

COUNTY OF SUFFOLK



ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING COUNCIL ON ENVIRONMENTAL QUALITY

Theresa Elkowitz
CHAIRPERSON

James Bagg
CHIEF ENVIRONMENTAL ANALYST

SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES

DATE: Wednesday, January 16, 2002

TIME: 9:30 a.m. – 11:55 a.m.

PRESENT:

Voting Members - Theresa Elkowitz, Chair, Presiding, Larry Swanson, Vice-Chair, Nancy Manfredonia, Thomas Cramer, Michael Kaufman, Lance Mallamo, and John Finkenberg

ABSENT: Legislative Representative

Staff:

James Bagg, Chief Environmental Analyst
George Proios, Chief Environmental Analyst
Kathleen Rigano, Secretary

Departmental Staff:

Suffolk County Executive's Office
Nicole DeAngelo, Intergovernmental Relations Liaison
Bill Faulk, Neighborhood Aide
Suffolk County Legislature
Clark Gavin, Presiding Officer's Office
Suffolk County Department of Parks, Recreation and Conservation
Judy Gordon, Assistant Deputy Commissioner
Richard Martin, Director, Historic Services
Suffolk County Department of Public Works
Leslie Mitchel, Assistant Commissioner
Ralph Borkowski, Landscape Architect
Dominick Ninivaggi, Superintendent, Vector Control
Suffolk County Department of Health Services
Walter Dawydiak, Chief, Office of Ecology

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Conservation Advisory Councils

Joy Squires, Chair, Brookhaven CAC

Guests: Adrienne Esposito, Associate Executive Director, Citizens'
Campaign for the Environment
Kevin McAllister, Peconic Baykeeper
Alfred Chiofolo, Bayman
Susan Antenen, Director, Coastal Conservation, the Nature Conservancy
Bill Patterson, Project Director, The Nature Conservancy
Andrew Manitt, Research Director, Neighborhood Network
Doug Cohen, Hauppauge Youth Organization
Bob Policastro, Hauppauge Youth Organization
Clifford Wood, Hauppauge Youth Organization
Paul Dill, Hauppauge Youth Organization
Jesse Starr, Hauppauge Youth Organization
Laurie Farber, LI Sierra Club
Michael Rolfall, Newsday

Chairperson Elkowitz opened the meeting by explaining to those guests present that the purpose of the CEQ is to review Suffolk County initiated projects and activities and make a recommendation to the County Executive and Legislature pursuant to 6NYCRR Part 617 as to the classification and, based on SEQRA criteria, in the Council's opinion, does an action require a negative or positive declaration. She stated that the CEQ is not a policy-making body and its members are not elected officials, but solely advisory on SEQRA matters. She requested that during the course of the meeting, anyone wishing to address the Council on a given action, limit his or her presentation to five minutes or less. Written comments can be submitted at that time.

MINUTES:

On a motion by Michael Kaufman, seconded by Nancy Manfredonia, the minutes of the December 12, 2001, meeting were approved by a unanimous vote.

CORRESPONDENCE:

Chairperson Elkowitz read a letter from Peter Scully, Commissioner of the Department of Parks, Recreation and Conservation, dated December 17, 2001, which states that the Parks Board of Trustees, at its meeting of November 15, 2001, discussed the revision of the Nature Preserve Handbook as initiated by Legislative Resolutions 638 and 1018 of 1999. The consensus of the Park Trustees was that the review process should be restarted and that three members of the Board of Trustees have volunteered to serve on a Nature Preserve Handbook committee to work with the CEQ.

PROJECT REVIEW:

1. Recommended Type II Actions:
 - a. Ratification of Staff Recommendations for Legislative Resolutions Laid

on the Table January 2, 2002.

A motion was made by Thomas Cramer to ratify the staff recommendations. The motion was seconded by Nancy Manfredonia and passed unanimously.

b. Proposed Reconstruction of the Bomarc Record Storage Facility, Westhampton, NY - CP 1705

A presentation was given by Ralph Borkowski, Landscape Architect, in the Department of Public Works, who stated that the project involves the installation of a new HVAC and electrical systems for the entire building, fire sprinkler system, fire alarm system, lighting systems an access card control security system, new and upgraded plumbing systems, a new roof and other miscellaneous improvements within the existing building.

A motion was made by Thomas Cramer to classify this project as a Type II action. The motion was seconded by Michael Kaufman and passed by a unanimous vote.

c. Proposed Renovation at the Yaphank Correctional Facility, CP 3009

A presentation was given by Ralph Borkowski, Landscape Architect, in the Department of Public Works, who stated that the project involves the planning and construction phases of the project consisting of the renovation of the existing kitchen/bakery/laundry space recently vacated, into inmate classrooms, barbershop and possibly medical rooms.

A motion was made by Thomas Cramer to classify this project as a Type II action. The motion was seconded by Michael Kaufman and passed by a unanimous vote.

d. Proposed Improvements to the County Correctional Facility, Riverhead, CP 3014

A presentation was given by Ralph Borkowski, Landscape Architect, in the Department of Public Works, who stated that the project involves the planning and construction phases consisting of improvements to the cell blocks at the County Correctional Facility in Riverhead including replacement of switches and lighting fixtures, installation of new air handlers and replacement of existing electrical panels.

