

ENVIRONMENT, PLANNING & AGRICULTURE COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Environment, Planning & Agriculture Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on April 21, 2014.

MEMBERS PRESENT:

Leg. Kara Hahn, Chairwoman
Leg. Al Krupski, Vice Chair
Leg. Sarah S. Anker (excused absence)
Leg. Thomas F. Barraga
Leg. Thomas Muratore
Presiding Officer DuWayne Gregory

ALSO IN ATTENDANCE:

Timothy Laube, Clerk of the Legislature
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Tom Vaughn, County Executive's Office
Laura Halloran, Budget Review Office
Sarah Lansdale, Director/Department of Planning
Frank P. Castelli, Economic Development & Planning
Walter Dawydiak, Environmental Quality/Health Department
Chris Lubicich, Office of Ecology/Health Department
Michael Pitcher, Aide to Presiding Officer
Alyssa Turano, Aide to Leg. Hahn
Catherine Stark, Aide to Leg. Krupski
Brendan Chamberlain, Aide to Leg. Muratore
Kevin LaValle, Town of Brookhaven Councilman
Eddie Morris, Parks Department/Brookhaven Town
Dick Amper, Pine Barrens Society
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Reporter

THE MEETING WAS CALLED TO ORDER AT 10:04 AM

CHAIRWOMAN HAHN:

Good morning. Let's stand for the Pledge of Allegiance led by Legislator Muratore.

SALUTATION

Good morning. Welcome to today's meeting of the Legislature's Environment, Planning and Agriculture Committee.

PUBLIC PORTION

We do have one card. Kevin LaValle.

MR. LA VALLE:

Is it going to stay on, Tim? Yeah, there it is. Okay, I'm sorry, I worked here for a longtime and I still don't know if the button works or not.

Thank you everybody. I hope everybody had a good Easter. I'm here today as Councilman from the Third District in the Town of Brookhaven to voice our continued support for Resolution 1294. It's the Boyle Road property acquisition. This is something that I worked on through Legislator Muratore's office now as the Councilman in the area. We're continuing our support. I'm pretty sure the Legislator's passing out a resolution that we did years ago, the Town of Brookhaven working in partnership. The County would purchase this property. The Town of Brookhaven would then develop the fields. I think -- I think Brendan may be handing out a map of what we're looking at to do for the fields.

I just want to give a couple background things. I received a letter, some comments regarding what the agreement would be going forward. By no means will the School District have exclusive use to this property. They will have the same use that anyone else in the community; they would have to fill out a petition, fill out paperwork, pay a fee to use this facility. This is going to be a facility that's going to be used -- be able to be used by all County residents. I think that was a big concern when we were talking about this earlier, but by no means will there be any exclusive use by the School District on this property.

The future of the property with the map that you have there, we're looking to develop this property into two multipurpose fields, two regulation baseball fields, two Little League baseball fields, basketball courts, tennis courts, playground area. The Town, we're estimating that \$8 million to develop this whole property over a series of anywhere between five and eight years depending on how our budget is. But we're going to do it a phase at a time. It's something that's going to be very crucial for this area, not only for the residents in the area, but also for the businesses that surround that area. Because the amount of people that will be coming in and out of this community going to this park, they're going to be using our stores and everything on Middle Country Road which is right down the road.

So we see a great advantage to this being approved by the Legislature. And if you have any questions, I'm here to take them. Thank you.

CHAIRWOMAN HAHN:

Are there any questions at this time? We'll be discussing this a little bit later in the afternoon.

MR. LA VALLE:

I'll be here.

CHAIRWOMAN HAHN:

Okay. Are there any other cards? Any other speakers? Okay, seeing one, you'll have to fill out a card, but you can come to the podium.

MR. AMPER:

I'm Richard Amper, Pine Barrens Society. We have concerns about the application that was just discussed in front of you. And I think they are concerns that you might share.

The School District is a -- it's a taxing district and it is representing that it is prepared to excess this property, that it doesn't need the property. Then another taxing agency, the County, is going to buy the property from that taxing agency and make it available to another taxing agency, the Town of Brookhaven, to develop it for athletic fields that will be used, at least in part, by the School that says they don't need the property.

We're getting sort of concerned here. It's not clear to us why the County of Suffolk is buying land from a School District to be developed by the Town of Brookhaven for use, maybe principally, we don't know exactly, but maybe principally by the District that's excessing it. Certainly it's going to be paid for by the County at, I assume, full market value; and it's going to be developed by the Town of Brookhaven. So obviously the Town of Brookhaven is not doing this out of largess to the rest of the people of the County. So it's sort of an odd one for us. We don't ordinarily come down here and deal with 15-acre parcels if they're not significant. But the precedent in this thing is sending the wrong signal.

This may not be quite the deal on the front page of Newsday in terms of an acquisition in Nassau County, but it just doesn't seem like the right thing for the County's land programs to be doing. We shouldn't be helping a School District to do the things a School District should be doing through a Town that shouldn't be helping the School District to do the things that the School District should be doing. It's not what I think any of us thought these programs were about. And I can't help but wonder how many other School Districts are going to like this idea a lot. And I think they're going to be at your doorstep and saying, "well, why don't you buy our property from us? And then we'll get a Town to fix them up and then we'll use them even though we say we don't need them."

