

**In the Matter Of:**  
**LONG ISLAND COMMISSION**

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**HEARING-LICAP**

*December 05, 2017*

*Volume 1*

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SUFFOLK COUNTY WATER AUTHORITY

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LONG ISLAND COMMISSION AQUIFER PROTECTION

IN THE MATTER OF:

GROUNDWATER RESOURCES MANAGEMENT PLAN

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1550 Franklin Avenue

Mineola, New York

December 5, 2017

Time noted: 3:00 p.m.

Reported by:

Kevin Jones

1 B E F O R E:

2

3 STAN CAREY - Chairman LICAP

4

5 JEFFREY SZABO - Suffolk County Water Authority

6

7 FRANK KOCH - Member

8

9 BRIAN SCHNEIDER - Nassau County Executive's Office

10

11 SARAH MEYLAND - Minority Caucus Nassau County Legislature

12

13 DON IRWIN - Nassau Department of Health

14

15 MICHAEL WHITE - Suffolk Legislature P.O.

16

17 STEPHEN TERRACCIANO - U.S. Geological Survey (USGS)

18

19 CHRIS OSTUNI - Nassau Legislature

20

21 STEVEN COLABUFO - Suffolk County Water Authority

22

23

24

25

1 HEARING-LICAP

2 MR. CAREY: Thank you for attending  
3 today's public hearing hosted by the Long  
4 Island Commission for Aquifer Protection or  
5 LICAP. My name is Stan Carey, and I'm the  
6 chairman of LICAP. I am joined today by  
7 vice chairman Jeffrey Szabo from the Suffolk  
8 County Water Authority, as well as Frank  
9 Koch, Brian Schneider, Sarah Meyland, Don  
10 Irwin and Michael White.

11 The purpose of these hearings is to  
12 elicit public comment on LICAP's draft  
13 Groundwater Resource Management Plan. The  
14 draft is available online at LI aquifer  
15 commission dot com. In just a minute I will  
16 introduce Steve Colabufo, who will give a  
17 brief presentation on what the Groundwater  
18 Resources Management Plan consists of as  
19 well as outline some of the key  
20 recommendations. The list of those plans  
21 top 15 recommendations is available outside  
22 if you haven't picked one up already.

23 Before we begin, I would just like  
24 to remind everybody that today's proceedings  
25 are designed to provide a forum for comment

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1  
2 on the plan, and that this is not a question  
3 and answer session. Any questions you may  
4 have can be submitted electronically by  
5 e-mailing to LICAP at SCWA dot com or by  
6 mail to PO Box 38, care of Suffolk County  
7 Water Authority, Oakdale, New York 11769.  
8 Either I or one of the other LICAP members  
9 will get back to you with an answer as soon  
10 as possible. All comments made today will  
11 be brought before the LICAP voting board for  
12 consideration during our upcoming general  
13 meeting on December 13th, and the final  
14 report we expect will be published before  
15 the end of this year.

16 As an organization our mission is to  
17 make sure our sole source of drinking water  
18 here on Long Island is protected for future  
19 generations, and so we love to see Long  
20 Island residents such as yourselves engage  
21 in these discussions and seeking to become  
22 more educated about the issues that impact  
23 our groundwater. So thank you once again  
24 for attending today's public hearing, and  
25 with that I turn it over to Steve Colabufo.

1 HEARING-LICAP

2 MR. COLABUFO: Thank you. Can  
3 everybody hear me? Thank you, Stan. As  
4 Stan mentioned my name is Steve Colabufo.  
5 I'm the water resources manager of Suffolk  
6 County Water Authority, and we are here  
7 today to talk about the LICAP Groundwater  
8 Resource Management Plan. The plan is the  
9 second major deliverable from LICAP. Last  
10 year we were here in a similar fashion to  
11 talk about the state of the aquifer report.  
12 The Groundwater Resources Management Plan is  
13 obviously much larger, much more future  
14 oriented, and that's the subject of the  
15 discussion for the meeting tonight.

16 So a little background information.  
17 For those who may not know LICAP, the Long  
18 Island Commission for Aquifer Protection, is  
19 a partnership basically of water resources  
20 professionals in Nassau and Suffolk  
21 including water suppliers, regulators,  
22 government officials, academics and citizens  
23 and activists and environmental groups, and  
24 it was formed to address quality and  
25 quantity issues on Long Island facing Long

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1  
2 Island's aquifers but on an island-wide  
3 basis rather than focusing on these small  
4 areas as had previously been done, kind of a  
5 holistic island-wide approach to water  
6 quality and water quantity issues. LICAP  
7 was created through legislation passed by  
8 both Nassau and Suffolk legislature back in  
9 2013, and the Web site you can see at the  
10 bottom of the page, LI aquifer commission  
11 dot com. LICAP members include all water  
12 suppliers in Nassau and Suffolk who together  
13 serve about 3 million people on Long Island.  
14 Representatives of the Nassau and Suffolk  
15 executive offices, representatives of the  
16 Nassau and Suffolk legislatures as well as  
17 employees of the Nassau and Suffolk Health  
18 Departments, the DEC and the U.S. Geological  
19 Survey as well. This is kind of a collage  
20 of all the logos of the various  
21 participating agencies. There's actually a  
22 lot more than what's shown here, but this is  
23 about all that can really fit on one page.  
24 It's a very large, wide tent encompassing  
25 pretty much all aspects of groundwater on

