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MEETING OF LONG ISLAND COMMISSION

ON

AQUIFER PROTECTION

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May 17, 2017

2:06 p.m.

260 Motor Parkway
Hauppauge, New York

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A P P E A R A N C E S :

STAN CAREY
Nassau-Suffolk Water Commissioners' Association

JEFFERY SZABO
Suffolk County Water Authority

FRANK KOCH
Long Island Water Conference

MICHAEL WHITE
Suffolk County Legislature Presiding Officer

FRANK CASTELLI
Suffolk County Department of Health

DONALD IRWIN
Nassau County Commissioner of Health

DORIAN DALE
Suffolk County Executive Representative

MIKE FLAHERTY
Nassau County Executive Office

CHRIS OSTUNI
Nassau County Legislature

JARED HERSHKOWITZ
Suffolk County Presiding Officer Representative

STEPHEN TERRACCIANO
United States Geological Survey

PAUL GRANGER
Port Washington Water District

CARRIE MEEK GALLAGHER
New York State DEC

TIM HOPKINS
Suffolk County Water Authority

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PROCEEDINGS

MR. CAREY: I'm going to call the meeting to order. The meeting will start with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. CAREY: Okay. So we will start out with introductions for the stenographer and anyone else who hasn't been with us in the past. We're going to go around the table.

My name is Stan Carey. I'm the chairman of LICAP this year and I represent the Nassau-Suffolk Water Commissioners' Association.

MR. SZABO: Jeff Szabo, Suffolk County Water Authority.

MR. KOCH: Frank Koch, South Farmingdale Water District representing Long Island Water Conference.

MR. WHITE: Michael White, representing the Suffolk County Legislature, presiding officer.

MR. CASTELLI: Frank Castelli, Suffolk County Economic Development and

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PROCEEDINGS

Planning, Water Quality Unit.

MR. IRWIN: Donald Irwin, Nassau
County Department of Health.

MR. DALE: And Frank is representing
the Suffolk County Health Department today.

I'm Dorian Dale representing the
Suffolk County Executive.

MR. FLAHERTY: Mike Flaherty for
Brian Schneider representing the Nassau
County Executive Office.

MR. HERSHKOWITZ: Jared Hershkowitz,
Suffolk County presiding officer.

MR. GRANGER: Paul Granger, Port
Washington Water District.

MR. TERRACCIANO: Stephen
Terracciano, United States Geological
Survey.

MS. GALLAGHER: Carrie Meek
Gallagher.

MR. HOPKINS: Tim Hopkins, Suffolk
County Water Authority.

MR. CAREY: Okay. Thank you
everyone for coming today. I know we have
another meeting scheduled in just three

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PROCEEDINGS

weeks from today but we are at a very critical point with our report writing and believe it or not, these three weeks can make a big difference.

A lot of the drafts have been completed, but as mentioned in my e-mail, we need to get past this critical point in the message that we need to send when we write the ground water management plan. So before we get into those reports, a motion to adopt the minutes from May 8th's meeting.

MR. SZABO: Motion.

MR. IRWIN: Second.

MR. CAREY: Okay. Motion made and seconded.

All in favor?

ALL: Aye.

MR. CAREY: Minutes are adopted.

So on the reports, the first one that we have -- and I'm going to probably ask Steve and Bill to, you know, chime in because they've been doing all the review and editing, if there's any questions. The first one is the water quality.

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PROCEEDINGS

MR. COLABUFO: Quantity?

MR. CAREY: Quantity. I'm sorry.

Thank you.

So as I outlined in the e-mail,
Steve put together some highlighted sections
with boxes that he questions, you know, the
wording that was used.

Maybe we can just let the record
note that Chris Ostuni is with us from the
Nassau County Legislature's Office.

So did everyone have a chance to
review these? And I just open it up for
discussion or comments or any direction that
we want to take on these highlighted
sections. Do we agree with what Steve has
outlined? Do you want to go over it one by
one? We can do that too but let's open it
up for discussion at this point.

MR. IRWIN: I agree with some of
them, I have comments on others.

Do you want to go one by one?

MR. CAREY: Maybe we'll go over it
one by one.

MR. WHITE: I was going to suggest

1 PROCEEDINGS

2 the same thing.

3 MR. CAREY: On page 1 -- box number
4 1 on page 10 -- Steve, why don't I ask you
5 to come up and join us because you might
6 want to interpret what you wrote.

7 (Inaudible chatter.)

8 MR. COLABUFO: Okay. Fire away.

9 MR. IRWIN: I thought Steve's
10 suggestion for the first substitution was
11 just fine to me. I didn't have a problem
12 with that.

13 MR. WHITE: I agree with that.

14 MR. CAREY: I would say agree also.
15 So just by -- do you think I should call the
16 roll for each one? Not necessary?

17 So we are all in agreement on that
18 first issue, we will go on to the next one.

19 MR. IRWIN: Again, I thought Steve's
20 suggestion for what's called box 2, page 12
21 was appropriate. I don't have any problem
22 with that.

23 MR. WHITE: Agree.

24 MR. CAREY: I agree also.

25 MR. HERSHKOWITZ: What if we just

1 PROCEEDINGS

2 eliminated the word wealthy?

3 MR. COLABUFO: Well, it is not just
4 North Shore and Hamptons.

5 MR. HERSHKOWITZ: Okay. Then no
6 problem. No worries.

7 MR. CAREY: Any opposition to
8 Steve's revision?

9 (No response.)

10 MR. CAREY: Okay. We are all in
11 agreement. Box number 3, page 12.

12 MR. COLABUFO: That was one I took
13 (inaudible) I just flagged it because it
14 looked a little, you know -- whatever, iffy.

15 MR. HERSHKOWITZ: There's no
16 parliament that's an example as --

17 MR. COLABUFO: I just think it could
18 have been interpreted -- I don't think it is
19 necessary to add anything to the stuff going
20 before it.

21 MR. HERSHKOWITZ: It sits by itself.

22 MR. GRANGER: If I may ask a
23 question, since I wrote the water
24 conservation section, there's some overlap
25 here. Have you compared to make sure that

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we are consistent in terms of my narrative
with regards to --

MR. COLABUFO: No. I just basically
looked at these reports in and of themselves
just to flag comments that may or may not be
controversial, iffy, however you want to
call it, and this one was really more of a
question. It could stay, it could go. It
just stuck out in my head as something that
may need attention.

MR. CAREY: Any opposition to
leaving it the way it is?

MR. IRWIN: I can go either way,
strike it or don't strike it.

MR. CAREY: Any other thoughts?

MR. IRWIN: It raised a question for
me as to what, you know, I think it is good
information but what is DCU going to propose
to do with the information? You are going
to collect all this information and data and
-- I'm not trying to put you on the spot but
-- if we had the information maybe it would
be appropriate to put it in there but if it
is still --

1 PROCEEDINGS

2 MS. GALLAGHER: Well, it can always
3 be put in there and used in the future, you
4 know, to evaluate data.

5 MR. HERSHKOWITZ: Mr. Chairman?

6 MR. CAREY: Yes.

7 MR. HERSHKOWITZ: Point of
8 information, because this is written by
9 Sarah Meyland as a lead writer, she can't be
10 here because of a death in the family.
11 Could I ask that we go through this but give
12 Sarah an opportunity to respond to these
13 changes after the fact?

14 MR. CAREY: With all due respect,
15 we've gone back and forth several times and
16 we are at this point now and today is
17 decision day. I'm sorry. We have to move
18 forward today.

19 MR. COLABUFO: If I can just also,
20 to clarify, I think really my intent in
21 flagging that was to not make it sound like,
22 well, we finally have a change, we are
23 finally acting responsible here. I just
24 think that it could be taken that way by
25 certain people. So if we eliminate it, it

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eliminates that question while still
maintaining all the factual information
necessary.

MR. WHITE: I kind of agree with
that. I don't think we have to make a
characterization.

MR. CAREY: Okay. Right. It sounds
like there is a consensus to move it/strike
it. Everybody in favor? Okay. So that's
going to be removed.

Box number 4 on page 14.

MR. KOCH: This says some reports
(inaudible) people can't read pump meters
maybe, maybe not give the reason why, just
say some of them weren't read.

