In the Matter Of:

LONG ISLAND COMM for AQUIFER PROT.

HEARING

January 17, 2019

SUFFOLK COUNTY WATER AUTHORITY
COUNTY OF SUFFOLK
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LONG ISLAND COMMISSION FOR AQUIFER PROTECTION

PUBLIC HEARING and

PRESENTATION

BY STEVEN COLABUFO,
WATER RESOURCES MANAGER

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320 Center Drive
Riverhead, New York

January 17, 2019
6:01 p.m.

LONG ISLAND COMMISSION FOR AQUIFER PROTECTION PUBLIC HEARING ON GROUNDWATER RESOURCES MANAGEMENT PLAN, held at the above-noted time and place, before JEFFREY W. SZABO, CEO, SCWA; JOHN C. MILAZZO, SCWA; WALTER DAWYDIAK, SC Department of Health; and JANICE L. ANTOS, a Stenotype Reporter and Notary Public within and for the State of New York.

MR. SZABO: Good evening everybody.

Good evening and welcome to the Long Island Commission for Aquifer Protection Public Hearing regarding the Groundwater Resource Management Plan. My name is Jeff Szabo. I'm the Chief Executive Officer of the Suffolk County Water Authority and I serve as LICAP's Vice Chairman. LICAP was created in 2013 via resolutions approved both by the Nassau and Suffolk County Legislatures and it's comprised of representatives from the Drinking Water Industry, Nassau and Suffolk County Executives, both County Health Departments and the presiding officers of each respective Legislatures.

We have also had significant contributions and input from numerous entities like New York State DEC Region One and USTS. We will begin tonight's hearing with an introduction of those members joining me and we will hear a presentation summary from Steve Colabufo on the Groundwater Resource Management Plan.

Upon completion of the

presentation, I will ask any speakers to come up and to make their public comment.

With me this evening is LICAP's general counsel, John Milazzo.

MR. MILAZZO: Hello.

MR. SZABO: And Walter, Walter Dawydiak.

MR. DAWYDIAK: Suffolk County Health Department.

MR. SZABO: Nice to see you. Thank you for coming, Walt.

With that I will ask Mr. Colabufo to begin his presentation.

MR. COLABUFO: Okay. Thank you. As Jeff mentioned, by name is Steve Colabufo. I'm the Water Resources Manager for the Suffolk County Water Authority. We're here tonight to talk about the LICAP Groundwater Resources Management Plan. This is the second major deliverable of LICAP. The first one was last year where we met in similar fashion to discuss the State of the Aquifer Report, the inaugural State of the Aquifer Report.

The Groundwater Resources Management Plan is much more comprehensive in scope and much more for forward looking

and we will discuss that tonight at this Hearing.

LICAP for those who may not know is the Long Island Commission for Aquifer Protection. It's a partnership of water resource professionals, both Nassau and Suffolk Counties and it includes water suppliers, regulatory agencies, government officials, academics and citizen activist groups.

And it was formed to address water quality and water quantity issues facing Long Island on an island wide basis. So prior to LICAP, most problems were kind of addressed on a local basis. But we wanted to take a more holistic, Island wide regional approach to these problems. So LICAP was created for that purpose.

It was created through legislation passed by both Nassau and Suffolk Legislatures back in 2013. And the LICAP website is shown here on the bottom of the slide.

Okay, so LICAP members include all water providers in Nassau and Suffolk

who collectively serve over three million Long Island residents. Also representatives from the Nassau and Suffolk Legislatures, Nassau and Suffolk County executive branches as well as employees of Nassau and Suffolk County Health Departments, State DEC as well as the US Geological Survey.

This is kind of a collage of all participating agencies. There's actually a lot more than that. It's a very, large comprehensive, inclusive tent of all members of the Long Island Groundwater Community. There are nine voting members, two of which are behind me tonight. There's also a bunch of nonvoting members that represent other members of County and State government.

Internally LICAP has two standing subcommittees. One is known as the Water Resources and Infrastructure, chaired by myself. And our charge was to develop a plan to identify long-term risks to the water supply industry. The other subcommittee known as the Water Resource Opportunities Subcommittee chaired by Bill Merklin of Dvirka and Bartilucci

Engineering.

