

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

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**HEARING-LICAP**

*December 05, 2017*

*Volume 2*

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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: 6:05 p.m.

Reported by:

Kevin Jones

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B E F O R E:

STAN CAREY - Chairman LICAP

JEFFREY SZABO - Suffolk County Water Authority

FRANK KOCH - Member

BRIAN SCHNEIDER - Nassau County Executive's Office

JOHN MILAZZO-Attorney for SCWA

DON IRWIN - Nassau Department of Health

MICHAEL WHITE - Suffolk Legislature P.O.

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

CHRIS OSTUNI - Nassau Legislature

STEVEN COLABUFO - Suffolk County Water Authority

1 HEARING-LICAP

2 MR. CAREY: Good evening, and thank  
3 you for attending today's public hearing  
4 hosted by the Long Island Commission for  
5 Aquifer Protection or LICAP. My name is  
6 Stan Carey, and I'm the chairman of LICAP.

7 I'm joined today by vice chairman  
8 Jeff Szabo from the Suffolk County Water  
9 Authority, as well as our counsel, John  
10 Milazzo, member Brian Schneider, member  
11 Frank Koch, member Michael White and member  
12 Don Irwin.

13 The purpose of these hearings is to  
14 elicit public comment on LICAP's draft  
15 Groundwater Resource Management Plan. The  
16 draft is available online at LI Aquifer  
17 Commission dot com.

18 In just a minute I will introduce  
19 Steve Colabufo, who will give a brief  
20 presentation on what the Groundwater  
21 Resource's Management Plan consists of as  
22 well as outline some of the key  
23 recommendations. The list of the plan's top  
24 15 recommendations is available outside if  
25 you haven't picked one up already.

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1  
2 Before we begin, I would just like  
3 to remind everybody that today's proceedings  
4 are designed to provide the forum for  
5 comments on the plan, and it's not a  
6 question and answer session. Any questions  
7 you may have can be submitted electronically  
8 by e-mailing to LICAP at SCWA dot com or by  
9 mail to P.O. Box 38, care of Suffolk County  
10 Water Authority, Oakdale, New York 11769.  
11 Either I or one of the other LICAP members  
12 will get back to you with an answer as soon  
13 as possible.

14 All comments made today will be  
15 brought before the LICAP voting board for  
16 consideration during our upcoming general  
17 meeting on December 13th, and the final  
18 report we expect will be published before  
19 the end of the year.

20 As an organization our mission is to  
21 make sure our sole source of drinking water  
22 here on Long Island is protected for future  
23 generations, and so we love to see Long  
24 Island residents such as yourselves engage  
25 in these discussions and seeking to become

1 HEARING-LICAP

2 more educated about the issues that impact  
3 our groundwater.

4 So thank you once again for  
5 attending today's public hearing, and with  
6 that I will turn it over to Steve Colabufo.  
7 Also, there is just one other person up  
8 here, he's coming back up, we have Chris  
9 Ostuni who is a member and Steve Terracciano  
10 from USGS.

11 MR. COLABUFO: Thank you, Stan.

12 As Stan mentioned, my name is Steve  
13 Colabufo. I'm the water resources manager  
14 at the Suffolk County Water Authority, and  
15 I'm here tonight to talk about the LICAP  
16 Groundwater Resources Management Plan. We  
17 did a similar set of public hearings for the  
18 state of the aquifer report that was first  
19 deliverable. LICAP is the second and much  
20 more comprehensive LICAP Groundwater  
21 Resources Management Plan. For those who  
22 may not know LICAP, the Long Island  
23 Commission For Aquifer Protection, is a  
24 partnership of water resource professionals  
25 from Nassau and Suffolk Counties, including

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1 such diverse groups as water suppliers,  
2 regulators, government officials, academics  
3 and citizen and activist groups, and it was  
4 formed to address both quality and quantity  
5 issues facing Long Island's aquifers on kind  
6 of a regional basis. Prior to this really  
7 everything had been handled on a site by  
8 site. We're trying to do things more on a  
9 regional basis, and LICAP certainly was  
10 formed for that purpose. LICAP was created  
11 through legislation passed by both Nassau  
12 and Suffolk legislatures back in 2013. You  
13 can see at the bottom of the page LICAP's  
14 Web site. LICAP members include all water  
15 suppliers in Nassau and Suffolk which  
16 together serve over 3 million people;  
17 representatives of the Nassau and Suffolk  
18 County executives as well as the Nassau and  
19 Suffolk County legislatures, employees of  
20 the Nassau and Suffolk Health Departments,  
21 state DEC and the U.S. Geological Survey.

