COUNCIL ON ENVIRONMENTAL QUALITY

BOARD MEETING

March 21, 2007
9:30 a.m.
100 Veterans Memorial Highway
Hauppauge, New York

BEFORE

LARRY SWANSON, Chairperson

ACCURATE COURT REPORTING SERVICES, INC.
6 FRANCES LANE
PORT JEFFERSON, NEW YORK 11777
631-331-3753
APPEARANCES:

MICHAEL KAUFMAN, Vice Chairperson
LANCE MALLAMO (not present)
VIVIAN VILORIA-FISHER, Legislator
JIM BRAGG
JOYCE CRIGONIO (not present)
RENNIE KAMOTI (not present)
BRIAN TYMAN (not present)
ENRICO G. NARDONE
GLORIA G. RUSSO
DANIEL PICHNEY (not present)
LAUREN ELIZABETH STILES (not present)
JOHN E. POTENTE
STEVE BROWN
JOY SQUIRES (not present)
RICHARD MARTIN
ZED YOUNGMAN

ALSO PRESENT:
JAY SCHNEIDERMANN
ANTHONY CEGLIO
WILLIAM McSHANE
MR. SWANSON: I'd like to call the meeting to order. First, I'd like to welcome Zed Youngman. Zed has been appointed by the Town of Southampton to be a CAC member for CEQ, so welcome to the Board.

MR. YOUNGMAN: Thank you.

MR. SWANSON: Anybody check the minutes that were posted on the Web site?

MS. RUSSO: The January meeting, I read through them, and they were fine. Corrections, I found certain words that were not heard properly, I have them written up.

MR. SWANSON: Okay. We can submit them to the stenographer and they can correct them.

Anybody else have any corrections, additions?

(No response.)

MR. SWANSON: Do we have a motion to adopt them?
MS. RUSSO: I make a motion.

MR. SWANSON: We have a motion. And a second?

MR. NARDONE: Second.

MR. SWANSON: We have a second. All in favor?

(Whereupon, all those in favor responded, "aye").

MR. SWANSON: Opposed?

(No audible response.)

MR. SWANSON: The motion is carried. The minutes, with the small correction, will be accepted.

MR. KAUFMAN: I abstain.

MR. SWANSON: We have one abstention.

Correspondence. Do you want to bring anything to our attention? Jim?

MR. BAGG: Yes. I might point out that the Council has received numerous letters from the
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local community. I have copied all those letters. They're regarding Long Island Jet. They're in the packet. I might just quickly go over who they are. We've placed them, also, in the stenographer's folder. One is by Mr. Menay, proposes (sic) Long Island Jet development. He said they received the Council's request for further information. However, since the packet is formidable to analyze, they would like to get their comments in to CEQ by the April 18th, 2007 meeting.

There is a fax by a Robert J. Mozer, Certified Professional Geologist, regarding impacts to the ground water regarding Long Island Jet.

There's a letter in there from Gail Clyma the Council regarding Long Island Jet
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expansion and Gabreski, and
questioning some aspects of the
master plan.

There's a letter in there
from HUSH Quiet Skies, Inc., which
is from James Siegel, also
questioning the CEQ's former
recommendation with respect to
Long Island Jet and the aquifer.

A letter in there the
Council from Mr. Halsey asking the
Council to voluntarily re-review
the Long Island Jet application
based on the recommendations of
the advisory panel.

A letter in there from the
desk of Sharon Frost also
questioning the CEQ's former
finding and recommendation.

And a letter was sent to
Mr. Levey. There probably were
about 80 letters in there saying
that they did not feel that the
CEQ recommendation, which ran
Council on Environmental Quality
against the CAP recommendation,
was the best alternative, and they
wanted more stringent review.

In addition, there was a
letter in there from Cecelia
Lazarescu along the same thing
regarding the Long Island Jet
operation.

These are all in the packet
for review and reading and
consideration, as well as
information from Mr. DeLuca, which
is quite lengthy, regarding the
Long Island Jet application.

MR. SWANSON: Okay, thank
you, Jim.

Just remind everybody that
as we go through this, if you are
representing -- if you're in the
public, feel free to speak up when
we reach the particular topic that
you're interested in. Jim, you
want to bring in the Type II
actions to our attention?
MR. BAGG: Basically, the packet's fairly straightforward. Either the CEQ has reviewed past actions or most of them Type II. One of the interesting things I bring before your attention is introductory resolution 1171 of 2007, where the Suffolk County Legislature is adopting a local law to establish the Conservation Assessment Committee. I believe the committee was established through the County Executive Board, and now the Legislature has got a resolution to formally formalize that committee for appointment. So that is before you in the Long Island Jet thing.

MR. SWANSON: Any questions of Jim concerning the staff recommendations?

MR. KAUFMAN: That last bill you mentioned is my bill. If you want any particular
information, I can certainly explain it. ACAP is an advisory panel which was created to advise this body and the Legislature and was created by executive order. That's fairly unusual. There's a separation of government in Suffolk County. There's an executive branch and a legislative branch. CEQ was created by the Legislature, not by the County Executive, to advise the Legislature. Typically, the Legislature creates committees to advise it. The idea was that ACAP would be able to make recommendations that would then be considered by CEQ before making a determination, as well as the Legislature, and should the Legislature disagree with those recommendations, they would have to make some kind of finding as to why the recommendations of ACAP
Council on Environmental Quality were being set aside. Through this legislation, there would be a statutory mechanism to do that so we couldn't ignore those recommendations.

Right now, the way it's set up through executive order, it's really set up to only advise the County Executive. So there's nothing that requires this committee or the Legislature to consider and make any kind of findings on that. So it would strengthen the role of ACAP. We know in the Long Island Jet situation, we have a situation where ACAP has recommended a positive declaration. This body, at least in the first go-round, recommended a negative declaration. I don't know that you've made a specific finding as to why ACAP is wrong in that situation, so my bill really would
Council on Environmental Quality require you to take that hard look at ACAP's recommendations, and there would be really no way around it, because it would be statutory, at least for the Legislature to take that hard look. Thank you.

MR. SWANSON: Thank you.

Any other comments on the Type II recommendation? Make a motion?

MR. KAUFMAN: Make a motion to accept staff recommendations.

MR. SWANSON: I have a second?

(No audible response.)

MR. SWANSON: Second.

All in favor?

(Whereupon, all those in favor responded, "aye".)

MR. SWANSON: Opposed?

(No audible response.)

MR. SWANSON: Abstention?

(No audible response.)

MR. SWANSON: Motion
Council on Environmental Quality carries. If there are no objections from the Board, I am going to move up the other business item and get that out of the way. That's the discussion of the public scoping for Suffolk County shellfish agriculture lease program. Are there any objections to moving that up?

(No audible response.)

MR. SWANSON: Okay, Dewitt, do you want to introduce yourself and tell us what you have in mind.

MR. DAVIES: Thank you, Mr. Chairman. My name's Dewitt Davies, chief environmental analyst for Suffolk County Department of Planning. I'm referencing here a letter that the Director of the Planning Department, Tom Iles, sent to the chairman, and it's a request -- it's an identification of the fact that the Department of Planning is
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taking the steps necessary to
conduct a public scoping hearing
on the preparation of the Suffolk
County shellfish agriculture lease
program, and as we speak at this
point, a draft document is in
preparation, draft scoping
document, to be reviewed by the
Lease Program Advisory Committee
tomorrow at its meeting scheduled
out in Riverhead. Tom Isles has
asked the Chairman here to see
what role we'd like to play, the
Council of Environmental Quality
would like to play in this
process.

I talked to Tom yesterday,
and he indicated that the outback
will be conducting this particular
hearing, but he wanted to know if
CEQ would like to participate
formally in that process,
co-chairing it, for example, or in
any other way that we would
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accommodate the concerns here of this particular group. So that's the nature of the request.

MR. SWANSON: Okay. You might explain in a little more detail what exactly the activity is. I'm not sure that everybody here on the Board is familiar with what is being proposed.

MR. DAVIES: Yes. In response to the passage of a State law in 2004, which was codified in the Environmental Conservation Law, the State of New York ceded property of underwater lands in Peconic Bays approximately 110,000 acres or so to the County for the purposes of establishing implementing a shellfish agriculture lease program for this area. Approximately, two years ago, the County appropriated funding for the conduct of a capital project for this effort.
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An Agriculture Lease Program

Advisory Committee was established by executive order; had 17 members. Representatives from each of the five East End towns, for example, were on that committee, as well as environmental groups, fishermen, etcetera. We've been meeting, and in fact, just in January and February, we conducted two public kickoff meetings for this project, one held in the north fork, one held in the south fork, attended very well in both sessions, to hear the initial comments from the public, pro and con, on this program.

We have a consultant under contract to do a lot of the technical work, and they have started their work on the project. There is, as you well know, an extensive environmental review
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process required. Since this is a new program, this is something that has not been done before by the County, per se. It affects a potentially large area in terms of the region in Peconic, New York, as based, and, therefore, it's really a no-brainer with respect to whether or not this is a Type I action requiring an FGEIS preparation.

So we tried -- we anticipated that happening. We are awaiting action on a resolution that was before the Legislature yesterday, which was a positive declaration. I don't know what happened with that, I'll find that out, but given the fact that once all these authorizations are in place, we will then address all of the required timing of notices and what have you that we have to send out to hopefully
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can a public scoping meeting on the draft document. Probably during the week of April 23rd or April 30th. That's the timing that we're looking at. We don't have a date yet, we don't have a place. Most likely, that hearing will be conducted late in the day, probably in Riverhead, but we will have to establish that. We will discuss those details also tomorrow, also.

I know I had a discussion, preliminary discussion, with Mr. Kaufman about some of the things that he brought up at the previous meeting concerning this project, but in any way that we can accommodate this group's involvement, we would be happy to do so. The project is approximately 18 months in duration, and we do have to follow a rather rigorous time schedule in
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order to complete the project

because of the sunset date in the

State law which would authorize

the County to do this particular

work. So we will be going through

the whole process of collecting

information in Peconic on this

basis in terms of its

characteristics, its use patterns,

etcetera, to define a shellfish

cultivation zone within which

leasing could potentially occur.

We also looked at all the

administrative aspects of the

leasing program in terms of how

that program would occur, taking

into consideration all the

comments that we will receive

during this process. Everything

is public, everything is open.

All of our work will be posted on

our Web site, and again, all of

the ALPAC meetings, the

Agriculture Lease Program Advisory
Council on Environmental Quality

Committee meetings are open to the public and are advertised as such.
People are given the opportunity to comment at the end of those meetings.

MR. SWANSON: Do you have any strong feelings one way or the other about the role of CEQ in this process?

MR. DAVIES: I think CEQ has a very important role in this process. Given, again, the structured role that we have to fulfill in terms of preparing this program, vetting it and getting before the Suffolk County Legislature at the end of the project. This is -- again, everything that will be done in this work will be in the form of a recommendation to the County Legislature. So we do have to go through the procedure, and there is nothing in an administrative
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sense that the Department of Planning will or can do prior to the adoption of whatever recommendations, whatever program stipulations that we have, again, has to be adopted by local law. So that's why we want to go through the whole process.

MR. SWANSON: Okay. Any questions of Mr. Davies?

MR. KAUFMAN: You have no problem having this as a joint scoping session?

MR. DAVIES: None whatsoever. Again, it's at your discretion what you want to do.

MR. KAUFMAN: The reason I bring that up with you, we have had some experience here at CEQ in dealing with scoping, and frankly, also the plan, when it does get developed, eventually comes to us for review before it goes to finalization at the Legislature.
And I personally think that it would be better if we were involved somewhat up front in the scoping process and to have an idea where it's all going. So that's my opinion.

MR. BAGG: You asked what the role of CEQ is. CEQ plays a very important role in the administration of SEQRA, so irrespective of the scoping, once the DGIS is done, the draft will have to be submitted to CEQ, and CEQ will have to approve a draft to DGIS in compliance, and they will have to make a recommendation to the Legislature. As to the next step of SEQRA, if an environmental impact statement is required, they will then come back in to CEQ for review, and your recommendation will then go to the Legislature before the Legislature files a finding statement on that.
So the CEQ plays a very important role in every step of this particular process. And as Mike pointed out, members of the CEQ should also be involved in the scoping process.