Looking at potential short-term risks facing water suppliers, treatment and distribution of potable water. The two subcommittees began meeting back in 2014. The meetings were attended by the same wide cross section of the Long Island Groundwater community that I described before; suppliers, environmental groups, regulators and the like.

And the attendees at the initial meetings following the adopted LICAP law ultimately determined the subject matter that was to be included in the Groundwater Management Plan. The subcommittee chairs divided those topics that were discussed based on their mission, the Water Resources and Infrastructure Subcommittee focused more on long-term resource oriented topics. The Water Resources Opportunities Subcommittee focused more on shorter term facilities oriented topics.

And the subcommittee chairs then organized and oversaw report writing teams to create and edit reports. Ultimately 15

reports were created over a three year span and those reports were the raw material, the nuts and bolts, that kind of comprised the Groundwater Resources Management Plan.

The Plan is the culmination of a three-year process that was started back when LICAP was created and it was produced as a result of cooperative efforts among existing practitioners within all aspects of the groundwater industry on Long Island. That's the main difference between this plan and others that have come before this.

Rather than give direction to a consultant who kind of produced a plan on his own, this was done as a result of efforts among existing practitioners within the groundwater industry on Long Island who currently work in some aspect of groundwater.

So the Management Plan does a couple of things. It provides a clear picture of specific threats to the aquifer and the potential damage potentially caused by those threats. It assesses the adequacy of existing groundwater management

regulations, creates and action plan for long-term sustainability of the aquifer as well as an implementation program and prioritization schedule for all of the recommendations that came from the plan.

In addition we have some recommended regulatory amendments and legislative actions that came out of the plan as well. There's two slides here that focus on who the authors were. The Plan would not be possible without their volunteer efforts like they did. These two slides are kind of a shout out to my fellow authors without whom the Plan would not even be possible.

We ended up with 15 individual reports, organized along a couple of different guidelines. For start, we had the Regulatory Framework for Long Island Groundwater Management, basically a summary of all of the laws and rules that regulate groundwater use on Long Island.

And we divided some topics into both natural and cultural issues affecting Long Island groundwater. On the natural

issue side, we talk about climate change and the potential impact to water resources. We also talked about the Pine Barrens and other land preservation initiatives that are designed to preserve water quality and water quantity in both Nassau and Suffolk Counties.

Moving onto cultural issues, one of the bigger ones is wastewater management practices in Nassau and Suffolk. Obviously there's two different methodologies going on. Nassau mostly sewer, regional sewering. Suffolk, mostly relying on individual septic systems or small package sewage treatment plants.

So that was discussed. That was the report done by Dorian Dale. We also discussed geothermal heating and cooling. That is an up and coming technology, a green technology, that uses groundwater for its functionality and so we decided to do a report on that because it is an important groundwater issue.

Additionally, water supply alternatives such as desalination, potable

water reuse, and aquifer storage and recovery. We discussed a lot of these types of technology, kind of glanced over frequently. But we decided to have a chapter of the report devoted to that.

On the water quality side we talked extensively about regional groundwater contamination events, the Grumman plume being the one in Bethpage and other events that have effected larger sections of the aquifer system. We talked about chloride contamination of potable wells from both salt water intrusion, lateral intrusion, vertical upconing as well as road salting.

And we talked about some additional water quality issues as reported on by the Suffolk County Department of Health considering mostly emerging contaminants, things like one 1,4 dioxane and stuff like that.

Then on the quantity side, we have an extensive discussion of competing uses, potable suppliers are not The only people using groundwater out there.

Agriculture uses its fair share as well as golf courses, industry and there are other users out there. So a full discussion of all the people who utilize groundwater on Long Island, certainly warranted its own report. And similarly the Lloyd Aquifer. The Lloyd Aquifer is used extensively for water supply in Nassau but minimally in Suffolk so we have a report on that.

Also conservation and water use efficiency. Paul Granger of the Port Washington Water District did a report on that. We also have a small section of that report dedicated to wastewater reuse, in particular the Indian Island Golf Course down the road as was employing wastewater reuse this past summer. There's a section in the report dedicated to that.

And also Cross County Water Transmission. Usually that's to supply Nassau from either Suffolk on the or the City on the west, so a report was done on that. And finally, one of the more hotter topics going on these days, the potential reactivation of the public supply well

system in Queens, the former Jamaica Water Supply System. Brian Schneider of the Nassau County DPW did a report on that.

