

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 May 17, 2006.

MEMBERS PRESENT:

Dr. Larry Swanson, Chairman
Michael Kaufman
Dr. John E. Potente
Lance Mallamo
J. Lee Snead
Leg. Lynne Nowick
Leg. Vivian Vilorio-Fisher

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
James Bagg, Chief Environmental Analyst/Department of Planning
Matthew Atkinson, General Counsel to the Peconic Baykeeper
Lauretta Fischer, Principal Analyst, Planning Department
Dr. David Tonjes, Cashin Associates
Adrienne Esposito, Citizens Campaign
Gill Gardner, Suffolk County Police Department
Kim Shaw, Principal Environmentalist, SCDHS
Walter Dawydiak, SCDHS
Adam Santiago, County Executive's Office
Tom Isles, Director of Planning Department
Michael Deering, Commissioner of Energy & Environment
Dominick Ninivaggi, Superintendent Vector Control, DPW
Ron Warren, DPW

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 9:40 AM)

CHAIRMAN SWANSON:

All right. Has anybody seen the minutes for the October 19th, 2005 meeting?

MR. KAUFMAN:

I have, your Eminence. I have two changes that I'd like to propose. On page 46, they're about halfway down, Chairperson Elkowitz says "Go ahead, Kevin. Answer it." And then it says "Mr. Kaufman." It says "let me answer that " then blank, blank, blank. Actually Kevin McAllister said that. I am not the person who said that. So, the identification of who said that was wrong.

And on page 77, there's a typo about halfway down. Ralph Borkowski says "we had originally made that decision to try and blend it into the natural landscape." Then I say, "Jay, you got to --". T-o. It should be t-w-o. "You got two's RLA's here" Registered Landscape Architects.

CHAIRMAN SWANSON:

Thank you for catching those. Any other comments on the October 19th meeting?

MR. KAUFMAN:

I'll make a motion to accept the minutes.

CHAIRMAN SWANSON:

Motion to accept. Do I have a second?

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

All in favor? Okay. Motion passes.

Let's see. I'd just like to remind everybody that there will be a public portion to this meeting. I'd like to keep the public portion dealing with the Vector Control plan sort of at the same time as we discuss the Vector Control plan. So we'll wait until then to deal with that.

There's considerable amount of correspondence. I should mention that I have written letters and they've been prepared to send to Terry Elkowitz, Tom Cramer and John Wagner thanking them for their service to CEQ and to the County. And they should be going to out some time today or perhaps tomorrow.

There is a number of pieces of correspondence, some of which is in your packet. One is from the Town Supervisor of -- Patrick Heaney from the Town of Southampton Hampton recommending or appointing a member from their -- what group was it? CAC. From their CAC to our board. And he should be here but he's not at this point.

There's also a piece of correspondence from William Lindsay, Suffolk County Legislator, concerning the Gabreski Airport. And I would read that. "On August 17th, 2005 the Council on Environmental Quality reviewed the Environmental Assessment Form prepared in connection with the above referenced project and other information submitted by the Department of Economic Development and Workforce Housing and recommended that this project be considered an unlisted action which would have not have significant impacts on the environment.

The Suffolk County Legislature Introductory Resolution 2022-2005 makes a SEQRA determination in connection with this project consistent with CEQ's recommendation. However, after listening to public comments at its March 14th General Meeting, the Legislature tabled this resolution. Further there was a consensus among the Legislators that CEQ should take another look at the project and again consider how this project should be classified under SEQRA.

Accordingly, I hereby request that CEQ review the proposed Gabreski Airport project and advise the County Legislature on its SEQRA recommendation at the Council's earliest possible convenience. Thank you, William J. Lindsay, Presiding Officer, Suffolk County Legislator".

Legislator Nowick, would you like to comment on that at all?

LEG. NOWICK:

No. I would yield to Presiding Officer Lindsay.

CHAIRMAN SWANSON:

Okay. All right. What we're going to do is send it back to the Department of Economic Development for their consideration before we review it again since they're the ones that are, in fact, in charge of managing the airport. Is there any other comment on this particular issue at this time?

LEG. NOWICK:

I think going back to committee is a good idea.

CHAIRMAN SWANSON:

Pardon?

LEG. NOWICK:

That's a good idea, going back to committee.

CHAIRMAN SWANSON:

Okay. All right. Then we have several pieces of correspondence dealing with Vector Control that I'll just mention. There is a letter from the Great South Bay Audubon Society expressing their thoughts and concerns about the Vector Control plan. We will enter these into the record. And with regard to our actions today, these are largely technical issues.

We also have a letter from Edward Romaine, Legislator for the 1st District, who also expresses concern about the Vector Control plan, specifically the OMWM portion of it. Again, his concerns are generally technical. And it'll be entered into the record and considered as we move forward with the technical review of the plan. All right. Anything else in correspondence, Jim?

MR. BAGG:

Also the Citizens letter.

CHAIRMAN SWANSON:

Okay. Yes. We also have a letter dealing with a number of issues. It's many pages long so I won't read it again. I'll be entered into the record. It's from the Citizens Campaign for the Environment, the Environmental Defense, the Nature Conservancy, Peconic Baykeeper. And it comments on the overall process and also comments on some of their concerns. It also notes that they haven't had an opportunity to read the DGIS yet and so, you know, they would like to have the opportunity to review that and make further comments. Anything else, Jim?

MR. BAGG:

That's all.

CHAIRMAN SWANSON:

Okay. Recommended Type II Actions. **Ratification of Staff Recommendations for Legislative Resolutions Laid on the Table - May 16, 2006.** Any comments, Jim, on the ratification of staff recommendations for legislative resolutions?

MR. BAGG:

Yeah. There's a couple of things to note that are in this month's packet. There are a couple of introductory resolutions for new appointments to the CEQ. One is Mary Ann Spencer. Okay. She's going to represent Historic Interest. She's on the Council's Historic Trust Committee. And these are -- were placed on the table yesterday for review by the Legislature. They're not permanent or approved yet. Another one is the appointment of Enrico G. Nardone and he is from the Seatuck Environmental Association in Islip, New York. Okay. So those are two new members that are being proposed for CEQ membership.

Also, Introductory Resolution No. 1572 deals with conservation easement under the Suffolk County Multifaceted Land Preservation Program, Open Space Preservation for the Manos property. This has not been presented to the Council or it is not before the Council today. It at least needs an environmental assessment and should be presented to CEQ before it is approved by the Legislature.

In addition, Resolution No. 1596 is Suffolk County Save Open Space Farmland Preservation and Hamlet Parks fund, an Open Space Component of 357 Brick Kiln property in the Town of Southampton. Before this property is approved and purchased, technically it needs an Environmental Assessment and should be presented to CEQ. If this is also an active park, then the requirement would be that the assessment also covers the proposed facilities that would be constructed on the property prior to its acquisition.

CHAIRMAN SWANSON:

Okay. Any other comments on the resolutions laid on the table?

MR. KAUFMAN:

I'll make a motion then to accept staff recommendations.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Any other further discussion? All in favor? Opposed?

MR. MALLAMO:

Larry, could I just ask that the record show I'm abstaining on numbers 1537 and 1580.

CHAIRMAN SWANSON:

Okay. Note the abstention, please. Otherwise the motion passes. Okay.

Safety and security improvements to Suffolk County Sewer Districts CP #8103. We have a letter in the file with regard to that. And it's mostly clarification based on what we had previously done. And --

MR. BAGG:

There's a representative from DPW here to answer the questions the Council has.

CHAIRMAN SWANSON:

Oh, okay. We do have -- okay. Please come up if you have any comments you want to make on this.

MR. WARREN:

I'm just here to answer any questions you may have.

CHAIRMAN SWANSON:

Okay. Would you identify yourself for the record?

MR. WARREN:

I'm Ron Warren, Assistant Director of Operations and Maintenance from Division of Sanitation, Department of Public Works.

CHAIRMAN SWANSON:

It's my understanding that when we reviewed this, that we sent it back because we thought it might be potential segmentation and, in fact, it had some equipment purchases in it which should have been properly Type II Actions. So that's before us; right?

MR. BAGG:

Yes. Basically it was submitted previously with three other sewer districts. Council reviewed those sewer districts and they had construction associated with them. So the Council made a recommendation for all three sewer districts, unlisted action, negative declarations. However, it was not realized at the point that the equipment was for -- I don't know -- 20 other sewer districts -- for all sewer districts. So it didn't have construction associated with it. But this is the equipment part for the other sewer districts, it was my understanding.

MR. WARREN:

It's fire alarm systems, you know, surveillance cameras for security and fencing to make each sewage district plant or pump station secure. And that's pretty much the -- all the equipment. There was other equipment. I think Ben Wright told me that sewer district nine was capital fund that they made sure all the equipment was in that capital fund for the improvement of the sewer district. So it wasn't part of the safety and security capital fund.

CHAIRMAN SWANSON:

Okay. Thank you. Do you have any other questions? Can I have a motion?

MR. KAUFMAN:

I'll make a motion Type II.

CHAIRMAN SWANSON:

Do I have a second?

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Second. Any other discussion? All in favor? Opposed? Motion carries. Thank you very much.

MR. WARREN:

I think there's another -- something else that's on the agenda for the sewer districts.

MR. MALLAMO:

Item 17.

CHAIRMAN SWANSON:

Item 17.

MR. KAUFMAN:

Forcemain replacement.

CHAIRMAN SWANSON:

Well, if nobody objects, since you're here maybe we can get number 17 taken care of now and not hold you up. **Proposed Sewer District #5, Strathmore Huntington, Forcemain Replacement, Town of Huntington.** Do you want to comment on that?

MR. WARREN:

Yes. This is a multi-year project that we've been trying to complete using operating funds. Most of the work has been done on the LIPA/KeySpan/LILCO high voltage right-of-way. But there's a small portion that has to be done on the street. And we just wanted to make sure that there wouldn't be any concerns about trenching on the street. It's going to be within a wooded area, brushes actually. And we would have to remove some brush so -- to finish the project.

CHAIRMAN SWANSON:

This is a replacement, upgrade or new?

MR. WARREN:

This is an upgrade. Well, it's a replacement of a sewer forcemain that was 40 years old. We've had numerous breaks, so we're replacing that segment. We're trying to complete the whole thing, but it's taken us many years to do it with the cost and trying to work within operating funds.

CHAIRMAN SWANSON:

Mr. Kaufman.

MR. KAUFMAN:

It says that approximately 4,000 feet is going to be excavated for this forcemain. Is that accurate?

MR. WARREN:

Well, most of it's all been done over the years because it was on the LIPA right-of-way. We have an easement underneath the high voltage power lines there. So there was -- and it was, you know, it was already -- they cut back the brush. There's no cutting of trees or anything there. So we just replaced it right next to the existing line. So -- but we didn't -- now we're to a point where we're going to be near, you know, some brush and some trees near a street and --

MR. KAUFMAN:

Your EAF says that about one acre total is going to be disturbed. Is there any way, I'm just curious, is there any way to avoid taking down any of those trees? I'm not trying to be nit-picking or micromanage in any way, shape or form, but it looks like from the aerial photographs this is a relatively large right-of-way now that you've been able to identify what it is for us. And it is a relatively large cleared area on the aerial that I'm looking at.

MR. WARREN:

This is the area adjacent to North Coat Avenue that comes up before the LIPA right-of-way. We're on the street there. We're actually -- we're in the street at this point and we want to do it on the side of the road, but do it where we want to -- to not disturb any trees we would be right next to a gas main, which we'd prefer not to be next to. So we want to move over a little, ten feet from the gas main, so that's going to put us right on the brush -- on the side of the road on the brush lawn, and we're going to have to excavate some brush and some small trees.

CHAIRMAN SWANSON:

Any other questions?

MR. MALLAMO:

Yeah. I'm a little confused. On the aerial portion, I guess, is east, it says cut-off portion of FM

from here to STP previously replaced. Going east of there, are you replacing through those woods? It looks like there is a line going through there.

MR. WARREN:

That was a -- we had a severe break at that point and the line was, you know, that was done as an emergency repair, that section. That was done a numbers of years ago. We want to replace the whole line within the easement.

MR. MALLAMO:

That's the clear trail I see on the aerial.

MR. WARREN:

Right.

MR. MALLAMO:

It looks like the line is going south of that. Then that's not what you are proposing today.

MR. WARREN:

No. The the last segment is on North Coat Avenue.

MR. MALLAMO:

Okay.

CHAIRMAN SWANSON:

Any other questions?