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2 Long Island. We have nine voting members,  
3 many of whom are seated behind me. We have  
4 numerous nonvoting members again  
5 representing numerous government agencies  
6 and other people, other practitioners within  
7 the Long Island groundwater community. One  
8 of the more significant internal structures  
9 of LICAP is the formation of two standing  
10 subcommittees; one is known as the Water  
11 Resources and Infrastructure Subcommittee.  
12 That's chaired by myself, and its intent is  
13 to develop a plan to identify long-term  
14 risks to the water supply industry. The  
15 second subcommittee, Water Resources and  
16 Opportunities, chaired by Bill Merklin of  
17 D and B Engineering, their job is to look at  
18 potential short-term risks facing water  
19 suppliers concerning the treatment and  
20 distribution of water from our aquifers.  
21 The subcommittee began meeting in 2014. The  
22 meetings were attended by that same wide  
23 cross section of Long Island's groundwater  
24 community; suppliers, activists, regulators,  
25 et cetera, and the attendees at those



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1  
2 initial five or six meetings determined the  
3 content of the plan, following the adopted  
4 LICAP law, determined the content, the  
5 subject matter which would be included in  
6 the plan. And then once those subjects,  
7 those topics were decided on, the  
8 subcommittee chairs then divided those  
9 topics based on their specific mission. The  
10 WRIS focused more on long-term resource  
11 oriented topics. The Water Resources  
12 Opportunity Subcommittee focused more on  
13 shorter-term facilities oriented type  
14 topics, and then the chairs organized and  
15 oversaw the report writing teams to create  
16 and edit the numerous reports that were  
17 done, sort of formed the raw material from  
18 which the plan was formulated. We ended up  
19 with 15 individual reports created over a  
20 three-year span. Like I said, they were  
21 sort of the raw material, the nuts and bolts  
22 that comprised the Groundwater Management  
23 Plan. So the plan, as I mentioned, is the  
24 culmination of a three-year process started  
25 back in 2013 when LICAP was first created,

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1  
2 and it was produced, the big, significant  
3 difference between this particular plan and  
4 others that have come before it, it was  
5 produced by the cooperative efforts of  
6 existing practitioners within the  
7 groundwater industry. Rather than giving it  
8 to a consultant to view it independently on  
9 his own, it was actually done by the  
10 volunteer efforts of existing practitioners  
11 within the groundwater industry. That  
12 included all those areas that I described  
13 before, water suppliers, public officials,  
14 civic groups, et cetera. So it was a nice  
15 reflection of the existing groundwater  
16 community on Long Island.

17 So the plan does a couple of things;  
18 it provides a clearer picture of the  
19 specific threats facing the aquifer system,  
20 it tests the adequacy of existing  
21 regulations, creates an action plan for  
22 long-term sustainability of the aquifer and  
23 an implementation program prioritization  
24 schedule for the various recommendations  
25 that have come forth in the plan. And along

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with that recommended amendments to the regulatory administrative section.

So the next two slides are a list of report authors. I wouldn't expect anybody to commit these two slides to memory, but like I said before, it could not have been done without the volunteer efforts of the numerous groundwater professionals currently working within the groundwater community on Long Island. So the next couple of slides is really just a shout out to our fellow authors who really were responsible for the success of the whole plan. So kudos to everybody who participated, especially those who authored the reports.

Like I said, we ended up with 15 individual reports. We sort of divided them up into several basic general categories. Starting out with the regulatory framework for Long Island groundwater management and what the laws currently are that govern groundwater on Long Island; state, local, federal, et cetera. And following from that we divided these up into natural versus

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1 cultural issues affecting Long Island's  
2 groundwater quality as well as quantity, and  
3 there's climate change, potential impacts  
4 from climate change, as well as the pine  
5 barrens and other land preservation needs  
6 which are designed to protect the future  
7 quality and quantity of Long Island's  
8 groundwater, and moved on to cultural issues  
9 that affect Long Island's groundwater. That  
10 includes wastewater management practices in  
11 Nassau and Suffolk Counties, septic systems  
12 versus regional sewerage, and then another  
13 burgeoning and important topic, geothermal  
14 heating and cooling. It's a very up and  
15 coming technology, a green technology, but  
16 it does use groundwater to do its job. So  
17 shedding more information on that subject is  
18 certainly an important consideration of the  
19 plan, and we have a great report on that.  
20 We also discuss briefly water supply  
21 alternatives. These are sort of glanced  
22 over any time people mention groundwater  
23 resources on Long Island. We wanted to do a  
24 little more of an in-depth look at water  
25

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supply alternatives such as desalination,  
potable reuse and aquifer storage and  
recovery.

Finally, we have some water quality  
and water quantity issues. We have a report  
on regional groundwater contamination, as  
well as other plumes and industrial  
contamination that's affected water quality  
mostly in Nassau, but certainly in Suffolk  
as well. Then chloride contamination, we  
discussed that in one report. Lateral  
intrusion, road salting as well as vertical  
upcoming on the east end of the island, and  
additional water quality issues as described  
and defined by the Suffolk County Department  
of Health. They were an excellent report on  
emerging contaminants and things like that.  
Then water quantity, certainly no discussion  
would be complete without discussing water  
quantity, particularly competing uses.  
Water suppliers are not the only ones who  
use groundwater on Long Island. Others  
users, agriculture, golf courses, industry  
also are important contributors to water

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1  
2 quantity issues on Long Island, so that's  
3 described in depth in the report.