And in addition to those 15 reports, we had two other reports dedicated to initiatives that have either started or been finished while LICAP was in session. One of which was known as WaterTraq, a water quality and mapping database. That is contained within a Long Island Aquifer Commission's website.

That's a good example of something that was started and up and running during LICAP's -- from when LICAP was started. Another important study Long Island Sustainability Study, undertaken by USGS, has begun in the last six months or a year or so. Again, while LICAP was in session. Should be done in a couple of years.

All right. So the Plan is organized in 10 basic sections. The first section is the Executive Summary and Introduction. It's available out in the lobby for anybody who cares to read it. It

also contains the top 15 major recommendations. We didn't want to make people wade through a 200 page report just to find the most important recommendations, so it's mentioned right up front.

The next couple of sections are Summary of Existing Conditions, existing groundwater conditions, regulatory and management issues, as well as existing threats and assessment of the existing programs that deal with those threats.

The next couple of sections are more future oriented; management and implementation opportunities going forward as well as recommendations and implementation schedule for those recommendations.

Then the last two sections are an acknowledge on the report authors and of our references that the authors used to make those reports. The 15 reports that I mentioned earlier yielded a total 143 recommendations. Many of those recommendations were highly specific to one report. So the recommendations were

summarized and assembled and given to the LICAP voting board members to rank.

And they were ranked in this A, B, C fashion shown here on the slide. A being immediate. B being short term. C being long term. And some recommendations were even given another letter E for elimination because while they may have been very important to one specific report, the overall scheme of things they were not deemed as necessary are as others and were just eliminated from consideration.

And also similar recommendations that were from different reports were combined in the recommendation section. So we ended up with 15 what we're calling A list recommendations that are listed here on the next two slides in no particular order. But these were the ones that the LICAP voting members decided were the most immediate and most important and recommended for immediate implementation.

And again they are contained in the handouts that we showed in the lobby earlier. So the full reports will be

available as part of appendix so if you do find something in the Management Plan that does strike your fancy, you can read more about it in one of the full reports.

They are also available on the LICAP website. This interim plan as we're calling it was adopted on December 13 by LICAP. And public comments will be accepted through the close of business on Friday, February 2.

You can submit comments on the web by e-mail, via old fashion regular snail mail, and via the phone to the Water Authority or just by calling in.

Now in conclusion going forward LICAP will complete and publish its yearly State of the Aquifer Report in next upcoming months. And we will continue to budget based on the funding we receive from New York State, part of which should go and may go to continue to expand the data for use by WaterTraq and for use by USGS Sustainability and Groundwater Study.

With that I'll conclude my presentation and we can open it up to public

comment if anybody wants to comment.

MR. SZABO: Thank you, Steve, much appreciated. I would ask if anyone has comments to make for the Commission that they come up the podium. (No response).

Okay. We see no hands being raised. Nobody is rushing toward the podium to make a comment. It is 6:16. Why don't we recess for 15 minutes and we'll see if anyone comes, from the public decides to come and speak before the Commission. If they do, we'll go back into session and accept comments at that time. Let's recess for 15 minutes, thank you.

(A recess was taken.)

MR. SZABO: It's 6:32. We can go back into session. This is a reminder, a friendly reminder, this is a Public Hearing. It's not necessarily a Q and A but Walter and I will do our best to answer questions you have.

MS. BERRY: I apologize because I'm not prepared with comments. I have only skimmed little pieces so I don't have a full understanding of the reports so...

My name is Glynis Berry. I'm with Peconic Green Growth and have worked on the water issues. And I'm starting to look at water quantity issues for the Town of Southold so I have been analyzing the data. So I'm very concerned about this.

MR. SZABO: Excuse me. I can't hear you. I'm not sure if your microphone is on.

MS. BERRY: Is that better?

MR. SZABO: Much better, thank you.

MS. BERRY: Okay. My name is Glynis Berry, Peconic Green Growth. I have been working on water quality and I am now working on quantity issues as well on the North Fork right now. A couple of things, you talk about having the conservation pricing but I'm wondering how that money will be used and if it could really go to conservation efforts and not just be a penalty so I hope that's part of the idea, that we can incentivize real water conservation.