LEG. VILORIA-FISHER:

Actually, my first question was waving over to Legislator Nowick because I think we're still in limbo here because I don't believe that -- it hasn't been certified by the Secretary of State yet, so I'm still a guest. I'm not a member yet.

But I have question. It's a general question and this triggers -- this particular project triggers that question because we're going to be talking about it when we talk about the Rocky Point cell towers. Now this -- some of the work here is being done on a LIPA right-of-way and the cell towers are going to be done on LIPA property. No?

MR. BAGG:

Water Authority.

LEG. VILORIA-FISHER:

That's right. That's Water Authority, not LIPA. Okay, but this, which is LIPA -- this is LIPA property. Now, it's not being done on LIPA property? That's what I thought I heard described and that's what I'm looking at at the aerial.

MR. BAGG:

I believe if -- correct me, please, that the replacement has taken place on the LIPA property. We're talking about the area adjacent to the existing roadway, the last segment for this installation. Is that correct?

MR. WARREN:

Yes. The 600 feet -- I think approximately 600 feet is on North Coat Avenue. We've replaced all the line on the LIPA high voltage and there was no -- it was already cleared. They keep the ground clear underneath the high voltage line so we didn't have to take any trees down and we had an easement agreement with LIPA for that line.

LEG. VILORIA-FISHER:

Okay. So because there's an easement agreement, that's why CEQ reviews it even though it's -- no? I mean, if it were to be -- if the work they were doing were to be on the easement or the LIPA right-of-way, we would review it because we have an easement and so --

MR. KAUFMAN:

It's not a question, Legislator Fisher, of ownership of the land. It's a question of the agency undertaking the work. In this case DPW is undertaking the work. That's a County agency that falls within the ambit of our review powers.

LEG. VILORIA-FISHER:

Thank you. That's the answer to my question. That's what I just wasn't understanding, how -- why it would be within our purview to review it, and it's because it's our agency that's doing the work, not because of where the property is. Okay. Thank you, Michael.

DR. POTENTE:

Can I add one other thing? There are actually three things that we review. Whether it is on County property, whether it's a County project, or if it is County funded also. So there is three.

LEG. VILORIA-FISHER:

Okay. Thank you. It's been a while since I've sat on CEQ so I just wanted to clarify that for myself. Thank you.

MR. KAUFMAN:

Guests are allowed to ask questions.

CHAIRMAN SWANSON:

Sitting on CEQ is an adventure. Any other questions?

LEG. VILORIA-FISHER:

Thank you, John.

CHAIRMAN SWANSON:

This might be considered an unlisted neg dec. Do we have a motion?

MR. SNEAD:

So moved.

MR. KAUFMAN:

Second, neg dec.

CHAIRMAN SWANSON:

We have a motion and a second. Any other questions? All in favor? Opposed? Motion carries. Thank you very much.

MR. WARREN:

Thank you.

CHAIRMAN SWANSON:

All right. Moving back to the agenda. **Proposed Donation of Property File #S05-04-0019, Miller Place, Town of Brookhaven.** Is anybody here to speak to this? Laretta, we asked to review each of these and I see today you really stuck it to us.

MS. FISCHER:

I'm think I'm monopolizing your agenda today.

MR. KAUFMAN:

We don't mind reviewing the stuff, Lauretta.

MS. FISCHER:

Thanks. The first item is a donation through a TDR requirement for health credits. This had come before you possibly two months ago. We are resubmitting it. It is a parcel in -- that we are being -- that's being donated to us is going in the Miller Place/Yaphank Road Nature Preserve area. We would like to -- we support this. It's .2 acres of land in an area that we own approximately 90% of the area, 90 to 95% now. That's about it.

CHAIRMAN SWANSON:

Any questions?

MR. KAUFMAN:

As Lauretta said, if I might, Mr. Chairman. As Lauretta said, we did review this previously and it is in an area where the County has been acquiring properties. I'm a bit familiar with the area and I think this would be proper to add to the County's inventory in the area. I think it will protect some land.

CHAIRMAN SWANSON:

Any other comments? Do we have a motion?

MR. KAUFMAN:

I'll make a motion to accept. It will be an unlisted neg dec.

CHAIRMAN SWANSON:

Second?

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

All in favor? Motion carries. Next one is **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates-Houde Property in the Town of Huntington.**

MS. FISCHER:

Yes, actually the next four parcels are up for acquisition in the Emerald Estates area in Huntington. This is one of the pieces of the puzzle of what we're trying to acquire. It's a long, narrow strip of property. We have acquired the very northernmost parcel owned by the church, which I can't remember the name of, I'm sorry. We're trying to connect the dots and create a passive recreational area for trails that actually exist at this time. So the first one is for three lots consisting of 1.84 acres of this acquisition area.

CHAIRMAN SWANSON:

Any comments? Yes.

MR. SNEAD:

Just a question. I mean, these four are all related to this one?

MS. FISCHER:

Correct. They're all noted on your map. Let me just see where that map is. That is the area that is omitted from the acquisition. Those are part -- we're taking only the part of the property that is all in green. The area outlined in the dotted white line is the area that will remain with the property, and so on a majority of these we're taking only the back side of the lot as identified.

CHAIRMAN SWANSON:

That the 1.84 acres is what you're actually taking.

MS. FISCHER:

Correct.

MR. KAUFMAN:

Just for the Council's edification, if I might. Joy Squires is unfortunately not here. She's with the Huntington CAC. I believe in talking with her and also Margo Miles out of Huntington that the town has had a longstanding project to try and establish greenbelt trails or something akin to greenbelt trails in this area and a few other places. For example, I think it's Park Avenue, if I'm not mistaken, along a ridge line over there. And these parcels that we're talking about right now are being bought by the County and the Town of Huntington, cooperatively. Is that accurate?

MS. FISCHER:

Well, actually just recently the Town of Huntington did not pass a resolution to be a partner with us on these unfortunately. But we will be moving forward on our own at this point in time unless there is a change by the Town of Huntington. And we just received that information the last few days, unfortunately.

CHAIRMAN SWANSON:

Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

Hi, Laretta. I have a question about this. It doesn't seem like it would be close enough to where they're looking at those greenbelt trails. That would be closer to, you know --

MS. FISCHER:

That's a different area.

LEG. VILORIA-FISHER:

Yeah, that's a very different area. This is more like Elwood, isn't it?

MS. FISCHER:

Yeah, this is the Cuba Hill area.

LEG. VILORIA-FISHER:

Yeah, I see this is Cuba Hill Road and that's what is leading to my actual -- the question I was going to ask, which is public access. Now, Cuba Hill Road wouldn't be a place where people could park their cars easily.

MS. FISCHER:

No. Actually, the access would be up on Clay Pitts Road and we own that long, large strip up on the top portion as we speak.

LEG. VILORIA-FISHER:

That fuchsia color?

MS. FISCHER:

Yes. And that's -- there's an area that is cleared there and that's where they're proposing the parking area. And then almost you can see the trail on the aerial.

LEG. VILORIA-FISHER:

Yes, that white line. Yes, I see it. I've got it.

MS. FISCHER:

Exactly. And so that's where we consider --

LEG. VILORIA-FISHER:

It says in negotiations, but you are saying we actually own it? It says in negotiations here in the legend.

MS. FISCHER:

Oh, it could be, but we're -- we're almost there. I'm sorry, yes.

LEG. VILORIA-FISHER:

Okay. So all of that is pretty certain that it will be County property.

MS. FISCHER:

Oh, yes. Yes.

LEG. VILORIA-FISHER:

Okay. So up in Clay Pitts, and I know that area because there is some ball fields up there also, aren't there?

MS. FISCHER:

I think they're associated with the school to the east -- I mean, east of here just off the --

LEG. VILORIA-FISHER:

Yeah. I remember taking my daughter there for some games, up Clay Pitts.

MS. FISCHER:

I think they are just off the aerial, on the east side of the aerial.

LEG. VILORIA-FISHER:

Okay. So the access would be from up there.

MS. FISCHER:

Yes. And actually I have walked it and there's some access into that subdivision to the east as well, but you can loop back and go back up to the northern parking area as well.

LEG. VILORIA-FISHER:

Okay. Thank you, Laretta.

MR. KAUFMAN:

Laretta, weren't there some County purchases to the south near the intersection of Cuba Hill and Little Plains -- no, I'm sorry, that was a different road.

MS. FISCHER:

On Little Plains we own a little schoolhouse. That was bought many years ago, though.

CHAIRMAN SWANSON:

Any other questions?

MR. SNEAD:

Yes.

MS. FISCHER:

It's on Cuba Hill.

MR. SNEAD:

Are we looking at all four of these as one combined?

CHAIRMAN SWANSON:

No, we are looking at them one at a time.

MR. SNEAD:

You said that the Town of Huntington has backed out?

MS. FISCHER:

Yes -- well, they didn't approve the legislation to acquire their portion of it.

MR. SNEAD:

Did they decline to approve it or have they just not acted?

MS. FISCHER:

They acted and they declined.

MR. SNEAD:

So --

MS. FISCHER:

It was voted. It failed -- the vote failed.

MR. SNEAD:

All right. So my question, then, is what are we -- you are going to go forward with the purchase applying, in this case, \$187,500 or 375,000. Are you going to pick up the town's half?

MS. FISCHER:

Correct.

MR. SNEAD:

Well, that's not what the resolution says.

MS. FISCHER:

I know. We're going to change these and they have been tabled, but the acquisition will move forward.

MR. KAUFMAN:

I would suggest that we have a problem in terms of the paperwork aspect of it. The EAF that we've been given, and I hate to hold up things, but the EAF that we've been given describes it as acquisition of land by County and the Town of Huntington. And the reso that is attached to it specifically says that. Basically what you are saying is because the Town of Huntington has backed out we're kind of -- you want us to kind of to do this on the fly. In terms of SEQRA paperwork and in terms of --

MS. FISCHER:

I wouldn't say that. But go ahead.

MR. KAUFMAN:

Well, I mean, this is what I have in front of me. I'm not sure in a legal sense that we can necessarily approve this at this point in time. It might be that we have to table and just have the reso just changed a little bit to reflect just County purchase.

MS. FISCHER:

The resos will be changed.

MR. KAUFMAN:

I don't know that we can do that now.

CHAIRMAN SWANSON:

I'd like to just remind the Council that we're here to discuss the purchase of the open space for open space preservation. We're not really involved in trying to determine who's going to end up paying for it.

MR. KAUFMAN:

I'm looking at it from this paperwork standpoint.

MR. SNEAD:

I have one other issue. I'm curious as to why in three of these there is a, and that's why I asked whether we were doing all four at the same time, but three of them are limiting the use of the property for passive parkland purposes. One of them has that specifically exempted and I'm wondering why that is.

MS. FISCHER:

Which one is that that did not have it?

MR. SNEAD:

The third one.

MS. FISCHER:

Borelli? Borelli, correct? It was unfortunately written --

MR. SNEAD:

Maybe it's the fourth one. I think it's the fourth one. Yeah, they've actually specifically struck that.

MS. FISCHER:

Yeah, Borelli, I believe. Actually, I did not write that resolution and there were some changes which will be made. It does say for passive recreational use in the first resolved clause so I feel it's adequate to express that, but unfortunately I did not write that resolution and I would have made that change.

MR. MALLAMO:

Well, we're not obligated to review the final resolution. I think we're here to review the environmental appropriateness of acquiring these properties and how they are acquired and who pays for them.

MR. SNEAD:

I have no problem with the purchase of these properties. That's not the question I'm raising. The issue I have here is these are apparently all of a piece and there is an apparent difference in one that affects the use to be made of the land. Maybe I'm wrong on the definition of what constitutes passive parkland purposes, but it was included in three and not in one. I'm just --

MS. FISCHER:

It is actually included in Borelli, but you have to go to the first resolved. It's not in the separate resolved that I usually do when I state that it's transferred.

MR. SNEAD:

The reputed owner --

MS. FISCHER:

Or you tell me where you are.

MR. SNEAD:

The reputed owner I'm looking at is Mauro and that's been specifically struck.

MR. KAUFMAN:

There's a line through the statement on the first resolved clause saying for passive parkland purposes, and it's been struck by a pencil line. I don't know whether that is an artifact of something.

MS. FISCHER:

No. That was just a comment, but that's not -- it's not to be struck. It was not intended to be struck.

CHAIRMAN SWANSON:

Anything else, Lee?

MR. SNEAD:

I don't know what we're approving.

MS. FISCHER:

Unfortunately, I did not write that so I can't take responsibility for that one. But it will be changed anyway because of the fact that --

MR. MALLAMO:

I think we're approving the acquisition of these properties for passive recreational purposes. Is that you are saying, Laretta, that all four will be for passive recreational purposes.

