MEMORANDUM

TO: Interested/Involved Parties

FROM: John Corral, Senior Planner

DATE: June 14, 2018


Enclosed is an Environmental Assessment Form for the above referenced County project which has been submitted to the Council on Environmental Quality (CEQ) for review. Pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, the CEQ must recommend a SEQRA classification for the action and determine whether it may have a significant adverse impact on the environment which would require the preparation of a Draft Environmental Impact Statement (DEIS).

The Council would like to know your environmental concerns regarding this proposal and whether you think a DEIS or a determination of non-significance is warranted. This project will be discussed at the June 20, 2018 CEQ meeting. If you are unable to attend the meeting to present your views, please forward any recommendations or criticisms to this office prior the date of the meeting. If the Council has not heard from you by the meeting date, they will assume that you feel that the action will not have significant adverse environmental impacts and should proceed accordingly.

JC/cd
Enc.

cc: John Sohngen, Assoc. Public Health Engineer
    Suffolk County Department of Health Services
    Andrew P. Freieng, Chief Planner
    Department of Economic Development and Planning
June 4, 2018

Mr. Lawrence Swanson, Chairperson
Council on Environmental Quality
H. Lee Dennison Building- 11th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Dear Mr. Swanson:

Attached for your review and consideration is a Short Environmental Assessment Form and an Introductory Resolution authorizing the acquisition of land for open space preservation purposes known as the East Moriches Nature Preserve – Donaldson Property in the Town of Brookhaven. Please review the proposal and forward the Council’s SEQRA recommendation to the County Executive and Legislature.

If you have any questions, please do not hesitate to contact Lauretta Fischer of my staff.

Sincerely,

Sarah Lansdale, A.I.C.P.
Director of Planning

cc: Lauretta R. Fischer, Chief Environmental Analyst
    Melissa Kangas, Planning Aide
    Andrew Freleng, Chief Planner
    John Corral, Senior Planner
**SUFFOLK COUNTY**
**SHORT ENVIRONMENTAL ASSESSMENT FORM**
6 NYCRR Part 617
State Environmental Quality Review

**Instructions:** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current available information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

**Part 1 – Project and Sponsor Information**

<table>
<thead>
<tr>
<th>Name of Action/Project:</th>
<th>Authorizing the Acquisition of Land Under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum - Land Purchases for Open Space Preservation - For the East Moriches Nature Preserve - Donaldson Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (include map):</td>
<td>The property is located south of Sunrise Highway and east of Eastport Manor Road in the hamlet of Eastport, Town of Brookhaven (SCTM# 0200-593.00-03.00-007.001 and 0200-594.00-02.00-001.001)</td>
</tr>
<tr>
<td>Brief Description of Proposed Action (include purpose, intent and the environmental resources that may be affected):</td>
<td>Acquisition of land by Suffolk County under the New Enhanced Suffolk County Drinking Water Protection Program 2014 Referendum and its transfer to the County Parks Department in order to assure it remain as open space for passive recreational use. The acquisition is to be acquired in partnership with the Town of Brookhaven (70% Suffolk County and 30% Town of Brookhaven).</td>
</tr>
</tbody>
</table>

**Name of Applicant/Project Sponsor:** Suffolk County Division of Planning and Environment/Lauretta R. Fischer, Chief Environmental Analyst

**Email:** lauretta.fischer@suffolkcountyny.gov

**Telephone #:** 631-853-6044

<table>
<thead>
<tr>
<th>Address:</th>
<th>100 Veterans Memorial Highway, H. Lee Dennison Bldg. - 2nd Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>City/P.O.:</td>
<td>Hauppauge</td>
</tr>
<tr>
<td>State:</td>
<td>New York</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>11788</td>
</tr>
</tbody>
</table>

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule or regulation?
   **Yes □ No ☒**