I sent you a memo on this. I don't want to go into detail on it. If this doesn't register as an awkward and -- maybe not the kind of thing the County land programs want to be doing, then, we're misunderstood. Thanks very much.

CHAIRWOMAN HAHN:

Any other speakers? Okay, with that we'll close the Public Portion.

SLIDE SHOW PRESENTATION

This stays on. I'm still learning the microphone here, too. (Laughter).

We have a presentation scheduled. Michael Collins, you can come forward and -- if you'd like to present from the table here.

MR. COLLINS:

Hi, I'm Michael Collins. I'm an Engineer with the Town of Southold. Thank you for having me here this morning.

So I wanted to talk to you a bit about a type of sanitary treatment. I know that the septic systems

4/21/14 EPA Committee meeting

have been in the news a lot lately. And this is an idea that's been used elsewhere in the country with great success and in general hasn't gotten a lot of notice out in the Northeast, but there are some places in New York that employ this technology and we'd like to use it a bit more out here. We think it would be very appropriate for the area.

So first a few basic wastewater treatment terms. There's anaerobic. That's treatment in an environment without oxygen; aerobic, which is treatment in an environment with oxygen. And then the concept of residence time. That's the amount of time that waste spends in the treatment system. And in general the longer the residence time, the higher the level of treatment you're going to get.

So I have up here a couple of diagrams. This is straight out of the Suffolk County's Residential Septic Systems Manual. On the upper left, you see there's a typical system, you have your septic tank, which is a sealed tank. And then that's where your solids settle out and are treated. That's an anaerobic environment. And then it's piped to a leaching pool. That's where your effluent ends up in the ground. And in general when you go to a soil dispersal field, like any sort of sandy area, you want to try and put it -- put the waste into an area that's well aerated so that you have that mix of oxygen and no oxygen zones for treatment. And in typical systems you'll see there's a problem with that as we get a little further into it.

In the lower right-hand corner, you can see there's an alternative sewage disposal system. This is for areas where you have high groundwater. You can't typically meet that three-foot separation between the bottom of your leaching pool and groundwater. And so the typical standard here is to use a cluster of five or more pools that are very, very shallow; the idea being that you keep that separation from groundwater, but it does still tend to concentrate the waste in a very small area.

And so you can see on the left, this is, once again, straight out of the manual. And you can see that that depth to the bottom of the pool can be as great as 25 feet. And what that's doing is, it's putting that liquid waste that comes out of your septic tank deep, deep into the ground, in some cases in a single pool.

And on the right-hand side, you can see this is what most other areas use for a leaching field. It's a soil absorption field. It's very close to the top of the surface. It's typically done with slotted pipe set into gravel so that you spread out the waste near the surface in as wide an area as possible to enhance treatment.

So you have issues with the typical leaching pools. As you're delivering that effluent deep into the ground, you're bypassing the oxygen rich and the biologically and chemically active upper soil layers. You're essentially dropping it deep into an area where it's receiving very little treatment. They occupy a much smaller footprint than the soil drainfields. So that concentrates the effluent into the ground and it rapidly exhausts the treatment capacity of the soil.

And then third you're discharging it into sand with a high infiltration rate and you're ensuring that it's going to quickly reach underlying groundwater, even in areas that are very -- are high and dry. It's going to go through our sandy soil so quick that it receives very little treatment as it goes into the ground.

So all of that combines to reduce the amount of treatment that our sanitary waste receives and it increases the speed at which they can reach our surface and groundwaters. And as stated at a recent Municipal Wastewater Conference, our current system in Suffolk County is much closer to waste disposal than waste treatment.

So this is what a typical constructed wetlands would look like. These are from LaGrange County in Indiana. They've had a program for 30 years now. This is the wetlands treatment portion of this

4/21/14 EPA Committee meeting

system. It sits between your traditional septic tank and your soil dispersion field. And as you can see, you can plant it with a variety of plants, wetland species, ornamental flowers. In one case they actually put corn on it. They then tested the corn and found that it was perfectly edible. I wouldn't recommend it, but they did test it.

There's two different types of wetlands. You have gravity flow. These are the simplest. So literally on the left you have the discharge from the septic tank, comes into the wetlands. It's basically got a -- it has an impervious liner at the bottom. It's typically only a couple of feet deep. So that waste comes in. It runs along that liner on a shallow, shallow slope; passes through the treatment bed where both the soil and the plants treat it. In many cases the plants take up that effluent. So in addition to breaking down the waste, they can incorporate it into the plant structure. And then what's left over, the treated water, will eventually make it to the outflow and that will go to your traditional leaching system.