MS. FISCHER:

Correct.

CHAIRMAN SWANSON:

And we see no environmental issues with regard to their purchase.

MR. KAUFMAN:

I'm familiar with the properties. I pass by them quite a lot and I think they'd be an asset.

CHAIRMAN SWANSON:

Do we have a motion?

DR. POTENTE:

I'll make a motion, neg dec, class II.

CHAIRMAN SWANSON:

Unlisted neg dec. Do I have a second?

MR. MALLAMO:

I'll second.

CHAIRMAN SWANSON:

All in favor? Opposed? Motion passes. And you'll see about making sure that the paperwork is adjusted appropriately?

MS. FISCHER:

Yes, I will.

CHAIRMAN SWANSON:

Thank you. So we are still doing these one at a time. The next one is the Cooper property.
Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates - Cooper Property in the Town of Huntington.

MS. FISCHER:

This consists of 1.8 -- 4.1 acres, two lots. One is part of, and the other is a whole lot that we're taking.

CHAIRMAN SWANSON:

Any questions on this one? Motion?

MR. KAUFMAN:

Motion, unlisted neg dec.

CHAIRMAN SWANSON:

Second?

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Second by Mr. Snead. All in favor? Opposed? Motion carries. The Borelli property.
Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates-Borelli Property in the Town of Huntington.

MS. FISCHER:

This is 1.68 acres. This is one whole lot.

CHAIRMAN SWANSON:

Okay. Any questions on this one?

MR. KAUFMAN:

Which town is this in?

MS. FISCHER:

Huntington. They are all in Huntington.

MR. SNEAD:

They are all contiguous.

MR. KAUFMAN:

Oh, okay.

MR. MALLAMO:

Motion, unlisted neg dec.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Second by Mr. Snead. All in favor? Motion carries. We move on to the Mauro property.
Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates-Mauro Property in the Town of Huntington. I think this is the one where Mr. Snead had a question. And are you satisfied?

MR. SNEAD:

I would move to approve this as an unlisted neg dec with the caveat that it be limited for passive parkland purposes such as the other three.

LEG. VILORIA-FISHER:

May I just say something on that motion, please?

CHAIRMAN SWANSON:

Yes.

LEG. VILORIA-FISHER:

I just wanted to point out that when -- in the first resolved and in the method -- the program under which we're buying it, it would have to be for passive use because if you look at the first resolved it says it is for land preservation, open space preservation and water protection. And based on that resolved it is only -- it can only be for passive use.

MR. SNEAD:

I understand that, but my concern is with the strike through it creates an ambiguity --

LEG. VILORIA-FISHER:

But it would be illegal for them to use it for anything but. I just want to clarify because that's part of the definition of our program, is that it can only be used for passive use.

MR. SNEAD:

I understand that. Thank you.

MR. MALLAMO:

I'll second.

CHAIRMAN SWANSON:

Any other discussion on this property? All in favor? Opposed? Motion carries.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

Okay. Fresh Pond, Town of Huntington. **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond Addition-Montagna Property in the Town of Huntington.**

MS. FISCHER:

This is a small piece of property in a two acre lot in the Fresh Pond area that flows into the Long Island Sound. It's an extensive wetland watershed area in between actually both the Town of Huntington and the Town of Smithtown. And the Montagna property is in the Town of Smithtown which is incorrect on your agenda.

CHAIRMAN SWANSON:

Okay.

MS. FISCHER:

But it is correct in your information. And it contains wetlands. This -- actually, this area has been targeted for acquisition since 1986. It was originally on our 1986 Open Space Preservation Program list area.

MR. KAUFMAN:

If I may, Mr. Chairman.

CHAIRMAN SWANSON:

Yes.

MR. KAUFMAN:

Lauretta, doesn't the Town of Smithtown have purchases in the area also under some bond act?

MS. FISCHER:

Yes, they do.

MR. KAUFMAN:

Would that be to the south of there? I'm trying to locate 25A on here.

MS. FISCHER:

Yes, it's to the south of here. I believe they have a few.

MR. KAUFMAN:

So basically they are covering the watershed, then, to the south and you guys are moving forward to the north.

MS. FISCHER:

Yes. We own a lot to the north here, comparatively, but we're still piecemealing our acquisitions as best we can.

MR. KAUFMAN:

I am quite familiar with this area. I have actually been in the pond a couple of times in the entranceway at the beach to the north. It's a very interesting navigational situation. I think that very much that this would be an asset to the County if we were able to purchase. I'll make a motion, unlisted neg dec, on this one.

CHAIRMAN SWANSON:

Second?

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Mr. Snead seconded. All in favor? Opposed? Motion carries. Another one on Fresh Pond, Bylloft property in the Town of Huntington. **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond Addition - Bylloft Property in the Town of Huntington.**

MS. FISCHER:

Yes. This one is, as you said, in the Town of Huntington. It's a one acre lot and it's south of the area that you just looked at, that piece in Smithtown. And, again, in the same watershed of Fresh Pond.

DR. POTENTE:

Lauretta, just out of curiosity, is that a County or a private golf course there?

MR. MALLAMO:

It's the Town of Huntington, Crab Meadow.

MS. FISCHER:

Crab Meadow, right.

CHAIRMAN SWANSON:

Any other questions?

MR. KAUFMAN:

Yes. Laretta, I'm trying to figure something out on the map that you gave us regarding this property. This is to the south you said, but on the map up here up at the north end there is a Fresh Pond addition. Are we dealing with that at all? It's basically right on the Sound.

MS. FISCHER:

Let me get your map out because I'm not sure.

MR. MALLAMO:

Laretta, did I make a mistake? Is that Crab Meadow or is that Indian Hills?

MR. KAUFMAN:

I think it's Crab Meadow.

MS. FISCHER:

I think that's Crab Meadow.

MR. MALLAMO:

Isn't that the Huntington/Smithtown line running down the middle? That's the western boundary of Montagna?

MS. FISCHER:

I'm sorry.

MR. KAUFMAN:

Lance, I think it is. I think you are correct.

MR. MALLAMO:

I think it's.

MS. FISCHER:

I unfortunately don't have the map -- oh, here it is.

CHAIRMAN SWANSON:

Mr. Tonjes, can you identify whether this is Crab Meadow or not for us? I know you know the area.

MR. TONJES:

Oh, the golf course? That's Indian Hills.

CHAIRMAN SWANSON:

Is that on Crab Meadow, though? Is this Crab Meadow?

MR. TONJES:

No, that's Makamah Beach.

CHAIRMAN SWANSON:

Makamah Beach.

MR. TONJES:

The Makamah Beach running underneath Indian Hills.

CHAIRMAN SWANSON:

Does that answer your question, Lance?

MR. MALLAMO:

Yes, so I corrected myself; right?

CHAIRMAN SWANSON:

Okay.

MR. KAUFMAN:

And I withdraw my correction of you.

MS. FISCHER:

I'm sorry. Thank you.

CHAIRMAN SWANSON:

All right. Now that's taken care of, do we have any other questions concerning this property? It looks like it's an important acquisition. Do we have a motion?

MR. KAUFMAN:

Motion, unlisted neg dec.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Second by Mr. Snead. All in favor? Opposed? Motion carries. Now we move on to the Forge River watershed, Town of Brookhaven. **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Forge River Watershed Addition - Gilbert/Blydenburgh Property in the Town of Brookhaven.**

MS. FISCHER:

This is a .426 acre lot on the west side of Forge River, south of Sunrise Highway. Again, this is an area we have been focusing on the last two years extensively and we come to you almost every month with another acquisition in this watershed. As you can see, this is in that old filed map area near to the Forge River.

CHAIRMAN SWANSON:

The duck farm is almost directly across?

MS. FISCHER:

Yes. That's Jurgielwicz Duck Farm across on the east side of the river. In fact, we're --

CHAIRMAN SWANSON:

Now, as I understand it from DEC, the Town of Brookhaven and Suffolk County, the water quality in this area is not -- pardon?

MS. FISCHER:

Impaired, according to the New York State DEC.

CHAIRMAN SWANSON:

Yes. So this is important from the point of view of trying to clean up the impaired water bodies?

MS. FISCHER:

That's part of the equation, yes.

CHAIRMAN SWANSON:

Okay. Any other questions on this purchase?

MR. KAUFMAN:

Can I make a motion, sir?

CHAIRMAN SWANSON:

Yes.

MR. KAUFMAN:

Motion, unlisted neg dec.

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

Second by Mr. Mallamo. All in favor? Opposed? Motion carries. Okay. Moving on to the Town of Babylon and Mastic Homes LTD property. **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Santapogue Creek Addition - Mastic Homes LTD Property in the Town of Babylon.**

MS. FISCHER:

This is a property, a 1.3 acre lot along Santapogue Creek up a ways from the Great South Bay. But it is a long watershed that we have earmarked for a number of years for acquisition and we had it on our master list. So this would be an important acquisition for us in this watershed. It includes tidal -- fresh water wetlands, I'm sorry.

MR. KAUFMAN:

I'm a little bit familiar with the Santapogue Creek area and I can confirm that Laurretta is correct, the County does have acquisition plans in the area. I'll make a motion, unlisted neg dec.

CHAIRMAN SWANSON:

Second?

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

Second by Mr. Mallamo. All in favor? Opposed? Motion carries. All right. We have now a TDR, Town of Brookhaven. **Proposed Donation of Property to SC Parks to satisfy a SCDHS transfer of development right requirement (P. Cicorelli - S02-99-049), Town of Brookhaven.**

MS. FISCHER:

This is a TDR that you approved two years ago. Unfortunately, there was an error made in one of the lots. There were many lots that composed this TDR donation area and unfortunately there was a small error. So we're resubmitting it to correct that error and it includes approximately five acres -- 5.75 acres of land just south of 25A in the Mt. Sinai area. We're hoping to use this as a buffer area. It's adjacent to County Road 111, that is the undeveloped portion of County Road 111. So it's near to a trail area that the County has been extending in that part of County Road 111.

CHAIRMAN SWANSON:

What was the nature of the error?

MS. FISCHER:

It was technical typo error in the tax map number that was given to me from the developer.

MR. KAUFMAN:

The reputed owner, P. Cicorelli, is that Pat Cicorelli by any chance?

MS. FISCHER:

I don't know. I don't know who he is.

MR. KAUFMAN:

In which case I'll have to recuse on this one. I don't know.

CHAIRMAN SWANSON:

Any further discussion of this one?

MR. SNEAD:

A quick question.

CHAIRMAN SWANSON:

Yes.

MR. SNEAD:

Can we -- I'm looking at the memorandum that Mr. Minei sent in, and apparently there is some dumped materials on the property and he is suggesting that they be removed before closing?

MS. FISCHER:

Yes. They were removed, by the way.

MR. SNEAD:

Okay.

CHAIRMAN SWANSON:

Was there any residue that we should be concerned about?

MS. FISCHER:

No. I went out to the site subsequent to our approval of this, acceptance of this resolution, and it was clear. I extensively walked the site with the developer.

CHAIRMAN SWANSON:

Okay, but were there things that were removed like 55 gallon drums with leaking materials in them that you couldn't see?

MS. FISCHER:

Not that I -- no. It was more like, well, it was more like old cars or in the back of the commercial lots just south of 25A, that's where most of the disturbance was -- and trailers, old trailers. But I was not aware of any oil containers or oil spills when I went out there.

CHAIRMAN SWANSON:

And the vehicles weren't leaking?

MS. FISCHER:

Not that I could tell.

CHAIRMAN SWANSON:

So you're convinced this is not a brown field situation that we are going to buy into?

MS. FISCHER:

No, it wasn't that bad, not in my estimation.

CHAIRMAN SWANSON:

Do we have any further discussion on this one?

MR. MALLAMO:

Motion, unlisted neg dec.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Second by Mr. Snead. All in favor? Opposed? Motion carries.

MR. KAUFMAN:

Just again, one recusal.

CHAIRMAN SWANSON:

Thank you, Michael. All right. We have another TDR from the Town of Brookhaven, number 13 here. **Proposed Donation of Property to SC Parks to satisfy a SCDHS transfer of development right requirement (File # S02-99-0182), Town of Brookhaven.**

MS. FISCHER:

This is a donation of .14 acres in the Miller Place/Yaphank Road Nature Preserve again. It's a good way for us to actually pick up these small lots and it's a very successful approach. So, again, this is in -- a donation in the Miller Place/Yaphank Road Nature Preserve.