And, Dewitt, you mentioned that the hearing and planning is going to be held the week of either April 23rd or April 30th?

MR. DAVIES: That's tentative, Jim.

MR. BAGG: A scope that is passed by your committee, the preliminary scope for the DGIS, I assume you can get the Council members?

MR. DAVIES: Yes. There's a meeting tomorrow to discuss a preliminary draft of the scoping document. We will then revise that, and again, pending the outcome of the resolution before the Legislature yesterday, if that
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passes, then we can begin that
process, and we can provide a copy
of that draft, which will be
distributed to Council members,
and everybody on the council can
get that, too.

MR. BROWN: How does the
Trustees represent this?

MR. DAVIES: The planning
area for this project extends into
the middle of Gardners Peconic
Bay. It starts at the thousand
foot line offshore from high
water, so all of the underwater
land involved is State owned. It
does not involve any of the
Trustee or Town owned bottoms
within, you know, local bays,
creeks, canals, what have you.
It's offshore. For example, we do
have some trustees on the advisory
committee for the Town of
Southampton, for example. When
the committee was formed, the East
End supervisors were contacted, and they were given the discretion to select the particular representatives on the group, and the Town of Southampton supervisor, for example, selected the trustees, John Simila and Ed Warner, Jr. The Town of East Hampton selected John Aldrid, and we also have a representative from the East Hampton Bay Man's Association as a member of this committee. And similarly, the other towns were involved, also. We have the Nature Conservancy on the committee, the State of New York, New York State DEC, several county departments. Legislator Fisher is, as chairman of the EPA Committee, a designated member on this particular board.

MR. KAUFMAN: Following up on Steve's question, ownership interest as owned by Town trustees
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and sometimes by the Town itself,

the difference is possibly going
to be an important thing when
you're dealing with beaches,
etcetera. I assume that you're
probably going to try to take that
into account in your discussions
as to how to design leases and
also the DGEIS, if and when you
end up preparing one, boundary
issues and ownership interests are
something that has to be
considered as part of this
process.

MR. DAVIES: That's
correct.

MR. SCHNEIDERMAN: How far
out do those leases go in terms of
-- do they go into the town of
East Hampton or is it just
Southampton?

MR. DAVIES: The eastern
area of the area that was ceded by
the State of New York to the
Council on Environmental Quality

County for this purpose extends
form the eastern end of Plum
Island down through to Golf Point
at that harbor. So everything
west of that line was ceded to the
County for this purpose, again,
including that area between high
water and a thousand foot. So the
thousand foot buffer along the
shoreline is not part of this
process. There is a portion of
that area, in the town of East
Hampton, which is in that
particular planning area zone. We
are looking at the entire area
there to determine which areas
should not be leased for
environmental use and other
reasons, conflicts, what have you.
And we're aware of, you know, the
opinions from individuals in the
town of East Hampton, for example,
of the importance of Gardners Bay
to the draggers, etcetera.
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They've voiced that concern. In the town of Southampton, there is a lot of support for the project in terms of providing an opportunity for bay men to remain on the water and develop the skills necessary to advance, for example, oyster culturing, cages, etcetera.

MR. SCHNIEDERMAN: I might suggest that you reach out directly to the East Hampton Town trustees, because the individual you mentioned is not a trustee. So in Southampton, yes, you have trustee representations, but you may run into problems if you don't involve the trustees themselves in East Hampton.

MR. DAVIES: We got a letter from Norm Edwards --

MR. SCHNEIDERMAN: Yeah, okay.

MR. DAVIES: -- and I
Council on Environmental Quality talked to him on the phone about it. We will visit all these groups to whatever extent we need to do to make sure that they are involved. We'll be talking to individuals out on the East End. When there is involvement with a governmental group, we will make sure we're there to discuss the entire program with them, and we'll definitely make arrangements to do that.

MR. SWANSON: It seems like it would be appropriate for the CEQ, actually, to participate in the scoping. Is there anybody that is particularly interested in being part of that process?

Mr. Nardone and Mr. Kaufman. So will you please represent the CEQ in the scoping process, along with Dewitt? And one of the questions you asked was whether we wanted to co-chair it
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or not. Why don't you talk to
these two gentlemen and see what
you can work out rather than us
just making a decision right now.
May be appropriate, may not be
appropriate. Is that okay?

MR. DAVIES: That's very
good.

MR. SWANSON: One other
request. There is a person in the
audience who I know wants to talk
to you about this as you leave,
and that's Christine O'Connell.
She's the one with the red
neckerchief back there, so if you
could talk to Christine about the
overall program, I would
appreciate it.

MR. DAVIES: I'll do that.

MR. SWANSON: Okay.

MR. DAVIES: Thank you very
much.

MR. SWANSON: Thank you.

All right. Going back to
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the agenda, proposed LEED Compliance program for Suffolk County Police Department 4th Precinct. Please identify yourself for the record. I'd appreciate it.

MR. LARSON: Okay. My name is Keith Larson. I'm the Assistant County Architect for the Department of Public Works. Okay, basically, as per our meeting last month, I have come in to amend the LEEDs Compliance report that was resubmitted to you and show that we are complying with the intent of the legislation, which was to achieve a minimum of 26 points. Originally, we came in previously with 24 points likely and 22 points possible, and we've revised that to 31 points likely and 15 points additionally possible. And by doing this, we were hoping that we can get a nonconditional
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approval.

MR. SWANSON: Thank you. I have several questions with regard to your proposal, if you don't mind me going through and asking you. Are there going to be water fountains in the building?

MR. LARSON: Yes.

MR. SWANSON: Okay. One of the things I think the County can do is assure that there is public drinking water in all its buildings, and that will end up helping reduce the flow of these plastic bottles that are everywhere. I also wanted to ask you, you're taking a point for alternative transportation by supplying bicycle racks and a shower. Well, I know you have no control over how many people are actually going to ride bicycles. My concern is that it's probably going to be close to zero, and I'm
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really wondering if that's legitimate to take that point.

Even though you're going to provide the bicycle rack and shower, I wonder what the reality of that is. Can you comment on that?

MR. LARSON: I guess it's kind of an easily achievable point to implement. However, I'm not sure exactly on the numbers. There actually may be employees that are nearby that would bicycle. I agree it's probably going to be a very low number, if any. But we put it in as a likely point, and it's something that we will consider as we do the project. We will be reporting back to the Legislature as to what points we are achieving at the end of the project, and if this is something that, you know, we find doesn't make sense, we will
consider that, you know, in all of our projects, deleting that item if it doesn't make any sense.

MR. SWANSON: Another one that you take credit for is a County recycling program, and I think it says the fact there's a County recycling program in place. And I've got to tell you, in wandering around the places that I go to in Suffolk County buildings, I have never seen any recycling stations. I asked about it here this morning, and to the best of the knowledge of the people that work here, there's no recycling going on in this building, and so I question whether or not the County is really implementing a recycling program.

For example, there is, right outside the door here, a Coke machine and so forth, and it seems to me that there should be a
bottle recycling container there, there should be paper recycling bins in there. To my knowledge, this isn't, in fact, taking place, so I don't see how you can take credit for this at all.

MR. LARSON: Which credit number was that?

MR. SWANSON: Recycling content -- no, that's not it. So many of these things. Storage and collection of recycling. "County facilities do currently separate waste." It says it's required.

MR. LARSON: I do know that in our building at DPW there is separation of waste products, and in general, the paper products go into everybody's waste can, and there are identified waste cans which are for plastics and metals and so on. I don't know how religiously that is done throughout the County, but I think
as you bring it up, it is a good idea to implement something maybe that's a bit more aggressive, and I would bring that up to our commissioner and see that we could definitely implement that procedure in this building, and then see how far we can extend that to all of the County facilities.

MR. SWANSON: Okay. I would appreciate that. I think that would be very helpful.

Another one that you have, which I think may be sort of an administrative nightmare, is that you're putting in waterless urinals, which are a good thing, but some of my experience has been that these have been put in and within a matter of months they've been converted to regular urinals largely because there has never been an agreement cut between the
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janitorial service and the
plumbers as to who's actually
supposed to maintain them, and I'm
wondering, does the County, in
fact, have -- have they addressed
that issue, if they're going to
put in these waterless facilities,
who's going to do it? The
janitorial service ordinarily
says, "That ain't in my job
description." And there aren't
plumbers around who, you know, can
change the filters and so forth,
to do that on a regular basis in
each of the County buildings, so
my question is: What is the
County going to do to address this
so that it doesn't just get
converted within a matter of a
very short period of time?

MR. LARSON: That is a good
question. For example, at our,
again, Department of Public Works
building, we've actually installed
several waterless urinals, and it seems to be working well. There are cartridges that have to be changed every so often, about every two months, and maintenance is actually doing that, so we don't feel that that's a problem at this point. It's been working very well.

MR. SWANSON: Okay. So those are the questions I had as to whether or not some of these things really are capably implemented and whether the County is vigorously going after implementation.

Any other questions? Yes.

MS. RUSSO: Mr. Larson, the credit number 15, Light Pollution Reduction, it says here that the high levels of lighting to be utilized for security will most likely not comply with this credit. Do you know if the County
Council on Environmental Quality

will at least be using the new
type of down lighting that doesn't
at least send up into stargaze?

MR. LARSON: Absolutely.

We're using Dark Sky's compliant
lighting. We have made that a
standard as per the local law that
was passed. We aggressively do
that in all of our projects.

MS. RUSSO: So, then, when
you're saying the high level of
lighting, it's just how much you
need flood lighting on the parking
lot, and the building walls,
etcetera?

MR. LARSON: Exactly.

There was a requirement for some
security cameras, and we were just
concerned with getting enough
light from those types of fixtures
to properly, you know, operate the
equipment.

MS. RUSSO: Thank you.

MR. KAUFMAN: I have a
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question. This is basically
toward Jim at this point in time.

What are the issues under
SEQRA here at this point in time?

We basically, last time, did a
Type I CND. I don't know if CNDs
are possible in Type I. I think
we maybe did something wrong on
that one.

MR. SWANSON: All right.
Tell us what the initials are.

MR. KAUFMAN: Okay. CND is
conditional negative declaration.

Basically, what do you
think, at this point in time, is
going on?

MR. BAGG: Well, at the
last meeting, I made a
recommendation that listed action,
and Member Styles said that with a
condition negative declaration
there had to be a Type I action.
That's improper procedure.

Technically, you can only have a
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condition negative declaration

with an unlisted action, you
cannot have one with a Type I
action, so the motion was
procedurally incorrect. I mean,
in this instance, this project
involves the physical alteration
of way less than ten acres, which
brings it into the unlisted action
category. Last meeting the CEQ
recommended a negative declaration
with a condition that they come
back with the LEEDs. The
Department of Public Works revised
their LEEDs points and brought
them back to you. They clearly
comply with the LEEDs
certification point rating of
26 points, so, therefore, they've
fulfilled that, so I would assume
that the Council could go forth
with an unlisted act of negative
declaration at this point in time.

MR. SWANSON: Any other
Council on Environmental Quality

questions?

Mr. Kaufman: Keith, have you talked with Legislator Fisher about this stuff since our last meeting?

Mr. Larson: No.

Mr. Swanson: Anything else?

Make a motion?

Mr. Kaufman: I'll make a motion that this is an unlisted action with a negative declaration.

Mr. Swanson: Second?

Ms. Russo: Second.

Mr. Swanson: Second.

All in favor?

(Whereupon, all those in favor responded, "aye").

Mr. Swanson: Opposed?

(No audible response.)

Mr. Swanson: Abstentions?

(No audible response.)

Mr. Swanson: Motion
Council on Environmental Quality carries. Thank you.

MR. LARSON: Okay, thank you.

MR. SWANSON: You will look into trying to follow up on some of the questions I posed to you?

MR. LARSON: Absolutely.

MR. SWANSON: Thank you.

Again, if there's no objection to the Board, in order to accommodate Legislator Schneiderman, I'm going to move the proposed redevelopment of Long Island Jet at the airport up on the agenda. So is there anybody here to speak on behalf of the airport?

MR. SCHNEIDERMAN: You want the airport itself or public?

MR. SWANSON: Let's start with the airport.

