

## COUNCIL ON ENVIRONMENTAL QUALITY

### MINUTES

A regular meeting of the Suffolk County Council on Environmental Quality was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Wednesday January 18, 2006.

#### **MEMBERS PRESENT:**

Larry, Swanson, Chairman  
Thomas Cramer, Vice-Chairman  
Theresa Elkowitz  
Michael Kaufman  
Lance Mallamo  
John Potente  
John Wagner  
Lee Snead

#### **ALSO IN ATTENDANCE:**

Legislator Lynne C. Nowick, Thirteenth District, Chairperson of Parks and Cultural Affairs  
Legislator Vivian Vilorio-Fisher, Fifth District, Chairperson of Environmental, Planning and Agriculture  
James Bagg, Chief Environmental Analyst/Department of Planning  
Penny Kohler, Department of Planning  
Richard Martin, Historic Services  
Joy Squires, CAC of Huntington  
Lauretta Fischer, Real Estate  
Tony Conetta, Durka & Bertilucci  
Greg Moran, Aide to Leg. Nowick  
Dominick Ninivaggi, DPW/Vector  
Adrienne Esposito, CCE  
Sarah Newkirk, Coastal Program Director  
David Tonjes, Cashin Associates  
Karen Blumer VP Open Space Council.  
Ben Wright, SCDPW  
Kimberly Shaw, SCDHS  
Walter Dawydiak, SCDHS  
Matthew Atkinson, General Counsel to Peconic Baykeeper  
Bob McAlevy  
Michael Deering, Director of Environmental Affairs  
Chris O'Connor, VP of Government Affairs

#### **MINUTES TAKEN AND TRANSCRIBED BY:**

Diana Kraus - Court Stenographer

**(THE MEETING COMMENCED AT 9:37 AM)**

**(PLEASE NOTE: DR. SWANSON WAS NOMINATED AND ELECTED AS CHAIRMAN OF CEQ ON PAGE 29 OF THIS TRANSCRIPT)**

**CHAIRMAN SWANSON:**

Good morning ladies and gentlemen. I'd like to call CEQ to order. And we're going to begin by reviewing finally the minutes of the May 18th, 2005 meeting. This is something that Terry wasn't able to accomplish in the six months, but we're going to get it done today. Do I have a motion?

**MR. KAUFMAN:**

I have read it, Mr. Chairman. And I find no glaring errors in it. And I will accept a motion to accept the minutes.

**MS. ELKOWITZ:**

I second.

**CHAIRMAN SWANSON:**

We have a motion and a second. All in favor? Opposed?

**MS. ELKOWITZ:**

The problem that we have is that I don't know there are enough people here that make a quorum to vote.

**MR. KAUFMAN:**

Seven.

**MS. ELKOWITZ:**

But they weren't even on the council then so they can't vote on minutes.

**CHAIRMAN SWANSON:**

And I wasn't here.

**MS. ELKOWITZ:**

So I think that these minutes just have to kind of end up as a no vote and they go in the file and that's the end of the minutes.

**MR. KAUFMAN:**

Sorry, Larry, it was a good try. I will withdraw my motion. They look good none the less even if we don't vote on them. Okay? How does that sound?

**CHAIRMAN SWANSON:**

All right. It also says that we should review the July 20th, 2005 minutes. Does anybody have a -- I don't have a copy of those.

**MR. SNEAD:**

I'm in the same boat on that one.

**MS. ELKOWITZ:**

I don't have them either.

**CHAIRMAN SWANSON:**

Jim, was that a mis-print by any chance?

**MR. BAGG:**  
July 20th?

**CHAIRMAN SWANSON:**  
Yes.

**MR. BAGG:**  
You can get them via Clerk's Office.

**MS. ELKOWITZ:**  
I don't have July 20th minutes. They didn't come to my office.

**CHAIRMAN SWANSON:**  
I don't recall seeing them either.

**MS. ELKOWITZ:**  
And I thought that we -- Mr. Chairman, I thought that we had asked that they be sent over to Jim's so that they can be sent over with the packet so we don't have this problem any more.

**CHAIRMAN SWANSON:**  
That's my recollection as well. Jim, of course, if you could check on that process, I think it would help everybody out.

**MR. BAGG:**  
Okay.

**CHAIRMAN SWANSON:**  
We would like them as part of the packet.

**MR. BAGG:**  
I'll make sure they're included in the next packet.

**CHAIRMAN SWANSON:**  
All right. Recommended Type II Actions. Jim, do you have anything you want to call to our attention?

**MR. BAGG:**  
Yes. There's a couple of things in the packet that are of interest. One is resolution number 1026-2006. Just for your interest it's Charter to ensure representation of environmental interest and historic preservation on the Council of Environmental Quality which increases the membership by two people.

There's another thing in there which is kind of interesting. It's resolution number 1027. It's a law to promote energy efficient environmental friendly dredging projects which says they're going to use bio fuels. It's directing to use bio fuels.

I included also in your packet there a summary of the new Environmental Department. And the summary was prepared by the attorney for Counsel for the Legislature. So if anybody wants a copy of the complete bill, we can make that available.

And there's a couple of things also, resolution number 1071-2006 related to construction at Francis Gabreski Airport pending a master plan. They want to propose a moratorium. That was by Legislator Schneiderman. That was laid on the table. And also a change in the Charter to refer the leases from the currently formed lease screening committee of the airport back into the Legislature. To alert the Council we have had numerous calls from local citizens groups in the Westhampton area there are very concerned about the airport. And they would like to come in

and address the CEQ with respect to that matter and the proposed leases and future development at the airport. So they were supposed to have faxed us a letter which we did not get yesterday, but I assume in the future they may be in to address you on matters at the airport which come before the CEQ.

**MR. KAUFMAN:**

Mr. Chairman, if I may, I have a couple of questions. This local law 1027 for the environmentally friendly dredge projects, basically it's bio diesel as you said. What is this bill trying to do? I mean basically mandate just the use of bio diesel in the dredges? To put it bluntly, we were -- I recently was involved with the dredging project in Stony Brook Harbor where bio diesel was mandated to be used. And it caused some issues in terms of higher pricing, quality of fuels, non availability of fuels occasionally, etcetera. So, you know, I'm a little concerned about it.

**CHAIRMAN SWANSON:**

Also was there not some difficulty in running the equipment?

**MR. KAUFMAN:**

Well, partly that have was because it was a 1950's dredge. And the diesel engines made back then have different inlet ports, different mixing characteristics inside the tanks -- the storage tanks. They don't have mixers inside there, etcetera. So, that's why that dredge was having that particular problem. Admittedly the Shinnecock is an old dredge. Whether that would apply to newer dredges with newer equipment, I don't know. But, you know, there's technical problems with literally using this fuel and getting it into the area, etcetera. Does this bill cover any of that, Jim?

**MR. BAGG:**

No, it doesn't, Mike. I mean it just simply says that they are directed to use, you know, bio diesel fuels.

**MR. KAUFMAN:**

This is going to be an interesting one depending upon the equipment that gets used. Is there any latitude given to Department of Public Works to deal with some of the issues that might come up in terms of the equipment, etcetera? Again, the reason I bring this up is I think I've been involved now with eight dredging projects in the Smithtown area. And I'm a little up on my dredging.

**MR. BAGG:**

The resolve reads that the specifications accompanying the solicitation of the award of a contract for dredge services shall require that the successful bidder employ bio diesel fuel in the performance of the dredge project.

**MR. KAUFMAN:**

Okay.

**MR. BAGG:**

Most of the concerns you raise, I believe, are economic.

**MR. KAUFMAN:**

Some of them are economic. Some of them are literally the equipment using it. Okay. Just to let everyone know, on 1137 I'll be abstaining on that one. It talks about appointing member Adrienne Esposito to the County Planning Commission. She used to be a member of CEQ. And I just think it is proper for me to abstain on that one.

1026 was laid on the -- was subject to a public hearing yesterday. And that's to ensure representation of environmental interest and historic preservation on the CEQ. Basically it's a modification of bills that we saw about a year or so ago or half a year or so year ago where

there was talk about adding three new members. This -- I talked with the sponsor Legislator Cooper and with one or two other Legislators yesterday. And the way I understand the bill to read it's two people would be added to CEQ making us have a ten person -- are we eleven? Eleven. So I can't count. Basically one of the them has a specific reservation for someone from the historic preservation business, if you will. And then also representation of environmental interest being someone essentially from the environmental movement with certain qualifications, etcetera. So I'm just pointing that one out. One or two people spoke in favor of it. And it's my opinion that it probably will eventually pass at the Legislature. So I'm just informing the members.

**CHAIRMAN SWANSON:**

Thank you. Do I have a motion?

**MS. ELKOWITZ:**

I move to accept staff recommendations for the classifications and the actions.

**CHAIRMAN SWANSON:**

Do I have a second?

**MR. KAUFMAN:**

I'll second the motion except I'll abstain on 1137.

**MR. SNEAD:**

Mr. Chair, I'll have to abstain on 1047.

**CHAIRMAN SWANSON:**

All in favor? Opposed? Motion carries with the abstentions.

Next we have a maroon travel hoist, Town of Brookhaven. Anybody here to speak to that?

**MR. BAGG:**

I mean, Larry, if you read it, I think it very well speaks for itself. It's basically a project that will provide funding for the replacement of an aging 25-year-old hoist with one 35 ton Acme hoist. It is essentially the purchase of equipment replacement.

**MS. ELKOWITZ:**

I make a motion to classify it as a Type II pursuant to 617.5 (c) (25).

**MR. KAUFMAN:**

Second.

**CHAIRMAN SWANSON:**

All in favor? Opposed? Motion carries.

Proposed acquisitions. Laretta?

**MS. FISCHER:**

Good morning.

**CHAIRMAN SWANSON:**

Good morning.

**MS. FISCHER:**

The first acquisition -- I have maps that I brought with me today for these, if I could hand them

out.

The first property is the Sposota property in the Town of Shelter Island. It is the green outlined parcel on your map. And it's adjacent to Fresh Pond. And also is contributory to Dickerson Creek to the south. There's tidal and fresh water wetlands on this property. And it's about six acres -- 5.99 acres. And it's -- we're doing a land preservation partnership with the Town of Shelter Island with a 50/50 match for this parcel. The County also owns the two parcels in yellow to the east. And we are also looking at about 28 acres in addition to this including the adjacent parcel to the east for further acquisition around this watershed. This also -- this watershed does flow through Dickerson Creek into West Neck Harbor and into Peconic Bay.

**CHAIRMAN SWANSON:**

What is the blue line around --

**MS. FISCHER:**

That's showing the fresh water wetlands boundary. New York State DEC fresh water wetlands boundary. This is some -- with the wetland boundaries, one has to take a little bit more local concern. There are other fresh water wetlands south of the area shown on the piece of property that we're acquiring. There are also tidal wetlands that are not identified on the southern portion. As you can see there's some area to the south east of the property. That's tidal wetland that wasn't identified but it certainly exists.

**CHAIRMAN SWANSON:**

Okay. Do we have a motion?

**MR. KAUFMAN:**

I'll make a motion this is an unlisted neg dec. And let's approve this thing.

**CHAIRMAN SWANSON:**

Any discussion? Let me just get a second.

**MR. SNEAD:**

Second.

**CHAIRMAN SWANSON:**

Mr. Snead seconded. Any discussion? All in favor? Motion passes. Next, Laretta.

**MS. FISCHER:**

The next property being handed out is a 14 acre lot in what is called the Noyack Greenbelt in the Town of Southampton. This is in the south fork SGPA. And we are also looking at other acquisitions as you can see on the map in green.

The parcel that we are acquiring today proposed for acquisition is the one marked in the black pen down to its location. It has pitch pine and some oak. And it's in an area just west of the Long Pod Greenbelt complex.

**CHAIRMAN SWANSON:**

Do I have a motion?

**MS. ELKOWITZ:**

I have a motion for unlisted neg dec.

**MR. KAUFMAN:**

I'll second.

**CHAIRMAN SWANSON:**

Any discussion? All in favor? Motion passes.

**MS. FISCHER:**

Next property is the Berkowitz property. And it's that small sliver identified with the black line again. This is in our Mastic Shirley conservation area. And as you can see we're proposing a number of additional acquisitions in this area. We're trying to consolidate our holdings here. They're extensive tidal wetlands as well as fresh water wetlands. And it is adjacent to other county parkland right directly west of this parcel. There is a small stream that flows up near this parcel probably within about fifty feet. And we're looking to acquire this as well as many others.

**MR. KAUFMAN:**

Mr. Chairman?

**CHAIRMAN SWANSON:**

Yes.

**MR. KAUFMAN:**

If I might this is an extremely small property. I can well understand why it's so even hard to see on the aerial photograph. But I find one interesting thing in here. I'm just going to point it out for the record. This is a planning step obviously and I don't have a problem with planning to --

**MS. FISCHER:**

This is an acquisition.

**MR. KAUFMAN:**

Acquisition. I don't have a problem with it. But there is something in the Eighth Resolve Clause. If not acquired the property will most likely be developed for residential purposes incurring far greater environmental impact.

**MS. FISCHER:**

That's usually the boiler plate that's put in there. But it could be considered as part -- obviously it couldn't be considered in and of itself. But if they did merge properties adjacent to it to the east, it could possibly be used as part of a residential lot.

**CHAIRMAN SWANSON:**

Do we have a motion?

**MR. CRAMER:**

Motion.

**MR. MALLAMO:**

Second.

**MS. ELKOWITZ:**

Unlisted neg dec.

**CHAIRMAN SWANSON:**

Unlisted neg dec. And we have a second by Mr. Mallamo. All in favor? Opposed? Motion passes.

**MS. FISCHER:**

The next property is the Kaufman/Heller property. And again this is in an area that you're familiar with. This is the -- this is in the Mud Creek area, a 1.6 acre lot on the northern section of

the east/west tributary headwaters of Mud Creek. We're very interested in acquiring this piece as part of our acquisition package here. It's adjacent to a much larger piece. The Unitarian Church just to the south of it. And we are looking to acquire this under Multifaceted for open space purposes.

**MR. CRAMER:**

Motion unlisted neg dec.

**MS. ELKOWITZ:**

Second.

**CHAIRMAN SWANSON:**

Any discussion? All in favor? Opposed? Motion carries.

**LEG. VILORIA-FISHER:**

Mr. Chairman?

**CHAIRMAN SWANSON:**

Yes?

**LEG. VILORIA-FISHER:**

Here I am. Vivian. Over here.

**CHAIRMAN SWANSON:**

Where?

**LEG. VILORIA-FISHER:**

It's hard to tell where the voice is coming from. I just have a question about this piece of property. I recall voting on another acquisition associated with the Unitarian Universalist Church in Bellport?

**MS. FISCHER:**

Yes.

**LEG. VILORIA-FISHER:**

Is this an additional parcel or --

**MS. FISCHER:**

Yes.

**LEG. VILORIA-FISHER:**

Or is this just the -- had we voted on planning steps and this is the acquisition?

**MS. FISCHER:**

This have been voted as a planning steps in addition to those -- the church property, that was a resolution -- planning steps resolution put in by Legislator Foley about two years ago. And we're trying to fill in the blanks and make a cohesive piece of property. And this is part of that.

**LEG. VILORIA-FISHER:**

So there were several. It had been had -- it had been segmented before and now we're trying to look at the whole Bellport Unitarian Universalist Fellowship as one entity.

**MS. FISCHER:**

Correct.

**LEG. VILORIA-FISHER:**

But they will be left with some property there adjacent to the church around the footprint?

**MS. FISCHER:**

The church is -- it's not owned by the church, this piece we're talking about.

**LEG. VILORIA-FISHER:**

Oh, okay.

**MS. FISCHER:**

The property -- the church property or the former church property is the one to the south of this piece that we bought a number of years --

**LEG. VILORIA-FISHER:**

Okay. And that's the one we had voted on.

**MS. FISCHER:**

Correct.

**LEG. VILORIA-FISHER:**

Okay. Thank you. I just wanted to clarify that in my own memory.

**MR. SNEAD:**

To clarify it further there is no church at that site. It was deeded to the church many years ago. The Bellport Universalist Church is in Bellport. In the Village of Bellport.

**LEG. VILORIA-FISHER:**

Okay. So this is not even adjacent to the church? Is that what you're --

**MR. SNEAD:**

No, not at all.

**MS. FISCHER:**

It's just the owner. It's not church property with an actual church on it.

**CHAIRMAN SWANSON:**

Now that I missed you I'd like to welcome Legislator Viloria-Fisher to the meeting today. Thank you for coming.

**LEG. VILORIA-FISHER:**

Thank you. I just wanted to let you know that the reason I'm here is because I am Chair of the Environment and Land Acquisition Committee. Years ago the Parks and Land Acquisition committees were one committee and so the Chair of Environment or Parks was a voting member of CEQ. Because CEQ resolutions come before the Environment Committee, I feel that it's important for me as Chair of that committee to be here and see how the determinations are reached here before they come to the Environment Committee. I'm Vice-Chair of Parks, but I don't think that that gives me on a voting position on this committee.

**MR. KAUFMAN:**

We'll still listen to you, though.

**CHAIRMAN SWANSON:**

You're welcome at any time.

**LEG. VILORIA-FISHER:**

Thank you very much.

**CHAIRMAN SWANSON:**

All right, Laretta.

**MS. FISCHER:**

The next piece of property is on Forge River, the Kempinski property. There are actually two properties that I'm presenting to you today on this -- in this watershed. The first one, as I said, is the Kempinski property. And again it's a small lot at the very north end of this river corridor. And again it's an area that we identified in the master list of 2004 to try to consolidate our holdings in this area and help a very important watershed that flows into Great South Bay. There are a number of environmental issues that are hitting this watershed right at the moment. And part of our effort is to acquire properties in this area for environmental protection.

**CHAIRMAN SWANSON:**

Do we have a motion?

**MR. CRAMER:**

Motion unlisted neg dec.

**CHAIRMAN SWANSON:**

Motion by Mr. Cramer.

**MR. KAUFMAN:**

Second.

**CHAIRMAN SWANSON:**

Second by Mr. Kaufman. Any discussion? All in favor? Motion passes.

**MS. FISCHER:**

Thank you. The next one is the McLoughlin property, again, in the same watershed. Same issues, same reasons.

**CHAIRMAN SWANSON:**

Is it on the same map?

**MS. ELKOWITZ:**

It's on the same map; right, Laretta?

**MS. FISCHER:**

Yes. It's the second parcel identified with the black line to the south.

**MR. CRAMER:**

Motion unlisted neg dec.

**MS. ELKOWITZ:**

I'll second.

**CHAIRMAN SWANSON:**

We have a motion and a second. Any discussion?

**MR. KAUFMAN:**

Yeah, I'm just quickly curious about this. This is addressed to Richard Martin. Is this associated with or near a county park or one of the historic places that we deal with? I'm trying to

remember the one on the south shore, the Roosevelt Estate.

**MR. MARTIN:**

No. I thought the same. I know what you're thinking of. And that's on the Browns River.

**MS. FISCHER:**

That will be coming to you shortly.

**MR. KAUFMAN:**

Wait, you're kidding me. There's actually -- parties going to sell out to the county?

**MS. FISCHER:**

Yes, we're in negotiations now.

**MR. KAUFMAN:**

We're going to own a vineyard?

**MS. FISCHER:**

No, we're taking five acres of it for farmland development rights and five acres for open space. So the vineyard portion will be a farmland development rights parcel.

**MR. KAUFMAN:**

Okay. You may proceed.

**CHAIRMAN SWANSON:**

Okay. We have a motion. We have a second. All in favor? Opposed? Motion passes.

I'd like to welcome Legislator Nowick. Welcome to the Council. And I understand that you'd like to have your votes recorded on the previous acquisitions?

**LEG. NOWICK:**

Yes, Mr. Chairman, that would be what I would request. Thank you.

**CHAIRMAN SWANSON:**

And I presume you're going to vote in favor of all of them?

**LEG. NOWICK:**

Yes, I'm voting with the majority.

**CHAIRMAN SWANSON:**

Okay. All right. Laretta.

**MS. FISCHER:**

This next one is the Sanford Pines property. This had come before you a few months ago. And it was tabled. It has now come back as a resolution under the SOS program, Save Open Space Program for open space. So, we are before you again for a small property. I'll hand out -- I'm sure none of you remember this so I will hand out copies of the site again.

**CHAIRMAN SWANSON:**

Why was it tabled?

**MS. FISCHER:**

Because it was not approved by Parks Trustees. And so your motion was to table.

**CHAIRMAN SWANSON:**

Okay.

**MS. FISCHER:**

This is a small piece of property point four acres. And it is before you. There was indication from the Town of Islip that this -- there are drainage problems at this site; however, it is not a regulated New York State DEC wetland per se. It's kind of upland. There are other low-lying areas near here, but it's -- it's situated basically by itself at the end of a road; Elm Street.

**MR. KAUFMAN:**

Lauretta, does the County own any other lands in the area or --

**MS. FISCHER:**

Not in this vicinity.

**MR. KAUFMAN:**

How did this thing rank on acquisition scales? I mean I ask that because I don't see any wetland as you were saying. I don't see any sensitive features in the area. It's relatively built up.

**MS. FISCHER:**

Right.

**CHAIRMAN SWANSON:**

I know we're not supposed to consider economics, but we're paying at a rate of a million dollars an acre.

**MS. FISCHER:**

This received 8 points.

**MR. KAUFMAN:**

Eight.

**MS. FISCHER:**

Eight.

**CHAIRMAN SWANSON:**

Out of how many?

**MS. FISCHER:**

A hundred.

**MR. KAUFMAN:**

I can't vote for something like this as being environmentally friendly.

**MR. MALLAMO:**

Eight out of a hundred.

**MR. KAUFMAN:**

It's an 8% scale.

**MR. SNEAD:**

I mean this is not even along a developed road.

**MR. CRAMER:**

Lauretta, what's on the site exactly?

**MS. FISCHER:**  
It's just wooded area.

**MR. CRAMER:**  
So, it's not wetland?

**MS. FISCHER:**  
No.

**MR. CRAMER:**  
It's backyards.

**MS. ELKOWITZ:**  
Mr. Chairman, we have a little bit of a dilemma, though. Because we're here charged with making a recommendation under SEQRA as to whether this acquisition will have an adverse effect on the environment. Now, certainly I can't speak for everybody here. I think this is a waste of taxpayers' money, but I'm not an elected official. I'm entitled to an opinion as a taxpayer, but it doesn't affect what we have to do here as much as we may all --

**MR. CRAMER:**  
Well, following that line of thought, I mean, we're looking at paying 400 -- over \$400,000 for less than half an acre.

**MS. ELKOWITZ:**  
Yep.

**MR. CRAMER:**  
Could that money be more appropriately spent to provide better environmental protection by picking up some other piece of property?

**MS. ELKOWITZ:**  
I think it could but if you went through the criteria for determining significance, it certainly would never rise to a pos dec. So, we're kind of at the dilemma again.

**MR. CRAMER:**  
Well, I think maybe at least we should put forth our opinion along with the recommendation that we --

**CHAIRMAN SWANSON:**  
Is this a motion?

**MR. CRAMER:**  
Okay, I'll put it into a motion. I make a motion that unlisted neg dec. However, that we also accompany the recommendation a letter that Jim can write --

**MR. KAUFMAN:**  
Sorry, Jim.

**MR. CRAMER:**  
-- you know, just saying that we think the monies can be better spent in other locations; that this property does not pose -- you know the loss of this property or the development of this property would not have a significant impact on the environment. And, therefore, we should look to use this money in -- for more environmentally sensitive lands.

**MS. ELKOWITZ:**

I'll second that.

**LEG. NOWICK:**

Mr. Chairman, can I ask a question?

**CHAIRMAN SWANSON:**

Yes.

**LEG. NOWICK:**

And if you would just -- I beg your indulgence because I am new here. Am I to understand then that we as a group are not to consider anything but the value of the property environmentally? Is that what it is?

**CHAIRMAN SWANSON:**

That's correct.

**LEG. NOWICK:**

And it doesn't matter -- okay. One question, where did this come from, this little cubicle? I mean who's idea was this?

**MS. FISCHER:**

This was Legislator Lindsay's proposal.

**LEG. NOWICK:**

Just to purchase this little piece.

**MS. FISCHER:**

Yes. The Town of Islip had actually reached out and honestly we consider this a town acquisition on that type of scale. But it was originally placed under, I believe, Multifaceted which would mean that it would have had to go to Parks Trustees. We took this Parks Trustees originally and they rejected it. We came here and then it was tabled because of the rejection at Parks Trustees because of the fact that they have -- they are required to make the recommendation to acquire under that program. Now it's under -- yeah, now it's under SOS which does not require Parks Trustees approval. And now we're back under this new resolution under this new program for acquisition.

**LEG. NOWICK:**

Save Open Space.

**MS. FISCHER:**

Save Open Space.

**LEG. NOWICK:**

So after this body decides that this property or piece of property is -- acquisition wise it's environmentally sound, that's all that we do here? And then it goes from here to --

**MS. FISCHER:**

It will go to the committee; the EPA committee. And it will be voted on there. And then depending on that determination it will then go to the full Legislature.

**LEG. NOWICK:**

Okay. And that committee would decide whether it's financially a good idea.

**MS. FISCHER:**

Correct.

**LEG. NOWICK:**

Okay. I just wanted to get the layout. Thank you very much.

**MR. KAUFMAN:**

We're just basically ruling under SEQRA. And the criteria of SEQRA apply whether we like the project or not.

**MR. CRAMER:**

Well, it's whether the project -- the acquisition of the land have a significant adverse impact on the environment. So the acquisition will not have an adverse impact. Just adverse.

**LEG. VILORIA-FISHER:**

Mr. Chair, if I may, I recall when this did come before the Environment Committee last year and we didn't vote to approve because although we're not bound by the trustees, Park Trustees, on the rejection by the Park Trustees, I believe it didn't come out of committee and that's why Legislator Lindsay changed the funding source. Is my recollection correct on that?

**MS. FISCHER:**

Actually if I could correct myself, it was under the old Drinking Water, 12-5 E funds that this was originally --

**LEG. VILORIA-FISHER:**

Correct. And I remember that Legislator Bishop maintained, well, there should be autonomy for the Legislator because that's slip money. There was that discussion. But the trustees had voted -- and that was the appropriate place to say what Ms. Elkowitz said, that you're voting on whether or not it has a deleterious or adverse environmental impact. The trustees said that this isn't really a park. But I believe that that was 12-5-E.

**MS. FISCHER:**

12-5-E. And actually they are required to make the determination under -- anything under the old Drinking Water they have to give approval before acquisition.

**LEG. VILORIA-FISHER:**

Okay. I thought it was just advisory.

**MS. FISCHER:**

Yeah.

**LEG. VILORIA-FISHER:**

Okay. But we had not let it out of committee because of that.

**MS. FISCHER:**

No.

**CHAIRMAN SWANSON:**

All in favor of the motion? Opposed. Lee?

**MR. SNEAD:**

I'm not going to vote.

**CHAIRMAN SWANSON:**

We have one abstention.

**MR. SNEAD:**

I got a problem with this.

**MR. BAGG:**

Who seconded the motion?

**MS. ELKOWITZ:**

I did.

**CHAIRMAN SWANSON:**

All right. Moving onto other business, we're going to rearrange the Other Business a little bit to accommodate some of our members, one of which cannot take part in the Vector Control. So, we're going to move the Vector Control activity to after the 2006 CEQ meeting calendar is discussed.

Next on the agenda is the review and discussion concerning the Yaphank Scavenger Waste Treatment Facility.

**MR. WRIGHT:**

Good morning. Ben Wright, with Public Works.

**CHAIRMAN SWANSON:**

Before you start, I just wanted to -- lifting this, I wanted to thank Jim for going to the trouble to hand deliver the boxes of material that we received for this meeting to all of us personally so that we would get it in a reasonable time frame. So, Jim, I just wanted to say we appreciate your extra effort.

**MR. BAGG:**

Thank you.

**CHAIRMAN SWANSON:**

Please, go ahead.

**MR. WRIGHT:**

Good morning. The DEIS had been prepared by consultant Durka & Bertilucci. Tony Conetta is with me. I believe he went out to get a drink of water thinking the Vector Control would be discussed had next. So he'll be here in a second.

We have come to CEQ a number of times with -- requesting your consideration on this project. There have been requests to do certain -- prepare certain documents which the DEIS hopefully is the final one. Generally the project is to construct a 200,000 gallon per day scavenger receiving and treatment facility adjacent to the sewage treatment plant in Yaphank off Yaphank Avenue. The reason for that project is that there's a capacity at Bergen Point of over 600,000 gallons per day. And we often exceed that capacity and have to shut the building down and not receive any more waste, turn trucks away.