MR. SNEAD:

Motion, unlisted neg dec.

CHAIRMAN SWANSON:

Mr. Snead made the motion.

MR. KAUFMAN:

I'll second it.

CHAIRMAN SWANSON:

Mr. Kaufman seconded. All in favor? Opposed? Motion carries. Town of Brookhaven again, another TDR. **Proposed Donation of Property to SC Parks to satisfy a SCDHS transfer of development right requirement (S02-04-0059).**

MS. FISCHER:

This one is another Miller Place/Yaphank Road Nature Preserve parcel that is .23 acres in size.

CHAIRMAN SWANSON:

Do we have a motion?

DR. POTENTE:

Someone else make a motion on this one.

MR. MALLAMO:

I'll make the motion. Unlisted neg dec.

MR. KAUFMAN:

Second.

CHAIRMAN SWANSON:

Thank you. All in favor? Opposed? Motion carries. Okay, we're getting close to the end of these. Another TDR, Town of Brookhaven, number 27. **Proposed Donation of Property to SC Parks to satisfy a SCDHS transfer of development right requirement (File # S02-05-0027), Town of Brookhaven.**

MS. FISCHER:

Okay. This is a .23 acre lot on the Forge River. Again, in an area that we're very interested in acquiring.

MR. SNEAD:

Forge River?

MS. FISCHER:

Mm-hmm. In that old filed map area that I showed you in that acquisition, proposed acquisition.

MR. SNEAD:

Okay.

CHAIRMAN SWANSON:

Great. Do we have a motion?

MR. KAUFMAN:

Yeah. I'll make a motion, unlisted neg dec.

CHAIRMAN SWANSON:

Second?

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

Second by Mr. Mallamo. All in favor? Opposed? Motion carries. All right. Thank you, Lauretta.

MS. FISCHER:

Oh, isn't there one more?

CHAIRMAN SWANSON:

One more?

MS. FISCHER:

Yes.

MR. KAUFMAN:

Mastic/Shirley.

CHAIRMAN SWANSON:

All right.

MS. FISCHER:

This is a .41 acre lot in our Mastic/Shirley Conservation Area down on -- south by Narrow Bay. It's up north in a more northern area of the -- well, actually, it's not that far from the water.

CHAIRMAN SWANSON:

Not that far from what?

MS. FISCHER:

Not far from Narrow Bay, maybe about a couple of hundred feet, half a mile.

DR. POTENTE:

All right. I'll make the motion, unlisted neg dec.

MS. FISCHER:

Gee, I hate to push you guys.

CHAIRMAN SWANSON:

Thank you, Dr. Potente. Do we have a second?

MR. MALLAMO:

Second.

CHAIRMAN SWANSON:

Thank you, Mr. Mallamo. All in favor? Opposed? Motion carries.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

Thank you, Lauretta. You got your pound of flesh from us today.

MR. KAUFMAN:

No rejections is a pretty good record.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

All right. Now we have a proposed installation and construction of a full public safety 800 megahertz radio communication site. **Proposed Installing/Constructing a full Public Safety 800 MHz radio communications site, Rocky Point, Town of Brookhaven.** Is there anybody here to speak to this matter? Please identify yourself for the record.

MR. GARDNER:

Good morning. My name is Bill Gardner, Suffolk County Police Department. I'm the Director of Communications.

CHAIRMAN SWANSON:

Thank you.

MR. GARDNER:

We were here on March 15 and we got a -- we originally had a neg dec for this project. We were in negotiations with the Water Authority at the time and we thought we had a workable agreement. The agreement changed substantially where we're going to change the footprint of the equipment, change what's going to be done to the land. That has all been agreed to now with the Water Authority. We have new site plans that have been okayed by them. And all the work is going to be accomplished together, the Police Department, the County and the Water Authority.

CHAIRMAN SWANSON:

Do you have questions or comments on this?

MR. KAUFMAN:

I'll just make a quick comment on it. I'm very happy that the water towers are basically being adaptively reused, if you will. I'm familiar with cell towers and their construction and their impacts on areas. I personally have always been in favor of using existing structures in the area. And the County has had a policy of trying to work with the County Water Authority to lessen the impacts on the local inhabitants by placing structures such as the small electrical equipment basically upon the larger structures that exist there.

So I think that this is a -- won't really have any kind of negative impact on the area. I have looked through the pictures also and it's very comparable, the construction that's being proposed, with other efforts that the County has undertaken to try, again, to lessen impacts upon the inhabitants -- and both visually and whatever else. I'll make a motion, this is an unlisted neg dec.

CHAIRMAN SWANSON:

Do we have a second?

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Any further discussion?

LEG. VILORIA-FISHER:

Just on the motion. I just have a question for Mr. Gardner. I'm looking on the cost of the project and the funding source. I understand that there has been some -- and I know that that's not our purview here, but I just wanted to -- if there needed to be a correction to this paperwork regarding the funding source. Isn't the cost being shared by LIPA and the County at this point? I thought Legislator Losquadro said that on the record yesterday.

MR. GARDNER:

No, Ma'am. This project has absolutely nothing to do with LIPA.

LEG. VILORIA-FISHER:

Did I say LIPA again?

MR. GARDNER:

Yes.

LEG. VILORIA-FISHER:

I meant the Water Authority. I'm sorry.

MR. GARDNER:

The Water Authority, the original project was funded at one point five million. The changes that were made that caused us to come back here today would have added about a half a million dollars to the project.

LEG. VILORIA-FISHER:

Right, and that kind of held it up.

MR. GARDNER:

Those changes are going to be absorbed by the Water Authority.

LEG. VILORIA-FISHER:

By the Water Authority, okay.

MR. GARDNER:

So our bill won't require extra additional money because we're still going to be putting the same equipment in, but the extra costs that were dumped on us about a month ago, those will be absorbed.

LEG. VILORIA-FISHER:

I thought it was about 52 -- how much was that? I thought it was 52,000.

MR. GARDNER:

I never got an actual cost figure, but knowing what they were planning on doing, it could have been as high as half a million dollars.

LEG. VILORIA-FISHER:

Wow.

MR. GARDNER:

We were talking about filling land that goes back about 12 feet to a depth of about 22 feet, constructing a one foot concrete retaining wall across the entire back of the property, relocating fences, sewer drainages, and things of that nature.

LEG. VILORIA-FISHER:

But at this point they are not requiring that extensive work.

MR. GARDNER:

They are requiring the work, but they are going to accomplish it and they are going to accomplish it on their own time and it will be ready for us.

LEG. VILORIA-FISHER:

Okay. All right. Thank you. It'll be really good to see this move forward because we need -- the police need those cell towers -- that cell tower there.

CHAIRMAN SWANSON:

Any other comments? All in favor. Opposed? Motion carries. Thank you very much.

We're going to take about a five minute break so that the Vector Control people can set up and modifying the agenda to change the election for the Vice Chairman until after the Vector Control discussion. So, gentlemen, feel free to come up and set up your Power Point.

(RECESS TAKEN 9:38 AM to 9:43 AM)

CHAIRMAN SWANSON:

All right. Let me just remind everybody what we're doing. If you recall, the CEQ sent a letter to the Suffolk County Health Department expressing some concerns about the format of the DGIS and whether or not they were following SEQRA and so forth. And about a week and a half ago the subcommittee that has been working with Cashin Associates and the County met to discuss how the document had been revised to conform to our comments and concerns.

Today what we're going to hear is a summary of how this document has, in fact, been revised in order to meet the letter that we had sent out previously. So, Walter, I turn the meeting over to you at this point for your presentation.

MR. DAWYDIK:

Thank you, Dr. Swanson, members of the CEQ. With your permission I'm going to take about ten minutes to give a little bit of an overview of where we have been, how we've got here, and what the plan and the EIS are really all about. I know that there are some new members of CEQ that haven't necessarily had all the background that we've all benefitted from and then I'll take just a couple of minutes to highlight the changes.

I'm fortunate to be joined here by Dr. David Tonjes from Cashin Associates, who will be happy also to answer any specific questions on the EIS or the changes. Kim Shaw from the Office of Ecology is here. They have administered this program on the Health Department side on a day to day basis. Dominick Ninivaggi is at the Board of Health, but he will be here shortly if anyone would like to ask Dominick any questions as well.

CHAIRMAN SWANSON:

Can I ask you to be very specific about how you have modified the report with regard to our previous concerns.

MR. DAWYDIAK:

Yes. Okay. We're going to give you just a couple of minutes on the goals, why we started this, a few of the plan highlights, and then we'll talk about some of the latest CEQ comments and what our responses are.

This in a nutshell is our seesaw graphic of what we're trying to balance. We got into this program largely in response to the growing West Nile Virus crisis as well as the County policy to reduce pesticide usage. There was also an undercurrent of the need to restore grid ditch marshes, which were historically impacted by vector control. So the scope of our plan really started out dealing with marshes, which were historically impacted by vector control and more specifically which are likely to be impacted by vector control in the future.

CHAIRMAN SWANSON:

Can I comment on that?

MR. DAWYDIAK:

Sure.

CHAIRMAN SWANSON:

It's my recollection that one of our concerns at CEQ was a little broader than perhaps West Nile Virus and so forth. We were very concerned that the County was coming to us each year with a plan for the following summer basically, dealing with vector control issues and that these were not as well thought out as we thought that they should be. And that, in fact, CEQ thought there should be some reigning in.

So I think the issues are broader than the occurrence of West Nile Virus and so forth and ditching. It was -- we were overall concerned with how the Vector Control Program was ending up managing our marshes. So I just want to clarify that.

MR. DAWYDIAK:

I appreciate that. You are actually a couple of steps ahead of me as usual. But CEQ gave us a lot of guidance on the operational end and on the SEQRA end. We in the Health Department were really concerned in terms of long-term planning. It's a good point to emphasize that early on we decided not to do an EIS on an annual plan of work. We started from scratch operationally, collected data, looked at alternatives, and this GEIS covers a document which is really distinct from the annual plans, but it will indeed guide the annual plans of work in the future to the extent that they conform.

So with optimizing environmental quality and decreasing public health risk from both toxics and mosquito borne diseases, looking at fundamental integrated pest management and more

specifically ways to better our programs with larvicides, adulticides and other alternatives, as well as marsh restoration and open marsh water management techniques.

Those goals got very specific as we went along. We're very happy to report that we have goals to decrease larviciding substantially, we hope as much as 75% as measured by acres larvicided over a ten year period using integrated pest management in combination with marsh restoration techniques. The adulticiding goal was to reduce adulticiding. Now historically a few short years ago upwards of 5% of the County was adulticided. This has already been more than cut in half and this plan has a goal to continue reducing adulticide usage, particularly in non-emergency response scenarios.

Continuing to decrease health risks is obviously one of our goals, and restoring up to 4,000 acres of tidal wetlands, which are currently routinely larvicided, is another very specific goal. Again, we have objectives, biodiversity, marsh functions and values. Those are paramount, overarching objectives. Controlling invasive species is another objective and vector control fits into the mix as an important design consideration, but it's not the overarching or ruling dispositive objective in any given situation. Again, 17,000 acres of salt marsh, much greater than 90% historically grid ditched going back to the 1930s, very few of them altered other than via ditch maintenance since then.

A few stats on West Nile Virus. Over 8,000 cases nationally. Here in Suffolk the count is up to 26 with four deaths. This is a CDC graphic which shows that this disease has really spread from coast to coast as expected.

There is a perception out there that a tremendous amount of the County is adulticiding and this is a graphic, I apologize if the dots are not really legible, but Suffolk County is speckled with service call requests for vector control adulticide applications throughout the course of the summer. Adulticiding is actually a really small part of this program. The polygons in blue along Great South Bay were the only areas which were adulticided under vector control situations in 2005. And again, adulticiding is a last resort. It's only relied upon when criteria are met and when all other IPM objectives have failed. Currently we stand at approximately two percent of the County subject to adulticiding.

This is another one of those busy graphics, but the thing to focus on is the green boxes which show the salt marsh systems which are routinely larvicided. While most of these are along the south shore of Long Island there are some on the north shore and in the Peconics. These are areas which are frequently and routinely larvicided as part of an IPM program which we hope to reduce by up to 75%. That's by way of background and some of our goals.

A few of the plan highlights are County Exec, rather than give you a very detailed presentation of all elements of the plan, really wanted us to focus on where we were before this plan started and what has really changed as a result of it. What are some of the questions we went in with and what are some of the answers.