MR. COLABUFO: Well, the suggestion
is halfway down the page, that's the
suggestion wording. If you want to do some
other suggestion, that's fine too.

MR. KOCH: I'm sorry. I missed
that.

MR. WHITE: It's in the middle --
the bold in the middle of the page, right?

MR. COLABUFO: Yes.

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MR. KOCH: Sorry about that.

MR. COLABUFO: In addition to public water suppliers, well permits are issued.

MR. IRWIN: I think what Steve wrote is better than what's there. I would suggest though that we either strike the word "home," including home wells or change that to residential. That would be my suggestion.

MR. TERRACCIANO: I'd just like to make a comment that water use is a big deal here and nationally. We don't have a good understanding of how much water is used by agriculture here or around the country. We don't have a good understanding of how much is used by industry. Water is an undervalued resource essential to everything and so I think it is important to note the value of the water use information and the need, as trivial as it might sound to some that understanding how much they pump and where it comes from in the system and where it goes to is very important in terms of us understanding sustainability.

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And, you know, really, what's happening locally is mirrored across the country.

MS. GALLAGHER: I just want to make one note. It talks about the pumpage not being reported, it also -- each permit specifies how it's supposed to report and how often. So you can't assume that if it's not there monthly, they're not reporting correctly, so.

MR. FLAHERTY: One other point about the pumpage reports, we get requests at DPW, the pumpage records used to come to public works regularly a few years back. And they still continue to come in, we receive them but we get requests from different people and they say sometimes that they have difficulty getting them from the DEC. I just want to point out that, you know, DEC, similar situation to us, there are fewer people so maybe one of the things, and I think it is recommended in here, is that we get more people available just for the reasons that you mentioned because it is

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2 important details to have, there are a lot
3 of different sources of pumpage that aren't
4 accurately recorded. I think industrial is
5 always hard to figure out, agriculture is
6 hard to figure out and, you know, a lot of
7 times we get involved with consultants, with
8 models and we are trying to put all that
9 together and it's just really hard to get
10 it. So if there's a -- if we need to beef
11 up, I think the structure is there at DEC.
12 If they need to beef up the staffing or
13 whatever is required to help with that, that
14 benefits everyone.

15 And then just to let everyone know
16 to fill in some of the gaps we also receive
17 information at public works still, which we
18 are trying to update and include so that
19 that's another place that people can get
20 that information, you know, for anything
21 that they need it for. We are trying to
22 keep up. But between the two of us
23 hopefully most of those, you know, pumpage
24 questions can be answered.

25 MR. CAREY: Between the two of you

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as far as you're for Nassau --

MR. FLAHERTY: Public works for Nassau to be specific.

MR. CAREY: Okay. So do we take exception to the sentence in the middle, "Many of the well pump reports submitted to DEC contain errors in data and often are lacking for months or years"? Do you want to revise that also?

MR. WHITE: Unless the DEC says that's true, I don't think we can put it in there.

MR. COLABUFO: All right. Do you see where my suggested rewording is? It is down there in the middle of the page.

MR. IRWIN: He just read from --

MR. WHITE: We are removing that middle sentence.

MR. CAREY: We are going to change the word home to residential and then we are going to strike that middle sentence.

MR. WHITE: After that I think it really represents the message.

MR. CAREY: Everyone is in favor of

1 PROCEEDINGS

2 that? All right.

3 Box 6 on page 15.

4 MR. IRWIN: This is one I don't
5 agree with Steve on.

6 MR. COLABUFO: Okay.

7 MR. IRWIN: I do think that wherever
8 possible that the treated water should be
9 returned to the aquifer assuming or after
10 appropriate study and consideration has been
11 given to how --

12 MR. HERSHKOWITZ: You're just adding
13 a qualifier.

14 MR. IRWIN: -- impact the aquifer.

15 MR. HERSHKOWITZ: I think that's
16 implicat.

17 MR. COLABUFO: In all future
18 remediation projects, I don't think you can
19 make a blanket statement that all future
20 remediation projects must have the water
21 returned back to --

22 MR. HERSHKOWITZ: Wherever possible.

23 MR. COLABUFO: That's not all.

24 MR. KOCH: I agree too.

25 MR. IRWIN: If you go to page 15 and

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see what she -- and look at what she wrote,
I think it does need to be reworked.

MR. COLABUFO: Okay.

MR. IRWIN: But I think we should
also include that it shouldn't just
automatically be returned to the aquifer.
Obviously you have to consider what impacts
would there be but to simply pump it out and
don't even consider returning it, is a big
mistake.

MS. GALLAGHER: As a general rule it
is returned to the aquifer first but it is
not always supportable or (inaudible).
There are very different situations where
you can't.

MR. CAREY: Why don't we just add
where practical after all future remediation
projects?

MR. FLAHERTY: Or evaluated on a
case-by-case basis.

MR. CAREY: Well, they are anyway,
right? The State does that, but.

MR. HERSHKOWITZ: Or where it could
be --

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MR. KOCH: Priority.

MR. HERSHKOWITZ: -- effected to meet water standards it should be returned out or something like that, quality of water.

MR. COLABUFO: Also, it does affect the remediation time and everything when -- depending on how you return the water. If you return it at drinking water standards you're adding, like, a mound that's affecting --

(Inaudible crosstalk.)

MR. WHITE: To some extent you're recycling it back into the water you're pumping out.

MR. COLABUFO: Right. You're making the time of the remediation last longer.

MR. WHITE: Absolutely.

Isn't there something though that either the State or, in fact, the EPA project that the determination by the entity that's approving the remedial plan to consider this as an important element but judge its impact on the environment when the

1 PROCEEDINGS

2 remedial plan is approved?

3 MS. GALLAGHER: Yes, but I mean
4 we've always said when it's practical to do,
5 you should do it unless there's
6 circumstances were it may affect another
7 plume or cause other issues, then you have
8 to modify it. You have to consider it. You
9 can't just assume, hey, it's cheaper to dump
10 it here, let's go with his.

11 MR. WHITE: My point is, is that it
12 is somewhat superfluous since I think the
13 understanding is that that's already
14 accounted for in the entities that are
15 approving the remedial project. What if we
16 just say we support that if and when
17 possible?

18 MS. GALLAGHER: I don't see it being
19 a problem stating that we should be
20 (inaudible) but I don't think we can say
21 as --

22 MR. WHITE: Correct.

23 MR. IRWIN: It should be considered
24 in cases --

25 (Inaudible chatter.)

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MR. WHITE: Recommended practice,
there we go.

(Inaudible chatter.)

MR. CAREY: Right. I don't think
anyone is disputing the hydraulics of it. I
think we just need to agree on the wording
here.

MR. WHITE: I think Karen's words
were pretty good. So it should be
considered a recommended practice to more
practical recharge.

MR. IRWIN: Instead of requirement?

MR. WHITE: Instead of requirement.
Recommended practice, something like that.

UNKNOWN SPEAKER: Mr. Chairman, are
there any copies for the public to follow
along with what the discussion is?

(Inaudible chatter.)

MR. CAREY: So we are all in favor
of that wording change, correct? Everyone
is in favor.

Steve, you have it?

MR. COLABUFO: Rather than required,
it's a recommended practice for future

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remediation projects.

MR. CAREY: Let's go to box 7 now.

MR. COLABUFO: So that's taking number 17 and number 8 and making it one recommendation because they are both concerning to landscape irrigation. 8 and 17 on page 15, recommendations 8 and 17 combine them because they are both dealing with summer water demand and then change them somewhat because that one statement there, I just didn't like the way it looked.

MR. HERSHKOWITZ: The --

MR. COLABUFO: The one that says the public is presently not aware that there's a water quality --

MR. HERSHKOWITZ: Much of the public is unaware, that would qualify it and still keep it in.

MR. COLABUFO: That's just a judgment call, I think. We are judging people and some people are unaware and some people are completely aware. I'd rather just leave it.