At the same time the centroid of where the waste is coming from has moved into Brookhaven. And it is much more efficient environmentally to have the trucking take place closer to where the source of the wastes are. This project would not include what we consider to be even more variable and difficult waste to treat such as waste sludges from treatment plants, \\_leachates\\_, other waste. We'd be basically treating the commercial and residential septic waste. And the breakdown, I believe, that's in the DEIS is two-thirds commercial and one-third residential septage that would be received.

The three issues that we were to focus on DEIS were traffic, ground water and odor. Those have been prepared with various sections within the document. There were concerns from the Yaphank community about a number of issues mostly with traffic on the routing; some were weight restrictions on certain bridges, the volume of trucks and a response plan that we had in place in case something did go wrong.

The only impact that's identified is that vehicles leaving on Suffolk Avenue which goes into the area where fire rescue is, is that coming out of that Suffolk Avenue and going north, there would have to be a protected left turn lane.

Other than that, the peak flows or peak traffic flows would be in the morning rush. We're assuming that the septage that would be taking from commercial and residential areas either the day before or that morning would coincide with the rush during the morning. And that 27 vehicles would be going in and exiting the facility during that two or three rush hour period.

With groundwater, there was a suggestion by CEQ to look at the synergy of all the plumes that are in the area. And that was done and considered in the impact statement. Nitrogen is the overriding issue with the facility. Both the existing treatment plant and the proposed scavenger facility with treatment levels to six milligrams per liter to be below the ten milligrams per liter, that's required by the state discharge permits. The impact is -- on the Carmens River would be -- I believe it's 3.6% with nitrogen. And that there would be no impact with phosphorous.

Odor was the third issue. And the key to odor control is incapsulation and then treatment of the air. And, you know, we're of the opinion and our statement are consistent, I believe, that odor control is something that is necessary. We would never say that odors cannot be generated. I mean these facilities have that possibility and potential. And the incapsulation is the critical point of it. There's various technologies that can treat the odors that would be generated in the treatment facility such as this.

So we looked at this discussion today not as a presentation. If you'd like that at some point, you know, we can make that a formal presentation. But just to basically outline why we're here, why the project's necessary and the focus of three items.

**CHAIRMAN SWANSON:**

Mr. Kaufman.

**MR. KAUFMAN:**

Ben, I've got a couple of questions for you on this. First-off I would like to thank you and the consultant for preparing a very comprehensive report. It really did hit a lot of the issues that we were looking at. And I thought it was pretty well presented and pretty thorough in its treatment.

**MR. WRIGHT:**

Just if I may, this is Tony Conetta from Durka & Bertilucci, the firm that prepared the DEIS.

**MR. CONETTA:**

Good morning.

**MR. KAUFMAN:**

I've got a couple of questions on this one. On page 3-5 at the start of this biological treatment is discussed. And it says the prior study and/or reports have not identified the proposed biological pre-treatment processes for the Yaphank facility.

I understand that there are essentially two that you're presenting here. Attached growth versus suspended growth. I'm not sure whether we can leave this open at this point in time. I would defer to the Chairman and some of the other members as to what the charge is under SEQRA on this. But it worries me that you haven't made a decision yet. And yet you're identifying it in here.

It's my opinion -- and this is just a personal one at this point in time that we need to decide basically now as to what kind of biological treatment you're going to be doing. That opinion though can change. It would be interesting to know the impacts from each if there are any. I

realistically doubt that there's that much impact, but it is as far as I'm concerned supposed to be identified on all of this.

On page 3-6 with the process chemicals, the same question. Process chemicals are a critical component of treatment. And it's leaving open what kind of chemicals will be used. And I'm curious what kind of stuff is used basically at Bergen and why this might be different. So those are my initial questions; then I've got a couple of others.

**CHAIRMAN SWANSON:**

Mike, I think we're actually here to look at its completeness.

**MR. KAUFMAN:**

Well, that's the point. If these terms are open, I don't know whether it's complete or not. It's leaving something hanging in the wind. And I'm not sure of the procedure on that.

**CHAIRMAN SWANSON:**

We can determine that it's not complete and needs more work before it goes out.

**MR. KAUFMAN:**

That's fine with me.

**MR. SNEAD:**

Mr. Chairman, unfortunately I received this document for the first time this morning. Obviously I haven't had a chance to look through it. In light of Mr. Kaufman's suggestion that there may be other issues here, I know that I'd like to have a chance to take a look at this and think about it a little bit. I would ask that possibly we ask to put it over. I would ask that we put it over.

**CHAIRMAN SWANSON:**

You'd make a motion to table it?

**MR. SNEAD:**

Motion to table.

**CHAIRMAN SWANSON:**

Do I have a second?

**MR. KAUFMAN:**

Second.

**CHAIRMAN SWANSON:**

All in favor?

**MR. WRIGHT:**

Could I ask just as a preliminary for the next meeting what you would expect of us? Would we receive any comments then before that or just come to the meeting and answer questions at that time?

**CHAIRMAN SWANSON:**

I think we want to talk about the process. I do have some technical -- a few technical questions that I'd like to go over. And perhaps we can work with Jim to put together some of those technical issues and get them to you. But I think we want to see that the document is complete and that our committee has had an opportunity to review it.

**MR. KAUFMAN:**

I would point out one thing. I talked with Ben about this before the meeting. There's some information on page 5-9 and 5-10 as to what the ultimate nitrogen loads and other chemical

loads will be. That needs to be a little bit clarified. The English is unclear to me at this point in time. That's one point you can focus on.

**CHAIRMAN SWANSON:**

Do you understand the process?

**MS. ELKOWITZ:**

That we have to go through?

**MR. WRIGHT:**

If you could refresh me a little bit, please.

**MS. ELKOWITZ:**

You submit a draft DEIS to CEQ. CEQ then first has to look at it to determine whether it's complete and adequate for public review. If it's not complete and adequate for public review, then at the next meeting or shortly thereafter CEQ would give you a list of items that you had to modify just so that it would be suitable for public review. Then you would go through the formal technical review process where the public would get to comment on it. And there presumably would be a hearing on it and all of that. So this is the very first step.

My opinion subject to everybody's concurrence is that we wouldn't want a presentation next time. The presentation would come after it's deemed complete and there's a presentation to the public. But I at least from my own perspective, I think it would be worthwhile to have you here in case there are questions that you can just clarify.

**MR. WRIGHT:**

Okay. Thank you.

**CHAIRMAN SWANSON:**

We have a question from the audience.

**MS. ESPOSITO:**

Can you take a public comment on this?

**CHAIRMAN SWANSON:**

Come on up, Adrienne. I have a question I can't avoid asking. There's no chlorination of the effluent before it goes to groundwater?

**MR. WRIGHT:**

It's not required by our permits.

**CHAIRMAN SWANSON:**

That's only required if it goes to open waters?

**MR. WRIGHT:**

Well, it's something that we still have at each facility. It's more at our discretion. We use it in order to elimination algae growth if there happens to be some ponding in some open recharge beds. It's not necessary in, you know, the leaching pools.

**CHAIRMAN SWANSON:**

Okay. And phosphorous is not an issue? Phosphorous typically is an issue in fresh waters as opposed to nitrogen. I know I raised questions with regard to nitrogen because it ultimately goes to salt water. But phosphorous is eliminating nutrient in fresh water systems.

**MR. WRIGHT:**

It was described in the previous models that were done on this project. And I believe there's a

letter from Health Services agreeing that phosphorous was not mobile and that it would be tied up in the soil before it reached the Carmen's River.

**CHAIRMAN SWANSON:**

Adrienne, welcome.

**MS. ESPOSITO:**

Thank you. Just real quick. Just real quick, I just wanted to mention that one thing you might want to familiarize yourself with as you're looking over the DEIS is in addition to that is the Carmens River study that was paid for by the County. The Suffolk County Department of Health was the lead agency overseeing that study. And it was also done by Cashin. I believe it was published in 2003. It's the most comprehensive study done by the County or actually by anybody on the Water Quality and the concerns facing the water quality of the Carmens River.

There was also a series of recommendations at the end that talk about how to mitigate problems with nitrogen loading into the river. So on one hand, you know, we want to look and -- we don't want that study just sitting on a shelf. The County has come up with recommendations about land preservation and keeping nitrogen out of the Carmens River. So you want to look at that and balance that with increasing nitrogen loading to the Carmens River by somewhere between 3 and 5% as I believe the draft says. So I just caution you to please familiarize yourself with that as you consider this project. Thank you.

**MR. WRIGHT:**

Yeah, there is discussion Cashin's report both by a previous modeling that was done as well as in the DEIS.

**CHAIRMAN SWANSON:**

As I recall that was one of our request --

**MR. WRIGHT:**

Yes.

**CHAIRMAN SWANSON:**

-- that you look at that when this last came before us.

**MR. KAUFMAN:**

If I may, Larry?

**CHAIRMAN SWANSON:**

Yes.

**MR. KAUFMAN:**

Page 5-9, just for information when people are reading through this, makes some of those comparisons. That's where the numbers of what the waste water treatment plant and the scavenger plant, our drive from and how -- and what they measure against. So it's sort of incorporated in here a little bit. But that's also why I asked for a little bit of change in the English on those particular pages. So that we would understand exactly what we're looking at in terms of percentage increases and what percentage increases are actually happening. So I mean you're dealing with it but not in a maybe cogent way.

**CHAIRMAN SWANSON:**

All right.

**MR. KAUFMAN:**

So that's where the members can find some of that information.

**CHAIRMAN SWANSON:**

I think we voted to table this. And so we'll move on. Thank you very up. And we will work with Jim to try to get you some of our technical concerns. All right.

Lauretta, I understand that you wanted to make a few comments about acquisitions?

**MS. FISCHER:**

Yes. Thank you. I would like to present to you an idea that we have regarding Master List I and 2004 Master List II. Many of these acquisitions that are coming before you are in these documents, these planning steps documents that identify all the sites and all the areas including all the parcels that make up those sites to have you look at the acquisition program in a more programmatic format. And we would like to present to you at the next -- at your next CEQ meeting an EAF to -- a long EAF looking at these as a Type I to get your approval -- almost like a pre-approval so that we don't have to continue to come back for every little piece of land parcel of property, that we've at least identified on these lists for passive recreational use.

However, if it is determined that the property either in these documents are -- obviously those that are not in these documents will be coming before you for your approval. We do have other areas outside of these documents including Mud Creek that came before you today, Mastic/Shirley which came before you today and a few other areas that are being evaluated in a comprehensive fashion.

So, we'd like to present them to you in a more programmatic evaluation for your determination at the next meeting. We'll -- I can hand them out today so that you can kind of get a heads-up on the extent of these lists. And approximately 3,000 acres of each -- for each year are in here for proposed acquisition. And we'd like to get your pre-approval so that we can save ourselves a lot of time and your time and paper work and maps and everything else if that's something that you would consider.

**MR. KAUFMAN:**

Well, Lauretta, are these going to be high priority projects or just --

**MS. FISCHER:**

No, they'll just --

**MR. KAUFMAN:**

-- a different way of dealing with things?

**MS. FISCHER:**

Right. We're just going to review them as we had for -- if you can remember -- I'm not sure if you were on the board at the time -- the Council at the time -- we used to do lists like this in -- for the 1986 Open Space Preservation Program, the old Drinking Water Protection Program, the Greenways Open Space Program. We came with a list and we requested your approval.

And this would again be in a similar fashion to those requests that we had asked for before under those programs, but to give it to you in a more comprehensive approach and let you see, you know, in a holistic fashion what we're trying to accomplish and what we're trying to acquire.

**MR. KAUFMAN:**

I can see what you're saying in terms of a planning initiative. But, for example, one of the properties that we saw today possibly, even two, we might -- would we see it in the same fashion and be able to register concerns if we go to the programmatic way that you're talking about?

**MS. FISCHER:**

Not necessarily unless you'd like to make comments on it as you look at these properties and these books in the next month or so. You might be able to make those types of comments generically, if you wish; or, you know, otherwise then we wouldn't be coming back to you for every piece, yes.

**MR. MALLAMO:**

But I think you might see those glaring situations right up front rather than after all of this leg work has been done. We may be able to weed those out at the beginning and draw attention to them. So, I think it's a very good approach. I was familiar with the Council when it was done that way. And I think it would streamline it.

**MR. KAUFMAN:**

Well, I'm all for streamlining, but at the same time I don't want to see any projects that may be able less than desirable; not fully reviewed. That's my concern.

**DR. POTENTE:**

May I make a comment? I think that these maps that accompany these land acquisition proposals are invaluable. Many times -- there was one meeting that came up where there was a possible plume that may have been coming near an area. And I think the best way to get a first glance and make a -- just an off the cuff thought on these is from the maps looking at the location, the position, what's juxtaposing the area and what one of these members may identify as something that may actually have an environmental impact. So I think --

**MS. FISCHER:**

Obviously these are acquisitions for passive recreation purposes. So primarily your determinations have either been unlisted or Type I's if they're over a 100 acres. And so in that regard these books do give you those maps of all these areas and --

**DR. POTENTE:**

The maps will be included in with this?

**MS. FISCHER:**

Yes. I'm going to be handing these out today for you.

**DR. POTENTE:**

Okay. As long as -- my concern is that they have maps similar to what you handed out today.

**MS. FISCHER:**

Oh, absolutely.

**DR. POTENTE:**

Okay. Sounds fine.

**MS. FISCHER:**

These are actually more comprehensive. And they identify all the sites including all the parcels within those sites that we're proposing for acquisition. Then once we get to the point where we have to go back to the Legislature for final approval, at least you've already seen them. We, you know, we've looked at them comprehensively. You've evaluated them and you can, you know, give us your overall generic quote unquote evaluation of these right off the bat. Obviously if they're going to be proposed for active recreation or possibly just parkland purposes we would certainly be back to you with those proposed acquisitions.

**CHAIRMAN SWANSON:**

Ms. Elkowitz has a question.

**MS. ELKOWITZ:**

But what -- you're not actually -- you're actually looking for a SEQRA determination; one SEQRA determination that's going to review all of these so don't have to come back here with any of these at all. That's really what you're looking for. It's not a preliminary review. It's a SEQRA recommendation from CEQ to the Legislature that would be binding; at least our recommendation is?

**MS. FISCHER:**

Yes.

**MS. ELKOWITZ:**

Okay.

**MR. KAUFMAN:**

Lauretta, looking through quickly, are we going to have rankings and/or scores on these properties? I'm just looking flipping through -- right now I'm looking at the aerials. And I'm seeing proposed acquisition name, the tax map numbers, the owners and the acreage. I don't know what they're scoring.

**MS. FISCHER:**

Well, they're all very high.

**MR. KAUFMAN:**

That doesn't -- you're not making an affirmative --

**MS. FISCHER:**

No, we did not do that because of the extent of the list. We only have like myself and one other person in the office who actually does this. So we are very short staffed. And one of the things is, is that we took a lot of time taking this information from various sources to come up with this. This is our list that we're proposing and has been approved for planning steps already by the legislature. And we are coming to you to get your determination for future acquisition. And we certainly can go over them individually one by one, if you'd like but that would, you know depending on your timing and -- otherwise I can't devote a lot of time to actually go back through 6,000 acres and do that kind of analysis for you.

**MR. KAUFMAN:**

Essentially though you're asking us to review stuff without really doing a full and comprehensive review. That's what's disturbing me. I mean some of these properties you might have significant impacts; some of them might not. You just don't know.

**MS. FISCHER:**

But if they're being acquired for passive recreation, what do you believe would be the possible impacts from that use that you perceive?

**MR. KAUFMAN:**

I can't give a generic answer at this point in time because I don't know. I haven't seen -- I just flipped open -- for example, one of the pages is the Nissequogue River which I live on. I don't know about some of these parcels. All right? I'm not going to try and belabor the point or anything. I'm just concerned about it.

**CHAIRMAN SWANSON:**

Ms. Elkowitz.

**MS. ELKOWITZ:**

Lauretta, out of all these parcels, I understand this is department's wish list. In general what

percent of these get acted upon by the Legislature in any given year? Percentage of parcels; not percentage of acres?

**MS. FISCHER:**

I'd have to go back and do the numbers for you. This is our first year 2005 was our first year that we implemented the 2004 list. So it's our only guide to that type of information. And I'd have to get back to you on that.

**MS. ELKOWITZ:**

My certain is twofold. I know that I can look at these but I'm not going to be able to look at 6,000 acres and give it the kind of attention that I give to individual ones when I get five in a packet. And that's just the reality of it. I think that you're right. I think it would be highly unlikely for the Council to come up and say that the acquisition of a parcel for passive recreation purpose is going to have a significant adverse impact on the environmental. It would be hard to come to that conclusion.

However, unless Legislator Vioria-Fisher and Legislator Nowick thought that the colloquy that went on here about one of those parcels today was useless, then I think it's beneficial for us to see these on an individual basis when the Legislature is going to look at them. This is certainly helpful for all of us, but I don't think that I would support giving one SEQRA recommendation for all of this never to see them again. But that's only my personal opinion.

**CHAIRMAN SWANSON:**

You're more than welcome to come back and discuss this at a future meeting. My sense is, however, that the Council is not particularly excited about giving up the individual property by property review. But, you know, you can go through this and we'll see how it plays out and how comfortable we are.

**MS. FISCHER:**

Okay. I appreciate that.

**MR. SNEAD:**

If we were to approve this now or in the next two months or so and the underlying legislation were to change on how and what you can do with properties purchased under various acts --

**MS. FISCHER:**

We would be coming back to you then. If it wasn't for passive recreational use, whatever other uses it would be, would come back here.

**MR. SNEAD:**

Yes. But my problem is not with the fact that the idea of passive recreational use would change, I mean that's a term. And how you define the term is the concern I have. I could see a situation where someone might say passive recreational use, as ridiculous as it sounds I recognize, could be ATV's. And if you define it that way, then it is, in fact, that way; a passive recreational use. So I've got a problem from a programmatic standpoint on just saying, okay, all of these parcels are unlisted neg dec to purchase. Unless we --

**MS. FISCHER:**

We've have never had that as a -- you know, I wouldn't go that far.

**MR. SNEAD:**

I recognize that and I am looking at this from the what-if standpoint, but I think that's part of the problem I have here. As to the money issue, the Legislature's going to spend their money they way they want to spend it, whether we think it's wise or not. And that's really not our bailiwick unless we want to go into the realm of saying spending \$400,000 for a piece of property is \$400,000 less that we'd be putting to better use, and, therefore, is an environmentally adverse

reaction, adverse impact. But I don't know that we're prepared to go there.

**CHAIRMAN SWANSON:**

Well, I think it was good for our members to hear that.

**MR. SNEAD:**

Absolutely.

**CHAIRMAN SWANSON:**

Legislator Viloría-Fisher.

**LEG. VILORIA-FISHER:**

Thank you, Mr. Chair. I just have a couple of questions, Laretta. The first one actually I have an answer. Regarding passive use our Nature Preserve handbook really delineates what constitutes passive use.