Something that holds a lot of promise for a small footprint, and this is a very simplistic diagram, but where you see the word "media", above that is where you would have your plants. But this shows a recycling system. It's called a vertical recirculating flow constructed wetlands. So your effluent will come in. It will then drip down through the media and be treated by the plants 'til it reaches sodded pipe at the bottom. That then moves forward. And instead of being put into a leaching field, it drops into a dosing chamber. That's just basically another solid tank with a pump. That pump runs one minute out of every 30 minutes. So it's only 48 minutes per day. And its sole job is to pump that effluent back up and back into the wetland system, recycling it over and over and over again for additional treatment before it goes out into the leaching field.

You have a lot of benefits here. They're a small footprint and very shallow depth so that you can use them on small lots in an area with high seasonal groundwater. A vertical wetlands is only four-and-a-half feet into the ground. Your gravity one is only two feet into the ground. The size for a single family home on a vertical wetlands is only 144 square feet. So it's a very small additional area.

In addition they take up so much water that studies have shown that you can reduce the size of the leaching field by as much as half. So that'll even offset some of the costs of the system. You have a much longer residence time so you're getting much more effective treatment. In fact in some cases, these systems take up so much water that when the house is occupied by only one or two people, you'll get zero discharge. So that's 100% treatment year round when the plants mature.

The pollutants that are taken up by the wetland plants are either broken down or incorporated into the plant structure. And then you also get a mix of anaerobic and aerobic treatment. And that allows for more complete breakdown of sanitary waste. So there what you see is -- we've heard a lot about nitrogen lately. In order to denitrify, which is to take nitrogen in organic form and put it back into a gas form, you have to have that mix of zones. You have to break it down without oxygen and then with oxygen. You need both in order to return it to that gas form. This allows you to do both in a vertical format and recycle it over and over again to get more complete treatment. Even in systems that discharge, you're going to get better than 60% removal of nitrogen.

So you have some frequently asked questions about this technology. Is it proven? And the answer's yes. It's been used for decades. You have 30 years of history in Indiana. You have more than that in areas like North Dakota where it's been part of the Sanitary Code for years. And you have natural wetlands that have been cleansing runoff for millions of years. We already know it works. That's why we act to protect our own wetlands, you know.

Do they work in cold climates? Again, I'd like to think North Dakota's a little colder than our

4/21/14 EPA Committee meeting

climate. Indiana has a very similar climate to ours in terms of annual rainfall and temperature. So it should be just as effective here.

And are they difficult to maintain? They're really not. It's routine maintenance. You basically make sure the pump's working. You have to rinse off the filter once a year. And other than that, there's really not too much. And I envision that this type of distributed technology system would require some sort of municipal oversight. So any sort of inspection and maintenance program should be able to catch any problems that occur over time.

So the path forward as we envision it, is we'd like to install gravity and vertical recirculating wetlands in a variety of locations serving different types of property uses. We'd invite the -- basically all of the Universities, anyone else that wants to study this to aggressively sample, test and analyze the system so that we can prove their effectiveness and optimize them for Long Island. And we'd like to implement a permitting pathway so that constructive wetlands can be installed as part of new sanitary systems or retrofitted. This weekend somebody had asked me, they had a block pool system in their backyard that was starting to sag and they were concerned. And they said "well, what can I replace this system with?"

And of course right now it would be, "well, you get a traditional septic tank and a traditional leaching pool." But I think this represents an opportunity where if we can come up with some sort of permitting and funding and oversight program, when people come in and they want to do a full system upgrade, that's the best time to put an advanced system in the middle of that. And that's a win/win. I mean they're going to pay for some of the system anyway because they're going to replace it. If we can find a funding mechanism to put treatment on top of it, everybody wins. They get a new safe system. We get advanced treatment and it's something that you can measure over time neighborhood by neighborhood, property by property.

And in order to do that, we need to set up a septic maintenance district or districts in various areas. And this is an existing mechanism in New York State that you can use to provide systematic funding, construction oversight, design, inspection and maintenance to basically make sure that these are done properly and that you're achieving the goals in each area. And that's what we'd like to do. We'd like to get it started as soon as possible.

CHAIRWOMAN HAHN:

Questions. Legislator Barraga.

LEG. BARRAGA:

Mr. Collins, the one area you didn't really cover, maybe you can clarify it a bit, you know, 70% of the homes in Suffolk County are basically using a traditional septic system. What is the cost for conversion? I mean I understand the effectiveness of your system. But what would it cost, you know, a homeowner to implement this system on their property?

MR. COLLINS:

Well, if you look at the off-the-shelf systems, you can basically buy a kit. The kit itself, the one that I've seen that's sold in this area is oversized for a single-family home. It costs 7,000. So I would estimate that if you were to do just that kit for a single-family home, you're probably going to spend 10 to \$12,000.

LEG. BARRAGA:

See, that's the problem. I don't know where the funding comes from. If I have a septic system that's working, and once a year I have somebody come in and dump it, why do I want to spend 10 or \$12,000 for your system when the system I have, even though from an environmental perspective it is not good, I don't have 10 or \$12,000 to defund your system.