MR. IRWIN: I like what Steve wrote

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but I think it would be prudent to add a public education -- a statement about public education there also. That public education of water conservation issues especially with regards to the landscape or lawn irrigation should be promoted by and we can say the State or the counties or --

MR. HERSHKOWITZ: Promoted by --

MR. IRWIN: In reading this I was thinking about the actual success that the State Health Department had in those horrendous ads you see for smoking and things like that. Moving in that direction in terms of water conservation might get people's attention. Usually on television or on the side of a bus, but I think at least this body should make those kinds of recommendations (inaudible).

MR. KOCH: I think that may be in several reports, the public education part.

MR. CAREY: Okay. Do we have --

MR. OSTUNI: It is important to increase the public's awareness of water quality, something along those lines. Just

1 PROCEEDINGS

2 make an affirmative statement that's
3 something -- a good thing.

4 MR. IRWIN: Rather than saying --

5 MR. COLABUFO: I can come up with
6 something and I will get back to you in a
7 couple days.

8 MR. CAREY: We all agree on that
9 concept of message.

10 Box number 8, 18, you're
11 recommending that we completely eliminate
12 it.

13 MR. COLABUFO: I don't want to
14 insert my opinion here. I just know that
15 it's a controversial issue so what I
16 recommend doesn't matter. It is what you
17 guys recommend.

18 MR. HERSHKOWITZ: What is the
19 problem with --

20 (Inaudible crosstalk.)

21 MR. HERSHKOWITZ: I'm not talking
22 about the review. The posting though I have
23 no -- being a citizen -- on the citizen
24 website, the more we communicate with the
25 public, the better. If they at least know

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that there's a permitting I think that's important.

MR. CAREY: But for renewals?

MR. IRWIN: The Nassau County executive has made this formal request, Water Resources Board made the recommendation in Nassau that the DEC post when a renewal was coming up so people have an opportunity to see what was being considered. I believe it was through this --

MR. WHITE: Yes.

MR. IRWIN: As to whether there should be a public comment period, I mean that's --

MR. CAREY: For a renewal I think a public comment period is a little extreme. If you have a well installed and you're pumping it and public water supplies don't pump wells without reason. Just to meet the demands of your area, I don't know what that would gain --

MR. HERSHKOWITZ: Mr. Chairman, maybe you could just add wherever it's

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posted there should be an opportunity for public comment also. Just so that there's a place where they can respond. One of the frustrations that the public has is getting information and number two, communicating their feelings back so this is an easy way without going elaborate in terms of hearings or whatever to, you know, just a comment box like a lot of the legislatures have so that at least the public feels that they have input.

MR. CAREY: Myself, I agree with the posting for the public, but for renewal -- a new well I would agree, but for a renewal, public comment, I don't agree to that.

MR. SZABO: Do you have any --

MR. HOPKINS: It's at the discretion of the board.

MR. WHITE: I think the notice is not a bad idea but I don't think we can demand (inaudible) comment or determination or anything but a posting of it saying --

MR. HERSHKOWITZ: Michael, you have an objection with a box for comments like

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many government agencies have so the public
has an opportunity to express their
comments --

MR. WHITE: Comments to who?

MR. HERSHKOWITZ: It would go back
to the DEC.

MR. WHITE: They don't have that on
the --

MS. GALLAGHER: No.

MR. WHITE: So how could you make
that part of their notice for renewable for
this?

MR. GRANGER: If somebody feels so
strongly about it they will contact --

MR. HERSHKOWITZ: Just trying to
make it easy for the public.

MR. WHITE: Usually what they do is,
there's a name, permit number, and potential
contact number if you want to find out more.

MR. HERSHKOWITZ: Okay. That would
be fine. That's an alternative. Is that
there?

MS. GALLAGHER: (Inaudible) implies
that we are going to consider all of those

1 PROCEEDINGS

2 and respond to them, which is a whole
3 different --

4 MR. WHITE: It usually says for more
5 information or something like that, right?

6 MS. GALLAGHER: Yes.

7 MR. HERSHKOWITZ: So could we
8 separate it out and say for renewals, no,
9 for the others, yes. Could you do that?
10 Could we agree to that?

11 MR. WHITE: (Inaudible.)

12 MR. HERSHKOWITZ: A comment period
13 for --

14 MR. WHITE: We can't command
15 their --

16 MR. HERSHKOWITZ: -- new ones but
17 not renewals.

18 MR. COLABUFO: They do that.

19 MS. GALLAGHER: It's a procedure.

20 MR. WHITE: They're making their own
21 determinations whether or not to renew,
22 whether it's a Type 2 action. So I think
23 the notice is the strongest piece.

24 MS. GALLAGHER: Right.

25 MR. HERSHKOWITZ: But there is a

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name and a number on the --

MR. WHITE: Usually when they
publish a --

MR. HERSHKOWITZ: As long as there's
a name and a phone number where people can
respond, that's fine.

MR. WHITE: Isn't that usually on
the form?

MS. GALLAGHER: Yes.

MR. CAREY: So we'll revise that to,
post it and strike the last sentence.
Everyone in favor of that?

That's it on this one, right?
That's it for the quantity report.

Next one is the Lloyd critique. We
will start with text box number 1.

Steve, do you want to explain that,
please?

MR. COLABUFO: Just a question, I
know it's a hot button issue so I'm not sure
where LICAP would stand, but if you are in
favor of not allowing them to renew, then
fine. I just didn't know whether you were
or you weren't so I just flagged it.

1 PROCEEDINGS

2 MR. CAREY: Well, I think -- I think
3 to state -- for LICAP to state that to deny
4 any renewal of Lloyd permits is excessive.
5 I think the language that DEC presently has
6 now is strict enough on its own. New wells
7 in the Lloyd, I would agree somewhat, but
8 for renewals --

9 MR. HERSHKOWITZ: Can we change it
10 to LICAP has concerns?

11 MR. CAREY: Again, if I'm looking at
12 it from a public water supply standpoint, if
13 you have a well that you're operating, there
14 is obviously a need for it, there is a
15 demand for it in your system and to say that
16 it's not going to be renewed when it
17 expires --

18 MR. IRWIN: Specifically --

19 MR. CAREY: I'm jumping ahead.

20 MR. HERSHKOWITZ: Let's talk about
21 New York City.

22 MR. IRWIN: Keep in mind the region
23 that I think is going to make that
24 determination isn't here.

25 I can tell you it has been the

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County's opinion that the Lloyd wells at the very least should not be renewed.

MR. CAREY: Again, my comments weren't towards New York City, they've been getting by without it.

MR. IRWIN: I'd like to --

MR. HERSHKOWITZ: They are going to open up four of them, I believe.

MR. IRWIN: They are going to renew --

MR. KOCH: Normally, when you're going to Lloyd there's a real need so the DEC can see that need is still there.

MR. IRWIN: DEC has a criteria. It has to be a coastal community. I think these fall outside of that. Again, we don't know what that region is going to do or --

MR. HOPKINS: I believe --

MR. HERSHKOWITZ: Stan, could you live with that LICAP has grave concerns?

MR. CAREY: Well, not me, the group, we do. We do have concerns. I think -- I just want to be careful that we don't take such a strong position that it could be used

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in a similar manner towards Nassau and Suffolk suppliers one day. Again, if we can word it that they haven't been pumped for so many years.

MR. IRWIN: It's not a sole source aquifer. Their primary source is elsewhere.

MR. KOCH: That's a good point.

MR. CAREY: But it is still part of the sole source aquifer but not designated for New York City (inaudible).

MR. HERSHKOWITZ: We also have concerns if they were to over-pump it because saltwater --

MR. GRANGER: Right now they lack the science and data. I don't see it being problematic for us because this is a very, you know, this is a very specific case.

MR. WHITE: First, for disclosure I have assisted the County of Nassau on this issue and discussions with the City and (inaudible) in preparation of hopefully a full environmental impact statement on these issues. And I think it is very clear as, Don has said, the County has taken the

1 PROCEEDINGS

2 position out of the sixty-four wells, there
3 are four or so in Lloyd.

4 MR. IRWIN: I believe it is five.

5 MR. WHITE: And they can probably do
6 without those but I guess my concern would
7 be, separate from all that what I just said,
8 is for LICAP to basically be an advocate one
9 way or the other as opposed to letting the
10 DEC do their job.

