

Intro. Res. No. 1241-2020

Laid on Table 3/3/2020

Introduced by Presiding Officer, on request of the County Executive and Legislators Fleming, Berland, Richberg, Flotteron, Spencer

RESOLUTION NO. 215 -2020, ADOPTING THE STATE ENVIRONMENTAL QUALITY REVIEW ACT STATEMENT OF FINDINGS FOR THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON THE SUFFOLK COUNTY SUBWATERSHEDS WASTEWATER PLAN (“THE SUFFOLK COUNTY WASTEWATER MANAGEMENT PROGRAM TO MITIGATE NITROGEN POLLUTION EMANATING FROM WASTEWATER SOURCES”)

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) and the Long Island Regional Planning Council, in consultation and in partnership with numerous local governments and interested organizations on Long Island, are embarking on development of the Long Island Nitrogen Action Plan (“LINAP”); and

WHEREAS, the NYSDEC has awarded Suffolk County 50% State grant funds under the Suffolk County Septic/Cesspool Upgrade Program Enterprise (“SCUPE”) to be implemented by the Suffolk County Department of Health Services, Division of Environmental Quality (“SCDHS DEQ”) to support LINAP initiatives; and

WHEREAS, the Suffolk County SCUPE funds were accepted and appropriated under Resolution No. 280-2016 and will be used to address nitrogen and pathogen loadings from sanitary wastewater or other sources for the restoration and protection of Suffolk County’s water; and

WHEREAS, the Suffolk County SCUPE funds include funding for the preparation of a Suffolk County Subwatersheds Wastewater Plan (“SWP”) and Generic Environmental Impact Statement (“GEIS”) which are to be completed as early action elements of the LINAP; and

WHEREAS, the SWP and GEIS are being developed to guide policymakers in the development of a Suffolk County Wastewater Management Program to mitigate nitrogen pollution emanating from wastewater sources; and

WHEREAS, the Suffolk County Legislature approved Resolution No. 849-2016, which adopted a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) for the Suffolk County Wastewater Management Plan to mitigate nitrogen pollution emanating from wastewater sources; and

WHEREAS, the Suffolk County Council of Environmental Quality (CEQ) held public scoping hearings November 29, 2016, and December 1, 2016 to solicit oral and written comments on the content of the Draft Scoping Document; and

WHEREAS, at its February 15, 2017 meeting, the Suffolk County CEQ reviewed a Draft Scoping Document for the DGEIS together with the comments received and the responses to the comments and recommended that it be adapted by the Legislature; and

WHEREAS, in Resolution No. 176-2017 the County of Suffolk adopted the Final Scope for the DGEIS; and

WHEREAS, at its August 14, 2019 meeting the Suffolk County CEQ approved as satisfactory the DGEIS; and

WHEREAS, on August 16, 2019 a Notice of Completion of the DGEIS and Notice of Public Hearing was issued and sent to all involved and interested parties; and

WHEREAS, the August 16, 2019 a Notice of Completion was also posted in the NYSDEC Environmental Notice Bulletin (ENB) and sent to the Suffolk County Executive and all Suffolk County Legislators; and

WHEREAS, on September 5, 2019 the CEQ held a Public Hearing on the Subwatersheds Wastewater Plan DGEIS at the Suffolk County Riverhead Legislative Auditorium located at 300 Center Drive, Riverhead, NY; and

WHEREAS, on September 6, 2019 the CEQ held a second Public Hearing on the Subwatersheds Wastewater Plan DGEIS at the Suffolk County Community College – Brentwood Campus located at the Health, Sports, and Education Center Lecture Hall, Crooked Hill Road, Brentwood, NY; and

WHEREAS, based on review of the written comments as well as the oral comments presented and received, a quorum of the CEQ at their November 20, 2019 meeting recommended to the Suffolk County Legislature and the County Executive, pursuant to Chapter 450 of the Suffolk County Code, that a Final Generic Environmental Impact Statement (FGEIS) be prepared on the Suffolk County Subwatersheds Wastewater Plan; and

WHEREAS, the Legislature, on the advice of the CEQ, found that the comments received on the DGEIS were substantive in nature and authorized the preparation of a FGEIS in Resolution No. 1222-2019; and

WHEREAS, an FGEIS and Statement of Findings were filed with the CEQ on February 26, 2020, at which time the document was made available to the public and a Notice of Completion was distributed in accordance with Title 6 NYCRR Part 617; and

WHEREAS, the CEQ forwarded the FGEIS and Statement of Findings, together with its comments and recommendations and those received from the public to the Suffolk County Legislature and County Executive for consideration at the March 9, 2020 meeting of the Environment, Planning, and Agricultural Committee; now, therefore be it

1st RESOLVED, that pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, the Legislature hereby adopts the Statement of Findings annexed hereto, as incorporated by reference and made a part hereof, and certifies that the requirements of SEQRA have been met and that consistent with social, economic, and other essential considerations, the Suffolk County Subwatersheds Wastewater Plan was developed from among the reasonable alternatives, as a choice that avoids or minimizes potential adverse environmental impacts to the maximum extent practicable.

DATED: March 17, 2020

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: April 1, 2020