4 Similarly, the Lloyd aquifer is used pretty  
5 extensively in Nassau, but minimally in  
6 Suffolk for water supply, so its current  
7 status and future is the subject of another  
8 report. And then certainly conservation  
9 warrants a lot of attention. We have a  
10 report on conservation, efficient water use,  
11 and then a little part of that report  
12 concerns reuse, particularly the use of  
13 treated sewage effluent, irrigation of a  
14 golf course out in Riverhead, a report on  
15 that. And then cross-county water  
16 transmission, several reports have glanced  
17 over that in the past. We wanted to take  
18 another look at it. Typically they supply  
19 Nassau County from Suffolk from the east,  
20 from the city to the west, so we took a look  
21 at that. Then one of the hotter topics  
22 going on right now, the reactivation, or the  
23 potential for reactivation of public supply  
24 wells in Queens. Brian Schneider designed  
25 an excellent report on that, kind of brings

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us up to date with what's going on with that topic.

In addition to the 15 reports we also wanted to focus on a couple of initiatives that are either done or at least were under way since the formation of LICAP. One of our biggest successes is Water Traq. It's an interactive water quality database which is available to the public right on the Long Island Aquifer Commission Web site. And additionally, the U.S. Geological Survey has begun a sustainability study which promises to be a new reexamination of the groundwater conditions and geologic conditions on Long Island going forward. So that was started at least while LICAP was forming, and will probably go on for another couple of years. We have a report on that as well, so we can see exactly what's been going on since LICAP was founded.

So the plan is organized into ten basic sections. The executive summary and introduction is available out in the lobby. Some of you may have it in front of you.

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That includes the top 15 recommendations.

We didn't want people to have to dig through an entire 200 page report before looking at the main recommendations, so it's furnished right up front in the executive summary introduction.

The next four sections focus on existing conditions, groundwater conditions, as well as regulatory management conditions, existing threats and existing programs that are out there already. The next couple of sections focus more on the future, future management and implementation opportunities, and then probably most importantly of all the sections is recommendation and implementation schedules for those recommendations. Then the last few sections we acknowledge the reports, the report authors. Again, I made a little short shout out to them, and they certainly deserve a section because without their work this couldn't be done. And then the references that they utilized were mentioned as well in another section. Like I said, the 15



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1 reports provide raw material. They were  
2 sort of reedited. So the main section,  
3 section eight, recommendations, probably is  
4 the most important thing to come out of the  
5 plan. The 15 reports give a total of 143  
6 recommendations, and I know that's an awful  
7 lot. So all of those recommendations were  
8 assembled and given to the LICAP voting  
9 board members to rank; as you see here, A,  
10 B, C or even another category E for  
11 elimination, because not all recommendations  
12 were considered. A lot of these were very,  
13 very specific, one particular report for the  
14 overall groundwater scheme of things  
15 possibly not. Some reports, some  
16 recommendations were eliminated, and similar  
17 recommendations that may have appeared in  
18 different reports were combined in the  
19 recommendations section.  
20

21 So this is the top 15  
22 recommendations. They are in no particular  
23 order. So these are the A list as voted on  
24 or as ranked rather by the LICAP voting  
25 board members. They're available in the

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handouts that you have that you might have gotten in the lobby. Also, the full reports, all 15 reports are available in the appendix, and the whole thing is going to be posted if it hasn't already on the LICAP Web site, LI aquifer commission dot com.

So we're open for public comment until this coming Friday, December 8th, and we anticipate that the final plan will be adopted at the full LICAP meeting on Wednesday, December 13th. We consider comments on the Web, via e-mail, telephone or old fashioned snail mail on all the addresses and numbers shown on this slide. Just going forward, we're going to complete the update to the state of the aquifer report probably in the next couple of months. Then we're going to continue to budget for LICAP based on funding received from New York State. Depending on how much funding is received, depends on things we do in the future, but we hope to expand the data for use in Water Traq and expand the data for use in the USGS sustainability and

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1  
2 groundwater study. So with that in mind,  
3 I'll stop my presentation, and we'll open it  
4 up to comments. I've been told to please  
5 identify yourself before you make comments,  
6 and I'll put the mic around this way.

7 MR. CAREY: Thank you, Steve.

8 I just want to recognize, we're  
9 joined by LICAP member Chris Ostuni and  
10 Steve Terracciano over to the right from  
11 USGS. They came in a minute or two late.

12 Again, when I call you up to speak,  
13 if you can spell your last name clearly for  
14 the stenographer, make it easier for our  
15 record. They're bringing up the cards. We  
16 have one up here so far, and that is Chuck  
17 Savinetti from the Long Island Water  
18 Conference. Chuck, come on up.

19 MR. SAVINETTI: Good afternoon,  
20 everyone. My name is Chuck Savinetti,  
21 S-A-V-I-N-E-T-T-I. I'm the superintendent of  
22 the Locust Valley Water District and first  
23 vice chairman of the Long Island Water  
24 Conference. Thank you for the opportunity  
25 to speak today about our support for Long

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1  
2 Island Commission for Aquifer Protection  
3 proposed groundwater resources management  
4 plan and the important work LICAP continues  
5 to do to protect Long Island's sole source  
6 aquifer for all of its residents. There are  
7 not many things more important than access  
8 to an uninterrupted supply of clean drinking  
9 water. While water providers across Long  
10 Island pride themselves on the high quality  
11 drinking water provided to customers, there  
12 is no shortage of obstacles in providing it  
13 in its purest form. The draft GRMP compiled  
14 by LICAP and the recommendations offered  
15 within the plan are essential for ensuring  
16 the sustainability and quality of Long  
17 Island's water supply, therefore, we  
18 recommended their complete adoption.

