

RESOLUTION NO. 675-2015, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED MUD CREEK WATERSHED AQUATIC ECOSYSTEM RESTORATION PROJECT, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) reviewed a project designated as the "Proposed Mud Creek Watershed Aquatic Ecosystem Restoration Project, Town of Brookhaven", pursuant to Local Law No. 22-1985, which project involves the restoration of the terrestrial and aquatic habitats of the former Gallo duck farm on a 39.6 acre site located in Mud Creek County Park; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Economic Development and a presentation was made by a representative from Land Use Ecological Services and subsequently sent out to all concerned parties; and

WHEREAS, at its June 17, 2015 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Planning; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I 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 June 26, 2015 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 Mud Creek Watershed Aquatic Ecosystem Restoration Project, Town of Brookhaven constitutes a Type I Action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code and the proposed 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 appear to 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 or the Suffolk County Code;

- 3) a plan will be developed to provide the greatest possible protection to the on-site turtles during the site restoration work and said plan will be communicated to all project construction contractors; and
- 4) all necessary permits/approvals will be obtained from the New York State Department of Environmental Conservation prior to the commencement of site restoration;

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: September 9, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 16, 2015