MR. COLLINS:

And I don't disagree with you. I personally think, because I've seen these in other states, other states -- actually these are so, so simple they don't require design review. You can actually build them yourself out of PVC and using just a few basic tools. My feeling is, is that once we figure out exactly how this works in our area, that we'll be able to manufacture kits much, much cheaper than what's currently available on the market; and that the installation will become so routine and the combination of reducing the amount of leaching area required, that you'll probably bring that cost down to closer to 5,000 per home.

LEG. BARRAGA:

But I think you would agree that, you know, even though your system, as you explained, looks like it's very effective, there is a major, major problem in terms of the cost factor associated with this for the average homeowner.

MR. COLLINS:

Well, let's look at it this way. I know people that live in low-lying wetland areas who right now cannot simultaneously flush their toilet and take a shower. So in those areas, those people are your natural allies. If you came in and said "we're willing to fund the advanced treatment portion of your system if you're going to upgrade," then they get a system where they can actually use their home. That's their incentive to upgrade.

LEG. BARRAGA:

And where do you anticipate getting the monies to, you know, fund the upfront portion? Where does that money come from?

MR. COLLINS:

We have to find it. Right now you have in many cases millions of dollars being spent on green infrastructure and other types of projects in New York State. I think one of the things that we found, especially as you get towards the East End of Long Island, we spent a lot of time looking at stormwater runoff issues that in our case we really don't think they're the major problem that we have out in our bays. What we'd like to do is redirect some of the efforts that are being put into stormwater and put it into wastewater treatment. And I think that that's where we need to find that balance. Right now there's a lot of money out there to solve specific problems. I think what we need are solutions that are specific to an area.

LEG. BARRAGA:

Because I'm beginning to, you know, get the sense that when it comes to all of the publicity and press conferences associated with nitrogen and Suffolk County and some of the solutions, often when you take a look at the funding mechanism that may be used in the future, everything seems to be tied into this post-Sandy monies that are available, you know, somehow we're going to connect everything into that. Because there's so much in the way of dollars out there, we want -- we want a piece of that. I'm not so sure, you know, what the -- for example, even last week, you know, the outflow pipe, you know, looking for the possibility of \$200 million and trying to hook it into maybe this rationality to a post-Sandy kind of funding. But I'm not so sure where all the money comes from.

I know several of us were on committees, taking a look at just partial sewerization of certain parts of West Islip and Wyandanch and Deer Park. And yet when we finally got through it, it was going to cost several billions of dollars just to do a small area. And when you went beyond the construction, you get involved in what is the cost for hooking up to the system and what is the annual maintenance. And we literally had people in the audience stand up and say, "look, we don't want this. We can't afford this. I can't afford to pay X amount of thousands to hook up with this system even if it does exist, much less the maintenance fee."

4/21/14 EPA Committee meeting

So I'm just concerned about the financial end of this, you know. I'm not disputing the effectiveness of your system, but where does the money -- where does the money come from? Nobody seems to want to really know where it's coming from. Plus the fact that if you're saying to me it could cost 8, 10 or 12,000, who has that kind of money? In this economy, really, who has those kinds of dollars? If I've got a septic system that's working, I don't want to spend \$12,000 for a new system.

MR. COLLINS:

And that's why you wouldn't -- this wouldn't be at first something that you would want to mandate or something where you might get widespread adoption from --

LEG. BARRAGA:

I would never mandate it, my God (laughter).

MR. COLLINS:

What I'm getting at is I believe that if you look at certain types of standard systems, for instance, again, a homeowner who's building a new home near the water with the traditional high groundwater system --

LEG. BARRAGA:

I certainly agree with you. I certainly -- in terms of new construction -- I mean your system may be, you know, it fills the bill. I'm talking about somebody who's been in their home 20, 30, 40 years, has that septic system in the back and your system comes along, and, yeah, they think it's a great idea, it's going to work, but, you know, where do I get 8, 10, \$12,000?

MR. COLLINS:

And, again, that's -- that may not be the first person that adopts. But if, for instance, you take the nitrogen issue, assuming in the future we figure out exactly how much nitrogen we want to try and eliminate, it's something that, because groundwater is all tied together, if you end up with a source of funding to tackle a specific water quality issue, then basically homeowners, even those in areas that -- where they may not have a problem, who may choose to upgrade for whatever idea, it allows you to do it in an area and then to offset those gains that you make in areas where they may not have a problem with areas where you definitely have one closer to the water.

Nobody knows how this will work down the line. All I can assure you is, if we don't start getting some of these systems in the ground and testing them, it will not be available as an option ever. And that's really what I'm looking for here, is I want to be able to give people choices. There are people who want to do this voluntarily for whatever reason, because it's the right thing, because they're worried about their groundwater quality. That's really what I'm looking at doing now, is giving people the technology option. I think the overall solution of how it's going to be funded and implemented is something that will probably be answered later, but the technology needs to be proven locally first.

LEG. BARRAGA:

I agree with you on the technology aspect of it. But I know the people that I represent in my District. There's just no way an overwhelming majority of them could ever afford the kind of money you're talking about in terms of the funding. It would be extremely expensive. They just don't have the money. It's a problem. It's a real problem, the funding aspect of it. Thank you.