19 With that being said, there are a  
20 couple of points made within the document  
21 that we would like to pay special attention  
22 to. The first is in the continuation and  
23 expansion of Water Traq, a comprehensive  
24 database providing access to water quality  
25 reports across Long Island to water

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providers and the public in an open forum.

Water Traq is essential for monitoring potential trends and threats impacting our sole source aquifer, and it provides an invaluable resource to water providers and health officials. For this reason, among many others, the Water Traq program should not only be continued, but it should be expanded and funded so its full potential can be further explored. At a time when hazardous waste and industrial discharge sites continue to pop up across Long Island and the various threats to our aquifer continue to grow, it is of vital importance that groundwater monitoring programs remain intact and fully funded. Without continuous monitoring and sampling it will become harder to identify potential risks facing our aquifer, and it will have a negative impact on the overall public health. This is particularly true in Nassau County for plans to reactivate wells just west of the Nassau border to increase daily pumpage from the aquifer by more than 60 million gallons.

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2 This is one of the many reasons for  
3 continued monitoring of the groundwater so  
4 that we have baseline data in evaluating  
5 water quantity and quality. Since its  
6 inception in 2013, LICAP has been a powerful  
7 tool and resource for the water suppliers,  
8 health officials and the public. As a  
9 result, the Long Island Water Conference  
10 recommends the commission's responsibilities  
11 and mission continue in its current form.  
12 The creation of a new state or regional  
13 entity would not have any notable impact,  
14 and would only take resources which are  
15 already limited away from the great work  
16 completed by LICAP and its members, the  
17 greatest minds in water in our region.

18 In addition, the New York State  
19 Department of Health and the Department of  
20 Environmental Conservation already possess  
21 the power to implement actions for drinking  
22 water quality and protection. Through these  
23 already established entities partnerships  
24 can be strengthened and results can continue  
25 to be achieved. To this point, it's the Long

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1  
2 Island Water Conference's hope and desire  
3 that LICAP's ability to operate is extended  
4 and the role it sets out to play is  
5 expanded. LICAP and its members already  
6 have the institutional knowledge and  
7 frameworks in place for success, but the  
8 lack of funding is in many ways stifling  
9 progress. We encourage our Suffolk and  
10 Nassau County legislature to seriously look  
11 into providing any level of funding for  
12 LICAP so its current programs can be  
13 expanded and new endeavors can be explored.  
14 All of this is in the name of continuing to  
15 ensure Long Island's drinking water remains  
16 of the highest quality for our future  
17 generations.

18 Thank you for the opportunity to  
19 speak here today and provide this important  
20 testimony on the future endeavors for LICAP.  
21 If you have any questions hopefully I can  
22 answer them.

23 MR. CAREY: That's fine. Thank you  
24 very much, Chuck. Appreciate it.

25 Our next speaker is Senator Elaine

1 HEARING-LICAP

2 Phillips.

3 SENATOR PHILLIPS: Good afternoon.  
4 How are you all today?

5 First and foremost, I want to thank  
6 LICAP for your time and effort for putting  
7 together this extremely necessary and  
8 important plan. So thank you, gentlemen,  
9 thank you, lady, excuse me. Thank you very  
10 much.

11 As a representative in the New York  
12 State legislature I look forward to working  
13 with you, continue to working with you  
14 collaboratively on this plan. I also want  
15 to thank you for allowing me to speak today  
16 and address the body regarding the future  
17 health and safety of Long Island's  
18 groundwater. As all of us are very aware  
19 of, Long Island is unique from the rest of  
20 the New York State in that it is without  
21 access to large lakes, streams or reservoirs  
22 and relies entirely on its groundwater  
23 aquifers for its supply of drinking water.  
24 It's because of this that I would like to  
25 address a particular issue that my colleague



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1 brought up right before me, and that I am  
2 with the rest of my senate majority  
3 colleagues here on Long Island have been  
4 working diligently to address, and that's  
5 the re-permitting of the Jamaica wells in  
6 Queens County. So upon taking office and  
7 really prior to taking office in my role as  
8 mayor, I was active with the Western Nassau  
9 Water Committee, but it really was upon  
10 taking office that I was immediately made  
11 aware of the New York City DEP's intention  
12 to re-permit and reactivate the 68 water  
13 supply wells that had lain dormant since the  
14 mid 1990's. Reactivation would carry unknown  
15 consequences, including the potential for  
16 increased saltwater intrusion and the  
17 diversion of the toxic plumes that we're  
18 well aware. In response, I sponsored and  
19 the Senate passed Senate Bill 6716, Senate  
20 Bill 6716 which would have placed a  
21 permanent moratorium on the re-permitting of  
22 the Queens wells unless there was an  
23 emergency situation. Unfortunately, the  
24 bill did not pass in the assembly, but I  
25

