

Correspondence:

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- Vector Control Assistance in Debris Removal in Mastic Beach

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP BERDOLT
DEPUTY COMMISSIONER

December 13, 2012

Robert Marsh
Regional Supervisor of Natural Resources
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409

RE: Vector Control assistance in debris removal in Mastic Beach

Dear Mr. Marsh,

As we discussed during yesterday's meeting at DEC's office, the Division of Vector Control has agreed to assist the Village of Mastic Beach in removing storm debris resulting from Hurricane Sandy that has been deposited in sensitive wetlands areas. We will be using 3 pieces of the Division's specialized heavy equipment for this task: 1) Kobelco wide track excavator with modified tracks designed specifically for wetlands operations and equipped with a "thumb" to allow grappling of large items; 2) Kassbohrer Pisten Bully dump carrier equipped with wide tracks for marsh operations; 3) Quality Industries amphibious carrier with pontoon tracks and a dump body. These machines are designed specifically for work on wetlands and other soft ground and have a ground pressure of 2 psi or less. The design of these machines allows them to operate in wetlands without significant damage to the vegetation, especially to the underground rhizomes. These machines are therefore uniquely suited to the task at hand of removing debris from the Mastic Beach wetlands.

It is my understanding from the meeting that this operation will be considered an NPN maintenance activity and no State permits are required. It is also my understanding that minor repairs to ditches required as a result of the deposition and removal of the debris will also be NPN actions and not require a permit. I understand that DEC approval of this work as a maintenance activity not requiring a permit is contingent on the use of this specialized equipment because these machines will minimize any long-term impacts on the wetlands. This approval specifically does not apply to the use of conventional wheeled or tracked equipment that does not meet the 2 psi ground pressure standard due to concerns that such equipment is likely to bog down and/or cause ruts or other damage to the wetlands.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

(631) 852-4010
FAX (631) 852-4150

Vector Control will be working in cooperation with the Village of Mastic Beach and the Mastic Beach Property Owners Association as part of the County's continued work in Sandy cleanup. The Division will primarily be responsible for removing debris from the wetlands and placing it in areas designated by the Village. The Village and/or the Town of Brookhaven will be responsible for appropriate re-use or disposal of the material. We expect to start the work the first week in January, depending on weather and operational and logistic factors, and will notify DEC when work will begin. This operation will protect the wetlands from damage as a result of the debris, restore appropriate water flow and prevent the formation of new mosquito larval habitats that might otherwise result from blocked flow, the presence of containers or damage to the marsh resulting from improper removal of material. It may also be possible to return some of the floats, docks, boats, etc. to their rightful owners. All in all, this cooperative venture should further the interest of all involved parties and protect the wetlands resource. I appreciate DEC's efforts in facilitating this work. As always, please call me at (631) 852-4267 or by e-mail at dominick.ninivaggi@co.suffolk.ny.us if you have any questions or need additional information. Thank you for your continued cooperation.

Sincerely,

Dominick V. Ninivaggi
Superintendent

cc: G. Anderson
P. Berdolt
B. Biondi
A. Chasinov
T. Iwanejko
P. Burke

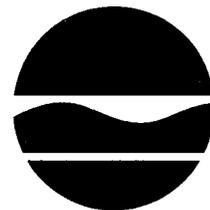
New York State Department of Environmental Conservation

Robert Marsh, Regional Supervisor of Natural Resources

Room 208, 2nd Floor, SUNY @ Stony Brook
50 Circle Road, Stony Brook, New York 11790 - 3409

Phone: (631) 444-0270 • **Fax:** (631) 444-0272

Website: www.dec.ny.gov



Joseph Martens
Commissioner

12/18/12

Dominick V. Ninivaggi
Superintendent
Suffolk County Department of Public Works
Division of Vector Control
335 Yaphank Ave
Yaphank, NY 11980

Re: Vector Control assistance with debris removal in Mastic Beach.

Dear Mr. Ninivaggi,

I am writing in response to your 12/13/12 letter regarding the above referenced subject. I have reviewed your narrative describing the proposed removal of storm debris from tidal wetland areas in Mastic Beach and feel the work would be "No Permit Necessary" under 6NYCRR Part 661.5 Use 21 which allows for the ordinary maintenance of mosquito control ditches. The storm debris has the potential to clog ditches, hold water in impervious surfaces, and create depressions in the marsh which could pool water- all potentially increasing mosquito breeding habitat. The use of low ground pressure machinery, less than 2 psi, should have minimal impacts to the wetlands. In addition the continued maintenance of existing mosquito ditches would also be considered NPN. Disturbance to woody vegetation should be minimized and there should be no side casting of excavated materials such that it changes surrounding grades.

Robert F. Marsh
Regional Supervisor
Natural Resources
Phone-(631) 444-0270 Fax-(631) 444-0272
E-mail rfmarsh@gw.dec.state.ny.us

PROJECT INFORMATION



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

Ms. Gloria Russo, Chairperson
Council on Environmental Quality
H. Lee Dennison Building – 4th floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Re: Coastal Steward Shellfish Restoration Program.

Dear Ms. Russo:

Attached please find 15 copies of a short Environmental Assessment form regarding the above referenced project. This project is a shellfish Restoration Program whose goal is the placement of about fifteen million disease resistant American oysters (*C. virginica*) into the Port Jefferson and Mount Sinai harbors. The expected outcomes include; water quality improvement, the establishment of a self-sustaining population of disease resistant oysters, and to provide approximately a million oysters per year for harvest by commercial and recreational means.

We would appreciate a project review to be scheduled for the next meeting of the Council on Environmental Quality.

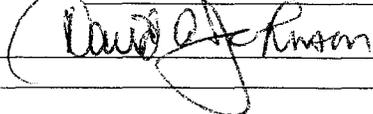
Thank you for your consideration and cooperation. If you have any questions or require additional information concerning this matter, please feel free to contact me at 853-5943.