And one of the things that always gets missed is, at least on the East End, roughly over 50 percent are still on onsite wells and the shallow aquifers. And I never

quite see anything that helps those people. And I think how do we get the incentive to also benefit people on wells because it will effect the salt water intrusion to have a program that's more comprehensive. And so that is a question I guess.

And when you're talking about working and reviewing municipal planning board applications, it might also be helpful to have the reverse happen. Where you can -- since you are doing the master plan and mapping issues, the areas that are going to be very vulnerable to salt water intrusion, if pumping is over X. And usually pumping over X happens with certain parameters. So that we can -- then planners can really plan and start matching zoning to some of these critical things instead of going on an individual by individual and not having the data to support that.

And we actually had an example in Southold where somebody wanted an livestock farm literally in wetlands going into an area that is impaired. And, you know, there was no sense of how much water pumping would

be appropriate there or what that parcel could actually support. So maybe some guidelines for planning could be developed on these critical -- whether it's quantity or salt water intrusion or some other issue that might come up.

And I've looked at some of the western programs and they actually have water budgets and some of them are very specific where they actually sort of give guidance on how much water you should use per crop. So, if, you know, one locale can only support X amount of water usage in a sustainable way and of course we want things that do have a high water use like farming is always there, how do you compensate for that and also how do you control it within the industry as well?

So I think that kind of water budget and understanding in the planning work could help. And mapping is always great. So I guess those are just some reactions to reading the top 15. And I really think there should be a great emphasis on conservation and really lowering

the numbers.

Communities like have really lowered tremendously their water use in the west. It's harder here because it's not as visceral but we have the same tools and we have a lot of good examples. So, hopefully real conservation can be part of this. And hopefully that money can go back to doing that. Because we need funding sources. Because there is no funding right now for water conservation.

MR. SZABO: Thank you very much for you comments. I'll speak to a couple of the items and try to answer them. When you talk about conservation and conservation initiatives, I believe it was in the Spring Summer of 2015 that the Water Authority launched a conservation initiative focused on the East End of Long Island, the North Fork and the South Fork, bringing awareness to residents that they need to conserve and offering incentives to them if they purchased low flow devices, shower heads and other things like that.

So it -- the point that we have

tried to stress since that initiative was kicked off is that it's not just a one of one month campaign or a two month campaign. Conservation, having that dialogue with the public and having that discussion continuously over months and years, that is really the only way that you will get into, you know, the resident's heads so they understand the importance of water and how much water is wasted and the importance of conservation when they have a sole source aquifer and we have enough water to last a long, long time but it doesn't mean that you can't use it wisely.

So our initiatives, we have given a couple of thousand dollars in total over the last couple of years as a rebate to residents who purchased these types of devices. But we have also started a series of discussions in various communities. We have been in Sag Harbor and West Islip, Southold, Northport, West Islip where we're sort of crisscrossing the Island every other month in nighttime community meetings. We're calling them Water Talk and inviting

the public, residents, to come in to learn about Suffolk County Water Authority, the water quality and conservation, a whole 20 minute segment just dedicated to conservation.

And it's not just us. It's not just the Water Authority. It's us along with other entities, whether it be the County or the State and Villages and other water providers. So I think it's a combined joint effort with all interested parties over a long period of time that really can move that conservation initiative forward. These are just sort of the beginning steps.

When it comes to conservation pricing or tiered rate pricing, we did a rate study two years ago. We have a very flat structure, rate structure right now. And the consultant had recommended that we adopt a tiered structure. And the board at the Water Authority after reviewing the report and hearing from the consultants and the experts and also the staff decided to hold off at least initially on implementing that type of plan.

That discussion will come up again over the next couple of months with the Board of the Water Authority. We have put together many different proposals and concepts of how we think it could potentially work. It would be a tiered rate structure where if you receive certain threshold based on meter size, you would move into that higher tier. But the revenue, the additional revenue that you would get from crossing that tier would be used primarily to go back into paid for the cost of bringing the service.

Does that make sense? I'm not sure if I'm being clear.

MS. BERRY: Yes. So it's going back to providing a service area rather than conservation.

MR. MILAZZO: It pays for the incremental cost for that extra --

MS. BERRY: But that doesn't deal with the issue then.

MR. MILAZZO: No, it does. It addresses the issue in that it had provides a financial incentive to use less water because you're

not paying as much if you go over that threshold, that ceiling. But the funds, the revenue, would be used by the provider to pay for additional wells to meet the demand that it creates.