11 MR. GRANGER: Maybe clarify this in
12 terms of what's lacking is the USGS study.
13 We should kind of put that in place that
14 science needs --

15 MR. WHITE: I think that would be
16 different language that says, objective
17 things about what the concerns are but not
18 to express it like that. Not to take a
19 flat-out position, but lay out what the
20 issues are, what the County is saying, and
21 what the concerns are. That would be our --
22 I don't know, Don, what do you think?

23 MR. IRWIN: Well, I don't know what
24 else to say besides that the County's
25 position is, we would like to see those --

1 PROCEEDINGS

2 MR. WHITE: We can absolutely say
3 that.

4 MR. KOCH: So we have concerns for
5 the Lloyd renewal because of A, B, and C.

6 MR. WHITE: Nassau County is
7 extremely concerned as it's an impact on the
8 Nassau/Suffolk --

9 MR. OSTUNI: If you're going to say
10 that though then you might as well go
11 further and say what those concerns are.

12 MR. WHITE: That's what I'm --

13 MR. OSTUNI: Specific concerns that
14 you want to see identified in the New York
15 City --

16 MR. HERSHKOWITZ: Wait until the
17 USGS completes the study --

18 MR. WHITE: I think we can put
19 something like that together.

20 MR. CAREY: It sounds good to me.
21 So we are going to expand on this statement
22 itself.

23 Did you have something?

24 MR. SZABO: No.

25 MR. CAREY: So we are going to

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expand on this quantifying what we are saying here and why.

MR. WHITE: What the issues are --

MR. KOCH: But I don't think we are supporting a denial, we are supporting concern.

MR. HOPKINS: You can just add on the end of that statement without extensive study or without further study or without ample study --

MR. WHITE: (Inaudible) what those issues are.

MR. IRWIN: Before we leave what's there --

MR. WHITE: We are not going to leave what's there.

MR. IRWIN: I was going to ask Steve, there's a statement here that it's been impacted by severe saltwater intrusion. Would you agree with that?

MR. TERRACCIANO: You say these qualifying statements --

MR. COLABUFO: Severe, you need to define severe.

1 PROCEEDINGS

2 MR. TERRACCIANO: Has it been
3 impacted by saltwater intrusion? Yes.

4 MR. IRWIN: So if anything we will
5 strike severe.

6 MR. WHITE: So rewording it the way
7 we would, we'd say the concern is that this
8 would have a further impact on saltwater
9 intrusion.

10 MR. OSTUNI: The very least the
11 hydrodynamics need to be evaluated based on
12 the estimated pumpage they're requesting.
13 This is a good opportunity to really put a
14 great amount of substance of information in,
15 it directs them almost to evaluation because
16 as everyone knows, if they don't give a good
17 hard look to every single issue they might
18 find themselves at the end of a lawsuit that
19 they are going to lose.

20 MR. WHITE: That's why I think we
21 can utilize this, the County's -- from
22 everybody's standpoint to make that -- lay
23 that right out. So I will work with Don and
24 Chris and get that done.

25 MR. CAREY: Okay. Text box 2 and 3.

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2 MR. COLABUFO: That is what you were
3 talking about earlier, Stan.

4 MR. CAREY: Right.

5 MR. COLABUFO: My basic statement
6 here in some words, I meant yes, we all, I
7 think kind of agree that -- well, we don't
8 all agree but many agree that the Lloyd is
9 being over-pumped but to absolutely prohibit
10 replacement of any kind, I don't know if we
11 want to advocate that. We certainly want to
12 maybe encourage replacement of those wells
13 in other aquifers where necessary given the
14 financial, geological, and other
15 considerations that need to be part of the
16 whole equation. We certainly advocate for
17 it but I don't know if you want to come in
18 and just absolutely advocate the prohibition
19 of replacing wells in the Lloyd.

20 MR. TERRACCIANO: So over-pump means
21 that you've already established some
22 determination as to what an acceptable
23 amount of saltwater intrusion is. So you
24 know, it is, again, a subjective statement
25 and so you'd have to, in my mind, describe

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what you mean by over-pumped.

MR. COLABUFO: Where is that?

MR. TERRACCIANO: Isn't that what you just said?

MR. COLABUFO: I said it but I'm saying where does it say it in the actual text.

MR. TERRACCIANO: I was responding to what you said.

MR. KOCH: Well, when a quantity of Lloyd aquifer pumping exceeds the estimated restructure, that's considered over-pumping to me.

MR. COLABUFO: Okay. Well, I think the statement that I sort of redid here kind of keeps that in mind while advocating not outright prohibition but phasing out in a logical manner, if possible.

MR. KOCH: Right.

MR. COLABUFO: Other suggestions are certainly appropriate.

MR. CAREY: I agree.

MR. WHITE: I agree too.

MR. KOCH: So there is science

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behind the over-pump; is that what we're saying?

(Inaudible crosstalk.)

MR. CAREY: He's not saying that here, it says estimated recharge.

MR. FLAHERTY: The work that the GS is doing now is going to move a long way to go in that direction. Going back and looking at some of the stuff that Sarah had cited, I'm familiar with it because it was County documents. Some of the pumpage that was referred to was from a report that was done in 2003. So those summary tables and things that were done and projected came from 2003 and the report was actually put out in 2005 so there's quite a gap and that's the kind of thing that the GS is going to bridge so that we are working, you know, with better numbers because that was the best available information at the time, that summarized -- that was summarized in the County report but certainly there's an opportunity to move forward with that and that's what the GS is doing with this new

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model, it's going to change a lot of things,
I believe.

MR. CAREY: I think we had a
consensus on Steve's recommended wording
here. Everyone agree with it?

Anyone opposed?

We will go with that.

Text box number 4.

MR. COLABUFO: Basically, I think my
point was we don't necessarily have to
expand the existing Lloyd moratorium to
include another aquifer. You could enact a
similar moratorium all by itself or other
restrictions and (inaudible) pumping.
That's just a suggestion though, we don't
have to mention the Lloyd moratorium per se
or you can keep it that way, however you
want it.

MR. CAREY: Any discussion?

MR. WHITE: Steve, how do you feel
about it?

MR. TERRACCIANO: Text box 4 and
Steve's comment? I'm objective, on the
fence right now. I'm fine with it.

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MR. WHITE: Sorry.

MR. TERRACCIANO: It's okay.

MR. COLABUFO: The statement that I had in there said, is therefore essential that this act be protected in a manner similar to the way it was now protected. Such actions could include blah, blah, blah, blah, blah. So we are kind of allowing it, it does need protection but we are not saying that it doesn't have to duplicate a thirty-year-old or more moratorium.

Any suggestions, if anybody wants to suggest something, go right ahead.

MS. GALLAGHER: I have issues with the words "similar moratorium." That almost implies the same thing. I think some other language might be better.

MR. COLABUFO: Sure. Got any ideas?

MS. GALLAGHER: Some restrictions or, you know.

MR. GRANGER: Similar regulatory action as opposed to moratorium.

MR. KOCH: That sounds the same to me.

1 PROCEEDINGS

2 MR. GRANGER: I like the
3 restrictions part.

4 MR. COLABUFO: It also says similar
5 actions could include, does haven't to be
6 but could. That's one thing you could do.

7 MR. CAREY: Such actions could
8 include a protective moratorium (inaudible)
9 the North Shore aquifer.

10 MR. COLABUFO: Sure.

11 MR. WHITE: I think --

12 MR. CAREY: I thought you said
13 similar.

14 MS. GALLAGHER: No. I think when
15 you say moratorium people will think --

16 MR. FLAHERTY: Protective
17 regulations -- measures, yeah. How's that?

18 MR. COLABUFO: I like it.

19 MR. CAREY: Are we all in favor of
20 that?

21 MR. WHITE: Yes.

22 MR. CAREY: Anyone opposed?

23 Thank you.

24 Text box 5, 6, and 7.

25 MR. COLABUFO: Similar to what we

1 PROCEEDINGS

2 talked about a few minutes ago.

3 MR. IRWIN: I liked what Steve
4 wrote. I would suggest though to take out
5 the long term and just say eventual phase
6 out. That would be my suggestion.