22 This is kind of a collage of all the  
23 different participating agencies within  
24 LICAP. There's actually a lot more than  
25

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2 what is shown here, but this is all that  
3 could fit on the page. It's a very broad,  
4 inclusive tent of pretty much anybody from  
5 any aspect of the groundwater situation on  
6 Long Island. We have nine voting members,  
7 many of whom are sitting behind me, and some  
8 nonvoting members representing other units  
9 of government and other aspects of the  
10 groundwater situation on Long Island.

11 One of the more important internal  
12 structures within LICAP is the formation of  
13 the two standing subcommittees. We have a  
14 Water Resources and Infrastructure  
15 Subcommittee that was chaired by myself.  
16 Our objective was to develop a plan for  
17 identifying long-term risks to the water  
18 supply industry. The second subcommittee,  
19 Water Resources and Opportunity  
20 Subcommittee, looked at more potential  
21 short-term risks facing water suppliers and  
22 distribution of water. That was chaired by  
23 Bill Merklin of D and B Engineering. And we  
24 began meeting first separately and then  
25 together back in 2014. Meetings were



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1  
2 attended by that same wide cross section of  
3 groundwater professionals that I mentioned  
4 earlier, and the attendees at those initial  
5 meetings following the adopted LICAP law  
6 ultimately determined the subject matter and  
7 all the topics that were to be included in  
8 the plan. Once those determinations were  
9 made the subcommittee chairs then divided  
10 those topics based on their mission. Water  
11 Resources and Infrastructure Subcommittee  
12 focused more on long-term resource oriented  
13 topics, and the other subcommittee, Water  
14 Resources Opportunity, focused more on  
15 shorter-term facilities oriented topics.  
16 The subcommittee chairs then organized and  
17 oversaw report writing teams which  
18 ultimately created and edited all the  
19 reports that comprise the plan. We ended up  
20 with 15 individual reports covering a wide  
21 diversity of topics that were authored and  
22 edited over that three-year span, and those  
23 reports were kind of the raw material that  
24 comprised the plan. So the plan is a  
25 culmination of a three-year process starting

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1 way back when LICAP was created. And the  
2 difference between this plan and other plans  
3 that have come forth is that this is  
4 actually done by people who currently work  
5 in the groundwater industry on Long Island.  
6 Rather than it being assigned to a  
7 consultant who works independently and  
8 provides a product at the end this is kind  
9 of an ongoing give and take cooperative  
10 process among the existing groundwater  
11 professionals on Long Island. That was a  
12 significant departure from previous studies  
13 and plans that have come out.

14 So the management plan has a couple  
15 of functions. For one, it provides a  
16 clearer picture of the specific threats  
17 facing the aquifers, assesses the adequacy  
18 of existing groundwater management  
19 relations, creates an action plan for  
20 sustainability, and even more importantly,  
21 an implementation program and prioritization  
22 schedule for the various recommendations  
23 that stem from the plan, and then  
24 recommended regulatory amendments and  
25

1 HEARING-LICAP

2 legislative actions to make that happen.

3 I mentioned earlier all the  
4 professionals, existing working  
5 professionals in the groundwater industry  
6 who provided their authorship and expertise.  
7 These next two slides kind of just give a  
8 shout out to my fellow authors. None of  
9 this could have been possible without their  
10 work, their unpaid volunteer work that went  
11 into this, so a couple of slides, kudos to  
12 all the people who helped me work on this  
13 plan.

