

# COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING  
DIVISION OF PLANNING AND ENVIRONMENT  
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson  
Chairperson  
CEQ

## **SUFFOLK COUNTY COUNCIL ON ENVIRONMENTAL QUALITY MINUTES**

DATE: November 15, 2017

TIME: 9:40 am – 1:10 pm

LOCATION: Hubbard County Park  
Riverhead-Hampton Bays Road, Flanders

### PRESENT:

Larry Swanson, Chair  
Michael Kaufman, Vice Chair  
Robert Carpenter Jr.  
Frank De Rubeis  
Eva Growney  
Constance Kepert  
Mary Ann Spencer  
Hon. Al Krupski

### ABSENT:

Michael Doall  
Hon. Kara Hahn  
Thomas Gulbransen

### CAC REPRESENTATIVES:

None

### STAFF:

Andrew Freleng, Chief Planner  
John Corral, Senior Planner  
Christine DeSalvo, Principal Clerk Typist

**GUESTS:**

Maria Nida, Assistant County Attorney, Suffolk County Department of Law  
Tom Iwanejko, Director, Suffolk County Vector Control  
Ilia Rochlin, Lab Manager, Suffolk County Vector Control  
Mary Dempsey, Biologist, Suffolk County Vector Control  
Richard Martin, Director, Historic Services, Suffolk County Department of Parks,  
Recreation and Conservation  
Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks,  
Recreation and Conservation  
Gerry Rosen, Engineer, Suffolk County Department of Public Works  
Paul Clinton, Architect, Suffolk County Department of Public Works  
Moses Cucura, Entomologist, Suffolk County Vector Control  
Kyle Swaringen, Principal Civil Engineer, Suffolk County Department of Public Works  
Lauretta Fischer, Chief Environmental Analyst, Suffolk County Economic Development  
and Planning, Division of Planning and Environment  
Christina DeLisi, Legislative Aide to Presiding Officer DuWayne Gregory  
Catherine Stark, Legislative Aide to Legislator Krupski  
Bridget Fleming, Suffolk County Legislator, District #2  
Kevin McAllister, President, Defend H2O  
William Bowman, PhD, Senior Scientist, Land Use Ecological Services, Inc.  
Ellen Williams, Suffolk County Historic Trust Member  
John Rather, Resident

**Minutes:**

October 18, 2017

The October 18, 2017 minutes at the request of staff were tabled until the December 13, 2017 meeting.

Mr. John Rather, Resident, requested to speak because he was unable to stay until the project came up on the agenda. The CEQ Chair gave him permission to speak at this point in the meeting. Mr. Rather spoke in opposition to Indian Island Park bulkhead and living shoreline project.

**Correspondence:**

It was noted that correspondence was received by Richard Groh, Chief Environmental Analyst for the Town of Babylon, indicating the Town of Babylon's support for the Deer Lake Rehabilitation Project and that it is the Town's belief that an Environmental Impact Statement is not necessary for this project.

**Public Comment:**

As noted above Mr. John Rather provided public comment on the Indian Island Living Shoreline Project. Also as described in the Project Review portion of the minutes Kevin McAllister provided public comment on the 2018 Vector Control Annual Plan of Work.

## **Historic Trust Docket:**

Director's Report:

- Updates on Housing Program for Historic Trust Sites

Richard Martin, Director of Suffolk County Historic Services, provided an overview of Hubbard County Park including the use and potential future uses of the structures present at the park. Mr. Martin also noted that the Hubbard County Park Property has been dedicated to the Suffolk County Historic Trust.

- Updates on Historic Trust Custodial Agreements

Mr. Martin had no new updates on Historic Trust Custodial Agreements

## **Project Review:**

### **Recommended Type II Actions:**

#### A. Proposed 2018 Vector Control Annual Plan of Work

A presentation regarding the proposal was given at the meeting by Tom Iwanejko, Director with the Suffolk County Department of Public Works, Division of Vector Control. The proposed action involves the implementation of the 2018 Vector Control Annual Plan of Work for the County's ongoing mosquito management program. It was discussed that the 2018 Annual Plan of Work is consistent with the Suffolk County Vector Control and Wetlands Management Long Term Plan and State Environmental Quality Review Act Findings Statement for the Final Generic Environmental Impact Statement.

After the presentation, Legislator Fleming spoke in support of the Plan and Director Tom Iwanejko for his efforts in improving the Vector Control program. Legislator Fleming highlighted Mr. Iwanenko efforts in coordinating with the Town of East Hampton to reduce the breeding sources of mosquitos and the need for larviciding and aduclticing.