Frank Castelli
Environmental Projects Coordinator
Water Quality Division
Department of Economic Development and Planning
Suffolk County

Project ID:

SUFFOLK COUNTY
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only
6 NYCRR Part 617.20
STATE ENVIRONMENTAL QUALITY REVIEW

Part I-PROJECT INFORMATION (to be completed by Applicant or Project Sponsor)

1. APPLICANT /SPONSOR Coastal Steward Inc. / Legislator Kara Hahn	2. PROJECT NAME Coastal Steward's Shellfish Restoration Project
3. PROJECT LOCATION Municipality: <u>Town of Brookhaven: Port Jefferson and Mt. Sinai Harbors</u> County: <u>Suffolk</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Port Jefferson Harbor and and Mt. Sinai Harbor</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification /alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>The project is for the restoration of oysters in the referenced harbors to improve water quality and provide oysters for commercial and recreational harvesting</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>1400</u> acres Ultimately <u>1400</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND US IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>Area around the harbors include state protected wetland, residential, and commercial</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>NYSDEC; Marine Hatchery Permit, On/Off Bottom Culture</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval <u>Town of Brookhaven (project partner) holds permits</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor Name: <u>David A. Johnson - Director/Kara Hahn</u> Date: <u>11-24-12</u>	
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

Continue to Part II

PART II - ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 yes No Comment:

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential or erosion, drainage or flooding problems?
 Explain briefly: *NO*

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?
 Explain briefly: *NO*

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species?
 Explain briefly: *NO*

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?
 Explain briefly: *NO*

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action?
 Explain briefly: *NO*

C6. Long term, short term, cumulative, or other effects not identified in C1-C5?
 Explain briefly: *NO*

C7. Other impacts (including changes in use of either quantity or type of energy)?
 Explain briefly: *NO*

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 yes No If Yes, explain briefly: *Cleaner water, more shellfish, more of other species, stabilize harbor bottom land*

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Suffolk County

 Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer _____

Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (If different from responsible officer) _____

12/18/12

 Date

Subject: Re: Coastal Steward - town permit
From: Tom Carrano <TCARRANO@BROOKHAVEN.ORG>
Date: Friday, December 7, 2012 2:34 pm
To: coastalsteward@optonline.net

To Whom It May Concern:

The Coastal Steward Organization has an agreement with the Town of Brookhaven in which the Coastal Steward Organization is a volunteer group under the direction of the Division of Environmental Protection. The Coastal Steward's volunteers work with the Town's employees to expand and enhance the Town's Shellfish Management Program at it's facility in Mount Sinai Harbor.

The Coastal Steward Organization works under the Town's DEC permits to operate a Hatchery and undertake Off-Bottom Culture. These permits are currently being amended to include the entire scope of work that is being done.

Please do not hesitate to contact me should you need any additional information.

Thomas Carrano
Asst. Waterways Mgmt. Supv.
Town of Brookhaven
Division of Env. Protection
One Independence Hill
Farmingville, NY 11738
631-451-6455

>>> <coastalsteward@optonline.net> 12/4/2012 9:17 AM >>>

Please email me a letter stating that the Coastal Steward works under your permits and copies of your permits. Thanks, Dave
See you Thursday

Coastal Steward Shellfish Restoration Program Project Description

The goal of the Port Jefferson and Mt. Sinai Harbors Shellfish Restoration Program is to place fifteen million disease resistant American oysters (*C. virginica*) into the harbors to serve the following purposes:

- To improve water quality through the filtering of one hundred and fifty million gallons of harbor water per day (an adult oyster can filter fifty gallons of water per day) by the estimated ten percent of the oysters expected to survive to adults¹.
- Future generations will increase the amount of water being filtered.
- Establish a self sustaining population of disease resistant oysters within the harbor complexes and get closer to the 1991 value of 33,579 bushels harvested².
- Provide a minimum of a million oysters per year for harvest by commercial and recreational means. These harvests in turn will generate over a million dollars per to the local economy³.

The Coastal Steward (CS) organization has thirteen years of experience with shellfish restoration and has released to date over 300,000 adult oysters into Port Jefferson and Mt. Sinai Harbors. CS is currently working on a plan to release an additional fifteen million oysters into the two harbors by means of setting fifteen million oyster larvae onto shell material and raising the oysters in racks in Mt. Sinai Harbor for release into Port Jefferson and Mt. Sinai Harbors. Upon being awarded this grant, the CS will purchase fifty more racks which will allow the oysters in the current restoration program to be protected from predators until they are approximately one year old, at which time they will be released and they will have a significantly greater chance of survival¹. The CS will purchase an additional fifteen million oyster larvae to continue the program for an additional year thus almost guaranteeing success of the program and making a larger impact on water quality in the harbors. The CS and the Town of Brookhaven have an agreement to share facilities and equipment. This partnership saves each partner a lot of expense.

¹ Atlantic States Marine Fisheries Commission. May 2007. *The Importance of Habitat Created by Molluscan Shellfish to Managed Species along the Atlantic Coast of the United States*. Washington, D.C.

² NYSDEC. Retrieved 2009. NYSDEC Dept of Shellfish Resources.

