

RESOLUTION NO. 849 -2016, MAKING A SEQRA POSITIVE DECLARATION IN CONNECTION WITH THE SUFFOLK COUNTY WASTEWATER MANAGEMENT PROGRAM FOR THE MITIGATION OF NITROGEN IMPACTS FROM WASTEWATER SOURCES

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) and the Long Island Regional Planning Council, in consultation and in partnership with numerous local governments and interested organizations on Long Island, are embarking on development of the Long Island Nitrogen Action Plan (“LINAP”)

WHEREAS, the NYSDEC has awarded Suffolk County 50% State grant funds under the Suffolk County Septic/Cesspool Upgrade Program Enterprise (“SCUPE”) to be implemented by the Suffolk County Department of Health Services, Division of Environmental Quality (“SCDHS DEQ”) to support LINAP initiatives; and

WHEREAS, the Suffolk County SCUPE funds were accepted and appropriated under Resolution No. 280-2016 and will be used to address nitrogen and pathogen loadings from sanitary wastewater or other sources for the restoration and protection of Suffolk County’s water; and

WHEREAS, the Suffolk County SCUPE funds include funding for the preparation of a Suffolk County Subwatersheds Wastewater Plan (“SWP”) and Generic Environmental Impact Statement (“GEIS”) which are to be completed as early action elements of the LINAP; and

WHEREAS, the SWP and GEIS are being developed to guide policymakers in the development of a Suffolk County Wastewater Management Program to mitigate nitrogen pollution emanating from wastewater sources; and

WHEREAS, the Proposed Action for the GEIS is described in Attachment I attached hereto and is subject to further refinement during public scoping; and

WHEREAS, the SCDHS DEQ has referred the project Environmental Assessment Form to the Suffolk County Council on Environmental Quality for recommendations; and

WHEREAS, Section 450 of the Suffolk County Code requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; now, therefore be it

1st **RESOLVED**, that the County of Suffolk shall be the SEQRA lead agency; and be it further

2nd **RESOLVED**, that this Legislature hereby determines that the proposed action “Suffolk County Wastewater Management Program for the Mitigation of Nitrogen Impacts from Wastewater Sources,” constitutes a Type I Action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 450 of the Suffolk County Code because the proposed action could result in the physical alteration of greater than 10 acres; and be it further

3rd **RESOLVED**, that this Legislature hereby determines that the implementation of this action may have a significant impact on the environment as identified within SEQRA, because it will exceed the criteria set forth in Title 6 NYCRR Part 617.7(c)(1)(vii)(viii)(ix); and be it further

4th **RESOLVED**, that the Legislature and the County Executive adopt a SEQRA determination of significance (positive declaration) requiring the preparation of a Draft Generic Environmental Impact Statement (“DGEIS”) which will analyze all of the short term, long term, and cumulative effects that will result of the proposed action; and be it further

5th **RESOLVED**, that the County of Suffolk conduct a public scoping process on the DGEIS; and be it further

6th **RESOLVED**, that this positive declaration has been prepared in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law; and be it further

7th **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the CEQ and the initiating unit; and be it further

8th **RESOLVED**, that in accordance with Section C-1-4(A)(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 in accordance with this Resolution and file it pursuant to title 6 NYCRR Part 617.12.

DATED: October 5, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 20, 2016