MS. BERRY: But that's kind of the opposite of how it should be because you're using that money to actually meet that high demand in some ways instead of trying to reduce the demand.

MR. SZABO: The higher cost would be the disincentive.

MR. MILAZZO: What would you propose?

MS. BERRY: I think the tiered approach is really great, and if there's anything I can do to help with that, I would love to because I think it is an important way of getting people to at least become aware of it. But I think that extra money should be going to reducing demand. Because that's the more sustainable future. It's not continuing to meet any demand that's out there.

So I would think -- you know, and there have been examples of where using

conservation was the cheapest way of actually handling the issue. Because you're saving on all that cost of extra infrastructure. So, I would hope that a good portion of any extra funds, and maybe even some of it gets, you know, back to some of the Towns. And I don't know how we deal with the people on wells.

MR. SZABO: Why would it go back to the Towns?

MS. BERRY: Well, I was thinking of -- like in Southold, you know, over 50 percent are on wells. So how can you protect the whole aquifer and get everybody --

MR. SZABO: Right. But revenue, any revenue from the Water Authority, right, those funds would not go back to the Town or State or County for --

MS. BERRY: For water conservation.

MR. SZABO: -- for conservation.

MS. BERRY: I mean, whether it's done through you or programs you make wider, but I think that there's a real need to look at the bigger picture. I'm from the East End so our issues are different from what you are

dealing with on the western end. You know, we're -- everybody is on public water and so therefore you're -- but, we have a different situation on the East End. So I'm wondering if that can somehow enter into the conversation on how to handle that.

MR. MILAZZO: My advice would be, because we are at a Public Hearing, if you have a suggestion, you should write it down and submit it so that LICAP as a group can consider it and incorporate it into the Plan. Because it seems like this is an issue that kind of you are passionate about and you have some ideas. So that would give you -- I know Jeff is going to say in about three minutes that public comments are going to be open until February 2.

MS. BERRY: Okay.

MR. MILAZZO: So I think that this is an opportunity for you, rather than have a dialogue on how it could work, give a proposal to LICAP to consider.

MS. BERRY: Okay.

MR. SZABO: I just want to point out, the incentive that the Water Authority provides

for residents on private wells to connect, right, to come off the private wells and connect to the Water Authority is something we called a 75 Foot Rule. Which we basically, we absorb the first 75 feet of water main, that cost.

So we reduce the cost so that people can connect to try to make it more financially feasible. The other thing I just wanted to mention and I wasn't sure if I got this, I got your comments correct. But it seemed to be related to planning and guidelines related to --

MS. BERRY: Land use.

MR. SZABO: Land use.

MS. BERRY: And the approval of the projects. Because it related to one of the suggestions about having some review of some of the projects. But I think what happens when it's a case by case basis is you don't have the structure to make an informed decision against. So, understanding pumping rates in certain critical areas that may have a negative impact on water quality like saltwater intrusion or where ledges are too

small -- where quantity is an issue in some of these isolated aquifers, you know, where we're using the upper glacier.

So I think thinking from a real planning perspective could help the Towns when they are doing their land use and when they are reviewing projects to know if it's too intense.

MR. SZABO: I know we supply, during the SEQRA process, we supply and review applications and provide those comments to the Town Planning Department. We have not only our Water Resource Department but we have our Production Control and our Construction Department. All three divisions review the applications, provide comments and then under my signature we sort submit the summary.

What's frustrating -- and we indicate and we always stress that conservation, right, conservation practices should be used and we outline exactly how they can handle landscaping that would not be detrimental and irrigation if they are on a private well. There's a whole series of

recommendations that it's almost standard language, especially in Towns like Southold and other towns on the south fork.

What is frustrating for the Water Authority is often when these applications come through, they are not complete. They don't have the required information or it's a best guess from the consultant who is working --

MS. BERRY: Sure.

MR. SZABO: -- developer to put X project in. So we are -- in fact, we question and often question some of the figures that they present saying this is the estimated use. And we often will kick it back to them saying, this is -- you know, this may not be our particular field of expertise, but we know that this is not accurate. You need to come back to us with something more realistic.

So we have been very aggressive. And historically we have not been. But I would say the last five to seven years, we have been extremely aggressive in trying to have the Towns and different developers

submit the appropriate information for the application because it does impact the aquifer.