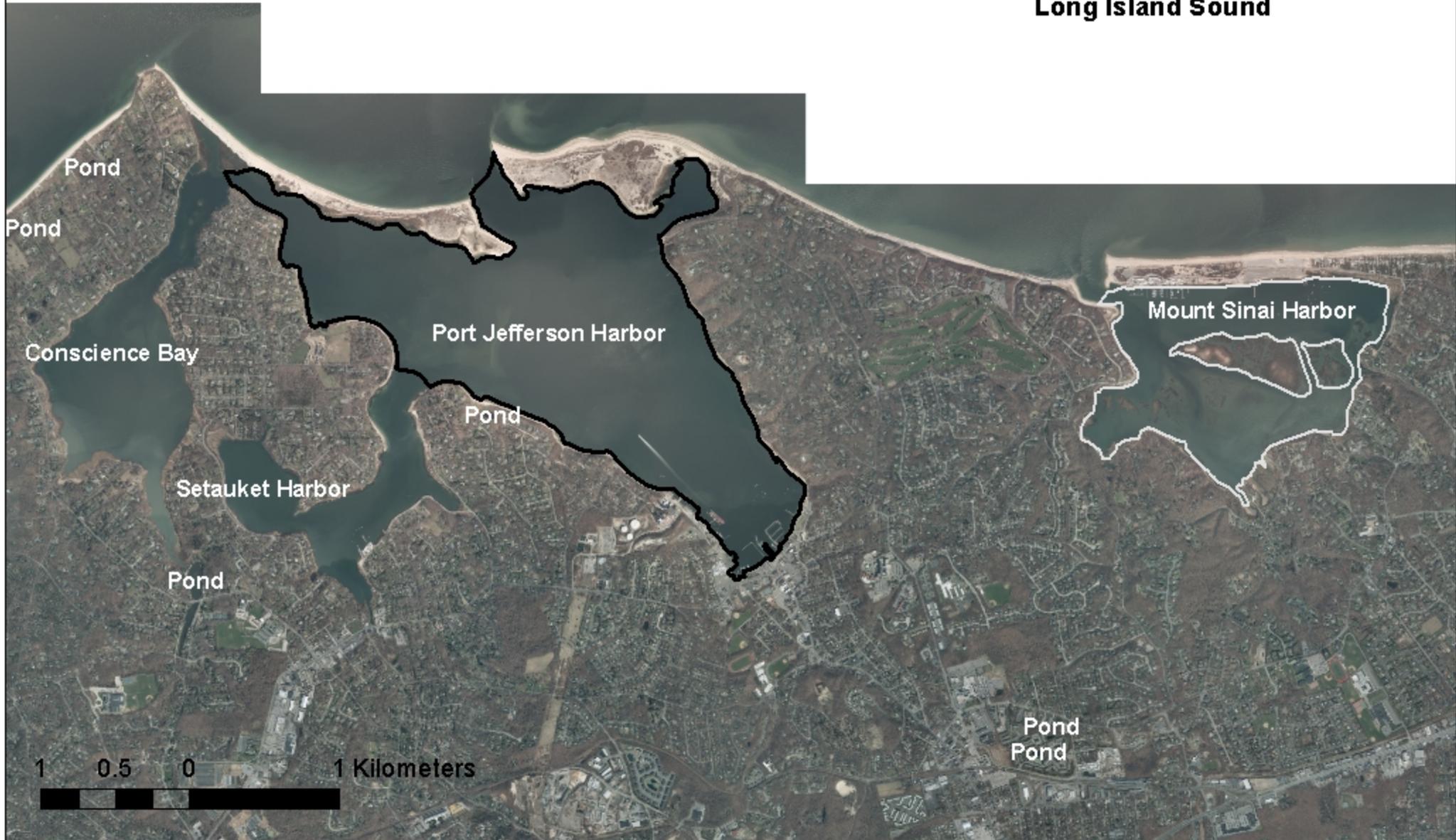
³ Town of Brookhaven and Incorporated Village of Port Jefferson. March 1998. *Port Jefferson Harbor Complex Management Plan*.

Coastal Steward Restoration Program

American oysters (*C. virginica*)
to be released throughout
Port Jefferson and Mount Sinai harbors



Long Island Sound





Town of Brookhaven
· Long Island

Mark Lesko, Supervisor

December 12, 2011

Mr. David Johnson
Coastal Steward, Inc.
6 Audrey Street
Port Jefferson Station, NY 11776

Re: Agreement between Coastal Steward, Inc.
and Town of Brookhaven regarding the
Shellfish Restoration Program with the
waters of the Town of Brookhaven

Dear Mr. Johnson:

Enclosed herewith please find one fully executed original copy of the
above referenced Agreement for your records.

Very truly yours,

Janet Ford,
Senior Assistant Town Attorney

JF:fjb
enc.

Department of Law

Robert F. Quinlan, Town Attorney

One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6500 • Fax (631) 698-4489 • Fax (631) 451-6505

www.brookhaven.org

Litigation papers are NOT to be served by FAX except by express prior written permission

AGREEMENT

**BETWEEN COASTAL STEWARD, INC. AND THE TOWN OF BROOKHAVEN
REGARDING THE SHELLFISH RESTORATION PROGRAM WITHIN THE
WATERS OF THE TOWN OF BROOKHAVEN**

7 (KW) December (KW)

AGREEMENT made this 22nd day of ~~October~~ 2011, between the TOWN OF BROOKHAVEN ("TOWN"), a municipal corporation of the State of New York, having its principal offices at One Independence Hill, Farmingville, New York 11738 and COASTAL STEWARD, INC. a domestic not-for-profit corporation incorporated in the State of New York, having its principal offices at 6 Audrey Street, Port Jefferson Station, New York, 11776 ("Coastal Steward").

WHEREAS, Coastal Steward's primary focus is environmental restoration; and

WHEREAS, the Town of Brookhaven Environmental Protection Division maintains a Shellfish Mariculture Program which grows juvenile oysters, hard clams and soft-shell clams for population enhancement within the waters of the Town of Brookhaven; and

WHEREAS, for the purposes of improving the overall efficiency of these two programs Coastal Steward, Inc. will work as an ancillary program to the Town's Shellfish Mariculture Program; and

WHEREAS, it is the intent of the Parties to set forth herein the mutually agreeable principles, practices, and understandings reached between Coastal Steward and the Town of Brookhaven regarding their alliance; and be it further

WHEREAS, the TOWN by Resolution No. 2011-802, adopted September 20, 2011, authorized the entering into an Agreement with the Coastal Steward to assist in the restoration of the shellfish population within the waters of the Town of Brookhaven;

NOW, THEREFORE, the Parties hereby memorialize their agreement as follows:

I. Coastal Steward will

1. Continue to operate its own program on Town-owned upland and underwater land;
2. Comply with all Federal, State, County of Suffolk, and Town of Brookhaven laws, ordinances, rules and regulations where applicable and secure and maintain, at its own cost and expense, all Federal, State, Suffolk County and Town of Brookhaven permits and licenses, necessary for the legal operation of this Agreement.
3. Agree that all seed grown by Coastal Steward, on or from Town property, will be solely used for seeding Town-owned underwater lands. The sale by Coastal Steward of any shellfish grown on or from Town owned lands is prohibited.
4. Seed only those lands underwater as authorized, in writing, by the Division of Environmental Protection or as identified as shellfish management areas in the Town Code;
5. Provide a list of all volunteers (name and address) who will be working on Town-owned land pursuant to this Agreement, along with a record of their attendance. Volunteers may only be on Town property between the hours of 8 am - 6pm from April 1 through November 30th of each calendar year. Attendance records shall be submitted by Coastal Steward to the Division of Environmental Protection weekly;
6. Coastal Steward will not construct, alter or install any dock, pier or mooring piles without the prior written consent of the Town of Brookhaven and agrees that any such activity, if undertaken, is in conformance with all Federal, State, County of Suffolk, and Town of Brookhaven laws, ordinances, rules and regulations, additionally Coastal Steward agrees to secure and maintain, at its own cost and expense, all Federal, State, Suffolk County and Town of Brookhaven permits and licenses, where applicable;
7. Authorize the Town of Brookhaven use of Coastal Steward equipment, if available; and will
8. Maintain insurance coverage for all motor vehicles and/or vessels used for this program.