7 MR. CAREY: Any other discussion?

8 So we all agree on just going with
9 the recommendation removing the words "long
10 term"? Yes? All in favor? Anyone opposed?
11 Okay. Thank you.

12 There's one left. Text box 8 on
13 page 15.

14 MR. COLABUFO: Again, the same type
15 of commentary.

16 MR. WHITE: Just, Steve, go through
17 it. Where would that fit in then?

18 MR. COLABUFO: Just change where --
19 page 15, text box 8, where the highlights
20 are, the wording, it says prohibit the
21 reactivation. Prohibiting the replacement,
22 relocation, et cetera, and change it to what
23 I have down there that's more, work with
24 suppliers to plan for the eventual -- didn't
25 say long term, eventual -- phase-out of

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Lloyd and North Shore aquifer wells in non-coastal communities. And then -- sort of what we have been saying in previous discussions.

MR. WHITE: I agree with that. I think it makes sense.

MR. CAREY: Everyone in favor? Anyone opposes?

Very good. Thank you.

That's the end of the Lloyd critic now public/private partnerships. Now, we don't have -- this just highlights areas of concern. This particular report we agreed at our last meeting to remove but in speaking with Jared he asked for another shot at it and I put it out to the board. A few of the members suggested we give it another round, which we did. This is his revised report but there still seems to be some questionable statements in it.

MR. HERSHKOWITZ: Mr. Chairman, in the interest of time if we go through them and I have no objection to them then we'll be able to move forward quicker. Because

1 PROCEEDINGS

2 I've gone through this and there is many of
3 them that I have no objection to the changes
4 on.

5 MR. CAREY: Before we do that is the
6 majority of the board in agreement with --
7 because we did agree the last meeting to
8 remove it, do you want to leave it in and
9 try to work it where we can use it or let
10 our last decision stand?

11 MR. HERSHKOWITZ: One comment, it's
12 been changed pretty substantially since
13 then.

14 MR. CAREY: Right. There is still
15 quite a bit of --

16 MR. HERSHKOWITZ: I understand that.
17 I don't have objections to some of this.
18 This is the first time I've seen it. I was
19 not on the original list to see it -- these
20 changes and I only received it this morning
21 and I was in a meeting. I only saw this an
22 hour ago and I've offered much of it, I have
23 no objection to the things that are here.
24 So if you want to go through these things
25 and you can see what's left after we go

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through and where my contentions are, I think that will give the board a better idea of seeing the whole proposal.

MR. WHITE: My comment first is, with all due respect to the time and energy everybody put into this, what is this -- what is it meant to do? Because there's a section on public/private partnerships but then there's ten other items but the title of it is public/private partnerships so what was the purpose of the writing in the chapter? What's the message looking to do?

MR. HERSHKOWITZ: When -- and maybe Steve can answer this -- when we established public/private partnerships originally, I came into the board -- three years ago this started. Look, I said this is a jumping off point, if you guys remember, I wanted to stay in the conversation, this was an idea because when I looked at the resolution and I looked at what we need to do this year and the construct of a plan -- my thought about a plan was a practical way to holistically and regionally attack the problems

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originating from surface and coastal waters.
And I came up with an act -- individual
items.

Over the course of three years it's
been rewritten nine times and Steve will
tell you that there's been 100 e-mails or
more.

MR. COLABUFO: Probably sounds about
right.

MR. HERSHKOWITZ: Where we've kicked
around different things. Things have been
eliminated. Things have been changed.

MR. WHITE: You're talking about the
chapter or --

MR. HERSHKOWITZ: Let me finish
because I'm going to answer your question.

MR. WHITE: No. I'm --

MR. HERSHKOWITZ: I know what your
question is. I'm just trying to --

MR. WHITE: The e-mails you're
talking about, was that about this chapter?

MR. HERSHKOWITZ: Yeah. Yeah. They
were all about this.

Many meetings and many inputs from

1 PROCEEDINGS

2 the DEC, from Stan, a number of people from
3 the community, Sarah, so we've have a lot of
4 people working on this. Trying to come up
5 with a holistic way to attack many problems
6 using the public and business and State and
7 that's my definition of private/public
8 partnerships, by the way. To try and
9 identify areas where we could attack as many
10 problems as we could in a holistic/regional
11 way.

12 For instance, three years ago we
13 proposed, you know, this rebate concept that
14 came out from Suffolk County just this week
15 about rebates to people who are going to
16 replace their cesspools with --

17 MR. DALE: They are grants actually.
18 We are doing grants. The State legislation
19 is rebate, that's problematic --

20 MR. HERSHKOWITZ: I understand, but
21 the point is -- the idea is this was a
22 public/private partnership. Why? Because
23 the public was putting in the cesspool and
24 the State was giving some money to make it
25 easier. That's public/private. And also in

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this is to encourage those guys who install those cesspools to get some sort of rate because it's going to require -- they may be losing money because they have an inventory of old cesspools and they have to replace them with new, et cetera.

So the point is here if you look at all of these things -- and I look at the reports, okay, that are going to constitute this concept of a plan, this to me is the only report that holistically and regionally attacks many, many different problems related to our drinking water. So respectfully ask the commission to look at this as an example of one way to attack the problem generically and holistically and regionally because the other reports touch on individual things but if you look at the other reports there's a lot of holes when you start looking at the plan, if we assume that the plan is going to attack the entire problem.

I mean do we have a nitrogen plan? Do we have a fertilizer plan? Do we have a

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2 pesticide plan? Do we have a wastewater
3 plan? Do we have a Superfund cleanup reform
4 plan? Do we have personal care product
5 plan? Do we have pharmaceutical plans? Do
6 we have (inaudible) plans? Do we have
7 saltwater intrusion plans?

8 In other words, if we are going to
9 say that LICAP is information representing
10 both Nassau and Suffolk and is charged with
11 coming up with a plan to protect the
12 aquifer, we need to be looking at this
13 holistically so that was what I was thinking
14 when I proposed this. We have to come up at
15 the end of the year with a proposal to both
16 legislatures and tell them this is what we
17 think or these are the choices that you have
18 to holistically attack the problem. There
19 are things in my plan that are not included
20 in any reports. And so I respectfully ask
21 that we look at this objectively again and
22 try and look at it as a possible choice that
23 the legislature could look at either in its
24 entirety or maybe -- I don't think there's
25 any harm in this proposal.

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2 MR. SZABO: Jared, part of the
3 problem or part of the frustration has been
4 for the last almost three years -- certainly
5 for the last two-and-a-half years since you
6 and I and Jerry and Bill and (inaudible), I
7 think there has been a different
8 interpretation as to where this concept of
9 public/private should head and I think
10 you've been sort of on a particular path and
11 I don't think that it's the path that the
12 board -- LICAP -- agrees with. I think it's
13 -- I think your statements about this sort
14 of being a roadmap for recommendations --

15 MR. HERSHKOWITZ: No. I said it was
16 a choice, Jeff. I didn't say it was a
17 recommendation. I said it was a choice.

18 MR. SZABO: That wasn't the intent
19 when the subcommittee was set up. So I
20 think since day one for a couple of years
21 now, several years we haven't been on the
22 same page as to what we had hoped this would
23 be.

24 MR. HERSHKOWITZ: Let me respond to
25 that. When I first proposed this three

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years ago as we were exiting the meeting you praised me on the proposal. You actually said to me, you know, we ought to bring this to Mr. Bellone to be looked at. I don't know if you remember that comment.

MR. SZABO: I'm sure I didn't say that.

MR. HERSHKOWITZ: You did. You said there's a lot of good things here. I think that to throw the baby out with the bath water here because we have some objections, let's go through it. Let's find out where the problematic areas are. I would much rather get rid of some controversial areas and keep the general intent of this thing and keep it in than throw the whole thing out.

MR. CAREY: Right, but with all due respect, some may have been supportive of your concept but the path this took with you at the wheel went in a totally different direction and the opportunity to make the revisions have been numerous. I've been included in them and you sent e-mails to

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myself and Steve saying you made the changes and it stands and, in fact, you changed very little.

MR. HERSHKOWITZ: Well, I changed a lot over the --

MR. CAREY: You changed very little.

