

**RESOLUTION NO. 431 -2013, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED (CP 5603) - YAPHANK CNG FUELING FACILITY, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CP 5603 – Yaphank CNG Fueling Facility, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of Compressed Natural Gas (CNG) Fueling Facility; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 17, 2013 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 450 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 18, 2013 of said recommendations; and

**WHEREAS**, Section 450-5(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 CP 5603 – Yaphank CNG Fueling Facility, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code, which 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 set forth in Title 6 NYCRR, Part 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 the Suffolk County Code;

3. The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
4. The Suffolk County Department of Public Works will coordinate with Suffolk County Department of Parks, Recreation and Conservation during clearing to observe and preserve any artifacts which may be encountered; and
5. All local fire codes and State regulations governing the CNG Fueling Facility will be adhered to;

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 450-5(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: June 4, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: June 7, 2013