II. The Town, through the Division of Environmental Protection under the jurisdiction of the Department of Planning, Environment & Land Management, will:

1. Provide a maximum of 70,000 seed oysters per year to Coastal Steward, this number may be increased or decreased at the sole discretion of the Town;

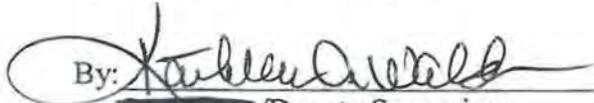
2. With the prior written approval of the Division of Environmental Protection, authorize Coastal Steward the use of Town equipment in carrying out the terms of this Agreement. All Town of Brookhaven equipment and material(s) so used remain the property of the Town of Brookhaven and under control of the Division of Environmental Protection;
3. Provide dock space, if available and agreed to in writing by the Parties, which dock space shall be located behind the Town's Park Maintenance Building at Cedar Beach, Mount Sinai. Dock space will be provided for no more than two vessels owned by the Coastal Steward and utilized to carry out terms of this Agreement, and only during the duration of this program. Dock space may be utilized starting the second Saturday in May and must be removed by the second Saturday in November;
4. The Town of Brookhaven will not be responsible for any injury to Coastal Steward volunteers, or damage to Coastal Steward vehicles, property or equipment, in carrying out the terms of this Agreement;
5. May provide storage space on its upland property with prior written approval of the Commissioner of the Parks and Recreation Department; and
6. In consideration of the public benefit received by the Town in assisting in the restoration of the shellfish population within the waters of the Town of Brookhaven the Town shall provide Workers Compensation benefits to Coastal Steward participants, so identified in accordance with Paragraph I (5), above, while those individuals so identified are actively volunteering with this program and while working on this particular project.

III. The term of this Agreement shall be for one (1) year, which shall commence upon execution by Coastal Steward and the Town. This Agreement may be renewed for two (2) additional one year terms, at the sole discretion of the Town, upon the same terms and conditions.

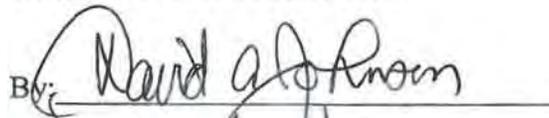
IV. The Agreement may be terminated, in whole or part, by either party on ten (10) days written notice to the other party in the event either party fails to fulfill its obligations under this Agreement or in the event continued performance under the terms of this Agreement would not be in the best interest of either the TOWN or Coastal Steward. Notice shall be sent to the parties at the addresses listed above. Upon termination by either party, all equipment, materials, and seed oysters shall be returned to the Town and Coastal Steward vessels removed from Town facilities within five (5) days of receipt of Notice to terminate.

V. Coastal Steward and the Town of Brookhaven will each appoint a contact person who will be available to provide assistance in coordination of all matters concerning this alliance created to assist in the restoration of the shellfish population within the waters of the Town of Brookhaven which is the subject of this Agreement and the Parties shall exchange all necessary contact information.

TOWN OF BROOKHAVEN

By: 
[REDACTED] Deputy Supervisor

COASTAL STEWARD, INC.

By: 

(PRINT NAME AND TITLE)

TOWN OF BROOKHAVEN ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF SUFFOLK)

On the 7 day of December, 2011, before me personally came Kathleen A. Walsh, to me known, who, being by me duly sworn, did depose and say that ~~she~~ is the ~~Deputy Supervisor~~ Deputy Supervisor of the TOWN OF BROOKHAVEN, the municipal corporation described in and which executed the foregoing instrument; that ~~she~~ signed ~~her~~ name thereto by order of the Town Board of the Town of Brookhaven.



2014

Christine J. Schroder
Notary Public

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEW YORK)
) SS.)
COUNTY OF SUFFOLK)

On the _____ day of _____, 2011, before me personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On this 22nd day of Nov., 2011 before me, the undersigned, a Notary Public in and for said State, personally came DAVID A. JOHNSON to me known, whom being by me duly sworn did depose and say that (s) he resides at PORT JEFFERSON STA. New York; that ~~(s)~~he is the DIRECTOR of COASTAL STEWARD INC.. The corporation described herein and which executed the foregoing instrument; that (s)he knows the seal of said corporation and that the seal affixed to said instrument is such corporate Seal; that it was so affixed by order of the Board of Directors of said corporation and that (s)he signed his name thereto by like order.

Barbara L. Haegle
Notary Public

BARBARA L. HAEGELE
Notary Public, State of New York
No. 01HA6075630
Qualified in Suffolk County
Commission Expires June 10, 2014

L A I D O N T H E T A B L E D E C E M B E R 1 8 , 2 0 1 2

LADS REPORT PREPARED BY:

