

COUNTY OF SUFFOLK



STEVEN BELLONE
COUNTY EXECUTIVE

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

Gloria Russo
Chairperson
CEQ

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: May 18, 2016

TIME: 9:40 am to 12:20 pm

LOCATION: Arthur Kunz Library

H. Lee Dennison Bldg. – 2nd Floor

Veterans Memorial Highway, Hauppauge, New York

PRESENT:

Gloria Russo, Chair

Michael Kaufman

Dan Pichney

Mary Ann Spencer

Larry Swanson

Hon. Al Krupski (designee for Hon. Kara Hahn)

ABSENT:

Eva Growney

Thomas Gulbransen, Vice Chair

CAC REPRESENTATIVES:

Joy Squires

STAFF:

Andrew Freleng, Chief Planner

John Corral, Senior Planner

Christine DeSalvo, Senior Clerk Typist

GUESTS:

Paul McMahon, Principal Civil Engineer, Suffolk County Department of Public Works
Chris Lubicich, Principal Public Health Engineer, Suffolk County Department of Health Services

Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic and Planning, Division of Planning and Environment

Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks, Recreation and Conservation

Bill Nyman, Project Manager, Hardesty & Hanover

Stephen Holley, Vice President, Project Manager, AKRF, Inc.

Catherine Stark, Legislative Aide for Legislator Al Krupski, District 1

Rick Brand, Reporter, Newsday

Minutes:

Minutes for the April 20, 2016, CEQ meeting were reviewed and discussed.

A motion was made by Mr. Kaufman to approve the April 20, 2016 minutes. The motion was seconded by Ms. Spencer. Mr. Swanson abstained. Motion carried.

Correspondence:

The National Park Service, NYSDEC, and United States Coast Guard's responses to the SEQRA Coordinated Review that was conducted by Suffolk County for the Smith Point Bridge Replacement project were discussed. It was noted that none of the agencies had an objection to Suffolk County being the SEQRA Lead Agency for this project.

Public Portion:

None

Historic Trust Docket:

Director's Report:

None

Project Review:

Recommended Type I Actions:

- A. Proposed Replacement of Smith Point Bridge and Associated Roadways, Town of Brookhaven

Paul McMahon, Principal Civil Engineer for the Suffolk County Department

of Public Works and Bill Nyman, Project Manager for Hardesty and Hanover gave a presentation regarding the Proposed Replacement of the Smith Point Bridge and Associated Roadways project.

The project involves the proposed replacement of the Smith Point Bridge and associated roadways to address major structural and operational deficiencies with the existing bridge. The proposed replacement bridge will be constructed on a new alignment located west of the existing bridge and will include two motor vehicle travel lanes, two ADA compliant sidewalks and two shoulders which will allow bike travel. The proposed replacement bridge will be a fixed level bridge with a 55.5 feet clearance over the navigation channel. After construction of the new bridge is completed the existing bridge will be removed. It was noted that there will be a public hearing on June 14, 2016 at the William Floyd High School.

In addition to an overview of the proposed project the presentation and following CEQ discussion addressed the following topics:

- the proposed project would not limit access to Smith Point County Park/Fire Island National Seashore
- the proposed project will improve pedestrian and bicycle access to Smith Point County Park/Fire Island National Seashore
- the proposed action will improve stormwater management and eliminate direct stormwater runoff to the Great South Bay/Narrow Bay
- the majority of pile driving for the proposed bridge and the mechanical demolition of the existing bridge is planned to occur between December and March to minimize impacts to the marine habitat
- the proposed project will employ silt curtains and cofferdams during in-water construction and demolition work to reduce resuspension of bottom sediments and minimize impacts to water quality and the marine habitat
- the proposed project includes wetlands restoration and compensatory wetlands mitigation which will be implemented in coordination with applicable regulatory agencies
- the project sponsors will coordinate with Suffolk County Department of Parks, Recreation and Conservation to replace displaced recreational facilities in Smith Point County Park
- all necessary permits/approvals will be obtained prior to the commencement of bridge replacement project

Mr. Kaufman made a motion to recommend classification of the proposed project as a Type I Action with a Negative Declaration. The motion was seconded by Legislator Krupski. Motion carried.