14 So we ended up with 15 individual  
15 reports. We divided them up into various  
16 categories. The starting point was the  
17 existing regulatory framework for Long  
18 Island groundwater management and summary of  
19 existing regulations that govern the use of  
20 Long Island groundwater, and then natural  
21 and cultural issues affecting Long Island  
22 groundwater, everything from climate change  
23 to pine barrens and other land preservation  
24 initiatives to protect water quality and  
25 water quantity, and then issues such as

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1  
2 wastewater management, septic systems versus  
3 sewers, Nassau versus Suffolk County  
4 practices. Geothermal was given a lot of  
5 attention because it is an up and coming  
6 green technology, but it does use  
7 groundwater for its functionality. So it  
8 certainly needs to be addressed in some way,  
9 so this report does that. And also water  
10 supply alternatives. We always talk about  
11 water supply alternatives kind of in  
12 passing, so we have a report devoted to  
13 technology such as desalination, potable  
14 reuse and aquifer storage and recovery. We  
15 talked about our share of water quality and  
16 water quantity issues, anything from  
17 regional contamination events such as the  
18 Grumman plumes and other major plumes that  
19 have occurred on Long Island; to more shall  
20 we say mundane issues such as chloride  
21 contamination, still significant but not as  
22 spectacular as the other ones, and  
23 additional water quality issues as reported  
24 on by the Suffolk County Department of  
25 Health in one of their reports. And then

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1  
2 quantity issues, competing uses is  
3 important, we're not the only people out  
4 there who use groundwater. Farmers,  
5 agriculture, golf courses and industry all  
6 use groundwater as well, so addressing and  
7 dealing with those competing issues will  
8 sort of help the overall picture. And then  
9 the Lloyd aquifer use, pretty heavily used  
10 water supply in Nassau and minimally used in  
11 Suffolk. There was a report on the use  
12 regulation and future use of the Lloyd  
13 aquifer. And then, of course, efficiency  
14 and conservation. All of these are  
15 important but certainly getting more of a  
16 look these days. And we have a little, a  
17 part of that report is wastewater reuse for  
18 golf course irrigation in Suffolk County,  
19 the Riverhead county golf course. And cross  
20 county water transmission, usually it's to  
21 supply Nassau from either Suffolk or the  
22 city, that's given a pretty good look here  
23 in the report. And then probably one of the  
24 more important ones, the reactivation or  
25 potential reactivation of public supply

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2 wells in Queens. Brian Schneider behind me  
3 did an excellent report on that.

4 In addition to those 15 reports we  
5 also thought it necessary to mention some  
6 initiatives that have either been completed  
7 or at least started while LICAP was in  
8 session. Water Traq is one of the primary  
9 accomplishments of LICAP. It's an  
10 interactive water quality map and database.  
11 It's available at the LICAP Web site.

12 There's a tutorial onsite so anybody can  
13 look and get any kind of information on  
14 public water supply or water quality  
15 anywhere on Long Island.

16 Then the USGS has embarked on a  
17 sustainability study which started about six  
18 months or a year ago, and that will continue  
19 with some of LICAP's help. That was started  
20 after LICAP got going, and certainly it's an  
21 important aspect and an important thing to  
22 do in the future. It should be an  
23 interesting reworking or rethinking of Long  
24 Island's geologic framework program.

25 So the plan was organized with ten

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1 sections. The executive summary and  
2 introduction sections are available out in  
3 the lobby. Some of you may have them. They  
4 include the top 15 recommendations. We  
5 didn't want to make people read through the  
6 whole report. We gave the 15  
7 recommendations out. We mention them right  
8 out front.

9  
10 Then the next couple of sections are  
11 just a summary of existing groundwater  
12 conditions, existing regulatory programs,  
13 existing threats, and pretty much a summary  
14 of all the existing conditions. And the  
15 next couple of sections after that are  
16 future oriented, the management and  
17 implementation opportunities in the future  
18 and most importantly recommendations moving  
19 forward and how to implement them. We also  
20 have a couple of sections where we  
21 acknowledge the authors, list the reports  
22 that they wrote and references, sources of  
23 information they used for the reports. The  
24 reports themselves are also contained in  
25 full in the appendix so that if you do like

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one of the topics that you come across in the plan you can read the full report in depth in one of the appendixes.