Michele Gerardi

- Type II Action 2227. Resolution of the Legislature of the County of Suffolk, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, commercial solar energy systems equipment and installation services from State sales and compensating use taxes pursuant to Subdivision (hh) of Section 1115 of the New York Tax Law, pursuant to Article 29 of the Tax Law of the State of New York. (Anker) BUDGET AND FINANCE
6 NYCRR 617.5(c) (20)(27)
- Type II Action 2228. Authorizing Montauk Chapter of the Boy Scouts to enter into a License Agreement. (Schneiderman) PARKS & RECREATION
6 NYCRR 617.5(c) (1)(2)(15)(20)(27)
- Type II Action 2229. Authorizing certain technical correction to Adopted Resolution No. 842-2012. (Co. Exec.) WAYS & MEANS
6 NYCRR 617.5(c) (20)(27)
- Type II Action 2230. Adopting Local Law No. -2012, A Local Law to amend the membership of the Suffolk County Disabilities Advisory Board. (Cilmi) HEALTH
6 NYCRR 617.5(c) (20)(27)
- N/A 2231. VOID
- N/A 2232. VOID
- Unlisted Action 2233. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jean M. MacDonald (SCTM No. 0200-923.00-03.00-024.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 2234. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - Open Space component - for the Janet W. Krudop and Myron Kaplan property - North Fork Preserve III Town of Riverhead - (SCTM Nos. 0600-021.00-01.00-004.002, 0600-021.00-01.00-004.003 and 0600-021.00-01.00-004.004). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Unlisted Action 2235. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - Open Space component - for the 6 Pierrepont, LLC property - Beaverdam Creek - Town of Southampton (SCTM No. 0900-356.00-02.00-001.006 p/o and 0900-356.00-02.00-002.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Unlisted Action 2236. Sale of County-owned real estate pursuant to Local Law No. 13-1976 William J. Duffy and Elizabeth T. Duffy, his wife (SCTM No. 0100-041.00-01.00-018.000). (Co. Exec.) WAYS & MEANS
- Type II Action 2237. Authorizing the transfer of certain property to Suffolk County Department of Public Works. (Co. Exec.) WAYS & MEANS
6 NYCRR 617.5(c) (20)(27)

SEQRA Classifications & Recommendations

- Unlisted Action 2238. Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 182.00 Block 01.00 Lot 011.004 for sewage pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Unlisted Action 2239. Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 185.00 Block 01.00 Lot 041.000 for sewage pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h. (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Unlisted Action 2240. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Brookhaven - (SCTM No. 0200-047.00-05.00-005.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action 2241. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Waterways Development Corp. (SCTM No. 0200-854.00-04.00-002.089). (Co. Exec.) WAYS & MEANS
- Type II Action 2242. 6 NYCRR 617.5(c) (20)(27) Accepting and appropriating Federal funding in the amount of \$10,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in Operation Northeast Shore Restore with 78.90% support. (Co. Exec.) PUBLIC SAFETY**ADOPTED WITH C/N ON 12/18/2012**
- Type II Action 2243. 6 NYCRR 617.5(c) (20)(25)(27) Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$2,247,291 for the "Urban Area Security Initiative (UASI) FY2012" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY**ADOPTED WITH C/N ON 12/18/2012**
- Type II Action 2244. 6 NYCRR 617.5(c) (20)(25)(27) Accepting and appropriating 100% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$778,500 for the "State Homeland Security Program (SHSP) FY2012" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY**ADOPTED WITH C/N ON 12/18/2012**
- Unlisted Action 2245. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Craig Savino and Annette Savino, husband and wife (SCTM No. 0500-030.00-01.00-008.000). (Co. Exec.) WAYS & MEANS
- Type II Action 2246. 6 NYCRR 617.5(c) (20)(27) To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 378. (Co. Exec.) BUDGET AND FINANCE

SEQRA Classifications & Recommendations

- Unlisted Action 2247. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of East Hampton (SCTM Nos. 0300-058.00-08.00-005.000, 0300-058.00-08.00-006.001 and 0300-058.00-08.00-006.002). (Schneiderman) WAYS & MEANS
- Type II Action 2248. Updating standard work day and reporting for elected officials. (Pres. Off.)
6 NYCRR 617.5(c)
(20)(27) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
- Unlisted Action 2249. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sunrise Harbor Realty (SCTM No. 0100-200.00-01.00-005.000). (Gregory) **ADOPTED WITH C/N ON 12/18/2012**
- Type II Action 2250. Amending Resolution No. 1158-2012, implementing budget, staff and taxes for the Fiscal Year 2013 (Discretionary). (Pres. Off.) **ADOPTED ON 12/18/2012**
6 NYCRR 617.5(c)
(20)(27)
- Type II Action 2251. Amending Resolution No. 1159-2012, implementing budget, staff and taxes for the Fiscal Year 2013 (Mandated). (Pres. Off.) **ADOPTED ON 12/18/2012**
6 NYCRR 617.5(c)
(20)(27)
- Type II Action 2252. Authorizing amended tax warrant for Resolution No. 1160-2012 (for the Town of East Hampton) to be signed by the Presiding Officer and the Clerk of the County Legislature. (Pres. Off.) **ADOPTED ON 12/18/2012**
6 NYCRR 617.5(c)
(20)(27)

SEQRA Classifications & Recommendations

L A I D O N T H E T A B L E J A N U A R Y 2 , 2 0 1 3

LADS REPORT PREPARED BY:

Michele Gerardi

(Revised 1/2/2013)

- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1000. Reappointing Joseph S. Dujmic as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 13). (Spencer) PARKS & RECREATION
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1001. Adopting Local Law No. -2013, A Local Law to ensure the safety of children in child care facilities. (Hahn) HUMAN SERVICES
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1002. Establishing disclosure requirements for the Department of Labor, Licensing and Consumer Affairs ("Consumer Protection and Awareness Act"). (D'Amaro) GOVERNMENT OPERATIONS, PERSONNEL, HOUSING & CONSUMER PROTECTION
- Unlisted Action
1003. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Belinda A. Marquis (SCTM Nos. 0100-058.00-01.00-062.000 and 0100-058.00-01.00-064.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action
1004. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Juan Fernandez (SCTM No. 0100-199.00-03.00-015.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action
1005. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lawrence H. Womack, M.D. and Mary E. Porter (SCTM No. 0500-297.00-01.00-125.000). (Co. Exec.) WAYS & MEANS
- Unlisted Action
1006. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael R. Horenstein (SCTM No. 0200-980.00-03.00-022.000). (Co. Exec.) WAYS & MEANS
- Type II Action
6 NYCRR
617.5(c) (20)(27)
1007. Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer. (Co. Exec.) BUDGET AND FINANCE
- Unlisted Action
1008. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - open space component - for the Kramer property - Mastic/Shirley conservation area - Town of Brookhaven - Village of Mastic Beach - (SCTM No. 0209-036.00-03.00-037.000). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1009. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program and appropriating funds in connection with an evaluation of innovative/alternative sewage disposal systems to remediate water quality in Suffolk County (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1010. Authorizing execution of Intermunicipal Agreements pursuant to §§ 119-o with the Towns, Villages and Municipal Corporations and Districts of Suffolk County for mutual aid as a result of Hurricane Sandy. (Co. Exec.) WAYS & MEANS

