

January 18, 2017 Minutes

February 15, 2017

**CEQ RESOLUTION NO. 7-2017, AUTHORIZING ADOPTION OF JANUARY
18, 2017 CEQ MINUTES**

WHEREAS, the Council on Environmental Quality has received and reviewed the January 18, 2017 meeting minutes; now, therefore, be it

1st RESOLVED, that a quorum of the Council on Environmental Quality, having heard and accepted all comments and necessary corrections hereby adopts the meeting minutes of January 18, 2017.

DATED: 2/15/2017

PROJECT #: Adoption of Minutes
RESOLUTION #: 07-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank De Rubeis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Doall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constance Kepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Adoption of minutes

Motion: Mr. Kaufman

Second: Mr. De Rubeis

Further information may be obtained by contacting:

Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson
Chair
CEQ

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
Honorable DuWayne Gregory, Presiding Officer

FROM: Lawrence Swanson, Chair *LSW*

DATE: March 3, 2017

RE: CEQ Review of the Proposed Final Scoping Document for the Suffolk County Wastewater Management Program for the Mitigation of Nitrogen Impacts from Wastewater Sources

At its February 15, 2017 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Ken Zegel, PE, Associate Public Health Engineer, Suffolk County Department of Health Services, the council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 8-2017, a copy of which is attached, that the proposed scoping document for the above reference project has been thoroughly reviewed and is adequate for adoption. It is recommended that the Presiding Officer cause to be brought before the Legislature for a vote, a resolution adopting the Final Scope.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the Final Scope addresses potential environmental concerns, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution adopting the Final Scope. However, if the Legislature has further environmental concerns regarding this project scope and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project scope.

Enclosed for your information is a copy of the proposed Final Scope and CEQ Resolution No. 8-2017 setting forth the council's recommendations. If the council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators
Jason A. Richberg, Clerk of Legislature
George Nolan, Attorney for the Legislature
Sarah Lansdale, Director of Planning, Department of Economic Development and Planning
Andrew Freleng, Chief Planner, Department of Economic Development and Planning
Dennis Brown, Suffolk County Attorney

CEQ RESOLUTION NO. 8-2017, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED FINAL SCOPING DOCUMENT FOR THE SUFFOLK COUNTY WASTEWATER MANAGEMENT PROGRAM FOR THE MITIGATION OF NITROGEN IMPACTS FROM WASTEWATER SOURCES

WHEREAS, the County of Suffolk, as SEQRA lead agency has adopted Resolution 849-2016 issuing a positive declaration for the Suffolk County Wastewater Management Program for the Mitigation of Nitrogen Impacts from Wastewater Sources; and

WHEREAS, a draft scoping document was prepared and distributed to all involved and interested parties as well as posted on the Suffolk County website; and

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) held a public scoping hearing on November 29, 2016 in Hauppauge and on December 1, 2016 in Riverhead to solicit oral and written comments on the contents of the document; and

WHEREAS, written comments were accepted on the draft scope through December 13, 2016 and were subsequently incorporated into the final scoping document; and

WHEREAS, at its February 15, 2017 meeting, the CEQ reviewed and recommended changes to the final scoping document for the Suffolk County Wastewater Management Program for the Mitigation of Nitrogen Impacts from Wastewater Sources; and

WHEREAS, the final scoping document was amended to incorporate the CEQ's recommendations and said amended final scoping document is attached to this resolution as Exhibit A; now, therefore, be it

1st RESOLVED, that based on the information received, a quorum of the Council recommends to the Suffolk County Legislature and County Executive, pursuant to Chapter 450 of the Suffolk County Code, that the final scoping document for the DGEIS for the Suffolk County Wastewater Management Program for the Mitigation of Nitrogen Impacts from Wastewater Sources (attached to this resolution as Exhibit A) adequately addresses all substantive and relevant comments received and is worthy of adoption.

DATED:02/15/2017

PROJECT #: DHS-11-17
RESOLUTION #: 8-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Adoption of the Final Scoping Document

Motion: Mr. Kaufman

Second: Mr. De Rubeis

Further information may be obtained by contacting:
Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

FINAL SCOPING DOCUMENT
Generic Environmental Impact Statement
Suffolk County Subwatersheds Wastewater Plan
*Suffolk County Wastewater Management Program for the Reduction of Nitrogen Loading from
Wastewater Sources*
Suffolk County, New York
February 2017

1.0 Introduction

This Final Scoping Document has been prepared to initiate the environmental review process for the approval and implementation of the Suffolk County Subwatersheds Wastewater Plan (SC SWP). The SC SWP will support the development of a County-wide wastewater management strategy through the establishment of ‘priority areas’ for nitrogen reduction, establishment of nitrogen load reduction goals for each priority area, and the development of a recommended wastewater upgrade strategy to meet nitrogen load reduction goals (See Attachment A for additional information on the SC SWP). Changes to the County Sanitary Code will enable the Suffolk County Department of Health Services (SCDHS) to work with United States Environmental Protection Agency (USEPA), New York State Department of Environmental Conservation (NYSDEC), Towns, Villages, residents, property owners and other stakeholders to implement the wastewater treatment technologies required to achieve the nitrogen reduction goals. This document presents an outline of the Generic Environmental Impact Statement (GEIS) and identifies the information that will be collected and evaluated to assess the potential environmental impacts that could result from implementation of the recommendations provided in the SC SWP.

This Scoping Document includes a:

- Description of the Proposed Action;
- An outline of the GEIS, which will address potentially significant environmental impacts of the proposed action and include preliminary identification of mitigating measures, reasonable alternatives to the proposed action, growth inducing, secondary and cumulative impacts, and
- Public Comment that has been received on the Draft Scoping Document.

The GEIS will be prepared using existing available data; no field studies or field data collection are anticipated. Site-specific data collection may be required to complete a project specific, or study-area specific draft/final EIS (D/FEIS).

The SCDHS Division of Environmental Quality (DEQ) is the project proposer. On August 31, 2016 SCDHS DEQ notified interested and involved agencies of its intent to assume Lead Agency status and as such in accordance with Title 6 NYCRR Part 617.6(a) and (b) classify this proposed action as a Type I Action under the New York State Environmental Quality Review Act (SEQRA). No objections were received within 30 days of the mailing. The Suffolk County Council on Environmental Quality (CEQ) addressed this proposed project at their September 21, 2016 meeting

and the Suffolk County Legislature passed Resolution HSV #66-2016 at their October 5, 2016 meeting, identifying the proposed action as a Type I action under SEQRA and initiating the scoping process. SCDHS DEQ, as Lead Agency, is responsible for conducting the environmental review of this proposed action. The proposed action will undergo a coordinated environmental review whereby a SEQRA Draft GEIS will be prepared to comprehensively address requirements of both federal and state laws and regulations.

Working together with the SCDHS, the Suffolk County Department of Economic Development and Planning and the Suffolk County Legislature, CEQ convened two Public Scoping Hearings to provide opportunity for public comment on the Draft Scoping Document. The first Public Scoping Hearing was held on November 29, 2016 at the Suffolk County Water Authority (SCWA) Education Center in Hauppauge, New York and the second Public Scoping Hearing was held on December 1, 2016 at the Suffolk County Community College Culinary Arts and Hospitality Center in Riverhead, New York. In addition, the Draft Scoping Document was posted on both the Suffolk County Department of Economic Development and Planning and the SCDHS websites, and written comments were accepted through December 13, 2016.

The Final Scope summarized in this document reflects the addition of the relevant issues that were identified during the public scoping process, including all comments received through December 13, 2016, and also identifies issues that were identified that will not be included in the GEIS. This Final Scope will be the basis for the GEIS.

2.0 Purpose and Need

In Suffolk County, approximately 75 percent of homes are unsewered and discharge sanitary wastewater containing nitrogen to the underlying groundwater that provides both the only source of potable supply for County residents, and baseflow to the County's surface water features. For decades, the presence of elevated levels of nitrogen in groundwater has been of concern due to the potential health impacts associated with methemoglobinemia (blue baby syndrome). Nitrogen contamination associated with discharge of sanitary wastewater has been studied and documented in the *Long Island Comprehensive Waste Treatment Management Plan* (208 Plan, 1978), the *1987 Suffolk County Comprehensive Water Resources Management Plan* and the *2015 Suffolk County Comprehensive Water Resources Management Plan*. Article 6 of the Suffolk County Sanitary Code was enacted primarily to protect public health by limiting nitrogen loading from sanitary wastewater discharges to maintain groundwater nitrogen concentrations to levels of less than 4 mg/L in Groundwater Management Zones III, V and VI and to less than 6 mg/L everywhere else throughout the County. However, Article 6 did not consider the density or sanitary wastewater treatment levels necessary to protect downgradient groundwater-fed surface waters. Nitrogen concentrations associated with the eutrophic conditions that can trigger harmful algal blooms are generally significantly lower than the 10 mg/L drinking water maximum contaminant level (MCL) that is protective of human health.

Nitrogen conveyed to discharge in coastal receiving waters via groundwater baseflow has been linked to a number of issues in Suffolk County including fish kills due to hypoxic episodes, harmful algal blooms, and loss of eelgrass along shorelines. The impacts to the coastal communities of Suffolk County from SuperStorm Sandy in 2012 underscored the connection between nitrogen in groundwater baseflow discharging to surface water resources, loss of wetlands, and damage to

ecosystem health. Reduction in nitrogen loading is anticipated to support wetlands restoration and improve storm and flood protection and coastal resiliency provided by healthy wetlands. The County, recognizing the need for immediate action, updated the draft Suffolk County Comprehensive Water Resources Management Plan to include new chapters focusing on wastewater management, estuary programs, coastal resources, and alternative management and funding mechanisms.

The County found that approximately 80 percent of the unsewered residential properties fall within areas to be considered high priority for nitrogen removal based on at least one of the following:

- Close proximity to public supply wells or surface water bodies;
- Located in an area developed at higher density than permitted by Article 6 of the County's Sanitary Code and/or
- Located in an area with depth to groundwater less than ten feet below ground surface.

In accordance with Suffolk County's Reclaim Our Water initiative and the Long Island Nitrogen Action Plan (LINAP), Suffolk County is pursuing proactive measures to reduce nitrogen pollution to the County's waters. The SC SWP will be prepared to provide early action recommendations for nitrogen load reduction goals and a recommended wastewater management strategy for priority subwatersheds within Suffolk County. The SC SWP will be used to establish first order nitrogen load reduction goals generated based on the need for water quality improvements for County surface water, drinking water and groundwater resources. The SC SWP will be an integrated, holistic approach to delineating the County's subwatersheds based on a common platform of assumptions and boundary conditions. In concert with the SC SWP, modifications will be made to the Suffolk County Sanitary Code and Construction Standards to support the implementation of the SC SWP. Additionally, the County is pursuing the establishment of a County-wide Water Quality Protection District to facilitate financing options for the implementation of the SC SWP.

Ultimately the SC SWP aims to protect and restore both groundwater quality and the coastal ecosystems of Suffolk County by implementing a County-wide wastewater plan targeting the reduction of nitrogen loading from wastewater sources by using a combination of sewerage, cluster/decentralized wastewater treatment, and I/A OWTS.

3.0 Proposed Action

The Draft GEIS is being prepared to address the SEQRA requirements for the implementation of the SC SWP. The proposed action is for the implementation of the SC SWP which will support the development of a County-wide wastewater management strategy to reduce nitrogen emanating from non-point wastewater sources. There are expected to be six major recommendations within the SC SWP as follows:

- A recommended wastewater management strategy to reduce nitrogen pollution emanating from non-point wastewater sources. The recommended wastewater management strategy will be developed using the methodology described in Attachment A;
- The establishment of a water quality protection district;

- The use of innovative/alternative onsite wastewater treatment systems (I/A OWTS) in lieu of conventional septic systems;
- The use of clustered/decentralized systems in select areas where individual onsite treatment systems are infeasible but where conventional sewage treatment plants (STPs) are not economically feasible;
- The use of conventional STPs where existing studies confirm they are economically feasible; and,
- The implementation of wastewater pilot areas to confirm the effectiveness of the proposed wastewater management nitrogen reduction approaches provided in the SC SWP.

The SC SWP will develop its recommendations through a sequenced, technical based, approach using groundwater modeling to establish subwatershed boundaries for all of the County’s priority waterbodies, nitrogen load modeling to estimate nitrogen loads to each subwatershed, surface water modeling to estimate surface water residence times, and the evaluation of existing water quality. The modeling results and water quality data will then be used to establish ‘priority areas’ for nitrogen reduction and to establish nitrogen load reduction goals for each priority area. Recommended wastewater upgrade alternatives capable of meeting the nitrogen load reduction goals that are established in the SC SWP will then be evaluated using cost-benefit techniques. Further description of the SC SWP scope is provided in Attachment A.

1.0 Recommended Wastewater Management Strategy

The evaluations provided in the SC SWP will be used to support the development of a County-wide wastewater management strategy. The SC SWP will evaluate nitrogen loading to groundwater and surface water and will evaluate the cost and benefits of wastewater management alternatives capable of achieving the recommended nitrogen load reduction goals assuming the following treatment methods:

- Evaluate surface water sensitivity;
- Establish tiered priority area boundaries for nitrogen reduction;
- Establish nitrogen load reduction goals for each priority area; and,
- Evaluate cost and benefits of wastewater management alternatives based primarily upon the following treatment methods:
 - Innovative/alternative onsite wastewater treatment systems (I/A OWTS);
 - Clustered/decentralized (“Appendix A”) systems; and,
 - Sewage Treatment Plants (STPs) to include only currently proposed projects.

A description of the three treatment methods is provided below. Using the recommendations of the SC SWP, Suffolk County will work with policymakers and stakeholders to develop final recommended actions and establish a final recommended wastewater management strategy to reduce nitrogen within the priority areas of the County. The approach will be completed in phases

to focus resources at the County's highest priority areas first (as defined in the SC SWP) and will consider activities that will prompt wastewater treatment upgrades under various scenarios including the following potential trigger points:

- Cesspool failure;
- New construction;
- Reconstruction;
- Property transfer;
- Grandfathered residential sites with legacy cesspools;
- Grandfathered residential sites with lot sizes below current Sanitary Code requirements;
- Grandfathered Other Than Single Family Residential sites including grandfathered SPDES and failed denitrification system sites;
- Large capacity cesspools, and
- Phased upgrades homes and businesses with conventional septic systems within the tiered priority area boundaries defined in the SC SWP.

Implementation of the scenarios identified above will require modification to Article V (General Sanitation) and Article VI (Realty Subdivisions, Developments and Other Construction Projects) of the Suffolk County Sanitary Code. Finally, Transfer of Development Rights (TDR) programs used for sanitary density transfer (including both as-of-right and non-as-of-right) will be evaluated based on the recommendations in the SC SWP. It should be noted that the proposed action and associated GEIS under the current environmental review will not be an all-inclusive/exhaustive evaluation of all TDR programs in Suffolk County; however, it will identify preliminary environmental concerns for individual programs based upon sanitary density transfer and identify the need for subsequent detailed TDR program reviews.

2.0 Water Quality Protection District and Responsible Management Entity

The SC SWP will likely recommend the establishment of a Water Quality Protection District and Responsible Management Entity (RME) to provide the administrative and financial structure for Suffolk County to protect the County's ground and surface water resources from further impacts from nitrogen loading associated with septic systems and cesspools. The RME will oversee and manage the installation and long-term operation and maintenance of I/A OWTS. The SCDHS Office of Wastewater Management will serve as the RME. The Water Quality Protection District would provide *both a means by which to assign the capital obligation as a benefit assessment plus* the establishment of a recurring revenue source to support implementation of the recommended wastewater management strategy.

A water quality protection funding approach will be discussed which would be used to:

- Provide a funding mechanism, such as low interest loans or grants, for the replacement of existing on-site systems by I/A OWTS as identified in the SC SWP;

- Provide a funding mechanism, such as low interest loans, grants, or a combination for clustered/decentralized systems;
- Provide a funding mechanism, such as low interest loans, grants, or a combination, to provide enhanced nitrogen removal at Town and Village-owned wastewater treatment systems;
- Provide a funding mechanism to support the installation of new advanced STPs and/or expansion of STPs within priority areas; and
- Provide a funding mechanism for the RME.

3.0 Innovative/Onsite Wastewater Treatment Systems

I/A OWTS consist of individual onsite advanced nitrogen removal wastewater treatment units as currently defined in Article XIX of the Suffolk County Sanitary Code.

It is anticipated that up to 360,000 existing residential onsite sanitary systems will eventually be converted to I/A OWTS using a phased approach. The details of the final proposed approach are anticipated to be developed by Suffolk County policymakers and stakeholders with guidance provided from the recommendations in the SC SWP. The use of I/A OWTS is expected to be expanded to Other Than Single Family Residential properties that meet the allowable flow/design limitations of approved technologies.