MR. SCHNEIDERMAN: Can I just tell you that the Legislature has taken another look, as you
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know, at this, and the vote that
came out was, I believe, a three
to two vote, three for a negative
declaration of SEQRA, two for a
positive declaration. There was
some discomfort in the size of the
vote on what is supposed to be an
11-member committee, though there
are only nine duly appointed
members right now, but having a
vote based on three seemed like it
was -- on an issue of this
magnitude, I think the Legislature
was uncomfortable and asked to
basically remand it to this body,
take another look at it with a
fuller composition of the CEQ, so.

MR. SWANSON: I appreciate
your comment, although just for
the record, we did have a quorum,
as you know, by the rules of the
CEQ for that vote.

MR. SCHNEIDERMAN: Yeah. I
don't think that we were saying
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that it was an illegal vote. We were just uncomfortable with the size of it.

MR. SWANSON: I understand, but I just wanted to say that for the record.

Yes.

MR. CEGLIO: For the record, I'm Anthony Ceglio. I'm the airport manager for Gabreski Airport. The airport's run by the Department of Economic Development and Workforce Housing, and I'm here to discuss the project on behalf of them. We've been through this a couple times, so I'll be brief in my overview of the project, and then we have representatives from Long Island Jet Center and a consultant, so we'll discuss some of the specific questions that were asked since the last meeting.

Generally, Long Island Jet
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Center is one of two fixed base operators at Gabreski Airport.

For those of you who don't know, an FBO is a service company. They service airplanes that fly into and out of airports. They provide fuel, parking, pilot lounges, briefing areas and other services required for aircraft to use an airport. Long Island Jet Center services about 60 percent of the jet aircraft that come through the airport. Their clientele consists mainly of corporate and private general aviation aircraft. They currently occupy about four acres of property on Gabreski Airport and intend to lease approximately 9.98 acres.

They intend to construct three 15,000-square foot hangars, seven small T-hangars, and additional outdoor ramp storage areas for aircraft parking. They
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also intend to relocate their
eexisting fuel storage facility and
add additional fuel capacity for
jetty and out gas fuel. In
addition, they intend to remove an
underground fuel storage tank that
was used for heating one of the
buildings at the air field.

The development that they
propose is consistent with the
1980 master plan, the 1990 master
plan, and also the current master
plan update that is currently in
progress. It's also consistent
with the Pine Barrens
comprehensive land use plan of
1995.

Generally, that's the scope
of the project. As I mentioned, I
received a letter from Jim Bagg
from the Council asking some
specific questions that can really
only be answered by Long Island
Jet Center. With your permission,
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I'd like to ask them to come up
and just go through their
presentation in responding to
those questions.

MR. SWANSON: You're going
to --

MR. CEGLIO: I'll be here
for, yeah, additional questions,
sure.

MR. FULKERSON: Good
morning. I'm with the firm L.K.
McLean Associates. We're the
consultants, design engineers of
this project. Unless the
Committee has other intents, the
Council has other intents, we
intend to respond to the
questions. We weren't going to
give another presentation, as
we've already done that. You
agree with that?

MR. SWANSON: Well, let's
go through the questions.

MR. FULKERSON: The first
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question is: Is the Applicant willing to increase the recharge capacity for storm water to accommodate more than a two-inch storm event? The answer is that yes, we will increase it if necessary. However, to date, we haven't been able to get any standards from Suffolk County as to what is required. And the reason we used the two inches is that's what's required by the Town of Southampton and the Town of Brookhaven for this type of site development. The Town of Brookhaven also considers a two-inch design to have an effective storage of five inches when pools are in soil with good leaching capability as the water will be leaching during the event. This is the case at Gabreski Airport where the sandy soil has excellent leeching.
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characteristics. Additionally, any drainage not accommodated by the pools will infiltrate on existing grass areas and will be directed in such a way as to prevent harm or damage to any buildings onsite and any neighboring properties. There will be no direct discharge to any surface waters.

However, as I said in the beginning, we will be willing to increase the design capacity if, in fact, it is required during the design phase of this project.

MR. SWANSON: Mr. Kaufman.

MR. KAUFMAN: I understand that you're using the numbers and where they are coming from. I would suggest to you, though -- and this is probably a recommendation that I myself will be making -- that you possibly have some storage capacity,
basically, a minimum of three inches, possibly even more. What it boils down to is, weather patterns have been changing all around. You used to get rainstorms. Nowadays you get gully washers. The storms come in, in a couple of hours, they simply overwhelm the systems. I've learned that sitting on some coastal management groups and dealing with storm water, we generally go up to a higher number. The County of Suffolk, when it's building roads, generally tries to adhere to a higher number, also. They're not always successful, depending upon where the basins might be, and if it sits in, basically, right near the ground water then you're not going to be able to store that much. But it is very important, in my opinion, to try and be
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proactive, to try and catch the
storm water runoff and not, if you
will, settle for what a standard
is.

Just as an example, where I
personally live, we're going up to
four and five inches of
containment. We admit that the
first quarter inch generally
carries the most pollutants, but
we are trying to cut off what we
can, and so I think you should be
cognizant of that particular fact,
that the standards that you have
notated might be outdated and
might need some updating, shall we
say.

MR. FULKERSON: Okay. As I
indicated, they would be willing
to increase the capacity as
directed.

Second question was a list
of all toxic and hazardous
materials that may be used at the
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facility, including the
operations, and how they will be
handled and stored. I'd like to
defer that one to Mr. McShane.

MR. McSHANE: Good morning.

Bill McShane, Long Island Jet
Center. And just about everything
that we have in our households,
for the most part, has some level
of toxicity, so to that extent,
per OSHA standard, we maintain a
list of MSDS sheets on every
single product that we have on the
facility. To the extent that we
have anything that is in bulk
storage or that is regulated or
permitted by the Suffolk County
Department of Health, or the DEC,
or the EPA, we have disclosed
those items. We certainly are
willing to provide to this Board,
or to anybody else, for their
review, a copy of our MSDS
records, which clearly identify
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everything we have, everything
from dry gas to Lysol, you know.

Most of these products are in cans
or gallon containers or things
along those lines, which in most
cases will have "Flammable"
written on it and will have
regulatory requirements for fire
cabinets and things along those
lines. They're not necessarily
regulated in the quantity that we
have under the County Health
system. So that would be quite
lengthy, of course, if everything
were in it that we have, and, of
course, anything could be
considered hazardous material in
certain quantities.

So I look for guidance on
that in terms of what you would
like us to present you with, but
we have presented you with all of
the hazardous materials that we
have in bulk storage that are
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regulated by the County or the
Health Department.

MR. SWANSON: Okay. I
would suggest that that list be
submitted to the Health Department
as part of their overall review of
the project.

MR. McSHANE: I think
that's perfectly acceptable.

Looks like I have another
ting thing to answer. The question on
the more detailed description of
the hangars and their proposed
uses, are they simply large,
shed-type structures used to store
aircraft, or do they include
offices, bathrooms and maintenance
areas. The primary purpose for
the hangar is for storage of
aircraft. We do not intend to set
up a retail maintenance facility.
We do intend to heat the hangars
with natural gas using radiant
heaters in the most efficient form
available today, that is practical. We expect there to be light maintenance to be performed on aircraft while these aircraft are parked in the hangars; that it is typically things like replacing tires or replacing brake lines or avionics. They have radios and so forth on the airplane that may need repairs, those types of things. Navigation equipment and minor interior repairs, etcetera.

All major engine or airplane work is typically done at manufacturers' authorized maintenance centers or some other retail maintenance facility, which we will not have there. We expect there to be a small bathroom and office in each of these hangars.

Any questions on the hangars?

(No response.)

MR. McSHANE: How many
existing clients have requested or expressed an interest in storing planes in a hangar? And I have two answers for this. At one point, we have had probably about a dozen people on our waiting list, but every request that we've received comes from existing customers of ours. We haven't gotten any requests from people that we don't know or don't currently do business with.

A more detailed description of the proposed fuel storage; what is existing, where it will be moved, as well as location and description of the facility tanks that will be disconnected and how they will be disposed of.

You might know a little bit more about that, but I'll start it, all right? We expect the tanks themselves to be what is known as arrow power tanks. Arrow
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power tanks are tanks that
essentially sit in a vault, if you
will. So it is a -- if you picture
a Dumpster, for instance, there
are 30-yard Dumpsters, some are
50-yard Dumpsters. If that was an
impervious structure, the tank
would sit inside that structure,
and then there are range shields
that go on the tank. This
particular tank is one of those
that's already pre-approved in the
Suffolk County Department of
Health Service as a tank that they
prefer to see for above-ground
fuel or hazardous material
storage, and it has a very unique
system on it whereby if there is
an overfill on the tank, the
venting system for the tank is
actually captured in a -- sort of
a tubular design on top of the
tank, and it pipes over and around
back into that containment.
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The containment itself holds 110 percent of the maximum capacity of the tank. So if you were to have an overfill of the tank, it'll go in the secondary containment. Suffolk County doesn't really like double wall tanks per se, unless they're put in the ground. The above-ground tanks they prefer not to be double-walled, because from an inspection perspective, you can actually lift those shields up and take a look inside and see exactly what's going on versus having a tank within a tank, which is a double-walled tank, where you don't know precisely what's happening inside the walls of the tank and you have to rely solely upon the interstitial monitoring devices that are now available.

So with our systems what happens is, we have the same
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interstitial or jet fuel sensors
or adjunct sensors, fuel
hydrocarbon sensors that sit
inside that open containment area
in the tanks so that if there is
an overfill of the tank that
filters into that containment
area, it sounds off alarms, shuts
down systems and does all of those
various things that we like to
have happen if there is a problem.

As far as the -- was there a
question?

MR. SWANSON: There is no
question.

MR. McSHANE: As far as the
relocation of where the tanks are
going, I think we have the
pictures, and we'll probably show
you exactly where they're going to
go. The existing tank that we
have, a 12,000-gallon tank, will
be craned into position where the
new tanks are proposed to be. If
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that particular tank, if the engineers get into it and they look at it and say that particular tank does not fit in with the current design or it's not new enough to use in what we're developing, or something along those lines, depending on their recommendations, we may not use or reuse the 12,000-gallon jet tank that we currently have, and we'll just sell that off and buy three brand-new tanks for that system.

I should point out that there's been enough talk about the increase in our capacity in terms of fuel storage at the airport. We are bringing the capacity up to what we consider to be the absolute bare minimum required for an FBO to operate efficiently at an air field. Ideally, you want to have at least two tanks for jet fuel. They could be smaller
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tanks, but the reality of it is,
at a 12,000-gallon level with a
10 percent area at the top of the
tank that doesn't fill, you really
only have about 11,000 or so
available gallons that you can put
into that tank, and so you want to
be able to run the tank down to a
certain level and get an
8,000-gallon delivery into the
system. The other thing you want
to have the ability to do is to be
able to have some settling time
for the fuel so that it can sit in
one tank while you pump out of the
other.

And finally, with regards
to our redundancy of systems, we
have a responsibility to the air
field and to the aircraft that
operate there to make sure that we
have available fuel services so
those airplanes can depart.

Having the dual tanks provides us
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some redundancy in our systems and

the capability to isolate storage

and so forth. The out-of-gas

tank, we simply do not have an

out-of-gas tank, per se. We have

a 2,000-gallon out-of-gas tank

that is really kept in our plans

as a potential self-service

system, and we may or may not use

that tank as a self-service system

in the end of the day, but it is

our responsibility to this Board

and to anybody else looking at

this environmentally, to explain

to you the absolute maximum

development that we intend to put

on that site, and that's why we

need that 2,000-gallon tank there

and add the 12,000-gallon

out-of-gas tank. Another reason

for the aviation gasoline tank to

be 12,000 gallons is consistency

in systems. You know, you buy

three exactly identical tanks that
all match up, it all looks good,
they all tie together, it makes
management systems safer and
easier for our team.

All right. That's what I
have on that. As far as removal
of the tanks, I'll let Andy talk
about that.

MR. SWANSON: We did have a
question here.

MR. McSHANE: Okay. Go
ahead.