MS. BERRY: But couldn't it also work -- I think it's great what you just said and it's very important. But also taking your criteria and maybe having a summary document like typical uses and, you know, when quantity kicks in, certain criteria. If there's some kind of general guidance so that at least the Towns can look at that so they know it's a red flag.

Because I know I have seen applications where nobody quite realizes it and then suddenly, oh, it has a negative impact here and there. That wasn't fully thought out by the application.

MR. SZABO: It's my understanding that we supply that information, or at least a description in our submissions back to the Town.

MS. BERRY: Okay. And then one last comment, I'm looking at one year's worth of data for Southold. And what I'm finding -- I thought there would be like jumps. Like this person

irrigates, you know, this person -- but, it wasn't. It was continuous. And the average was very much different from the mean in water use.

And basically 40 percent were using over 150 percent of the national average. And then it went up and up and up and the curve just went, shoop, like this. And it was continuous. And I did a correlation with -- because I didn't have size of buildings, I did a correlation with value, and there was a pretty close relationship to value and water use.

So there might be a sense of entitlement that is another issue that has to be incorporated in rated how you introduce conservation.

MR. MILAZZO: Could be irrigation systems.

MS. BERRY: It could be.

MR. MILAZZO: It is --

MS. BERRY: But I didn't get the jumps I expected with irrigation.

MR. MILAZZO: So you're not saying a fall off. But you only have a year's data.

MS. BERRY: I only have a year's date.

MR. MILAZZO: Did you have a winter cycle to a winter cycle?

MS. BERRY: Yes, I do.

MR. MILAZZO: So you didn't see a sine curve --

MS. BERRY: Actually, summer, extremely high and fall is extremely high. Because we have a big tourist community as well.

MR. MILAZZO: Yes.

MS. BERRY: So the way if data came, it didn't -- clear categories didn't come out the way I thought it would.

MR. MILAZZO: I think the irrigation season is extended now, right? We're seeing that traditional irrigation cycle is longer in the year and you're probably catching that. You're not seeing that dead of winter drop off, because you'll see that. Especially on the North Fork where it's seasonal. People that aren't there in the winter aren't using water like in the summer.

So you'll see that curve. The bigger question is, is that baseline trend. If you take out the curve for irrigation, is that going up? I don't know. I think that's held flat or decreases because of the

slow flow fixtures. So you're actually seeing a decline in base rate and an increase in irrigation rate, if you will.

But I really recommend you submit your comments in writing, especially with respect to that incentive pricing, conservation pricing. And how you would like to see the funds allocated.

MS. BERRY: Okay.

MR. MILAZZO: And that would be good for LICAP to have, you know, as a legal matter, we would have to look at it whether we can distribute funds. But it would be better if you thought about it some more and gave it to us in writing so the whole group can consider it.

MS. BERRY: Okay. Thank you very much.

MR. MILAZZO: Thank you.

MS. BERRY: I appreciate everything you are doing because it's so, so important.

MR. SZABO: We are glad you came. Thank you so much. At 6:50, approximately. We will close the Hearing for this evening and just make mention that public comments will be accepted until Friday, February 2.

Seth, what's the address they can send public comments to?

MR. WALLACH: So, we use the regular PO Box I believe for the Authority.

MR. COLABUFO: On the last slide.

MR. WALLACH: Address is PO Box 38, Oakdale, New York 11769.

MR. SZABO: Great. Thank you all very much. Have a good night.

[WHEREUPON THE HEARING WAS CLOSED BY JEFFREY W. SZABO, CEO, SUFFOLK COUNTY WATER AUTHORITY, AT 6:53 P.M.]

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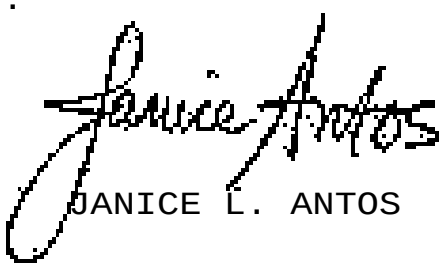
CERTIFICATION

STATE OF NEW YORK)
) ss
COUNTY OF SUFFOLK)

I, JANICE L. ANTOS, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

THAT the foregoing transcript is a true and accurate transcript of my original stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of January, 2018.



JANICE L. ANTOS