So the most important section of this whole report arguably at least is the recommendation section. These 15 reports yield a total of 143 different recommendations, some very specific to one particular report or another. So all of the recommendations are kind of assembled in a database provided to the LICAP voting board members and ranked by them in this priority matter, A, B, C and even some are ranked as E to be eliminated because they were not perhaps important enough in the overall groundwater scheme of things to be considered going forward.

Similar recommendations for written reports were combined within that recommendation section. So ultimately there's less than 143 total recommendations, but most importantly are the 15 A-list recommendations, and they are shown on the next slide. They're in no specifics order,



1 HEARING-LICAP

2 just the top 15 as voted on or ranked rather  
3 by the LICAP board members and stemming from  
4 each of the reports. And you all should  
5 have them in front of you if you stopped at  
6 the table.

7 So public comment, the full report  
8 is available in the appendix. Also, the  
9 whole plan is available on LICAP's Web site,  
10 and we'll be accepting public comment until  
11 Friday. And then we anticipate the final  
12 plan will be adopted on Wednesday,  
13 December 13th, at the LICAP board meeting.  
14 You can submit comments via the Web, via  
15 e-mail, telephone, or old fashioned snail  
16 mail to any of the addresses and phone  
17 numbers listed here.

18 Just in the near future we'll begin  
19 or we will complete our annual state of the  
20 aquifer report update. It should be in two  
21 months or so from now. We'll continue to  
22 budget for LICAP in the future based on  
23 whatever funding we receive from New York  
24 State and use that funding to expand the  
25 data for use in Water Traq and expand the

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2 data for use in the USGS sustainability and  
3 groundwater study.

4 So with that in mind I'll stop my  
5 presentation. We'll open up the floor to  
6 comments. Whoever wants to comment should  
7 identify their name for the stenographer,  
8 and also just make sure the red button is  
9 pressed and the red light is on when you  
10 address the panel.

11 MR CAREY: Thank you, Steve.

12 Do we have any cards, Seth? Just  
13 one, right?

14 MR. WOOD: I think he's getting my  
15 card, so we can probably jump right ahead.

16 My name is Doug Wood. I am the  
17 associate director of Grass Roots  
18 Environmental Education. First, I just want  
19 to thank everybody up there for all your  
20 work on this. It's quite a remarkable  
21 report.

22 Grass Roots Environmental Education  
23 is a science-based nonprofit organization.  
24 We are based in Port Washington. We've had  
25 several decades of experience addressing a

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1  
2 number of environmental contaminants  
3 impacting Long Island's aquifers and its  
4 surrounding waters. The GRMP is mandated to  
5 address the many issues facing Long Island's  
6 water and to identify methods of mitigating  
7 those issues including anthropogenic threats  
8 to groundwater quality, a word I had to look  
9 up, but a useful word. I'm here to address  
10 that particular issue.

11 Long Island like other coastal  
12 regions up and down the east coast has  
13 significant nitrogen load problems relating  
14 to human activity, particularly human waste.  
15 Upgrading and expanding ancient wastewater  
16 infrastructure and septic systems and  
17 cesspool replacement will take many years  
18 and cost many hundreds of millions of  
19 dollars. But there is another source of  
20 nitrogen generated by people, and I'm  
21 talking about high-nitrogen lawn fertilizer.  
22 Although this is not as great a contributor  
23 as wastewater, the use of high nitrogen lawn  
24 fertilizers on Long Island is something that  
25 can and should be addressed immediately and

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1  
2 is completely missing from your 236-page  
3 report. How does nitrogen in lawn  
4 fertilizer contaminate our aquifers? Most  
5 synthetic nitrogen is designed to dissolve  
6 in water quickly. With the first rain or  
7 irrigation after application the nitrogen is  
8 carried down through the soil, and as it  
9 travels through the soil some of it is  
10 immediately taken up by the roots of plants.  
11 The rest is carried beyond the root zone and  
12 eventually leeches into our underground  
13 aquifers. As any hydro geologist can tell  
14 you, Long Island soils have a high  
15 proportion of sand and are not good at  
16 holding nutrients. A report prepared by  
17 Cornell University and funded in part by  
18 Suffolk County said, "In reviewing the soil  
19 characteristics of Suffolk County,  
20 77 percent of the land area is defined as  
21 excessively or well drained. These soils  
22 fell into group A, soils with a high  
23 infiltration rate; and B, soils having a  
24 moderate infiltration rate together posing a  
25 relatively high risk of leeching."