MR. KAUFMAN: I'm not
worried about the removal at this
point in time. What I am
concerned about is the containment
system that you're talking about.
Essentially, with that looping
system, if you will, it's almost
like a still, where the vapors
come in contact with the
overpiping, whatever material it
is, goes back into the pipe,
especially is going back in as a
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liquid.

MR. McSHANE: That's not accurate. I'm sorry. Once that fuel overfills from a vent, if the high level systems on the tank failed and the system did not shut down, this is a secondary backup. So what we have is a backup -- we have a system in there right now that will sound an alarm at 80 percent, at 90 percent it will shut down, after 90 percent it will pump into this containment area. That fuel is waste fuel once it goes in there. We can never use it again, we can never do anything else with it. We have to have it removed as hazardous waste at a cost of 50 cents a gallon. We call in Environmental, they come in, they pump it out if that ever happens. So, yeah. No, that does not go back into the system at all.
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MR. KAUFMAN: It doesn't get recycled.

MR. McSHANE: No, not at all.

MR. KAUFMAN: The second question, the containment structure that you're talking about, the vault, that's going to be above ground, correct?

MR. McSHANE: That is correct.

MR. KAUFMAN: Is it enough in capacity, in terms of gallons, to handle a puncture of that tank or is the tank fully emptied out?

MR. McSHANE: Yes. 110 percent of it. 10 percent more than the total volume of the tank.

MR. KAUFMAN: One other thing that I have learned in my years here is sometimes you want to have a little bit additional to protect the environment, if you
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will. I have seen tanks like this sometimes laid in a bed of bentonite, which is impervious clay, as an extra safety feature. Basically, they go in and scoop out, say, a five- or six-foot dip, down, they put bentonite at the bottom of the trench, throw some sand back onto it, and then put pin structure up there. Would you have a problem doing something like that?

MR. McSHANE: I'll let the engineers talk about it a little bit. Let me talk a little bit more about the design of these tanks and how it works. These tanks will sit on top of an impervious concrete pad. That concrete pad will be pitched towards a transfer pad, which is the location where we have the transport trucks pull up to load the tanks. That transport pad
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will also hold 110 percent of the capacity of the truck that we bring onto that pad, so, therefore, you have not only the containment backup of the tank system in its own secondary containment, if it fails. If the secondary containment itself fails, it will then go on to a rack which is also impervious and contained, and will then capture it in that as well.

So there are at least three different levels of protection before this fuel could ever make it outside of the fuel storage area, per se. I know the systems you're talking about, and I've seen those. Typically, those are above-ground, single-wall tanks, and they do that, and then that becomes their secondary containment. We've got already three levels of protection on this.
MR. KAUFMAN: Didn't you have a rain event?

MR. McSHANE: Rain in the containment area is considered a hazardous material, and it denigrates the integrity of the storage capacity. It has to be monitored continuously. We have monitors in those containment areas and pump that water out through our environmental every time it rains. And we will not --

MR. KAUFMAN: If you have a spill during a rain, a major rain event, what happens?

MR. McSHANE: There will be a canopy over the system. So the amount of rainwater that will accumulate during any particular time will be environmental. You always get some, you know, amount of sideways rain or something along those lines, but this will
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have a full canopy over it.

MR. SWANSON: Just as a

comment before I forget, I hope

that you're going to answer these

questions in writing so that our

Health Department will be able to

see your responses.

MR. McSHANE: We can
certainly do that.

MR. SWANSON: Thank you.

Yes?

MS. RUSSO: Mr. McShane,
you mentioned earlier an
environmental overflow in the
containment area.

MR. McSHANE: Right.

MS. RUSSO: Again, going
back to any rain event or
rainwater accumulation in that pad
area, do you have a regular
agreement with Environmental to
flush out rainwater?

MR. McSHANE: That is
correct.
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MS. RUSSO: Do you have a contract or agreement?

MR. McSHANE: Yes. We call whenever it rains, and we tell them to come down. It's preprogrammed into all of our work at the three airports.

MR. SPEISER: I'm with L.K. McLean & Associates. In regards to the disposition of any tank onsite that would not be reused, this will go to some typical procedures where a contractor, a licensed contractor will come and clean out the tanks, remove all product inside, remove the sludge, and then would be cutting up the tanks for removal offsite, and generally, that cleaned-out, cut-up tank then goes in as scrap material.

MS. RUSSO: Mr. Speiser, are you doing this through all the guidelines of the New York State
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EEC regulations for removing --

MR. SPEISER: Absolutely.

All right. Next question was

a description of how aircraft are

fueled, hence is why I brought the

training video. There are,

essentially, two ways that

aircraft are fueled from our

operations. It's always by truck

or by -- well, I should say

probably three if you consider our

self-service system for the

airplanes. It's either by truck

or by self-service. But with

regards to the two basic

fundamental ways that we fuel

airplanes are either over wing or

single point. The over wing fuel

is very much like fueling your

car. It's a nozzle just like

that. Truck pulls up, you open up

the cap on the wing of the

aircraft, you fill it up, you

bring it to a certain point,
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whatever the pilot may request for
their fuel load, you finish that
job, you roll up the hose, drive
the truck away.

What I've brought with me
here today is something that I
think is a little bit more of
interest to the Board because
there's a lot of discussion about
the jet aircraft and so forth, and
I was able to take an excerpt from
some of our training videos. This
kind of gives you a little bit of
a background on the single point
fueling process for jet aircraft.
And I'll give you a little bit of
a picture. This is about a
four-minute run, so if it's okay,
I'll go and flip that on, and then
answer any questions you may have
about that. Is that okay?

MR. SWANSON: Yes.

MR. SPEISER: It'll take me
a second. I'm going to fast
forward through the music.

(Whereupon, the video is being watched.)

MR. SPEISER: It repeats this refueling procedure over and over and over again for every type of business jet that we'll handle, and it goes through all the different control panels on the various airplanes, so if anybody would like a copy of this at any time -- and I sat through it to make the DVD, because it was a VHS tape, and it's about 45 minutes. But I wanted you to get a general understanding of exactly what goes on in a single point fueling operation.

MR. SWANSON: Thank you.

And can you tell us what spill prevention actually occurs in this operation?

MR. SPEISER: The spill prevention is covered in our spill
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prevention control counter measure plan, which is currently being updated for our Gabreski Airport operation, and what we have onsite is capable of handling directly a 50-gallon spill at all times. We have a spill cart, and on that spill cart is enough material -- we use a product that is able to be incinerated. We have a relationship with the incinerator over in Islip so that any time that we would need to clean up jet fuel, if there were a spill, and from time to time you will have an aircraft dent or something along those lines, and you'll have a couple of gallons you have to clean up, and then we will document the manifest and delivery of product to, I think it's Montpelier or somebody that manages the incinerator at Islip.

As far as what's on the
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cart, there are pails, protective
gear, gloves, material for the
clean-up itself, nonferrous
shovels and the other equipment,
and fire extinguishers. Our first
course of action in the event of
any spill is we run out with the
mat. We have this large rubber
mat that covers any drain that
might be in the nearby area. This
is provided by the Hague
Corporation, and the mat itself is
impervious to fuel, and seal the
drain. So that's the first step.

Second step would be if
it's a full spill that is
traveling, it will be -- it will
run out -- there will be material,
a bag of the absorbent material,
and create sort of a berm around
it, prevent it from spreading, and
then clean it up.

In that process, the first
actions, the next thing that will
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happen is the airport will be contacted to let them know that we have a fuel spill that we're cleaning up. In many cases they'll send out the fire rescue teams to stand by and monitor the clean-up. As far as other requirements, there is a limit of when we have to notify the DEC. I believe that limit is five gallons. As soon as it hits that number, we will contact, and we have done on a number of occasions over the last several years, we contact the DEC, let them know we have a spill, they give us a spill number, we monitor and maintain that spill number and keep track of those records. Any spill that goes beyond that scope, if they're massive in quantity -- we haven't had one, but if there were one that would happen, you know -- we'd go out there, do the best we
Council on Environmental Quality could to contain it, contact the airport and we'd get the local fire department out to help take care of that, and then the environmental company would come out and do all their work.

MR. SWANSON: How volatile is the jet fuel?

MR. SPEISER: The jet fuel itself is not very volatile. It has the same flash point as heating oil, about 120 degrees Fahrenheit. It's actually not a flammable product, it's actually a combustible product.

MS. RUSSO: Mr. McShane?

MR. McSHANE: Yes.

MS. RUSSO: You said earlier you had had some spills. Could you give us a quantity of how many spills and a timeframe?

MR. McSHANE: I don't have that record with me. It happens from time to time. I would have
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to say in the course of a year, in
any given year, we probably have a
few, I mean, two or three maybe.
You know, what happens is
sometimes an aircraft will come in
and they'll be filling up the
airplane, and they have a valve on
the aircraft called the volume
top-off valve or something like
that, and what happens is that if
that fails for any reason or lets
some fuel spill out, you will have
a small spill that may occur. We
have a complete record of any
spills that occurred at the
facility. Certainly we can
present that to the Board.

MS. RUSSO: And these were
small spills, under five gallons,
or were they over?

MR. McSHANE: Anything
that's under five gallons would be
on our log; anything that's over
five gallons would have the DEC
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number attached to it.

MS. RUSSO: But I'm saying, most of these small spills, they were under the five gallons?

MR. McSHANE: Oh, absolutely. Absolutely. We very rarely have any significant spills on the site.

MR. KAUFMAN: Most of these small spills are from fuel coming out of the tanks while they're there?

MR. McSHANE: Yeah, that type of thing. Generally speaking, you know, we don't have any equipment failures or anything to speak about or any of those kinds of -- you know, aircraft venting, typically what happens on Learjets, for instance, on the old style, we don't see too many of these older airplanes anymore. Most of the operators have been bringing in the newer Beech 3
airplane, much quieter, much more efficient and have much better systems on them. The older airplanes, really, is where you run into trouble. These guys, on the older Lears, for example, have to transfer their fuel from the wing tanks into what they call their center or auxiliary tank in the fuselage, so when they're doing their transfer, you know, if the captain doesn't have a valve set properly, this was done by line service in our operation. I think nearly 100 percent of the spills that occur on the facility are not the fault of the operation but, in fact, the failure of the aircraft itself or the captain not having set a valve properly, so they're usually very small in nature.

MR. YOUNGMAN: When you're putting a full load of fuel and
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these older planes overfill, is it
a common occurrence?

MR. McSHANE: No, it's not
a common occurrence. Fuel spills
are not a common occurrence,
period. The more likely situation
is that -- and I bring up the
Learjet as an example, because
I've seen it happen -- where
they're transferring fuel from the
wing tap and then all of the
sudden see something coming out of
the vent. So what we'll do in
that situation, quickly throw a
bucket under the vent and then
clean up whatever may have hit the
ground. And we're out there with
the airplane. If it happens,
we'll see it.

MS. RUSSO: One more
question, Mr. McShane. You
mentioned earlier the SBCT plan,
and you said you were going to
update it or --
MR. McSHANE: We're in the process of updating it right now. We should have it shortly. All of the audits were done over the last few weeks.

MR. SWANSON: Will you provide that to us?

MR. McSHANE: Absolutely.

MR. SPEISER: Okay. The number of jet propeller aircraft that use the airport and Long Island Jet. I think we can speak certainly to Long Island Jet's operations. Our 2005 numbers show that we handled roughly 2,580 departures over the course of the year. A good portion of that, of course, coming through the summer months. A best estimate on the breakdown of those departures, the 2 percent are civilian helicopters, 43 percent what we refer to as light aircraft -- and I'll explain that momentarily --
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35 percent in the mid or medium size business jet class,
10 percent of what we refer to as the large business jet class for general aviation. And the remaining 10 percent covers the military, the Coast Guard and the Suffolk County Police Department's Medevac helicopter unit.

MR. SWANSON: That is somewhat less than ten flights a day?

MR. SPEISER: 7.1 flights per day on an annualized basis.