Kevin McAllister, President of Defend H2O, stated that he felt that the CEQ should recommend the elimination of the use of Methoprene from the 2018 Vector Control Plan of Work. Mr. McAllister discussed studies that indicate the negative effects of Methoprene on non-target species such as Lobsters. Mr. McAllister also noted that the State of Connecticut banned the use of Methoprene in the Marine District.

In response Mr. Iwanenko provided some context and clarifications related to the studies Mr. McAllister noted and also noted that the Connecticut Methoprene ban that was referenced was not based on validated scientific evidence.

After discussion a motion was made by Mr. Kaufman that the 2018 Annual Plan of work was in conformance with the GEIS for the Suffolk County Vector Control and Wetlands Management Long Term Plan and therefore the proposed project is a Type II action. The motion was seconded by Mr. DeRubeis. Motion carried.

**Project Review:**

**Recommend Type I Actions:**

- A. Hubbard County Park Environmental and Historical Management Plan, Town of Southamptton

Nick Gibbons, Principal Environmental Analyst with Suffolk County Department of Parks and William Bowman, PhD, Senior Scientist, Land Use Ecological Services, Inc. gave a presentation to the Council regarding the Management Plan for Hubbard County Park.

It was discussed that Hubbard County Park is comprised of 1,840 acres of forested uplands, tidal marshes, and freshwater wetlands which provide habitat for numerous threatened and endangered plant and animal species. Hubbard County Park is also the site of the former Flanders Club, one of the oldest hunting clubs in Suffolk County, and Black Duck Lodge the former hunting lodge of financier E.F. Hutton. Due to their historical importance, the majority of the buildings at the Park have been dedicated to the Suffolk County Historic Trust and the Black Duck Lodge has been declared eligible for the National Register of Historic Places.

The Hubbard County Park Environmental and Historical Management Plan (EHMP) proposes to provide a blueprint for the long-term stewardship of the Hubbard County Park in a manner that maintains and enhances the Park's unique and sensitive environmental and historical resources and provides diverse opportunities for public recreation, education, and outdoor sporting. The (EHMP) contains a number of recommendations including building improvements, improved vehicle, pedestrian and small boat access, and invasive species control which were evaluated in the Plan but may also require additional regulatory review and approval prior to implementation.

After the presentation CEQ member Eva Growney voiced her concern that the AIA study which was completed for Hubbard County Park approximately 10 years ago was not referenced in the study. Suffolk County Parks Department staff noted that they were aware and did consider the AIA study when completing the EHMP. After discussion the CEQ felt that it was important for the AIA study to be referenced in the report. The CEQ also felt that it was important that the Plan establishes specific guidelines which provide a framework for the future control of invasive species at Hubbard County Park and that Innovative Alternative Onsite Wastewater Treatment Systems (I/A OWTS) be considered when the Park updates

its wastewater treatment systems. The CEQ also felt that it was important to note that when specific actions discussed in the Plan are implemented that said actions be subject to all applicable regulatory review requirements.

After the extended discussion a motion was made by Mr. Kaufman to recommend classification of the proposed project as a Type I Action with a Negative Declaration. The motion included that reasons for the Negative Declaration include: that the Plan considered and references previous studies related to Hubbard County Park including the study conducted entitled: “The Duck Project”- Peconic Regenerative Park Study (PRPS) conducted by the AIA Peconic Chapter – Hampton Bays, New York; that the Plan recommends coordinating with Suffolk County Department of Health Services to update the sewage treatment systems at the Park which will include the possible use of Innovative Alternative Onsite Wastewater Treatment Systems (I/A OWTS); that the Plan establishes specific guidelines which provide a framework for the future control of invasive species at Hubbard County Park; and that the implementation of the Plan’s recommendations will be conducted in accordance with all regulatory requirements and approvals. The motion was seconded by Ms. Spencer. Motion carried.

**Project Review:**

**Recommended Unlisted Actions:**

A. Proposed Indian Island Living Shoreline Project, Town of Riverhead

Mr. Corral, as Staff to the CEQ, provided an update as to the status of the SEQRA review for this project. Mr. Corral noted that since the previous CEQ meeting in October correspondence was received from the New York State Office of Historic Preservation (SHPO) indicating that due to the sensitive cultural resources present at the project location it is likely that the Army Core of Engineers will seek to be the project lead agency. It was noted that should the Army Core of Engineers be the lead agency for this project that would apply to the National Environmental Policy Act (NEPA) environmental review. A NEPA review is required when a Federal Agency is involved with a project but the County is still responsible for conducting the New York State SEQRA review for this project. Mr. Corral also noted that at the previous meeting it was indicated to the CEQ that there was not a time constraint related to this project but since the October meeting a concern was raised that if the funding is not appropriated for the project in 2017 by the Suffolk County Legislature it may be much more difficult to find funding for the project in upcoming Suffolk County budgets.

