

DATE: Jan 24, 2011

TIME: _____

ENVIORNMENT, PLANNING & AGRICULTURE

LD	Legislator	Present	Absent	Time
5	Vivian VILORIA-FISHER, Chair	/		
18	Jon COOPER, Vice Chair	/		
17	Lou D'AMARO	✓		
4	Thomas MURATORE	✓		
1	Edward ROMAINÉ	✓		



Chief Deputy / Deputy Clerk of the Legislature

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

VIVIAN VILORIA FISHER
DEPUTY PRESIDING OFFICER



COMMITTEES:

- CHAIR - ENVIRONMENT, PLANNING & AGRICULTURE
- VICE CHAIR - HEALTH & HUMAN SERVICES
- MEMBER - VETERANS & SENIORS

BOARDS AND COMMISSIONS:

- COUNCIL ON ENVIRONMENTAL QUALITY
- ENVIRONMENTAL TRUST REVIEW BOARD
- AQUACULTURE LEASE PROGRAM COMMITTEE
- SOIL & WATER CONSERVATION BOARD
- WATER & LAND INVASIVES ADVISORY BOARD

FIFTH LEGISLATIVE DISTRICT

TO: Members of the Environment, Planning & Agriculture Committee:
Honorable Jon Cooper, Vice-Chair
Honorable Lou D'Amaro
Honorable Tom Muratore
Honorable Ed Romaine
All interested parties

FROM: Honorable Vivian Vilorio-Fisher, Chair

DATE: January 20th, 2011

RE: Environment, Planning & Agriculture Committee Agenda

Please be advised that the next meeting of the Environment, Planning & Agriculture Committee will be held on **Monday, January 24th, 2011 at 1:00 p.m.** in the Rose Y. Caracappa Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Hauppauge, New York.

I. PLEDGE OF ALLEGIANCE

II. CORRESPONDENCE

III. PUBLIC PORTION

IV. PRESENTATIONS:

NONE

V. CEQ RESOLUTIONS:

- A
5000 04-11 Proposed approval of a resolution declaring as surplus approximately 221 acres of land in Yaphank and authorizing the auction sale of the property by the Director of Real Property Acquisition and management, Town of Brookhaven. (Type I Action, Negative Declaration)
- A
5000 05-11 Ratification of Recommendations for Legislative Resolutions Laid on the Table December 21, 2010 and January 3, 2011.
- A
5000 06-11 Proposed Stormwater Improvements to Meschutt Beach County Park, Town of Southampton. (Type II Action)

VI. TABLED RESOLUTIONS:

- T
3-200 1728. Authorizing planning steps for the acquisition of farmland development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Marion Carll Farm Property – Town of Huntington). (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE
- T
5000 1817. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Shultz's Holding Corp. property - Forge River - Town of Brookhaven - (SCTM No. 0200-750.00-03.00-040.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
- T
5000 1942. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Harbor Cove Restaurant, Inc. property - Town of Brookhaven). (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE
- T
5000 1991. Authorizing planning steps for the Acquisition of Land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Boom Development Corporation Property - Town of Riverhead). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

VII. INTRODUCTORY RESOLUTIONS:

- T-AH
5000 2256. Adopting Local Law No. -2010, A Charter Law to eliminate requirement for verbatim minutes. (Viloria-Fisher) ENVIRONMENT, PLANNING & AGRICULTURE
- ALL
5000 2257. 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. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
- A
5000 2264. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2010 Capital Budget and Program, and appropriating funds in connection with the Hauppauge fueling facility remediation project (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
- A
5000 2265. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, Amending the 2010 Capital Budget and Program, and appropriating

funds in connection with a fish passage at Woodhull's Dam in Cranberry Bog County Park (CP 7180). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

A
5000

2273. Amending the 2011 Capital Budget and Program and appropriating funds in connection with the Charter Law extending and accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection for land acquisition. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

VIII. RECOMMITTED

T
5000

2200. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Fergus Shaw III and Arthur Shaw property - Forge River Watershed - Town of Brookhaven (SCTM Nos. 0200-675.00-04.00-019.000, 0200-675.00-04.00-032.000, 0200-675.00-04.00-033.000, 0200-675.00-04.00-035.001 and 0200-675.00-04.00-035.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

IX. TABLED SUBJECT TO CALL:

NONE

X. HOME RULE MESSAGES:

NONE

XI. PROCEDURAL MOTIONS:

NONE

XII. TABLED HOME RULE MESSAGES:

NONE

XIII. TABLED PROCEDURAL MOTIONS:

NONE

XIV. ADJOURNMENT

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 1728

DATE: Jan 24, 2011

Motion Viloria-Fisher

Sponsors: Kennedy

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair ⁽¹⁾	/			
18	Jon COOPER, Vice Chair ⁽²⁾	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE		/		
1	Edward ROMAINE		/		
	Totals	3	2	—	

MOTION	
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<input checked="" type="checkbox"/>	Table
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without
<input type="checkbox"/>	Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Renee Oates

Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 1817

DATE: Jan 24, 2011

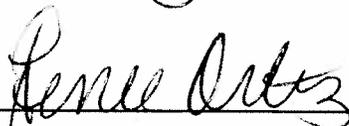
Motion COOPER

Sponsors: Co Exec

Second Viloria-Fisher

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5			

MOTION	
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<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>



 Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 1942

DATE: Jan 24, 2011

Motion Viloria-Fisher

Sponsors: Eddington

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5			

MOTION	
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<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Renee Ortiz

Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 1991

DATE: Jan 24, 2011

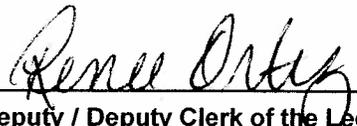
Motion Romaine

Sponsors: Romaine

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5			

MOTION	
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<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>



 Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 2256

DATE: Jan 24, 2011

Motion Vilona-Fisher

Sponsors: Vilona-Fisher

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5	—		

MOTION	
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<input checked="" type="checkbox"/>	Table <i>PH</i>
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Renee Ortiz
 Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 2257

DATE: Jan 24, 2011

Motion Vilona-Fisher

Sponsors: Pres. Officer

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINE	/			
	Totals	5			

MOTION	
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<input type="checkbox"/>	Table
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Renee Ortiz
 Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 2264

DATE: Jan 29, 2011

Motion Cooper

Sponsors: Co. Excc

Second Viloria-Fisher

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5			

MOTION	
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<input type="checkbox"/>	Table
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Anne Ortiz

Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 7265

DATE: Jan 24, 2011

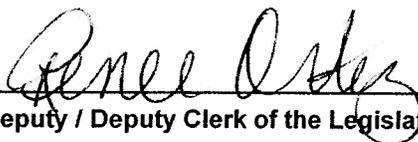
Motion Vilona-Fisher

Sponsors: Co. EXEC

Second COOPER

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5	—		

MOTION	
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<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
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APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>


 Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 2273

DATE: Jan 24, 2011

Motion Vilona-Fisher

Sponsors: Co. Exec

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5	—		

MOTION	
<input checked="" type="checkbox"/>	Approve
<input type="checkbox"/>	Table
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without
<input type="checkbox"/>	Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

Rene Ortiz

Chief Deputy / Deputy Clerk of the Legislature

ENVIRONMENT, PLANNING AND AGRICULTURE

Intro. Res. 2200

DATE: Jan 24, 2011

Motion Vilona-Fisher

Sponsors: Co. EXEC

Second Cooper

LD	Legislator	Yes	No	Abs	NP
5	Vivian VILORIA-FISHER, Chair	/			
18	Jon COOPER, Vice Chair	/			
17	Lou D'AMARO	/			
4	Thomas MURATORE	/			
1	Edward ROMAINÉ	/			
	Totals	5			

MOTION	
<input type="checkbox"/>	Approve
<input checked="" type="checkbox"/>	Table
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Withdraw
<input type="checkbox"/>	Discharge Without Recommendation
APPROVED <input checked="" type="checkbox"/>	FAILED <input type="checkbox"/>
Roll Call <input type="checkbox"/>	Voice Vote <input checked="" type="checkbox"/>

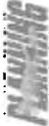
Renee Orsini

Chief Deputy / Deputy Clerk of the Legislature

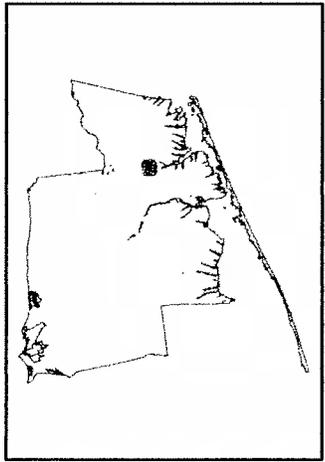
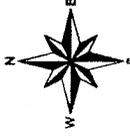
IR 2200