The most fundamental question was why are we even doing vector control, what is the real risk? There is no place in the country, to our knowledge after an exhaustive literature search, which has come up with very good objective numbers on what real health risks are. The data is just not there. We contracted with the finest minds at Harvard and we didn't have enough data to construct a really rigorous model which is time variable for all situations.

Based on the best available information what we've come up with is up to tens of West Nile Virus deaths and hundreds of serious illnesses could occur annually in Suffolk County in the absence of any Vector Control Program. So, fundamentally there are other diseases, triple E, other encephalitis's, other sublethal sorts of impacts as well, but just focusing on West Nile Virus we have reported on some numbers.

What are the pesticides doing to health and environment. No pesticide is totally without risk and we always seek to minimize pesticides, but we did a Countywide study and we focused on very specific areas, freshwater wetlands areas, emergency response areas, barrier beach at Fire Island, salt marshes which are routinely treated. There are no significant human health impacts resulting from any larvicide or any adulticide. The only impacts that we really came up with were potential ecological impacts to non-target flying insects from adulticides.

Again, these were considered to be minor ecological impacts, rapid recovery of the ecosystem and mitigation is presented through integrated pest management, timing rates and methods of applications, and other IPM techniques.

We were in a situation where we routinely relied on larviciding as one of our primary vector control measurements -- measures, and the question was asked can we reduce this, and the answer is yes. Other jurisdictions have reduced larvicide usage radically. We believe we can reduce certainly in those 4,000 acres up to 75% of the larviciding through a combination of integrated pest management and wetlands restoration. And again, the goal was to continue the trend of reducing adulticiding.

Operationally our Vector Control Program has been recognized by experts as nationally prominent and excellent and very sound. We obviously want to make it as good as it can be so the question was asked how can we improve this. This is a Kitoon for an aerial weather station for when those emergency response aerial applications are made. This significantly improves delivery so you minimize the amount of pesticide you use and you optimize control by getting the pesticide where you need it by accounting for meteorology and application methods. So that is one operational improvement which has already been implemented.

All of the breeding area records which were previously on paper have been digitized by the consultants. It's an important reference point for future efforts. Surveillance will be improved significantly both in terms of pre-adulticide measurements of mosquitoes as well as post spray efficacy questions that have been asked which are legitimate and which we've addressed in the plan and the EIS.

Adulticide criteria. It is important to emphasize that while there were criteria they have been objectified. Every adulticide application will be documented by a count of mosquitoes in a non-emergency response situation. So whether it's 25 in a New Jersey trap or 100 in a CDC trap, we need a number of mosquitoes by a number of people to trigger a spray and records will be kept to document all of these decisions.

Control agents were tested. None of them showed real good regional promise, but we'll continue to look at alternative control agents. And again, enhancing education in certain areas like tire management, source control, targeting education in areas which receive the most frequent treatment. Those were identified as potential weaknesses where we could improve the programs.

Can we enhance the wetlands. There's been a lot of controversy about what's been colloquially dubbed as open marsh water management. I don't think there is a real good Webster's definition for this, so we're trying to gravitate towards major marsh restoration as an alternative term. This has been used in proximate jurisdictions like New Jersey and Connecticut for decades to improve biodiversity and marsh functions and values, while significantly reducing or eliminating pesticide usage.

The initial draft of our plan was very aggressive in the way that we posed open marsh water management as an alternative. We've received a lot of comments warning caution and conservatism. We've responded. Our three year work plan, the only major marsh restoration that we expect to continue undertaking is at the Wertheim National Wildlife Refuge, so any fears

about open marsh water management being a ubiquitous, widespread, pervasive, immediate technique are really no longer founded.

The DEC requires multiple years of pre-implementation monitoring, so it is unlikely that anything will be on the books for probably a good four to five years in terms of additional major restorations. We hope to conduct these. They're very difficult and they're very expensive and we'll talk more about these later.

There are a lot of no impact best management practices and minor impact best management practices that are posed in this plan. Repairing culverts is one example. There are many others. These are believed to be potential actions to significantly improve marsh quality while reducing mosquito breeding. So these are things that we'll probably focus on in the first three year period.

In three years we'll revisit this plan with a triannual update and we'll look at data from Wertheim, from other jurisdictions and come up with other recommendations on where to do marsh management in a major way and help us to do it and we'll talk more about the Screening Committee's role in that process as well.

One of the policies that has come out of this, we've always had the policy of no new ditching. That will obviously continue. But the era of routine ditch maintenance as an element of the annual plans of work, that's over. It will be very limited. There will be the need to justify a critical health or ecological reason for any ditch maintenance.

We've ballparked a number, which is probably conservatively high, but we expect less than 50, less than 50, 5-0 acres a year, could be affected by ditching in a 17,000 acre universe. So whereas previously up to ten to 20 percent of our marsh system could have been ditched per year under annual plans of work, that number has been significantly reduced and almost eliminated.

One of the changes in the plan has to do with this Wetland Screening Committee made up of stakeholders and agencies with jurisdiction over wetlands projects. These groups will approve major projects, so anything that rises above the threshold of a minor impact best management practice would need to go to this committee for specific review and would also --

CHAIRMAN SWANSON:
Can I interrupt you here?

MR. DAWYDIAK:
Yes.

CHAIRMAN SWANSON:
You've identified some groups that would be on the Screening Committee. The one group that I found that was not there was, in fact, the group that started this whole process and that was the CEQ. I would request that CEQ be a member of the Screening Committee.

MR. DAWYDIAK:
I appreciate the input. I don't think anybody would have any objection, but we were just talking with the consultants about the potential conflict issues because CEQ needs to make recommendations to the Legislature on projects and being voters on this committee might be an issue. That's something I would just leave to you for your consideration, but we'd happy to add CEQ, obviously, to this committee.

MR. KAUFMAN:
Walter, for a second, can you identify where the makeup of the Wetland Screening Committee is located in the document?

MR. DAWYDIAK:

Not offhand, but I'm sure Dave could. While I'm talking he'll pull it up and get you the exact page.

CHAIRPERSON VILORIA-FISHER:

Thank you, Walter, I had question about that because I didn't know what the make up was of that committee. Thank you. Can we just back up for a minute because I have another question. I didn't know what the process was going to be, if we could ask questions as you went along? Mr. Chair, would that be okay?

CHAIRMAN SWANSON:

I just didn't want to forget. So, yes, please feel free to asking questions.

LEG. VILORIA-FISHER:

Thank you very much. And I thank you again since I'm not a member of CEQ yet, but I do have some questions. Because, Walter, we spent many, many, many, many, many hours going over the very expensive process that has helped us to move along. And I know I haven't been a member of CEQ for a while and so I haven't looked at this as carefully as I might have, but I heard a couple of things that I just wanted you to clarify because we spent a lot of time talking about OMWM at that time. And we talked about defining it, treating it, you know, how were we dealing with marshland, how were we trying to return our marshland to a healthy state. It seemed like a linchpin in all of the -- all of the studies we were doing and I thought I just heard you say that we're not using the term OMWM any more?

MR. DAWYDIAK:

We are trying to gravitate away from it because it's apparently gained a negative connotation among some groups which is a little regrettable.

LEG. VILORIA-FISHER:

Walter, does this mean that a lot of the work that we've paid all that money for is for naught?

MR. DAWYDIAK:

No, actually quite to the contrary. I think we've done a phenomenal job initially collecting data, assessing marshes, looking at other jurisdictions and what their techniques are. We've actually take a major step beyond what most studies ever do in that we actually demonstrated one of these by collecting years of pre-implementation data and actually putting some of these techniques on the ground, silt ditches, ponds, improving circulation goals of minimizing or eliminating fragmites in areas while improving biodiversity.

There is still a tremendous amount of promise associated with marsh restoration. There is still also a very high burden of proof placed on these by DEC. In other jurisdictions they typically do this with a season of fairly limited monitoring data focusing largely on vegetation. In our area we're talking about a minimum of three years, maybe more, of intensive monitoring data -- birds, fish, salinity, water quality, vegetation, which is expensive and time consuming. So everybody is kind of watching Wertheim, seeing how that works out and looking for ways to streamline monitoring.

I personally hoped that we'd be further along being able to put more open marsh water management or marsh restorations on the ground. We didn't quite achieve as much as we had hoped in terms of marsh restoration, but we were still, in my opinion, incredibly successful in researching and designing demonstrations and coming up with the workable, sustainable strategy for both minor and major restorations.

LEG. VILORIA-FISHER:

Okay. And what is the term? I missed what you said regarding the term that we're now -- the operative term that we're using now for marshland --

MR. DAWYDIAK:

Marsh restoration. You know, open marsh water management carries with it an element of hydrologic modification that people seem to associate with a very engineering oriented, drain the Everglades or put a lot of holes in the marsh approach where it really is a lot more holistic than that. So marsh restoration can be considered to include the universe of OMWM techniques, but it seems to have a broader connotation.

LEG. VILORIA-FISHER:

Okay. So we're just using the more generic kind of term.

MR. DAWYDIAK:

Our plan uses them both actually.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. Thank you, Mr. Chairman.

CHAIRMAN SWANSON:

Plead proceed. Sorry to have interrupted you.

MR. DAWYDIAK:

The answer to your question, Dave Tonjes just pulled up, page 176 of the draft GEIS includes the Screening Committee composition which includes a number of County Executive appointees from departments, some State agencies, the County Legislature, town trustees, estuary programs, and we've also added non-profits to the mix. That was one of the requests that we were happy to accommodate. And again, adding CEQ would not materially change the EIS in any way but we'd be happy to do that.

MR. TONJES:

There is also an extensive discussion of it in the Wetlands Management Plan beginning on page 30, running through page 34. That discusses specifics that we thought that the subcommittee would be involved in.

MR. DAWYDIAK:

I won't spent much time on this because I know we're running late, but there was a call early on to put a lot of the money and effort into the field and that was our plan and we did just that. Hundreds of samples taken to the state of the art below the part per trillion level. I mean, these are just unprecedented research level measurements in air, water, sediment, and biota of vector control agents. Twenty-one archetypal wetlands were studied in detail and the County wetlands were mapped digitally for the first time to cover the whole County. A tremendous amount of effort, pre and post implementation at Wertheim National Wildlife Refuge, which continues.

The photo there is of the caged fish in the marsh at Johns Neck. That study was conducted at DEC's request as well as a number of other field studies which were listed here. Alternatives such as garlic oil, rosemary the mosquito magnet were also evaluated as part of our study.

In addition to Wertheim we implemented the Adapco Wingman spray technology. You saw the Kitoon before. This is a weather station. A number of geographic information system improvements were made including ditches being digitized and remote sensing is a very cost effective way to assess wetlands over the long-term without the intensive field resources which were needed in places, certainly like Wertheim.

We focused a lot on what happens next. This isn't just a static plan of work that will sit on a shelf. The Steering Committee for the program will continue. We hope that the Technical

Advisory Committee and the Citizens Advisory Committee will continue to meet.

There are the annual reports on water management and every three years there will be a major program update which may need to undergo SEQRA yet again if it's significant enough. This is where we tackle the issues on where we are with marsh restoration, how well we've done with public health and vector control and water management and where we go next in terms of plan refinements, if any.

Most of the recommendations can begin to be implemented with in-house resources. The County Exec has already budgeted four new positions, primarily for a lot of the surveillance work to document mosquito populations before adulticiding and efficacy of control after adulticiding. We're going to have to leverage resources between Public Works and Health to do this. Health will continue to be involved, administering this entire initiative.

Additional support is going to be needed for these wetlands restorations. That was really the lesson of Wertheim. We spent several hundred thousands of dollars doing that project and we hope the grant programs and supplemental funds from the State and other sources will be procured. We're estimating that three to four staff persons will be needed.

We understand that the County Exec's proposed Capital Program Budget includes a line for wetlands restoration in Public Works. We're very happy to hear that. That could go a long way to addressing some of these wetlands management needs. It is a silt ditch at Wertheim.

Here is a budget. Everybody always asks about the budget. Six-hundred thousand dollars done on some of the field studies and \$700,000 in monitoring. About \$1.3 million was spent directly in the field. Initially we were getting cost estimates of two to three million dollars just to do a GEIS on a plan. For three and a half million, what we did was an entire program, including demonstrations and intensive field work. {Inaudible!!! Check} state of the art risk assessment and the management plan, the EIS component of it, was significantly less expensive at under \$800,000 than if it would have been done as a stand-alone because we were able to use the work generated and the other elements to put into the plan and EIS.

This is a project -- the long-term plan has already been approved in draft form by the Steering Committee. We're at the left side of this graphic here where the CEQ will make a recommendation on this DGEIS, ultimately it will go to the Legislature as lead agency.