2. Does the proposed action require a permit, approval or funding from any other governmental agency?
   **Yes ☒ No □**

   **If Yes, list agency(s) name and permit or approval:**
   Town of Brookhaven

3a. Total acreage of the site of the proposed action: 9.6

3b. Total acreage to be physically disturbed: 0

3c. Total acreage (project site and contiguous properties) owned or controlled by the applicant or project sponsor: 9.6
4. Check all land uses that occur on, adjoining and near the proposed action:
- [ ] Urban
- [ ] Forest
- [x] Parkland
- [ ] Agriculture
- [ ] Rural (non-agriculture)
- [ ] Industrial
- [ ] Aquatic
- [ ] Commercial
- [x] Residential (suburban)
- [ ] Other: Vacant

5a. Is the proposed action a permitted use under the zoning regulations? [x] Yes [ ] No [ ] N/A [ ]

5b. Is the proposed action consistent with an adopted comprehensive plan? [x] Yes [ ] No [ ] N/A [ ]

6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? [x] Yes [ ] No [ ] N/A [ ]

7. Is the site of the proposed action located in, or adjoining a state listed Critical Environmental Area (CEA)?
   If Yes, identify CEA:
   Central Suffolk SPGA and Coastal Zone Area South
   [x] Yes [ ] No [ ]

8a. Will the proposed action result in a substantial increase in traffic above present levels? [ ] Yes [x] No [ ] N/A [ ]

8b. Are public transportation services available at or near the site of the proposed action? [ ] Yes [x] No [ ] N/A [ ]

8c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? [ ] Yes [x] No [ ] N/A [ ]

9. Does the proposed action meet or exceed the state energy code requirements?
   If the proposed action will exceed requirements, describe design features and technologies:
   [ ] Yes [x] No [ ] N/A [ ]

10. Will the proposed action connect to an existing public/private water supply?
    If Yes, does the existing system have capacity to provide service? [ ] Yes [x] No [ ] N/A [ ]
    If No, describe method for providing potable water:
    [ ] Yes [x] No [ ] N/A [ ]

11. Will the proposed action connect to existing wastewater utilities?
    If Yes, does the existing system have capacity to provide service? [ ] Yes [x] No [ ] N/A [ ]
    If No, describe method for providing wastewater treatment:
    [ ] Yes [x] No [ ] N/A [ ]

12a. Does the site contain a structure that is listed on either the State or National Register of Historic Places or dedicated to the Suffolk County Historic Trust? [x] Yes [ ] No [ ] N/A [ ]

12b. Is the proposed action located in an archeological sensitive area? [x] Yes [ ] No [x]

13a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? [x] Yes [ ] No [x]
13b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?

If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:

<table>
<thead>
<tr>
<th>Shoreline</th>
<th>Forest</th>
<th>Agricultural/grasslands</th>
<th>Early/mid-successional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland</td>
<td>Urban</td>
<td>Suburban</td>
<td></td>
</tr>
</tbody>
</table>

14. Identify the typical habitat types that occur on, or are likely to be found on the project site (check all that apply):

15. Does the site of the proposed action contain any species of animal or associated habitats, listed by the State or Federal government as threatened or endangered?

16. Is the project site located in the 100 year flood plain?

17. Will the proposed action create storm water discharge, either from point or non-point sources?

If Yes,

a. Will storm water discharges flow to adjacent properties?
   Yes [ ] No [x]

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
   Yes [ ] No [x]

If Yes, describe:

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?

If Yes, explain size and purpose:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

If Yes, describe:

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant/Sponsor Name: Lauretta R. Fischer, Chief Environmental Analyst
Date: 6-4-2018

Signature: [Handwritten]

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### Part 2 – Impact Assessment (To be completed by Lead Agency)

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action impair the character or quality of the existing community?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>Will the proposed action impact existing public/private water supplies?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>Will the proposed action impact existing public/private wastewater treatment utilities?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☒</td>
<td>☐</td>
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</table>
Part 3 – Determination of Significance
The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts. Attach additional pages as necessary.

| Check this box if you have determined, based on the information and analysis above, and any supporting documentation that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. (Positive Declaration) |
| Check this box if you have determined, based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts. (Negative Declaration) |

<table>
<thead>
<tr>
<th>Name of Lead Agency</th>
<th>Date</th>
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<tbody>
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</table>

<table>
<thead>
<tr>
<th>Print or Type Name of Responsible Officer in Lead Agency</th>
<th>Title of Responsible Officer</th>
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<tbody>
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</tbody>
</table>