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1  
2 continue to work with the New York City DEP,  
3 the New York State DEC, and the office of  
4 the chair of the assembly committee on  
5 environmental conservation to come to an  
6 agreement on the safe and appropriate use of  
7 these wells. We developed a framework in  
8 principle that would limit the use of the  
9 wells to emergency situations, including  
10 drought situations. The final language is  
11 being drafted into a letter of intent that  
12 would be signed by New York City DEC and  
13 placed on file with their re-permitting  
14 application. I anticipate that this issue  
15 should be finalized by the end of the year,  
16 but it is absolutely imperative that LICAP  
17 and every other organization that is here  
18 today and that cares about the drinking  
19 water here on Long Island that they reach  
20 out to the New York State DEC and support  
21 this letter of intent and make sure that not  
22 only do we have verbal agreements between  
23 the organizations, but we have something in  
24 writing that says what New York City's DEP,  
25 which I believe is their intent. So I

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encourage everyone here today and LICAP in particular to reach out to the DEC. Really it has to be done in the next two or three weeks to encourage this letter of intent. So thank you again. Thank you all for what you do. It is truly appreciated. Thank you.

MR. CAREY: Thank you very much, Senator Phillips.

Our next speaker is Rachel Brinn from the Town of North Hempstead.

MS. BRINN: Good afternoon. I'm Rachel Brinn, B-R-I-N-N. I'm the director of intergovernmental affairs for the Town of North Hempstead. I'm here on behalf of supervisor Judy Bosworth to share her thoughts and comments on the draft Groundwater Resources Management Plan. We want to thank the Long Island Commission on Aquifer Protection for all of the work they're doing to safeguard Long Island's precious groundwater resources as well as for allowing me to share the supervisor's comments. The Town of North Hempstead feels

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2 very strongly about the protection of our  
3 sole source aquifer, and we are constantly  
4 striving to conserve water and protect water  
5 quality. So the town's initiatives includes  
6 coordinating with the suppliers that control  
7 water distribution, work with the Great  
8 Neck, Port Washington Aquifer Committee,  
9 partnering with the EPA water sense program  
10 to promote the use of water-efficient  
11 appliances and fixtures. We use reclaimed  
12 water at our Harbor Links golf course and  
13 encourage our residents to do the same for  
14 our rain barrel education program. The Town  
15 of North Hempstead has reviewed the draft  
16 report put out by the commission and have  
17 comments on a few of the recommendations in  
18 the report.

19 One, we strongly support your  
20 recommendation that the public supply wells  
21 in Queens County remain closed. Any plan to  
22 reopen the Queens wells would be a threat to  
23 our drinking water here on Long Island. We  
24 were encouraged last year when Governor  
25 Cuomo announced the water sustainability

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1 study, which will provide a scientific  
2 assessment of the status of Long Island's  
3 groundwater resources and a road map for our  
4 future. The New York City DEP's attempts to  
5 reopen the wells before the completion of  
6 the state's study is of great concern.

7 Without this study, we will have no way of  
8 verifying the city's assertions about the  
9 potential impact to Long Island's water  
10 supply, and we will have no way of  
11 predicting the impact of such large  
12 sustained withdrawals. An additional  
13 concern is the potential of irreversible  
14 saltwater contamination in our coastal  
15 wells. Alterations in the course of  
16 existing groundwater contamination plumes  
17 and new chemical contaminations from sources  
18 in Queens are all potential impacts of  
19 reopening the Queens wells. Without a  
20 guarantee from New York City to mitigate  
21 these threats and provide a means to  
22 replenish the supply of water to our  
23 aquifers we cannot support the reopening of  
24 these wells.  
25

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Two, one of the major issues of water quality on Long Island is the use of water for irrigation at peak times in the season. It is estimated by the United States EPA that 50 percent of water used for landscaping is wasted, and a reduction in this use is an important way to cut down on pumping during the summer months. The Town of North Hempstead is working on developing regulations of automatic sprinkler systems such as the mandatory use of rain sensors and testing for functionality. We believe it is important that New York State irrigation contractors be certified and follow standards that promote the conservation of water when installing and monitoring these devices. We also support the recommendation that water efficiency programs be mandatory during the summer months to reduce peak pumpage.

Three, another important recommendation was the use of scientific data to establish caps on pumping by public suppliers. The current caps are not being

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1  
2 adhered to, nor do they accurately reflect  
3 the current supply of water. New caps must  
4 be established by using the most recent  
5 information on sustainable yield as well as  
6 the needs of public water suppliers to serve  
7 their communities.

8         The final recommendation we would  
9 like to comment on is the protection of the  
10 North Shore aquifer. Many communities have  
11 been affected by over pumping in the North  
12 Shore aquifer which has led to saltwater  
13 intrusion and peak levels of chloride in  
14 public supply wells requiring them to be  
15 closed. This is a pressing issue for us, as  
16 many of these communities such as Great Neck  
17 and Manhasset are within the Town of North  
18 Hempstead. It is vital that the North Shore  
19 aquifer be protected as the Lloyd aquifer  
20 has been in order to preserve the aquifer  
21 for the future.

22         In closing, the Town of North  
23 Hempstead would again like to thank the Long  
24 Island Commission on Aquifer Protection for  
25 their diligent work in protecting our

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2 aquifers and for including us in the  
3 process. Thank you.