A motion was made by Thomas Cramer to classify this project as a Type II action. The motion was seconded by Michael Kaufman and passed by a unanimous vote.

2. Proposed Construction of a Comfort Station/Storage and Improvements of Hauppauge Youth Organization Sports Complex, Town of Islip, Project #2054

A presentation was given by Paul Dill, of the Hauppauge Youth Organization, who explained to the Council that the intention of the project was to reconfigure and

increase the amount of ball fields on the site as well as construct a 1,480 sq. ft. building for restroom, concession and storage use. Unauthorized clearing of trees was done by the Hauppauge Youth Organization without the necessary NYS DEC freshwater wetlands permit or authorization by the Department of Public Works under the current license. A complaint by local residents was received by the DEC that must be addressed first before filing for the necessary wetlands permit if one is required.

It was stated that the site and project are not under the jurisdiction of the Department of Parks, Recreation and Conservation. The licensing agreement currently is under the jurisdiction of the Department of Public Works.

There was some discussion as to the size of the property and the HYO stated that the EAF may not be accurate. The EAF should be amended as follows:

1. A copy of the HYO lease agreement should be appended to the EAF.
2. The project description should be expanded, stating exactly what the project is and what changes from existing conditions will take place.
3. A site map of existing site conditions should be included indicating:
 - a. the exact boundaries and acreage of the leased property;
 - b. the NYS DEC freshwater wetlands boundary and 100 ft. buffer area;
 - c. the existing facilities;
 - d. the area and acreage of the previously cleared woodland which was not authorized.
4. A project site map indicating the proposed facilities, existing woodland, as well as the freshwater wetlands boundary and buffer area.
5. The EAF should clearly acknowledge that unauthorized clearing, conducted by the HYO, has taken place. It should indicate what additional clearing is necessary and the acreage.
6. The status of the local residents' complaint to DEC should be explained. The HYO should acknowledge in the EAF that they are responsible to pay for any fines or restoration work required by DEC with respect to freshwater wetlands.
7. The status of the NYS DEC freshwater wetlands permit should be explained and a copy of the wetlands application, if any, appended to the EAF.
8. Since the proposed restrooms need Suffolk County Health Department approval, comments from the Department of Health Services should be appended to the EAF as to whether the proposed facility could meet their

standards.

9. Since the Department of Public Works Building Division must approve the facilities, comments from DPW as to whether or not the proposed facilities meet their requirements should be appended to the EAF.
10. Detailed information regarding irrigation and site drainage should be shown on the proposed facilities map and explained in the EAF.
11. The EAF should clearly state that there are no plans for lighting at this time and any future plans for such will be submitted to CEQ in the future.

A motion was made by Michael Kaufman to table this project until the revised EAF and additional information requested is available. The motion was seconded by Larry Swanson passed by a unanimous vote.

3. Proposed Implementation of Greenways Program in connection with Acquisition of Active Parklands to be Known as Village Park at Boatland in the Village of Lindenhurst.

Mr. Shawn Culinane of the Village of Lindenhurst sent a letter to Jim Bagg in response to specific questions the CEQ had at the December meeting. Mr. Culinane was expected to address the Council, but was not present. It was pointed out that there is no maintenance agreement between the Parks Department and the Village as yet.

A motion was made by Thomas Cramer to table this project until a representative could be present. The motion was seconded by Lance Mallamo and passed by a unanimous vote.

4. Proposed 2002 Vector Control Work Plan, Suffolk County

Prior to opening the discussion on the 2002 Vector Control Work Plan, Chairperson Elkowitz reiterated that the CEQ only makes SEQRA recommendations and is not a decision-making body.

The following speakers addressed the Council: Dominick Ninivaggi, Superintendent of Vector Control, DPW; Adrienne Esposito, Associate Executive Director of the Citizens Campaign for the Environment; Lori Farber, Conservation Chair, Long Island Sierra Club; Kevin McAlister, Peconic Baykeeper; Alfred Chiofolo, Bayman; Andrew Manitt, Neighborhood Network; Susan Antenen, Director, Coastal Conservation Agency for the Nature Conservancy, Kim Shaw, Vito Minei and Walter Dawydiak of the Dept of Health Services.

Dominick Ninivaggi - Mr. Ninivaggi gave an overview of the revised EAF, which was changed as per CEQ recommendations. It includes a response to the comments received and additional attachments including a summary of New York City EIS with a web link, a Westchester County DEIS on mosquito spraying activities as well as EPA and the New York State DEC information sheets regarding the various pesticides that Suffolk County uses. He stated that the various pesticides used have been studied extensively and if they are used properly, environmental impacts are minimal. The only pesticides

not covered in prior EISs are the pyrethroids, such as scurge. A chart of "Suffolk County Vector Control Mosquito Treatments 1991 - 2001" was given to CEQ members. It shows a significant decrease in the overall acreage treated with adulticide while the acreage treated with larvicide increased. DPW is using pyrethroids because they have less impact than other approved pesticides. He pointed out that at this time, all mosquito control operations are in abeyance and if held up long enough, then emergency actions may be warranted and more adulticide applications would have to be applied if preventative action is not taken now. He further pointed out that all OWMR projects get individual permits and approvals from the NYS DEC.