MR. HERSHKOWITZ: If you look at the original and you look at it now there's a lot out.

MR. CAREY: There's still a lot highlighted.

MR. HERSHKOWITZ: Well, let's take a look at the highlights, that's all I'm saying. If the highlights are the problematic areas, give me a chance then to respond. This is the first time I've seen this.

MR. CAREY: We've given several chances and you've seen many of the comments in the past. To say this is the first time is not --

MR. HERSHKOWITZ: No, no. The first time I've seen this.

MR. CAREY: Well, it is very

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2 similar. So at this time --

3 MR. HERSHKOWITZ: Wait a second,
4 wait a second. You sent me one a few weeks
5 ago, right?

6 MR. CAREY: That was about the fifth
7 one.

8 MR. HERSHKOWITZ: Right. And I made
9 eighty to ninety percent of the changes you
10 asked for and Steve said that. There have
11 been some additional ones since that time.
12 I haven't had a chance to really completely
13 digest this but I am willing to go through
14 this if you have severe objections to
15 things.

16 Once again, I'd rather save as much
17 as we can of it and get rid of the
18 controversial areas. Let's look at -- give
19 me the chance to do that.

20 MR. CAREY: We are beyond that
21 point. So right now --

22 MR. HERSHKOWITZ: The commission
23 when I first presented it praised me on the
24 first seven items of the original ten and
25 those are still here. I think to throw out

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those original seven that everyone agreed with and not give me the chance to get rid of the ones that you object to --

MR. CAREY: I'll state it again, you've had many chances with the cochair and you keep going in circles. You've been going in circles for a very long time so at this time I'm going to call the vote for the commission --

MR. HERSHKOWITZ: Give me the chance.

MR. CAREY: Excuse me. You've spoken and I'm leading the meeting, I'm calling the vote. Do we want to keep this report as part of our --

MR. HERSHKOWITZ: Without giving me a chance to make changes is unfair.

MR. CAREY: You've had several chances.

MR. HERSHKOWITZ: Mr. Chairman, I severely object to this.

MR. CAREY: Well --

MR. HERSHKOWITZ: Because you haven't given me a chance to respond to

1 PROCEEDINGS

2 this.

3 MR. CAREY: Your objection is noted
4 and I will say, and Steve can confirm this,
5 this has gone through at least ten
6 revisions --

7 MR. HERSHKOWITZ: Right.

8 MR. CAREY: -- with little success.

9 MR. HERSHKOWITZ: Not true.

10 MR. CAREY: So here's the vote, all
11 in favor of removing this as a report from
12 LICAP, please --

13 MR. IRWIN: As it stands now?

14 MR. CAREY: Removing it as it is
15 right now.

16 MR. HERSHKOWITZ: Removing the --

17 MR. CAREY: Exactly what we did at
18 the last meeting. I --

19 MR. HERSHKOWITZ: What about
20 removing the yellow that's there now?

21 MR. CAREY: The vote is to remove it
22 completely. I want to do one step at a
23 time. So all in favor of removing this as a
24 LICAP report, please raise your hand.

25 MR. IRWIN: As it stands now I'd

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vote against it.

(Hands raised.)

MR. CAREY: We have seven.

Opposed to removing it?

None.

So let the record show that seven members vote to remove it from the LICAP reports and two abstained so, therefore, this issue is closed.

The next item on the agenda is a discussion on our allocation of LICAP's New York State funding. The good news is that we received notice from the State that we received notice from the State that we received \$250,000 towards our LICAP efforts and Rich Bova is going through the application process for us. There is a number of applications you need to fill out to get to the next stage to receive the money and one of them is to somewhat adopt an informal budget so we've outlined that here. We had a meeting with our duly appointed financial chairman so any discussion, we have some backup here to as

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what we intend to use the money for.

MR. SZABO: I just want to point out just again to thank you everyone because you are being recognized by the State with an allocation of \$250,000 for an entity like LICAP after, you know, a relatively short period of existence -- our third or fourth year -- but I think when you see a commitment like this, a financial commitment from the State to enhance some of the work that we are doing, I think we should all be very proud of that. I think we should all be excited about the potential that comes with this allocation from the State.

So thank you all very much for your efforts in advocating for the \$250,000. I just want to point out when we met to conceptually come up with some funding options this was by no means cast in stone. We had -- we think that there are certain things that still need to be done, as Stan had just mentioned, of why we had used some of the resources and I think we attached on the back sort of backup information about

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servers and possible use of consultants for some of the report writing and expansion of the data that we received to update water track and other items that help the members to make a decision, but we are certainly open to any other suggestions that the voting members may have.

MR. HERSHKOWITZ: I have a point of information. I ask counsel to refer to the resolution relative to how we use money. I think it is number ten and whether there is any conflict within the resolution, just a question of legality. Resolve ten, I believe it is. I'm not sure. Is that ten?

MR. HOPKINS: Resolved that LICAP is hereby authorized and empowered to receive and expend public and private funds, including grants from nonprofit foundations, agencies, corporations including public benefit corporations, and private entities, contract with public corporations for in-kind services, and may apply for and accept grants, donations, subsidies, or other funding from the federal, State, and

1 PROCEEDINGS

2 local governments, and enter into contracts
3 for and agree to accept such grants,
4 donations or subsidies in accordance with
5 its approved purposes and make grants to
6 public education and/or research
7 institutions, such funds to be used for
8 research purposes, provided that no more
9 than fifteen percent of the LICAP funds are
10 used to pay for overhead or associated
11 costs.

12 MR. HERSHKOWITZ: So my question is,
13 are we within the legal realm? That's all
14 I'm asking.

15 (Inaudible crosstalk.)

16 MR. HERSHKOWITZ: With respect to
17 the fifteen percent overhead, I'm not sure.

18 MR. HOPKINS: There's no overhead in
19 the budget so I don't think that that's an
20 issue.

21 MR. WHITE: Again, I think this is
22 something that effectively the Water
23 Authority is willing to provide an in-kind
24 services, which is part of what best use of
25 our interest in the funds.

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MR. SZABO: I think one of the requirements though, maybe it's the next resolve clause, was upon the acceptance of funding that we would have to have a single audit performed.

MR. HERSHKOWITZ: That was my next question. I just want to make sure that we are within the guidelines of the resolution and counsel has to make that determination.

MR. HOPKINS: It appears that they did.

MR. HERSHKOWITZ: And that we had a previous meeting where Michael, I think, was going to head a committee that was going to be responsible for accepting and distributing that money. Was that the way that was going to work? We are going to lockbox it a little bit. I think the entire commission voted on that, right?

MR. SZABO: I think the commission voted, if I recall correctly, I think Stan's recommendation to have Michael as the finance chair.

MR. HERSHKOWITZ: Right.

1 PROCEEDINGS

2 MR. SZABO: But I don't recall a
3 conversation about lock boxing the money.

4 MR. HERSHKOWITZ: Well, that term
5 was used. I don't --

6 MR. WHITE: Well, to the extent that
7 -- the way I understand this, this money
8 would come down from the State of New York
9 and would be in a standalone account that
10 the Water Authority is holding. The only
11 access to that account would be by LICAP
12 pursuant to a funding request of this
13 tentative budget that was established.
14 Would that be fair?

15 MR. CAREY: Right. And it would be
16 subject to an audit.

17 MR. WHITE: So effectively, it's
18 LICAP money they are holding because we
19 don't have a bank account, we probably don't
20 want a bank account.

21 MR. HERSHKOWITZ: I get that. I
22 just want to -- because we did talk about
23 making sure that the money is distributed
24 with LICAP's supervision.

25 MR. WHITE: And I think, quite

PROCEEDINGS

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2 frankly, it seems when we are expending
3 these monies we probably, at least if it
4 serves as an outside contractor, we probably
5 have to have a resolution about that, if we
6 are expending the monies for something we
7 might at least want to have effectively a
8 (inaudible) where it's been approved to make
9 that payment so we have some sort of
10 balance.

11 MR. HERSHKOWITZ: I believe that
12 there was going to be a committee.

13 MR. CAREY: Right. Once we receive
14 the money or when we are about to receive
15 the money we will have to establish that
16 criteria and make a policy for LICAP to
17 follow.