4 MR. CAREY: Thank you, Miss Brinn.

5 Out next speaker is John Mirando,  
6 City of Long Beach.

7 MR. MIRANDO: Good afternoon. I'm  
8 John Mirando, M-I-R-A-N-D-O.

9 I'm presently serving as  
10 commissioner of public works for the City of  
11 Long Beach. One of my responsibilities is  
12 the management of the Long Beach water  
13 supply system. I have been involved in the  
14 management of public water since 1980. I  
15 have served as chairman of the Long Island  
16 Water Conference, I have served as chairman  
17 of the New York section of America  
18 Waterworks and have been a national director  
19 to the National AWWA. I have also managed  
20 the operation of several water systems on  
21 Long Island, including 14 years as chief  
22 engineer for two of the largest water  
23 systems on Long Island, Jamaica Water Supply  
24 and Long Island Water Corporation. I'm here  
25 to speak on behalf of the City of Long



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Beach.

First I would like to applaud LICAP for a comprehensive plan on the Long Island aquifer which is strong on water quality protection. Of particular importance to the City of Long Beach are the items directed at the protection of the Lloyd aquifer and particularly the concerns of saltwater intrusion. We strongly support efforts to develop predictive groundwater models that can accurately predict the actual movement of the saltwater in the face of the Lloyd as well as expected concentrations. Presently, eight public water supply wells in the city use the Lloyd aquifer and have exhibited chloride levels less than eight parts per million. The city has been active in the Western Nassau County Aquifer Committee and is a strong supporter of the current USGS study being conducted on Long Island for Nassau and Suffolk Counties. This is being done thanks to the efforts of Governor Cuomo and the state legislature. We want to see the necessary coordination between the USGS

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1  
2 study and any additional work. We strongly  
3 support the prohibition by New York City --  
4 can you actually hear me? This sounds like  
5 it's cutting in and out. Okay.

6 We strongly support the prohibition  
7 of New York City from use of the former  
8 Jamaica water supply Lloyd wells in Queens  
9 County. We believe, however, there should  
10 be further study on the use of the Magothy  
11 wells in Queens and their impact on Nassau  
12 and Suffolk Counties. Consideration should  
13 be given to exploring an option for those  
14 wells where the City of New York treats  
15 those wells drinking water standards and by  
16 using safe field of those wells recharges  
17 areas of Nassau County by supplying north  
18 shore suppliers, particularly the North  
19 Shore aquifer that may be using their safe  
20 field which would impact the Lloyd aquifer  
21 and the saltwater, freshwater interface.  
22 While the city is in favor of construction  
23 of additional outposts monitoring wells to  
24 accurately monitor the saltwater, freshwater  
25 interface we believe that this cost should

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not be borne by the City of Long Beach or any other supplier that uses the barrier beach wells. If constructed, the suppliers on the barrier island should have no objection to covering the cost of ongoing monitoring. The city also supports more vigorous research on more economical methods of desalination. The cost of desalination may be more economical on freshwater than building facilities to transport water from New York City or Suffolk County. The recommendation on conservation pricing needs to be studied in depth. The first gallons of water produced by suppliers are the most expensive, as they cover capital carrying costs, labor, power, chemicals and O&M costs. Once these costs are covered the cost of water only covers power and chemicals making the last gallons the least costly. So price structures need to adequately fund the many infrastructure improvements public water suppliers are facing.

Additionally, we need to look at the

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1  
2 elasticity of conservation pricing. When  
3 these conservation rates first went into  
4 effect they worked well, but as time goes on  
5 property owners become used to the cost and  
6 are less vigilant. We do support greater  
7 conservation efforts to reduce water usage  
8 through education and stricter water use  
9 laws. This includes irrigation for  
10 landscaping requiring low-cost technology  
11 and newly renovated buildings. The city  
12 supports efforts to fully fund the Nassau  
13 County Department of Public Works updating,  
14 adding and monitoring the existing  
15 monitoring well system as well as employing  
16 the best and most knowledgeable hydro  
17 geologists to work with public water  
18 suppliers in their long-range planning  
19 process.

20 There are some areas that were not  
21 covered in the report in enough detail which  
22 I believe need to be explored further. They  
23 include the following: Reclamation of  
24 wastewater. In Nassau County approximately  
25 360 million gallons a day of wastewater is

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discharged to the bay or the ocean.

Technology exists to treat this final effluent to drinking water standards which would allow for some recharge back into the Magothy aquifer either through direct recharge or a supplemental supply. Use of rainwater needs to be studied more by developing transport use of existing wastewater treatment plant effluent at the secondary level as an example for golf courses or for certain agricultural uses such as sod farms.

Finally, we respectfully request that LICAP add 16 immediate recommendations to advocate for the redistricting of DEC regions regarding water issues. We believe for the sake of improved coordination and cooperation that DEC region one should encompass geographical Long Island, including Kings and Queens Counties with Nassau and Suffolk Counties, as water resources do not know political boundaries. The environmental issues these two regions address separately, especially water, have

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an effect on the entire island and should be dealt with in such a manner.

In closing, we would like to congratulate the members of LICAP for a very comprehensive and a well thought-out document. As the city digests the document further we will be available to supply additional written comments. Thank you.

MR. CAREY: Thank you, John.

Next speaker is Jane Thomas.