MR. SWANSON: You're also talking about the entire airport use or --

MR. SPEISER: Only our facility. I can't really speak to the entire airport. Although it has been said that we are handling 60 percent of those departures on the general aviation side. I guess we could do some math there.
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The Suffolk County PD Medevac helicopter runs roughly twice a day, the Coast Guard comes in on fairly routine missions, in here every other day. We see military trainers and various aircraft throughout the year. Most everything else is civilian or corporate. The designation, general aviation, that they're using are standard and typical small aircraft that we're referring to are either reciprocating or small business jet airplanes which would hold, let's say, up to six people or so passengers. The medium or mid-size jet would have a seating capacity of, perhaps, eight, and what really distinguishes the mid-size jet is that they have a larger cabin and more room. So if you're out on, let's say, a Lear or a Citation 1 like Cessna or by
Bombardier, when you're sitting in that airplane, you're going to be leaning over like this when you're sitting in the seat. When you're sitting in the mid-size aircraft, you're going to be sitting up nice, and you're going to have a little bit of extra head room and so forth. And then in the larger aircraft, typically, you can just about stand up, unless, of course, you're 6'4", and then there isn't a business jet aircraft out there that allows you to stand. I'm not 6'4", so I don't have that problem nor do I get to travel in these jets.

In terms of our numbers, I don't have the complete numbers for 2006, but we're off about 6 percent over 2005 in terms of our sales and so forth. So the estimation, though, would be that when we do get to looking at the
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hard numbers for '06, that we'll
have seen about a 6 percent
reduction in the number of flights
overall. But per hour operation,
what I would like to say there,
though, is I think that the mix is
changing somewhat, because we're
seeing some increases in volume of
fuel, and if we can go back to
when Long Island Jet Center
initially arrived at Gabreski
Airport, and this goes all the way
back to 1995, and the most telling
situation was that the air traffic
dwindled throughout those next two
years, but the fuel volume and
revenue to the airport actually
increased, and that's a result of
bringing services to the airport
that weren't previously available,
and airplanes being able to stay
there, which is a good part of our
argument with regards to our
current development plan, and I
think the similar thing is happening right now. We're seeing a slightly different twist in the mix, so what we may see is lower numbers for 2006 -- and I'm only speculating on it at the moment because the volume was fairly flat, you know, in terms of gallons. We didn't see much of a change in the volume, but our revenue was off, which would indicate to me that we were operating less flights, but perhaps slightly larger airplanes. So perhaps slightly larger airplanes, so maybe more of it has mixed into the medium or the large versus most of it currently being in the small aircraft. And I don't know that for sure, but I've been in the business now 24 years, and when I look at these numbers, that kind of tells me that story.

MR. KAUFMAN: Basically,
you're saying, if I'm reading the numbers correctly, a little under 2600 departures for 2005 and somewhat down -- I think 60 percent down -- for 2006.

MR. SPEISER: That's correct.

MR. KAUFMAN: If you build these structures that you're talking about and increase your tank farm and things like that, what is the capacity level that your going to be ending up with? In other words, can you service more jets and other aircraft than you presently use in the airport at this point in time? Upgrade of existing service?

MR. SPEISER: We can service any volume of jets that come through that airport. The involvement of our site certainly gives us the capability of handling more of those airplanes
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on our property instead of
divvying them up all over the
airport and towing them across
taxiways and runways and so forth,
to park them when we're prowling.

I think if you take a look, and
I'll try to bring it up on the
screen -- I brought my laptop here
-- at the property out east, which
is the other FBO on the airport,
it's interesting to see, it's been
said that we're currently handling
60 percent of the departures on
the general aviation side, that if
you look at the property layout,
Meloy is currently operating
26,000 square feet of hangar
space, has six acres of transient
ramp, but traditionally for
tie-downs, handling 40 percent,
and if you look at the comparative
analysis and say that they're
operating a facility that is, I
would say, at least three to four
times the size of what we have and still going to be larger than what we're proposing, and we're handling 60 percent of the traffic, you can understand our dilemma. We really need a place to put these airplanes when they arrive, and essentially, we're looking to establish what we consider a baseline size FBO facility.

So right now, we're operating out of a 1940 facility, which is completely rundown, and I report to you that the face of the community is very much said by what the airport looks like because people fly into it, and it's one of the first things that they're going to see, and what we're showing about our community is really not a very pretty sight. So in terms of increasing capacity, we will not do anything
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that's going to increase capacity
for the airport. We will
definitely be able to increase the
capability, as in our ability to
handle our current customers, no
question.

MR. KAUFMAN: Do you think
you're going to be attracting
people from outside of the area?
For example, Westchester always
has overflow, and apparently
sometimes sends off to Teterboro.
LaGuardia -- this is the past
now -- sometimes when they've had
overflow they send to Westchester.
Are you anticipating a situation
like this where you may be a
receiving zone?

MR. SPEISER: We get those
now. I mean, when there are
diversions out of East Hampton
because of weather and its
capacity, we get absolutely
slam-dunked. We get jets landing
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in East Hampton. When East Hampton and West Hampton used to shut down because there wasn't an instrument approach at Gabreski Airport, Islip was booming in terms of the amount of traffic that came there on a particular weekend. So all airports in the region will become relievers, to some extent, of over capacity at other airports regardless of our development. We just want to bring the place into the 21st century, of course.

MR. KAUFMAN: What you're basically saying, if you look at it in a converse way, is you're establishing a certain level of service. You hope to service, if you will, the traffic that you already have at this point off of the facility tie-downs, whatever. But at the same time, you are admitting, if I'm not mistaken,
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that you could handle surges in
aircraft.

MR. SPEISER: The airport
has the capability today to handle
surges in aircraft, and it has.
The U.S. Open is a perfect example
of that. I think there was
something in the neighborhood of
65 or 70 additional business jets
parked on that air field during
that event. We also had several
thousand automobiles there as
well. I think that it's fair to
say that airports, once the
runways are in place, can handle
whatever the capacity that
runway's capabilities are. The
demand and the growth of the air
field itself is driven, in large
part, by the development of the
east end of Long Island. It was
in the paper again today,
actually, that the Long Island
Power Authority says that the Long
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Island population is increasing, not decreasing. In the ACAP minutes, it was said clearly by the members of that Board that there has been tremendous growth on the east end of Long Island in terms of development of housing. We have wonderful golf courses, we've put in the Tanger Mall. We've done all of these things which have increased automobile traffic, ferry traffic, train traffic and, yes, airplane traffic as well.

The interesting thing about an airport is that the airport can accept that aircraft traffic with or without the facilities, so the development of facilities at the air field will not encourage or develop or grow air traffic. It is a part of the economic engine in the region because people will live here, but they say, "Wow, I
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can get out of here or I can park
my airplane there and I can fly my
airplane to Gabreski Airport."

MR. KAUFMAN: But you also
have to understand what we have to
look at, here at this Board,
there's apparently a lot of
community opposition to this,
which I think everyone on this
Board here is aware of. We've
been flooded with letters, lots of
information going back and forth,
etcetera. And one of the things
we have to deal with in assessing
this from a State Department
Audit & Review Act standpoint is,
what are we looking at, basically,
in terms of possible traffic?
That is one of our charges here.
Admittedly, it's an airport. I
understand that airports generally
have planes landing on them.
There are no limits on lot traffic
in a lot of the master plans and a
lot of land use plans for in the area.

What I'm trying to drive at is, you guys, as part of Long Island Jet, what are we looking at in terms of possible increased usage? You're basically saying that there's a large capacity, you're going to have more bells and whistles, if you will, available to service the aircraft, etcetera. Realistically, how much might we be looking at in terms of a percentage? I do see the fact that you're down 6 percent. But, again, is this going to bring in more aircraft?

MR. SPEISER: We are wanting to build the hangar facilities for several reasons, not the least of which is that we can base airplanes, we have a high demand for overnight hangar space. Initially, we're hopeful that
we'll be able to utilize that demand for overnight space, which is helpful for air traffic, of course, because people don't have to leave the airport to go to other locations and house their airplanes, so we're hoping to use that capability to help generate, of course, revenue, because that's the business we're in, for the facility, and it will be helpful for keeping us profitable perhaps, or at least pay our bills during the off-season if we could have some of these people who now come and go from the airport based with us.

Again, I reiterate that the development of Long Island Jet Center simply brings us to an equal and level playing field with the existing operator on the field in terms of the ability to park airplanes safely and so forth, we
Council on Environmental Quality will not be bringing in additional aircraft. Remember, we do not own airplanes, we do not charter airplanes, and we're not bringing them in. We're a service company. We are the local gas station. When you go to the local gas station and you stop by and you're going to fill your car up, that's who we are, and what we try to do is provide a comfortable facility for the pilots and crews to come into, provide a good face to the community and provide the minimum required storage capability for airplanes to keep them on the airport and help our economy there.

So there will be growth at Gabreski Airport. There will be growth at every airport on Long Island, I suspect, because the economy on Long Island is continuing to grow, but it is not
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going to be as a result of the
development that Long Island Jet
Center is proposing here today.

MR. SWANSON: Thank you

very much. Will you remain in
case there's questions?

MR. McSHANE: I think we

have one more thing for you. No?

MR. SWANSON: I think you

answered it.

MR. FULKERSON: I just have

a couple of things I'd like to, if

I could, read into the record. Is

that okay?

MR. SWANSON: Yes.

MR. FULKERSON: In Newsday

on March 13th, referring mainly to

the sewer problem on Long Island,

the County Executive indicated

that Suffolk County's policies

focused more on future planning
decisions than on undoing past

mistakes. "Future development

corridors should be concentrated
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in areas already served by sewers, such as Yaphank and Gabreski Airport in West Hampton and Stony Brook." I've already said what APAC has to say about the development on the East End and LIPA said that the population is increasing. At the ACAP meeting, there's been some discussion about the record, and I've offered to provide our records to County Health Department with regard to spills and so forth. There's a lot of discussion about our record on compliance with regard to our storage facilities there, and I'll quote the inspector for Suffolk County Department of Health Services. "We looked for technical compliance and then we look at operational compliance, and I think all the tanks here are technically compliant, which means they meet standards. There is one
tank that's operated by Malloy
that will be out of compliance in
2010. All single wall tanks have
been replaced with above ground
tanks. All Long Island Jet's air
tanks are in compliance. The
violations, that we did note were
operational compliance issues,
paperwork issues they required
them to do as part of the
management to inspect their tank
and ancillary equipment and make
sure it's in operating order.
They have to keep track of records
of those self-inspections on a
monthly basis and they were not in
compliance with that, but they are
now."

The amount of regulatory
oversight that an airport receives
and that an aviation supplier
company like ours receives is
fairly intense, and it is
important, I think, for people to
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understand that unlike some
businesses or garages that are off
airport or in the neighborhood
where things could be going on
that may not be caught, we are
literally in the fishbowl when it
comes to regulatory compliance,
and we are required to respond to
the Suffolk County Department of
Health Services, the Environmental
Protection Agency, the New York
State Department of Environmental
Conservation, the Federal Aviation
Administration, the United States
Department of Agriculture, the
Food and Drug Administration and
OSHA made safety first, which you
saw a piece of today. Our people
go through part 139 fire training,
and we have to comply with AFTA
407 and 409 with regard to
handling of fuel and hangar
facilities.

In addition to that, I just
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want to note that all of our
employees are fingerprinted,
federally background checked,
criminal background checked,
random drug screening under the
New York State DOT drug screening
program, and very intensely
trained about their environmental
responsibilities at an airport.

I have a letter which I'll
read into the record, and then
I'll leave you a copy of it from
the airport manager at the
Republic Airport. "To whom it may
concern: Republic Airport is the
third busiest general aviation
facility in the State of New York.
To manage it successfully requires
a level of professional teamwork
and competence. Long Island Jet
Center joined that team as one of
two first class FBO operators at
Republic Airport in late 1999.
Since that time they have directly
Council on Environmental Quality contributed to Republic's considerable operational success.

Long Island Jet Center manages 25 acres of facility with approximately 100,000 square feet of hangar space. They manage a 60,000 gallon above ground aviation fuel storage facility at the airport. Since their tenancy, they have invested in state-of-the-art monitoring systems and video surveillance of their entire facility that underscores their adherence to Republic's commitment to operational excellence.

They have a solid record on the environmental compliance and have always resolved any questions regarding regulatory issues in a prompt and professional manner.