CHAIRWOMAN HAHN:

Presiding Officer, did you want to speak?

P.O. GREGORY:

Yes, just a quick question. I'm a little bit familiar with this process. I had advocated for something

4/21/14 EPA Committee meeting

similar just a few months ago with the Hauppauge Library. Just -- mine's more like a technical question. As far as the size of the wetlands, how is that determined? Is it -- I'm sure the flow has something to do with it. And what can you expect -- because I would imagine, you know, depending on the size, it's going to affect the application. Because if you have homes that are, you know, abutting each other and you need, you know, say, I don't know, 10 foot by 30 foot wetland where some may need, I don't know, 30 by 50 or something like that, I don't know.

MR. COLLINS:

In general if you're doing a vertical system, it scales. So basically your typical 300-gallon per day residence, it's 12 by 12; 144 square feet. You would double that for a two-family home or 600 gallons per day. As you get larger, larger and larger, you no longer can just scale it. You would have to then have a specific design. But it really depends on -- it all depends on your flow rate. I mean the only two factors that matter are the flow rate and how big you make your dosing tank. The bigger the dosing tank, the longer time that you're going to get residence time in the system.

P.O. GREGORY:

And presumably a commercial application would need much more footage; square footage?

MR. COLLINS:

It would, but they work. And Indiana, again, they've done this for poultry processors, slaughterhouses, animal shelters. They use them for every type of commercial, industrial and residential operation you can imagine.

P.O. GREGORY:

Okay. Thank you.

CHAIRWOMAN HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. I'd just like to comment on what Legislator Barraga was saying about, you know, who can put them in and who can afford them. On the water so many people do re-builds of homes. And at that point -- I know in my experience many times we've made people move their septic systems back from the wetlands to maximize the distance. And -- so then the Health Department has their standards. And they would come up with -- where there are more modern standards of upgrading a system. That's the ideal time, because you have these homes that ring the waterfront that have the most impact -- the closest impact to the surface water and to the wetlands. That's the best time when people are actually going to spend the money on new infrastructure anyway, to fit into these new systems. And that's an opportunity that shouldn't be missed going forward.

The question I have for Mr. Collins is -- and I want to thank you for coming from Southold, this is a -- I really appreciate this. The other -- we talked about nitrogen, but what about all the other pollutants that are in the waste stream, is there any potential for this system to treat those other pollutants? And if we put pilots in the ground, are all those other things going to be tested for?

MR. COLLINS:

Well, quite simply, if you have a system that has no discharge, then the answer would be yes. It one hundred percent either breaks those things down or incorporates them into the plants. But those are the questions that haven't been answered, what range of chemicals or other types of pollutants would this work on. And so basically the sky's the limit. If we have systems in the ground that we can test, we would encourage everyone who tests it to do the full suite, anything you could possibly think of. I mean, when you look at -- there is a system -- outside of Long Island there are systems in Upstate New York. One of them was put in at Buffalo Airport. That treats

4/21/14 EPA Committee meeting

ethylene glycol runoff from the de-icing operations. So if it can handle that, I'd imagine it can handle anything. I mean natural wetlands are extremely resilient and they're extremely good at what they do. They buffer the runoff that hits our water bodies. Basically all we're doing is harnessing nature for our own use here.

CHAIRWOMAN HAHN:

I see we have some representatives from our Health Department here. I was wondering, Walt, if you wouldn't mind coming up and chiming in a little bit about this issue. Thank you. Welcome.

MR. DAWYDIAK

Thank you, Legislator Hahn, members of the Committee. Walter Dawydiak, Director of Environmental Quality. I'm here with Chris Lubicich, the Chief of the Office of Ecology in the Health Department, who is overseeing our innovative and alternative wastewater treatment studies. I just wanted to thank you for the opportunity to be here, commend the work of this Committee and Mr. Collins, Mr. Krupski, who brought this system to our attention.

First and foremost I wanted to mention that Director Lansdale, who is also here, oversaw a four-state septic tour from Maryland to New Jersey to Rhode Island to Massachusetts. And Director Lansdale and a few of the rest of us will be here to present some information and answer questions this afternoon so we can more fully address some of the questions that are coming up on this Committee.

As to these systems, I can tell you that of the four states that we visited, these are not in general use approval in any of the states. There are some wetlands approved such as in New Jersey for recirculating flow, commercial flows. The conventional wisdom going back on these systems, going back decades, has been that they don't work in the wintertime. And everybody looked at us and shrugged when they said -- when we said wetlands for residential system? They said "probably not going to work."

Mr. Lubicich has done some additional research. We can pass around a paper of his findings. We look not only to Indiana but across the country. Some of the other seminal work is being done in Washington State by the Health Department, University of Washington. We look to Minnesota, Australia, Ireland. The consensus of the information is that the single pass artificial wetland systems are not sufficient to meet 50% removal nitrogen goals year round. These systems remove nitrogen from about 50 to about 30 parts per million, which is about a 40% reduction, not the 50, which is the National Sanitation Foundation Standard. With the recirculating component, the performance was actually outstanding. It's a bit of a different microbial process. Rather than primary soil bacteria and vegetative uptake, you're creating a little sewage treatment plant. And the recirculation is enough year round to keep enough of a microbial population, to convert the ammonia to nitrate, then the nitrate to nitrogen gas.