MS. THOMAS: Good day. My name is Jane Thomas, and I'm a resident of Port Washington. I realize that this is a public comment hearing, but I am hoping that before any decision is taken on whether or not to extend the shelf life of LICAP that the following question be answered, and I see only when I picked up the piece of information outside that number 15 in your list says that you do not create any new state or regional entity to provide oversight of drinking water because the power to regulate and protect drinking water on a regional basis is already vested in New

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1  
2 York State Department of Health and the New  
3 York State Department of Environmental  
4 Conservation. I'm thinking that I  
5 definitely disagree with that, and my  
6 question is just more intricately what basis  
7 you have placed in rejection of a regional  
8 groundwater management entity, which in my  
9 view would be staffed with scientists and  
10 water management experts so that those in  
11 the know and not just individual water  
12 purveyors are making those overall decisions  
13 on a regional basis.

14 I ask this because LICAP was  
15 initially charged with providing a strategy  
16 that included recommending a regional  
17 management entity, and rejecting such a  
18 foundational responsibility on Long Island,  
19 not just the overseers, seems so basic. And  
20 I think that before any decision on granting  
21 an extension should really address that  
22 issue, otherwise we're just looking at  
23 studying the issue further. I don't know  
24 what conclusions, I mean it's a wonderful,  
25 long document you have produced, but I'm not

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2 sure where we're really going to get action  
3 and something actually done. Otherwise we  
4 might as well all just go home. Thank you.

5 MR. CAREY: Thank you, Miss Thomas.

6 Our next speaker is Marilyn Hametz.  
7 Hopefully I pronounced that correctly.

8 MS. HAMETZ: Good afternoon. The  
9 name is Marilyn Hametz, H-A-M-E-T-Z. I'm  
10 from Massapequa, and I'm with Water for Long  
11 Island.

12 Since 1978, just a drop in history,  
13 in the publication of the Long Island 208  
14 study there have been approximately 15 major  
15 groundwater studies on Long Island. They  
16 have identified the problems of their day,  
17 not now, and proposed ways to improve  
18 groundwater quality and sometimes quantity.  
19 But very few of these recommendations were  
20 eventually carried out and fully  
21 implemented. The LICAP report, Groundwater  
22 Resources Management Plan report, which is  
23 under discussion today, includes the 15  
24 recommendations we got in the handout, which  
25 are for immediate implementation, and the



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1  
2 report also has more than 90 recommendations  
3 for short-term and long-term implementation.  
4 But how long is short term? How long is  
5 long term? And as you read the  
6 recommendations for improvement there are  
7 questions. How are they going to get  
8 accomplished? What is the strategy?  
9 Unfortunately, as was said, LICAP's  
10 recommendation 15 is do not create any new  
11 state or regional entity, and they do say  
12 that the power is in New York State  
13 Department of Health and the New York State  
14 Department of Environmental Conservation.  
15 But this has been a 40-year situation, and  
16 there are increasing, not decreasing,  
17 increasing problems in our aquifer, and  
18 these are discussed in the LICAP document.  
19 Change is needed, and models do exist that  
20 actually succeed in accomplishing effective  
21 water resource stewardship.

22 Now, Long Islanders, and that's  
23 pretty obvious, it's been stated many times,  
24 do want a sustainable and a reliable source  
25 of clean and healthy drinking water now and

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1  
2 for the future. Failure to take action now  
3 guarantees that Long Islanders will come to  
4 regret it, and I emphasize the now. A  
5 strategy for protecting and managing the  
6 groundwater supply for Nassau and Suffolk  
7 County sole-source aquifers has been  
8 prepared by Sarah Meyland, the Nassau County  
9 legislature minority leader representative  
10 to LICAP, and Jared Hershkowitz, the Suffolk  
11 County legislature's presiding officers  
12 representatives to LICAP, as well as Water  
13 for Long Island. There is a realistic  
14 approach that finally moves beyond the  
15 status quo and puts Long Island on a  
16 successful path for effective groundwater  
17 management. This minority report should be  
18 appended to the LICAP Groundwater Resources  
19 Management plan report.

20 You may have noticed that they were  
21 distributed to the people on the dais. I  
22 have copies here, which I will give to  
23 whoever would like them. And it's also, of  
24 course, on the Water for Long Island Web  
25 site.

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LICAP was specifically charged with providing a strategy that included recommending a regional management entity. While LICAP has officially rejected the concept, and that was discussed by Miss Thomas, there is a reasonable and rational path to regional groundwater management available, and working in New York and around the nation. Single-purpose water management agencies in the form of water management contacts are managing the major source, major water sources across New York State which serve approximately 70 percent of the state. Ours is different, but we need management. Long Island does not have a comprehensive system of oversight regulation management and protection of its groundwater. New York DEC, the agency responsible for regional groundwater oversight, is very limited in its ability to provide services. It's underfunded, and it has these huge, wide-ranging responsibilities which go from fishing permits to super fund fights to air quality.

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1  
2 We need an agency that focuses on  
3 groundwater. The agency would have a local  
4 board of directors, it would have enabling  
5 legislation passed at the state level  
6 authorizing it to perform some duties. Now  
7 the job has been with New York State DEC and  
8 other duties that are not currently being  
9 attended to.

10 Now, this minority report, which was  
11 distributed here, and as I said is  
12 available, which will be distributed here  
13 and available on Water For Long Island's Web  
14 site, provides a brief outline of the  
15 actions and priorities that a regional  
16 organization would provide. It presents the  
17 priority actions needed and the timeline for  
18 these efforts. It is an action plan. It  
19 would take years to fully implement programs  
20 addressing priority problems, so this  
21 strategy is a specific 20-year program that  
22 would be implemented in stages. At the end  
23 of each five-year phase the successes,  
24 lessons learned and needs for change and or  
25 additional actions will be assessed and

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2 incorporated into the program.