18 MR. TERRACCIANO: I just want to
19 note for the record, that should there be
20 any data collection (inaudible) you would
21 like the USGS to perform, please say so
22 before you issue an RFP. We cannot compete
23 with RFPs. And I would also seek to commit
24 federal funds to match any funds or
25 projects.

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MR. WHITE: That's terrific.

MR. CAREY: Okay. Is there anything that anybody wants to add to what is being proposed here? Again, this is a necessary step for us to apply to the State to show how we intend to use the funds.

MR. IRWIN: Could someone better explain irrigation consult because I mean I've read it but supposed to evaluate the systems that are out there?

MR. FULLER: Sure. Just through various organizations that we've dealt with in particular the water conference we've met with members of the irrigation association and what we've learned is improperly configured irrigation systems can waste a lot of water. It's been noted by them that improperly configured sprinkler heads can waste from two to four gallons per minute, per head, which is what I noted there, and EPA has noted in literature that in outdoor water use there is up to fifty percent water wasted, you know, either through runoff, evaporation, or various means. So we do

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2 feel that by improving efficiency of
3 irrigation systems you will see substantial
4 reductions in water use. In particular,
5 peak water reduction, that's something that
6 the DEC has noted. I think that it's worth
7 looking into further so by contracting with
8 a certificated landscape irrigation auditor
9 through the irrigation association we could
10 perform audits of particular homes or
11 businesses or whatever the board decides.
12 And through that we should hope to see
13 substantial reductions of water use.

14 MR. IRWIN: So that \$50,000 would be
15 applied to auditing specific private
16 properties?

17 MR. FULLER: I wouldn't say private
18 properties. I would even suggest nonprofit
19 institutions, schools, something that would
20 not be controversial in any way but I would
21 say, you know, large users -- hospitals
22 potentially -- you know, there are various
23 places that you can improve systems and see
24 water reduction.

25 MR. SZABO: I think the thought

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would be -- and the Water Authority just last month approved, I think it was \$5,000 or \$10,000 --

MR. FULLER: Five thousand dollars.

MR. SZABO: -- to pilot something similar in our service territory what we are trying to do here for both counties, but I think a discussion about how the money, the \$50,000, would be allocated between each county if we would be eligible. I'm not quite sure we are there yet. I don't know if we can make those decisions today but I think what we are hoping for is that conceptually this is something that we may need to drill to our comfort level of course but we were hoping that we get a consensus that conceptually this is something we think would be beneficial to meet DEC's requirement of the fifteen percent reduction and further our conservation efforts in both counties. How it would be broken down between the various water providers in both counties, whether you go through a water provider, would it be administered through

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the county's health department -- I'm not sure. I don't know if anyone has some thoughts on that.

MR. DALE: Can I make -- suggest an ancillary consideration as well?

Considering that we are looking to change out seventy-five percent of our wastewater treatment systems in Suffolk, you have at least fifty parcels in Nassau and one of the key elements that we are looking at with these treatment systems are narrow pressurized rain fields, conceivably they can fertilize but they can also irrigate at the same time and that would be, I think, once everything is finally in place, which should be at least half a century, that that would certainly be a significant contributing factor. Maybe, as I said, conceivably factor into this evaluation.

MR. GRANGER: I think the way you wrote the narrative with regards to the irrigation it's going to be a pilot. There's certainly not enough money to go around.

1 PROCEEDINGS

2 MR. FULLER: Right.

3 MR. GRANGER: So I think you're on
4 the right track. That gives you a lot of
5 wiggle room to --

6 MR. FULLER: Paul, I point out you,
7 with Port Washington, you started a similar
8 pilot. You're actually the first one so we
9 are using that as inspiration. I don't know
10 if you've started yet.

11 MR. GRANGER: No, because just for
12 your own advocacy -- that's why it's going
13 to need a little vetting out is that there's
14 only one -- if you use the criteria set
15 forth by the irrigation association there's
16 only one certified landscape auditor on Long
17 Island.

18 MR. DALE: And let me also suggest
19 one other element -- the other element would
20 be beneficial reuse that we've seen
21 happening at the Riverhead Golf Course as
22 it's attached to the Riverhead wastewater
23 treatment plant so that's considerable and
24 we now golf courses use an immense amount of
25 irrigation so conceivably that might be

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something else that might be factored in.

MR. CAREY: I had a company -- a reuse company from Ohio who's scheduled to come in and give a short presentation at our next meeting in June on just that, on reuse so it would be fitting. But I think for the purposes of today's meeting this is really just to submit for the funding, just to give an idea of how we intend to spend the money so if we're all in agreement we can decide specifically later on how it actually gets allocated but to submit it to receive the funds we need to adopt this.

MR. HERSHKOWITZ: I have no problems with it the way it is, another item for consideration, just one, and it would mean moving \$5,000, \$10,000 out of someplace else and putting it in -- I think that when you read the resolution and you start looking at things that maybe we could feed some of our academic institutions with some research money. Just a thought. And it wouldn't have to be a lot. So I would just ask the chairman to move \$5,000 to \$10,000 out of

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one of the other budgets and putting it into research so that when we run into a question -- a controversial question, LICAP, we could actually submit it to an academic institution like Stony Brook or even NYIT and ask them to do some research and find out the answer.

MR. DALE: Stony Brook is really amply funded at this point. I don't know whether \$10,000 --

MR. HERSHKOWITZ: I'm merely making a suggestion that would also look good, color LICAP in a positive way.

MR. OSTUNI: We could do one report from USGS, right?

MR. TERRACCIANO: I like that.

MR. HERSHKOWITZ: The proposal could be that one report from USGS could be funded under that research.

MR. WHITE: I was just going to say that I really think that leaves us some flexibility.

MR. HERSHKOWITZ: A consultant?

MR. WHITE: Yes.

1 PROCEEDINGS

2 MR. HERSHKOWITZ: You could
3 certainly do an academic to be a consultant
4 and do research?

5 MR. WHITE: Absolutely. It doesn't
6 have to be a private entity.

7 MR. HERSHKOWITZ: You guys have an
8 idea of where that \$70,000 was going to go.
9 Would there be some leeway in that?

10 MR. CAREY: It would be subject to
11 the board's approval.

12 MR. IRWIN: So we are not tied to
13 anything?

14 MR. WHITE: No.

15 MS. GALLAGHER: Just as a note when
16 you start presenting this to DEC, we are
17 probably going to need some more details of
18 some of these items.

19 MR. CAREY: Understand.

20 MR. HERSHKOWITZ: I could see where
21 (inaudible) might need some extra money to
22 do something.

23 MS. GALLAGHER: Yes, and there was
24 some questions with just a little more
25 detail as --

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MR. TERRACCIANO: Of the additional monitoring wells, what does that mean; is that to install them, to sample them, to --

MR. FULLER: No. It is existing monitor wells. We are looking to utilize existing monitor wells' network. I spoke to Michael Flaherty extensively just about the existing monitoring wells for Nassau DPW and based on some initial calculations and although we used that number 100 as a guideline, just using percentages we probably could do double the amount. Obviously we'd want to go island-wide.

MR. TERRACCIANO: Sampling or measuring?

MR. FULLER: No, sampling. We are not assembling, not measuring, sampling. We would identify monitor wells that are in, you know, again, using existing information within contributing areas so public supply wells. Potentially sampling wells at different aquifer depths and locations that we would decide ultimately.

MR. KOCH: Trying to fill those

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gaps, right?

(Inaudible crosstalk.)

MS. GALLAGHER: No additional wells,
right?

MR. FULLER: No additional wells,
no. Existing wells, yes.

(Inaudible crosstalk.)

MR. TERRACCIANO: So there's a
number of existing networks?

MR. FULLER: Yes.

MR. TERRACCIANO: And the State
pesticide monitoring program, which is
heavily supported (inaudible) and so that
data needs to be brought into --

MR. FULLER: We have received that
information.

MS. GALLAGHER: How is this
different from the \$400,000 that Nassau is
getting for monitoring?

MR. FULLER: For the USGS because
they are -- correct me if I'm wrong --

MR. TERRACCIANO: Am I getting
\$400,000?