So these systems with the recirculating component take up less space. They're a little more expensive. They get down to 14 parts per million, which is well under the NSFS 245 standard. In Indiana, the first 250 were straight pass through. The next 20 were recirculating. They're recommending recirculating filters as is Washington State. So if somebody wanted to pilot a single pass system, assuming we got State DEC and DOH approval for our variance for these systems, we'd be happy to look and see how these work in our climate. The recirculating permutation of this has a much smaller footprint. It's 225 square feet versus 528 square feet. The cost is only marginally more expensive for the one extra pump and the one extra sump in this system. And they seem to work beautifully. So it's a promising technology. We, again, look forward to helping pilot this as well as a suite of other nitrogen removal technologies.

The septic tank and leaching pool work beautifully for what they're intended to do. I just wanted to

4/21/14 EPA Committee meeting

disabuse a myth that they're simply disposal and not treatment. They do convert ammonia to nitrate. They do remove about 30 to 40% of the nitrogen via anaerobic digestion and retention of solids, but that's not nearly enough. And more treatment is needed for the groundwater and the surface waters. So this is one tool that we'd like to pilot locally, see how well it works and see what the promise for future use is.

If you have any other questions, I'd be happy to answer them and I thank you again for the opportunity to be here.

CHAIRWOMAN HAHN:

Thank you. Anyone have questions?

LEG. KRUPSKI:

Just one comment. And thank you for that. Just one comment, is that a lot of us are looking for treatment for everything including nitrogen. So any system that would have treatment for other pollutants that go down the drain is important also.

MR. DAWYDIAK:

Yes, thank you, Legislator Krupski. I forgot to mention that up in Massachusetts, in a Massachusetts test center, a fellow named George {Whitefelter} is testing these systems. And he's finding that some of the recirculating shallow distribution systems are successful in treating for many of the pharmaceuticals and personal care products; not necessarily all of them, but any movement forward is good movement forward. It's via biological breakdown in the soil as well as retention time and uptake all those processes do help with other contaminants.

LEG. KRUPSKI:

Thank you.

CHAIRWOMAN HAHN:

I think he actually said 99.9% of the pharmaceuticals.

MR. DAWYDIAK:

It was a significant number. Fire retardants were one that was not particularly effective, but it's promising technology.

CHAIRWOMAN HAHN:

Does anyone else have any questions for Walt? Thank you. Thank you, Mr. Collins. Thank you for being here. We clearly are going to move forward on these -- piloting these kinds of things, right? Thank you.

I forgot to mention Legislator Sarah Anker has an excused absence today. Okay, with that we're onto Tabled Resolutions.

TABLED RESOLUTIONS

Introductory Resolution 1034, Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Farmer property Town of Brookhaven (SCTM No. 0209-027.00-02.00-031.000). (Browning) I'm going to make a motion to table.

LEG. KRUPSKI:

Second.

CHAIRWOMAN HAHN:

Seconded by Legislator Krupski. All those in favor of tabling? Opposed? Abstentions? It's tabled. **(VOTE: 5-0-0-1. PO GREGORY INCLUDED IN VOTE. LEGISLATOR ANKER NOT PRESENT)**

INTRODUCTORY RESOLUTIONS

Introductory Resolution 1294, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Active Recreation/Hamlet Park/Historic and/or Cultural Park component - for the Board of Education Middle Country Central School District No. 11 property - Boyle Road - Town of Brookhaven (SCTM No. 0200-392.00-04.00-016.000 p/o). (Co. Exec.) Motion by Legislator Muratore.

LEG. KRUPSKI:

Second.

CHAIRWOMAN HAHN:

Second by Legislator Krupski. On the motion. Director Lansdale, Tom Vaughn just passed around the rating sheet for this property. And it looks like this has received 57 out of 100 points. Thank you, Mr. Vaughn.

DIRECTOR LANSDALE:

Yes, it has received 57 out of 100 points.

CHAIRWOMAN HAHN:

Check that mic. I'm not sure that --

DIRECTOR LANSDALE:

How's this?

CHAIRWOMAN HAHN:

Better.

DIRECTOR LANSDALE:

Okay.

CHAIRWOMAN HAHN:

Just talk into it.

DIRECTOR LANSDALE:

Will do.

CHAIRWOMAN HAHN:

Okay, great.

DIRECTOR LANSDALE:

So, yes, the property received 57 out of 100 points. The proposed acquisition is for 15.8 acres out of 21.3 acres. The property is currently owned by the Middle Country Central School District. The Hawkins Path Elementary School Facility is located on the southeast corner of the site. The school building parking lots and other associated structures are not part of the proposed acquisition. The points -- the 57 points that were allocated to this acquisition were basically because of the proximity to Town and County parkland; its size; its accessibility to the public; its location adjacent to other public recreation facilities and its overwhelmingly supported by the community.