As described previously, modification of Articles V and VI of the Sanitary Code will be required to define the conditions under which upgrade of existing cesspools or septic systems will be required. It should be noted that the adoption of Article XIX and associated I/A OWTS Construction Standards (both Residential and Commercial [i.e., Other than Residential]) has already undergone SEQRA environmental review.

4.0 Clustered/Decentralized Systems

Clustered/decentralized systems include small, pre-packaged STPs as defined in Appendix A of the Construction Standards for Sewage Disposal Systems Other Than Single Family Residences (e.g., the Commercial Standards) and Article VI of the Suffolk County Sanitary Code. The use of Appendix A systems is currently limited to design flows up to 15,000 gallons per day (gpd).

Clustered/decentralized systems may be required and/or cost-beneficial at locations where I/A OWTS and STPs are not technically feasible or cost effective such as at mobile home parks, new housing developments, and grandfathered sites. Modifications to Appendix A of the Commercial Standards and Article VI of the Sanitary Code are proposed to expand the application of clustered/decentralized systems in Suffolk County. Modifications currently under consideration include:

- Modification to allow treatment of flows up to 30,000 gpd;
- Modification of Appendix A to reduce required separation distances;
- Evaluation of the approval process to streamline retrofits (e.g., SCDHS approval only [proposed requirement] versus SCDHS and SCDPW approval [current requirement]); and,

- Development and implementation of site-specific treatment standards for grandfathered sites with Appendix A systems. Site-specific treatment standards would conform with the proposed nitrogen limits for the priority areas defined by the SC SWP.

5. Sewage Treatment Plants

New STPs and/or the expansion of existing STPs will be completed within priority wastewater treatment areas for enhanced nitrogen removal. STPs will be implemented in accordance with existing sewer studies completed by Suffolk County and Town/Village studies to the extent information is readily available. Individual STP and/or related sewer infrastructure projects would require supplemental SEQRA environmental review.

6. Advanced Wastewater Treatment Pilot Areas

Pilot tests will be completed by Suffolk County under a variety of geographic, land use, and demographic conditions to confirm the effectiveness of the proposed wastewater management nitrogen reduction approaches described herein. Pilot testing will be completed for I/A OWTS and clustered/decentralized systems. Pilot test areas under consideration by the County include, but are not limited to:

- Sites with grandfathered flows that predate Article VI of the Sanitary Code or include failed sulfur denitrification systems (residential and commercial);
- Residential properties including lots with:
 - Small lot size
 - High groundwater table
 - Poor soils
- Commercial properties (various use);
- New York State and Suffolk County owned parks;
- Other New York State, Suffolk County or other municipally owned properties including parks, libraries or schools;
- Mobile home parks; and,
- Seasonal population locations.

In addition to the above, Suffolk County anticipates the installation of voluntary I/A OWTS at residential properties located throughout the County. An estimate of the number of voluntary installations anticipated over the next few years is currently under development.

The project area addressed by the GEIS is county-wide within the borders of Suffolk County.

4.0 Generic Environmental Impact Statement Outline

The Draft GEIS will evaluate the potential broad environmental issues resulting from implementation of the recommendations provided in the SC SWP. The GEIS will include discussions of the long-term environmental benefits and short-term construction-related impacts associated

with implementing the SC SWP recommendations. Site/parcel specific impacts such as change in individual lot development potential, zoning restrictions and demands on utility services will not be included in the GEIS as they are considered to be “site specific” and would be subject to supplemental SEQRA review.

The sections that will be included in the GEIS as specified in 6 NYCRR Part 617.10 are outlined below. The list of relevant environmental areas that may be impacted by the implementation of the proposed action are those identified as potential project impacts in Part 2 of the Full Environmental Assessment Form.

1.0 Executive Summary – The Executive Summary will provide a succinct summary of the GEIS including the project description, major findings of the environmental analysis, mitigation recommendations, and topics requiring further site-specific study and assessment prior to implementation.

2.0 Description of the Proposed Action, Purpose and Need – The Description of the Proposed Action, Purpose and Need will provide a concise description of the SC SWP including the County’s proposed wastewater management strategy for the reduction of nitrogen loading from wastewater and associated changes to Suffolk County’s Sanitary Code including its purpose, public need and benefits, as well as social and economic considerations.

3.0 Existing Environmental Setting –The baseline environmental setting of the County will be described. The most current readily available data sources will be used. Characterization of priority subwatersheds and groundwater quality will be based on the data collected and compiled in the SC SWP. Existing data sources to provide information on the environmental setting may include:

- US Census Data and Suffolk County Planning Department reports
- Town/Village Land Use maps and Zoning maps
- County/Town/Village comprehensive plans and planning documents
- Natural Resource Conservation Service Web Soil Survey
- USGS Maps and available topographic surveys
- Suffolk County Groundwater Model mappings
- NYSDEC Natural Heritage Program consultation
- NYSDEC Wetland Maps & National Wetland Inventory Maps (online)
- NYSDEC Sea Level Rise Projections (online and reflected in proposed regulation 6NYCRR Part 490)
- USFWS Information, Planning, and Conservation System (online)
- NYSDEC 303(d) list and related Total Maximum Daily Load (TMDL) documentation
- FEMA floodplain mapping (online)
- State and National Registers of Historic Places (online)

- NYS OPRHP database (online)
- Long Island Regional Economic Development Council’s Economic Development Plan for the Long Island Region
- Suffolk County Department of Health Services (SCDHS) databases
- Aerial imagery
- Long Island Commission on Aquifer Protection
- Suffolk County Water Authority information, data, forecasts, etc. (SCWA data, etc.)
- Relevant data from related studies, including, but not limited to:
 - *Watershed delineation studies*
 - *Nitrogen load studies*
 - *Hydrodynamic studies (surface water residence time)*
 - *Ecological endpoints and water quality studies*

The existing data will be used to describe the following features within the County:

- Physical Environment
- Land Use
- Groundwater (including potable water supply) and Surface Water
- Natural Environment (threatened and endangered species, critical habitat, wetlands, floodplains)
- Historic and Archeological Resources
- Social Environment
- Noise/Odor
- Human Health (Contaminant Exposure/Hazardous Materials)
- Consistency with Community Plans and Character

4.0 Potential Impacts of Proposed Action – A statement and evaluation of potential significant adverse environmental impacts and the reasonable likelihood of their occurrence due to the proposed action will be included in this section of the GEIS. Based on a preliminary review of the proposed action, it is anticipated that implementation of the SC SWP and required County Sanitary Code changes could result in potential impacts to the following environmental parameters:

- **Land Use, Community Plans & Character**

The proposed action is an early action item that is consistent with the goals and objectives of LINAP. The proposed action will be assessed as to its consistency with the following regional and county water protection programs.

- *Long Island Pine Barrens Protection Act*
- *Central Pine Barrens Comprehensive Land Use Plan*
- *Special Groundwater Protection Area Plan*
- *Long Island Sound Study*
- *Peconic Estuary Program*
- *South Shore Estuary Reserve*
- *Suffolk County Comprehensive Master Plan 2035 - Framework for the Future*
- *Suffolk County Comprehensive Water Resources Management Plan*

There is no new development associated with this action, however, the implementation of this action may affect new development, zoning, and existing land uses. Potential growth inducing aspect of this action will be addressed in Section 6.0 –Cumulative Impacts. Site specific change are controlled by the current zoning and the policies and plans of the applicable Town or Village in Suffolk County. These site-specific changes would be subject to supplemental SEQRA environmental review(s).

- **Groundwater and Surface Water**

The purpose of the proposed action is to reduce nitrogen loading from onsite wastewater sources and thereby improve groundwater and surface water quality. This section will summarize the anticipated reductions in nitrogen loading to groundwater and to surface water bodies receiving groundwater baseflow as reported in the SC SWP. Potential groundwater impacts (e.g., reduction in nitrogen concentrations in the aquifer at public supply wells) will be assessed based on existing data and the analyses presented in the SC SWP. The potential benefits resulting from implementation of the SC SWP and revision to the Sanitary Code, such as reduced nitrate loading, will be presented. While the evaluation will focus upon nitrogen reduction, the potential presence/reduction of other wastewater constituents such as pharmaceuticals and personal care products (PPCPs) will also be acknowledged.

Surface water impacts will include potential impacts from changes to groundwater baseflow and nitrogen loading. The wetlands, streams, and other waterbodies located throughout Suffolk County will be listed in the GEIS. The potential impact associated with the implementation of the proposed action on these natural resources will be qualitatively evaluated. An evaluation of the potential impacts of wastewater management on groundwater levels and stream baseflows will be completed for two alternatives (e.g., the recommended wastewater management alternative and a hypothetical County-wide alternative providing sanitary sewers to all currently developed parcels) using the existing groundwater model. Potential salt water intrusion as a result of proposed sanitary sewerage projects will be qualitatively evaluated. Detailed evaluations of potential impacts on

individual ecological communities and specific mitigation measures will not be addressed in the SC SWP DGEIS but may be required in future project-specific D/FEISs.

The need to consider the impact of projected increases in sea level elevation with respect to development along the coast will be noted.

- **Natural Environment**

Because the implementation of treatment options may result in the removal or disturbance of vegetation and/or habitat, and habitat for threatened or endangered species exists throughout the County, the potential for impact to threatened and endangered species and critical habitat as well as significant natural communities and critical habitat within Suffolk County will be identified based on available data using online resources such as the NYSDEC Environmental Resource Mapper and US Fish and Wildlife Service Information, Planning, and Conservation System (USFWS iPaC).

Floodplains or areas designated as 100-year and 500-year floodplain will be assessed for potential impact resulting from the SC SWP and associated code changes adopted as part of the proposed action. Reported results of the Sea, Lake and Overland Surges from Hurricanes (SLOSH) model from the National Hurricane Center may also be consulted to assess the potential for operational impacts during hurricanes.

- **Historic and Archaeological Resources**

Because construction of treatment systems would disturb soils, and because archaeological and historic resources are located throughout Suffolk County, the GEIS will contain a desktop assessment of potential impacts on historic and archaeological resources. Potential for impact will be assessed based on known resources. National Natural Landmarks such as the Orient State Park and Montauk State Park, historic districts and historical buildings and archaeological resources are located within Suffolk County. This section will note potential impacts to historic and archaeological resources, however specific assessments as may be required by NYS Office of Parks, Recreation and Historic Preservation for implementation of a specific component of the SC SWP will be subject to supplemental SEQRA review(s).

- **Noise/Odors**

Noise associated with operation of wastewater treatment systems will be identified. Wastewater treatment has been associated with the potential to emit odors that could be noticeable off site. Potential odors resulting from implementation of the recommended wastewater management alternative will be addressed generally. While no noise or odor data collection or studies will be conducted as part of this GEIS, noise and odor data available to characterize operating Appendix A, I/A OWTS or STPs available from Suffolk County or the Towns will be included.

- **Human Health (Contaminant Exposure/Hazardous Materials)**

Because of the breadth of the SC SWP, areas that may have been the subject of a remedial action or adjacent areas could be included. The GEIS will acknowledge that the County

encompasses areas where contamination spills and remediation have previously occurred. Information from the USEPA Human Health Impact Assessment will be incorporated into the assessment. New development is not part of the proposed action and an assessment of potential impacts would be subject to supplemental SEQRA review.

- **Environmental Justice Assessment**

The potential for the proposed action to impact people or communities unequally due to race, color, national origin, or income will be evaluated. The benefits will also be summarized.

5.0 Short-term or Construction Impacts - Construction-related impacts will be described in general in this section. Typical impacts related to construction that are identified in the EAF Part 2 include temporary impacts to:

- **Land**, which may include excavation, vegetation removal, erosion/sediment control;
- **Surface Water**, which may include new or expansion of treatment facilities;
- **Natural Environment**, as ground disturbance would be required;
- **Historic/Archeological Resources**, as ground disturbance would be required;
- **Noise**, as construction equipment may produce sound levels above local code established limits, and
- **Human Health** (Contaminant Exposure/Hazardous Materials), as construction may take place on parcels adjacent to land under remediation. No risk assessment will be included within the GEIS. However, a summary of potential human health benefits associated with nitrogen reduction in groundwater and surface water will be included.

Although no parcel-specific analyses will be completed, the potential need for modification to existing buildings and plumbing to facilitate installation of a new I/A OWTS or connection to an STP will be identified. Site-specific construction related impacts will be evaluated against the SEQRA triggers and may therefore be the subject of subsequent reviews under SEQRA.

6.0 Cumulative Impacts – A general overview of the cumulative impacts of SC SWP implementation on the environment, natural resources and cultural environment will be provided. This will include;

- **Water export/impact to water supply** - The cumulative impacts of water export (e.g., moving wastewater from one subwatershed to another as a result of wastewater treatment) upon the groundwater table and upon stream baseflows from SWP implementation will be evaluated using the existing groundwater model. The evaluation of water export will not include detailed evaluations on the ecology of estuarine or freshwater ecosystems; however, it will provide an initial understanding on the potential for sewerage to impact these ecosystems in the context of the estimated decrease in groundwater levels.

- The cumulative impacts of SWP implementation upon the County' water supply will consider potential impacts to both water quantity and water quality. Potential impacts to water quantity will be evaluated by incorporation of new or increased surface water discharges of treated wastewater effluent into the baseline water budgets presented in the Suffolk County Comprehensive Water Resources Management Plan and comparison of the baseline and post-SWP implementation water budgets. Cumulative impacts to water quality will be based on nitrogen concentrations and will be assessed using the groundwater model-simulated impacts to nitrogen concentrations after the SWP is implemented.
- **Potential for growth inducement within the County** – There is no new development associated with the proposed action; however, the implementation of the proposed action may affect future development potential, demand for utilities, and existing land uses. The GEIS will identify any subwatersheds where SWP implementation is anticipated to reduce nitrogen loading to levels that are lower than the nitrogen reduction targets. While site specific changes within these subwatersheds are controlled by the current zoning, policies and plans of the applicable Suffolk County Towns and Villages this section will consider the growth inducing aspects that SWP implementation could prompt. Site-specific and/or municipality specific growth options will be subject to supplemental SEQRA review.
- **Energy Demand (Greenhouse Gas impact)** – The cumulative impacts of SWP implementation upon energy demand will be estimated using the total estimated parcels connected to I/A OWTS, cluster systems, and new/expanded STPs and typical I/A OWTS energy requirements (using data available from Suffolk County's existing I/A demonstration program, the Center for Clean Water Technology and/or manufacturers), typical cluster system energy requirements (using data available from the literature and manufacturers) and STP energy requirements (using existing data from Suffolk County Department of Public Works).

7.0 Unavoidable Adverse Impacts -This section will summarize those impacts that cannot be avoided or adequately mitigated if the SC SWP strategies and Sanitary Code changes are implemented.

8.0 Irreversible and Irrecoverable Commitments of Resources -This section will discuss those nonrenewable natural resources that will be used in the implementation of the SC SWP. Trade-offs between short-term losses and long-term benefits will be addressed qualitatively in this section.

9.0 Mitigative Measures -Where significant project related impacts are identified based on the analysis conducted in the draft GEIS, measures to mitigate these potential impacts to the extent practicable will be suggested. This will include potential short-term construction as well as long-term operational impacts. For example, measures to reduce the potential for soil erosion during construction and traffic control measures (signage, flag persons, etc.) to avoid impacts on motorists and emergency vehicles will be identified. Potential operational mitigation measures would include I/A OWTS designs that incorporates good engineering practices and maintenance contracts and use of the RME to oversee design, construction, and

operation of I/A OWTS. Those impacts that cannot be mitigated will be reviewed under “Unavoidable Adverse Impacts.”

Site specific mitigation measures will be the subject of supplemental SEQRA review.

10.0 Alternatives Analysis – This section of the GEIS will include a description and evaluation of reasonable alternatives to the proposed action that consider the goals and objectives of the County. The following alternatives will be evaluated in the Draft GEIS:

- No Action Alternative: Continued use of septic systems and the patchwork of wastewater collection and treatment systems that currently exist within the County
- County-wide centralized wastewater collection and treatment systems (expansion of existing sewer districts and/or establishment of new sewer districts) to treat wastewater from existing developed parcels
- Limiting nitrogen loading by increasing minimum lot sizes county-wide
- County purchase of ‘priority areas’ through the use of Open Space funding
- Dual plumbing/dual water systems

11.0 Transfer of Development Rights (TDRs) - The County’s use of TDRs if included as an implementation strategy in the SC SWP will be discussed in general terms. Specific TDR Programs would be the subject of supplemental SEQRA review.

12.0 Project/Site-Specific D/FEIS Requirements -There is no new development associated with the proposed action, however, the implementation of the proposed action may affect future development potential, demand for utilities, and existing land uses. Potential impacts to the natural or physical environment as well as utilities and community services due to site specific projects will be addressed by subsequent SEQRA review. This section will provide a description of specific conditions or criteria under which a future action or actions that would require additional review under SEQR. Example thresholds or criteria that would trigger supplemental or site-specific EISs to address site specific or municipality specific actions will be provided.

