

**RESOLUTION NO. // -2011, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED STORMWATER REMEDIATION TO THE YAPHANK LAKES AND CARMAN'S RIVER AT CR 21 MAIN STREET/YAPHANK MIDDLE ISLAND ROAD, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Stormwater Remediation to the Yaphank Lakes and Carman's River at CR 21 Main Street/Yaphank Middle Island Road, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves upgrades to the existing roadway stormwater management system along the CR 21 corridor with the intention of improving water quality discharging to the Yaphank Lakes and Carman's River; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and a presentation was made by a representative from L.K. McLean Associates, P.C. and subsequently sent out to all concerned parties; and

**WHEREAS**, at its December 8, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated December 9, 2010 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

**WHEREAS**, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore be it

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Stormwater Remediation to the Yaphank Lakes and Carman's River at CR 21 Main Street/Yaphank Middle Island Road, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1) The proposed action, as demonstrated in the Environmental Assessment Form, will not exceed any of the criteria in Title 6 NYCRR, Part 617.7, which sets forth thresholds for determining significant effect on the environment;
- 2) The proposed action 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 Code and the Suffolk County Charter;

- 3) The proposed action will ultimately improve stormwater quality discharge into the Yaphank Lakes and Carman's River; and
- 4) The proposed project will not adversely impact the integrity of the Yaphank Historic District;

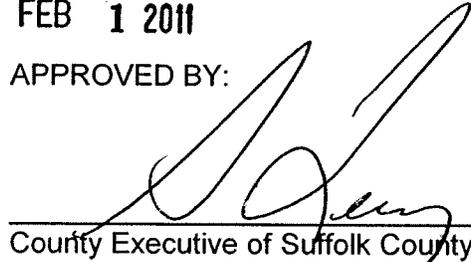
and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: FEB 1 2011

APPROVED BY:



County Executive of Suffolk County

Date: FEB 17 2011

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I,* TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on February 1, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.

*In Witness Whereof, I* have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

*Tim Laube*

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Clerk of the Legislature

Intro. Res.

2257-10

Res. No.

11

February 1, 2011

**Motion:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6						
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17				

MOTION	
<input checked="" type="checkbox"/> Approve	
Table: <u>EDDY H. SCHNEIDERMAN</u>	
Send To Committee	
Table Subject To Call	
Lay On The Table	
Discharge <u>EDDINGTON</u>	
Take Out of Order	
Reconsider <u>was CILMI</u>	
Waive Rule <u>was P. 3A</u>	
Override Veto	
Close	
Recess	
APPROVED <input checked="" type="checkbox"/> FAILED <input type="checkbox"/>	
No Motion <input type="checkbox"/> No Second <input type="checkbox"/>	

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call  Voice Vote