CHAIRWOMAN HAHN:

And this is an acquisition resolution. So the planning steps passed in 2011. And this is up, you know, for us to just complete this. Legislator Krupski.

LEG. KRUPSKI:

Thank you. So normally I'd be looking at this pretty closely. Something like this. And actually I have. But this is a type of agreement between municipalities, in this case between the County and the Town. That, I think, it sets a good example. And the Town can provide some money to acquire it. And the Town can have the -- has the expertise and knowledge of what's really going to serve the community. Having -- if you look at the plan itself and the fact that they've done their homework, the Town has done their homework and gotten the community support for this, and in my experience having coached Little League for ten years and having coached other youth -- basketball and whatnot, and soccer over the years, this kind of project really helps the community today because it gives the residents an opportunity to use these fields, even on weekends for unorganized sports, people can go and use these fields to go and throw a ball around or fly a kite or just walk around the property. And it's -- yes, I'm sure they'll be used mostly by residents who live within the area, but I know that the County has invested in open space, maybe not in active rec in my area, but in open space. It's used predominately by people who live in my area. So I don't feel that's a big problem. And that's why I would support this, because I think it's important, kind of more culturally and socially than environmentally, but I'm sure they'll do their drainage work on the site when they do their site development. And it won't -- that won't become an issue.

CHAIRWOMAN HAHN:

Would you like -- we have Town representatives here. Do you want to ask them about drainage issues?

LEG. KRUPSKI:

Sure.

CHAIRWOMAN HAHN:

If the Town representatives wouldn't mind joining us on this.

LEG. KRUPSKI:

Senator La Valle is it?

CHAIRWOMAN HAHN.

Councilman La Valle.

MR. LA VALLE:

(Laughter) In my new role, my new role. I have Eddie Morris. He's the head of our Parks Department from the Town of Brookhaven.

CHAIRWOMAN HAHN:

Welcome, Mr. Morris. Thank you for being here.

LEG. KRUPSKI:

We're looking at all these different groundwater issues. And one of them, of course, is the loss of groundwater to saltwater when the groundwater is being pumped into the saltwater. So you lose your aquifer depth. And so as part of this, will you be having a drainage plan so, one, it won't affect the neighbors; and, two, it'll provide for stormwater recharge during rain events.

4/21/14 EPA Committee meeting

MR. MORRIS:

Yes, good afternoon. Eddie Morris, Parks Commissioner and Chief of Staff to Supervisor Romaine. As with all of our parks facilities, we contain all the water and drainage on-site. There'll be drainage that'll be contained for all parking structures, parking lots as well as the fields.

LEG. KRUPSKI:

Thank you.

CHAIRWOMAN HAHN:

Presiding Officer Gregory.

P.O. GREGORY:

Just a comment. I really think this is a well-done project. It's beautiful. I think, you know, the concerns that were raised before with, you know, being a school property, I think it's -- to me it's of little value in that, you know, this property's in the public domain. It's going to remain in the public domain. We're not selling it to a developer to be developed. We're actually encouraging exercise and activities. I grew up in sports, played soccer, football and all types of things. I certainly support that aspect of it. And it's always great to have a partnership with the Town. The community obviously supports this. I think it's a tremendous project. So congratulations.

CHAIRWOMAN HAHN:

And, Director Lansdale, correct me if I'm wrong but in 2007 we combined all funds so that open space, farmland and active park recreations are appropriate to come out of this fund, all three.

DIRECTOR LANSDALE:

Yes, that's right.

CHAIRWOMAN HAHN:

Legislator Barraga.

LEG. BARRAGA:

Councilman, I just want you to go over again that the Town of Brookhaven will control who uses the field and the usage.

MR. LA VALLE:

Yes.

LEG. BARRAGA:

Not the School District.

MR. LA VALLE:

Yes.

LEG. BARRAGA:

Okay.

MR. LA VALLE:

It'd be just like any other park that we have in our domain.

CHAIRWOMAN HAHN:

Oh, I'm sorry, Legislator Muratore.

LEG. MURATORE:

I want to thank my colleagues for all the kind words. And, of course, Kevin LaValle, he worked

4/21/14 EPA Committee meeting

very, very hard on this. You know, he grew up in the community. He knows what the community needs. And this is gonna really be a homeroom for the community; and not only for Selden and Centereach, but for anyone in Brookhaven Town. You know, if cousin Jimmy comes from, you know, Lindenhurst or from Babylon or from Southold and he wants to play ball with his other cousin on a Sunday, they're going to use the facility, too. So really it's not only for Brookhaven; there's going to be spillover to everybody in Suffolk County. It's going to be a great project. If you've seen some of the projects that Commissioner Morris has done in Brookhaven, it's going to be a home run. It's going to be a real jewel in the center of the Island. So, again, I thank all my colleagues. Thank you very much.