The typical SEQRA elements are found in this draft generic environmental impact statement. There is an impact analysis we've discussed already. The alternatives, there were three major universes of groups of alternatives, but there were a lot of alternatives considered all along in the plan. But for SEQRA purposes, no change to the preexisting program, no vector control and alternative control agents were evaluated in detail.

And again, SEQRA requires mitigation, unlike it's federal counterpart, NEPA. Findings and mitigation are required at the State level to minimize environmental impacts to the maximum practicable extent. So significant enhancements to integrated pest management, surveillance and education, for example, will be made. Water management will be improved to minimize larviciding and eventually adulticiding. Application methods and other housekeeping geographic information systems, all improved as part of this.

This program started in '02 but the contract and funding were not in place until November '03. In a period of really just a little over two years a consultant has done a tremendous job pulling together the fieldwork, the {lit} reviews, the planning of the document, the documents that you have before you.

I really want to emphasize that this has been a really unprecedented, at least in our experience, review process of a draft document between September, when the draft plan was put out for

review internally, and now in May. We've had about six, seven months of very exhaustive review, comment and input which I think has made for a much, much stronger document. That was a goal, to put out to the public something which is as good as it can be. Eight Citizens Advisory Committee meetings, five Technical Advisory Committee sessions, two Steering Committees and multiple CEQ's have resulted in the document that you have before you.

Again, a lot of comments from the committees about tightening the adulticide criteria. We had very complicated decision trees which we've tried to simplify to numeric counts with criteria that would rule out an adulticide application, not trigger it. Again, the recordkeeping has been improved.

We've tried to the best of our ability to clarify what we mean by vector control, which for purposes of this document could be considered public health nuisance control versus West Nile Virus emergency response. There is no bright line, no formula, no model which can give you exact public health risks in a pre-pathogen, non-emergency response situation. The risks are relatively low, but present. There are other non-West Nile Virus health impacts and that needs to be weighed as best as possible with the pesticide impact, which is what the risk assessment did.

We've greatly expanded the wetlands discussion and approach. Wetlands health is now the paramount objective. This had a very vector centered spin to it. Go to these marshes and kill the mosquitoes and we've really altered that. It was never our intent to be that focused on vector control with respect to marsh restoration, but we have been very explicit here. The biodiversity functions, values of wetlands, those are the paramount objectives. Vector control is an important design consideration when you do go in and make any alterations to a marsh.

Screening Committee. The big policy change here at the County Executive level that was made was that the Screening Committee now has an additional charge. The first three year period the scope of the work is going to be broader than just reviewing individual projects for individual marsh restorations. They have been tasked with looking at strategies for all of the County wetlands, for all management issues, not just those wetlands affected by vector control.

It's a big job. We know it is not going to be done in three years, we hope to make some headway. Initially we are going to sort out which marshes are owned and managed by DEC versus the County versus the private parties, what management measures are in place and how these can be improved.

Again, this is going to be very specific, hopefully who does what in what time frame at what cost. And again, the first three year work plan limits major restoration to SEQRA to Wertheim. That was a major concern expressed by a number of people.

CEQ pointed out the need for criteria and thresholds for future SEQRA that was added early on as a separate section. There were a lot of comments about simplifying and improving the quality of the document for public review, specifically the executive summary, the risk assessment and other elements. We've made a concerted effort to do that.

In terms of the latest comments that were sent to the County on March 15th from CEQ, I have a letter that's been distributed to everybody. You should all have a copy of the Power Point in handout format as well as the May 16th letter from me to Dr. Swanson, which goes through really every comment the CEQ made as well as the location in the document where you can find the response to these comments.

Again, there are many and I don't want to take too much more time, but qualitatively I've grouped these in terms of format or procedural stuff, stuff like a cover page and a table of contents in each and every volume, improving the executive summary.

There were a number of issues required to satisfy SEQRA, like expanding the description of the action and the environmental setting. There were some pieces that were missing or incomplete including solid waste management. We made an effort to condense the mitigation throughout the document. We've added a number of references and addressed some issues about unavailable or uncertain information or new articles that were submitted for program review. And again, that is all detailed in the letter.

We thought it was important to get into the CEQ records, some of the backup that was handed out to the committee, so you have that. We've summarized comments that have been made over the past seven months as well as our responses and those have been packaged as an addendum to the letter and provided to you for your consideration. The changes have been many.

It's been an exhaustive, intensive process. A consultant has done a phenomenal job. It's been a real pleasure working with Public Works to make some of these changes and we appreciate all of the input from CEQ, the committees, the nonprofits and the other folks that I think have made this a much stronger document. We respectfully submit that at this point it's hopefully ready for public review and we're happy to answer any of your questions.

CHAIRMAN SWANSON:

Thank you. I think what I would prefer to do before CEQ starts asking you questions, I'd like to open this to the public. I want to remind the public that what we're looking for at this point are not comments on the technical aspects of the plan, but rather whether the document is ready for public review and comment as per the requirements of SEQRA. So if the members of the public can speak to that issue, not the technical issues which will come up over the next several months, I would appreciate it. Please identify yourself for the record.

MR. ATKINSON:

Hello. I'm Matthew Atkinson with Peconic Baykeeper. We have submitted written comments in conjunction with several other environmental organizations which are in your folders today. We call ourselves {COCO Pile??} And that would be with The Nature Conservancy, Citizens Campaign for the Environment and Environmental Defense as well as Peconic Baykeeper.

I'm going to resist going into the merits of the plan which seem to be the major presentation this evening and save my comments once I've had a chance to actually review this plan in greater detail. With all of the revisions it would be unfair for me to make any characterization of the plan until I see it's desideration.

However, I will notice that there is a difference with what this Council has charged itself with. It's determining the completeness. I understand that there is a difficulty between drawing a bright line between complete structurally and substantively complete. This committee has been very aggressive about wanting this to be structurally complete and I hope it continues to be aggressive in asking it to be substantively complete.

The comments that were made earlier, which I can't resist completely because they are in their nature substantive, just illustrate one of the concerns I've had with this process. I've long sought the CIS along with Peconic Baykeeper Kevin McAllister, along with many other environmental groups, and I had always hoped that we would have an environmental impact statement that looked at all the potential adverse impacts and then we would develop a plan based upon social policy, based upon science, having this hand in glove and indeed having the plan drive this process has endangered the actual basis for the plan, the EIS, to be biased. That's a structural element, not because of any ill intent on the part of any of the parties here.

I do ask, and I -- apparently this may be done now by the Division of Environmental Quality, that if this body does decide to recommend to the Legislature that they adopt this plan as complete, that they will also forward to the Legislature all of the comments that have been brought before

this committee, which have been extraordinary from the Department of State, Fire Island National Seashore, autobahn societies, various chapters -- all of the Long Island chapters. The Nature Conservancy, Open Space, Citizens Campaign for the Environment, the DEC and the New York Heritage Program to name just some. And the Legislature, unless it understands the issues which are before it, can hardly make a determination on the completeness of this EIS.

And then further along those lines, I hope that the recommendation from the CEQ is that it is structurally complete and that it explicitly not be an endorsement of the reasoning and the findings contained within this plan. Thank you.

CHAIRMAN SWANSON:

Thank you. Just to clarify a couple of points. We are not adopting the plan. We are only making a decision whether the plan is complete, does follow SEQRA, and is ready for public comment. We are no way adopting the plan.

And with regard to the comments for the record, they are already part of the record, the comments that have been made in the past.

MR. ATKINSON:

Well, then can I just ask for a clarification here, because my understanding is that it is the Legislature which would have to adopt this as a draft EIS and subject it to public comment being the agency.

MR. BAGG:

Suffolk County local SEQRA law gives the approval to CEQ for a plan, not the plan, but the DGEIS, all right, meets the letter of SEQRA and should be sent out for formal public review and comment. The local law does that.

MR. ATKINSON:

I'm going to reserve comment on that. I know the determination of significance needs to be done by the Legislature. I would think every major milestone where the Legislature acts as the agency should be done by the Legislature.

MR. BAGG:

Basically if you go to SEQRA the Legislature approved a positive declaration after CEQ recommended one and recommended that a draft generic environmental impact statement be done on the vector control operations and long-term wetlands management plan.

That document is then prepared, all right, and if you follow SEQRA it is then approved -- not approved, it's approved as acceptable to be sent out for public review and comment. All comments are sent to the Legislature, the draft generic environmental impact statement is sent to the Legislature. Once the public review comment period has been held and comments are received and then a recommendation is made for preparation of a final generic environmental impact statement, that statement has to answer all of the substant comments raised.

It is then sent out again for public review and comment and the Council will then make a final recommendation with respect to a findings statement to the Legislature. The Legislature would issue the recommendation or a determination for a final environmental impact statement.

Once the Council has finished that process, they recommend to the Legislature what they feel are the impacts of the plan, what should be done to mitigate any impacts associated with that plan, and it is sent to the Legislature with all comments received and the Legislature makes a final finding statement relative to the proposed plan before it proceeds.

So the Legislature has the final control at the end of the process and during the process, but they have given the CEQ the jurisdiction to approve the DGEIS as acceptable and fulfilling the

requirements of SEQRA and the rules and regulations.

MR. ATKINSON:

I have no wish to, you know, drag this out at all. I'm just saying that when you're dealing with an EIS that's knee-high and the only time the Legislature actually gets to look at it is at the end when the findings are being recommended to it, I'm not entirely clear how we can have meaningful review by the Legislature.

MR. BAGG:

Well, I believe that the original preliminary DGEIS was sent to the Legislature. It was received by the Legislature. All comments received were sent to the various County departments involved as well as the Legislature. This revised document has been distributed to all of the Legislators as well as CEQ.

Now the next step in the process is to deem it as acceptable and in conformance with the SEQRA rules and regulations and then send it out for the formal public review and comment period. The Legislature is sent everything from CEQ regarding this document.

MR. ATKINSON:

I have made my statement. Thank you.

CHAIRMAN SWANSON:

Thank you very much. Anybody else who would like to make a comment?

MS. ESPOSITO:

Good morning. Adrienne Esposito, Citizens Campaign for the Environment. I also serve as Co-Chair of the Citizen Advisory Committee for the Vector Control plan.

Just two quick comments. One is that you received in your packet I know the technical comments that were made from the Environmental Coalition which, you know, was referred to earlier. I would like you just to review them knowing that we did not have access to the plan until late yesterday afternoon. So you may, for instance, read the first page which talks about the composition and responsibility of the Overview Committee, and I've just -- I just joyously so received a hard copy of the plan an hour ago and flipped to the section which describes the committee and it seems that it conforms with our request. So as you review our technical comments, please keep in mind they were based on meetings and conversations rather than being -- having access to the full document.

Secondly, very quickly, something no one has mentioned yet. Given the knee-high, as previously been described, EIS and long-term management plan, we would ask for a substantive public comment period. In other words, 30 days isn't enough. As Co-Chair of the Citizen Advisory Committee, I can tell you there are many members of the public, stakeholder organizations, and public health groups that have been watching this for the last several years and would like to make comments.

So we're going to ask you to please have a 90 day comment period so that the document can be read now that it is available as of yesterday on the web, and it can be -- they can also provide substantive comments to the plan. Thank you.

CHAIRMAN SWANSON:

Thank you, Adrienne. Anybody else in the public that would like to make a comment? All right. Now the committee -- what we have to do today is as a committee decide whether or not the plan meets the requirements of SEQRA so that we can get it out for public review. Is it complete, does it meet SEQRA.

The second thing we have to do if we decide it is, in fact, complete, we have to make a decision on what the period of public comment will be. Then working with the County we will have to set up in that period of time an opportunity for at least two public hearings I think we agreed upon.

So the first thing I'd like to do is hear your comments, the board's comments with regard to the presentation and then move on to make a decision on whether we believe that the plan is -- follows SEQRA and is complete and can be sent out for public review.

MR. KAUFMAN:

Mr. Chairman.

CHAIRMAN SWANSON:

Yes.

MR. KAUFMAN:

I have extensively participated in the review of this plan. I'm part of the CEQ subcommittee, along with yourself and Dr. Potente, that have been reviewing this thing in depth. Since it was given to us early in May I have read through it twice, which is a labor that I would not wish upon anyone. This thing is very extensive. When it was previously released earlier in 2006 the {COCOPAW} Group, or as I call them, the Coa Coa Puff group, sought that there were issues regarding SEQRA. We also sought that there were issues regarding SEQRA. We had a meeting in February of the subcommittee and we asked the consultant and DOH and DPW to take into account our concerns.