Project Review:
Recommended Unlisted Actions:

A. Proposed 2016 Suffolk County Annual Agricultural District Modifications

A presentation regarding the project was given at the meeting by Laretta Fischer, Chief Environmental Analyst, with the Suffolk County Department of Economic Development and Planning.

The project involves the proposed 2016 Suffolk County Agricultural District Modifications which consist of the inclusion of 8 out of 12 parcels of land into a certified Agricultural District. Pursuant to NYS Agricultural Markets Law Section 303-b, the Suffolk County Agricultural and Farmland Protection Board reviewed 11 applications totaling 12 parcels of land for possible inclusion within certified Agricultural Districts. The Suffolk County Agricultural and Farmland Protection Board recommended that 8 out of the 12 parcels be included within certified Agricultural Districts. These recommended parcels were determined by the Suffolk County Agricultural and Farmland Protection Board to be viable agricultural lands that would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Mr. Pichney. Motion carried.

B. Proposed Amendment to the Suffolk County Sanitary Code to Allow for the Permitting, Registration and Management of Innovative and Alternative Onsite Wastewater Treatment Systems (Taken Out of Order)

A presentation regarding the project was given at the meeting by Christopher Lubicich, Principal Public Health Engineer with the Suffolk County Department of Health Services.

The Suffolk County Department of Health Services (Department) proposes to create a new Article 19 of the Suffolk County Sanitary Code titled "Management of Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS)". I/A OWTS are described by the proposed Article 19 as onsite wastewater treatment technologies that are accepted by the Department and are capable of achieving total nitrogen concentrations that are less than conventional onsite wastewater treatment systems. The proposed Article 19 will authorize the Department to function as a Responsible Management Entity of all I/A OWTS installed within Suffolk County. As a Responsible Management Entity, the Department will be responsible to promulgate standards to ensure the long term operation, maintenance, and management of all I/A OWTS.

Mr. Kaufman made a motion to recommend classification of the proposed project as an Unlisted Action with a Negative Declaration. The motion was seconded by Dan Pichney. Motion failed (Ms. Russo, Mr. Kaufman, Legislator Krupski and Mr. Pichney voted for the motion; Mr. Swanson and Ms. Spencer voted against the motion)

After the motion failed the CEQ discussed the difference between a Type I and an Unlisted Action SEQRA classification.

Following this discussion a motion was made by Mr. Kaufman to recommend classification of the proposed project as a Type I Action with a Negative Declaration. The motion included that the reasons which are listed in the EAF Part III for why the proposed action will not have a significant adverse impact on the environment also be included in the CEQ's SEQRA recommendation. The motion also included as a reason for the Negative Declaration recommendation that the first sentence in the Proposed Article 19, Declaration of Policy Section be clarified to include food production as a key use for Suffolk County's groundwater and the propagation of natural resources as a key consideration in the utilization and management of Suffolk County's surface water. The motion was seconded by Ms. Spencer. Motion carried.

Project Review:

Recommendations for LADS Report:

Recommendations for Legislative Resolutions Laid on the Table May 10, 2016.

Mr. Corral noted that the staff's SEQRA recommendations are listed on the May 10, 2016 LADS report. It was pointed out that for IR 1479-2014 it is recommended that an EAF be submitted to the CEQ so that the action can be reviewed under SEQRA. IR 1479-2016 is a resolution that would permit - subject to a voter referendum - a portion of the Suffolk County Farm property to be used for Alternative Energy Uses.

Mr. Kaufman made a motion to accept staff recommendations for the May 10, 2016 Legislative Resolutions. The motion was seconded by Mr. Pichney. Motion carried.

Other Business:

Election of a New CEQ Vice Chairperson

Ms. Russo, noted that the election of a new CEQ Vice Chairperson would be tabled until June.

CAC Concerns:
None

Meeting Adjourned