**MR. SNEAD:**

I completely understand that. I'm saying it could in the future be redefined.

**LEG. VILORIA-FISHER:**

We would have to go and change the Nature Preserve handbook. And that's something which I think all parties concerned have seemed loathe to do.

**MR. SNEAD:**

I understand.

**LEG. VILORIA-FISHER:**

That's very -- that's almost seen as a biblical tome before us. But my other question is regarding the master lists and the Council's determination regarding them. Now are you just speaking of the planning steps coming before this or the acquisition?

**MS. FISCHER:**

No, we just come before them -- well, the planning steps are administrative Type II Action.

**LEG. VILORIA-FISHER:**

That comes before CEQ also. No?

**MS. FISCHER:**

No.

**LEG. VILORIA-FISHER:**

No, it doesn't. Okay. So you're referring to acquisitions.

**MS. FISCHER:**

These are only -- yeah, we come before them when we actually have a resolution to acquire.

**LEG. VILORIA-FISHER:**

Okay.

**MS. FISCHER:**

A specific parcel.

**LEG. VILORIA-FISHER:**

Thank you. Then I really do take what Ms. Elkowitz and Mr. Kaufman said very much to heart because then that is at the point of acquisition. And I do plan on attending these meetings to listen to these conversation and go back to my committee with the opinions that have been

expressed here. Although I would like to see this streamlined. I know how burdened you are in Planning. But at least sub groups would be helpful because this is a lot to consider at once.

**MS. FISCHER:**

All right.

**CHAIRMAN SWANSON:**

Thank you, Laretta.

**MS. FISCHER:**

You're welcome. Thank you very much.

**CHAIRMAN SWANSON:**

All right. Moving on next is election of officers for the coming year. As you know Ms. Elkowitz stepped down. And so I presume you're not willing to --

**MS. ELKOWITZ:**

No, but I'd make a motion. I'm happy to introduce a motion to elect Larry as Chairman and Tom Cramer as Vice Chairman.

**MR. KAUFMAN:**

I would second that.

**CHAIRMAN SWANSON:**

Any discussion?

**MR. BAGG:**

Who as the Vice Chair?

**MS. ELKOWITZ:**

Mr. Cramer.

**CHAIRMAN SWANSON:**

Do we have any other nominations? All in favor? Opposed? Okay. Motion carries.

**MR. BAGG:**

Who was the second on that?

**MS. ELKOWITZ:**

The second was Mr. Kaufman.

**CHAIRMAN SWANSON:**

Okay. The next thing we're going to do is look at the calendar. And I'd like to have Jim explain some of the difficulties with regard to the calendar so that we can maybe assist him in scheduling meetings this year. Typically we have meetings on the third Wednesday of each month. But since there has been a resolution to have our meetings recorded in the style that they're being done today, we've had conflicts with getting this room. And as a consequence I think Jim would like to have the freedom to move some of the meetings around. So, Jim?

**MR. BAGG:**

Yes, basically the schedule as -- the draft schedule as sent to the members, the third Wednesday for most of the meetings, all right, have been noted in here. Where there is a conflict with legislative committee meetings I have noted that if the Council wants to hold your meetings here with a stenographer present, you have to hold it when the Legislative committees are not meeting. So on June -- that would be -- June 14th would be the second Wednesday. And June 28th. That would avoid a conflict. Same thing with Wednesday August 9th would be

the second Wednesday. And the 23rd would be the fourth Wednesday. And the problem occurs in November; on November 8, second Wednesday or the 22nd. So if we could determine the schedule in the calendar today, we can then have this distributed to, you know, the County offices and the members and everybody else. But we want your input.

**CHAIRMAN SWANSON:**

Jim didn't say what some of the problem is. Just to clarify it a little bit more to help you out with your decision, Jim's staff for recording minutes at his office has declined over the years. So it's an extra burden when we meet over in his offices to staff the recording of minutes. And it would really assist him in doing his job if we followed this proposed revised schedule.

**MR. BAGG:**

Also, Larry, I mean when we hold meetings across the street, we are running contrary to the Legislative decision that said you should have verbatim minutes.

**MS. ELKOWITZ:**

Right.

**LEG. NOWICK:**

Mr. Chair?

**CHAIRMAN SWANSON:**

Yes.

**LEG. NOWICK:**

Just as a comment, you have there November 8th or the 22nd. Just looking at my schedule, this might help you. The 8th is a Legislative meeting at 11:00. It might be perfect to be in here earlier before that meeting rather than the 22nd. See that November 8th? That is a 11:00 legislative meeting at Hauppauge so that just might be -- 9:00 here for myself. I know that. I think Legislator Fisher likes to be here. That's the day after election day. It's capital budget. Another comment would be April is Easter week. I don't know if anybody's going away with their families.

**MR. MALLAMO:**

I think the vacation week is actually the week before. I know the school vacations are. Because Passover is that earlier week. I know -- I think it starts April 8th and going to the 17th.

**LEG. NOWICK:**

I think the Catholic schools are probably the following week.

**MR. MALLAMO:**

Could be.

**MS. ELKOWITZ:**

Traditionally we also have trouble getting a quorum when we're late in August. Sometimes we have a quorum problem. Because the end of August is usually a big vacation time so maybe the 9th is better than the 23rd.

**MR. KAUFMAN:**

I like the December 6th one. I think that's really the only available date in December.

**CHAIRMAN SWANSON:**

So, June we have to decide. Is it the 14th or the 28th?

**MR. CRAMER:**

14th.

**MR. MALLAMO:**

I'd go with the 14th.

**CHAIRMAN SWANSON:**

So as I understand it'll be the third Wednesday of the month with the exception that in June it will be on June 14th and August it will be August 9th. In November it will be the 8th. That might have to be a short meeting though because we very often don't finish before eleven depending on what the schedule is. It might be a good thing. We'll probably still be discussing mosquitos. And then Wednesday December 6th.

**MR. SNEAD:**

And leave April 19th?

**CHAIRMAN SWANSON:**

I think we ought to leave it because that's such a flexible date that we're probably going to have difficulty no matter when we pick. All in favor of this proposed schedule? Opposed? Okay, Jim we got what you wanted as much as I don't like to come here. There was a motion, yes. And I think Tom --

**MR. KAUFMAN:**

And I seconded it.

**CHAIRMAN SWANSON:**

All right. What we've all been waiting for. Vector Control.

**MR. SNEAD:**

Mr. Chairman, would you just take note that I have to take a leave?

**CHAIRMAN SWANSON:**

Yes.

**MR. SNEAD:**

Thank you.

**CHAIRMAN SWANSON:**

Thank you, Lee. We're going to take a five minute break.

**(RECESS)**

**CHAIRMAN SWANSON:**

Welcome, Mr. Dawydiak.

**MR. DAWYDIAK:**

Thank you, Mr. Chair.

**CHAIRMAN SWANSON:**

I understand you have a one minute presentation.

**MR. DAWYDIAK:**

Much appreciated. I will keep it to a minute. Two hand outs that Ms. Shaw who has opted for some reason not to sit with us, not a good sign, Kim Shaw came from Ecology has handed out a revised project time line as well as a Document Refinement Strategy.

Again, Walter Dawydiak, Chief Engineer for the Health Department. Joined to my left by Dave Tonjes from Cashin and Dominick Ninivaggi from Vector Control.

We in Health and Public Works believe that this document is very near completion in terms of SEQRA procedural requirements; however, at the direction of the Suffolk County Executive, we've made every commitment to prepare the best possible product for public review before it goes out for public review. So, we're going to be making some not insignificant changes to both the EIS as well as a plan. And we hope to have these in place by March 1st.

The first hand-out is a Document Refinement Strategy. Again, our goal is March 1st. We're going to be working with stakeholders and commentators. We're scheduling a Technical Advisory Committee meeting or more than one TAC meeting, possibly a Steering Committee meeting and there will be CAC meetings. We're hoping to work with the CEQ sub-committee that's been established. It's been working with us also so that by March 1st we'll have had a robust round of review of the changes we're going to be making to this document.

In terms of the EIS, the two themes that we've heard that we definitely need to improve upon from the sake of reviewing completeness is adding a section on criteria and thresholds for further environmental review. And there have been a lot of questions about the scoping concordance section. What we initially opposed is a scoping outline was ultimately not the outline that was used. And we acknowledge it. It's very confusing for reviewers to determine what multiple sections things may or may not be in. So, we're going to expand on those sections. So, those are our first two priorities. We hope within a couple of weeks to at least have those pieces to you. And the rest of it we're going to be working on over the next month to month and a half.

We outlined what the key changes are here. They've been discussed at length in CEQ. We'd be happy to answer questions. I don't know want to waste your time. I think my minute is up.

In terms of time frame, it's hypothetical. It depends on CEQ and public comments. But right now the process ends November 2006. And these are the steps as we envision them. Thank you for the minute.

**CHAIRMAN SWANSON:**

Thank you. Just a couple of comments on probably the way we see things, which I think basically will conform to what you see but I just wanted to outline them. We've received a number of comments or summaries of comments from people that spoke and have also given written minutes. And they were provided to the CEQ in the last week or so. I think we would like to have the opportunity to review those comments and to sort of formulate the ones that we believe are the most appropriate and to come to you with really one set of comments as CEQ sees it; and with the sub-committees sit down with you and go over those comments so that we're not revising and re-revising all the documents that have been created over the last several years.

I should note that I think there are several issues that you ought to think about. We mentioned one of them. I think that there is concern about the conformance of the EIS to the scoping document and also to standard procedure for such a document. There is considerable concern about freshwater wetlands being ignored. And then there's also, I think, an issue that some of us are concerned about. And that is that going back several years we have approved here at CEQ several studies looking at wetlands management. And we have never heard any report from the County with regard to the progress that has been made in those studies. And as I recall part of the process was that those wetlands were going to be monitored. And so we certainly want to see what we have learned from what we have approved in the past and perhaps it's appropriate to have in the document.