They have done a massive job of reviewing everything and taking into account every concern that we have had. There is a summary of comments that they have presented to us listing the various comments that have been out there. Every comment that I have made over the last couple of years has been accommodated in here. Every issue that we raised in February has been in a SEQRA sense accommodated and dealt with, everything from meeting the scopes on down.

Whether you agree or disagree with the substantive aspect of what's going on, that's not really the point at this point in time, we're looking at SEQRA. And I've got a list of about 15 or 20 points that I specifically was looking for and they're all fixed in there, again regarding SEQRA. As far as I'm concerned, and I can go into this in more depth for the CEQ's edification, as far as I'm concerned, this thing, in terms of SEQRA, is adequate for release. They have given us -- they have followed every one of our recommendations and requests.

CHAIRMAN SWANSON:

Thank you. Any other comments? Lee?

MR. SNEAD:

I'm somewhat at a loss here because I'm receiving this entire document today. I obviously haven't had time to blitz through the 1,300 some odd pages and even get any kind of feeling for it. I'm sure that the Vector Control folks have done a wonderful job of assessing the issues that CEQ has asked them to do. My concern is whether or not we have asked them to do all of the necessary -- look into all of the necessary areas of inquiry.

Accordingly, I'd like 30 days to look at this and make a determination about whether or not the Vector Control folks have properly gone through the scoping list and addressed those issues, that they were identified in scoping. And, quite truthfully, to find out whether or not there are any issues that should have been included in scoping and weren't. That's my own personal issue.

I do note that other folks are receiving this document for the first time today too to include the public. And since it is such a large project and an important project, it strikes me that taking 30 days for us to all review this document and then make an informed decision is in the best

interests of the residents of the County of Suffolk.

CHAIRMAN SWANSON:

Just a comment to that. I think you've had the documents that were prior to this and for whatever reason you recused yourself and so we're not, perhaps, keeping up with how this thing was developing. So I just maybe take issue with the request for 30 days.

MR. SNEAD:

I can probably go through this in the better part of two weeks. If that's an amendment to my motion, that's fine. I just picked 30 days because I figured that was our next meeting.

CHAIRMAN SWANSON:

Did you make a motion?

MR. SNEAD:

Would you like me to make that motion?

CHAIRMAN SWANSON:

No.

MR. SNEAD:

I'm just suggesting that I'd like some time to just look at it.

DR. POTENTE:

I may comment that Lee Snead was supposed to have this two weeks ago and it was included in the memorandum that he did receive it two weeks ago, which he did not. So he should have had his two weeks and he just got them.

MR. KAUFMAN:

I would point out that he was on his honeymoon for part of that period of time. That's a good excuse.

CHAIRMAN SWANSON:

Any other comments?

MR. KAUFMAN:

Yes. The way we decided to deal with this at the CEQ was to form the subcommittee, not including all of the members, basically the members who were -- had either a facility to understand what was going on or had the most interest in it. And we did set that subcommittee up to provide recommendations to the other board members.

I take into account very much Lee's situation. He's a member of CEQ. There is precious few of us left, and I don't want to try and make a vote where people don't necessarily have all the information.

On the other hand, three of us have dealt with this very extensively. Jim also is very familiar with it. I'm not sure exactly how to deal with this except to say that we, at least from my opinion, okay, and you can ask the other members of the subcommittee. The consultant team and the County have made efforts to try and meet everything that we've had in there. We've had a number of comments from the various user groups out there dealing with this. And, again, it looks to my eye as if it does meet. I don't -- I don't want to put you in a bad position or anything like that. I'm not trying to say that. I'm just --

DR. POTENTE:

There is a memorandum that says that Lee Snead received this information on May 8th. Lee Snead did not receive this information on May 8th.

MR. MALLAMO:

I'll note I didn't receive it either. I received it this morning. Obviously I haven't reviewed the entire document, but I have been involved in the process all along and I'm comfortable with the presentation that was made today. The issues that I've been concerned with, I think, have been included.

The only additional -- I don't think I will be able to attend the next CEQ meeting because I have a conflict on that date, so if that has any bearing.

MR. KAUFMAN:

Let me add one other thing. We're looking at this essentially from a SEQRA perspective. Withdrawn.

DR. POTENTE:

I'd like to make some small comments. The CEQ, among its requests in the revisions, had asked for two things. One was that the -- any issues or statements or facts that were presented would be referenced. And I did look through these references and a good number of them are referring as their reference Cashin Associates. It directs you to the web, and then you get lost.

Another substantial portion of the references is gray literature. If you look through the references that are used, this is just a point of interest, but the bulk of the references used to substantiate these -- this theory or these prepositions are references -- Mosquito News, Mosquito Control Association of New Jersey, mosquito this, mosquito that. Almost like it's a self-supportive fraternity of people passing around information.

Just something for us to keep in mind because bear in mind, what we have here is Coca Cola doing a review whether Coca Cola is better than Pepsi. That's what we're looking at here. Coca Cola has done its own review and decided that Coca Cola is the best one out there. And now we are on the review committee. So we are reviewing the review. And it would behoove the five of us or six of us that remain on this committee to completely understand this issue which is probably the biggest issue that has come before CEQ and we are now on the verge of deciding whether the DEIS is complete.

According to SEQRA, Section 617.10 on the DGEIS's, generic EIS's should discuss the logic and the rationale. So while it may be conforming to all the grammatical and format of the SEQRA requirements, does this DGEIS hold up to logic? That's what we must also ask ourselves as the content of the GEIS. And the very first premise, I'm just going to use the very first premise that came up in the presentation and that's the leverage, the leverage of the long-term plan. What does this long-term plan -- what is it contingent upon?

I have spent my career as a health professional and I certainly sympathize with anybody who has gotten West Nile Virus. But let's not stir up false hopes to anybody who may be in fear of contracting West Nile Virus on a plan that may not be logic or rationale. This plan, in the very first Power Point frame that came up, shows that if we do open marsh water management, we're going to increase public health and reduce public risk. Is that true?

And this is what I ask the members of the CEQ. We are about to approve a plan, granted there's a Screening Committee, although I really don't know the parameters of it and how effective it will really be once this plan is instituted, but will going in and doing a reformatting of marshes reduce the pesticide 75%? Is that really true? And is that an effective proven mechanism for marsh restoration, going and digging ponds and curb ditches in the marshes.

This is something that we need to look at very critically. I understand that we need to approve this in terms of structure and content and did it conform to answering -- not answering but addressing the issues of the scoping process. But SEQRA also asks for the logic and the

rationale. Bear in mind that West Nile Virus is primarily, if not almost exclusively, carried by freshwater mosquitoes in Suffolk County. That's all I have to say about that.

The one thing I may want to just ask for is that perhaps the Suffolk County Legislature should consider maybe this as putting the cart before the horse. Perhaps we should have a Screening Committee put together first to properly and unbiasedly assess what marsh restoration in Suffolk County on 18,000 acres of coastline should constitute before we put this plan in and then direct this plan through a Screening Committee. Thank you.

CHAIRMAN SWANSON:

Jim.

MR. BAGG:

Yes, Larry. I have heard a couple of things today where people said that this plan is here for approval. I mean, this plan is not here for approval. This is the Council reviewing the DGEIS as to whether or not the document is acceptable pursuant to the SEQRA rules and regulations and SEQRA to be sent out for formal public review and comment. I mean, a lot of people have problems with the proposed plan and the proposed work of action. However, that is not the purpose here. The purpose here is to review the document and said -- have people address the issues.

You may not agree with the supporting issues, but that is brought out during the public review and comment period. That has to be addressed by the SEQRA process. The SEQRA process has to start formally for that to be done. So basically it's -- nobody is approving any plan. You're approving a document that sets forth various issues and whether you agree with them or you don't agreement with them, for consideration by the public. The public will then comment to this document and say well, we don't believe in this premise. We don't believe in this technique. We feel that these proposed methods are too significant an impact in the environment, they should be dropped. And that is done during this review period once the document goes out for review and comment.

A lot of people have stated well, we just got this plan. Well, this plan was I believe, you know, presented to the CEQ and also open to the public, which is not required by SEQRA, five months ago. And every comment received from the public as well as CEQ has been presented to the County departments and answered in this document. Now, you might not agree with the answers, but it is in there for review, for comment, for disagreement, but SEQRA requires, you know, that a DGEIS be prepared.

It is called a draft for that particular reason. If they expected you to approve a final, that's something else. But this is a draft for review and comment to be sent out to the public for their formal review and input and that will be responded to. So in essence the County up to this point has gone the extra mile and they've already received comments and reviews and revisions. Now it's going to be sent out again for the same process.

DR. POTENTE:

Is it not true that the draft EIS becomes the component of the final environmental impact statement?

MR. BAGG:

Yes, it is, but it's taken into consideration to the comments received and revised accordingly.

DR. POTENTE:

I think what we have here is a matter of interpretation, Jim. There are two things. The DGEIS -- the CEQ is also evaluating the content, whether it's acceptable for release for public review. And part of the comment is the logic and the rationale of the plan. I'm not saying move forward or not. I'm just say that when we -- if and when anybody decides to vote for this, they are voting

on the content as well.

MR. BAGG:

Well, you are absolutely right, but in any environmental review process, an initiating department prepares a plan for a project. They have a rationale behind it. That project then undergoes the environmental review, whether it's at a federal or State level, and people during that comment period argue with that rationale. They can say they do not think that the premises on which it is based are valid, that they are scientific. But that is all done through the environmental review process as it involves and ultimately the end result should be the adoption of a plan or denial of a plan based on the mitigation of environmental impacts that have been pointed out during the review process as required by law.

CHAIRMAN SWANSON:

I guess I've reached a point where I'm a little bit concerned that there is an effort being made to drag our feet to the point that we will never have a plan and I think that's not in anybody's best interest. And that really, it's time to move forward, get the public comment, and react to that public comment one way or the other, and to develop a plan by which this County can be guided with regard to wetlands management and vector control.

You know, we can drag our feet forever and none of us will be any better served than we have been in the past. And a fear of moving forward, I think, is not in anybody's best interest. I'd like to see if we can have a motion to move this up or down.

MR. KAUFMAN:

For purposes of following what you just said I will make a motion that the CEQ accept this draft EIS as adequate with regard to its scope and content for the purposes of commencing public review. That language, by the way, is taken directly from 617 9(A)2, which is our exact charge. By law that is exactly what we are supposed to be doing here today.

MR. MALLAMO:

I'll second that.

MR. SNEAD:

Question.

CHAIRMAN SWANSON:

Yes.

MR. SNEAD:

Or comment on the motion. We are charged today to determine whether or not this plan is adequate in its scope and whether the County Vector Control folks have addressed the issues that have been presented within that scope.

I am receiving this document today for the first time. It is tendered to this body as a CEQ today for the first time. Notwithstanding what's been done in the past, whether any of these documents were created four or five months ago, this document is being sent to us today for the first time.

I have asked for 30 days, 30 days to review this document, this 1,300 page document that contains explanations of questions that may have come up in the last three or four months. I don't think it's unreasonable to ask that time. I don't think it's out of bounds. And in light of the importance of this subject and the fact that we have two Legislators sitting here who look to this body to give it adequate information and recommendations, it strikes me that a 30 day wait is not inappropriate. Having said that, I'll bow to the will of the board.

LEG. VILORIA-FISHER:

Can I respond, Mr. Chair?

CHAIRMAN SWANSON:

Yes.

LEG. VILORIA-FISHER:

I appreciate your comments. I think that there -- it's critically important when you're voting on something to have the information. But I also believe that it's for the functioning of any body there has to be a certain degree of delegation of responsibilities. When you have a subcommittee that has looked at an issue more carefully and has members of that subcommittee have said they have agreed that the structural deficiencies have been -- there has been a response to those structural deficiencies.

I sat on the committee that approved the -- a great deal of money in our budget to go toward the development of many of the scientific research and projects that have led to the formation of this document. I believe that the taxpayers of Suffolk County are eager to see a product. I don't want to hold that up any longer. I think the public has a right of review of this work. And so I urge you to pass this out of this committee and let the public take a look at it.

From what I have seen during the presentation, what I have heard from Mr. Bagg, Mr. Swanson and Mr. Kaufman, there has been a response to the very legitimate concerns. I have been sitting now on CEQ as a guest for a few months and I have heard the comments made here regarding issues of structural problems and organization of the material. And so I have heard anecdotally the responses and I'm satisfied with what I've heard here today that there has been an adequate response and that the structure, and again, we're not going to the logic of the arguments because I believe that that is substantive and not structural. And so as a Legislator I feel -- I would feel very comfortable having this go to the public for the public's comments.

