w-2: As previously stated in the DSGEIS comment letter and summary statements made and submitted at the December 12, 2023-SEQRA Public Hearing, the Riverhead Town Board supports the common and mutually beneficial goals of:

- Improving water quality of the Peconic River and Peconic Estuary
- Revitalization of the Riverside community.
- Sustainable development through Urban Renewal programs that are compatible with Riverhead's Ongoing Urban Renewal efforts and Downtown Revitalization.

The environmental and socio-economic benefits of Riverhead and Southampton government programs are interwoven, long term and improve the quality of life along both sides of the Peconic River Corridor.

The proposed Riverside Sewer District and its collection and treatment infrastructure are crucial milestones for Southampton to advance these shared objectives, and to redevelop and revitalize Riverside.

Comment StMc: I missed the meeting for the approval of sewers at Riverside in February. I want to vote that I am in favor and vote "yes." With three lots on the river side of Route 24, it would be an environmental plus for all.

Response: Comment acknowledged. The Sewer District will provide many benefits including increased protection of environmental resources including the river.

Comment CS1-2: I'm very happy to see that the three mobile home parks are included in Phase I of the sewerage. These communities are densely developed and rely on individual septic systems.

Response: Comment acknowledged. The phasing of the sewerage is based mainly on need and environmental protection with the mobile home parks being a priority.