I have had the pleasure of working with their professional management team since their
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arrival at the Airport. Since Long Island Jet Center assumed their role as a Republic FBO previously voiced concerns from aviation tenants (sic) have steadily declined. While we are fortunate to have two very professional FBO's at Republic there is no question the LI Jet Center's leadership has been a significant factor in helping to create a positive relationship with the other airport tenants (sic) and the community as a whole.

They have been very supportive of initiatives to reduce noise in the community surrounding the airport by helping to encourage pilots to use our voluntary noise abatement procedures and by encouraging sub tenancies for aircraft operators that operate the newest Stage 3
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aircraft.

In addition, Long Island Jet Center has been a true partner with the Airport by helping to educate the general public about the role of general aviation and its ability to strengthen the region's economy. In particular, last year they helped create, support, and project the region's first "Aviation Career Fair" in cooperation with the Aerospace Education Corporation and Republic Airport.

Given my perspective, with years as an airport professional, it would be safe to say that there are very few FBO operators that spend the financial resources that Long Island Jet Center has provided in giving back to the industry and the community.

The most dramatic example of their charitable work is their
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leadership role in supporting the
American Airpower Museum at
Republic Airport. Museum
officials would tell you in a
separate affidavit that their
nationally honored institution
would not exist today without the
direct support and financial
underwriting of Long Island Jet
Center. There is no small irony
that the museum has received much
positive publicity in The New York
Times, Newsday, The Daily News,
New York City broadcast outlets
and News 12, but it is the quiet,
unheralded efforts of Long Island
Jet Center that has given them the
economic power they needed to put
their historic aircraft into the
air.

Long Island Jet Center's
management team, employees and
track record speak to a standard
of excellence. They are an asset
Council on Environmental Quality
to our industry as well as our
airport. Please feel free to
contact me if I can be of further
assistance in providing you with
any insight you may require
regarding their role at Republic
Airport. Sincerely, Shelley
LaRose Arken, Airport Manager."

MR. SWANSON: Is that it?
MR. McSHANE: Thank you.
MR. SWANSON: Mr. Ceglio,
could we ask you to come back to
the table?
MR. KAUFMAN: Mr. Ceglio, I
have some questions that I'd like
to ask you. What I'm going to be
trying to drive at is contrasting
information you might give with
what we've heard from Long Island
Jet. You're a Suffolk County
employee, as I understand.
MR. CEGLIO: Yes.
MR. KAUFMAN: And as such,
I would ask you to give complete
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candor to the questions that I will be asking you.

One, do you have experience in the aviation field in managing an airport facility?

MR. CEGLIO: Yes.

MR. KAUFMAN: How many years have you been doing that?

MR. CEGLIO: I've been at Gabreski Airport for almost three years.

MR. KAUFMAN: Oh, okay.

The present ground capacity at the airport, in terms of numbers of the aircraft that can be based there, in your opinion, is Gabreski overcrowded at this point in time?

MR. CEGLIO: I'm just trying to formulate an answer, but during the peak season, summer season, it can be considered overcrowded. There are aircraft, as was mentioned before, that have
to be towed from ramp areas, across runways and taxiways to remote parking areas.

MR. KAUFMAN: In your opinion, is there a deficit in hangar space for existing aircraft use at this point in time?

MR. CEGLIO: There currently are a hundred based aircraft at the airport. Several of them -- I would say at least half of them -- have requested parking inside of hangars that are, right now, not available. There is no available hangar space on the airport right now.

MR. KAUFMAN: Given your experience with pilots and aircraft owners, is a hangar something that they really do want to try and access or hope to have built in the area?

MR. CEGLIO: If possible, yes. A lot of the aircraft, even
small, single-engine aircraft, can
cost now upwards of over a hundred
thousand dollars. The aircraft
that currently are serviced by
Long Island Jet are several
million dollars, so, yes,
considering the type of damage you
can get from leaving an aircraft
out in the weather, typically, the
storm that we had last week or out
in the sun for several days, if a
pilot or an aircraft owner can get
a hangar, he's usually looking
to -- and especially an affordable
hangar, looking to put his
aircraft inside rather than leave
it outside.

MR. KAUFMAN: What do you
think is the present service level
at the field right now, in terms
of repairs, storage, things like
that? Do you think it's adequate
at the airport? Do you think it
needs some additional help, if you
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will, to service the existing
units?

MR. CEGLIO: Again,
seasonal, the wintertime it's
certainly adequate. Summertime, I
would say it's inadequate. There
is definitely a need for
additional space.

MR. KAUFMAN: Have you had
a problem with or issues with
planes going elsewhere to be
fueled or being serviced elsewhere
because the facilities are lacking
here?

MR. CEGLIO: I don't know
if I could answer that a
hundred percent. I know that --
excuse me?

MR. KAUFMAN: Or something
that you've simply noticed in your
capacity.

MR. CEGLIO: Well, our
maintenance facility is very
small, but it's based on demand.
We don't have a large demand for aircraft maintenance at the field right now. So there are aircraft that, for instance, need to get a radio repaired. There's no facility at the airport to do that right now, so they'll go someplace else, Connecticut, New Jersey, some other place.

MR. KAUFMAN: And that actually will add aircraft traffic to the mix, if you will. If somebody has to leave to get repaired elsewhere, they have an extra trip.

MR. CEGLIO: That's certainly a possibility, sure.

MR. KAUFMAN: Do you believe that the possible expansion of service facilities here will increase jet traffic or aviation traffic, and in your opinion -- and I'm not asking for hard numbers or anything like
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that. In your opinion, how much
do you think that might happen if
this project is approved?

MR. CEGLIO: I think, as

was stated, that the traffic at
this airport is driven by the
number of people that live in the
surrounding communities. Just
because we have a fixed base
operator there or some hangars,
Gabreski Airport is not a
destination airport. People
aren't flying in here because we
have a wonderful airport. They're
flying in here because of the
community. Especially in the
summertime, the beaches, the
tourism, that kind of thing.

MR. KAUFMAN: Related to
general population trends, as the
people from Long Island Jet were
saying.

MR. CEGLIO: Correct.

MR. KAUFMAN: It's not a
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situation where if you built it, they will come, to quote a movie line?

MR. CEGLIO: They're coming already, and, again, it's not because the airport is doing anything different. The airport's been there, it was stated before, since 1943. So whatever we do, it's not going to draw more traffic in here unless there is a reason for the traffic to come here. Like I said, whatever's going on in the local community and the East End and the population increase on Long Island.

MR. KAUFMAN: Knowing airport operation, do you think that expansion of this FBO will need outside traffic to help it work? I know the question has basically been asked before and it's been brought up, but I'm
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asking you your opinion at this

point. Do you think that they

will basically be handling what is

over there now as opposed to

attracting?

MR. CEGLIO: From what I've

seen over the past three years

there, there is enough traffic --

and I don't know the business

situation of Long Island Jet, but

there's enough traffic in the

summertime during the season, the

in season at the airport, to

sustain what they're intending to

do. As Long Island Jet mentioned,

there's a need for parking

aircraft indoors overnight.

Currently, some aircraft, the

larger aircraft, will come in,

drop off passengers, fly to

Teterboro Airport or Westchester

Airport, where they can park their

airplane overnight, and then come

back on Sunday to pick up their
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passengers.

MR. KAUFMAN: Basically, you're saying it's adding traffic that they can't really be based there.

MR. CEGLIO: It's certainly a possibility, yeah.

MR. KAUFMAN: One final question. I've come up with this independently, but I'm noticing a letter from Forest Markowitz in here, which kind of ties in. In your experience, have you seen FBOs at other comparable airports that have expanded in this range or when they have expanded in this type of a range, have they created more incoming traffic or have they just increased service of the existing level?

MR. CEGLIO: That's kind of a hard question to answer only because I think it's different at every airport. Depending on where
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an airport is, it certainly could
draw traffic from an airport that
doesn't have adequate or as
adequate facilities as the type of
development that we're talking
about. I don't know that there's
any airport that has the type of
facilities that we have which
could be considered inadequate.
I've been told that Gabreski
Airport is the most underutilized
facility in the northeast United
States only because of the number
and types of hangars. So I don't
think that by building these
hangars we're going to draw
airplanes from East Hampton,
Brookhaven, MacArthur, that kind
of thing.

I don't know if that
answers your question or not.

MR. KAUFMAN: It does.

I have no further
questions.
MR. SWANSON: Any other questions?

(No response.)

MR. SWANSON: Thank you very much.

Now why don't we take a break so our stenographer can rest her fingers. Five minutes.

(Whereupon, a short recess was taken.)

MR. SWANSON: I would like to ask everybody's forbearance of trying to accommodate a number of people's schedules, and I'm going to stop the debate and discussion now on the airport temporarily so that we can try to accommodate several other people that have to leave here by noon.

MR. POTENTE: Mr. Chair?

MR. SWANSON: Yes.

MR. POTENTE: I have to leave at 11:30.

MR. SWANSON: Okay. So
we're going to go to the
resolution appropriating funds in
connection with the restoration of
wetlands. Is there anybody here
that would like to speak to that?

MS. GALLAGHER: Yes. We
actually have a presentation to
give you. I'm going to suggest to
you that given the large agenda to
do an abbreviated version, so I'll
be skipping through a number of
the slides to get to what I see is
maybe four of the key slides. We
do have handouts of the
presentation, as well as a
one-page overview of the proposed
stewardship committee, and
hopefully, you'll find that
information useful. I think that
this particular item in front of
you is an appropriations bill.
It's to appropriate funds from a
capital project to prepare a plan.
So it is meant to be and,
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hopefully, it will only take a
moment, purely an administrative
function just to appropriate the
money in order to collect data and
conduct some studies in order to
conduct a strategy for better
management of our 17,000,
approximately, of tidal wetlands.

In this year, it would be $220,000
and --

MS. VILORIA-FISHER: Ms.
Gallagher, would you yield for
just a moment?

MS. GALLAGHER: Sure.

MS. VILORIA-FISHER: I
asked CEQ to review this, although
it hadn't gone through CEQ, it
came directly to the Legislature,
because I had questions about some
of the whereases, and I was
concerned that the implications
were more than just budgetary.

And this is why this is unusual
that it would come to CEQ at this
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juncture, but I just wanted more
eyes to look at it who had
familiarity with the entire
program and because CEQ has been
looking at the long-term
management plan for so long and is
so familiar with it, I thought
that it should be this body that
looks upon it.

MS. GALLAGHER: Thank you,
Commissioner.

MS. VILORIA-FISHER: Sure.

MS. GALLAGHER: And we
thought that when we put in the
appropriations bill that it was
written in such a way that it
would be a Type II status because
it refers to data collection and
studies, and you'll see that we
put up here a section of SEQRA
that would be applicable in that
case. I was going to do an
abbreviated version. If you want
I can go through all the slides,
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but they're all in your handouts.

I just figure it would be better
to do a quick, ten-minute
discussion than the full
20 minutes of slides. We have
examples of what was done, so I
thought what I would try to do is
explain a little bit more of the
program itself.

This is kind of a flow of
how the over-arching wetlands
stewardship program would work.
The applicant would have to submit
their proposal, and it would go to
what we're proposing as a wetland
stewardship committee. This whole
program actually came out as a
recommendation for the long-term
plan, and that steering committee
would be made up of the
representatives you see listed
along the bottom of the slide
there. It would have 18 members.

Members from the Long Island Sound
Council on Environmental Quality

study, the Estuary Program, the South Shore Estuary Reserve, DEC

two different units within

DEC -- Department of State, the Legislature, the County Executive's office, Department of

Energy, which will serve as chair, Health Services, Public Works,

Planning, Parks, CEQ, and then

four nonprofits, two to be appointed by the Legislature, two to be appointed by the County Executive's office, with the idea that the steering committee would really be the policy makers. They would be supported by technical experts in the Wetlands Management Work Group that then would review and make recommendation in an advisory capacity to the Legislature, who would then approve or disapprove the actual project.

The projects would occur
only after we had already developed this stewardship plan. So the money, again, that we're asking to be appropriated is to develop the plan, to do the data collection studies necessary to develop a strategy and a plan for managing the wetlands. So this provides a little more detail about what we're hoping to do with this funding. It's really not for restoration at this point, it's for planning purposes at this point. It would be used to support the stewardship program strategy. It does have a relationship long-term plan since it supports the stewardship strategy. And we can go ahead with this stewardship strategy irrespective of the long-term plans. Now, since the plan passed last night, that's no longer an issue, but there was some concern
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that maybe that would continue to
drag out. There is a draft work
plan that's been developed as part
of the long-term plan, and the
funding, the total funding, is
$500,000. That's a capital
project that exists right now, and
we're asking for $220,000 for this
stage 1.