CHAIRMAN SWANSON:

I'd just also like to add that while I don't want to push the timing issue, because I do think that it's very important to have adequate time for reviewing things, there is a very real problem in that if we begin to delay 30 days here before we send it out and then we have a very extensive public review comment period, that in 2007 we will still not have a Vector Control Program that has been approved by the County Legislature. That means that it won't be until 2008 that we have perhaps something that's very effective.

So time is important and we just cannot continually delay and delay and delay. So I'm going to call the question. All those in favor of Mr. Kaufman's motion please raise their hands. We've got four for. Opposed? Two. So the motion passes.

The next question is what is an appropriate review period for the public. We've gotten a number of requests that have been anything from 45 days to 120 days. I'd like to open that discussion a little bit before we call the question.

MR. KAUFMAN:

Mr. Chairman. At the subcommittee on May whatever it was, early May, we discussed that particular question. The minimum period under SEQRA I believe is 30 days if I'm reading the statutes correctly. We talked about having a much longer period of time and then we also talked about possibly doing it as a 60 day period to keep the comment period open.

We also talked about having some public hearings, both in Hauppauge and in Riverhead at various times to try and give both the east end and the west end the ability to comment and also by having one night meeting to allow people who are working during day to also attend. I think the public hearings, having two of them, will be very, very important. I think having it on the east end will be very important also. And I think that we should try and do it in a 60 day countdown.

CHAIRMAN SWANSON:
Any other thoughts on this?

MR. MALLAMO:
I think I agree with Mike on that account, basically meeting the time frame that we're trying to achieve here with moving this plan along. And bearing in mind the way this would play out the 90 days would be into August when many people are going on vacation, going to be away, so I think 60 days would be appropriate.

CHAIRMAN SWANSON:
Minimum required is 30, is that correct, Jim?

MR. BAGG:
That's correct.

CHAIRMAN SWANSON:
Any other thoughts? Lee?

MR. SNEAD:
No.

CHAIRMAN SWANSON:
Okay. Do I have a motion?

MR. KAUFMAN:
I'll make a motion that we have a 60 day public comment period and I'd also make a motion that we have two public hearings, one in Riverhead if possible and one in Hauppauge. That's my motion.

CHAIRMAN SWANSON:
Do we have a second?

MR. MALLAMO:
Second.

CHAIRMAN SWANSON:
Okay. I'd just make a comment that I do firmly believe that 30 days is inadequate to review this knee-high report. But I'm also concerned that we can dwell on it too long and that probably 60 days is a reasonable position to take. So I'll call the question.

All in favor of a 60 day review period? Opposed? It's unanimous. We have a 60 day review period and we will work with Suffolk County to -- we've been talking about having two public hearings, is that not correct? And if I recall our conversations are we're planning on having one during the day and one during the evening and one will be in the east part of the County and one will be in the west part of the County so that we can get the broadest participation in the public review process. And we'll firm up the dates as soon as we possibly can.

Also, it's my understanding that you are now, the County, is going to put this draft DGEIS on the website. Is that not correct?

MR. DAWYDIK:
It's already on the website.

CHAIRMAN SWANSON:
Okay. Thank you. When was it put on the website?

MR. DAWYDIAK:

As of yesterday it was on the website.

CHAIRMAN SWANSON:

Okay. Thank you. Any other comments on the Vector Control Program? All right. We want to thank you very much for your coming and bringing us up-to-date.

MR. DAWYDIAK:

Thank you very much.

CHAIRMAN SWANSON:

We have one other matter before us today and that is the vote for the Vice Chairman of CEQ. Do we have any nominations?

MR. SNEAD:

I nominate Mike Kaufman.

MR. MALLAMO:

I'll second.

CHAIRMAN SWANSON:

We have a nomination for Mike Kaufman and a second by Lance Mallamo. Any other nominations? All in favor? Opposed? Motion carries. Historic Services.

MR. MARTIN:

Okay. We have received the DEC permit for the work over at the Blydenburgh Mill and we needed a DEC permit because we're rebuilding the piers that sit in the streambed there and these things were damaged from the storm last October, the extreme rainstorm that we had there.

Dunn Engineering has been hired by Public Works to conduct this work and also to continue a study on the building. Now it will be able to drain the water away from the -- underneath the building and get under there to see the damage that was done and also the timber framing situation that we have. We have a lot of damage to the timber framing in that building.

MR. KAUFMAN:

Are you going to have to lower the water levels?

MR. MARTIN:

We're going to clear out the water completely. That's why we needed this DEC permit. We'll be stopping up the dam, the spurway, at that location, diverting the water to the other end of the pond. And the -- there is a well that produces water underneath the building also will be diverted to go past the building. So we will be clearing out the water and a lot of the streambed was washed away from the storm that we had. So we need to actually build up the streambed before we can put the {cribbing} in place to support the building.

MR. KAUFMAN:

Okay.

MR. MARTIN:

We had -- the last Historic Trust meeting was conducted May 11th at the Maritime Museum in West Sayville. At this time we had Parks Commissioner Ronald Foley address the committee as to their concerns of the housing issue within our historic sites and the Committee Chair Lance Mallamo can summarize the meeting that we just had.

MR. MALLAMO:

Yes, we did have a meeting on the 11th. Approximately a year ago the Historic Trust Committee had discussed this issue with the Commissioner and asked if within a year he could come up with a concept on how the Parks Department is going to proceed with the issue of the housing and rental units of the historic properties in Parks. He did present a concept for such a plan at our meeting last week and the committee did pass a resolution supporting that concept. We haven't seen the final product of it, but at least we know how the Commissioner is proceeding and we're in complete agreement with the plan that he's going to be developing.

MR. KAUFMAN:

So he hasn't developed a plan yet. He just going to be --

MR. MALLAMO:

Well, he went over the basics with us. We haven't actually seen a resolution or anything from the Legislature that was to be proposed, but the concept of how the rents would be established and the selection of tenants for the buildings would be determined was reviewed.

MR. KAUFMAN:

Was there any mention of how repair schedules might be carried out?

MR. MALLAMO:

Yes. We had talked earlier about developing a maintenance schedule and we're pretty confident that that's in place now and that there is attention by the Maintenance Division for the historic properties.

MR. KAUFMAN:

Was there any discussion as to over the last year repairs and things like that that have been performed, you know, is there any backlogs or anything like that? Is there anything that has been missed that maybe should have been done?

MR. MARTIN:

I could speak to that, Lance. All the buildings that have been vacated when the tenants moved out have been fixed up and there has been quite a few of them from our Parks Maintenance. So they have continued the maintenance program that The Friends have established.

MR. KAUFMAN:

Actually I wasn't going towards The Friends. But, I mean, you are saying basically the building stock is -- it's getting some attention at this point in time because CEQ --

MR. MARTIN:

More than some attention. They've actually done complete restoration or renovation depending on the building type. So it's been more than just a maintenance issue. It's been actual restoration work that they've done.

MR. KAUFMAN:

We don't have a list or anything like that that I could look at?

MR. MARTIN:

I could get you a list.

MR. KAUFMAN:

Again, it wouldn't be for the entire CEQ or anything like that. I just want to see what's on it.

MR. MALLAMO:

And maybe, Rich, you should talk about the survey that's been proposed as well.

MR. MARTIN:

Yes. Commissioner Foley has also requested Public Works to hire a consultant to do a complete survey of 44 buildings that we've identified with extreme needs for that restoration program. So they will be doing so and we're providing them all the information that we have in our office and they will come up with a cost estimate for these projects and also give a prioritized list to the buildings that need the attention first.

MR. KAUFMAN:

This is not just the rental units or anything like this. This is all units?

MR. MARTIN:

This is all -- it's not -- I'm sorry. This has to do with the Historic Trust Program, Landmark Program, so it's all the buildings within that program, which we approximately have about 200 buildings. Out of those 200, 44 were deemed to need immediate attention with this survey.

MR. KAUFMAN:

So, for example, we're talking about Deepwells.

MR. MARTIN:

Not necessarily Deepwells. That's actually in good condition. What we are talking about is the Blydenburgh Mill, the Harmon House in Yaphank, which is boarded up at this time, and buildings in that kind of condition. The ones that have been restored would not necessarily be -- would not be covered under the survey and most of the housing units would not be covered because they are in good condition.

MR. KAUFMAN:

Got you.

MR. MARTIN:

It's really, I think, more for the museum buildings that we're look -- that we need to take a look at and the buildings that are currently boarded up.

MR. KAUFMAN:

I would simply ask as a member of CEQ that, you know, you continue to provide updates on this kind of stuff. I am very interested in the maintenance programs.

MR. MALLAMO:

And our next meeting is going to be in June at the Van Bourgondien House in Babylon.

MR. MARTIN:

And we'll still need to confirm that date. And we'll also at that meeting be talking about the organizations that are approaching the County Parks Department to use our historic sites. I think the new contracts that are issued at this point, reviewing those contracts in the committee and also have the Commissioner address the concerns. We were talking about the housing at the last time. Now we're talking about the museum buildings and the historic societies, the new groups that are going into those buildings or looking to go into those buildings.

MR. KAUFMAN:

Has anyone from Sagtikos or for Sagtikos popped up?

MR. MARTIN:

Sagtikos Manor does have a contract, a signed contract, with the County and is working at Sagtikos Manor now.

MR. KAUFMAN:

Thank you. I have no other questions.

CHAIRMAN SWANSON:

Does that complete your report?

MR. MARTIN:

Yes.

CHAIRMAN SWANSON:

Thank you very much, Rich. I'd just like to go back with the committee about the next step for the vector control. We're going to have public hearings and since I have -- I'll be running them. Of the four dates the only two that I can make are June 29th, which is proposed for 6-9 PM in Riverhead, and July 6th, which is during the day here in Hauppauge. Jim's going to work with the County to confirm those dates and see what we can set up.

I think it's very important for as many of us to be there as possible. Our job is to listen at these public hearings, not really to interact with the public and to keep them on time, to make sure that everybody does have a comment, has the opportunity to speak and make their presentation. But it's always nice if we can have as close to a full membership in attendance at the public hearings as possible. So we'll hear from Jim on this further as the dates get confirmed.

MR. BAGG:

Yes. I also might point out that the public hearings have to have a representative from the Legislature and also a representative from the County Executive's Office as well the initiating units present.

CHAIRMAN SWANSON:

Since we have this sort of in-between with Legislator Nowick and Viloría-Fisher, does it make any difference which one would attend? Or is it just a member of the Legislature.

MR. BAGG:

It's just representatives from the Legislature to be in attendance at the meetings, to listen to the public comments as well as the County Executive Office has to send a representative as well, because they are the ones that ultimately make the SEQRA decisions.

CHAIRMAN SWANSON:

Right.

LEG. NOWICK:

And this is probably a good time for me to make a comment. As all of you know, we passed legislation about a month ago at one of our meetings, at the Legislative meeting, where the Chair of Environment will become a member of CEQ. That did not happen today because although it was signed, am I right, Greg, it was signed, it has to go up to the Secretary of State. I fully anticipate at your next meeting Legislator Viloría-Fisher will be part of your committee.

With that in mind, I also would like to apologize for having to step out earlier. The Presiding Officer had asked me to Chair a committee on Memorial Sitings, which I was doing in the other room while you were doing this in this room, and trying to balance both of that. And because of that also I missed a few votes and I'd ask if you could put me in with the majority because I do trust all of you more than actually I trust myself on this.

But I'm sure that Legislator Viloría-Fisher will be part of this committee before your public hearings. And I also want to make a comment that I am so, so impressed with all of you and your knowledge and your love of what you're doing. It really is wonderful. For me, it makes me

very proud as a Legislator to have this committee and to have all of you appointed and thank you.

CHAIRMAN SWANSON:

Well, thank you. So this might be your last meeting?

LEG. NOWICK:

Yes, this will be.

CHAIRMAN SWANSON:

Well, we want to thank you for your service and your attendance. It's been very helpful.

LEG. NOWICK:

And now I know everything about mosquitoes.

CHAIRMAN SWANSON:

Thank you. There were no representatives from the CAC's that I see. So do we have a motion?

MR. KAUFMAN:

I shall make a motion to adjourn, Mr. Chairman.

MR. MALLAMO:

I will second that with pleasure.

CHAIRMAN SWANSON:

Okay. Thank you very much.

(THE MEETING WAS ADJOURNED AT 12:07 PM)