

**RESOLUTION NO. 995-2013, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED INCREASED FLOOD PROTECTION FOR THE PROPOSED SEWER DISTRICT NO. 3 SOUTHWEST, PUMPING STATIONS NO. 9 AND 10, CP 8181, TOWN OF BABYLON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Increased Flood Protection for the Proposed Sewer District No. 3 Southwest, Pumping Stations No. 9 and 10, CP 8181, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves building modifications to Pumping Stations No. 9 and 10 to provide increased flood protection; 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 October 16, 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 October 21, 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 Increased Flood Protection for the Proposed Sewer District No. 3 Southwest, Pumping Stations No. 9 and 10, CP 8181, Town of Babylon 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; and

3. The proposal provides increased flood protection for the Southwest Sewer District's Pumping Stations No. 9 and 10 which will help insure proper operation of the pumping stations during storm events;

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: November 19, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: November 27, 2013