Adrienne Esposito - Ms. Esposito of the Citizens Campaign for the Environment, stated that she thought the plan needed further review since it definitely has an impact on the environment. Pyrethroids are toxic on the environment and a protective mechanism is needed to ensure that the 300 ft. buffer from surface waters is maintained. The NYS Dept of Health Services 1984 EIS document is obsolete and there is no EIS for the chemicals used in Suffolk County. The New York City and Westchester County EISs are for preventing mosquito-borne diseases through the use of adulticides. Suffolk County's program is mainly for nuisance control and it is not known how that program affects the environment.

Lori Farber - Ms. Farber of the Sierra Club noted that NYC and Westchester County are not Suffolk County and we need to know the impacts on our County. She pointed out that her personal experience clearly indicated that dragonflies were negatively impacted after mosquito spraying. It is the opinion of the Sierra Club that the Suffolk County Vector Control Plan needs an EIS.

Kevin McAllister - Mr. McAllister entered into the record a letter from Atkinson-Loveless & Atkinson, LLP, regarding the proposed 2002 Vector Control plan of work. It stated that the EAF mischaracterizes "potential large impact" as "small to moderate impact" as a matter of law noting that the proposed EAF and plan of work triggers several indicators of significance and that a positive declaration is warranted. Mr. McAllister also submitted into the record a letter from the Peconic Baykeeper. He pointed out that adulticides are highly toxic to the aquatic environment and should be looked at very carefully. The Peconic Estuary Program recommends not re-opening mosquito ditches. However, the Suffolk County Vector Control plan states that 700 linear miles of existing ditches will be re-opened. Clearly, the re-opening of existing mosquito ditches is questionable and an EIS is needed.

Alfred Chiofolo - Mr. Chiofolo, a Bayman from the Moriches and Mastic area, stated that after the mosquito spraying, he personally saw dead crabs. It was Mr. Chiofolo's opinion that the pesticides used in mosquito control accelerated the maturity and breeding of crabs negatively impacting their reproduction and spawning. Two crab examples were shown to the Council. He alleged that if crabs are negatively affected, what is it doing to other organisms and humans?

Andrew Manitt - Mr. Manitt of the Neighborhood Network, submitted written comments which state that an EIS is needed to clearly evaluate the Vector Control Program and the impacts of pesticide use.

Susan Antonen - Ms. Antonen, Director of the Nature Conservancy's Coastal Conservation Division, noted that there were discrepancies between the PEP and DPW program. She wanted to know if the Vector Control Program to reopen mosquito ditches had been analyzed for its impact on the environment and, if such operations were to be conducted on Nature Conservancy lands, would Vector Control notify the Nature Conservancy and request permission. She pointed out that the Vector Control Program should not trade off human health impacts against environmental impacts. An EIS should be required to evaluate the widespread use of pesticides and mosquito ditches.

Chairperson Elkowitz read segments into the record from a Memorandum from Kim Shaw, Supervisor, Office of Ecology, Bureau of Environmental Management, dated January 14, 2002. She summarized noting that there are many issues that need further analysis, but that it is not the job of Vector Control to evaluate the pesticides approved by the EPA and NYS DEC. Clearly, there are long term issues, i.e., ditching, marsh management, and the use of pesticides. Therefore, a long term plan and GEIS are indicated.

Walter Dawydiak and Vito Minei - Messrs. Dawydiak and Minea went on to say that the DEC ditching policy in the PEP has not really been reviewed and that its impact is unknown. Currently, OWMR is being reviewed and may or may not work. In addition, the Department of Health Services has monitored pyrethran use and has not detected it as of this date.

The various Council members gave their view of the information presented. Based on the information presented, Mr. Ninivaggi of DPW requested that the proposed work plan be tabled again so that it could be modified to take into consideration the points raised.

A motion was made by Thomas Cramer to table this project until the Department of Public Works can respond to the questions raised at this meeting. The motion was seconded by Michael Kaufman and passed unanimously.

HISTORIC SERVICES

Richard Martin updated the Council on the following:

a. The Long Island Big Duck: A Newsday article which appeared in "The East End" on January 6, 2002, was distributed to the Council members and told that the Duck was moved from Flanders to Hampton Bays to save it from destruction 14 years ago. Southampton Town Supervisor Patrick Heaney stated in the article that the Duck should be returned to the Flanders location. Since the Duck has been dedicated to the County's Historic Trust, it will be discussed at the next Historic Trust Committee meeting which is scheduled for May 21, 2002.

b. Deepwells: A news article that appeared in The Saint James Times, compliments the staff at Deepwells in recreating the ambiance of the home as it was at the turn of the Century.

CAC CONCERNS:

OTHER BUSINESS:

There being no other business, a motion was made by Thomas Cramer to adjourn at 11:55 AM. The motion was seconded by Michael Kaufman. .

klr/s