SEQRA Classifications & Recommendations

- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1011. Rescinding Adopted Resolution No. 768-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road from Ruch Lane to Chapel Lane, Town of Southold, Suffolk County, New York (CP 5526, Phase II). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1012. Rescinding Adopted Resolution No. 765-2011 and authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York (CP 5526, Phase III). (Co. Exec.) PUBLIC WORKS AND TRANSPORTATION
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1013. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with a Pilot Study for Clustered Treatment of Decentralized Wastewater in the Peconic Estuary (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Unlisted Action
1014. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with Village of Sag Harbor Havens Beach stormwater remediation (CP 8240). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(21)(27)
1015. Amending the Adopted 2013 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2013 Capital Budget and Program, and appropriating funds in connection with the project for Monitoring Tidal Water Elevation and Water Quality to Assess Tidal Wetland Loss in Flax Pond and embayments of Long Island Sound, New York (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING AND AGRICULTURE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1016. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer By: County Legislature No. 380-2013. (Co. Exec.) BUDGET AND FINANCE
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1017. To create a task force to enhance the County's Procurement Process. (Gregory) PUBLIC WORKS AND TRANSPORTATION
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1018. Appointing Paul J. Tonna as a member of the Suffolk County Industrial Development Agency (IDA). (Horsley) ECONOMIC DEVELOPMENT AND ENERGY
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1019. Appointing member to the Judicial Facilities Agency (Joseph Sawicki). (Pres. Off.) WAYS & MEANS
- Type II Action
6 NYCRR 617.5(c)
(20)(27)
1020. Adopting Local Law No. -2013, A Local Law to enlarge qualifications for Museum Director. (Pres. Off.) PARKS & RECREATION

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

VINCENT FALKOWSKI, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Gloria Russo, Chairperson
Council on Environmental Quality

FROM: Ben Wright, P.E., Principal Civil Engineer *BW*

SUBJECT: SD #12 – Birchwood/Holbrook, CP 8143

DATE: January 2, 2013

Attached is a short EAF for the referenced sewer district. The sewer district has approximately 10 miles of sanitary sewers. The majority of facilities were constructed in the mid 1960's and although modifications and upgrades have been performed in the past, there is the need to be proactive with respect to this sewage conveyance infrastructure. Not all locations have been identified with respect to the need for improvement but many of the areas have sewer pipe which is subject to corrosion and failure, however, the initial area of focus is near the treatment plant site where a force main discharges to the sewer system. All work would be confined to replacement in-kind of the facilities including within rights-of-way or easements. The infrastructure includes the gravity sewers including their manholes, and other appurtenances. A picture is attached of the map of the district boundaries.

BW:ni

Attachment

cc: John Donovan, P.E., Chief Engineer
Ron Warren, Director of Operation & Maintenance
bw1-2-13 sd12 Birchwood/Holbrook CP 8143 CEQ memo to GRusso

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

PART II - ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 yes X No Comment: **replacement in-kind**

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 yes X No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential or erosion, drainage or flooding problems?
Explain briefly: **Short term construction noise and traffic maintenance**

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?
Explain briefly: **no**

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species?
Explain briefly: **no**

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?
Explain briefly: **no**

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action?
Explain briefly: **no**

C6. Long term, short term, cumulative, or other effects not identified in C1-C5?
Explain briefly: **no**

C7. Other impacts (including changes in use of either quantity or type of energy)?
Explain briefly: **no**

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 yes X No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 yes X No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the **FULL EAF** and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

