Via email: vdesidero@southeast-ny.gov October 22, 2021

Planning Board Secretary
Town of Southeast
1 Main Street
Brewster, NY 10509

Re: **Comments on Scope of EIS for Proswing Recreation Complex**

Dear Planning Board Secretary and Planning Board Members:

Riverkeeper is a member supported 501(c)(3) non-profit organization whose mission includes safeguarding the environmental, recreational and commercial integrity of the Hudson River and its ecosystem, as well as the watersheds that provide New York City with its drinking water. Riverkeeper has been engaged in various forms of advocacy regarding the New York City watershed for decades, attempting to ensure that the water supply remains clean enough to supply without filtration.

Riverkeeper welcomes the opportunity to provide the comments below on the Scope of the EIS for the Proswing Sports Realty, Inc., commercial recreation complex for baseball and other sports on approximately 82 acres of land located on Pugsley Road, and Fields Corner Road in the Town of Southeast, Putnam County, New York.

As outlined in detail below, Riverkeeper believes this project must be carefully assessed, because it has the potential to have significant impact on local waterbodies, particularly as a result of increased runoff from impervious surfaces and the sanitary sewage flows it will generate.

Furthermore, we believe that the alternatives analysis is unduly restrictive. An EIS must 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." 6

NYCRR § 617.9(b)(5)(v). At present only two alternatives are suggested, the no-action alternative and building in accordance with exciting zoning. We believe that the alternatives analysis should also include consideration of alternative scale and siting for the project.

Riverkeeper appreciates this opportunity to submit comments, and anticipates the Board's continued deliberate and informed consideration of this proposal. If I may provide any clarification regarding the above comments, or additional information, please contact me at wwegner@riverkeeper.org.

Yours Sincerely,

William Wegner
Senior Staff Scientist

Detailed Comments

I. Chapter 10: Stormwater Management

In Chapter 10, B.2 the Draft Scope requires the applicant to use the TR-55 methodology and storm events analyzed in the existing conditions assessment to quantitatively describe the expected stormwater flows and peaks with the proposed project and related improvements for the 2-, 10- ,25-, and 100-year storm events.

Comment:
The Natural Resources Conservation Service TR-55[1] methodology is outdated and uses historical rainfall data prior to 1986. However, regional rainfall distributions have changed over the past 35 years and using inaccurate historical data can result in stormwater management practices that are incorrectly sized when calculating the pre-and post-development peak runoff rates and volumes for the 2-, 10-, and 100-year storm events. Undersized stormwater basins can result in flooding, erosion, and downstream water quality violations.

To design accurately sized stormwater management practices, stormflow calculations must incorporate recent rainfall data as provided by the Northeast Regional Climate Center (NRCC).[2] According to the New York State Watershed Inspector General:

[1] Urban hydrology for small watersheds TR-55 (1986) US Department of Agriculture, https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf
[2] NRCC: https://www.nrcc.cornell.edu

> "The DEIS needs to pair the current updated rainfall values with updated distribution curves to generate accurate rainfall runoff relationships. This can be accomplished by importing NRCC rainfall value table into a HydroCad (or other applicable hydrologic model) program to create updated rainfall distribution curves. A step by step description of this process is presented on page B.6 in Appendix B of the November 2016 New York Standards and Specifications for Erosion and Sediment Control "Blue Book." Once these new rainfall distributions have been incorporated into the HydroCad or other applicable model, the program should be run. The results from this program should more accurately predict stormwater runoff performance based on current climate data."[3][3]

Failure of undersized stormwater management practices to capture and treat runoff volumes will have serious consequences, especially in a phosphorus-restricted drinking water reservoir basin. For this reason, stormwater infrastructure design must incorporate accurate regional rainfall distributions.

Chapter 12: Infrastructure and Energy

In Chapter 12, B, On-Site Sanitary Wastewater, the Draft Scope requires the applicant to: "Describe the land area suitable for an on-site septic field proposed to be used for the project. Describe the anticipated flow volumes from the proposed project."

Comment:

It is unclear here whether a description of the "land area" refers to the physical characteristics of the land, i.e., topography, soils, vegetation, etc., or to the area as a quantitative measurement of size expressed in acres, hectares or square feet. In either case, the Draft Scope must identify the range of slopes, soil types, their limitations for construction of subsurface septic systems, and depth to bedrock and groundwater in the proposed absorption area. Identification of these elements is necessary for informed review of the proposed septic system.

In addition, the lead agency should require the DEIS to provide the calculations used to design and size the required absorption area in compliance with the requirements set forth in the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems.[4]

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[3] Excerpt from letter dated October 4, 2018, from NYS Watershed Inspector General to Town Clerk of Town of New Castle, re: Airport Campus – Draft Scoping Outline.

[4] NYS Dept. of Envir. Cons. (2014) https://www.dec.ny.gov/docs/water_pdf/2014designstd.pdf.

Sizing and design standards also must comply with the New York City Watershed Rules and Regulations requirement that: "An additional area of at least 100 percent of the primary absorption field shall be set aside as a reserve absorption field for any subsurface sewage treatment system."[5] This requirement adds a layer of protection to the Middle Branch Reservoir and other surface waters in the drinking water supply watershed by providing an alternative absorption field to be used in the event that the primary field is compromised. Both the primary and reserve absorption fields must be approved by New York City Department of Environmental Protection as noted under Required Reviews/Approvals in the Draft Scope.

[5] *See:* Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources, Chapter 18, Subchapter C, § 18-38(c)(3) Subsurface Sewage Treatment Systems. https://www1.nyc.gov/assets/dep/downloads/pdf/watershed-protection/regulations/rules-and-regulations-of-the-nyc-water-supply.pdf.