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1  
2 I spoke before about the solubility  
3 of synthetic nitrogen, but most naturally  
4 derived nitrogen is not water soluble. This  
5 is called water insoluble nitrogen or WIN.  
6 This type of nitrogen is broken down  
7 naturally by the soil, which in turn make  
8 the nitrogen available to grass plants.  
9 Because they are not water soluble naturally  
10 derived fertilizers tend to stay in place  
11 releasing nutrients over time. Fertilizer  
12 products containing primarily water  
13 insoluble nitrogen are plentiful and easy to  
14 obtain both for homeowners and commercial  
15 landscapers. They are also less labor  
16 intensive as they tend to release their  
17 nutrients over eight to 12 week cycles  
18 rather than the four to six weeks of water  
19 soluble nitrogen products. Therefore, we  
20 and many other organizations, some of which  
21 are on your committee I noticed, are  
22 strongly advocating an island-wide  
23 prohibition on the sale and use of high  
24 nitrogen water soluble fertilizers. We've  
25 researched the availability of fertilizers

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meeting a standard of 12 percent nitrogen by weight with 50 percent or more being water insoluble, and there are a large number of such products and manufacturers offering those products to meet the market demand, and a list of those products is available.

We set up a Web site called I love Long Island dot org, and we have a list and pictures of all the available fertilizers there.

One important aspect of such a prohibition would be to level the playing field for all professional landscapers, and we want to be clear that most landscapers are knowledgeable about nitrogen and are aware of the potential for it to contaminate our water. Nevertheless, they work in a highly competitive industry where the company that can make a customer's lawn green up the fastest has a commercial advantage.

Legislation currently in place in coastal communities and other states limiting applications of nitrogen to 0.9

1 HEARING-LICAP

2 pounds per thousand square feet not more  
3 that three times a year is not only  
4 impossible to enforce, but places the entire  
5 burden of protecting our precious water  
6 supply on homeowners and landscapers rather  
7 than allowing the fertilizer manufacturers  
8 to share some of that burden. In this time  
9 of limited budgets to address the increasing  
10 number of emerging water contaminants, this  
11 common-sense solution of prohibiting the  
12 sale and use of high nitrogen fertilizers  
13 can be accomplished without any cost to the  
14 state or any significant economic impact on  
15 homeowners or landscape professionals.

16 I strongly urge you to include such  
17 a recommendation in the final version of  
18 your Groundwater Resources Management Plan.  
19 Thank you very much.

20 MR. CAREY: Thank you, Mr. Wood.

21 Do we have anyone else here who  
22 didn't fill out a card that wishes to  
23 provide comments tonight? Anyone else?

24 MS. BORECKY: Hi. I'm Claudia  
25 Borecky from Long Island Clean Air, Water.

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2 I'm sorry, I expected this to be a  
3 presentation of your report and of your  
4 findings. So I didn't read the report  
5 online, so I can't comment on anything. I  
6 was very curious about the part six that  
7 said about New York City wells, the status  
8 of that and some other issues. Again, I'm  
9 speaking because I have not seen the report.  
10 I expected this to be a presentation of your  
11 findings. So I'm kind of disappointed, but  
12 I'll look at the Web site and I'll write you  
13 if I have any concerns.

14 MR. CAREY: Okay, we will accept  
15 comments until Friday. There is another  
16 public hearing tomorrow in Riverhead. So if  
17 have a chance to go online and read it you  
18 can still provide comments after you have  
19 had a chance to review it.