IR 2200

Forge River Watershed Addition - Shaw Property
 SCRPTM # 0200 67500 0400 019000, 0200 67500 0400 032000, 0200 67500 0400 033000,
 0200 67500 0400 035001 & 0200 67500 0400 035002
 New Suffolk County Drinking Water Protection Program, (effective December 1, 2007) C12-2(A)(1)(b) -
 Lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study
 +/- 32.04 acres - Moriches, Town of Brookhaven



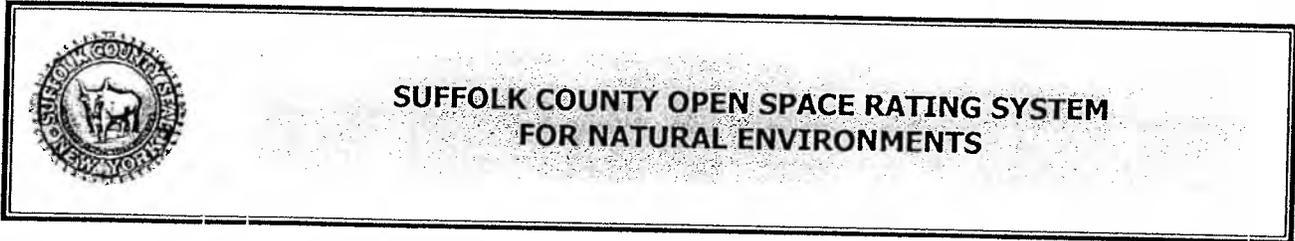
 Proposed Acquisition
 SCRPTM Tax Map Base



(c) 2004 Aerial Photography New York State Office for Technology



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 Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service
 Agency (R.P.T.S.A.). This rendering is a DRAFT MAP. In that 1) the data displayed is an interagency or
 intra-agency work, produced for the purpose of identifying and connecting data. It is not a final agency or
 determination. It is not statistical or factual compilation of data. In some cases correct data has been
 omitted or inaccrurate data has been exaggerated to help identify errors. In short, this
 is a DRAFT MAP. It is not intended to be used in an effort to aid in the correction of data and is not held out as being complete
 or accurate in any way.
 *exempted from (F.O.I.L.) the provisions of the Freedom of Information Law (Public Officers Law Article
 6 Section 84-90) by section 87.2.g



This rating system for natural environments is designed to clarify the recommendation and acquisition process for parcels of land that might be acquired with funds from the New Drinking Water Protection Program (effective December 1, 2007), the Multifaceted Land Preservation Program, the Environmental Legacy Fund, or any of the other County open space programs that are designed for the protection of natural environments.

NEW DRINKING WATER PROTECTION PROGRAM

If the property is being recommended for acquisition under the **New Drinking Water Protection Program (effective December 1, 2007)**, then it must meet at least one of the following criteria as per Section C12-2(A)(1):

- a. Freshwater/tidal wetlands and buffer lands for same
- b. Lands within the watershed of a coastal stream as determined by a reasonable planning or hydrological study
- c. Any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area
- d. Lands determined by the County Department of Planning to be necessary for maintaining the quality of surface or groundwater in Suffolk County
- e. Lands identified by the South Shore Estuary Reserve (SSER), Peconic Estuary Program (PEP), and/or the Long Island Sound Comprehensive Conservation and Management Plan (LICMP) as needed to protect coastal water resources
- g. Open Space
- h. Wetlands, woodlands, pine barrens, and other lands which are suitable only for passive recreational use

If YES, then go to the next page.

MULTIFACETED LAND PRESERVATION PROGRAM

Property is being recommended for acquisition under the following component of the

Multifaceted Land Preservation Program:

- pursuant to the Land Preservation Partnership Program (Resolution No. 751-1997 passive recreation)
- pursuant to the traditional (1986) Open Space Preservation Program
- for environmentally sensitive land acquisition
- for watershed/estuary protection
- for drinking water protection purposes

If YES, then go to the next page.

OTHER OPEN SPACE PROGRAMS:

1986 Open Space Preservation, 1987 (Old) Drinking Water Protection, South Setauket Woods Conservation Area, Environmental Legacy Fund (Open Space category), etc.

If YES, then go to the next page.



SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR NATURAL ENVIRONMENTS

NATURAL RESOURCE CHARACTERISTICS Score Subtotal

A. WETLANDS AND BUFFER AREAS

1. Site contains tidal or freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (> 50%=10pts.; between 50% and 25%=8pts.; less than 25%=5pts.)	
2. Site contains the buffer area of a tidal wetland (approx. 300 ft.) or freshwater wetland. (approx. 100 ft.) (5pts.)	
3. Site contains both tidal and freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (2pts.)	
4. Site is located within a drainageway with at least one of the following soil types: At, Bd, Ca, De, Mu, ScB, SdA, SdB, Su, Tm, Wa, Wd, We, Wh. (2pts.)	0

B. GROUNDWATER RESOURCES

1. Site is located within the Pine Barrens Core Area. (10pts.)	
2. Site is located within a Special Groundwater Protection Area (SGPA), but not within the Pine Barrens Core Area. (8pts.)	
3. Site is located within Hydrogeologic Zone I or Zone III (deep aquifer recharge area), but not within the Pine Barrens Core Area or a SGPA. (3pts.)	0

C. NATURAL HABITAT

1. Site contains endangered (10 pts.), threatened (10 pts.) and/or special concern (5 pts.) species pursuant to Federal/New York State listings as identified under ECL Section 11-0535; regulation 6NYCRR Part 182.5. (10pts.)	
2. Site contains a New York State Natural Heritage Program Element(s) with a Global rank of G1, G2 or G3 and/or a State rank of S1, S2 or S3. (5pts.)	
3. Site contains an endangered, threatened, exploitably vulnerable or rare New York State Protected Native Plant species as identified under ECL Section 9-1503; regulation 6 NYCRR Part 193.3. (4pts.)	
4. Habitat diversity – Site contains three or more habitat cover types (ie. pine barrens, mature oak forest, wetland, maritime shrubland, etc. (2pts.)	0

PHYSICAL CHARACTERISTICS

A. GEOLOGICAL LANDFORMS AND BOUNDARIES

1. Site includes or is adjacent (approx. 300 ft.) to a waterbody such as an ocean/ bay/ sound/ pond/ lake/ river/ stream/ creek. (5pts.)	
2. Site contains a unique geological landform (ie. kettlehole, dune, bluff, escarpment, other) or is located within a major swale area that contributes direct runoff to surface waters. (3pts.)	
3. Site contains more than one waterbody, geologic landform as identified in No. 1 and 2 above. (2pts.)	
4. Site is located within the FIRMs 100-year floodplain (V Zone). (2pts.)	
5. Site is located within the FIRMs 100-year floodplain (A Zone). (1pt.)	0

B. SIZE

1. Over 25 acres OR Over 10 acres within a Census Designated Place of $\geq 1,000$ persons per square mile. (8pts.)	8
2. Between 10 and 25 acres OR Between 5-10 acres within a Census Designated Place of $\geq 1,000$ persons per square mile. (6pts.)	
3. Between 5 and 10 acres OR Between 1-5 acres within a Census Designated Place of $\geq 1,000$ persons per square mile. (3pts.)	8

C. LOCATION

1. Site is adjacent or near (approx 300 ft.) to other County Parkland. (7pts)	
2. Strategic parcel associated with an area earmarked by the Suffolk County Planning Department for future park acquisition or where significant County park/open space interests already exist. (4pts.)	
3. Site has been identified for environmental protection by an estuary program plan: Long Island Sound Study CCMP, Peconic Estuary Plan CCMP or the South Shore Estuary Reserve Plan CMP. (3pts.)	
4. Site is adjacent or near (approx. 300 ft.) to other protected parklands (ie. Federal, state, town, village or is located within a New York State designated Wild, Scenic and Recreational Rivers corridor). (2pts.)	
5. Site will provide public access to the shoreline (ie. ocean, bay, etc.). (2pts.)	
6. Site is located within or adjacent to a designated greenbelt or historic trail. (2pts)	
7. Site will provide special view from a high elevation, scenic roadway, major road corridor, waterfront, etc. (2pts.)	
8. Site is adjacent or near (approx. 300 ft.) to private open space. (1pt.)	0

STEWARDSHIP MANAGEMENT AGREEMENT

1. Inter-municipal management agreement with Federal, state, town and/or village. (5 pts.)	
2. Management agreement with non-profit environmental organization. (1 pt.)	0
TOTAL SCORE (maximum = 100 points)	
	8

IR 2200

Forge River County Park Addition - Shaw Property
SCRPTM # 0200 67500 0400 019000, 0200 67500 0400 032000, 0200 67500 0400 033000,
0200 67500 0400 035001 & 0200 67500 0400 035002

New Suffolk County Drinking Water Protection Program, (effective December 1, 2007) C12-2(A)(1)(g) - Open Space
+/- 32.4 acres - Manorville, Town of Brookhaven
IR # 1315-2009



IR 2200