List of References

Glossary of Terms

Technical Appendices:

- SEQRA documentation including Positive Declaration and Final Scoping Document
- Subwatershed Wastewater Plan, to be incorporated by reference
- Subwatershed Wastewater Plan Project Task Reports

5.0 SEQR Next Steps

Preparation of the GEIS will begin, based upon the outline of the content and evaluations identified in this Final Scoping Document.

6.0 Public Comments Received

Both verbal comments and written comments on the Draft Scoping Document were received. Transcripts of the public scoping meetings are included in this document as Attachment B. Written comments that were received by December 13, 2016 are included in this document as Attachment C.

Written comments were received from the following interested parties:

- Friends of Georgica Pond, December 2, 2016
- Peconic Baykeeper, December 12, 2016
- The Nature Conservancy, December 12, 2016
- Town of Brookhaven, December 13, 2016
- Central Pine Barrens, December 13, 2016

The location within this Final Scoping Document where the response to each comment may be found has been indicated within each comment letter and Public Scoping Hearing transcript.

6.1 Comments on the Suffolk County Subwatersheds Wastewater Plan (SC SWP) Scope

A number of public comments identified topics that will be evaluated in the Suffolk County Subwatersheds Wastewater Plan (SC SWP). As such, they will become part of the Proposed Action. The SC SWP will be included in the GEIS as an Appendix.

The following public comments will be incorporated into the scope of the GEIS in this manner:

Central Pine Barrens 1(b): Please explain the methodology used to “evaluate surface water sensitivity” and define the term “sensitivity” as it is used.

Central Pine Barrens 1(c): Please explain the methodology to be used in the plan to “evaluate nitrogen loading to groundwater and surface water.” For example, will the plan examine the existing and build out development potential of all communities in the County to evaluate the expected nitrogen loading to groundwater and surface water resources? What benchmark will be used to determine maximum nitrogen loading to water resources and what are the acceptable limits?

Central Pine Barrens 1(d): Please elaborate on how and for whom the costs and benefits of wastewater management alternatives will be evaluated. Will the analysis of benefits be in regard to those that accrue to property owners, Towns and developers or benefits to that accrue to ecological and water resources or a combination thereof?

Central Pine Barrens 2(a): Please identify the timeframe for and the triggers that will require installation of an alternative treatment system and modifications to a property such as when new construction is proposed or in application to build an expansion of 50% or more of a structure. Please also identify the application phase(s) when it will be required, such as site plan review, subdivision review, Zoning Board of Appeals variance application, building permit phase, etc.

Central Pine Barrens 2(b): The installation of a new treatment system may require other potentially significant modifications to a property, other than the replacement of one system with another, including, but not limited to, plumbing and waste line realignment, rerouting and installation; shoring up structures; site disturbance; potential clearing on a property encumbered by covenants or easements and alterations to existing structures and property. Costs to a property owner may be a limiting factor. Therefore, please identify funding mechanisms and compliance and enforcement staffing, fees, and fines to implement the plan (Note: A range of costs will be provided in the SC SWP along with an estimate of staffing. Please see Section 6.2.2.)

Central Pine Barrens 3(c): Please explain how the goals and objective of the plan are met if new or expanded STPs are not designed and constructed.

Central Pine Barrens 5(a) “Groundwater and Surface water” Bullet 1: This section discusses improving groundwater and surface water quality. Please identify how “improvement” will be measured and what standard or standards will be applied to measure improvements including, but not limited to, drinking water quality standards, ecological standards, recreational activity standards, etc. Are public water suppliers involved in the project to measure potential “improvement”, if applicable, to drinking water supplies?

Central Pine Barrens 5(a) “Groundwater and Surface Water” Bullet 3: This section indicates the presence/reduction of other wastewater constituents such as pharmaceuticals and personal care products (PPCPs) will also be acknowledged. Please identify how PPCPs will be remedied and will new systems provide a remedy and to what extent, if any?

Central Pine Barrens 5(a) “Groundwater and Surface Water” Bullet 4: The scope states “surface water impacts will include potential impacts from changes to “groundwater baseflow.” Please identify or define “groundwater baseflow” and how it is impacted /altered.

Central Pine Barrens 5 (a) “Plants and Animals” Bullet 1: Please identify proximity and disturbance to wetlands and travel time.

Central Pine Barrens 5(a) “Economics” Bullet 2: This section should describe in further detail the proposed “Water Quality District,” what it is, who is in it, where it is, how it will be funded, and compliance and enforcement procedures to be established in a Water Quality District

Central Pine Barrens 5 (c) (i) Alternatives: “... Please clarify that although separate public and private entities may own and manage facilities in the County, the SCDHS is the regulatory authority responsible for implementing the Sanitary Code for approval and compliance of facilities”

Central Pine Barrens 5 (c) (iii) Alternatives: Prior to implementing requirements for 360,000 properties to comply with new regulations, please consider a short-term alternative for voluntary

participation or potentially new development including new residential subdivisions and commercial and industrial site plans.

Central Pine Barrens 5 (c) (v): In the potential alternative for the County to acquire land through open space funding in the defined “priority area” please consider referring to recent amendments to the Community Preservation Fund (CPF) that allow a percentage of funds to be used toward water quality improvement initiatives. Clarify if funds in the CPF would be available for use in this project. In addition, please consider a recommendation to or alternative for municipalities, including Towns and Villages in the County where a CPF does not exist, to explore and consider establishing a CPF to manage the acquisition of priority areas. This may provide a revenue source to acquire land in priority areas and minimize financial impacts to residents in priority areas.

The Nature Conservancy, Proposed Action, Section 2 Grandfathering, seventh paragraph: Finally, the use of shallow, narrow drainfields should be included, in place of cesspits. (Note: Use of shallow, narrow drainfields will be an alternative evaluated in the SC SWP, which will be included in the GEIS as an Appendix).

The Nature Conservancy, Advanced Wastewater Treatment Pilot Areas, Section 6: In this section, we recommend adding other somewhat novel approaches to nitrogen reduction, including but not limited to, water re-use, resource recovery from wastewater (e.g., efforts to use macro-algae as fertilizer), urine-diversion and composting toilets, botanical treatment projects, wetland restoration, and buffers along water bodies, especially at agricultural sites.

The Nature Conservancy, Potential Impacts of Proposed Action, Fifth bullet: "Economics" is outlined in unjustifiably narrow terms. Water quality undergirds Long Island's economy in many respects: some 40% of the island 's businesses are considered water-dependent-either freshwater or surface waters. Real estate values are influenced by water quality. That means property tax revenues depend on water quality, as does the multi -billion-dollar tourist industry of Long Island. If water quality deteriorates further, all of these economic indices will suffer. Accordingly, the costs of not acting to reduce nitrogen to necessary levels must be considered in addition to the "potential economic benefits" of improved water quality. (Note: Economic benefits associated with installation, maintenance and monitoring of the new I/A OWTS will also be identified in the SWP based upon literature reported estimates. The Economy sector of the USEPA 3VS model will estimate how changes in the water quality of coastal embayments will affect water-dependent elements of the local economy, including tourism and recreational and commercial fishing. Information from the USEPA Suffolk County 3VS model will be incorporated to the extent that it is available within the project timeframe. Likewise, information regarding the potential cost/benefit to the septic industry and potential cost/benefit to property values in Suffolk County will be referenced from available resources being produced through Stony Brook University, to the extent that they are available within the project timeframe.

Kevin McDonald, The Nature Conservancy, December 1st, verbal comment, page 43 of transcript: “... Getting those targets with a measure of safety ...”

Kevin McAllister, Defend H2O, December 1st, verbal comment, page 51 of transcript: “At below 10 mg/L I think we need to flesh out the commercial vs residential input.”

Kevin McAllister, Defend H2O, December 1st, verbal comment, page 52 of transcript: “The science has to be de-coupled from the cost benefit analysis ... define the loading and the various scenarios, the various remedies. Put aside the cost benefit and then ultimately bring that in obviously ...”

Kevin McAllister, Defend H2O, December 1st, verbal comment, page 53 of transcript: “... Triggers for the upgrades; mandates, time of property transfer And I think it should go a step further actually identifying what the reductions would be based on what the reasonable timeframes are. We probably have an idea of what the property transfer is What is that in Suffolk County and how quickly do we ... achieve the goals in nitrogen reduction?”

Kevin McAllister, Defend H2O, December 1st, verbal comment, page 54 of transcript: “This may be an omission, perhaps not, sea level rise and coastal inundation. That has to be factored into the analysis ...”

Kevin McAllister, Defend H2O, December 1st, verbal comment, pages 54-55 of transcript: “What are the build-out scenarios? here’s our reduction ... what does that mean for ultimate build out for potential increased density?”

Barbara Blass, December 1st, verbal comment, page 56 of transcript: “.... Each of the five east end towns has a loose plan where they have identified priority areas and projects which would be eligible to receive monies through the CPF. And I’m just wondering how they are going to interface with your priority areas and just a general understanding of how it’s going to work together.” (Note: Suffolk County is making efforts to coordinate the SC SWP with Town CPF programs.)

Friends of Georgica Pond, Our preliminary thinking is that we want to advocate for voluntary upgrade of septic systems (+/- 75) around the pond in the coming year and the look for partnerships with the Town CPF and County within critical areas of the watershed, especially the commercial district of Wainscott. (Note: Suffolk County will continue to coordinate with the Friends of Georgica Pond to identify opportunities for aligning efforts; any projects that are aligned with the SC SWP objectives that are identified during SC SWP development will be included.)

6.2 Issues Identified during Scoping that Have Not Been Incorporated into the Final Scope

Not all of the comments that were received on the Draft Scoping Document can be fully addressed within the Scope of this GEIS, for a variety of reasons. Some identify issues that are not within the control of the project sponsor (e.g., future growth and development), and some will be more appropriately considered by a D/FEIS for a specific project. The comments that have not been incorporated into the final scope of the GEIS are identified in the following pages.

6.2.1 Comments that Would Best be Addressed in a Project-Specific D/FEIS or Supplemental GEIS

Central Pine Barrens 1(a): What impact, if any, will the Plan have on the Pine Barrens Credit (PBC) program, specifically the standards allowing redemption of PBCs to increase sanitary flow in a typical septic system?

Central Pine Barrens 3(a): Although this section states “New STPs and/or expansion of existing STPs will be completed ... “it is not clear how facilities will be funded and where they will be sited. It

is worth noting in the Central Pine Barrens Comprehensive Land Use Plan, Standard 5.3.3.1.2, Sewage treatment plant discharge states, “Where deemed practical by the County or State, sewage treatment plant discharge shall be outside and downgradient of the Central Pine Barrens. Denitrification systems that are approved by the New York State Department of Environmental Conservation of the Suffolk County Department of Health Services may be used in lieu of a sewage treatment plant.” It would be helpful to review preliminary plans or assessments of potential new sewage treatment plants (STPs) or upgrades, if any, that are proposed to occur in the Central Pine Barrens region.

Central Pine Barrens 5 (c) (ii): The scope should identify alternatives and existing conditions and processes that may not be capturing opportunities for improvements and identify potential modifications in practices or review processes that could occur to improve environmental conditions. Will the plan make recommendations to other involved agencies regarding zoning or changes to development standards that may improve conditions? Will the plan recommend changes that would require the retirement of Development Rights or Pine Barrens Credits or land preservation in instances of nonconforming subdivision or increases in land use density or intensity to offset potential environmental impacts?

Kevin McAllister, Defend H2O, December 1st, verbal comment, page 53 of transcript: “Grandfathering ... ultimately the goal has to be to eliminate grandfathering ...” (Note: Suffolk County is currently evaluating changes to Article 5 and 6 to address grandfathering. Changes that fall outside of the project timeframe would be subject to supplemental GEIS.)

6.2.2 Comments That Are Beyond the Scope of the SC SWP/GEIS

Town of Brookhaven, Comment 1. On page 2, Section 2.0, #1 Recommended Wastewater Management Strategy an additional point should be added that states: “Identify surface water numeric nutrient standard for nitrogen”. The NYSDEC has this authority, and is in the process of developing numeric nutrient standards for New York surface waters.

Town of Brookhaven Comment 2. On page 2, Section 2.0 #1 There is a list indicating activities that will prompt wastewater treatment upgrades. Consider adding a category of “Illegal Rental Properties”. These properties often house a disproportionately large number of people and so may have substantially higher nitrogen loading than similarly sized non-rental properties. There may be an opportunity to work with the Towns to require installation of I/A systems at these properties as part of legal settlements.

Kevin McDonald, TNC, December 1st; verbal comment, page 42-43, transcript: “... ask them where they want to have growth centers and tell everybody up front ... “

Central Pine Barrens 1(e): The scope of the plan’s consideration of activities that will prompt wastewater treatment upgrades under various scenarios should include financial and other costs incurred by property owners, including the expenditure of time when properties are sold and purchased by new owners. The potential costs that will be passed onto new owners or included in sales should be assessed. A timeframe for compliance and enforcement provisions should be provided.

Central Pine Barrens 2(b): The installation of a new treatment system may require other potentially significant modifications to a property, other than the replacement of one system with another, including, but not limited to, plumbing and waste line realignment, rerouting and installation; shoring up structures; site disturbance; potential clearing on a property encumbered by covenants or easements and alterations to existing structures and property. Costs to a property owner may be a limiting factor. Therefore, please identify funding mechanisms and compliance and enforcement staffing, fees, and fines to implement the plan. (Note: Please see Section 6.1 as much of this comment will be addressed in the SC SWP. Fees and Fines will not be determined in the SC SWP or GEIS.)

Central Pine Barrens 5 (c) (iv): An alternative that requires retirement of a development right, flow credit, or Pine Barrens Credit, in cases of substandard subdivisions, increases in density or land use intensity, should be considered prior to implementing regulations that require alternative treatment systems. (Note: The intent of this comment as it relates to the scope of the GEIS is not clear)

The Nature Conservancy: Proposed Action: A project should be considered “proposed” if it has been seriously discussed, including for example, the proposed expansion of the Oakdale STP and Greenport STP. (Note: STP projects that are proposed for incorporation into the SC WP do not necessarily include “all” STP studies that have been proposed or discussed historically. As an early action LI NAP element intended to build upon readily available data, the SC SWP will only consider STPs that have existing sufficient information that can be used for the SC SWP [for example, existing feasibility studies]. Note also that as identified in the Scoping Document, all STP projects will be subject to individual SEQRA review.)

The Nature Conservancy, Proposed Action, Grandfathering, Paragraph 6: Regarding the phrase “failed denitrification system sites” requires elaboration in the bullet point “Grandfathered Other Than Single Family Residential sites including grandfathered SPDES and failed denitrification system sites.” The GEIS should say where these sites are and how they have been measured. (Note: Suffolk County is evaluating options for scanning existing Office of Wastewater Management records and indexing them to individual parcels. If this project comes to fruition the identification of grandfathered SPDES and failed denitrification system sites would be evaluated during the scanning and indexing process.)

The Nature Conservancy – Existing Environmental Setting, Physical Environment: – Add to bullet points: Sediment characteristics. (Note: Sediment characteristics was not identified as a potential area of impact during EAF preparation).

The Nature Conservancy – Alternatives Analysis: As referenced in our introductory paragraph, the “no action alternative” does not really exist. It implies that if the County does not act, no one else will-and that is simply incorrect. The County has already approved Section 19 of the sanitary code and has authorized new I/A technology, such that towns may require use of these systems, and individuals may install them voluntarily. Further, the Long Island Nitrogen Action Plan will propose certain actions, if not require them, and the same can be said with the Long Island Sound and Peconic Estuary TMDLs.

And additional TMDLs may be created in Suffolk County related to nitrogen on the basis of the State's compliance with the federal Clean Water Act.) Accordingly, "no action" is not really possible. The "no action" alternative here is no action of the sort proposed, or no additional action at this time, but what exactly does that mean? No subwatersheds delineated, no goals set, no amendment to Articles 5 and 6, no attempts at uniform implementation, etc.-or the undertaking of these tasks by other entities? The absence of active County involvement while others act is a separate alternative that must be addressed in the GEIS. (Note: SEQRA requires consideration of the No Action alternative. The No Action alternative will, however, recognize the potential roles of other stakeholders.)

Peconic Baykeeper: SEQRA mandates that a lead agency identify the relevant areas of environmental concern, take a "hard look" at any potential impacts and provide a reasoned elaboration for its conclusions. In the process, the lead agency is obligated to consider a variety of potential impacts including short-term, long-term, primary, secondary and cumulative impacts. Cumulative impacts include any potential impacts associated with "reasonably related" actions. In this case, there are a host of reasonably related actions that should be considered in conjunction with the GEIS for the subwatersheds wastewater plan. In addition to the County's water resources management plan, this should include as a minimum the following:

Reclaim Our Waters Initiative - The Subwatersheds Study was described as a "sub-component" of the County Executive's Reclaim Our Waters Initiative. As such, the potential impacts assessed in the GEIS should include all reasonably related actions contained within the broader policy document referred to as the Reclaim Our Waters Initiative.