What I would propose is that in order for the committee -- CEQ to have the opportunity to look at these comments; and then our sub-committee get back in touch with you. So, I would propose that we consider tabling this for the time being. And that we take it up again after we've sat down with Suffolk County and discussed our combined views. I don't know if anybody else wants to comment on that or not.

**MR. KAUFMAN:**

If I may, Mr. Chairman. It's probably a good idea to have the sub-committee of CEQ look at all of this. We have read it extensively. And I know, for example, I just gave out a whole bunch of handwritten comments that are in the members' possession right now. And I just gave one to Walter Dawydiak. And he -- obviously no one's had time to read them, etcetera. And there's some major suggestions in there. So, I think it may be proper not to fully go through everything at this point in time. And sit down, read the comments that have been received, etcetera. The handwritten chicken scratching in hieroglyphics is mine. I apologize. 5:30 in the morning. I take full credit for the eligibility and the ranting and ravings, again, done at 5:30 in the morning.

**CHAIRMAN SWANSON:**

I totally agree that the sub-committee ought to sit down with the County. But I think we ought to give the opportunity to all the CEQ members to give comments on the comments to the sub-committee so that we will be playing with a full deck when we go to sit down with the County. So, I would ask each of the CEQ members to review the comments that we did receive. And if you have anything to say, suggestions, omissions and so forth that you provide that to Jim so that we can then proceed as a sub-committee to compile one list for Walter. Okay. Do we need a motion?

**MR. CRAMER:**

Motion to table.

**MR. KAUFMAN:**

Second.

**CHAIRMAN SWANSON:**

Any discussion? All in favor? Opposed? Motion's carried.

Do we have any comments from the public?

**MR. DAWYDIK:**

Mr. Chair, may I just ask you a question? Is there a time line associated with your comment submission just so we know when we can mobilize?

**CHAIRMAN SWANSON:**

Well, I would hope that we -- the sub-committee can sit down with you before our next CEQ meeting.

**MR. DAWYDIK:**

Great.

**CHAIRMAN SWANSON:**

And so I'm going to ask Jim to set up a schedule for all of us to get our comments together. And then we can meet as a sub-committee, compile our comments and get to you hopefully within the month.

**MR. DAWYDIK:**

Excellent. Thank you.

**CHAIRMAN SWANSON:**  
Don't hold me to it.

Okay. Do we have any comments from the public? Yes.

**MR. McALEVY:**  
Shall I come forward?

**CHAIRMAN SWANSON:**  
Yes. You're on the record here. So, you have to come forward and identify yourself.

**MR. McALEVY:**  
Well, I've never been bashful about coming forward.

**CHAIRMAN SWANSON:**  
Please state your name and your organization.

**MR. McALEVY:**  
My name is Bob McAlevy. I live in Hampton Bays. I've been a member of the Citizens Advisory Committee to the program from the very beginning. I represent the Red Cedar Point Association, the Hampton Bay Civic Association together.

So, I'd like to -- I have very little experience with the civilian side of government, but I'm astonished the way it works. Last time I was before this committee, it turned out that the County tells us they found one -- one salt marsh breeding mosquito that had West Nile virus after all of these years. And I see them deploying the assets to protect our health more to doing things in the salt marsh than doing things with the freshwater mosquito which is known -- \\_quilix pippens\\_ and others, they're known to be the primary carriers of the human vectors.

So, I think that perhaps you might ask -- I don't know if the money counts for anything here -- but to see if the taxpayer is getting the bang for the buck. Should they be fighting the battle that is clearly with the fresh water mosquito with money that they're using to fight the salt marsh mosquitos? That's question number one.

I was before you and I made a submission. And I won't ask if there are any questions because I understand that's a snow flake in the blizzard of the papers that you guys got.

**CHAIRMAN SWANSON:**  
Well, I can tell you that your comments are in the stack that we received and will be considered.

**MR. McALEVY:**  
Thank you. I have a comment about the Wertheim project. I noticed after the meeting there was an article in the New York Times, which I think I might have here some place, where it was declared a success. I can leave this copy here. It was the Long Island section. And in this paper that I'm other going to leave with you, there was some statements of comparability between our salt marshes on Long Island and New Jersey, Connecticut and Massachusetts where they do some of this dredging business.

But we are different as the head man for salt marsh -- for DEC will tell you. Long Island, unlike these other venues is subsiding. Long Island is sinking. We're sand, we're aquifer. You take the water out of the aquifer, the land is subsiding compared to a fixed point further west. We discussed that the last time. These other salt marshes are in places where there's granite underneath. They're not subsiding. So, to say it's comparable, this technique that they're using on our sinking salt marsh, they all suffer from the rise of the ocean, the ocean water level, but

we are sinking. And I think this has to be taken into account. This is not taken into account.

I'd say we have to tread softly. This is a wasting asset you might say. And it's wasting very fast. And to go out there with big equipment and dig it for purposes that you'll have to work out, I think makes no sense whatsoever. There's a soft path as opposed to this hard path for that problem.

There's also another problem with this as I understand it. The protocol of the DEC is five years of monitoring at an area where you're going to make such a major disturbance. They beat them down to three years. I think there are problems in the DEC but let's not go into that. And then by submitting base line data not from the area that we're going to disturb, but comparable areas near by, they reduce that to one year. This makes no sense to me. The protocol has been violated. I think I could show you the documentation, but I don't have it with me today.

And finally, and Dave is here now, in discussions with the Citizens Advisory Committee, when certain problems with the pesticide and pregnant woman and fetuses was brought up, I think Dave said -- but he can defend himself -- that they make the assumption that the placenta is a barrier that prevents the poisons in a woman's blood from getting to the fetus. So, I give you Consumer's Report in February where there are 21 pesticides that pass through the placenta. The placenta is not a barrier to pesticides coming and affecting the fetus and the embryo. And I think that has to be taken into account when we're dealing with these substances. Without going into the whole history, DDT was considered a wonder at one time. And it went from the good side to the bad side when the side effects were observed. And dozens and hundreds of other pesticides have come along. They were all considered great. We have to use them and are good for us. But they also had been pushed over to the bad side. To the best of my knowledge, no pesticide that was considered too harmful to use has been refurbished and say no, it's okay to use that.

I think you have to take into account the next generation. The effect of this activity on the next generation of human beings, which is not done effectively in the work that was done as well as I put in my documentation the effect of these pesticides which destroy fish, eggs and larvae at concentrations of one part per billion. It affects the next generation of the productivity of our bays. The Peconic Estuary Program, which I'm a member of the Citizens Advisory Committee, has written letters saying stop spraying out here because you're going to suppress our natural productivity in our estuary.

We have said, and maybe not effectively, if you're going to have a mosquito management program, mosquito nuisance program, call it a mosquito nuisance program. Don't put a veil of protecting the public over it. It makes no sense. I think it's worthwhile to control the mosquitos. If I lived in south west Brookhaven, I'd be calling up all the time to have something done with the mosquitos. Let's focus --

**CHAIRMAN SWANSON:**

Please summarize.

**MR. McALEVY:**

Yeah. I will summarize by saying I'm happy to get this new hand-out from the County bureaucrats here because I have found in my time on the Citizen's Advisory Committee, they have been refractory to suggestions. Absolutely refractory. For example, we said don't do a cage fish study. Look at the effect of the larvae not done. They did a literature search. They could have done the laboratory much cheaper. Thank you very much.

**CHAIRMAN SWANSON:**

Thank you. Do you have any other comments? May I remind you that we're really looking for comments dealing with process and not technical scientific comments at this time.

Please introduce yourself and who you represent.

**MS. NEWKIRK:**

Good morning, Chair Swanson and members of the Council. My name is Sarah Newkirk and I represent the Nature Conservancy.

I appreciate your taking my comments. And in light of the fact that you've chosen to table the discussion of the document for the time being, I'll keep it very brief. I did want to report to you -- as you recall when I addressed you at your last meeting, I asked you to decline to certify the Vector Control long-term plan and DGEIS as complete. You've done that. And you've asked -- we appreciate your approach of assembling a sub-committee to address comments that we and members of our coalition have made and other members of the community have made as well.

I'm happy to say that in the intervening month between your last meeting and this meeting, we've met with the County on a number of occasions and have heard, as you've heard, their commitment to address many of our concerns. The County's agreed that specific thresholds and criteria were called for in the final scoping document and they've agreed to add these. They've also acknowledged that more clarity concerning the distinction between Vector Control for nuisance purposes and Vector Control for disease control have -- that these actions need to be clarified. And they've agreed to do this.

I wanted to continue to highlight for your attention -- we've even spoken with the County on our objection to the Vector Control context for the Wetlands Management Plan. As you probably remember, we believe that wetlands management planning, while it's an important obligation for the County, is inappropriate to be contained within the Vector Control framework. And it's not appropriate for Vector Control to be the main authority under which wetlands management occurs.

Although we do not have a specific commitment from the County on this issue at this time, I'm confident that they've heard us and they understand our concerns. They've heard us say that having Vector Control run wetlands management in Suffolk County is like the tail wagging the dog. They've heard us say that Vector Control should be subject to standards established for the protection of wetlands health; not the other way around. And they've heard us say that a piecemeal approach to wetlands management isn't appropriate for Suffolk County. And that a myriad of actions that impact wetlands need to be reviewed and coordinated in order to prevent unintended and cumulative affects.

The County wants to continue to talk with us about whether and how this sort of comprehensive regional plan can be developed. But the CEQ can join with us in encouraging the County to undertake this important effort.