20 MS. BORECKY: Okay, thank you.

21 MR. SCHAGER: Good evening, and  
22 thanks everybody for getting together on  
23 such efforts.

24 MR. CAREY: If you can just state  
25 your name for the record, please.



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2 MR. SCHAGER: Oh, yeah. Mark  
3 Schager, S-C-H-A-G-E-R.

4 I'm just a gardener with the City of  
5 New York. I did natural areas, restoration  
6 with the Parks Department, and I do some  
7 work with the DOT. I'm a little dismayed  
8 that we didn't get an agenda. Aside from  
9 that I have three points. I didn't read the  
10 report as of yet, but I'm curious about  
11 storm water basins. I grew up in Williston  
12 Park around Vanderbilt Parkway. There's  
13 quite a bit of storm water basins around  
14 there. Oftentimes I would hang out there,  
15 and now that I can read the trees and the  
16 plants I realize that we have big issues  
17 there. We don't compost our leaves. What  
18 happened to that? And the gentleman, Mr.  
19 Wood, was talking about nitrogen going  
20 through the soil substrate. What does that  
21 mean for the aquifers? And also, I don't  
22 know if you guys could mention briefly about  
23 some of the legislation you guys were  
24 talking about and some of the efforts as far  
25 as that goes. I know there's a few points

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2 in the 15 points you guys described, but I  
3 don't know, before the night ends I came  
4 here from the city, maybe you can just  
5 mention a few things legislatively that we  
6 want to do, and if the southern pine beetle  
7 and that situation is being discussed and if  
8 that's a long term or short term. Thanks  
9 everybody again and also the guests behind  
10 me. Thanks.

11 MR. CAREY: Thank you, Mr. Schager.  
12 We are here to receive public comment  
13 tonight, really not to present specific  
14 information about the plan. It was  
15 available online. But it looks like we may  
16 be ending early. So if you want to grab one  
17 of our ears afterwards feel to do that,  
18 otherwise our next regular meeting is on  
19 December 13th in Hauppauge. We tend to  
20 answer questions at those public meetings.

21 Is there anyone else who would like  
22 to provide comment tonight? Okay, so being  
23 that it's only 6:30 we're going to probably  
24 sit here for a short period of time and see  
25 if anyone else shows up and would want to

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provide comments. So we're just going to be in temporary recess for a short time just to be available if someone comes a little later. Thank you.

(Whereupon, a recess was taken.)

MR. CAREY: We're going to close the hearing for tonight. Again, the public comments will remain open until Friday either by e-mail or regular mail. Our last public hearing will be tomorrow at 6:00 p.m. in Riverhead at the County Center. So thanks again for coming.

(Time noted 6:47 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

<hr/>	<b>38</b>	<b>action</b>	12:5	19:4,13
<b>0</b>	4:9	9:20	<b>ahead</b>	24:21
<hr/>	<hr/>	<b>actions</b>	17:15	<b>area</b>
<b>0.9</b>	<b>5</b>	10:2	<b>Air</b>	19:20
21:25	<hr/>	<b>activist</b>	22:25	<b>areas</b>
<hr/>	<b>50</b>	6:4	<b>allowing</b>	24:5
<b>1</b>	21:3	<b>activity</b>	22:7	<b>arguably</b>
<hr/>	<hr/>	18:14	<b>alternative</b>	15:6
<b>11769</b>	<b>6</b>	<b>addition</b>	<b>s</b>	<b>aspect</b>
4:10	<hr/>	13:4	11:10,11	7:5 13:21
<b>12</b>	<b>6:00</b>	<b>additional</b>	<b>amendments</b>	21:12
20:17	26:11	11:23	9:25	<b>aspects</b>
21:2	<b>6:30</b>	<b>address</b>	<b>ancient</b>	7:9
<b>13th</b>	25:23	6:5 17:10	18:15	<b>assembled</b>
4:17	<b>6:47</b>	18:5,9	<b>annual</b>	15:11
16:13	26:14	22:9	16:19	<b>assesses</b>
25:19	<hr/>	<b>addressed</b>	<b>anthropogen</b>	9:18
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