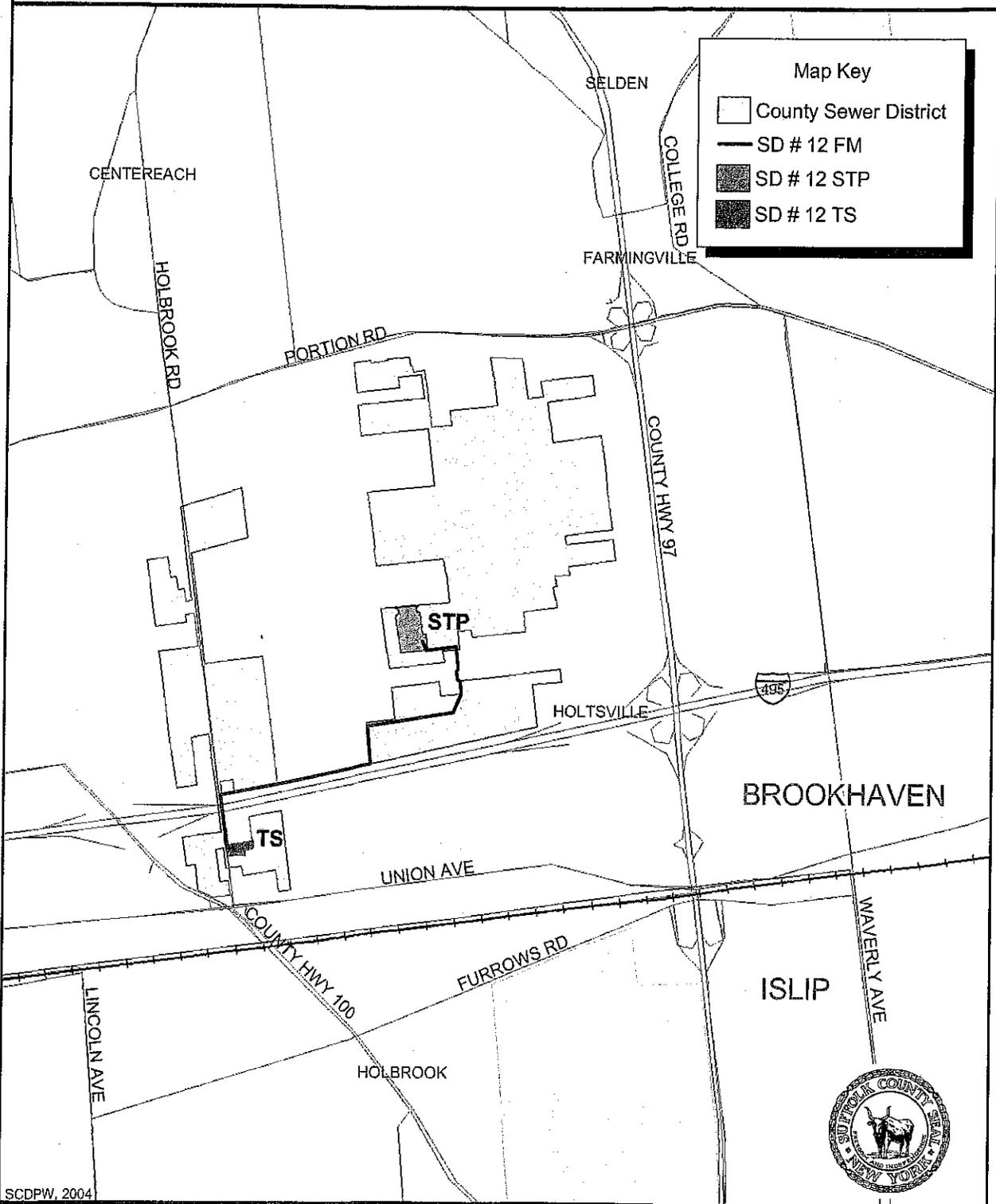
Date

"Attachments"

Sewer District No. 12

CP 8143 – Sewer System - Improvements

Suffolk County Sewer Districts



Map Key

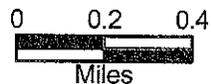
- County Sewer District
- SD # 12 FM
- ▨ SD # 12 STP
- SD # 12 TS

SCDPW, 2004

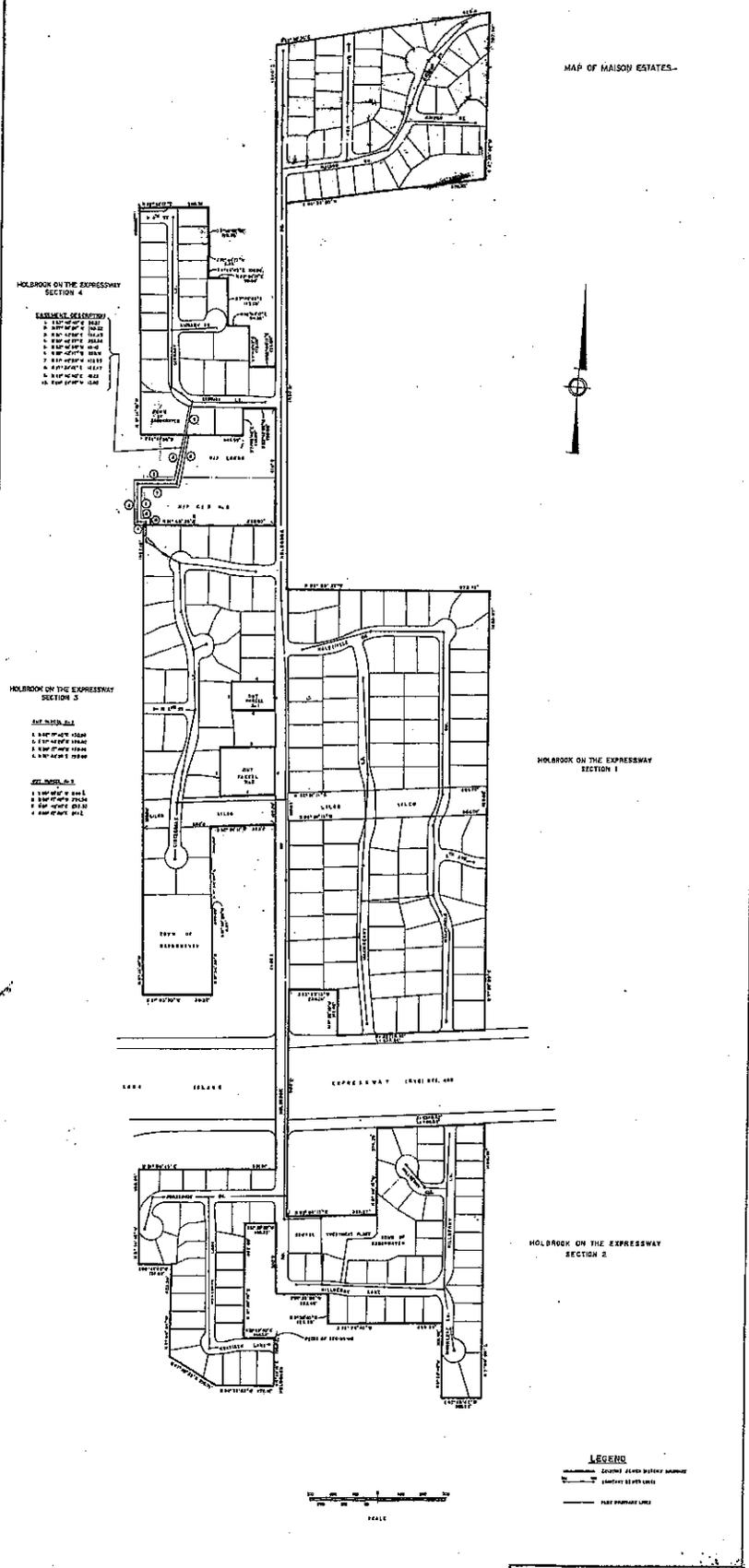


SD #12 Area = 0.6 Sq Miles

Sewer District # 12 Holbrook



MAP OF HAIKON ESTATES-



HOLBROOK ON THE EXPRESSWAY SECTION 4

LOT LIST:

- 1. 100' x 100' 00"
- 2. 100' x 100' 00"
- 3. 100' x 100' 00"
- 4. 100' x 100' 00"
- 5. 100' x 100' 00"
- 6. 100' x 100' 00"
- 7. 100' x 100' 00"
- 8. 100' x 100' 00"
- 9. 100' x 100' 00"
- 10. 100' x 100' 00"

HOLBROOK ON THE EXPRESSWAY SECTION 2

LOT LIST:

- 1. 100' x 100' 00"
- 2. 100' x 100' 00"
- 3. 100' x 100' 00"
- 4. 100' x 100' 00"

LOT LIST:

- 1. 100' x 100' 00"
- 2. 100' x 100' 00"
- 3. 100' x 100' 00"
- 4. 100' x 100' 00"

