



# Town of Brookhaven Long Island

Brian X. Foley, Supervisor

November 13, 2008

Mr. William Plumpton  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA  
17106-7100

Reference: Finance Docket No. 35141 – Environmental Comments  
Brookhaven Rail Terminal

Dear Mr. Plumpton:

On behalf of the Town of Brookhaven, I appreciate the opportunity to comment upon the above-referenced project.

The list of issues identified on page 3 of the letter from the Surface Transportation Board provides an adequate framework for assessing the environmental impacts associated with the proposed project. Following are more specific comments relating to the project that we request be considered in the formulation of the environmental assessment by the Section of Environmental Analysis of the Surface Transportation Board.

**Water Resources** – In 1980 the federal Environmental Protection Agency declared Long Island a sole source aquifer. This designation was made in recognition of the fact that the 2.6 million residents of Nassau and Suffolk Counties depend upon the groundwater aquifers, recharged through the land surface solely through precipitation, as their sole source of water. Many studies have documented that certain activities and land uses can adversely impact groundwater quality. More specifically, the facility is proposed within Hydrogeologic Zone III, the most important of the three deep-flow recharge zones on Long Island. Water recharging through these zones is the primary source for replenishing the drinking water aquifers upon which long Islanders depend for their water supply needs. Therefore, the assessment should discuss the extent to which the operation of the Rail Terminal might impact groundwater quality from fuel use, storage, and spills; leaching from railroad ties; and sanitary use.

In addition we would request the project's proposed water use during operations be assessed.

One map that was reviewed by Planning Staff illustrated the presence of three small wetlands in the proximity of the dirt road that traverses the property in an east/west orientation. The potential impact of the project on these wetlands should be included in the assessment. The project will require extensive clearing and grading that may create the potential for soil erosion and storm water runoff, both issues of which may result in significant impacts. Pursuant to local implementation of federal environmental law requirements the applicant will need to prepare and implement a Storm water Pollution Prevention Plan.

**Ecological/Biological Resources** - The site is situated within the Long Island Pine Barrens ecosystem and is dominated by a pine-oak forest. In addition to several other ecological functions, this community type provides habitat to a wide variety of wildlife species. These include numerous songbird species, many of which are protected under federal law, numerous mammal species, and reptile and amphibians. Additionally, the forest on site is composed of a variety of woody and herbaceous plant species. The assessment should document the flora and fauna that inhabit the site and the impact the project will have on the habitat upon which they depend.

Department of Planning, Environment & Land Management  
Joseph F. Sauerwein, Commissioner

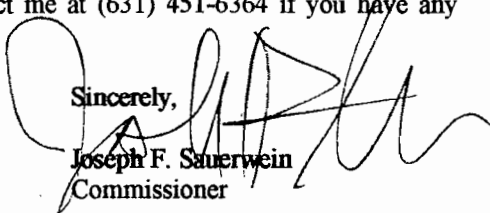
One Independence Hill, Farmingville, NY 11738 • Phone (631) 451-6364 • Fax (631) 451-6419

**Traffic and other Community Impacts-** Due to the nature of the proposed project it is very likely to generate additional traffic, and create noise, dust, and perhaps lighting impacts to adjacent existing and future property owners and communities. The assessment should describe the qualitative nature of these potential impacts, assess their magnitude, and discuss strategies to mitigate impacts if significant. Please recognize the numerous elements of the Town of Brookhaven municipal code that will need to be complied with during site plan design and approval, these include but are not limited to limits of clearing, buffers, landscape requirements, building setbacks, structure height limits, grading and drainage, storm water pollution prevention requirements, noise production, etc.

**Land Use** Please note that this project appears to be consistent with the existing zoning and related permitted uses contained within the adopted 1996 Town of Brookhaven Town-wide land use plan.

I appreciate the opportunity to provide these comments regarding the environmental assessment for the proposed Brookhaven Rail Terminal. Please feel free to contact me at (631) 451-6364 if you have any questions regarding these comments.

Sincerely,

  
Joseph F. Sauerwein  
Commissioner

CC: Hon. Brian X. Foley  
Supervisor

Hon. Constance Kepert  
Councilwoman, District 4

Karen M. Wilutis  
Town Attorney

Brenda Prusinowski  
Deputy Commissioner

Christine M. Preston  
Chief Deputy Town Attorney

John Turner  
Director of Environmental Protection

Paul G. Rogalle  
Director of planning

Gregg Kelsey  
Assistant Town Engineer

Lynn Weyant  
Director of Traffic Safety

Mark A. Cuthbertson  
Counsel