MS. GALLAGHER: No. Nassau County

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is getting \$400,00 for monitoring, correct?

MR. FLAHERTY: I have not heard that number. That would be something out -- that might be something Brian might be very well aware of.

MS. GALLAGHER: I thought that was for --

MR. FLAHERTY: This is -- this is separate for the (inaudible) for LICAP. And just to expand on that, the county network is approximately 539 wells. We have Lloyd, we have Magothy -- three portions of Magothy, and we have upper glacial. So there's a lot of places to choose from in prioritizing the risk for some of these other supplies. The other money, there was discussions earlier about how that might happen. The money would come in, how it was going to be executed, how we were actually going to do the sampling, but I don't know -- I didn't hear the last -- the last word on that. This is separate -- this would be separate.

MR. WHITE: If you find it, they are

1 PROCEEDINGS

2 willing to receive it.

3 MR. FLAHERTY: Yes. We are willing
4 to receive it.

5 MR. KOCH: Make sure that's in the
6 minutes.

7 MR. CAREY: Any other comments or
8 questions?

9 MR. WHITE: I just want to make a
10 comment. I think this was a tremendous step
11 forward for LICAP and in agreeing with what
12 Jeff said, it was the year with the way the
13 State (inaudible) put into the budget to
14 start and I see this as a great opening for
15 LICAP.

16 I also feel that it was good to be
17 recognized, that with the financial stress
18 that both counties are in, even though this
19 is a county agency -- entity, we didn't have
20 to go back to the counties. We took
21 advantage of getting some other source of
22 funds and I think that was an outstanding
23 result and I thank everybody who
24 participated, specifically DEC and
25 (inaudible) was extremely supportive and

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that helped us a lot in having the governor's office understand the program.

But I also want to mention one more thing, that dialogues with the governor's office did start with the recognition of our water track program. And that was like, wow, this commission can actually do something, work product, and I think that recognition really got us some credibility -- real credibility, so thank you.

MR. CAREY: You're welcome.

And several of us did make the rounds to a bunch of senators and assemblies to advocate as well as we could and this is a result of that.

So with that said, are we all in favor of this budget outline going forward to apply?

MR. WHITE: I would move this with accepting the discussion that when we are allocating and moving these funds, that we come back to this commission for specifics.

MR. CAREY: All in favor?

Very good. Any other business that

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anyone wants to discuss, any other business?

Public comment, anyone from the public want to offer comment before we close?

Please, if you could stand up and speak loud enough.

MS. BLUM: I am not that familiar with all of this but I see five names on this report that you tossed out and I'm assuming that the five people worked very hard on it and I'm kind of dismayed that all of their work is just being thrown out. You know, if you expect people to volunteer their time and put work into things, I really think that in some way it should be included. I don't think it really -- it sounds fair at all. It sounds very nontransparent also and that concerns me.

MR. CAREY: Thank you for your comments.

Anyone else?

UNKNOWN SPEAKER: To that point, I'm wondering since I was on the committee, what's the status of that?

1 PROCEEDINGS

2 MR. CAREY: Of which?

3 UNKNOWN SPEAKER: Management
4 opportunities.

5 MR. CAREY: We all say for a meeting
6 yesterday.

7 UNKNOWN SPEAKER: Right.

8 MR. CAREY: And we agreed on how to
9 leave off. You want me to -- you really
10 don't know how we left off yesterday?

11 UNKNOWN SPEAKER: Well, we are
12 submitting a report.

13 MR. CAREY: Right, but we're not
14 there yet. That report we needed a little
15 extra time because I had a late start and
16 hopefully we are going to have a draft based
17 on our discussion, which is what we said
18 yesterday, by the meeting in three weeks.

19 UNKNOWN SPEAKER: And that will come
20 before this --

21 MR. CAREY: It will come before the
22 commission just like the others did today.

23 UNKNOWN SPEAKER: Okay. Well, one
24 was just thrown out, but all right. Thank
25 you.

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MR. CAREY: Anyone else?

MS. PILEWSKI: Jennifer Pilewski
from New York State DEC.

I just wanted to make a comment that we still have some technical comments on some of the reports, none of them were the controversial ones that you were discussing today. We do intend to submit those if it's not too late to do so.

MR. CAREY: I would recommend that you do it before our next meeting. These guys who are writing these things --

MR. COLABUFO: It is too late.

MR. CAREY: -- I hope that they are not extensive in nature because this has been going on for a very, very long time and if they are substantial we just don't have time to bring it back to the board. If it's questioning scientific data that can be supported I think that's one thing but to change -- to change the message, I don't think we can --

MS. PILEWSKI: I don't think anything is changing the message. Just

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2 technical comments on regulatory, what
3 exists and what doesn't exist already. We
4 just want to make sure it's correct.

5 MR. COLABUFO: I would just say, do
6 them as soon as humanly possible. We should
7 have been at this point in January. We
8 wanted all the comments at the end of
9 January so we are four months behind and
10 time is a'wasting.

11 MR. CAREY: Jared?

12 MR. HERSHKOWITZ: I have a technical
13 question for the chair on intent. We had --
14 you and I and maybe Jeff had talked about
15 when the plans finally evolved that there
16 might be a section towards the end where
17 there are some recommendations or a section
18 that says these things also came under
19 discussion.

20 Would the chair entertain cherry
21 picking the report for the noncontroversial
22 issues and possibly offering them to the
23 commission to be included in the plan under
24 the recommendations or the discussions
25 section of the plan?

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MR. CAREY: We voted to not include
the --

MR. HERSHKOWITZ: The plan -- the
report.

MR. CAREY: So it's out.

MR. HERSHKOWITZ: I asked you a very
specific question because you and I had
discussed even in MO that if we don't do a
draft that we might include some of the
items that --

MR. CAREY: The vital groundwater
management plan will have to come before the
board again and be vetted before we go to
public hearing after the third quarter.

MR. HERSHKOWITZ: Will I have the
opportunity to offer the noncontroversial
parts of P3 to the commission for a vote to
be included in the recommendation?

MR. CAREY: I can't stop you from
speaking at meetings if that's what you want
to do.

MR. HERSHKOWITZ: Is it the intent
of the chair to include that in the plan, a
recommendation section or another section

1 PROCEEDINGS

2 outside of the reports?

3 MR. CAREY: It is my intent right
4 now but I do not control this voting board.

5 Any other comments from the public?

6 MR. WHITE: I would suggest I'd
7 certainly be open to that.

8 MR. IRWIN: Referring to the report
9 that was put before me today and supposedly
10 the controversial portions were highlighted,
11 I had issues that weren't highlighted, so.

12 MR. HERSHKOWITZ: Well, we can --
13 well, we never had a chance to discuss it.

14 MR. IRWIN: We didn't but you might
15 want to --

16 MR. HERSHKOWITZ: Well, I don't know
17 what those are because we haven't had a
18 chance to discuss it. If you want to e-mail
19 me, that would be great.

20 Like I said, I would rather have a
21 small part than nothing and if we can do it
22 in another way I would be open.

23 MR. CAREY: Anyone else?

24 Motion to adjourn the meeting?

25 MR. DALE: Motion.

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MR. FLUFF: Second.

(Time Noted: 3:27 p.m.)

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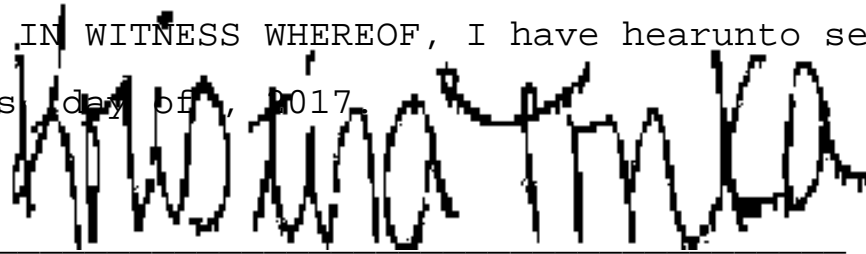
C E R T I F I C A T E

I, KRISTINA TRNKA, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify:

That the within statement is a true and accurate record of the stenographic notes taken by me.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this day of, 2017.



KRISTINA TRNKA