Comprehensive Water Resources Management Plan - The County has recently released a "Comprehensive Water Resources Management Plan" which has served as the foundation for initiatives like the Subwatersheds study. However, the Water Resources Management Plan has never been adopted by the County, nor have the potential environmental impacts of its recommendations been reviewed under the State Environmental Quality Review Act (SEQRA). Resource management plans are defined as Type I Actions under SEQRA. As such, if the County's water resources management plan is to be used to support amendments to the sanitary code or studies such as the subwatersheds wastewater plan, it should be analyzed under SEQRA in conjunction with the subwatersheds study.

The Sanitary Code - Recent and ongoing updates to the Suffolk County Sanitary Code are a direct result of the information prepared and analyzed as a part of the comprehensive water resources management plan. Segmentation is inconsistent with SEQRA and the division of reasonably related actions like the update of the sanitary code, the release of the water resources management plan and the subwatersheds wastewater plan represents an impermissible segmentation of these reasonably related actions.

Sewer Capacity Study - The County has previously prepared a sewer capacity study that analyzed the expansion of existing sewage treatment plants and the potential development of new systems. Sewer capacity and the permitting of innovative alternative on-site wastewater systems are also reasonably related actions to the subwatersheds study. Accordingly, the impacts of these plans should be considered in conjunction with the subwatersheds study.

County Comprehensive Plan - The County recently adopted a new comprehensive plan. Land use plans are Type I Actions under SEQRA. Despite this fact, the County deemed the adoption of the plan a Type II Action. Since resource management is a necessary component of a properly prepared comprehensive plan, the recently released water resources management plan should be considered a component of the County's Comprehensive Plan. The potential environmental impacts of the comprehensive plan should be considered in conjunction with the GEIS for the subwatersheds study.

County Regional Transportation and Development Plan - The County recently released a "Regional Transportation and Development Plan" which details infrastructure needs and potential economic development opportunities. This study, the comprehensive plan, the updates to the sanitary code and the sewer capacity study are all reasonably related actions under SEQRA. Accordingly, all associated potential impacts including cumulative impacts, should be considered at this time.

Bergen Point Expansion - The County recently approved a 10 million gallon per day expansion of the Bergen Point STP. In addition, the County is currently considering a 7-mile main extension from the Bergen Point Plant to the project known as the Ronkonkoma Hub. This project also includes a second main for the connection of both existing and proposed development along Veterans Memorial Highway. These are also reasonably related actions under SEQRA, the cumulative impact of which has never been assessed. Accordingly, the GEIS for the subwatersheds study should incorporate these actions as well.

In summary, the County is in the process of expanding sewerage, implementing innovative on-site wastewater systems and updating the sanitary code. All of these reasonably related actions will impact water resources throughout the County. The County has an obligation to assess the cumulative impact of these reasonably related actions and development-related impacts resulting from increased wastewater capacity. To date, it has failed to do so. The subwatersheds wastewater plan represents an opportunity to secure compliance with SEQRA. We recommend that the scope of the GEIS be expanded to consider the full range of potential environmental impacts consistent with SEQRA.



Attachment A – Suffolk County Subwatersheds Wastewater Plan Methodology Summary

In accordance with Suffolk County's Reclaim Our Water initiative and the Long Island Nitrogen Action Plan* (LINAP – see note 4), Suffolk County is pursuing proactive measures to reduce nitrogen pollution to our waters. The Suffolk County Comprehensive Water Resources Management Plan (2015; "Comp Water Plan") characterized negative trends in the quality of groundwater in the upper glacial and Magothy aquifers in recent decades. The Comp Water Plan linked increasing nitrogen levels in groundwater not only to drinking water, but also to surface waters, including significant adverse impacts of nitrogen on dissolved oxygen, harmful algal blooms ("HABs"), eelgrass and other submerged aquatic vegetation, wetlands, shellfish, and, ultimately, coastal resiliency. For the first time, the Comp Water Plan established an integrated framework to address the legacy problem of onsite wastewater disposal systems in a meaningful manner; with acknowledgement that patchwork sewerage will not be sufficient to solve the problem.

The Suffolk County Subwatersheds Wastewater Plan (SC SWP) will provide a recommended wastewater management strategy to reduce nitrogen pollution from non-point wastewater sources. To support development of the recommended wastewater management strategy, a sequenced, technically driven series of evaluations will be completed as follows:

- Delineation of the County's priority subwatersheds (~189 individual surface water receiving bodies) using the existing Suffolk County Groundwater Model. The groundwater model provides a common platform of assumptions and boundary conditions to ensure a uniform and consistent set of subwatersheds boundaries (see note 1).
- The generation of land use based annual nitrogen loading rates for each of the subwatersheds using the existing Suffolk County Groundwater Model mass transport module (see notes 1, 2 and 3).
- The development of surface water residence times for each of the 189 surface water bodies using the Environmental Fluids Dynamic Code (EFDC) modeling software.
- The establishment of baseline water quality using existing readily available surface water data from available studies and monitoring programs completed within Suffolk County.
- Using the results of the modeling efforts and baseline water quality, tiered priority areas will be established for wastewater management upgrades. The objective of establishing tiered priority areas is to provide a framework for implementing the recommended wastewater alternative in a phased approach which would focus the allocation of funding and resources on the highest priority areas (see note 1).
- Following the establishment of tiered priority areas, preliminary load reduction goals will be developed for each surface water body using empirical data relationships, existing regulatory target guidelines, and other readily available data sources from related studies (see note 1).
- Finally, recommendations for wastewater management upgrades will be provided for each priority tier based upon the ability to meet nitrogen load reduction goals (see notes 1, 5, and 6).

** The New York State Department of Environmental Conservation (DEC) and the Long Island Regional Planning Council (LIRPC) are, in partnership with numerous local governments and interested organizations on Long Island, embarking on development of the Long Island Nitrogen Action Plan (LINAP)*



Attachment A – Suffolk County Subwatersheds Wastewater Plan Methodology Summary

Notes:

1. A parallel evaluation will be completed for the protection of groundwater and public and private supply wells. The evaluation will use the Suffolk County Groundwater Model to estimate predicted nitrogen concentrations in public supply wells and groundwater and required load reduction through wastewater management to reduce nitrogen concentrations to agreed upon endpoints.
2. The SC SWP will calculate the total nitrogen loads from all major sources (e.g., wastewater, residential fertilizer, agriculture, deposition, and pet wastes). While these loads will be considered in the determination of an overall first order reduction goal for a water body, the focus of the SC SWP will be assigning nitrogen load reduction goals for non-point wastewater sources to support achievement of the overall load reduction goals. LINAP and/or other related future initiatives will further consider these loads and reductions, and will expand on alternate available management measures such as permeable reactive barriers and in-water aquaculture.
3. The Suffolk County Groundwater Model will be used to support the identification of areas where legacy nitrogen may be of concern. However, the SC SWP evaluations will not include legacy nitrogen in its evaluations. LINAP and/or other related future initiatives will further consider these loads and will expand on alternate available management measures such as permeable reactive barriers and in-water aquaculture.
4. The SC SWP is considered an early action/initial step of the overall long-term LINAP program. In addition to being a guide for establishing County wastewater policy, the primary objective of the SC SWP will be to provide critical information regarding data gaps, areas requiring further detailed study, and ultimately to provide data that can support long-term LINAP scope refinement and focus and other related initiatives ongoing throughout Suffolk County (e.g., Long Island Sound Study, Peconic Estuary Program, South Shore Estuary Reserve, and related Town/Village initiatives). In alignment with these objectives, the SC SWP will be executed on an accelerated timetable and will not include the generation of new, sophisticated models that are typically used for Total Maximum Daily Load (TMDL) studies. Rather, the SWP will build, expand, and unify existing individual models and studies from the wealth of resources that already exist.
5. Recommended wastewater upgrades will focus on the use of I/A OWTS, the use of sewerage at locations where existing sewer feasibility studies indicate sewerage is cost effective, and the use of decentralized/clustered systems (e.g., small pre-packaged treatment plants or I/A OWTS that connect multiple tax lots or buildings together). The SC SWP cost benefit analysis will, amongst other evaluations, identify the criteria and locations where the use of decentralized/clustered systems represent the most cost-beneficial wastewater management approach. In addition, the SC SWP will evaluate and provide preliminary recommendations on how to overcome some of the potential challenges associated with implementing these systems (e.g., existing setback constraints, long-term O&M responsibility, approval process, etc.). Finally, increase of the minimum lot size may be considered in select subwatersheds where sufficient undeveloped land exists to provide a meaningful environmental benefit.
6. The SC SWP will include a recommended implementation plan. The recommended implementation plan will balance the need for providing a program acclimation period (e.g., hire staff for Responsible Management Entity, training of industry, industry market preparation, and funding source identification) with providing an aggressive implementation approach that provides meaningful environmental benefit.



Town of
Brookhaven
Long Island

Edward P. Romaine, Supervisor

Ken Zegel, PE, Associate Public Health Engineer
Suffolk County Department of Health Services
Office of Ecology
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980
Ken.zegel@suffolkcountyny.gov

December 13, 2016

Dear Mr. Zegel:

I commend the County on moving ahead with the Suffolk County Subwatersheds Wastewater Plan. The Town agrees with the approach to SEQRA compliance of the completion of a Generic Environmental Impact Statement. Below please find comments on the Draft Scoping Document for the Generic Environmental Impact Statement being completed for the Suffolk County Subwatersheds Wastewater Plan.

Comment 1. On page 2, Section 2.0, #1 Recommended Wastewater Management Strategy an additional point should be added that states: "Identify surface water numeric nutrient standard for nitrogen". Numeric nutrient standards for surface waters vary depending on a variety of factors (freshwater, salt water, nutrient poor ecosystem). The NYSDEC is in the process of developing numeric nutrient standards for New York surface waters.

pg. 17

Comment 2. On page 2, Section 2.0 #1 There is a list indicating activities that will prompt wastewater treatment upgrades. Consider adding a category of "Illegal Rental Properties". These properties often house a disproportionately large number of people and so may have substantially higher nitrogen loading than similarly sized non-rental properties. There may be an opportunity to work with the Towns to require installation of I/A systems at these properties as part of legal settlements.

pg. 17

Comment 3. On page 5, Section 3.0 Purpose and Need – Consider adding a sentence noting that reducing nitrogen loading is necessary to enhance coastal resiliency including storm and flood protection offered by marshes.

pg. 6

Comment 4. On page 6, Section 4.0, #3 Existing Environmental Setting – consider adding official New York State projections for sea level rise to the list of data sources to be consulted.

pg. 7

Comment 5. On page 7, Section 4.0, #4 – Consider adding Long Island Regional Economic Development Council's Strategic Economic Development Plan for the Long Island Region to the list. In general this document makes a strong case for Long Island's economy being directly tied to maintaining high water quality.

Pg. 7

Comment 6. Page 8, Section 4.0 Item Plants and Animals – the potential for water tables to be affected by sewerage should be identified. Data from Nassau County should be used to identify potential impacts to ecological communities from sewerage. In addition the potential for salt water intrusion to the aquifer should be examined.

Pg. 9

Sincerely,

Anthony Graves
Chief Environmental Analyst

Edward P. Romaine
Supervisor



Via U.S. Mail and email to: ken.zegel@suffolkcountyny.gov

December 13, 2016

Ken Zegel, PE, Associate Public Health Engineer
Suffolk County Department of Health Services
Office of Ecology
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

Re: Draft Scope for the Draft Generic Environmental Impact Statement for the Suffolk County Subwatersheds Wastewater Plan

Carrie Meek Gallagher
Chairwoman

Steven Bellone
Member

Edward P. Romaine
Member

Jay H. Schneiderman
Member

Sean M. Walter
Member

Dear Mr. Zegel:

On November 14, 2016, the Central Pine Barrens Commission office received an email notification of the public hearings scheduled to receive comments on the Draft Scoping Document for the preparation of a Draft Generic Environmental Impact Statement (DGEIS) for the County's Subwatersheds Wastewater Plan.

Comments are offered on the Draft Scoping document dated November 2016 as they relate to the goals and objectives of the Central Pine Barrens Comprehensive Land Use Plan and Environmental Conservation Law Article 57.

1. Section 2.0. Proposed Action. Subsection I. Recommended Wastewater Management Strategy.

- (a) What impact, if any, will the Plan have on the Pine Barrens Credit (PBC) program, specifically the standards allowing the redemption of PBCs to increase sanitary flow treated in a typical septic system? pg. 16
- (b) Please explain the methodology used to "evaluate surface water sensitivity," and define the term "sensitivity" as it is used. pg. 13
- (c) Please explain the methodology to be used in the plan to "evaluate nitrogen loading to groundwater and surface water." For example, will the plan examine the existing and build out development potential of all communities in the County to evaluate the expected nitrogen loading to groundwater and surface water resources? What benchmark will be used to determine maximum nitrogen loading to water resources and what are the acceptable limits? pg. 13
- (d) Please elaborate on how and for whom the costs and benefits of wastewater management alternatives will be evaluated. Will the analysis of benefits be in regard to those that accrue to property owners, Towns, and developers or benefits to that accrue to ecological and water resources or a combination thereof? pg. 13

624 Old Riverhead Road
Westhampton Beach, NY
11978

Phone (631) 288-1079
Fax (631) 288-1367
www.pb.state.ny.us

- (e) The scope of the plan's consideration of activities that will prompt wastewater treatment upgrades under various scenarios should include financial and other costs incurred by property owners, including the expenditure of time when properties are sold and purchased by new owners. The potential cost that will be passed on to new owners or included in sales should be assessed. A timeframe for compliance and enforcement provisions should be provided.

pg. 17

2. Subsection 2. Water Quality Protection District and Responsible Management Entity.

- (a) Please identify the timeframe for and the triggers that will require installation of an alternative treatment system and modifications to a property, such as when new construction is proposed or in an application to build an expansion of 50% or more of a structure. Please also identify the application phase(s) when it will be required, such as site plan review, subdivision review, Zoning Board of Appeal variance application, building permit phase, etc.
- (b) The installation of a new treatment system may require other potentially significant modifications to a property, other than the replacement of one system with another, including, but not limited to, plumbing and waste line realignment, rerouting and installation; shoring up of structures; site disturbance; potential clearing on a property encumbered by covenants or easements and alterations to existing structures and property. Costs to a property owner may be a limiting factor. Therefore, please identify funding mechanisms and compliance and enforcement staffing, fees, and fines to implement the plan.

pg. 13

pg. 13

3. Subsection 5. Sewage Treatment Plants.

- (a) Although this section states "New STPs and/or expansion of existing STPs will be completed..." it is not clear how facilities will be funded and where they will be sited. It is worth noting in the Central Pine Barrens Comprehensive Land Use Plan, Standard 5.3.3.1.2, Sewage treatment plant discharge states, "*Where deemed practical by the County or State, sewage treatment plant discharge shall be outside and downgradient of the Central Pine Barrens. Denitrification systems that are approved by the New York State Department of Environmental Conservation or the Suffolk County Department of Health Services may be used in lieu of a sewage treatment plant.*" It would be helpful to review preliminary plans or assessments of potential new sewage treatment plants (STPs) or upgrades, if any, that are proposed to occur in the Central Pine Barrens region.
- (b) Please examine the feasibility of and cost to develop a STP to connect existing properties without increases in land use density or intensity. If new or expanded STPs were developed with capacity to support increases in development beyond current zoning and health department standards and limitations it would defeat the purpose and goal of reducing nitrogen loading in water resources.
- (c) Please explain how the goals and objectives of the plan are met if new or expanded STPs are not designed and constructed.

pg. 16

pg. 16

pg. 14

4. Part 3.0 Purpose and Need.

Please identify the Long Island Commission on Aquifer Protection (LICAP) as another recent initiative to review and assess groundwater quality and quantity in Long Island including Suffolk County.

pg. 7

5. Part 4.0 Generic Environmental Impact Statement Outline

(a) Subsection 4.0 Potential Impacts of the Proposed Action

Land Use, Community Plans and Character

This section identifies the Long Island Pine Barrens Protection Act. Please add the Central Pine Barrens Comprehensive Land Use Plan to this section as well.

pg. 8

Groundwater and Surface Water

- This section discusses improving groundwater and surface water quality. Please identify how "improvement" will be measured and what standard or standards will be applied to measure improvement including, but not limited to, drinking water quality standards, ecological standards, recreational activity standards, etc. Are public water suppliers involved in the project to measure potential "improvement", if applicable, to drinking water supplies?
- This section discusses assessing "groundwater impacts." Please identify the type of impacts to which the plan is referring to and how the impacts will be alleviated or mitigated.
- This section indicates the potential presence/reduction of other wastewater constituents such as pharmaceuticals and personal care products (PPCPs) will also be acknowledged. Please identify how PPCPs will be remedied and will new systems provide a remedy and to what extent, if any?
- The scope states "surface water impacts will include potential impacts from changes to groundwater baseflow." Please identify or define "groundwater baseflow" and how it is impacted and altered.

pg. 9,
pg. 14

pg. 9

pg. 14

pg. 12

Plants and Animals

- Please identify proximity and disturbance to wetlands and travel time.
- How and in what context will ecological habitats and species be analyzed? Will they be impacted by installation, and to what extent? And if not, why study? Or are they studying to monitor how environment will improve after the system installation?

pg. 14

pg. 9

Historic and Archaeological Resources

Please elaborate on the reasoning to include this section. Please identify specific elements or sites, if any, that may be examined and potentially impacted by the plan to give purpose for including this section.

Pg. 9

Noise and Odors

Provide information and analysis on the levels of noise and odor from existing facilities to compare with the proposed facilities and indicate if the proposed facilities will improve noise and odor levels, worsen them or result in no change.

Pg. 10

Economics

- The scope should refer to the results of the recent Health Impact Assessment (HIA) conducted by the County and the U.S. Environmental Protection Agency to examine various pathways and impacts of potential wastewater treatment and code modifications.
- This section should define in greater detail the proposed "Water Quality District," what it is, who is in it, where it is, how it will be funded, and compliance and enforcement procedures to be established in a Water Quality District.

Pg. 10

Pg. 14

(b) Subsection 5. Short-term or Construction Impacts

Please identify impacts that are expected to occur from new installations including redesign costs and assessment, reorientation of dwellings and facilities for pipes and other infrastructure to facilitate new systems and/or to connect to sewage treatment plants where applicable.

Pg. 11

(c) Subsection 10.0 Alternatives

- i. The No Action Alternative refers to a "patchwork of wastewater collection and treatment systems that currently exist within the County." The Suffolk County Department of Health Services regulates and approves sanitary wastewater treatment facilities and oversees their construction and installation and conformance to discharge standards. Although privately and publicly owned and operated plants, facilities, and sewer districts exist throughout the County, ultimately, systems are required to conform to State and Federal laws delegated to the County to implement standards and discharge concentrations. Therefore, please clarify that although separate public and private entities may own and manage facilities in the County, the SCDHS is the regulatory authority responsible for implementing the Sanitary Code for approval and compliance of facilities. It may also be the case or the scope may state that recently it has come to light that system designs are being examined to improve conditions, effectiveness, and protection of public health, safety, and environmental resources.

Pg. 18

- ii. The scope should identify alternatives and existing conditions and processes that may not be capturing opportunities for improvement and identify potential modifications in practices or review processes that could occur to improve environmental conditions. Will the plan make recommendations to other involved agencies regarding zoning or changes to development standards that may improve conditions? Will the plan recommend changes that would require the retirement of Development Rights or Pine Barrens Credits, or land preservation in instances of nonconforming subdivisions or increases in land use density or intensity to offset potential environmental impacts? pg. 16
- iii. Prior to implementing requirements for 360,000 properties to comply with new regulations, please consider a short term alternative for voluntary participation or potentially entirely new development including new residential subdivisions and commercial and industrial site plans. pg. 14
- iv. An alternative that requires retirement of a development right, flow credit, or Pine Barrens Credit, in cases of substandard subdivisions, increases in density or land use intensity, should be considered prior to implementing regulations that require alternative treatment systems. pg. 17
- v. In the potential alternative for the County to acquire land through open space funding in the defined "priority area," please consider referring to recent amendments to the Community Preservation Fund (CPF) that allow a percentage of funds to be used toward water quality improvement initiatives. Clarify if funds in the CPF would be available for use in this project. In addition, please consider a recommendation to or alternative for municipalities, including Towns and Villages in the County where a CPF does not exist, to explore and consider establishing a CPF to manage the acquisition of priority areas. This may provide a revenue source to acquire land in priority areas and minimize financial impacts to residents in priority areas. pg. 15

(d) Subsection 12.0 Project/Site-Specific D/FEIS Requirements

The DGEIS should develop thresholds for potential impacts that may trigger site specific SEQRA analyses. pg. 12

Thank you for the opportunity to comment on the Draft Scope. If you have any questions, please do not hesitate to contact me at (631) 218-1192.

Sincerely,



Julie Hargrave
Principal Environmental Planner

cc: John W. Pavacic, Executive Director, CPBJP & Policy Commission
Judith Jakobsen, Policy and Planning Manager, CPBJP & Policy Commission
John Milazzo, Counsel to the Commission

Center for Conservation
P.O. Box 5125
East Hampton, NY 11973
Tel (631) 329-7689
Fax (631) 329-0215
www.nature.org/longisland

Uplands Farm Sanctuary
250 Lawrence Hill Road
Cold Spring Harbor, NY 11724
Tel (631) 367-3225
Fax (631) 367-4715
www.nature.org/longisland

Mashomack Preserve
P.O. Box 850
Shelter Island, NY 11964
Tel (631) 749-1001
Fax (631) 749-1480

Worldwide Office
4245 North Fairfax Street
Suite 100
Arlington, VA 22203
Tel (703) 841-5300
www.nature.org

December 12, 2016

Ken Zegel, PE, Associate Public Health Engineer
Suffolk County Department of Health Services, Office of Ecology
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

Re: Draft Scoping Document, Suffolk County Subwatersheds Wastewater Plan

Dear Ken:

The Draft Scoping Document for the pending Subwatersheds Wastewater Plan GEIS is continued evidence of Suffolk County's recognition that reduction of nitrogen-loading to groundwater and surface waters is imperative for economic, public health, environmental, and quality of life reasons. The Nature Conservancy applauds the investments that Suffolk County has committed to solving this issue. We appreciate the work that that has gone into preparing the Draft Scoping Document. This letter represents The Nature Conservancy's comments on the draft document; we hope that you will incorporate these comments concerning the draft scoping document. We look forward to continuing our collaborative efforts with Suffolk County as this work continues to progress.

Introduction, Section 1.0

The Draft Scoping Document (DSD) states that "Changes to the County Sanitary Code will enable the Suffolk County Department of Health Services (SCDHS) to implement the wastewater treatment technologies required to achieve the nitrogen reduction goals."

This should be rephrased. It is important for the County to acknowledge that it alone does not bear either the full responsibility or full ability to "achieve the nitrogen reduction goals" that will be necessary to end the scourge of harmful algae blooms and other water quality problems caused by excess nitrogen.

While action by the County is necessary "to achieve the nitrogen reduction goals," it will not be sufficient, because 1) the needed reductions are so great that they exceed the reductions that can be achieved through wastewater technology upgrades subject to County jurisdiction (e.g., wastewater reductions by state and federal entities not subject to the County's jurisdiction; fertilizer reductions by farmers, landscapers, homeowners, and businesses; water reuse projects; wetland restoration; greater use of buffers; Nassau County and CT actions; etc.); 2) for the County's proposed technology upgrades to be effective, community and stakeholder input and cooperation will be essential; and 3) whether or not the County creates the proposed Subwatersheds Plan, there will be independent actions taken by other governmental entities such as Suffolk's ten towns, especially now that five of those towns have an independent source of funding for water quality improvement projects (the Community Preservation Fund), not to mention EPA-driven efforts such as the Long Island Sound and Peconic Estuary TMDLs.

pg. 1

Once again, thank you for the opportunity to provide public comments on these draft reports. Since the days just prior to Sandy the Department of Interior staff from several agencies have done fantastic work in both managing the park during challenging times, as well as compiling a pool of multi-agency monitoring and assessment data that has been critical in this process. We thank you for your efforts and look forward to working with you moving forward.

While we realize that the Scoping Document applies in the first instance to proposed County action, it is important to place this action in the broader context because that context gives distinctive meaning to the alternatives that the GEIS must address. Jumping ahead to that point, while the County may take "no action," other governments and private entities certainly will take action, which is a factual situation that must be taken into account in the GEIS. Key roles the County can play are to inspire and coordinate other actions, make them more efficient, and reduce conflicts among jurisdictions that would present burdens for technology suppliers and maintenance providers, businesses, and homeowners. There is really no such thing as a "no action" alternative. It should more accurately be termed an "action by others without County leadership" alternative.

In sum, the Introduction should recognize that County action is but a part of a comprehensive, multi-level nitrogen reduction effort that will go on in some form whether or not the County creates the proposed Subwatersheds Plan.

Proposed Action, Section 2.0
Recommended Wastewater Management Strategy, Section 1

All of the discussions to date concerning the need for a Subwatersheds Plan have stressed that it is part of a broad strategy to bring about significant and meaningful nitrogen reductions throughout the County, beginning with priority zones. The ultimate goal, however, is for the use of I/A technology including shallow drainfields to be the new norm everywhere in Suffolk County. The DSD and GEIS should make this clear.

pg. 17 While we understand that the main focus is on the three wastewater management alternatives mentioned in this section – "Innovative/alternative onsite wastewater treatment systems (I/A OWTS); Clustered/decentralized ("Appendix A") systems; and, Sewage Treatment Plants (STPs), to include only currently proposed projects," we urge a broad construction of the phrase "currently proposed projects." A project should be considered "proposed" if it has been seriously discussed, including, for example, the proposed expansion of the Oakdale STP and Greenport STP. These projects should not be subject to a separate process if conditions allow them to move forward.

The section lists the following "scenarios":

- Cesspool failure;
- New construction;
- Property transfer;
- Grandfathered residential sites with legacy cesspools;
- Grandfathered residential sites with lot sizes below current Sanitary Code requirements;
- Grandfathered Other Than Single Family Residential sites including grandfathered SPDES and failed denitrification system sites; and,
- Phased upgrades within the tiered priority area boundaries defined in the SWP.

A few of these terms warrant revision and definition.

pg. 3 First, the problem with cesspools is not "failure." Cesspools contribute to nitrogen pollution whether or not they have technically "failed." Numerous scientists, town governments, and county documents have recognized this fact. Conventional septic systems are only marginally better than cesspools when it comes to nitrogen reduction from wastewater inputs. It is important for the County to be a strong voice on this key point, which is often misunderstood by the media and others. We ask that you replace "cesspool failure" with the following two items:

- Homes and businesses with cesspools
- Homes and businesses with conventional septic systems

replacement of "failing" systems. All cesspools and conventional septic systems should be defined as substandard with respect to nitrogen emissions.

Innovative/Onsite Wastewater Treatment Systems, Section 3

We recommend the following changes:

- Replace "will likely be" with "is expected to be" in the following sentence: "The use of I/A OWTS will likely be expanded to Other Than Single Family Residential properties that meet the allowable flow/design limitations of approved technologies."
- Include discussion of shallow drainfields as a necessary component of I/A systems, with a variance being required in the future for a leaching pool if a site is completely limiting. Once standards are drafted for drainfields, attention can be given to issues such as setbacks.

Clustered/Decentralized Systems, Section 4

As stated above, use of the phrase "grandfathered sites" is too vague and should be clarified. Is the DSD referring to establishments whose flows were previously grandfathered, or to future applicants for grandfathered flow? And, the question whether to require better nitrogen reduction treatment at grandfathered sites (past or future) is a separate matter. Per the 2005 internal memo, the County already has the power to do that.

Advanced Wastewater Treatment Pilot Areas, Section 6

In this section, we recommend adding other somewhat novel approaches to nitrogen reduction, including, but not limited to, water re-use, resource recovery from waste water (e.g. efforts to use macro algae as fertilizer), urine-diversion and composting toilets, botanical treatment projects, wetland restoration, and buffers along water bodies, especially at agricultural sites. There is potential to utilize wastewater for irrigation in a way that both reduces pumping of potable water and adds extra treatment to waste water, thus reducing pollution.

In the bullet points, expand "New York State and Suffolk County owned parks" to "state, county and other municipally owned properties, including parks" because it is not only parks where there is the potential for the County to work with other levels of government, and on properties that are not privately owned. Also, include reference to other taxable districts and uses such as libraries, fire districts, school districts, etc.

Purpose and Need, Section 3.0

There is a strong public health component to the nitrogen-reduction effort given that 1) excess nitrogen is a known direct cause of blue baby syndrome, 2) cyanobacteria caused by excess nitrogen has been documented to cause a variety of human health problems from rashes to respiratory problems to kidney failure to death, and 3) consumption of shellfish affected by toxic algae can lead to sickness and even paralysis, among other health problems. Research is ongoing into linkages between toxic algae, cancer, and muscular degenerative diseases.

Accordingly, the Purpose and Need section should include public health. Further, although mentioned at the bottom of page 7 and top of page 8, it is worth highlighting in Section 3.0 that the goal is also to reduce contamination of drinking and surface waters from other constituents of wastewater, such as pathogens, pharmaceuticals, and personal care products.

Generic Environmental Impact Statement Outline, Section 4.0

To the extent that the issues mentioned in this section can be addressed in a general way, they should be. It will help for the public to see that the County has considered a variety of factors, with reference being made to the site-specific issues that would need to be addressed in supplemental SEQRA reviews. The GEIS could do a good service

Grandfathering

pg. 12 We have a number of comments regarding "grandfathering" or non-conforming, preexisting usages. Grandfathering is a fuzzy concept that should be used minimally and with care. People use the word to mean different things, such that clarity is extremely important in the GEIS.

We support the County's proposal to eliminate grandfathering of all kinds and require nitrogen-reducing technology for previously grandfathered properties. We understand that there may be a gradual process of narrowing the scope of grandfathering for commercial properties in the process of getting to complete elimination of this automatic variance from current standards and requirements.

There are different types of grandfathering as set forth in Article 6, section 609(B), and there are further variations when one includes decisions made through the variance process. Residential "grandfathering" differs from commercial "grandfathering" in that most residential "grandfathering" results from a pre-1981 lot. Accordingly, we do not see what is gained by referring to such residences as "Grandfathered residential sites with legacy cesspools." Virtually all cesspools in the County are "legacy" in that they are not currently authorized under the County's wastewater standards. Why is the word "legacy" needed or useful here? If the County is concerned that equity should not require replacement of a recently installed cesspool (which would only have been allowed as a replacement-in-kind of an older cesspool), that can be handled with a separate provision.

With respect to commercial grandfathering, it is important to state whether the County is referring to existing commercial establishments operating with flows previously grandfathered, or future applicants for grandfathered flow. The County has elsewhere proposed to narrow and potentially eliminate the grandfathering allowance set forth in Article 6, and it should consider in the GEIS the complete elimination of grandfathering. That, of course, would apply prospectively, not retroactively. However, the use of better technology or a cluster system can be required both prospectively for any newly grandfathered usage, and retroactively for any previously grandfathered establishment. We believe the County's 2005 internal memorandum concerning grandfathering makes this clear, and no new regulations beyond the approvals the County has already authorized would be necessary—though it is certainly prudent to document the requirement and announce the policy clearly.

pg. 17 The phrase "failed denitrification system sites" requires elaboration in the bullet point "Grandfathered Other Than Single Family Residential sites including grandfathered SPDES and failed denitrification system sites." The phrase should be defined. The GEIS should say where these sites are and how they have been measured.

pg. 3 There are other categories that should be included, such as all existing non-residential establishments with cesspools or conventional septic systems, and also the category of large-capacity cesspools which the EPA has considered illegal for over ten years yet remain throughout the County.

pg. 14 Finally, the use of shallow drainfields should be included, in place of cesspits.

Water Quality Protection District and Responsible Management Entity, Section 2

pg. 3 For the reasons stated above, the words "failed" and "legacy" should be removed from the following bullet point:

- Provide a funding mechanism, such as low interest loans or grants, for the replacement of legacy cesspools or failed conventional sanitary systems by I/A OWTS;

There is a difference between reactive and proactive upgrades of cesspools and conventional septic systems. A "reactive" approach would tell a homeowner with a "failed" system — either cesspool or septic—that s/he must install an I/A system in its place. A proactive approach will mandate upgrades, perhaps in priority areas at first, but overtime becoming the norm. A "funding mechanism" is necessary only with respect to the proactive upgrades to the extent that individual homeowners cannot afford the cost of the upgrade. Proactive upgrades are absolutely necessary if there is to be nitrogen reduction at a scale that makes a difference to our groundwater and surface waters—and funding assistance should not be limited to "legacy" cesspools or

by giving a general outline of what is already known, the policy actions that logically respond to the problems, and the issues and specific questions that need to be answered in the supplemental SEQRA processes.

Existing Environmental Setting

Add to the first set of bullet points:

- Suffolk County Water Authority information, data, forecasts, etc.
- Relevant data from non-profits and academic institutions, such as nitrogen-load models and studies of nitrogen impacts on wetlands and seagrass

Add to the "Physical Environment" bullet points:

- Water withdrawal from public and private wells
- Sediment characteristics

Potential Impacts of Proposed Action

- Under "Land Use," the list of "regional and county water protection programs" should include the Long Island Committee for Aquifer Protection (LICAP)
- In the discussion of "Groundwater and Surface Water," we recommend making more of the fact that better wastewater treatment of nitrogen will also have benefits by reducing pathogens and other contaminants. The extent to which this is true will depend on the technology and contaminant, but in general there should be more awareness that several water quality gains can be achieved through better water cycle and wastewater management.
- The impacts of pumping water from one subwatershed and discharging it into another subwatershed may also be something that needs to be considered.
- Regarding the section entitled "Human Health (Contaminant Exposure/Hazardous Materials)," the human health impacts are far greater than spills, as noted above. The human health section should not be limited to "contaminant exposure/hazardous materials" but should include the range of diseases from direct ingestion of nitrogen to contact with toxic algae caused by excess nitrogen, either through recreational contact, shellfish and fish consumption, or other means.
- "Economics" is outlined in unjustifiably narrow terms. Water quality undergirds Long Island's economy in many respects: some 40% of the island's businesses are considered water-dependent—either freshwater or surface waters. Real estate values are influenced by water quality. That means property tax revenues depend on water quality, as does the multi-billion-dollar tourist industry of Long Island. If water quality deteriorates further, all of these economic indices will suffer. Accordingly, the costs of not acting to reduce nitrogen to necessary levels must be considered in addition to the "potential economic benefits" of improved water quality.

In terms of economic benefits, there should also be consideration given to the economic gains that will arise from a more professionalized wastewater industry that is client-focused and requires better maintenance and monitoring and potentially pumping. This new industry will create jobs from design to permitting to installation and maintenance workers.

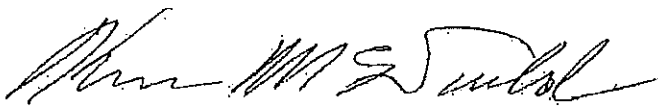
Alternatives Analysis

As referenced in our introductory paragraph, the "no action alternative" does not really exist. It implies that if the County does not act, no one else will—and that is simply incorrect. The County has already approved Section 19 of the sanitary code and has authorized new I/A technology, such that towns may require use of these systems, and individuals may install them voluntarily. Further, the Long Island Nitrogen Action Plan will propose certain actions, if not require them, and the same can be said with the Long Island Sound and Peconic Estuary TMDLs. (And additional TMDLs may be created in Suffolk County related to nitrogen on the basis of the State's compliance with the federal Clean Water Act.) Accordingly, "no action" is not really possible. The "no action" alternative here is really no action of the sort proposed, or no additional action at this time, but what exactly does that mean? No

subwatersheds delineated, no goals set, no amendment to Articles 5 and 6, no attempts at uniform implementation, etc.—or the undertaking of these tasks by other entities? The absence of active County involvement while others act is a separate alternative that must be addressed in the GEIS.

In conclusion, The Nature Conservancy offers its appreciation to Suffolk County for your leadership in advancing solutions to the islands water quality crisis. Moving forward, The Nature Conservancy is committed to as well as continue working with the county and others as these efforts progress.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McDonald". The signature is fluid and cursive, with a large initial "K" and "M".

Kevin McDonald
Conservation Policy Advisor
The Nature Conservancy, Long Island Chapter

cc
Peter Scully

Taylor, Maryanne

From: Sara Davison <Sara@friendsofgeorgicapond.org>
Sent: Friday, December 02, 2016 10:10 AM
To: Zegel, Ken
Subject: Wastewater Scoping Session

pg. 16

Dear Ken,

I learned alot and was very impressed with the detail of your scoping session and document. Friends of Georgica Pond Foundation will submit brief written statements by Dec 13. At your suggestion, I will work with Bridget Fleming and Kim Shaw, to get all the Georgica Pond data to them for consideration in your planning. Our preliminary thinking is that we want to advocate for voluntary upgrade of septic systems (+/- 75) around the pond in the coming year and the look for partnerships with the Town CPF and County within critical areas of the watershed, especially the commercial district of Wainscott.

Let me know if this makes sense!

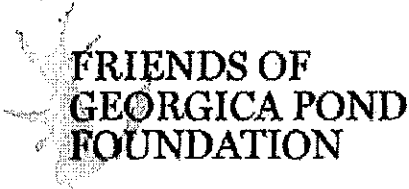
So nice to meet you.

Sara Davison

Executive Director

Friends of Georgica Pond Foundation, Inc.

"To preserve the Georgica Pond ecosystem for future generations through science-based, watershed-wide policy and restoration"



Taylor, Maryanne

From: Dan Gulizio <dan@peconicbaykeeper.org>
Sent: Monday, December 12, 2016 1:19 PM
To: Zegel, Ken
Cc: Taylor, Maryanne
Subject: DRAFT Scoping Document - GEIS Suffolk County Subwatersheds Wastewater Plan
Attachments: PastedGraphic-1.tiff

Ken,

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Below please find public comments related to the County's recently released DRAFT Scoping Document associated with the Generic Environmental Impact Statement (GEIS) for the Suffolk County Subwatersheds Wastewater Plan. Please incorporate these comments into the public record for the GEIS.

SEQRA mandates that a lead agency identify the relevant areas of environmental concern, take a "hard look" at any potential impacts and provide a reasoned elaboration for its conclusions. In the process, the lead agency is obligated to consider a variety of potential impacts including short-term, long-term, primary, secondary and cumulative impacts. Cumulative impacts include any potential impacts associated with "reasonably related" actions. In this case, there are a host of reasonably related actions that should be considered in conjunction with the GEIS for the subwatersheds wastewater plan. In addition to the County's water resources management plan, this should include as a minimum the following:

- Reclaim Our Waters Initiative - The Subwatersheds Study was described as a "sub-component" of the County Executive's Reclaim Our Waters Initiative. As such, the potential impacts assessed in the GEIS should include all reasonably related actions contained within the broader policy document referred to as the Reclaim Our Waters Initiative.
- Comprehensive Water Resources Management Plan - The County has recently released a "Comprehensive Water Resources Management Plan" which has served as the foundation for initiatives like the Subwatersheds study. However, the Water Resources Management Plan has never been adopted by the County, nor have the potential environmental impacts of its recommendations been reviewed under the State Environmental Quality Review Act (SEQRA). Resource management plans are defined as Type I Actions under SEQRA. As such, if the County's water resources management plan is to be used to support amendments to the sanitary code or studies such as the subwatersheds wastewater plan, it should be analyzed under SEQRA in conjunction with the subwatersheds study.

- The Sanitary Code - Recent and ongoing updates to the Suffolk County Sanitary Code are a direct result of the information prepared and analyzed as a part of the comprehensive water resources management plan. Segmentation is inconsistent with SEQRA and the division of reasonably related actions like the update of the sanitary code, the release of the water resources management plan and the subwatersheds wastewater plan represents an impermissible segmentation of these reasonably related actions.
- Sewer Capacity Study - The County has previously prepared a sewer capacity study that analyzed the expansion of existing sewage treatment plants and the potential development of new systems. Sewer capacity and the permitting of innovative alternative on-site wastewater systems are also reasonably related actions to the subwatersheds study. Accordingly, the impacts of these plans should be considered in conjunction with the subwatersheds study.
- County Comprehensive Plan - The County recently adopted a new comprehensive plan. Land use plans are Type I Actions under SEQRA. Despite this fact, the County deemed the adoption of the plan a Type II Action. Since resource management is a necessary component of a properly prepared comprehensive plan, the recently released water resources management plan should be considered a component of the County's Comprehensive Plan. The potential environmental impacts of the comprehensive plan should be considered in conjunction with the GEIS for the subwatersheds study.
- County Regional Transportation and Development Plan - The County recently released a "Regional Transportation and Development Plan" which details infrastructure needs and potential economic development opportunities. This study, the comprehensive plan, the updates to the sanitary code and the sewer capacity study are all reasonably related actions under SEQRA. Accordingly, all associated potential impacts including cumulative impacts, should be considered at this time.
- Bergen Point Expansion - The County recently approved a 10 million gallon per day expansion of the Bergen Point STP. In addition, the County is currently considering a 7-mile main extension from the Bergen Point Plant to the project known as the Ronkonkoma Hub. This project also includes a second main for the connection of both existing and proposed development along Veterans Memorial Highway. These are also reasonably related actions under SEQRA, the cumulative impact of which has never been assessed. Accordingly, the GEIS for the subwatersheds study should incorporate these actions as well.

In summary, the County is in the process of expanding sewerage, implementing innovative on-site wastewater systems and updating the sanitary code. All of these reasonably related actions will impact water resources throughout the County. The County has an obligation to assess the

cumulative impact of these reasonably related actions and, in particular, development-related impacts resulting from increased wastewater capacity. To date, it has failed to do so. The subwatersheds wastewater plan represents an opportunity to secure compliance with SEQRA. We recommend that the scope of the GEIS be expanded to consider the full range of potential environmental impacts consistent with SEQRA.

Thank you for the opportunity to provide comments.

Sincerely,
Dan Gulizio

Your Clear Voice for Clean Water

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There's a 60 day review period with a public meeting in the middle at that end of next summer. Final GEIS will be prepared and posted. There will be an approximately 15 day comment period on the final document. And the finding statement will be prepared sometime next November. And with that, I think we are at up to public comments.

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MR. KAUFMAN: Okay. We're going to ask for the public scoping part of the presentation. I have two cards and one legislator, so maybe I'll give everybody a few more minutes. The first gentleman to be called up is Kevin McDonald from the Nature Conservancy.

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MR. MCDONALD: Kevin McDonald. I'm with the Nature Conservancy. We'll be submitting formal comments before the 13th. A couple of general observations. Obviously we support the general strategy over sub-watershed by sub-watershed nitrogen reduction strategies. Before you

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can do that, you have to know, you know,

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what your load is, where they are coming

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from and your alternatives. So a couple

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of general comments. There is a fair

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amount of detail committed to the term

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grandfathering and the terms for legacy

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contamination. And in an effort to

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simplify this, it's the very existence of

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onsite base disposal systems and their

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current technology that is responsible for

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the problem we have.

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 Making distinctions between all these

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technologies is probably a distinction

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without a difference. So, simplify this a

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little bit and just say all these things

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cause all these problems and now they need

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to be mitigated, that's one. The second

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is, I was pleased to see that the scoping

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document has a couple of areas where you

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will be doing existing conditions and

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potential build out.

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 And the other thing I would ask you

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consider in the context of your plan while

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you're doing this with the municipalities

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is ask them where they want to have growth centers and tell everybody that up front so that everybody else going forward should assume that the zoning in their communities is in fact what it should be going forward and you can build a model for the present zoning that maybe there. I understand that's a loaded question to ask, but I think the public has a right to know that.

And then a final major comment is for the, you know, the ecological standards that you have identified we fully support that. I know there's a series of different people having conversations about how to articulate that based on work in other parts of the county which is great. But getting those targets with a measure of safety or a measure -- an additional measure of safety in case you -- you can't measure right up to one pound per acre applied and be comfortable knowing that's right. So the EPA typically has an error bar that you need

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pg. 15

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to have in there to assure success and it would be great to have some discussion on that.

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And I wish you all well in your pursuit. This is really important. This is something the Peconic Estuary Program has been looking to do for a while. I understand this is being integrated and that's great. And I look forward to working with everybody here and the good product that we hope will be produced at the end of the day. Thank you.

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MR. KAUFMAN: Thank you, Kevin. We appreciate your comments. I have a Cy Consella (phonetic), Wainscott Citizens.

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MR. CONSELLA: I'm representing a number of residents from Wainscott. Wainscott has two important areas of environmental significance; namely, Georgica Pond and Wainscott Pond. You may have read a lot about Georgica Pond in the press over the last year or so. Sarah Davis, who is a colleague of mine that sits on the environmental subcommittee of

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the Wainscott Citizens Advisory Committee,
3 is also here. Sarah has been president of
4 the Friends of Georgica Pond.

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Where we are in Wainscott, the
cesspool system is incredibly important to
us. Give you an idea, my home was built
225 years ago and last year we had to
replace our cesspool system. I don't
believe it was built 225 years ago, it was
probably built 100 years ago. But it was
pretty close to collapse. Cost quite a
bit of money for us to put in. And when
we did it, we wanted to put in a nitrogen
reducing system because we were fully
aware of all the problems that were
happening with nitrogen load in Wainscott
an Georgica Pond, and also around the
broader area, you know, the massive fish
kills due to hypoxia, the turtles that
have died through toxins, et cetera.

So what we're talking about is
incredibly important. I don't know
whether any of you can see that map there,
but that's water flow district of

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Wainscott. There's Georgica Pond and

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that's Wainscott Pond there.

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There's a lot of fishing that goes on, especially crabbing, in Georgica Pond.

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The last two years Georgica Pond has been closed to that activity. When I first

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moved up to this part of the world 10

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years ago, we used to go fishing for white

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perch and ate it straight out of the pond,

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it was delicious, and the crabs of course,

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but you can't do that anymore due to

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saxitoxin.

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Wainscott Pond, the smaller pond here

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is a wildlife refuge. Nobody goes there,

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it's just given over to the birds and

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things. There are otters there, snapping

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turtles, terrapins, all sorts of migrating

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birds et cetera. All of that is at risk

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because there too much nitrogen in the

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system. But it's worst than that because

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there's also the evidence of cyanobacteria

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in the groundwater for the first time that

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I have known, first time that I think

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Dr. Gobler knows of as well.

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So that's creating a new dynamic. We

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don't know whether that's a result from

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salt water intrusion or too much

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irrigation or too much phosphorus or

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whatever it results from. But what we do

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know is that we need to study it further

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to find out exactly what's happening in

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the pond, exactly the impact of what we're

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putting into the ponds.

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We use to have a saying in Australia

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where I grew up, don't shit in your own

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backyard. And I hate to say it, but

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that's what we're doing too much of.

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MR. KAUFMAN: I thought you were from

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Brooklyn.

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MR. CONSELLA: We have got to think

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of a way to live in our environment in a

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more friendly way because there are more

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of us that live there. The only other --

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I won't talk too much, but the only other

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thing that I'll bring to your attention is

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this graph here. I know you won't be able

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to read it but hopefully see some of the

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lines. I just want to point out two lines

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on this graph.

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You can see down at the bottom of this graph there's a red line down the bottom. That red line is the New York State DEC threshold for cyanobacteria in the water for recreational activities, 20 parts, 20 micrograms per liter. This line here goes up to here. That's the cyanobacteria that's being detected in Wainscott Pond just this last summer.

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It's peaked at about 500 micrograms per liter which is 25 times the New York State DEC limit for recreational activities. What I was worried about and what Dr. Gobler and myself and Sarah's group have been working on, is trying to avoid a massive die off in the ponds, especially Wainscott Pond.

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Georgica Pond is suffering but I think it will come back. Wainscott Pond, I simply don't know what's going to happen next year. The wild life I believe is in a desperate state. Also the quality of our drinking water because the ground

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2 water ponds are a lot of private wells.
3 And whatever we doing to the surface,
4 whatever all the residents are doing
5 around the ponds, it makes its way into
6 the private wells.

7 MR. KAUFMAN: Sir, you time just
8 about up.

9 MR. CONSELLA: I would like to thank
10 very much the Suffolk County Executive for
11 taking this so seriously and putting
12 together those plans. And if there's
13 anything that we can do to help, we will.
14 But we also need your help to solve the
15 problem.

16 MR. KAUFMAN: That's what we're here
17 for. Okay. Legislature Al Krupski. I
18 normally give everybody three minutes.
19 You get 180 seconds.

20 MR. KRUPSKI: Thank you. I just want
21 to compliment everybody who is involved in
22 this and putting it together. It's
23 really, I think it's very comprehensive
24 and it shows a lot of work and a lot of
25 acknowledgement of the input that you have

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received so far and I think that's really important.

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If you could add under Section, though, if I could suggest adding under Section Two, there's a place here where it says recommended wastewater management strategy. And I think if you add ~~brief~~ ^{recon} instruction to that list I think it would be appropriate. Under cesspool failure, infrastructure, property transfer, I think that wouldn't be such a bad thing.

And then just to urge you when you -- it does say using all the under existing environmental settings make sure that you use the most current data. That's really important. I know there's a lot of reference to different modelling. But, you know, if you put bad information in the model, it's going to be very inaccurate and misleading. So it's really important to use the most recent testing and data for that. Thank you. Thank you for your efforts though, it's a very nice draft.

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MR. KAUFMAN: I have one more card unless anyone else has any other cards. I have a Mr. Kevin McCallister, Defend H20.

MR. MCCALLISTER: Good evening, everyone. Let me start by saying I'm very pleased with the scope. I think it's extremely comprehensive. I know obviously the capability of the consultant on looking at the sub-watershed analysis. Very likely you have covered this and in looking at the scope document, I know you have. But I would like to fill in some blanks or at least emphasize a few points.

The evaluation of the end loading, you have covered all the inputs, fertilizer, wastewater of course. I think it's important to look at various scenarios of the current conditions, what is that load? With Article 19 we have the striving for the 19 milligram per liter threshold. You know, what does that mean across the board? A below 10 milligram per liter, I think we need to flesh out the commercial input versus the

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residential input.

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So, you know, to have all these scenarios laid out with respect to what the various loads. Surface water sensitivity, you have covered it but I am a strong proponent of numeric nutrient standards. I know that is State driven. Back in 1987 there was an EPA directive to the states to move away from a narrative standard which is very subjective to a numeric standard.

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Unfortunately that is not part of this. I realize that is a State directive that has to happen. We know what those numbers are. I believe they need to be assigned and promulgated into law.

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Cost benefit analysis; I know this factors into the IA systems, sewerage, et cetera. But I do think that you really -- the science has to be at least initially de-coupled from the cost benefit analysis. You know, let's define the loading and the various scenarios, the various remedies. Put aside the cost benefit and then

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ultimately bring that in obviously as

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we're developing policy and what the

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meaningful actions would be.

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Triggers for the upgrades; mandates,

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time of property transfer. You know, all

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these scenarios, of course, will be

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considered. And I think it should go a

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step further actually identifying what the

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reductions would be based on what the

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reasonable timelines are. We probably

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pg. 15

have an idea of what the property transfer

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is. I recall some years ago and I don't

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know if it's a national level, but every

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seven years was a property transfer.

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What is that in Suffolk County and

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how quickly do we, I guess, achieve the

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goals in nitrogen reduction?

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Grandfathering, you know, this is in my

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opinion a, you know, the 500 pound gorilla

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in the room. We really need to address

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pg. 17

it. I know it's being discussed. The

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County is examining it. But ultimately,

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you know, goal has to be to eliminate

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grandfathering to ensure that, again, we

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are striving for the greatest reduction

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possible.

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This maybe an omission, perhaps not,

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sea level rise and coastal inundation.

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Pg. 15

That has to be factored in into these

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areas. Using the various projections from

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the State, they have these in place. They

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have not been promulgated into law,

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there's been a delay unfortunately. But,

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you know, ultimately as we're dealing

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with, you know, particularly that zero to

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two year travel time, what does mean in 20

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years does?

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It make sense to be really installing

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these various systems? What type of

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systems need to go into those zones? So I

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think that's a really important element

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that needs to be incorporated. And lastly

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sewering. And I know that's, again, one

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of the strategies with IA systems.

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What are the build out scenarios?

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And I know, Maryanne, you did disclose

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that as part of it. But let's not look at

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a static system and say, well, we

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2 incorporated sewer district in this
3 particular watershed, here's our
4 reduction. Well, what does what mean for
5 ultimate build out for potential increased
6 density? So that has to be factored in
7 when we are considering, you know, what
8 the appropriate approach is for nitrogen
9 reduction in these various watersheds.

10 And lastly I would say an excellent
11 job, I'm very pleased and I'm pleased that
12 there is a tight timeline that this is
13 moving along and that's wonderful news.
14 And I realize there's, you know, a great
15 deal of work here, great deal of expertise
16 is contributing to this process and I'm
17 very optimistic that, you know, when we
18 reach the final product we'll have a real
19 strategy to reclaim our waters. Thank
20 you.

21 MR. KAUFMAN: Right under the
22 deadline. Okay, anybody else?

23 MS. GLASS: My name is Barbara Blass,
24 B-L-A-S-S. I'm a resident of Jamesport
25 and I'm much less technical. Just a very

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2 brief comment, as you know, the five east
3 end towns recently adopted the Community
4 Preservation Fund and part of that
5 amendment or an amendment to it, part of
6 the amendment was an authorization to
7 allow up to 20 percent for water quality
8 improvement projects. And as a result of
9 that, each of the Towns adopted their
10 local law and part had to identify
11 projects within their towns and Action
12 Plans for priority areas. And the project
13 themselves involved with nitrogen
14 reduction.

15 And I guess my comment is loosely
16 related to consistency with local adopted
17 plans. Each of the five east end towns
18 has a loose plan where they have
19 pg. 16 identified priority areas and projects
20 which would be eligible to receive monies
21 through the CPF. And I'm just wondering
22 how they are going to interface with your
23 priority areas and just a general
24 understanding of how it's going to work
25 together.

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MR. KAUFMAN: We can't answer that question at this point in time, but it is something that will be answered in the Scope when it's finally prepared after the Health Department and the consultant go over it and try and figure out the answer.

MS. BLASS: Thank you so much.

MR. KAUFMAN: Okay. Anybody else? Going once, going twice, sold. Okay. My duty now is to officially close the public scoping on behalf of the Council on Environmental Quality. And we're closed, we're finished. Thank you. Thank you everyone for coming.

(Time noted: 7:04 p.m.)

oOo

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

LAWRENCE SWANSON
CHAIR
CEQ

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
Honorable DuWayne Gregory, Presiding Officer

FROM: Lawrence Swanson, Chair *LS*

DATE: February 28, 2017

RE: CEQ Review of the Proposed Port Jefferson – Wading River Rails to Trails Pedestrian and Bicycle Path, CP 5903, Town of Brookhaven, Town of Riverhead and the Village of Shoreham

At its February 15, 2017 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Jeff Dawson, Associate Civil Engineer, Suffolk County Department of Public Works and Eileen Kelly and Steve Normandin from NV5 – Technical Engineering and Consulting Services, the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 9-2017, a copy of which is attached, that the proposed project be considered a Type I Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation that the project will not have a significant adverse impact on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is a Type I Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 9-2017 Which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>

If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators
Jason A. Richberg, Clerk of Legislature
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Sarah Lansdale, Director of Planning
Andrew Freleng, Chief Planner
Dennis Brown, Suffolk County Attorney

CEQ RESOLUTION NO. 9-2017, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED PORT JEFFERSON – WADING RIVER RAILS TO TRAILS PEDESTRIAN AND BICYCLE PATH, CP 5903, TOWN OF BROOKHAVEN, TOWN OF RIVERHEAD AND VILLAGE OF SHOREHAM

WHEREAS, at its February 15, 2017 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by Suffolk County Department of Public Works; and

WHEREAS, a presentation regarding the project was given at the meeting by Jeff Dawson, Associate Civil Engineer, Suffolk County Department of Public Works and Eileen Kelly and Steve Normandin from NV5– Technical Engineering and Consulting Services; and

WHEREAS, Suffolk County proposes to construct an approximately ten foot wide paved shared use path within an approximately 30 foot wide easement; and

WHEREAS, the shared use path is proposed to be sited within an approximately ten mile long strip of abandoned Long Island Rail Road right-of-way which is presently owned by the Long Island Power Authority (LIPA) and used as an electrical distribution right-of-way, and

WHEREAS, the shared use path will also include an approximately 950 foot section in Rocky Point that will be located on-road due to the lack of an accessible LIPA right-of-way in that location; and

WHEREAS, the shared use path will be designed to provide safe access and travel needs for bicyclists and pedestrians; now, therefore be it

1st RESOLVED, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed activity be classified as a Type I Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed project will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;

3. The proposed project location does not appear to suffer from any severe environmental development constraints (limiting soil properties, high groundwater table and/or unmanageable slopes);
4. The proposed land use trail is proposed in a location that has previously been disturbed and all stormwater runoff from the proposed project will be maintained onsite;

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 2/15/2017

PROJECT #: DPW-10-2016-16
RESOLUTION #: 9-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank De Rubeis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Doall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constance Kepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Type I Action, Negative Declaration

Motion: Mr. Kaufman

Second: Mr. Doall

Further information may be obtained by contacting:

Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

LAWRENCE SWANSON
CHAIR
CEQ

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
DuWayne Gregory, Presiding Officer

FROM: Lawrence Swanson, Chair *LS*

DATE: February 28, 2017

RE: CEQ Review of the Proposed Suffolk County Sewer District No. 7 – Medford, CP 8194,
Town of Brookhaven

At its February 15, 2017 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Ben Wright, Principal Civil Engineer, Suffolk County Department of Public Works the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 10-2017, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action constitutes an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 10-2017. Which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at: <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>
If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators

Jason A. Richberg, Clerk of Legislature

George Nolan, Attorney for the Legislature

Sarah Lansdale, Director of Planning, Department of Economic Development and Planning

Andrew Freleng, Chief Planner, Department of Economic Development and Planning

Dennis Brown, Suffolk County Attorney

CEQ RESOLUTION NO. 10-2017, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD, CP8194, TOWN OF BROOKHAVEN

WHEREAS, at its February 15, 2017 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by Suffolk County Department of Public Works; and

WHEREAS, a presentation regarding the project was given at the meeting by Ben Wright, Principal Civil Engineer, Suffolk County Department of Public Works; and

WHEREAS, the proposed improvements to the Suffolk County Sewer District No. 7 – Medford would take place at the Woodside facility which is one of the two wastewater treatment plants in the Sewer District; and

WHEREAS, the Woodside facility is located on Harrison Avenue which is east of County Road 101 and south of Woodside Avenue; and

WHEREAS, the proposed improvements will be in-kind replacement with a focus on the replacement of the denitrification filter system along with auxiliary equipment, and

WHEREAS, the proposed replacement system will replace an outdated system and provide the capacity to treat sewage from the potential development in North Bellport and the potential sewerage of the Village of Bellport, and

1st RESOLVED, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed project be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed action will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment as demonstrated in the Environmental Assessment Form;
2. The proposal does not significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;

3. The proposed work will replace an outdated system and all work constitutes in-kind replacement and will be located on the same foot-print of the system to be replaced;

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 2/15/2017

PROJECT #: DPW-6-2017
RESOLUTION #: 10-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank De Rubeis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Doall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constance Kepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Kaufman

Second: Hon. Hahn

Further information may be obtained by contacting:

Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

LAWRENCE SWANSON
CHAIR
CEQ

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
DuWayne Gregory, Presiding Officer

FROM: Lawrence Swanson, Chair *LS*

DATE: February 28, 2017

RE: CEQ Review of the Proposed Suffolk County Sewer District No. 22 Hauppauge
Municipal Recharge Facilities Project, CP 8171, Town of Smithtown

At its February 15, 2017 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Ben Wright, Principal Civil Engineer, Suffolk County Department of Public Works and Paul Lappano, Vice President at the consulting engineering company Lockwood, Kessler & Bartlett, Inc the Council advises the Suffolk County Legislature and County Executive, in CEQ Resolution No. 11-2017, a copy of which is attached, that the proposed project be considered an Unlisted Action under SEQRA that will not have significant adverse impacts on the environment.

If the Legislature concurs with the Council on Environmental Quality's recommendation, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action constitutes an Unlisted Action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding this project and needs additional information, the Presiding Officer should remand the case back to the initiating unit for the necessary changes to the project and EAF or submit a resolution authorizing the initiating unit to prepare a draft environmental impact statement (positive declaration).

Enclosed for your information is a copy of CEQ Resolution No. 11-2017. Which sets forth the Council's recommendations. The project EAF and supporting documentation can be viewed online at <http://www.suffolkcountyny.gov/Departments/Planning/Boards/CouncilonEnvironmentalQuality>
If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators
Jason A. Richberg, Clerk of Legislature
George Nolan, Attorney for the Legislature
Sarah Lansdale, Director of Planning, Department of Economic Development and Planning
Andrew Freleng, Chief Planner, Department of Economic Development and Planning
Dennis Brown, Suffolk County Attorney

CEQ RESOLUTION NO. 11-2017, RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION AND DETERMINATION FOR THE PURPOSES OF CHAPTER 450 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED SUFFOLK COUNTY SEWER DISTRICT NO. 22 HAUPPAUGE MUNICIPAL RECHARGE FACILITIES PROJECT, CP 8171, TOWN OF SMITHTOWN

WHEREAS, at its February 15, 2017 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the EAF and associated information submitted by Suffolk County Department of Public Works; and

WHEREAS, a presentation regarding the project was given at the meeting by Ben Wright, Principal Civil Engineer, Suffolk County Department of Public Works and Paul Lappano, Vice President at the consulting engineering company Lockwood, Kessler & Bartlett, Inc.; and

WHEREAS, to alleviate the poor recharge conditions at Sewer District No. 22's wastewater treatment plant said project proposes to abandon the Sewer District #22 wastewater treatment plant facility and pump the wastewater to Sewer District #18 for treatment; and

WHEREAS, the proposed project proposes to connect the wastewater treatment plant at the County Center North Complex in Hauppauge (Sewer District No. 22) to Sewer District No. 18 - Hauppauge Industrial at the intersection of Marcus Avenue and New Highway via the construction of approximately 6,700 linear feet of force main; and

WHEREAS, the control building and emergency generator at Sewer District No. 22's current wastewater treatment plant will remain active and supply power to the new pump station; now, therefore be it

1st RESOLVED, that based on the information received and presented, a quorum of the CEQ hereby recommends to the Suffolk County Legislature and County Executive that the proposed project be classified as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

2nd RESOLVED, that based on the information received, a quorum of the CEQ recommends to the Suffolk County Legislature and County Executive, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, that the proposed action will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment as demonstrated in the Environmental Assessment Form;
2. The proposal does not significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;

3. All work will be performed on the grounds of the existing sewage treatment plant and in existing road right of ways which are areas that have previously been disturbed;
4. The force main trenching and covering will proceed in phases to limit the amount of area that is disturbed per day;
5. All required regulatory permits and approvals will be obtained;
6. The project will alleviate poor effluent recharge conditions due to a high water table and poor soil percolation at the current Suffolk County Sewer District # 22 sewage treatment plant which is close to the Nissequogue River headwaters;

3rd RESOLVED, that it is the recommendation of the Council that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration).

DATED: 2/15/2017

PROJECT #: DPW-9-2017
RESOLUTION #: 11-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank De Rubeis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Doall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constance Kepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Recommendation: Unlisted Action, Negative Declaration

Motion: Mr. Kaufman

Second: Hon. Hahn

Further information may be obtained by contacting:

Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson
Chair
CEQ

MEMORANDUM

TO: Honorable Steven Bellone, Suffolk County Executive
Honorable DuWayne Gregory, Presiding Officer

FROM: Lawrence Swanson, Chair *LS*

DATE: February 28, 2017

RE: CEQ Review of the Recommended SEQRA Classifications of Legislative Resolutions
Laid on the Table February 7, 2017

At its February 15, 2017 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 450 of the Suffolk County Code, and based on the information received, the Council recommends to the Suffolk County Legislature and County Executive in CEQ Resolution No. 12-2017, a copy of which is attached, that the enclosed lists of legislative resolutions laid on the table February 7, 2017, be classified pursuant to SEQRA as so indicated in the left hand margin. The majority of the proposed resolutions are Type II actions pursuant to the appropriate section of Title 6 NYCRR Part 617.5, with no further environmental review necessary. Unlisted and Type I actions require that the initiating unit of County government prepare an Environmental Assessment Form (EAF) or other SEQRA documentation and submit it to the CEQ for further SEQRA review and recommendations.

Enclosed for your information is a copy of CEQ Resolution No. 12-2017 setting forth the Council's recommendations along with the associated lists of legislative resolutions. If the Council can be of further help in this matter, please let us know.

Enc.

cc: All Suffolk County Legislators

Jason A. Richberg, Clerk of Legislature

George Nolan, Attorney for the Legislature

Sarah Lansdale, Director of Planning, Department of Economic Development and Planning

Andrew Freleng, Chief Planner, Department of Economic Development and Planning

Dennis Brown, Suffolk County Attorney

Project # PLN-08-2017

February 15, 2017

**CEQ RESOLUTION NO. 12-2017, RECOMMENDATION CONCERNING
SEQRA CLASSIFICATIONS OF LEGISLATIVE RESOLUTIONS LAID ON THE
TABLE FEBRUARY 7, 2017, PURSUANT TO CHAPTER 450 OF THE
SUFFOLK COUNTY CODE**

WHEREAS, the legislative packets regarding resolutions laid on the table on February 7, 2017 have been received in the CEQ office; and

WHEREAS, staff has preliminarily reviewed the proposed resolutions and recommended SEQRA classifications; now, therefore, be it

1st RESOLVED, that in the judgment of the CEQ, based on the information received and presented, a quorum of the Council recommends to the Suffolk County Legislature and County Executive, pursuant to Chapter 450 of the Suffolk County Code, that the attached lists of actions and projects be classified by the Legislature and County Executive pursuant to SEQRA as so indicated.