CHAIRWOMAN HAHN:

And I really hope that the walking path will be part of the first phase because that's so successful in other areas in getting people active.

MR. LA VALLE:

Well, as we phase along, it'll come along. The property we're buying right now, when I took a tour, it's used by the community right now. There's already paths all around it, so we're going to incorporate --

CHAIRWOMAN HAHN:

ATVs too.

MR. LA VALLE:

Well, we're going to get away from that, but it's already really set up for that. So as we phase everything along -- and like I said, we're going to do everything pretty much in a phase over the next eight years. So we'll get everything together as quickly --

CHAIRWOMAN HAHN:

What, you don't have \$8 million at one-shot right now?

MR. LA VALLE:

Hey, if you guys have some money to throw into that. (Laughter) No, I'm just kidding. But we'll take care of that end of it over the next few years.

CHAIRWOMAN HAHN:

Thank you. Any other questions? Okay so we have a motion and a second. All those in favor? Opposed? Abstentions? It is approved. It'll be before the full Legislature on Tuesday -- next Tuesday. **(VOTE 5-0-0-1. PO GREGORY INCLUDED IN VOTE. LEGISLATOR ANKER NOT PRESENT)**

Introductory resolution 1311, Authorizing Suffolk County to enter into an Intermunicipal Agreement thereby creating the Peconic Estuary Protection Committee. (Co. Exec.) I'll make a motion to table. I believe -- oh, Mr. Vaughn, I'm sorry, would you like to comment?

MR. VAUGHN:

No, thank you, very much Legislator Hahn. I was just going to ask the Committee to please consider a tabling motion. The County Attorney's Office is still working up the details of the IMA.

CHAIRWOMAN HAHN:

Thank you. And we had a second by Legislator Muratore to table.

LEG. KRUPSKI:

On the motion.

CHAIRWOMAN HAHN:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

I'd just like to say that I know -- I'm sure it's important that you're working out the details -- well, it is important, I guess, that you're working out the details. It's always important, not just on this. But, you know, I've attended some of the meetings, the inter-municipal agreement with the other Towns and the other jurisdictions including New York State DOT. And I think the East End Towns are interested in this as a vehicle for kind of expressing their views as a block on the estuary, on how they view the estuary and land use drainage and, of course, wastewater treatment.

And I also met and spoke to the East End Mayors' and Supervisors' Association about this. And they understand the value as acting as a -- you know, as a region. And this gives them that opportunity to get their thoughts together and get their goals together as a region. So I hope the -- you know, I hope that when you look into the details you see the value of that including, of course, is all the new wastewater treatment technologies that have great potential. And so we hope you get the -- your -- all the details together and then we can move this forward.

MR. VAUGHN:

I think that's the goal and the plan.

CHAIRWOMAN HAHN:

Excellent. So we have a motion to table and a second. All those in favor? Opposed? Abstentions? **1311 is tabled. (VOTE 5-0-0-1. PO GREGORY INCLUDED IN VOTE. LEGISLATOR ANKER NOT PRESENT)**

Introductory Resolution 1312, Amending the Adopted 2014 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2014 Capital Budget and Program, and appropriating funds in connection with Harmful Algal Bloom Action Plan and Strategy and Shellfish Aquaculture Monitoring Program Assessment (CP 8224). (Co. Exec.) I'll make a motion to approve.

LEG. KRUPSKI:

Second.

CHAIRWOMAN HAHN:

Seconded by Legislator Krupski. On the motion any questions? Legislator Krupski.

LEG. KRUPSKI:

Can we get an explanation?

DIRECTOR LANSDALE:

I'll ask Frank Castelli to come up and provide one.

MR. CASTELLI:

Frank Castelli from Suffolk County Economic Development and Planning. This -- this resolution is for \$100,323 Water Quality Funding, Quarter Percent funding for -- it's actually -- there's two aspects to this project. The first one is the study of the harmful algal blooms; and the second one is the aquaculture lease monitoring.

The Sea Grant -- New York State Sea Grant will be doing both aspects of this. And the Water Quality Committee recommended this as a wise choice of funding back in December 2013. The -- we carefully review the amount of available funding, water quality funding. And the decision

4/21/14 EPA Committee meeting

was made that this was a wise and a prudent project to fund; and that the -- the money is available.

There will be -- actually there is some matching funding, even though it's not required for this project. Because this project would be -- it's a County project, a combination of -- the Health Services is doing the harmful algal blooms. And my Department, Economic Development and Planning, will be doing the aquacultural lease monitoring. The Sea Grant is putting -- I think it comes to \$33,609 in in-kind services as a match, even though there is absolutely no match required for this project.

CHAIRWOMAN HAHN:

Excellent. Okay. Any questions? All those in favor? Opposed? Abstentions? **1312 is approved. (VOTE 5-0-0-1. PO GREGORY INCLUDED IN VOTE. LEGISLATOR ANKER NOT PRESENT)**

Seeing that we have no other business listed on our agenda, we are adjourned.

**THE MEETING CONCLUDED AT 10:51 AM
{ } DENOTES SPELLED PHONETICALLY**