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August 4, 2016

Via FedEx

Patrick Nowakowski, President  
Long Island Rail Road  
Jamaica Station  
Jamaica, NY 11435-4380

**Re: Long Island Rail Road Expansion Project: Floral Park to Hicksville -  
Response to July 12<sup>th</sup> "We're Listening" Email**

Dear President Nowakowski:

This firm represents the Incorporated Village of Floral Park and the Incorporated Village of Garden City (collectively, the "Villages") in relation to the Long Island Rail Road Expansion Project – Floral Park to Hicksville ("Project") proposed by the Metropolitan Transit Authority ("MTA")/Long Island Rail Road ("LIRR"). In June, the Villages submitted detailed comments on the Draft Scoping Document issued for the Project under the State Environmental Quality Review Act ("SEQRA"). Despite the size and magnitude of the Project, the deadline for submission of comments on the Draft Scoping Document was June 13, 2016, representing a 33-day comment period. On July 12<sup>th</sup>, we received an email from you, with the subject line - "We're Listening", which we assume was widely distributed to parties expressing interest in the Project. This letter responds to that email and documents the Villages' continuing concerns over the Project.

The Villages appreciate the recent outreach by representatives of MTA/LIRR and Governor's Office to provide informal updates on the status of the Project. As indicated in their June 13th comment letter, the Villages have not taken a firm position on the Project but are very concerned about the manner in which the Project's SEQRA environmental review is proceeding. It is not too late to correct course to ensure that the Project is adequately vetted and the public's right to understand, review and weigh in on the Project is respected.

In your "We're Listening" email, you refer to Governor Cuomo's commitment to an *"unprecedented level of community outreach to gather your input and incorporate it into our*

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*work,*” and then state: “*We're keeping that promise. And we're doing it in two steps.*” The “two steps” essentially are what is required by law: (i) the study scoping process; and (2) the environmental impact statement (EIS) process. Then you state: “*We intend to listen - and listen carefully - and will respond to your input.*” Unfortunately, the experience thus far suggests otherwise.

A key point made in the Villages’ comment letter to the Draft Scoping Document was that MTA/LIRR was not providing impacted communities the ability to meaningfully participate in the environmental review process, as is their right under SEQRA. This was reflected in the stunningly short time that MTA/LIRR provided for the public to review and comment on the Draft Scoping Document: 33 days falls well short for a Project of this magnitude.

However, there are more foundational problems:

- First, based on a review of the Draft Scoping Document, it was evident the MTA/LIRR has commenced an environmental review process for a Project that MTA/LIRR still has not defined. The Project description offers little by way or detail or delineation, and instead relies on broad concepts pulled from an *à la carte* menu instead of a carefully developed proposal. Recent meetings seem to confirm that the agency still is trying to figure out what its Project is. This undermines and frustrates the SEQRA process, and the public’s ability to participate in the process.
- Second, while the Villages are generally supportive of the concept of grade crossings elimination along the Main Line, the case for a third track has not been adequately explained, and it is not even clear the Project, as opposed to other measures, would even address the stated need.
- Third, the Villages question whether it is even prudent to proceed with review of the proposed Project when a decision is imminent on the federal government’s preferred alternative for the Northeast Corridor project, which could result in the development of new rail and station infrastructure through Nassau and Suffolk Counties proximate to the Main Line? This selection could undermine the stated need for a third track on this section of the Main Line.

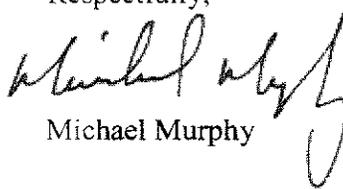
These and other issues were raised in the Villages’ July 13<sup>th</sup> comment letter to the draft Scoping Document. We also understand that MTA/LIRR will not rely on any federal government grants to fund this Project. As a result of this, will Long Island commuters face substantial fare increases to fund this Project? Members of the public should know this in advance so they are fully informed.

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The Villages respectfully encourage MTA/LIRR to take stock of these issues, properly define its Project, justify each element of the proposed Project, and then proceed with the SEQRA process.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Murphy". The signature is fluid and cursive, with a large loop at the end of the last name.

Michael Murphy

cc: Hon. Thomas J. Tweedy, Mayor, Village of Floral Park  
Hon. Nicholas P. Episcopia, Mayor, Village of Garden City