So, again, to go through
kind of this flow chart of how the
program would work, the funding
would be used for the lower half
of the slide, having consultants
who would do field work and
develop strategy, and then work
with the County to refine that
plan, that wetlands stewardship
plan, in conjunction with
Department of Energy, Health
Services, Public Works, Planning
and Parks. And after that plan
was developed, we would start
really utilizing the technical
experts and the stewardship committee for approving any projects that might be recommended as part of that plan. And then eventually, this will be incorporated into the long-term plan update, the triennial plan update.

And I think those are the key points. Walt, do you want to add anything or jump back to anything at this point?

MR. DAWYDIAK: No, I think that was an excellent overview. Again, just to recap, there's a project review function of this wetland stewardship committee, which is contingent upon the long-term plan. But if any part of the long-term plan isn't validated for any reason whatsoever, this planning function is independent, then we actually help the County Executive draft
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this resolution accordingly.

There's some whereases about how this grew out of long-term plan recommendations. The only ones that count in this resolution are that the Department of Environment will oversee development of the strategy, and the strategy approach has been deemed to be the most appropriate way to preserve and restore our wetlands. That in response to Chairman Swanson's point about adding preservation and to charge.

And again, it's a simple appropriating resolution for a planning study which is related to the long-term plan, but not contingent in any way upon it.

MR. KAUFMAN: Do you have more slides?

MS. GALLAGHER: I do.

Would you like me to continue or go back to some?
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MR. SWANSON: I think we ought to strike the review and the resolution.

MS. GALLAGHER: If you have any questions on the entire presentation, which you have a summary of there, or you have all the slides, feel free to contact myself or Walt.

MR. DAWYDIAK: I'm sorry, we don't have the presentation or handout of the resolution.

MS. VILORIA-FISHER: We don't have the slides.

MR. DAWYDIAK: I'll wander around and see if I can track down three manila envelopes. Oh, I think they've been found. Yeah, there were three folders with sets of each of the handouts floating around up there.

MR. KAUFMAN: While Viv is handing the rest of the folders out, I was reviewing the bill a
couple of days ago. I'm looking at the seventh and last clause, and this gives me a little bit of a pause. I know the intent of this particular reso is to have a Type II action applied to it or add a Type II as, basically, a planning function. But if you look at some of the language in number 7, it worries me a little bit. "Whereas Cornell Cooperative Extension of Suffolk County has developed a workplan (sic), in cooperation with the NC (sic), for the development of the Wetlands Stewardship Strategy, wherein (sic) you will coordinate activities among estuary programs" -- that's the first problem -- "develop indicators of wetlands health" -- that's okay -- "assess wetland health, establish preservation and restoration priorities, and design and
Council on Environmental Quality implement pilot projects."

Those are two areas that give me pause, and I think that that is what Legislator Fisher also responded. First off, when you're talking about coordinating activities among estuary programs, that might throw this into a Type 1, and it might require some sort of coordinated review and might also involve having Suffolk County attempt to clear itself as lead agency. Again, you're dealing with Federally and State recognized estuary programs. I assume you're talking about Peconic, Long Island Sound.

The second thing is "design and implement pilot projects."
The word "implement" is very dangerous to me. As I understand the long-term plan and the GEIS, which apparently passed yesterday, there's basically a three-year
freeze on actual implementation of anything. Their design can forward, but there's a three-year freeze on implementation of a pilot project.

MR. DAWYDIAK: If I could correct, with the exception of minor projects.

MR. KAUFMAN: That's where we get into verbiage. That makes me a little bit jumpy in terms of this particular res. While the GEIS and the master plan may have that small exception in there, I'm not sure we're at the stage yet in this res where we can say "implement." It does come very close to that three-year looking or planning process. So I wanted to throw both of those things out to you. There are other ways to coordinate activities with the estuary program, the legal language. The word
"implementation" does give me 
pause. I think that that might 
throw it outside of the activity.

MR. DAWYDIAK: All right.

Thank you, Mr. Kaufman. I mean, 
that's a good point. I can tell 
you how we've historically dealt 
with these sorts of planning study 
appropriations through programs 
like the Peconic estuary program.

The language of SEQRA specifically 
states that if you're not 
committing to a specific course of 
action, it's still in the realm of 
planning. Once there's a 
commitment to a course of action, 
then SEQRA kicks in. So we have 
had appropriations for planning 
studies, for example, the Peconic 
estuary program, that have 
culminated in wetlands restoration 
and wastewater treatment plant 
upgrade. Until you're at a point 
where all have agreed that a
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project should be at a point where we're thinking about committing to it, SEQRA doesn't kick in. So, you know, again, if CEQ is more comfortable changing the language, we're fine with that, but I can tell you in the past, we have considered this to be a commitment to a course of action, and we've treated it as a Type II.

Mr. Bagg.

MR. BAGG: If I might point out, Walt, I mean, in this resolution, all the whereases kind of give an overview of what's taken place to date, but it's the resolve that really deals with what the project is at hand. And these resolves only simply say "wetlands restoration." I mean, you are actually funding the development of this wetland strategy and the compiling of databases, which is clearly a
Council on Environmental Quality

study, and you have to state that,
that that is what the Legislature
is funding, and that's funding
wetland restoration.

MR. DAWYDIAK: The funding
is, by definition, within
planning, and a capital program,
all the money is in the planning
except object code. I don't know
if it's listed here. Maybe it
used to be. We have not done
that. It's a planning
appropriation by the nature of
where the capital funding sub
object code is.

MR. BAGG: Well, it might
be misleading, but here it says
"wetlands restoration." It
doesn't say anything here about
planning, it doesn't say anything
in here that --

MR. DAWYDIAK: The actual
title of the capital program is
"Restoration of Wetlands."
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Initial appropriations are proclaimed. After the three-year window, there will be a major appropriation for restoration implementation. That doesn't happen -- any demonstration projects, they're called pilot projects because they would be in the nature of study, just like wetlands, you test it and watch the results.

MR. SWANSON: I think we're concerned, you know, monies can be reprogrammed, and I would suggest that this actually go back to the Legislature to be recast.

MS. VILORIA-FISHER: Well, actually, it came from the County Executive. But if I may just interject something. Walter, and I have sometimes been at ground zero of accusations
Council on Environmental Quality regarding a lack of oversight, and so I would rather err on the side of caution, looking at this and having the wording and the parsing of words be very, very clear because my commitment to the process is that there will be very close oversight of any wetlands management. And so the word "administration" did give me pause. The lack of parallel language in the whereases and the resolve clauses, also, I'm concerned with. And although the capital program is entitled "Planning Process," as Larry just said, the implementation of funds, sometimes some wiggle room occurs, and we just want to make sure that in the resolution itself the language is very tight.

MR. DAWYDIAK: I appreciate that, but I have a proposal, if I might, that might address the
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concerns I've heard today. I think it would be relatively trivial to file an amended or a corrected copy. We're trying to get a stewardship committee meeting going, and it would be good to have this in place. If we took out the clause, Mr. Kaufman, in whereas which says "which will coordinate and design and implement pilot projects," that takes that out of the mix.

And to address Mr. Bagg's concern, we can indicate that in the third resolved clause, "the proceeds of $220,000 in Suffolk County serial bonds be and hereby appropriated for wetlands planning activities, as follows." I think that would take "implementation" out and make clear that it's planning.

MR. SWANSON: The title also needs to be changed.
"Appropriating funds in connection with planning for restoration of wetlands." I think that would throw it entirely into a Type II, and then it wouldn't be a problem.

MR. BAGG: If I might recommend, Walt, you might change the title.

MR. KAUFMAN: Yes.

MR. DAWYDIAK: Okay. That would be the third change, then. Thank you.

MR. SWANSON: Legislator Viloria-Fisher, does that answer your question? Or would you be more comfortable...

MS. VILORIA-FISHER: If those are the recommendations of CEQ and nobody else has a problem with any of the language, then I will go with the recommendations of CEQ.
MR. SWANSON: Any other questions of Commissioner or Mr. Dawydiak?

(No audible response.)

MR. SWANSON: A motion?

MR. KAUFMAN: I'll make a motion that as amended, that this be classified as a Type II action.

MR. SWANSON: Second?

MR. BAGG: Yes.

MR. SWANSON: County wide?

MR. KAUFMAN: Yeah, County wide.

MR. SWANSON: Okay. Any further discussion?

(No audible response.)

MR. SWANSON: All in favor of the motion?

(Whereupon, all those in favor responded, "aye").

MR. SWANSON: Opposed?

(No audible response.)

MR. SWANSON: Abstentions?

(No audible response.)
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MR. SWANSON: Motion carries. Thank you very much.

MS. GALLAGHER: Thank you.

MR. DAWYDIAK: Thank you.

MR. SWANSON: Now we'll go back to the airport. I'd like to open the discussion right now as to what type of action we might have for the airport, and then after that discussion, we'll open it to the public.

MR. KAUFMAN: So we're back on the airport?

MR. SWANSON: We're back on the airport.

MR. KAUFMAN: I originally thought that this might have been an unlisted action because I was looking at the overall acreage, which is, apparently, under ten, as most recently amended. But I believe Jim has looked at the regulations and has come up with something that might throw it into
a Type 1 regardless of the acreage. There was an issue, normally, under SEQRA you don't look at the actual leased area, you look at the area that's going to be reconstructed, if you will, and that was under ten acres, as far as I was concerned, but there are some other regulations which Jim has looked at and may change my opinion on it, and I'd like to hear what he has to say.

MR. BAGG: When you look at the SEQRA regulation, I mean, SEQRA really deals with what is the physical alteration of a proposed project. Not the size of the lease but the actual physical alteration of the project. And the project has always been a physical alteration of less than ten acres. However, the SEQRA rules and regulations then go on to say that, basically, the
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expansion of an existing nonresidential facility by more than 50 percent of any of the following thresholds, which is ten acres, which brings it to five acres of physical alteration on expansion of more than five acres bring it into a Type 1 action category. Now, if it's recommended or whatever the classification is, Chapter 279 says the initiating unit is supposed to submit what they feel the initial classification is to the CEQ with the reasons associated with that classification for the Council to consider. To date, that hasn't been done. Although it's marginal, the EAS states that the physical alteration is going to involve 5.18 acres, which exceeds the threshold and makes it a Type 1.
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Now, if that's the case, and the Council makes a recommendation and that's what the action actually is, then technically, SEQRA requires that the County has to have a coordinated review of all involved agencies. So if it is, in fact, Type 1 action, the initiating unit is going to have to seek SEQRA lead agency on behalf of the County for this particular project. And they're going to have to seek it from the New York State DEC, which is an involved agency, with respect to storm water and possibly restore and they're probably going to have to seek it from the Pine Barrens Commission. Because although it's in the CGA, the Pine Barrens Commission does not relinquish its authority on anything in the Pine Barrens. So they could request
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SEQRA agencies themselves.

So the initiating unit and Economic Development, and the Workforce and Housing, if it is, in fact, a Type 1 action, going to have to go out, coordinate the reviews, send out the EAF.

There's involved agencies that should also send to interested parties and request that they want to be SEQRA lead agency, request their environmental concerns and the County has to be designated the SEQRA lead agency before it can act and make a determination one way or the other, which is either a negative declaration or a positive declaration. So at this particular point, if, in fact, the action is a Type 1 action, then technically, the project is going to have to be tabled until the County is designated the lead agency.
In addition, I think the Applicant has said they're going to provide additional information in writing, in detail, similar presentation they've given today. That material is going to have to be transmitted to the Health Department for their review with respect to Article 6, 7 and 12, and any of their other jurisdictions, so when they come back to the CEQ for their comments, they have that material in hand. The Health Department is going to request at the airport, among a number of other things that they have requested that the County Council defer the project until at least April so that they can come in with a response.

MR. SWANSON: Okay. Any comment on Jim's analysis?

Questions?