There are also a couple of issues on which we don't or and may not in the future agree with the County. But the County has agreed to perform some extra investigation and we appreciate that. In particular in the response to the methoprene related comments in our last comment letter, the County maintains that its review of the literature pertaining to the eco toxicological effects of methoprene is complete and that its conclusions are sound.

To resolve this dispute we proposed to have the literature reviewed by an independent expert. And we intend to propose the names of some specialists who would be appropriate. Ultimately it's important to point out that when a substance has some evidence of adverse impact on the environment, the decision whether or not to use it is ultimately one of policy, not science. Using much of the same data and information that the County reviewed, the city and state of New York reached the conclusion that methoprene should not be used while the County reached the opposite conclusion.

This is not a question of science. It's a question of the level of risk that a community is

comfortable living with. No independent effort is going to resolve the question of whether the County's approach is a more risk prone one than the public or the Nature Conservancy is comfortable living with. However, that's a discussion for another date. And an expert can resolve the question of whether the County's review of the literature is, in fact, complete.

So, overall we're very pleased that the County's taking our comments seriously and are optimistic that the next iteration of the long-term plan and DGEIS will be a substantial improvement over the current one. We think, however, that these combined efforts do not translate into an affirmative completeness determination at this time. And it appears that you agree.

We appreciate your support and we appreciate the slow, measured and careful approach that you are intending to take. We would also appreciate the opportunity to meet with the sub-committee on this matter. And we do encourage you that when you decide that the document is complete that you refer it for a long public comment period. It appears in the County's set of dates that they've just handed out, they appear to be contemplating a two-month comment period. We would support a longer period even than that, perhaps a 90 day comment period. This is a very complex and scientific issue. And we think that such a long comment period would be appropriate. Thank you. And I'd be happy to answer any questions.

**MR. KAUFMAN:**

Who is going to be paying for this consultant that you want to -- or reviewer that you want to have look at the methoprene issues, etcetera?

**MR. DAWYDIAK:**

I can answer that, if I could. The Technical Advisory Committee has set aside a pot of money for independent peer reviews. It's not a new process. We used it for multiple documents. And we envision that we'll have an honorary and two or three peer reviewers for the risk assessment as well.

**MR. KAUFMAN:**

Okay. So, it will be done the exact same way we did it previously?

**MR. DAWYDIAK:**

Yes.

**CHAIRMAN SWANSON:**

Just as a follow-up to that, the selection of peer reviewers will be probably as controversial as the document itself. So how you intend to achieve balance between peer reviewers and what they typically support and believe?

**MR. DAWYDIAK:**

That's an excellent question. The entire process has been set up under the direction of Jack \\_McTice\\_ , Director of SEQRA and who's also our Technical Advisory Committee Chair. What we do is initially contact people to see who's willing to do the peer review. Then we get an up to date resume from those people including all publications. The Technical Advisory Committee gets a package on every peer reviewer. And there has been some formidable debate about people who may have biases or pre-dispositions based on publications.

The decision on selecting the peer reviewer is entirely up to the Technical Advisory Committee. And the County is not a voting member of that TAC so it is an independent external decision that's carefully made.

**CHAIRMAN SWANSON:**

I applaud that process. Thank you.

Jim, due to the importance of the comments that we're hearing today which are in addition to the ones that we've already received, would it be possible to work with the stenographer to get only this Vector Control segment to the committee and sub-committee within the next week or so that we can benefit from these comments as well?

**MR. BAGG:**

I think you have to address it to the stenographer. She did have the other -- the December 14 minutes have been completed. And I believe they were passed out to the committee today.

**COURT STENOGRAPHER:**

By the end of next week. Is that all right?

**CHAIRMAN SWANSON:**

Okay. Thank you very much. Is there anybody else in the audience that would like to speak briefly to this issue? Please remember that we are not reviewing the science of this project today. The process.

**MR. ATKINSON:**

Hello. I'm Matthew Atkinson with Peconic Baykeeper. Thank you, Chair and Council for spending all this time and indeed all this hard work going through this very difficult, complicated documents.

I have submitted comments and I participated and joined in comments submitted by a group and I stand by all of those. And I'm happy to see some of them incorporated.

I want to amplify a couple of issues. In terms of the efficacy of adulticide specifically just the question of what is a tolerable threshold, even if one was trying to control for nuisance -- I mean just anecdotally I know that if I'm bit a couple of times, I go inside or, you know, put on long pants. When you go out and you kill say 50% of the mosquitos, that doesn't mean that you're necessarily going to be outside. So, in dealing with the trigger specifically, I think what would make this document more complete is if it's possible to quantify what is a reasonable trigger for nuisance control in terms of the comfort of citizens of this County. And if that's not possible to quantify, to so state.

I also believe that the Wertheim is being used as a model. And I believe unless it's in this and I have not yet dug it out of the study, I believe that the report of the Wertheim should be incorporated or a report generated concerning its methodology, it's pre and post analysis to the limited extent it exists.

I also believe that for the purpose of completeness that the issues that are being raised by the Fire Island National Seashore should be incorporated in this EIS. Typically SEQRA is considered more complete review than NEPA. Fire Island National Seashore is saying that this is not an adequate document for NEPA purposes. I believe that this needs to be addressed with great clarity. And that the issues raised by Fire Island National Seashore should be incorporated in this EIS.

In this connection we've been in touch with Fire Island National Seashore. And they have indicated that they will submit comments in this regard. And I realize that you need to close comments at some period, but for such an agency as that, if the Council will maintain -- keep the record open for that purpose, that would be, I think, of great value in terms of the completeness of this EIS.

In this regard we've also spoken with Region One of the Department of Environmental Conservation. And they've also indicated they're going to submit comments on the completeness issue. If they don't get them in, you obviously aren't going to look at them. But to

the extent it's feasible, I wish the Council will keep the record open for at least the sister agencies. Thank you very much.

**CHAIRMAN SWANSON:**

Thank you. Anybody else? All right. That brings us to close to the end of the agenda. Historic services.

**MR. MARTIN:**

Good morning. Just to report today an update on the Blydenburg Mill, we're still working with Bill \\_Lifert\\_ from Dunne Engineering. He is completing now the study of the building itself and also the spill way. He's identified problems with the spill way that have been made worse by the extreme rains that we've been having. And we'll be looking to do a re-building of that also. The DC permit is not in place yet. Once that does get put in place we'll be shutting down the spill way at the mill diverting the water of the spill way to the west and also diverting the spring waters that come up underground to the east of the mill building. And that will be diverted past the building to the stream -- down stream. And at that point we will about replacing the cribbing on the west wall and reconstructing the west wall. And then proceed with the reconstruction of the frame areas that have rotted in the building and also the base of the columns on the foundation piers.

**MR. KAUFMAN:**

Rich, if I may, how are you going to be moving the water? Just laying a pipe line syphoning or pumps or what?

**MR. MARTIN:**

That's what's proposed, yes.

**MR. KAUFMAN:**

Syphoning?

**MR. MARTIN:**

Yes.

**MR. KAUFMAN:**

Okay. Second off, you and I discussed this a moment or two ago, there's a holdup basically on the DEC permit aspect of this.

**MR. MARTIN:**

I don't know that it's a holdup there. We did have a holdup getting the plan for the site from Public Works we needed to have completed to submit to DEC so I have to see if there's a holdup at this point at DEC. But that's what held up getting the permit process.

**MR. KAUFMAN:**

At this point in time -- as I remember, it's a historic area and historic structures, etcetera. There may be emergency procedure at DEC to try and push this forward relatively rapidly because realistically we're getting quite a lot of rain. There's other -- basically you need to push this as quickly as you can. That's all I'll say for this point.

**MR. MARTIN:**

Okay. Any other comments or questions? That's all I have to report on today.

**CHAIRMAN SWANSON:**

Okay. Thank you very much. CAC concerns? Joy?

**MR. BAGG:**

Joy, you're on.

**MS. SQUIRES:**

No.

**CHAIRMAN SWANSON:**

Any other comments? If not --

**MR. CRAMER:**

I just would like to point out one thing. A lot of the comments that we heard on the -- on the EIS for the mosquitos, a lot of those comments that were made dealt with not the scope and adequacy of the document but dealt more with -- that would be more appropriately made during the comments on DGEIS itself during the public comment period; like the DEC as far as their comments are added. It's our responsibility to address the scope and adequacy. And there's not necessarily required the submission of comments for the scope and adequacy. That's really our job, but we have taken comments to aid us in the scope and adequacy; but it doesn't necessarily -- we're not bound by them.

**CHAIRMAN SWANSON:**

Right.

**MS. SQUIRES:**

Larry, could I change my mind?

**CHAIRMAN SWANSON:**

I would expect nothing other.

**MR. KAUFMAN:**

I'm sorry, teacher, out of order.

**MS. SQUIRES:**

I just wanted to comment on the Master List. What is incorporated in here at least from the viewpoint of the Town of Huntington, Laretta was looking for what were our priority lists. And we have submitted an updated and Laretta has -- I did a quick scan. And this is incorporated. And I think -- I can only speak for the Town of Huntington, but this reflects our priorities in terms of what we felt was important. There are certainly many small pieces; that it's up to the Town of Huntington to acquire if we want to acquire. But these are the big things.

**CHAIRMAN SWANSON:**

Thank you. If there's nothing else, I'll entertain a motion to adjourn.

**MR. KAUFMAN:**

Motion.

**MR. CRAMER:**

Second.

**CHAIRMAN SWANSON:**

All in favor? So adjourned.

**(THE MEETING CONCLUDED AT 11:27 AM)  
\\_ \\_ DENOTES SPELLED PHONETICALLY**