DATED: 2/15/2017

PROJECT #: PLN-08-2017
RESOLUTION #: 12-2017
DATE: February 15, 2017

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
Robert Carpenter Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank De Rubeis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Doall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eva Growney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas C. Gulbransen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hon. Kara Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Kaufman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Constance Kepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Ann Spencer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion: Mr. Kaufman
Second: Mr. De Rubeis

Further information may be obtained by contacting:

Andrew P. Freleng, Chief Planner
Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
Tel: (631) 853-5191

L A I D O N T H E T A B L E F E B R U A R Y 7 , 2 0 1 7

LADS REPORT PREPARED BY:

Keisha Jacobs

(Revised 2/8/2017)

- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1026. Authorizing a certain technical correction to Adopted Resolution No. 1167-2016. (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27) 1027. Authorizing use of Smith Point County Park property in 2017 by the Mastics-Moriches-Shirley Community Library's Family Literacy Project. (Browning) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1028. Ensuring full membership on the Environmental Trust Review Board. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27) 1029. Authorizing use of Smith Point Park property by Getco Company, between the Ports and Event Power, Long Island, for a Triathlon. (Browning) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1030. Adopting Local Law No. -2017, A Local Law to improve the real property auction process to encourage smart revitalization by towns and villages. (Calarco) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1031. Approving 2017 funding for a contract agency (Northport Historical Society). (Spencer) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1032. Amending the 2017 Operating Budget and transferring funding to IGHL, Inc. (Calarco) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1033. Amending the 2017 Operating Budget to provide funding for Welcome Friends of Greater Port Jefferson, Inc. (Hahn) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1034. Amending the 2017 Operating Budget to provide funding for Christian Life Center Church. (Pres. Off.) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1035. Approving 2017 funding for a contract agency (Patchogue Medford Youth). (Calarco) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1036. Approving County funding for a contract agency (Medford Chamber of Commerce). (Calarco) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1037. Amending the 2017 Operating Budget and transferring funds to Girls Incorporated of Long Island. (Martinez) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1038. Appointing Clara Macri as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 3). (Anker) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1039. Reappointing Albert Krupski as a member of the Suffolk County Soil and Water Conservation District. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE

- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1040. Appointing Robert Calarco as a member of the Suffolk County Soil and Water Conservation District. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1041. Authorizing certain technical corrections to Adopted Resolution Nos. 915-2016 and 916-2016. (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1042. Reappointing Brian T. Culhane as a member of the Suffolk County Soil and Water Conservation District. (Krupski) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1043. Reappointing member to the Judicial Facilities Agency (Martin R. Cantor). (Pres. Off.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1044. Directing the Department of Economic Development and Planning to assess the effectiveness of economic development incentives in Suffolk County. (Pres. Off.) ECONOMIC DEVELOPMENT
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1045. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Armand Regateiro III and James Regateiro (SCTM No. 0500-179.00-02.00-063.001). (Stern) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1046. To appoint Liz Fanning Holdorf as a member of the Suffolk County Citizens Advisory Board for the Arts. (Pres. Off.) ECONOMIC DEVELOPMENT
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1047. Adopting Local Law No. -2017, A Local Law prohibiting billboards on County roadways. (Krupski) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1048. Declaring April as “Alcohol Awareness Month” in Suffolk County. (Kennedy) HEALTH
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27)
1049. Authorizing the illumination of the H. Lee Dennison Executive Office Building in recognition of alcohol awareness. (Kennedy) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1050. Adopting Local Law No. -2017, A Local Law amending County restrictions on outdoor restraint of pets. (Martinez) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1051. Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Mastic/Shirley Conservation Area (SCTM Nos. 0209-027.00-06.00-052.000 and 0209-027.00-08.00-017.000) – Town of Brookhaven. (Browning) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1052. Adding a member to the Tick Control Advisory Committee. (Fleming) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1053. Authorizing a certain technical correction to Adopted Resolution No. 960-2016. (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1054. Appropriating funds in connection with the Purchase of Heavy Duty and Other Equipment for Vanderbilt Museum (CP 7455). (Pres. Off.) PARKS & RECREATION

- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1055. Approving County funding for a contract agency (Holbrook Chamber of Commerce). (Lindsay) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1056. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Suffolk County Police Department: Assistant Deputy Commissioner of Police (Finance). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1057. Authorizing the Suffolk County Department of Parks, Recreation and Conservation to accept a monetary donation from the Suffolk County Parks Foundation, Inc. to improve and enhance Suffolk County-owned public parks. (Co. Exec.) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1058. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Comptroller by: County Legislature No. 459-2016. (Co. Exec.) BUDGET AND FINANCE
- Unlisted
Action/Negative
Declaration
1059. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component and the Old Suffolk County Drinking Water Protection Program [C12-5(D)] - for the Capital Asset Retirement Fund, LLC and Tristate Capital Holdings, LLC property – Brushes Creek Town of Southold – (SCTM Nos. 1000-127.00-03.00-009.002 and 1000-127.00-08.00-017.002). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
Programmatic
SEQRA Complete
1060. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component and the Old Suffolk County Drinking Water Protection Program [C12-5(D)] - for the Capital Asset Retirement Fund, LLC property – Brushes Creek -Town of Southold (SCTM No. 1000-127.00-08.00-017.003). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
Programmatic
SEQRA Complete
1061. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component and the Old Suffolk County Drinking Water Protection Program [C12-5(D)] - for the Hallock Holdings Corp. property – Brushes Creek -Town of Southold – (SCTM No. 1000-127.00-03.00-010.003). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
Programmatic
SEQRA Complete
1062. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component and the Old Suffolk County Drinking Water Protection Program [C12-5(D)] - for the Jeffry Hallock property – Brushes Creek -Town of Southold – (SCTM No. 1000-127.00-03.00-010.002). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
Programmatic
SEQRA Complete
1063. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component and the Old Suffolk County Drinking Water Protection Program [C12-5(D)] - for the Jeffry Hallock property – Brushes Creek -Town of Southold – (SCTM No. 1000-127.00-03.00-010.002). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE

- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1064. Accepting and appropriating a grant award amendment from the State Education Department, Perkins IV Funds, for the Carl D. Perkins Career and Technical Education Act (CTEA) Program 100% reimbursed by federal funds at Suffolk County Community College. (Co. Exec.) **ADOPTED ON 2/7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1065. Accepting and appropriating a grant award from the State University of New York, for a Workforce Development Training Program entitled "Adchem – Communication Improvement Program," 90% reimbursed by state funds at Suffolk County Community College. (Co. Exec.) **ADOPTED ON 2/7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1066. Accepting and appropriating a grant sub-award from the Research Foundation for the State University of New York (SUNY), Stony Brook University, for a project entitled, "LSAMP: Meeting the Grand Challenge of Preparing Students for Successful Transition into STEM majors and beyond," 100% reimbursed by federal funds at Suffolk County Community College. (Co. Exec.) **ADOPTED ON 2/7/2017**
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27)
1067. Authorizing use of Cathedral Pines County Park by Suffolk Committee for Camping, Inc. for its annual camping rally. (Co. Exec.) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1068. Amending the 2017 Operating Budget and appropriating funds in connection with bonding for a settlement for a liability case against the County. (Co. Exec.) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27)
1069. Authorizing use of Cathedral Pines County Park by Suffolk County Athletic Trainers' Association, Inc. for its SCATA "Fund" Run Fundraiser. (Co. Exec.) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(15)(20)(27)
1070. Authorizing use of Indian Island County Park by Event Power for its Riverhead Rocks Run Fundraiser. (Co. Exec.) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1071. Accepting and appropriating a grant award amendment from the National Science Foundation (NSF) for a project entitled, "Support for Undergraduates at the Community College engaged in STEM Studies" (NSF Stem III), 100% reimbursed by federal funds at Suffolk County Community College. (Co. Exec.) **ADOPTED ON 2/7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1072. Approving the appointment of Philip Dluginski to detective in the Suffolk County Police Department. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Unlisted Action
1073. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Nancy Bieniewicz n/k/a Nancy Marano (SCTM No. 0103-015.00-02.00-004.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action
1074. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Christopher Byrd, as administrator of the Estate of Ernest C. Byrd, Jr. a/k/a Ernest Christopher Byrd (SCTM No. 0200-281.00-03.00-003.000). (Co. Exec.) WAYS & MEANS

- Unlisted Action 1075. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Donald Gaynor (SCTM No. 0100-165.00-03.00-043.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1076. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 3-G Realty Corp. (SCTM No. 0800-086.00-03.00-018.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1077. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Alvin M. McCray, as devisee under the last will and testament of Patricia A. Smith (SCTM No. 0100-040.00-02.00-005.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1078. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jolee Sabella, as administrator of the estate of Vincent J. Sabella (SCTM No. 0200-842.00-02.00-037.000). (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27) 1079. Authorizing appraisal of land under the Suffolk County Drinking Water Protection program, as amended by Local Law No. 24-2007 – Mastic/Shirley Conservation Area (SCTM No. 0209-030.00-03.00-019.000) – Town of Brookhaven. (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Unlisted Action 1080. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purposes (SCTM No. 0100-164.00-03.00-016.004). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1081. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Comptroller by: County Legislature No. 460-2017. (Co. Exec.) BUDGET AND FINANCE
- Unlisted Action 1082. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Arlene Repman, surviving heir of the Estate of Helen Swift (SCTM No. 0500-362.00-01.00-082.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 1083. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Everlina Bradley and John Barnes, Jr., administrators of the Estate of Louvenia Barnes (SCTM Nos. 0100-124.00-04.00-055.000 and 0100-124.00-04.00-056.000). (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1084. Amending the 2017 Adopted Operating Budget to reallocate 100% State Aid from the New York State Office of Mental Health for Personalized Recovery Oriented Services (PROS) providers. (Co. Exec.) HEALTH
- Type II Action
6 NYCRR 617.5(c)
(20)(27) 1085. Amending the 2017 Adopted Operating Budget to transfer funding from the Long Island Home d/b/a South Oaks Hospital to Family Service League, Inc. for dual recovery services. (Co. Exec.) HEALTH

- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1086. Accepting and appropriating 75% state grant funds from the New York State Office for the Aging in the amount of \$101,874 for the Expanded In Home Services for the Elderly Program (EISEP) administered by the Suffolk County Office for the Aging. (Co. Exec.) SENIORS AND CONSUMER PROTECTION
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1087. Revenue Anticipation Note Resolution No. -2017, Resolution Delegating to the County Comptroller the power to authorize the issuance of not to exceed \$55,000,000 Revenue Anticipation Notes of the County of Suffolk, New York, in anticipation of the receipt of certain revenues for the fiscal year ending December 31, 2017, to prescribe the terms, form and contents of such notes, and to provide for the sale and credit enhancement thereof. (Co. Exec.) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1088. Approving and authorizing a contract with a New York State certified Minority and Woman Owned Business Enterprise via New York State Grant. (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1089. To appoint member of Suffolk County Youth Board Coordinating Council representing Legislative District No. 2 (London Rosiere). (Co. Exec.) EDUCATION AND HUMAN SERVICES
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1090. Amending Resolution No. 1139-2016, authorizing the Department of Economic Development and Planning to commit to benchmarking County buildings. (Co. Exec.) **ADOPTED WITH C/N ON 2/ 7/2017**
- Completes SEQRA
1091. Making a SEQRA determination in connection with the Proposed Design and Construction of In-Kind Replacement and Rehabilitation Improvements to Suffolk County Sewer District No. 14 – Parkland, (CP 8118) and for Repairing Portions of the Collection System Sewer Lines and Pumping Stations of Suffolk County Sewer District No. 14 – Parkland, (CP 8151), Town of Islip. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Completes SEQRA
1092. Making a SEQRA determination in connection with the Proposed Design and Construction of In-Kind Replacement and Rehabilitation Improvements to Suffolk County Sewer District No. 21 – SUNY, (CP 8121), Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1093. Amending membership of Open Data Committee. (Calarco) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1094. Adopting Local Law No. -2017, A Local Law to increase certain administrative fees for the Department of Probation. (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1095. Accepting and appropriating 100% grant funds received from the New York State Division of Criminal Justice Services to the Suffolk County District Attorney's Office, under the Crimes against Revenue Program (CARP). (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1096. Amending the 2017 Capital Budget and Program and appropriating funds for the Forensic Sciences Medical and Legal Investigative Consolidated Laboratory (CP 1109). (Co. Exec.) PUBLIC SAFETY

- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1097. Appropriating funds for the purchase of equipment for Med-Legal Investigations and Forensic Sciences (CP 1132). (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1098. Appropriating funds for the purchase of replacement Vehicles for Med-Legal Investigations and Forensic Sciences in accordance with the County Vehicle Standard Law (CP 1138). (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1099. Appropriating funds in connection with the Optical Disk Imaging System (CP 1751). (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1100. Appropriating funds in connection with the Replacement of a High Speed Scanner (CP 1822). (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1101. Accepting and appropriating 100% Federal funds awarded as pass-thru funding by the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for Ignition Interlock Device Monitoring Program. (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1102. Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1103. Accepting and appropriating a grant as pass-thru funding from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the S.T.O.P. Violence Against Women Act Program with 75% support. (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1104. Accepting and appropriating a grant in the amount of \$2,106,258 from the New York State Office of Indigent Legal Services, to improve the quality of services provided under Article 18-B of the County Law by the Legal Aid Society of Suffolk County and the Suffolk County Assigned Counsel Defender Plan with 100% support. (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1105. Requesting Legislative approval of contract award for a sole bidder for Federal Transit Administration (FTA) Post-Delivery Audit and In-Plant Production Line Inspection Services. (Co. Exec.) **ADOPTED WITH C/N ON 2/ 7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1106. Accepting and appropriating a grant in the amount of \$5,476,712 from the New York State Office of Indigent Legal Services, to provide caseload relief for the providers of Indigent Criminal Defense pursuant to the Hurrell-Harring Settlement. (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1107. Adopting Local Law No. -2017, A Charter Law to limit County fee increases. (Trotta) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1108. Adopting Local Law No. -2017, A Local Law to increase Medical Examiner fees. (Co. Exec.) PUBLIC SAFETY
- Type II Action
6 NYCRR 617.5(c)
(18)(20)(21)(27)
1109. Amending the 2017 Capital Budget and Program and appropriating Pay-As-You-Go funds in connection with Macarthur Industrial (CP 8102). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1110. Authorizing \$3,842,579 in funds for the purchase of paratransit vehicles and accepting and appropriating Federal and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1111. Authorizing planning steps for implementation of Suffolk County Workforce Housing Program (Riverhead Lofts). (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(25)(27)
1112. Amending the 2017 Capital Budget and Program, authorizing \$7,849,295 in funds for the purchase of New Hybrid-Electric Transit Buses for Suffolk County Transit and accepting and appropriating Federal and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(2)(20)(27)
1113. Authorizing the construction of wastewater upgrades at Lake Ronkonkoma County Park, using the New Enhanced Suffolk County Water Quality Protection Program funds (CP 8733). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1114. To confirm and approve promotion of Elaine Barraga. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1115. Accepting and appropriating an increase in grant funds from the U.S. Department of Housing and Urban Development in the amount of \$6,294 for the Home Investment Partnerships Program and authorizing the County Executive to execute agreements. (Co. Exec.) GOVERNMENT OPERATIONS, PERSONNEL, INFORMATION TECH & HOUSING
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1116. Resolution amending Bond Resolution No. 853-2016, Adopted on October 5, 2016, relating to the authorization of the issuance of \$49,781 Bonds to finance the New Enhanced Suffolk County Water Quality Protection Program – 2014 Referendum – Construction of Clean Lakes in the Village of Patchogue (CP 8733.311). (Co. Exec.) **ADOPTED ON 2/ 7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1117. Resolution amending Bond Resolution No. 1168-2016, Adopted on December 20, 2016, relating to the authorization of the issuance of \$1,150,000 Bonds to finance the cost of improvements to County Marinas (CP 7109.111, .316). (Co. Exec.) **ADOPTED ON 2/ 7/2017**
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1118. Adopting Local Law No. -2017, A Local Law to increase the penalties for illegal dumping in Suffolk County. (Hahn) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1119. Authorizing an appraisal for the purchase of Development Rights of Farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Baiting Hollow Meadow Farm property – Town of Riverhead (SCTM No. 0600-062.00-04.00-002.000 p/o). (Krupski) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1120. Adding two members to the Suffolk County Public Transportation Working Group. (Fleming) PUBLIC WORKS, TRANSPORTATION AND ENERGY

Type II Action
6 NYCRR 617.5(c)
(20)(27) 1121. Authorizing fee modifications in the Suffolk County Department of Human Resources, Personnel and Civil Service. (Co. Exec.)
** ADOPTED WITH C/N ON 2/ 7/2017**

SEQRA
Completed by SC
Reso #938-2016 1122. Appropriating Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (Ronkonkoma Hub Project (CP 8156)). (Co. Exec.) PUBLIC WORKS, TRANSPORTATION AND ENERGY

Type II Action
6 NYCRR 617.5(c)
(20)(27) 1123. Amending Resolution No. 6-2017, fixing time of meetings of the County Legislature. (Pres. Off.) **ADOPTED ON 2/7/2017**

Type II Action
6 NYCRR 617.5(c)
(20)(27) 1124. Adopting Local Law No. -2017, A Local Law to implement continuing education requirements for electricians in Suffolk County. (Lindsay) SENIOR& CONSUMER PROTECTION

Type II Action
6 NYCRR 617.5(c)
(20)(27) 1125. Authorizing the advance of funding to the Islip Arts Council for payment of expenses incurred. (Cilmi) **ADOPTED WITH C/N ON 2/7/2017**

Type II Action
6 NYCRR 617.5(c)
(20)(27) 1126. Requiring Traffic and Parking Violations Agency to post its fine schedule online. (Browning) WAYS & MEANS

PROCEDURAL MOTION

Type II Action
6 NYCRR 617.5(c)
(20)(27) PM01. Designating Veterans Organizations to receive funding for Memorial Day observances for 2017. (Stern) VETERANS