HOLBROOK ON THE EXPRESSWAY SECTION 1

HOLBROOK ON THE EXPRESSWAY SECTION 2

LEGEND

--- COUNTY LINE

--- STREET RIGHT-OF-WAY

--- PLAT BOUNDARY LINE

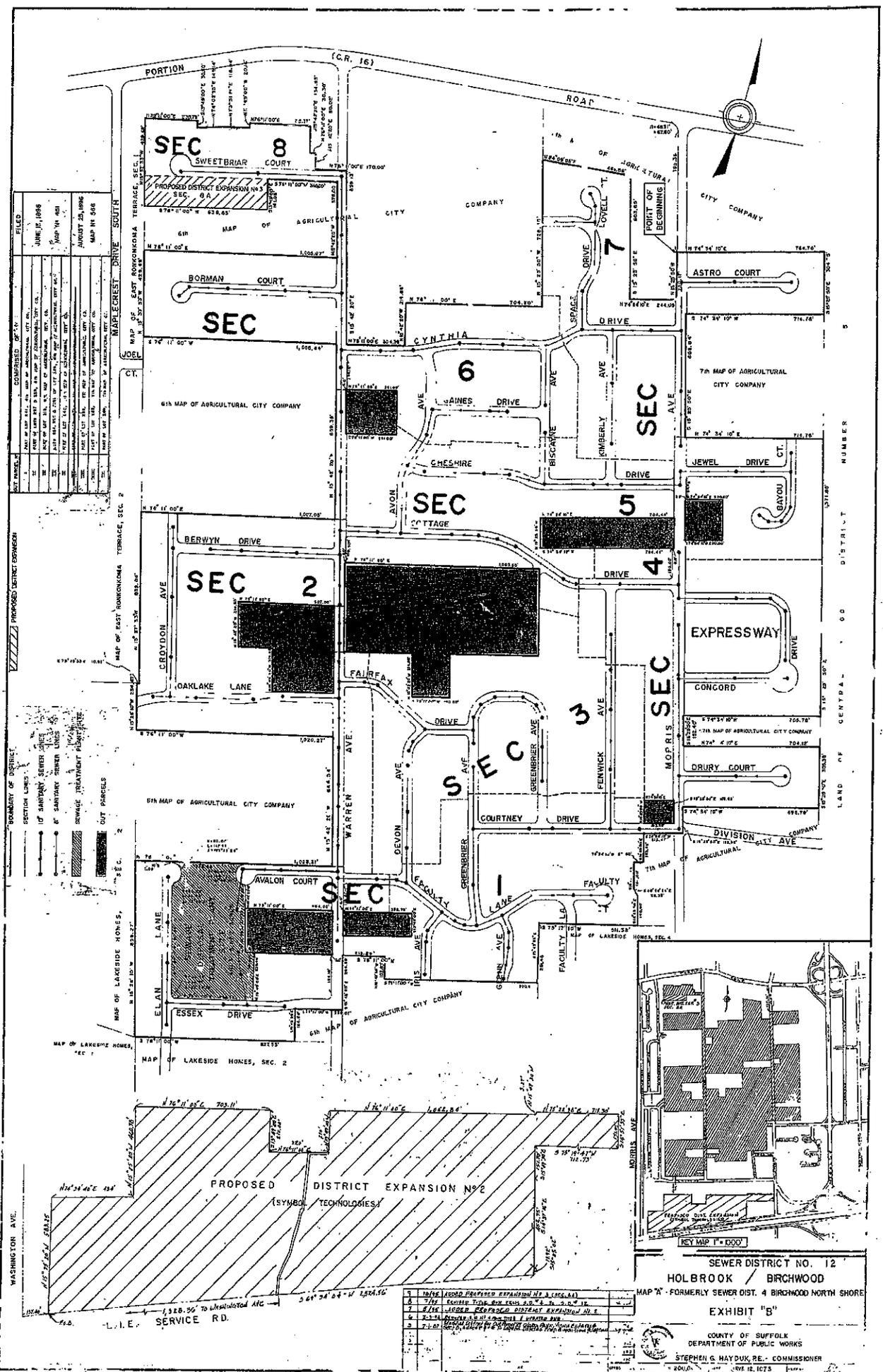


SEWER DISTRICT NO. 12
 HOLBROOK / BIRCHWOOD
 MAP "B" - FORMERLY SEWER DISTRICT 2 - HOLBROOK
 EXHIBIT "F"

OFFICE OF THE
 ENGINEER
 DEPT. OF PUBLIC WORKS

APPROVED: [Signature] DATE: [Date]

NO.	REVISIONS	DATE	BY
1	ISSUED	10/1/54	[Signature]
2	REVISION	10/1/54	[Signature]
3	REVISION	10/1/54	[Signature]
4	REVISION	10/1/54	[Signature]
5	REVISION	10/1/54	[Signature]
6	REVISION	10/1/54	[Signature]
7	REVISION	10/1/54	[Signature]
8	REVISION	10/1/54	[Signature]
9	REVISION	10/1/54	[Signature]
10	REVISION	10/1/54	[Signature]



FILED

COMPILED BY: JUNE 11, 1968

MAP NO. 401

AUGUST 28, 1968

MAP NO. 506

PROPOSED DISTRICT EXPANSION

SECTION LINES

OF SANITARY SEWER LINES

OF SANITARY SEWER LINES

SEWAGE TREATMENT PLANTS

CUT PARCELS

1	100' x 100' ADD'D PROPOSED EXPANSION NO. 2 (SYMBOL)
2	75' x 75' EXISTING TOWER WITH 100' x 100' TANK
3	100' x 100' EXISTING TOWER WITH 100' x 100' TANK
4	100' x 100' EXISTING TOWER WITH 100' x 100' TANK
5	100' x 100' EXISTING TOWER WITH 100' x 100' TANK
6	100' x 100' EXISTING TOWER WITH 100' x 100' TANK
7	100' x 100' EXISTING TOWER WITH 100' x 100' TANK

SEWER DISTRICT NO. 12
 HOLBROOK / BIRCHWOOD
 MAP NO. 1 FORMERLY SEWER DIST. 4 BIRCHWOOD NORTH SHORE
 EXHIBIT "B"
 COUNTY OF SUFFOLK
 DEPARTMENT OF PUBLIC WORKS
 STEPHEN G. HAYDUK, JR., COMMISSIONER
 1973