(No response.)
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MR. SWANSON: Okay.

Mike.

MR. KAUFMAN: Mr. Chairman,

I do believe that it is a Type 1.

I think John Potente was correct

last month when he thought it was

a Type 1.

MS. SPENCER: Have you set

a motion?

MR. SWANSON: No. It's my

recommendation, actually, that we

table this until next month,

because we want to hear from the

Health Department. We also need

some answers in writing, as Jim

indicated, to the Health

Department by opposers to the

action, and so it seems to me that

it's best if we table it.

MR. KAUFMAN: We also,

frankly, need to table it because

Type 1 coordinator.

MR. BAGG: The Council, in

the past, has recommended an
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unlisted action, and so for the
Department of Economic Development
and Workforce Housing to proceed,
somebody has to intimate that it
at least is a Type 1 action and
the County's going to coordinate
the SEQRA lead agency. At this
point, it's still in limbo.

MR. KAUFMAN: Mr. Chairman,
would you entertain a sense of the
Board as a directive to Economic
Development that this is probably
a Type 1, without necessarily
voting on it at this point?

MR. SWANSON: Yes.

MR. NARDONE: Why can't we vote on it?

MS. VILORIA-FISHER: Yes.

MR. BAGG: You don't make a
determination. Classification has
nothing to do with determination.
You don't have to make them both
at the same time. I mean, you
look at the rules and regulations,
you look at the Type 1 list and
you classify this action based on
the materials presented. You make
a determination. If it is a Type
1 action, then that means Economic
Development Workforce Housing will
have to do a perennial review and
send it to the involved agencies.
And the question before the CEQ
is, is it a Type 1 action based on
the list of actions and the SEQRA
rules and regulations?

MR. KAUFMAN: After
consultation with the Chairman,
I'm going to withdraw my sense of
the Board idea. I'm going to make
a motion that this be classified
as a Type 1 action so that we can
get moving on this thing.

MR. SWANSON: A second?

MS. SPENCER: I second it.

MR. SWANSON: Any
discussion?

MS. RUSSO: Do we have to
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rescind last month's goals that we set as far as financing? Or do it again or is that not technically correct?

MR. SWANSON: Well, the Legislature essentially sent it back to reconsider.

MS. RUSSO: Okay. So we're already just changing it again.

MR. SWANSON: So we have a motion that's been seconded. All in favor?

(Whereupon, all those in favor responded, "aye").

MR. SWANSON: Opposed?

(No audible response.)

MR. SWANSON: Abstentions?

(No audible response.)

MR. SWANSON: Motion carries.

Now, so that the public is not denied, if you feel so inclined, you're more than welcome to make presentations. However,
you may want to hold off on those
presentations until it comes back
possibly next month, after the
Department of Economic Development
considers what we have said. So
is there anybody here that would
like to speak at this point?

Please identify yourself,
and you have three minutes.

MR. HALSEY: I'm Beecher
Halsey, and I'm chairman of ACAP,
and I really just want to thank
you for reconsidering this. I
think it was a very smart move. I
have a lot of comments here that
I'm not going to make because of
what's just transpired, but
sincerely, I think speaking for
the community, thank you very
much.

MR. SWANSON: Thank you.
Anybody else like to
comment at this time?
Yes.

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MR. DeLUCA: Thank you,

Mr. Chairman and members of the
CEQ. My name is Bob DeLuca, and I
serve as president of Group of the
South Fork. As with the prior
speaker, I'd just like to express
my appreciation for CEQ's desire
to take another -- well, CEQ
taking another look at this and
the EPA committee's desire to send
it back for another look. We also
felt it was a Type 1 action and
certainly concur with your
findings, and we'll look forward
to further comment when the
opportunity is right. Thanks.

MR. SWANSON: Thank you.

Anybody else?

(No response.)

MR. SWANSON: Okay. We'll
move on.

Liuretta?

MS. FISCHER: Good morning.

Liuretta Fischer, Suffolk County
Council on Environmental Quality
Planning Department. I have
before you, actually, the list of
proposed acquisition for the
County Park property, and I would
also like to bring up the tabled
proposed acquisition from last
meeting regarding the Tut Hill
Marina property, if I may, after
we present this one.

This property is a
five-acre lot adjacent to the
County holding 250-acre County
Park called Terrells River County
Park. These two parcels that are
before you today are proposed to
be acquired under the Save Open
Space Hamlet Parks component.
There are two structures on the
property, on the west side of the
property, one being a residential
structure and the other being a
garage. It was actually used as a
bicycle shop possibly six to eight
months ago. It is presently
The intent of the acquisition is to actually create a cultural center for this area. The Ketchum Inn is a historic site on the northern side of Montauk Highway across the street, and Burt Sides is here today from the Ketchum Foundation. It's a nonprofit organization that will be our partners in creating this cultural center. At this point in time, we are just acquiring the property. We will come back to you when a master plan is created, hopefully within the next few years if there are any changes to any of the existing structures and lands associated with it. We're hoping to create, in the future, a historic and cultural focal point for this community. There's not a lot of public spaces that can be used for this kind of use, and
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this has been a project that's been going on for over a decade of interest by Mr. Sides and his group in Center Moriches, and we would like to move this forward first as an acquisition, and then we will come back to you when future plans exist for the site as a cultural center.

MR. SWANSON: Thank you.

Any questions?

MR. BROWN: I have a motion, I think.

MR. KAUFMAN: You think.

(Whereupon, a discussion was held off the record.)

MR. KAUFMAN: I think Steve is trying to make a motion for unlisted negative declaration.

MS. VILORIA-FISHER: I'll second that.

MR. SWANSON: We have a second. Any discussion?

(No response.)
MR. SWANSON: All in favor?
(Whereupon, all those in favor responded, "aye").

MR. SWANSON: Opposed?
(No audible response.)

MR. SWANSON: Abstentions?
(No audible response.)

MR. SWANSON: Motion carries.

MS. FISCHER: Thank you.
The second one I'd like to bring before you today was the Tut Hill Marina property in East Moriches. That was before you at your last meeting where we tabled it. It is presently going through a Phase II environmental assessment, so we're looking to just approve the acquisition at this time. Obviously, the assessment, if there are any environmental conditions onsite, impacts that have to be addressed, it will be addressed before we
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acquire them. This was a former
marina site with bulkheaded area
and wetland. The Town of
Brookhaven will be our partner,
our 50/50 partner, wherein we'll
be buying a half of the acreage
and the other the Town will be
buying. The other portion of
this, actually the undeveloped
wetland area, we are actually
buying the physical former marina
site.

So at this point in time,
our proposed use of the site will
include a kayak access point. The
Parks Department will have to
evaluate and assess the property
when we acquire it, and then we'll
obviously come back to you at that
point when plans are made to
utilize the site more actively,
then, at that point.

MR. SWANSON: And you're
asking us today to?
MS. FISCHER: Just approve the acquisition at this point.

MR. SWANSON: I'm a little, personally, reluctant to do that. Given the character of the site, it seems to me like we should have the environmental assessment. Marinas aren't exactly the cleanest places in the world, and that should be the first step.

MS. FISCHER: That would be fine with me. I do understand your position. It has been derelict for quite some time, and there are structures on it that are being assessed.

MR. KAUFMAN: There's another way to handle it if we want to, and this is, I think, a lesson we just learned last month, which is we can say it's okay subject to no problems being found in Phase II, or any other phase that it might be going through.
Classically, that would go in as
an unlisted CND, conditional
negative declaration. Though that
doesn't exactly fit.

MS. VILORIA-FISHER: Didn't
it have to do with Type I?

MR. BAGG: Well, if I may
clarify, the minute you go to a
conditional made deck, you have to
have a coordinated review from all
agencies involved. So the County
can't act on a condition made deck
until they receive lead agency
status, and the Town of Brookhaven
is an involved agency in this
particular case.

MR. BROWN: Just let me say
one thing, and I kind of agree
with Larry in regards to this
site. And in reviewing the site,
I had some second thoughts at that
time, but when it was explained to
me, it was pretty much the only
area where you really can access
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and use the river. And how it
would help out the actual
community overall for Suffolk
County, I changed my thoughts and
I thought at that stage, the open
space acquisition as part of it.
I agree that some of the areas
that we have talked about was that
if there were any problems with
the land with regard to spills or
that nature, it would be subject
to that review.

MS. VILORIA-FISHER:

Ms. Fischer, I agree, and when I
saw this presentation at the
Park's trustees' meeting, that was
where there are several points of
access. This has been
traditionally a point for fishing.

MS. FISCHER: I'm not sure.

MS. VILORIA-FISHER: I
thought that was mentioned at the
Park trustees' meeting, and so it
seems like an appropriate use for
Council on Environmental Quality

the public to have this kind of
access. I would like to do the
acquisition; I would like to see
this move forward. And because
we're required to go through the
Phase 1 before we have the
acquisition and then Phase II, if
it's called for, I think that
process delays review.

MS. FISCHER: Actually, we
won't acquire it unless that
information and those remediations
have been undertaken. It will not
actually occur unless those issues
are addressed.

MR. SWANSON: Do we have a
motion?

MR. BAGG: You can make
that point of/in negative
declaration that if there were any
toxic hazards they will remediated
prior to the acquisition.

MS. VILORIA-FISHER: I'll
make a motion to unlist it.
MR. BROWN: I'll second it.

MR. SWANSON: Any discussion?

MR. KAUFMAN: Yeah. We just simply should include in the motion language the language that Jim just said.

MS. FISCHER: Thank you very much.

MR. SWANSON: All in favor?

(Whereupon, all those in favor responded, "aye".)

MR. SWANSON: Opposed?

(No audible response.)

MR. SWANSON: Abstentions?

(No audible response.)

MR. SWANSON: Motion carries.

MS. FISCHER: Thank you.

MR. SWANSON: Thank you.

Historic Services.

MR. MARTIN: Good afternoon. We're continuing the stabilization project at the ACCURATE COURT REPORTING SERVICES, INC., 631-331-3753
Blideberg Bell, and we realized at this point when we were awarded the site that the under the mill also needed to be rebuilt. In order to do that work, we're working with Dunn Engineering as consultants on the job, and they have recommended that Davis House Movers actually install six steel I-beams under the first floor of the building in order to support it while we remove these piers to rebuild it. That's the point we're at now, and we'll be doing an ongoing study, also, of the spillway of that location to see what alterations we might need to do to have an operating windmill.

MR. KAUFMAN: Rich, I'm running the meeting right now. Larry had to step out for a minute.

A quick question on that. Are you going to jack the house
Mr. Martin: Not exactly jack it up. It's just to support the building and removing the pier.

Mr. Kaufman: Okay. So you're basically creating a crib.

Mr. Martin: Yes. Right.

Mr. Kaufman: It's probably too early to tell, at this point in time, what you're going to be actually doing to replace the support structure, but are you going to be using wood or steel, or any ideas at this point?

Mr. Martin: We will be rebuilding the stone piers and also probably adding some but cement piers below that, on the ground.

Mr. Kaufman: All right. Continue.

Mr. Martin: And just to announce the next meeting of the
Council on Environmental Quality

Historic Trust Committee will be April 17th, and that will be at 9:30 at the Suffolk Lodge at South Haven County Park.

MR. KAUFMAN: Beautiful place if anybody hasn't been there.

Is that it for Historic Services?

MR. MARTIN: Yes.

MR. KAUFMAN: In which case even though we don't have a quorum right now, I will nonetheless breach protocol and ask, is there any other business, CAC concerns, etcetera? If so, none being heard, Jim, I'm going to ask for a motion to adjourn at this point. Anyone want to make that motion?

MR. BROWN: Second.

MS. SPENCER: I'll make a motion.

MR. KAUFMAN: Okay. Made
Council on Environmental Quality
by Mary and seconded by Mr. Brown.
We're adjourned.
(Whereupon, the proceeding
was concluded at 12:07 p.m.)
CERTIFICATE

I, MICHELLE SCOTTI, a Notary Public in and for the State of New York, do hereby certify:

THAT the witness whose testimony is hereinbefore set forth, was duly sworn by me;

and

THAT the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of March, 2007.

MICHELLE SCOTTI

ACCURATE COURT REPORTING SERVICES, INC., 631-331-3753