3 Now, just briefly, the goal and the  
4 strategy, and as I said, it's here, and the  
5 people on the dais have it; the goal of the  
6 strategy is to change groundwater use from  
7 unsustainable to sustainable, to stop  
8 degradation in groundwater quality both from  
9 old sources of pollution and new ones that  
10 keep coming up, to implement, and this is so  
11 important, the implementation, to implement  
12 programs to tackle the highest priority  
13 issues first, to provide leadership in  
14 groundwater management oversight and  
15 implementation of science-based policies,  
16 and very important, to provide  
17 accountability and measurable benchmarks for  
18 progress and change without falling into the  
19 trap of annual budget fights that have  
20 largely crippled the DEC and various other  
21 local agencies. This type of compact, they  
22 are usually self funded, and the numbers  
23 sort of look like for Nassau and Suffolk  
24 County to do this it would actually cost as  
25 little as 350 per person, which would be

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2 collected as water usage. Thank you.

3 MR. CAREY: Thank you, Miss Hametz.

4 Our next speaker is Jerry Ottavino.

5 MR. OTTAVINO: Good afternoon. My  
6 name is Gerald Ottavino, that's  
7 O-T-T-A-V-I-N-O.

8 I would urge everyone here today to  
9 study the strategy for protecting and  
10 managing the groundwater supply of Nassau  
11 and Suffolk Counties, as it is the only  
12 proactive plan presently being submitted to  
13 both county legislatures that after three  
14 full years of waiting will actually provide  
15 a viable plan for saving, protecting and  
16 managing Long Island's drinking water.  
17 Simply, the LICAP Groundwater Resource  
18 Management Plan will not accomplish this,  
19 its primary objective, nor will it serve to  
20 accomplish most of its own, I think it was  
21 said, 134 recommendations. In fact, the  
22 LICAP plan is not a water plan at all. It  
23 provides no timeline for implementation, as  
24 was stated before, it provides no budget,  
25 and provides no viable agency capable or

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empowering to effectuate such recommendations. In particular, fully contrary to its assigned goal to create such an agency, LICAP advisors do not create any new state or regional entity to provide oversight of drinking water because the power to regulate and protect drinking water on a regional basis is already vested in the New York State Department of Health and the New York State Department of Environmental Conservation. Of these two agencies just mentioned DEC is the one most responsible for Long Island's current groundwater failure. If you think I'm being too harsh and critical, I urge everyone here to read the New York State Office of Budget and Policies 2014 report on environmental funding in New York State; recites an abject lack of funding and personnel for the department's inability to protect the environment, and with even greater cuts projected for the future it will never be able to stave off the drinking water crisis at hand. Therefore, a compact-like agency

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1  
2 must indeed be created to execute the  
3 exigent, remedial oversight DEC is incapable  
4 of performing on its own. The strategy I  
5 just mentioned will do just that.

6 As an aside and being a little more  
7 specific, back in 2010 there was a reading  
8 in a Long Beach well of 110 parts per  
9 million chlorides. The United States  
10 Geological Survey indicates that it deems a  
11 threshold of 50 parts of chloride is the  
12 point at which saltwater contamination  
13 becomes inevitable, yet no emergency  
14 measures have ever been taken by any agency  
15 to halt, slow or even address this impending  
16 contamination.

17 I live in Point Lookout on the same  
18 barrier island as Long Beach and share the  
19 same Lloyd aquifer. Who or what will  
20 protect my drinking water? As I read it the  
21 LICAP plan offers nothing that will, but the  
22 strategy I referred to just previously  
23 before certainly will.

24 Thank you for your time.

25 MR. CAREY: Thank you, Mr. Ottavino.



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Our next speaker is Joseph Fragola.

DR. FRAGOLA: Hello. My name is Dr. Joseph Fragola. I'm a resident of Oceanside. It's F-R-A-G-O-L-A. I don't have any formal comments. I just would say my experience based for the last 40 years has been in risk assessment. And I do believe that this committee ought to take a more formal approach towards risk, looking at the diversity of risk that is saltwater contamination and depletion of the aquifers, and ranking those risks according to time and severity using some of the more modern available tools for risk assessment. I worked 40 years with NASA and the Nuclear Regulatory Commission, and I honestly believe that these techniques will help you formulate a more reasonable plan for the future. Thank you.

MR. CAREY: Thank you, Dr. Fragola.

I do not have any more cards. Did anyone else wish to speak at the hearing, or are there any other cards? Anyone else? No other speakers, okay. So we're going to

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recess. If anyone else wants to come up just let us know, otherwise we will reconvene at 6 o'clock for the second portion of the public hearing. Thank you.

(Time noted 4:00 p.m.)

C E R T I F I C A T E

I, KEVIN JONES, a Shorthand Reporter and Notary Public, within and for the State of New York, do hereby certify that I reported the proceedings in the within-entitled matter on the 5th day of December, 2017; that the minutes were taken stenographically by myself and transcribed by myself; and that this is an accurate transcription of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of December, 2017.

A handwritten signature in black ink that reads "Kevin Jones". The signature is written in a cursive style and is positioned above a solid horizontal line.

KEVIN JONES

	15:4		23:21	14:4
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