Nick Gibbons, Chief Environmental Analyst, with the Suffolk County Department of Parks, elaborated on the funding issue and the other regulatory agencies involved in the review of this project. Mr. Gibbons also described in greater detail the cultural resources that are present at the Park. The CEQ continued to have a

number of questions regarding the project and voiced concern regarding both the proposed partially submerged rock sill and the proposed bulkheading. Therefore, no SEQRA classification and determination of significance recommendation were sent by CEQ to the Suffolk County Legislature at this time.

After an extended discussion Nick Gibbons, representing the Suffolk County Department of Parks, withdrew the application from the CEQ's consideration.

- B. Proposed Acquisition of Land Under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum – Land Purchases for Open Space Preservation Purposes Known as the Dammeyer Property – Mastic/Shirley Conservation Area, Town of Brookhaven.

Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic Development and Planning, Division of Planning and Environment gave a presentation regarding the acquisition of this property.

The project involves the acquisition of land by Suffolk County under the Suffolk County Drinking Water Protection Program 2014 Referendum and its dedication to the County Parks Department in order to assure it remain in open space for passive recreation use. The proposed acquisition involves four Suffolk County Tax Map Numbers: 0209-033.00-02.00-079.000, 0209-033.00-06.00-009.000, 0209-027.00-06.00-052.000 & 0209-027.00-08.00-017.00 which total 0.67 acres in size and are located in the Mastic/Shirley Conservation Area in the Town of Brookhaven.

After a brief discussion regarding the proposed project Mr. DeRubeis made a motion to classify this action as an Unlisted Action with a Negative Declaration. Mr. Kaufman seconded the motion. Motion carried.

- C. Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Additions – 25 Properties to be Acquired in Partnership with the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), Town of Brookhaven

Lauretta Fischer, Chief Environmental Analyst, Suffolk County Department of Economic Development and Planning, Division of Planning and Environment gave a presentation regarding the acquisition of this property.

The project involves the acquisition of land by Suffolk County in partnership with the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) – Hurricane Sandy Emergency Watershed Protection Program – Floodplain Easements (EWPP-FPE), to acquire flood prone properties that were inundated/damaged by Hurricane Sandy on the Mastic/Shirley peninsula, to provide coastal resiliency for future storm events. NRCS will fund the cost of and hold title to the residual fee conservation easement on the subject parcels and Suffolk County

will fund the cost of and hold title to the residual fee title with funds from the New Enhanced Drinking Water Protection Program for passive recreational purposes. The proposed acquisition involves 25 Suffolk County Tax Map parcels and total 5.53 acres in area. The 25 parcels are identified in Attachment A of the November 2, 2017 dated project EAF. Of the 25 parcels, 5 parcels have existing structures which will be removed after acquisition with funds from NCRS.

After a brief discussion of the proposed project, Mr. Kaufman made a motion to classify this action as an Unlisted Action with a Negative Declaration. Mr. DeRubeis seconded the motion. Motion carried.

***Legislator Krupski and Mr. DeRubeis had to leave and as a result the Council no longer had a quorum so the remainder of the agenda as outlined below was tabled to the December 13, 2017 meeting.***

D. Proposed Rehabilitation of Deer Lake, CP 8716, Towns of Babylon and Islip

No Action Taken – Item Tabled until the December 13, 2017 meeting

Although the project was tabled due to a lack of a CEQ quorum, Paul Clinton with Suffolk County Department of Public Works provided a brief overview of the project. After the presentation Mike Kaufman requested some additional information also be provided when the project is next presented to the CEQ. Mr. Kaufman requested that in addition to the information provided that the project sponsors also provide the general characteristics of the water supply for the pumping well and a description of the flow from Swampums Creek and the impact of the recharge basin on this flow.

**Project Review:**

**Recommendations for LADS Report:**

- A. Recommendations for Legislative Resolutions Laid on the Table October 3, 2017 and November 8, 2017

No Action Taken – Item Tabled until the December 13, 2017 meeting

**Other Business:**

None

**CAC Concerns:**

None

Meeting Adjourned