<table>
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<tr>
<th>Signature of Responsible Officer in Lead Agency</th>
<th>Signature of Preparer (if different from Responsible Officer)</th>
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</table>
RESOLUTION NO. - 2018 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW ENHANCED SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM 2014 REFERENDUM – LAND PURCHASES FOR OPEN SPACE PRESERVATION (CP8732.210) - FOR THE DONALDSON PROPERTY - EAST MORICHES NATURE PRESERVE (TOWN OF BROOKHAVEN - SCTM#'S 0200-593.00-03.00-007.001 & 0200-594.00-02.00-001.001)

WHEREAS, Local Law No. 31-2014, a Charter Law Amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Fund Property Tax Relief for Suffolk County, created the 2014 Enhanced Suffolk County Water Quality Protection Program, codified in Suffolk County Charter Article XII-A; and

WHEREAS, in November of 2014, two-thirds of Suffolk County voters approved Proposition No. 5-2014, enacting the provisions of Resolution No. 579-2014. Local Law No. 31-2014, “A Charter Law Amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Property Fund Tax Relief for Suffolk County.” This Proposition recognized the essential nature of the Drinking Water Protection Program to the well-being of the County’s drinking water supply and required $29.4 million in serial bonds be issued through the Capital Program for water quality protection program projects; and

WHEREAS, the 2016 Adopted Capital Budget contains three water quality protection 2014 Referendum capital projects totaling $29.4 million; CP 8732 for land purchases ($20.0 million), CP 8733 for water quality projects ($4.7 million), CP 8734 for sewer improvement projects ($4.7 million); and

WHEREAS, this capital project provides $20 million in serial bond funding for the acquisition by the County, by fee, lease or easement, of interests in land associated with the Suffolk County Drinking Water Protection Program; and

WHEREAS, Resolution No. 536-2017 authorized planning/appraisal steps and Procedural Motion No. 22-2017 authorized the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2017-0394 on May 11, 2017 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or his designee to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and
WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or his designee and approved as to legality form by the Office of the County Attorney; now, therefore be it:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of [redacted], which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling [redacted], for a seventy percent (70%) undivided interest; and the Town’s share, totaling [redacted], for a thirty percent (30%) undivided interest, at [redacted] per acre, for 9.6+ acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUффОLК COUNTY TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0200</td>
<td>8.1+ acres</td>
<td>D. Robert Donaldson</td>
</tr>
<tr>
<td></td>
<td>Section 593.00</td>
<td></td>
<td>147 Sunken Meadow Road</td>
</tr>
<tr>
<td></td>
<td>Block 03.00</td>
<td></td>
<td>Northport, NY 11768</td>
</tr>
<tr>
<td></td>
<td>Lot 007,001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 2</td>
<td>District 0200</td>
<td>1.5+ acres</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Section 594.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Block 02.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lot 001,001</td>
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</table>

; and be it further

2nd RESOLVED, that the Director of Real Estate and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUффОLК COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Enhanced Suffolk County Drinking Water Protection Program, effective June 14, 2016, Section C12A-2(B)(1) of the SUффОLК COUNTY CHARTER, for the County’s portion of purchase price of [redacted], subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized to reserve and to pay $512,050+, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8732.210 for the New Enhanced Suffolk County Drinking Water Protection Program, 2014 Referendum, effective as of June 14, 2016, pursuant to the new Article XIIIA of the SUффОLК COUNTY CHARTER, Section C12A-2(B)(1); and be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County owning a undivided 70% interest and the Town owning a 30% undivided interest; and, be it further
5th RESOLVED, that the Director of Real Estate and/or his designee; the Division of Planning and Environment; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(B)(1) of the SUFFOLK COUNTY CHARTER:

c.) any tract of land located fully or partially within the statutorily
designated Special Groundwater Protection Area:

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th RESOLVED, that the above activity is an unlisted action (if greater than 100 acres; Type II) pursuant to the provisions of Title 6 NYCCR, Part 617; and be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) is passive park; and

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

10th RESOLVED, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County
Date of Approval: