

LONG ISLAND COMMISSION FOR AQUIFER PROTECTION
MINUTES

February 11, 2015

SUFFOLK COUNTY WATER AUTHORITY
260 Motor Parkway, Hauppauge, NY

ATTENDEE	REPRESENTING
Dorian Dale	Suffolk County Executive Appointee/Dept. Of Economic Development & Planning
Brian Schneider	Nassau County Executive Appointee/DPW
Paul A. TeNyenhuis	Suffolk County Soil and Water Conservation District
Tony Leung	New York State DEC, Region 1
Stephen Terracciano	USGS
Michael Levy	Long Island Water Conference & Garden City Park Water District and LICAP Vice Chairman
Corey Humphrey	Nassau County Soil & Water Conservation District
Jeffrey W. Szabo	Chief Executive Officer of SCWA & LICAP Chairman
Carrie Meek Gallagher	Chief Sustainability Officer - SCWA
Steve Colabufo	Water Resources Manager - SCWA
Don Irwin	Nassau County Health Dept.
Walter Dawydiak	Suffolk County Health Dept.
Chris Ostuni	Nassau County Legislature

Continued on Page 2

1
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7 ATTENDEE	8 REPRESENTING
9 Jared Herschkowitz	10 Suffolk County Presiding 11 Officer
12 John Milazzo	13 Suffolk County Water 14 Authority

15 At 9:57 A.M., the LICAP meeting was called to order
16 and recorded as follows:

17 MR. SZABO: Maria Trupia from the Water
18 Authority, for the last almost one year,
19 has been taking the minutes and trying to do
20 her normal daily workload and also draft,
21 cleanup, and disseminate our stuff. We
22 thought it was probably a good idea if we
23 brought somebody on to assist with that. It
24 should be a benefit. We should have the
25 minutes faster, and I think it's a good thing
overall.

Welcome to LICAP's first meeting of
2015. I should note, I think it's next month,

1 will actually be a year. I think March 20,
2 2014, was the first meeting of LICAP when we
3 got together and made introductions and
4 talked about what the agenda would be. I'm
5 proud to say that I think a lot of progress
6 has been made, there's been a lot of good
7 work, the subcommittees have been outstanding
8 with their contributions to our overall
9 agenda.

10 I think it's been somewhat of a slow
11 start trying to get our feet on the ground
12 and trying to get organized, and moving
13 forward I think we have a lot to be proud of.
14 That goes to the credit of everyone in this
15 room who has made the effort and contributed
16 their time and expertise. I thank you for
17 that.

18 As I think you all know, my name is
19 Jeff Szabo. I'm the CEO of the Suffolk
20 County Water Authority and also the Chairman
21 of the Long Island Commission of Aquifer
22 Protection. Why don't we go around the room
23 and introduce ourselves for the record.

24 MR. LEVY: Mike Levy from the Long
25 Island Water Company, Vice-Chair.

1 MR. IRWIN: Don Irwin, Nassau County
2 Health Department.

3 MR. COLABUFO: Steve Colabufo, Suffolk
4 County Water Authority.

5 MR. TERRACCIANO: Steven Terracciano,
6 U.S. Geological Survey.

7 MR. DAWYDIAK: Walter Dawydiak, Suffolk
8 County Health Department.

9 MR. DALE: Dorian Dale, Suffolk County
10 Exec.

11 MR. OSTUNI: Chris Ostuni, Nassau County
12 Legislature.

13 MR. SCHNEIDER: Brian Schneider from
14 Nassau County Executive Office.

15 MR. HUMPHREY: Cory Humphrey, Nassau
16 County Soil and Water Conservation District.

17 MR. TeNYENHUIS: Paul TeNyenhuis with
18 Suffolk County Soil and Water Conservation
19 District.

20 MR. HERSCHKOWITZ: Jared Herschkowitz,
21 Suffolk County Presiding Officer.

22 MR. LEUNG: Tony Leung, New York State
23 DEC, Region One Office.

24 MR. MILAZZO: John Milazzo, Suffolk
25 County Water Authority.

1 MS. GALLAGHER: Carrie Meek Gallagher,
2 Chief Sustainability Officer with Suffolk
3 County Water Authority.

4 MR. SZABO: Thank you everybody. I'll
5 ask at this point if there is any comment
6 from the public, anyone who would like to
7 speak before the commission? No hands being
8 raised, we can close the public comment
9 period. I'm assuming all members have
10 reviewed the minutes of the November 18, 2014,
11 meeting.

12 If there are any changes, corrections,
13 or modifications that need to be made, speak
14 now or forever hold your peace. No
15 objections. I'll make a motion to approve
16 the minutes.

17 MR. HERSCHKOWITZ: Seconded.

18 MR. SZABO: I have a second from Jared.
19 Thank you very much. Motion approved.
20 Moving through the agenda, status of the
21 Bi-County MOU between Nassau and Suffolk
22 County, this has been something that has -- I'm
23 sure the folks in Nassau County feel the same
24 way -- but I'm losing more hair over it just
25 because it's taken such a long period of time

1 for something that should be relatively
2 simple.

3 We have been reaching out to Dennis
4 Brown, the Suffolk County Attorney, and he's
5 been dealing with some folks in Nassau
6 County, Ted Hummel, I'm sure everyone in
7 Nassau is aware of Ted. Ted has been working
8 with Jenny Kahn from the Suffolk County
9 Attorney's Office and they're promising a
10 draft shortly.

11 MS. GALLAGHER: Yes. Ted apparently is
12 drafting the document, and he's supposed to
13 send it to Jenny by the end of this week. So
14 if anyone knows Ted and wants to give him a
15 call from the Nassau County side --

16 MR. SCHNEIDER: We'll do that.

17 MR. SZABO: Thanks for that, Carrie.
18 Subcommittee updates: Karl Schweitzer, chair
19 of the subcommittee, is unable to join us
20 today, regrettably. I believe he's working
21 around the clock in his real job, but he did
22 provide an update to Carrie and Steve
23 Colabufo. I'll ask Steve if he can brief the
24 commission on the work of the subcommittee.

25 MR. COLABUFO: There are two

1 subcommittees as you know, Water Resources
2 Opportunity Subcommittee, headed by Karl
3 Schweitzer, Water Resources and
4 Infrastructure Subcommittee, headed by me. My
5 subcommittee has had three meetings so far on
6 September 11th, October 23rd, and December
7 2nd.

8 The first two meetings were fairly
9 sparsely attended; we had about six people.
10 The third meeting was very well attended. It
11 was very productive. We had about fifteen
12 attendees from a good cross-section of the
13 groundwater environment throughout Long
14 Island, so that was good.

15 The Water Resources Opportunity
16 Subcommittee, Karl's subcommittee, has had
17 two meetings, one on September 30th and one
18 in mid-December. The one in mid-December was
19 in the middle of the holidays. Not too many
20 showed up for that one. At those meetings
21 over the last couple of months, we've got
22 centered on numerous topics of interest
23 pertaining to different aspects of
24 groundwater resources of Long Island.

25 I synthesized these two topics into

1 like a roadmap, which I have a couple copies
2 I can pass out, roadmap or blueprint or
3 conceptual outline, taking the most commonly
4 discussed and, I believe, most important topics
5 and getting them into two categories: one,
6 each subcommittee having major jurisdiction
7 over seven or eight of them, and then about
8 five topics that are pertinent to those
9 subcommittees. I can pass that out for
10 discussion if need be later on.

11 Generally, Karl's subcommittee will
12 handle topics that are more facilities
13 oriented and more Nassau County oriented. My
14 subcommittee will be more resource oriented
15 and therefore more Suffolk County oriented.
16 There's certainly some crossover between the
17 two categories of topics. Then there's some
18 of them that are pretty much pertinent
19 fifty-fifty to both.

20 I've got that divided up like this,
21 and the intent is that at the joint
22 subcommittee meeting we're going to have on
23 February 25th that we'll show this conceptual
24 outline and give everyone there an
25 opportunity to sign up to either author or

1 co-author, contribute to any of the topic
2 reports that will be generated. Each one
3 will be sort of like a chapter in the overall
4 groundwater management plan that is going to
5 be compiled by mid-2017, I believe.

6 Each one will be like a stand-alone
7 document but will be also part of the overall
8 larger document. The opportunity may be a
9 little bit different than the typical
10 groundwater report where it's not going to be
11 given to a consultant for them to flesh out
12 but to actually hand off the topics to the
13 people who actually do this for a living
14 every single day of their lives.

15 We'll see what the level of
16 contribution is from different people.
17 Everybody has their own professional network,
18 they have the internet, and a whole slew of
19 other resources that they can call on to
20 compile a report. I will attempt to oversee
21 the reports as they're being done, help out
22 where I can, refer people to other areas
23 where possible.

24 Ultimately, the final editorial
25 comments or fleshing out will be done by

1 myself, Karl, and Carrie after these people
2 send their reports to us, and we'll try to
3 compile it into the overall plan. There's a
4 joint subcommittee hearing on the 25th of
5 February.

6 What I'd like to do is each
7 subcommittee have monthly meetings if
8 possible, and then every other meeting could
9 be a joint meeting where hopefully we could
10 have a couple of guest speakers, perhaps Paul
11 Masterson of the USGS who can talk about the
12 North Atlantic coastal plain, Doug Paquette
13 at Brookhaven Lab sort of volunteered with my
14 encouragement to talk about Brookhaven Lab's
15 cleanup efforts. Things like that where
16 we'll all get a chance to learn what's going
17 on out there and discuss the progress of any
18 and all of these chapters being constructed.

19 MR. SZABO: Give us, Steve, the
20 direction, particularly of your subcommittee.
21 There's a joint meeting coming up which we
22 believe will be constructive, but based on
23 meetings that you've had with your group,
24 give us a flavor for some of the topics that
25 you plan to address.

1 MR. COLABUFO: One of the more important
2 ones is climate change because that's written
3 right into the subcommittee bylines and its
4 impact to water resources. That's certainly
5 an issue. I've been discussing that with
6 Steve a lot. That will probably determine a
7 lot of courses of action over the next five
8 or ten years in the groundwater industry
9 here.

10 Also, competing water uses, that's one
11 where -- at least in Suffolk -- we run into
12 competition from agriculture and other water
13 users. That has an impact on the quality and
14 quantity of water available out there,
15 particularly for Suffolk County on the North
16 Fork with agriculture. Nassau may be seeing
17 some competitive use from golf courses in
18 certain areas, not necessarily agriculture,
19 but there may be some other competing water
20 uses that impact the quantity and, maybe to a
21 lesser extent, the quality of water available.

22 Land preservation needs, particularly
23 the utilization or non-utilization of the
24 Pine Barrens going forward is a big issue,
25 and the legal ramifications of mining water

1 out of the Pine Barrens and railing it twenty
2 miles away. That's certainly a future issue
3 that is going to happen in Nassau and
4 possibly, to an extent, Suffolk.

5 Then, I guess, cross-county water
6 transmission, I talked about that briefly
7 with you, but will the Water Authority ever
8 be able to supply water into Nassau?
9 Certainly interconnection among Nassau water
10 districts is an issue, but Suffolk to Nassau
11 water transmission is going to be an issue.

12 MS. GALLAGHER: And in Nassau the
13 interconnections in terms of what's happening
14 with the Jamaica wells being reopened, is
15 there going to be any supplied from Nassau
16 providers? I know that has been talked about
17 at one point. It wasn't in the latest
18 presentation to the Water Conference, but
19 certainly that's going to be of concern to
20 the western Nassau district so that has been
21 brought up, and all the VOCs --

22 MR. COLABUFO: That's probably more
23 something that I envision the other
24 subcommittee, Karl's subcommittee, we talked
25 about, more contamination events, sort of a

1 shorter term facilities orientation that
2 typically affects Nassau more so than Suffolk,
3 regional contamination events such as Grumman
4 and New Cassel are a few of the ones I don't
5 know a lot about personally, New York City
6 city well re-openings is an issue.

7 All this kind of points to what
8 appeared today in Newsday: an overall need
9 for a regional groundwater information
10 network and clearinghouse and accessibility
11 to the data. Over the years, different
12 groups have had their own chunks of data that
13 they've collected and kept in their own vault,
14 so to speak. We need to have, in order for
15 all of these issues to be studied and
16 analyzed, an overall monitoring network.
17 Newsday gave a pretty good write-up on that
18 today.

19 MR. DALE: Could I interject, that is
20 taking it, actually, to the next level as we
21 consider integrated management of all our
22 water resources, and it's related to some
23 degree with the renewed issue of water
24 transport from Nassau into Queens and
25 Brooklyn because one of the Rebuild By Design

1 projects which are the HUD-sponsored projects
2 and the Sandy Recovery is addressing the
3 drainage issues that are obviously of
4 paramount concern on the coastal communities
5 on the South Shore for example.

6 They had cited the abandoned pipes
7 that had brought in water from Nassau and
8 some older previous time -- you're probably
9 familiar with it -- and were considering in
10 the context of actually doing an upgrade on
11 the Sunrise Corridor, conceivably using those
12 pipes as a means by which to contain, retain,
13 and drain, which is an elemental principle in
14 dealing with drainage considerations and
15 storm water, and, of course, all the
16 hardscaping you have in that area.

17 I'm only bringing it up, and as I can
18 tell by looking around this table, it's a
19 little bit of an esoteric issue for folks
20 here, but it is related. And if anyone has
21 any input on that, I'd be interested in
22 hearing about it because it is one of the
23 more intriguing proposals that have been made
24 by this designated team out of Rebuild By
25 Design that has gotten a \$125 million grant

1 that would be addressing issues in Rockville
2 Centre, in the Baldwin area, down on Long
3 Beach, so on and so forth.

4 MR. SZABO: Who owns the main that's not
5 being used?

6 MR. SCHNEIDER: Actually, there's a long
7 history with the infrastructure that the
8 county owns which was formerly owned by
9 Brooklyn Water Works. The facilities include
10 the steel force main, it's a seventy-two inch
11 steel force main which is underneath the
12 roadbed of Sunrise Highway which is still
13 intact. The county purchased it in 1986.

14 With it, we purchased all the other
15 watersheds that New York City and Brooklyn
16 used in the early 1900s to transport water
17 from some of the surface water bodies and
18 groundwater resources and pumped as much as
19 60 million gallons a day into Brooklyn. So
20 the county does own it. We did a complete
21 evaluation before we purchased it.

22 In a roundabout way I was involved
23 with the Rebuild By Design people, and the
24 conceptual approach of possibly using this
25 pipe for some sort of intercounty transport

1 or at least storage of storm water runoff
2 during severe drainage events. I personally
3 think it's a kind of pie-in-the-sky type
4 thing. I really don't think it's going to
5 solve a lot of the major drainage issues that
6 can occur during a major storm event like a
7 hurricane, but it is intriguing and they're
8 going to look at it. But, yes, the county
9 does own the infrastructure and it's still
10 intact.

11 MR. DALE: I think it's not just the
12 major storm events that have become a concern
13 in the community. There are ongoing drainage
14 and flooding issues that I think are being
15 looked at in terms of actually transforming a
16 lot of that surface resistance to proper
17 drainage. Again, when I read about it, it
18 did seem like something of a pie-in-the-sky
19 proposition, but nonetheless does represent,
20 in principle, the kinds of measures that have
21 been taken elsewhere. I'd be interested to
22 follow up with you on that.

23 MR. SZABO: Thank you both. Just
24 another question. It's a topic I think a lot
25 of us know a little about, but New York

1 City's plans to, I guess, restart the Jamaica
2 wells, a topic of discussion in numerous
3 reports and press reports but, to my
4 knowledge, very little substantive information
5 from the city about use.

6 It may have been the last full
7 committee meeting or the one before that
8 where we had a discussion where some interest
9 was expressed in bringing in some folks from
10 the city who could speak to this group to
11 give us an update and fully brief us on their
12 plans and a timeline on the steps needed to
13 move forward with that.

14 MR. IRWIN: The county executive and
15 some of the staff, myself, have a meeting
16 with New York City later this month to get an
17 update on what their plans are and where
18 they're at. We also expect a new
19 environmental impact statement coming out
20 this spring. We're as curious as anybody
21 else as to how they're proceeding and what
22 their plans are.

23 Their initial plans were to restart
24 wells, possibly purchase water from Nassau
25 County suppliers or New Jersey. We're

1 looking to see where they've gotten to and
2 what their plans are.

3 MR. SZABO: Thank you for that. I guess
4 Dorian or Walt, have there been discussions,
5 to your knowledge, between Suffolk County, the
6 county executive's office and folks from New
7 York City? Obviously a little different than
8 Nassau County. We reached out at the Water
9 Authority, I think Joe Pokorny, who is one of
10 my deputies, and Carrie have had discussions,
11 but what we've been told, it's been when
12 we're ready, we'll gladly come out and brief
13 the Water Authority, we'll brief the LICAP
14 Commission and share as much information as
15 possible, but I don't think they're quite at
16 that point yet. Can you confirm that,
17 Ms. Gallagher?

18 MS. GALLAGHER: Yes, confirmed. Don, I
19 had a question for you relating to that. It
20 looks like from the presentations and
21 information that DEP has provided to date,
22 that the DEIS that'll be coming out is focused
23 mainly on the rehab portion and the aqueduct
24 portion wasn't going to get into too much
25 detail on the Jamaica wells yet.

1 MR. IRWIN: They were supposed to
2 produce impact statements for all phases of
3 the project.

4 MS. GALLAGHER: It looked like there was
5 a March 2015 date on that. This was
6 something that had been sent around. There
7 was a meeting recently and a presentation
8 that was shared with us afterwards. I'll be
9 curious to see what actually comes out in
10 that March 2015 one as opposed to further
11 dates. They had it phased from what they're
12 already working on all the way out to 2022.

13 MR. IRWIN: I don't know when that
14 impact statement will come out for the
15 Jamaica rehab or the Jamaica wells.

16 MR. SZABO: At this point, try to get a
17 consensus of the --

18 MR. LEUNG: Based on what I've known,
19 New York City decided to break it into two
20 things: one is the actual repair, the second
21 is the actual reactivation of the Jamaica
22 well. We don't have a timeframe for that
23 yet. That issue is really up in Albany and
24 Region Two. I'm with Region One, but this is
25 what I know.

1 So everyone is aware, New York City,
2 Jamaica, those wells have a current permit.
3 If New York City wanted, they could flip the
4 switch and turn them on. Our permit expires
5 in 2017, so before we renew the permit, there
6 is going to be an opportunity for everyone to
7 comment. Just want to put that out there.
8 The second point I want to also make, and I
9 think the subcommittee will have to address,
10 is sustainability. It kind of points to the
11 North Shore in Nassau County where, based on a
12 1986 groundwater management plan, they're
13 pumping over what we consider safe yield.

14 The calculation and mathematical
15 modeling might be a little different, but I
16 just want to make sure that everyone's aware
17 that sustainability is something we should
18 focus on as well, aside from all those issues
19 that Steven just mentioned.

20 MS. GALLAGHER: I think that did come
21 up in a couple of discussions, more on the idea
22 that there's certainly a water availability
23 or quantity in localized areas and the issue
24 in Nassau of the water cap and what might be
25 happening. It was brought up at the

1 subcommittee meeting, so at least it was
2 talked about.

3 MR. COLABUFO: That's probably a logical
4 conclusion to all the other little chapters
5 that we're doing. That certainly could be
6 included even if somebody doesn't address
7 sustainability as a specific topic, but it
8 would be included in the overall management
9 plan as information taken from everybody
10 else's past report incorporating the regional
11 monitoring and all that to come up with a
12 sustainability aspect to the report. That
13 certainly can be included one way or the
14 other.

15 MR. SZABO: I'll reiterate that at some
16 point it will be appropriate for folks to
17 come from New York City to brief the
18 commission. I'm not sure if it'll be the
19 spring or maybe the fall, but at some point
20 we will ask authorization for a letter to be
21 sent from Mike and myself, I guess, to have
22 them come in.

23 MR. SCHNEIDER: Nassau County Water
24 Resources Board also had an inaugural meeting
25 and this issue was brought up. And we were

1 going to also independently reach out to New
2 York City and do almost the same thing, to
3 try and piggyback on top of LICAP's request
4 to have an overall meeting for New York City
5 to come out and lay everything out on the
6 table so everyone would know their plans.

7 I think, collectively, the Water
8 Resources Board and LICAP, they're not going
9 to do this in a vacuum. They know that
10 everyone's aware. I think there's enough
11 impetus and buzz so that all the players, not
12 just New York City DEP, but all the
13 politicians statewide know that this is going
14 to be a hot button issue for the people
15 living in Nassau County for sustainability
16 going forward.

17 MR. SZABO: Any other comments on that
18 topic or the subcommittee work before we move
19 on? No. Next item on the agenda, revisions
20 to the state of the aquifer report 2015,
21 Carrie Gallagher.

22 MS. GALLAGHER: First let me thank
23 everyone for their very thoughtful and
24 helpful comments. I did receive comments
25 from Sarah Meyland, Brian Schneider, Jared

1 Herschkowitz, Mike Levy, Chris Ostuni, DEC,
2 Nassau County Health Department, Suffolk
3 County Department of Health Services, and the
4 Central Pine Barrens Commission all submitted
5 comments and suggestions, and I have them
6 flagged and highlighted.

7 One of the things that came up is that
8 I really could not, as I was trying to
9 massage the comments and add information into
10 the old version of the report, it really
11 wasn't working. I got rid of that old
12 version, and I have started a new version of
13 the report. It will be a little longer till
14 we have a revised version, but it seemed more
15 important to get it right the first time out
16 the door.

17 I'll have a revised version for you
18 sometime later in March, which, once we reach
19 a consensus, can share, but some of the key
20 issues that came up were -- so I reordered,
21 added new headings, and there were a lot of
22 good suggestions about the format and
23 different headings that should be included in
24 different topics, how they should be
25 addressed.

1 MR. SZABO: You can almost look at this
2 two ways. One is the format and how it's
3 presented. That's something I think we can
4 all agree how to present it. Part two, which
5 is more the substantive content, how are we
6 handling sort of a difference of opinion? In
7 a particular section, Jared may have one
8 particular point of view and folks from
9 Nassau County may have a different one. How
10 are we massaging that to make sure that all
11 voices are being heard but yet saying it in
12 an intelligent way so that we know that the
13 commission as a whole that there's a
14 consensus to move forward?

15 MR. IRWIN: Have you encountered that?

16 MS. GALLAGHER: There has been some
17 conflict or differences of opinion on
18 particular topics, whether it be water
19 availability or contamination, even some
20 basic hydrogeology stuff. What I've tried to
21 do is find what I think is the most
22 non-partisan, scientific-based information,
23 but what I'll have to be doing also is using
24 some editorial judgement and reaching back
25 out.

1 When you see the revised version, make
2 sure that it's incorporated everyone's
3 concerns, comments, and opinions. But I've
4 also been trying to take out anything where
5 it seems like there's some editorial comment
6 or slant or agenda, even stuff we wrote
7 originally, and you don't realize it's coming
8 from the perspective of what our mission is
9 versus someone else's.

10 MR. SZABO: The point we're trying to
11 make as we move forward -- and this document
12 which is in flux and certainly evolving on a
13 daily basis -- we need to pay particular
14 attention to how things are worded and the
15 position that the commission is inching
16 towards taking, because at some point we will
17 approve this document, send it out, get
18 public input, public response to the
19 document. So we all have to be comfortable
20 with how it's presented.

21 MS. GALLAGHER: There were some
22 corrections, but there were a lot of requests
23 for additional content that didn't exist.
24 Some we knew was missing and we were going to
25 have to try to provide, some was having a

1 more substantive executive summary upfront
2 that really laid out the background of LICAP,
3 why we're doing this report, what it's going
4 to cover, and where we're heading with it.

5 As I start chunking it out, I might
6 reach back out and say could you help provide
7 this information that you thought was
8 necessary. Certainly there was a request for
9 more information in general on our public
10 water supply system and how it works because
11 that's the most direct link people have to
12 the aquifer system.

13 The issue of water quantity as a
14 growing concern and how do we present that in
15 a way that is understandable, scientifically
16 founded, and not going to scare anyone or
17 raise any false alarms. And the whole notion
18 of putting something in about water
19 conservation and efficiency even more so than
20 just what you can do in your house or outside
21 to help conserve water, what's a safe yield,
22 what can we safely be pumping out of the
23 aquifer.

24 When you look at all the other uses
25 and the other things that the groundwater

1 needs to serve, such as surface water and that
2 whole connection, more of an emphasis on the
3 connection of integrated water, so to speak.
4 You've got all the aspects of water that all
5 rely or interact with the aquifer. A couple
6 of people requested information on bottled
7 water. So we'll see how it works in the end.

8 Anytime where I had a request by more
9 than one person for something they thought
10 was missing, I wanted to try to get it in
11 there. More of a discussion on the existing
12 regulatory framework, that was brought up by
13 a couple of folks as well. And then, like I
14 emphasized before, just noticing where there
15 might be adjectives that could be considered
16 editorial as opposed to just straightforward
17 information.

18 All of that I'm working on, and I will
19 send out a revised version or, as I said, I
20 may reach out to you as I'm filling in,
21 cutting and pasting what I can, saying, hey,
22 you have a comment on this, can you provide
23 us with a little more information. Some
24 people did send suggested rewrites or
25 rewording, so that was helpful. I got a ton

1 of information from the health department
2 which should help fill in some of those
3 blanks. I'm assuming I have free license to
4 cut and paste information.

5 MR. IRWIN: Absolutely.

6 A MEMBER: Is there going to be one more
7 round of QA on the final write-up?

8 MS. GALLAGHER: Oh, yes.

9 MR. SZABO: Once all the comments are
10 in, when do you think you'll disseminate it?

11 MS. GALLAGHER: I would say expect it in
12 March, but middle to end of March.

13 MR. SZABO: Is it fair to say that end
14 of March a draft goes out again, revisions
15 come back, additional tweaking -- it's not
16 unrealistic to think that a draft state of
17 the aquifer report could be ready to push out
18 to the public as a draft by sometime late
19 summer/fall?

20 MS. GALLAGHER: Oh, yeah.

21 MR. SZABO: I think we had discussed it,
22 but correct me if I'm wrong, the draft report
23 we would then solicit public input again once
24 we had a document. We had public hearings,
25 do you recall, initially in both counties,

1 partially attended, but at that point it was
2 just us saying this is the commission, this
3 is why we're here and why we're established.

4 Now we will actually have a document
5 that we can share, hopefully that folks will
6 consume and be able to comment on in more of
7 a public meeting than a public hearing
8 setting, correct?

9 MS. GALLAGHER: Right.

10 MR. HERSCHKOWITZ: The resolutions from
11 both legislatures, doesn't it specify that we
12 have to have this report out at a specific
13 time, or is there wiggle room?

14 MS. GALLAGHER: We don't have an MOU in
15 place that impacts it at all. I think we can
16 realistically say that we have a draft, it's
17 not adopted or finalized, but that's how I'm
18 looking at it. We will have something that
19 hopefully will --

20 MR. SZABO: If I recall, Counsel, the
21 initial resolution, is it one year for a
22 State of Aquifer Report? Is that one year
23 from the time Suffolk Legislature adopted the
24 resolution creating it, is it one year from
25 Nassau County, is it one year from the MOU?

1 If that's the case, maybe we should ask the
2 counties to hold off a little.

3 MS. GALLAGHER: It was from the first
4 meeting. I think it says, "will prepare
5 one," right, then release. What does release
6 mean; it's been released to the commission.

7 MR. SZABO: It's a very good point. One
8 of the reasons why we thought it appropriate
9 to make this effort to create the commission
10 was for accountability, to get folks in a
11 room, to set timelines, to hold us all
12 accountable and the entities that we
13 represent. Obviously, we want to honor that.
14 We would ask for some flexibility.

15 A MEMBER: We want to get it right.

16 MR. MILAZZO: The resolution says that
17 LICAP, "shall prepare and release the state
18 of the aquifer report within one year of its
19 first meeting." It doesn't say it has to be
20 a final report. So if you wanted to release
21 a draft, you would have satisfied your intent,
22 and then you have an obligation to have
23 public hearings.

24 For the public hearing, it actually
25 says, "for the purposes of soliciting

1 information necessary for the report's
2 preparation." It's not really for reviewing
3 of the report. So you had those public
4 hearings. I think that if your meeting was
5 in March of last year, at the end of March
6 it's going to be done, that's pretty good.

7 MR. HERSCHKOWITZ: I think that we could
8 turn it into a positive here where we submit
9 it and put it on the website, the draft, and
10 allow for input there rather than trying to
11 rush something that we're not quite ready
12 for. But yet we're still allowing the
13 public to see what we're working on. Would
14 you say that would be meeting the terms of
15 the resolution, posting a draft on the
16 website?

17 MR. MILAZZO: I think so. I think the
18 resolution, the question becomes who has
19 authority to say you haven't met your
20 obligations and what is the remedy. If this
21 was the legislature, they could call you to
22 task if you didn't release it in a year. I
23 think if you posted a draft, I think they
24 would say that's great.

25 MR. SZABO: Obviously, let's monitor

1 progress. Carrie, please keep the commission
2 updated on the progress you're making. I
3 think Jared has a great idea when, at the
4 appropriate time -- and it may be March or
5 mid or late spring -- when we do have a draft
6 document, we should probably at the very
7 least post it on the commission's website.
8 I'm not sure if we have the ability today.
9 Well, there is an email, and we will be able
10 to get responses from folks from the website
11 if they email the commission members.

12 MS. GALLAGHER: Uh-huh.

13 MR. SZABO: We have that ability.
14 That's probably the best plan of attack at
15 this point. Any other comments about that
16 topic?

17 MR. LEVY: Maybe our legislative
18 representatives on the commission can notify
19 the respective legislators that the draft
20 will be posted by March.

21 MR. HERSCHKOWITZ: You mean to check in
22 with?

23 MR. LEVY: Yes.

24 MS. GALLAGHER: To Walt's point before,
25 what I'll try to do is make sure that at

1 least a week in advance of that, if we're
2 saying March 27st is the date because that
3 was a year from our first meeting, that I
4 would circulate the draft to the commission
5 members and say if there's anything that you
6 find highly problematic, let me know so we
7 can modify it before it goes up on the
8 website.

9 MR. HERSCHKOWITZ: Just to clarify, we
10 should let our people that appointed us know
11 that we're going to be doing a draft of it
12 and is that satisfactory.

13 MR. DAWYDIAK: The health department is
14 a group which is often late on its
15 assignments, unfortunately. We always give a
16 note to our professor in advance, so you
17 might want to think about sending a short
18 note to every legislator advising them of
19 what the status is, that a draft is being
20 posted within one year, we expect the process
21 to be A, B, and C.

22 Obviously, there's intervening factors
23 that result in an impossibility of a final
24 being done, but giving them a heads-up before
25 the deadline passes allow for a little more

1 transparency.

2 A MEMBER: Is that a motion?

3 MS. GALLAGHER: John just suggested we
4 can always officially request an extension,
5 two-, three-month extension, so that you know
6 that the draft can be posted in the summer
7 and hearings, then, in the fall.

8 MR. SZABO: A three-month extension
9 authorized by -- I think Walter makes a fine
10 point. Let's take a look at where we are at
11 the end of March, March 20th. That would be
12 a week from the 27th, our first meeting from
13 last year. If this group feels comfortable
14 at that time with the existing state of the
15 aquifer report, we can post it on the website
16 and send a letter to the appointing
17 authorities and elected officials and
18 interested parties saying this is what we
19 have so far. It is a draft, it's being
20 circulated, we are looking to finalize, and
21 we'll have public comment and finalize over
22 the next couple of months. Does anyone
23 disagree with me? I think that will suffice.
24 Anything else on that topic before we move
25 on? Carrie, you're up again, water quality

1 data.

2 MS. GALLAGHER: Yes, key parameters.
3 This was sent around to you. There should be
4 a copy in front of you. This is actually for
5 2016, because even though we're finishing up
6 the report for this year, we have to be
7 working towards what we wanted to augment for
8 2016 both on the state of the aquifer website
9 as well as the report.

10 It seems there's a lot of public
11 concern and a lot of inquiry and certainly a
12 lot of internal concern over water quality in
13 general and the need for a broader
14 Long-Island-wide snapshot. So one of the
15 ways we thought we can go about this is by
16 getting the supplemental data from all the
17 water districts across the island.

18 Instead of requesting all Suffolk
19 County Water Authority tests for 356, the
20 different districts test for different
21 amounts. Originally we started with a list
22 from Nassau County Department of Health
23 Services. Joe DeFranco was very helpful in
24 getting the selection very quickly. There
25 were 162 parameters that essentially all of

1 the districts test for, and there are detects
2 that we test for.

3 So I had our laboratory refine it down
4 to detects as well as what might be of more
5 interest to people in terms of actually
6 telling a story about the water quality. Now,
7 what I'd like to do, because 61 is still a
8 lot, is can we actually come up with some
9 consensus on, say, the top 25? If you had to
10 pick 25 parameters or contaminants of concern
11 that tell the story of what's happening with
12 water quality in aquifers, what would those
13 be? Then we could say we'd like to get
14 five-year-trend data, and we could go back
15 with a request only for 25 parameters as
16 opposed to 162, which is just oodles and
17 oodles of data.

18 MR. DALE: Why not the dirty thirty?

19 MS. GALLAGHER: We are just trying to
20 narrow it.

21 MR. COLABUFO: Watch how you package it
22 though. Not every parameter indicates
23 toxicity. Iron happens, chloride happens.

24 MS. GALLAGHER: That was the thought, so
25 I wanted to give the commission the

1 opportunity to weigh in on that. And then
2 our vice-chair had the good idea to send it
3 out to all of the water district
4 superintendents themselves so that they could
5 highlight which ones they always deal with,
6 what are their most problematic.

7 MR. SZABO: It's premature, isn't it, to
8 decide whether it's 25, 55, 85 at this point.
9 Am I correct in that?

10 MS. GALLAGHER: I'm saying that's what
11 we're looking for, so we can say here's the
12 25 or 30 parameters that we want to look at
13 and include as part of the website and the
14 report for next year because we need
15 lead-time to have the data pulled, analyzed,
16 and crunched.

17 MR. SZABO: Are you comfortable today
18 sitting here, that you think it's 25, or
19 you're saying let's push this out, get
20 feedback, and decide what that magic number
21 is?

22 A MEMBER: Why are you going to the
23 individual when we compiled that data and so
24 did the state?

25 MS. GALLAGHER: No, I'm saying we would

1 then ask you and Suffolk County, and then we
2 have our own data obviously, so we could say,
3 here's the 30 parameters -- whatever it is --
4 that we've all agreed will tell the best
5 story if we can get this; could you please
6 provide it to us in this format for the last
7 five years.

8 We need consensus on what the
9 parameters are, so we're asking for the same
10 information in the same format from everyone
11 who could provide us with that data. Yes,
12 the goal would be that we would be asking for
13 information from three entities essentially,
14 SCWA, Suffolk County Department of Health
15 Services, and Nassau County Department of
16 Health. I think it would be interesting to
17 see what the superintendents who deal with
18 this on a daily basis --

19 A MEMBER: Yes, get a list of what the
20 superintendents are detecting to narrow it
21 down further would be good. And a couple of
22 things: UCMR detection, are we planning on
23 -- It's a taboo word, I know, but are we
24 going to talk about that report?

25 MS. GALLAGHER: We probably should.

1 A MEMBER: Something should be discussed
2 in terms of future challenges.

3 MR. HERSCHKOWITZ: I'm a little
4 reluctant to diminish any of these. Wouldn't
5 it be more beneficial, and I know it's
6 unwieldy, but just to prioritize them,
7 hierarchy them, rather than get rid of them?

8 A MEMBER: I think the thought was if
9 there's a parameter out there that has not
10 been detected at all across the island --

11 MR. HERSCHKOWITZ: No argument, but that
12 once again leads to a hierarchy as opposed to
13 getting rid of anything. You know what
14 happens in science, some little thing that we
15 miss might all of a sudden, after doing
16 research, be found to be something, and then
17 we've eliminated it; I'm a little
18 uncomfortable with it.

19 MR. DAWYDIAK: Along those lines, we're
20 kind of wrestling with this very issue. This
21 is extremely worthwhile, and I encourage this
22 to be a high priority for the group in the
23 coming year. We're wrestling with VOCs in
24 particular and the UCMR contaminants. Our
25 first cut was about ten VOCs that came up

1 most commonly.

2 We're looking at other indicators like
3 trends in detection rates at a number of
4 wells so that even though a relatively tiny
5 percentage actually come anywhere near
6 standard, the overall detection rate when you
7 add chloroform and the other bits and pieces
8 of organics together is just creeping up.
9 That's a critical indicator of what's
10 happening to the aquifer and the water
11 supply.

12 So, total unspecified organics, total
13 number of wells might be another indicator to
14 throw in the hopper. And the other thing I'd
15 encourage is to think about breaking this
16 list categorically into nitrogen and
17 organics, VOCs, pesticides, any emerging
18 issues including pharmaceuticals, personal
19 care products.

20 Carrie, we had sent you some write-ups
21 on what we're finding in our lab and where
22 we're heading with it, and that'll be
23 helpful. The point I wanted to make is as
24 you start this process, it would really be
25 great to get the data folks together from

1 Nassau, Suffolk, the State, and the Water
2 Authority so we're able to do it once in an
3 automated manner that can be repeated
4 annually.

5 This took our guys hundreds of hours,
6 and I'm not exaggerating, just to go through
7 it once, and we still don't have it right to
8 repeat it in an automated way because we
9 didn't start out with the other agencies in
10 terms of looking at detection level, half
11 detection level, zero per individual
12 parameter, how is the data scrubbed, how are
13 re-samples, pre- and post-filter samples.
14 Our database was not really set up to
15 reproduce this. It took a lot of mechanical
16 manipulation to come up with this.

17 MS. GALLAGHER: Tom from our lab knows
18 this too. It was quite a process just to
19 start looking at the data that Nassau sent
20 over.

21 A MEMBER: It would be great to set up a
22 data management workgroup so that as we get
23 through this, we figure out where the data is
24 going to sit, how we're going to treat it and
25 transmit it. We'd love to see this done

1 every year. I assume your state of the
2 aquifer report is going to end with the full
3 year data set as of 2014.

4 In the spring of 2015, it could be a
5 rolling five-year average or whatever you
6 decide to do. The data piece is our big
7 problem that we haven't solved.

8 MS. GALLAGHER: Maybe what we'll do is
9 set that up. That was the thinking, that
10 we'd have to get a group together that was
11 focusing on this for next year. Maybe I'll
12 set that sooner rather than later to start
13 with. I'll have the draft out to you guys
14 sometime right after March. We'll set up
15 something because we have the joint
16 subcommittee in February.

17 I'll send a request to the people that
18 we think we definitely need sitting around
19 the table to look at this. Maybe that group
20 can look at it first and then we can talk. I
21 can still do that email to the water
22 suppliers somehow through the Water
23 Conference and see what their input is so I
24 can bring that to the table for that meeting.

25 A MEMBER: Maybe we'll get together at

1 the subcommittee meeting.

2 MS. GALLAGHER: Yes.

3 MR. SZABO: Nothing prevents us from
4 establishing another subcommittee. Carrie,
5 you will at some point in March set up a
6 subcommittee with the health departments, the
7 Water Authority, Long Island Water
8 Conference, superintendents, and other
9 officials to determine the number of
10 parameters?

11 MS. GALLAGHER: Let's just say the
12 parameters, yes.

13 MR. SZABO: As Walt pointed out.

14 MR. DAWYDIAK: Parameters and other
15 indicators that we might aggregate above and
16 beyond individual parameters.

17 MS. GALLAGHER: Right.

18 MR. DAWYDIAK: And how to set up the
19 data transfer system to automatically repeat
20 whatever it is we're going to do is our
21 biggest concern. If we start that from the
22 beginning, it's going to be all the better
23 for us.

24 MS. GALLAGHER: Right. This will be the
25 learning curve here.

1 MR. TERRACCIANO: Some parameters on the
2 list will occur with changing conditions in
3 the aquifer such as increased amounts of
4 dissolved oxygen in the water as it is drawn
5 deeper into the aquifer or with change in pH.
6 So while you may not see it today, by virtue
7 of pumping and withdrawal of water, the
8 chemistry might change. So thought should be
9 given to contaminants that may be mobilized
10 with change in conditions in the aquifer as
11 well as changing land use.

12 Another note, the USGS has tried to
13 put a proposal together to create a network
14 of wells for monitoring water quality.
15 There's the shallow wells which would
16 indicate water is entering the aquifer at the
17 present time that would inform the suppliers
18 about contaminants that are possibly going to
19 impact supplies in the future. I'm not
20 certain if those analyses are going to be
21 incorporated or what is available from
22 shallow wells is going to be incorporated in
23 the state of the aquifer, but certainly the
24 detection from shallow wells that may not
25 be seen in the public supply water company

1 database may also be included in the water
2 quality report.

3 MS. GALLAGHER: Eventually we want to
4 incorporate everything that's available, kind
5 of setting up a system that we can get our
6 data together and automate it so we know that
7 year after year, we can report on the same
8 information and see what's happening as
9 opposed to having to reinvent the wheel every
10 time you want a report on the data.

11 MR. SZABO: Under that scenario, who
12 would house the data? Here you're talking
13 about a couple of different counties, talking
14 about the Water Authority; would it be LICAP
15 collecting and then pushing out?

16 MR. OSTUNI: In Nassau County, the
17 health department aggregates a lot of that
18 data, or it's reported to the health
19 department. Each individual water district
20 sends their water quality data into the
21 health department, but not in a form or a
22 database, so to speak, that could be
23 manipulated and shared.

24 Something that I've asked the health
25 department to look into, perhaps working in

1 conjunction with Suffolk's health department,
2 we can come up with a joint database that
3 would aggregate all of the various districts
4 together, which would be hundreds of wells,
5 all of their contaminant data, but it would
6 have to be standardized, I guess, so that
7 when a water district makes a report, it is
8 reporting, perhaps electronically, where their
9 well is and the contaminants that they've
10 identified.

11 Obviously, it would be a going-forward
12 type thing. The health department is
13 evaluating that. I haven't heard back from
14 them in some time, but I'll follow up.

15 MR. IRWIN: We do collect all the data
16 from the public water suppliers, and we are
17 required to put it into a state database. We
18 can retrieve that data, and that's
19 essentially what we'd provide to you. While
20 we don't get it electronically, we have to
21 enter it manually, but we can produce it.

22 MR. LEVY: Do they break it down by
23 parameter or by method? When I send the
24 health department VOC samples --

25 A MEMBER: We can retrieve it by

1 parameter.

2 MS. GALLAGHER: That's what Joe did.
3 But again, I had to be very clear, what was I
4 looking for, what length of time, and he
5 needed lead time to put it together. He did
6 it really quick, two to three weeks given
7 everything else that's on his plate. One of
8 the existing database portals that we're
9 looking into being able to use, if it works
10 out, is the EPA, USGS.

11 So it's STORET; it's a water quality
12 portal that has other data inputs in it,
13 water quality inputs in there already that
14 people report in their surface water,
15 monitoring well inputs. We're looking into
16 is that a feasible existing database that we
17 can all use. We're trying to figure out
18 which of the parameters and how we want it
19 organized and sorted.

20 Actually, we are back in our lab
21 trying to play with that a little bit, and
22 there are some challenges. So right after
23 this meeting, Steve, if you can stay around,
24 that would be great. And Tom and I are going
25 to get together and go over what some of

1 those issues are and is it really feasible
2 or not. Is it something where we have the
3 ability to tweak even on the input side?

4 If we decide that these are the
5 parameters and this is the format, we'd like
6 to collect it in from everyone and it'll be
7 simple, we can standardize it, then we can
8 use that as the existing database. And then
9 you can manipulate it and part of what USGS
10 is working on is how you could then easily
11 get some canned reports and canned maps from
12 that.

13 You said you wanted to get all of the
14 data on one part or whatever, on all of the
15 VOCs, you could click a button and get that
16 report, you could click a button and get that
17 map.

18 MR. DAWYDIAK: I wanted to mention this
19 has been a challenge going back as long as I
20 can remember. About ten years ago, there was
21 legislation that set up the Groundwater
22 Research Institute. I think that was one of
23 their big charges in Stony Brook to come up
24 with a common data platform that everybody
25 could feed into, but for various reasons that

1 never came to bear.

2 I wanted to mention that in Suffolk
3 County we have mountains of data, but it's
4 all incredibly messy. We have our internal
5 database for all the publics and the
6 non-communities, the groundwater database,
7 some of it is going up to Equus. Some, but
8 not all, of our current database goes into
9 SDWIS so we have pieces everywhere. And
10 we're undergoing an internal upgrade process
11 this year which might be an opportunity to
12 interface with whatever the platform is.
13 From what I've seen, there is no one existing
14 tool out there that's the big bag to hold
15 everybody's information in. That's been a
16 perennial problem.

17 MS. GALLAGHER: Walt, have you had any
18 experience with trying to use the water
19 quality portal that was supposed to be the
20 federal government's solution, I guess, to
21 data from SDWIS, USGS, EPA?

22 MR. DAWYDIAK: To my knowledge, and Doug
23 can confirm, although we've had a lot of
24 direct experience attempting that, I thought
25 that the state was going to interface and

1 feed data into that from us.

2 MR. HUMPHREY: No, we haven't.

3 MR. TERRACCIANO: The government
4 solution, as Carrie points out, started a
5 long time ago under the Bush administration
6 to address this issue, and they created a
7 portal. The portal is a website that looks
8 at multiple databases to retrieve information
9 as requested by the user. The database has
10 lots of data in it from various parties in
11 addition to EPA.

12 Internally, the USGS wanted to see it
13 go forward, and they're working with the
14 Water Authority to test it, implement it, and
15 see just how friendly it is. We realize, as
16 everybody does with all these databases, they
17 are a huge challenge, and we're not quite
18 sure what we're looking at. But when you
19 have so much data from so many people and
20 you're unsure of the quality of the data,
21 nevertheless all valuable to evaluate when
22 making decisions about things.

23 MR. IRWIN: I think we have to remember
24 that if we produce this water quality data
25 and put it into our report, we have to convey

1 the concept to the public that this is
2 groundwater information, and it's not
3 drinking water and what the difference is
4 because it may look awful in some
5 circumstances. And that's not what's coming
6 out of their tap.

7 MR. SZABO: It's an issue that the
8 difference between groundwater and drinking
9 water, some folks in this room and I have had
10 this conversation very recently, particularly
11 related to some of the media coverage, some
12 of the Brentwood and Islandia illegal
13 dumping, possible threats to the public, and
14 things like that.

15 I think you're exactly right, Don, we
16 need to do a much better job, be much more
17 vocal in the distinction between what comes
18 out of the tap, what they're drinking, and
19 the other threats that are significant in
20 certain areas. There's confusion and sort of
21 a blending of terms, and it could potentially
22 cause problems and unnecessary questions from
23 the public.

24 I think we're all aware of that, and
25 other than just continuously being vocal and

1 making the distinction between the two, I'm
2 not sure what else we can do. This is a
3 conversation we've had at other LICAP
4 committee meetings with a desire to be vocal,
5 to be consistent, to be on message, and to
6 spread the truth to the public about the
7 issues we face with groundwater and drinking
8 water.

9 MS. GALLAGHER: One of the common themes
10 in some of the comments that came in on the
11 state of the aquifer report was the need to,
12 again, have more information about the public
13 water supply system but also a better
14 discussion about treatment and what type of
15 treatment occurs so that you're really
16 distinguishing between the water in the
17 aquifer and the water that comes from your
18 tap, and the different types of treatment and
19 the levels and the treatment that occurs only
20 when you find certain contaminants in the
21 ground.

22 That is the big piece of what I'll be
23 reworking, and I'll try to get that message
24 out. Walt, I wanted to get back to your
25 comment because Henry did email me late

1 yesterday that he wasn't able to attend. I
2 remember him talking about that they either
3 had a computer system and they thought they
4 were going to be doing that, and I don't know
5 if it's because of a lack of resources or
6 funding, but it never came to fruition.

7 MR. DAWYDIAK: It got pretty close, but
8 it never seemed to happen.

9 MS. GALLAGHER: He said he still had in
10 boxes the old printouts, the ones that came
11 on the dot matrix printers, boxes of that
12 lying around. But it also sounds like if
13 LICAP accomplishes nothing else, if we just
14 get a universal water quality database in
15 place that can automatically update every
16 year, that would be a huge accomplishment for
17 Long Island water.

18 MR. SZABO: Any other comments on that
19 topic before we move on? Next item, Item No.
20 8, LICAP's annual report. We are required by
21 statute to provide an annual report. Carrie
22 and Deb Pfeiffer, who works for the Water
23 Authority, are in the process of gathering
24 information and putting it together.

25 MS. GALLAGHER: Our goal is to have it

1 circulated for discussion and hopefully
2 adoption at the June meeting of LICAP. Deb's
3 the one who's been doing the updates to the
4 website.

5 MR. SZABO: Moving on to Item No. 9,
6 public meeting. Jared?

7 MR. HERSCHKOWITZ: Unfortunately, I
8 couldn't make the last meeting, but in
9 reading the minutes, I was really impressed
10 with how varied and some of the really good
11 ideas that came out re: public hearings
12 versus town hall meetings and other attempts.
13 I have brought this up in the subcommittee
14 meetings, but I'd like to bring it up a
15 little bit today because it does refer to how
16 LICAP sees itself and what we can do in terms
17 of getting the word out to the community.

18 We're a bipartisan, bi-county
19 commission; that's kind of unusual. I hate
20 to use the term, but it does gives us a
21 little bit of a bully pulpit status if we
22 want to use it that way. We should consider
23 going out, I think, and using this power, if you
24 want to look at it that way, to reach out to
25 the privates.

1 Obviously, this is a holistic issue
2 that's facing the aquifer, and we can't
3 really expect through a simple education
4 system to have the public make changes in how
5 they do things in the short term. It's a
6 long-term project. If you look at, for
7 example, the organic food market and how it's
8 caught on very quickly. Within a year or two
9 it's really become very popular in a lot of
10 the supermarkets and even small markets.

11 We can use that model in terms of
12 using the bully pulpit status of LICAP to
13 bring in and hold meetings with people like
14 the regional vice-presidents of Lowe's, Home
15 Depot, Ace, some of the wholesalers that
16 provide pesticides to the golf courses, to
17 the agricultural community, and even to the
18 municipalities asking for their help.

19 I have a couple of graduate degrees,
20 and one of them is in counseling and
21 psychology, and when you ask people for help
22 and you say, listen, we're in this together.
23 You're on an island. You're selling these
24 products and you're exacerbating the problem.
25 Could you help us? You have a small shelf of

1 smart product; can't we expand that? You can
2 probably make more money if you look at the
3 organic food industry and how it's doing.
4 You'd be making more money that way and yet
5 also helping to solve the problem.

6 Couldn't we go to Breslin and some of
7 the other builders and say, when you build
8 next time, instead of us going and
9 regulating, you know me, I don't want the
10 legislators to have to regulate the builders
11 in terms of permeable pavers, in terms of low
12 or no irrigation, landscaping, et cetera, et
13 cetera.

14 In terms of the way you build, can't
15 you guys build it into your economics, and
16 it's not going to cost you because you're
17 going to pass it on; yet you'll help to solve
18 the problem. Couldn't we bring in Scotts;
19 they have a division of environmental
20 consumer concerns. But yet, Scotts Weed and
21 Feed is proven to be one of the worst
22 products you can put into the ground. It's
23 the most often sold product. It doesn't do
24 what it says it's going to do, and it really
25 contributes to the problems in our aquifer.

1 Couldn't we ask them questions about
2 that, bring in their environmental guys so
3 that they could hear it from their own
4 people? Couldn't we go to other providers
5 and talk about points of sale? It's just a
6 way where we can incorporate the privates and
7 help the public make the correct decision. I
8 don't know if you guys have any opinions
9 about that.

10 I feel strongly about attacking the
11 problem from a multitude of places, not just
12 education but the products that you can buy.

13 MR. DALE: Fine sentiments, in theory.
14 I can tell you that we actually have engaged
15 in practice with Scotts local government
16 interface. They're not going to overtly
17 resist your entreaties. For example, they
18 want to take issue with a lot of the market
19 stats, because at the end of the day you have
20 one individual who will be tasked to be the
21 diplomatic front, but they are in the
22 business of selling fertilizer.

23 So I think you need to approach this
24 with probably a combination of entreaty, and
25 it does have to be comprehensive; there has

1 to be a will. I'm not certain whether this
2 is something that can be exclusively done on
3 a top-down basis. It requires engagement
4 with all levels of local government. As I
5 said, fine in principle, when you start
6 getting out of the hood, that's when the
7 vexing aspects of it pop out.

8 MR. HERSCHKOWITZ: I don't argue with
9 that. I just think that because we're new
10 and because we may have this perceived power
11 and we may be bringing it to the public, that
12 puts pressure on them. We also need to go to
13 the municipalities, the zoning boards,
14 regulatory boards within each individual
15 municipality. They need to be approached.

16 MR. DALE: Understand that when you
17 started getting into, for example, extending
18 the principle of building performance, early
19 on in the middle portion of the last decade,
20 there was virtual unanimity among the
21 municipalities when it came to energy
22 efficiency standards for new home
23 construction that was bought into.

24 There was also an effort at the
25 commercial level and there was a commercial

1 LEED standard in Babylon and the result was
2 the Tanger Mall that reached LEED silver
3 certification. Unlike the residential
4 standards, that did not gain any traction
5 with other municipalities. So in effect,
6 it's not something that hasn't been broached.
7 It's not, frankly, an issue that is unknown to,
8 for example, town supervisors.

9 It becomes, really, a matter of
10 incrementalism and often a matter of will,
11 and that will generally generates from the
12 big chair. If the big chair is engaged, then
13 you get these kind of initiatives. If it's a
14 status quo proposition and people wait to see
15 how everybody else moves, it's a slow slog.
16 Again, having been in this realm in, frankly,
17 a more saleable area, which is saving energy,
18 which saves money as opposed to water
19 quality, water conservation.

20 MR. HERSCHKOWITZ: I understand that.
21 But I also understand that this is new, and
22 how we use LICAP in terms of the stick,
23 because we do have the opportunity to make
24 recommendations relative to regulation, so
25 there's something different now. I'm not

1 saying it's definite, and I happen to agree
2 with you having banged my head against those
3 same forces that you have over the years.

4 Things like why is every single road
5 on the south shore being done in permeable
6 asphalt so that we do at least mitigate, to a
7 point, some of the drainage issues. That's an
8 opportunity there. That's dramatic and
9 that's almost catastrophic, and we need to
10 look at that. These are the kinds of things
11 that I think LICAP -- and that's why I'm
12 bringing it up now -- not just public hearings
13 or town halls, but bringing people into this
14 commission and working with them, talking to
15 them.

16 We're not going to make changes
17 immediately, but if you start doing it all
18 along and you start attacking the whole
19 problem, then it's just like the organic food
20 industry, the solar industry, things change
21 slowly.

22 MR. DALE: Organic didn't happen
23 overnight. I was buying organic back in
24 college and that was in the nineteenth
25 century.

1 MR. HERSCHKOWITZ: I'm not saying that
2 it'll happen overnight; I just think it's
3 another attack we need to consider.

4 MR. DALE: I completely concur with the
5 sentiment.

6 MR. SZABO: Jared, we're all supportive
7 conceptually of some of the ideas you're
8 putting forward; we've expressed this. I've
9 said it that every member of the commission
10 here is supportive of trying to reach out to
11 the public and private, whether it's
12 businesses, elected officials, and to talk to
13 them about the future and what they can do to
14 be part of the solution.

15 We do have a defined scope, a defined
16 sort of responsibility and guidelines that we
17 need to adhere to. It's somewhat limited,
18 but we knew that going in. To take on that
19 task now and to set up meetings and to invite
20 businesses and people to come in and to talk
21 to them, we really have to spend a great deal
22 of time on what exactly we're going to tell
23 them and how we're going to effectuate
24 change.

25 We have to almost make it particular

1 to that specific business on why it could
2 work for them, and I'm not sure we have the
3 knowledge or resources to do that.

4 MR. COLABUFO: If I can interject, one
5 of the topics I'd love to have, perhaps, you
6 head up as far as the other water resources
7 opportunity, is to write a report on that, the
8 opportunities available, how it could be
9 done, and we can use that going forward maybe
10 at the next phase to bring it to fruition.

11 MR. SZABO: In the state of the aquifer
12 report, there should be a section on how we
13 can better communicate with the private and
14 public sector. Do we agree on that? Does
15 anyone think this is a topic that we should
16 be trying to address today before we have a
17 draft or a final plan?

18 MR. DAWYDIAK: Maybe by way of sort of a
19 compromise or a hybrid approach. Whenever we
20 in the health department ever try to
21 undertake something, we try to get notches
22 under our belt as we go along so that we have
23 immediate output. We accelerate the process.
24 I don't know if this is the way the long game
25 is structured.

1 We have this big report coming in a
2 couple of years down the road. Then you've
3 got this interim annual report. If there's
4 things we can cherry pick off, like with our
5 comp plan we've already upgraded VOCs, septic
6 technologies, lab capabilities; these are
7 things that are ongoing. Then if we have
8 volunteers in the committee to approach
9 Scotts or come up with a coastal blend
10 fertilizer or better road policies, the
11 extent that we can put those in as early
12 action or implementation items will only
13 encourage buying.

14 I kind of agree we can't get bogged
15 down by every sub-issue while we're looking
16 at the big picture, but at the same time it
17 would be great to report back saying we've
18 done A, B, and C, and these are the highest
19 priorities.

20 MR. SZABO: How would you like to
21 proceed?

22 MS. GALLAGHER: Jared, were you thinking
23 maybe after we have the state of the aquifer
24 report out, then you could identify one or
25 two of those that you would spearhead

1 organizing getting the public outreach?

2 MR. HERSCHKOWITZ: Just getting the word
3 out and asking for their help, speaking at
4 town board meetings, speaking at zoning board
5 meetings, getting the word out, putting in
6 their hands that this is something they
7 should consider.

8 MS. GALLAGHER: We can work with you on
9 that. After we have that, almost like a
10 traveling road show of the state of the
11 aquifer that you can take around to everyone.

12 MR. SZABO: Any other business at this
13 point or comments? There is one item. The
14 last couple of years we've been aware and
15 have provided comment on a state bill related
16 to -- I think it was Senator LaValle and
17 Assemblyman Bob Sweeney who had legislation
18 that would do a lot of the things that LICAP
19 is presently doing plus for Nassau/Suffolk.

20 Assemblyman Sweeney retired last
21 session and Senator LaValle is still in the
22 state senate. I think I have a meeting set
23 up in the next week or two with Assembly
24 Englebright who took over the ENCON committee
25 which Sweeney chaired. I'm trying to get a

1 feel for where they think that state
2 legislation is headed this session and
3 whether it may impact any of us in this room.

4 I don't have a lot of additional
5 information. The session was late to get
6 started this year. As soon as I have an
7 update, I'll provide it to all the committee
8 members. I'm not sure if anyone here will
9 have private discussions with Senator LaValle
10 or others.

11 MR. HERSCHKOWITZ: Assemblyman Raia is
12 on board.

13 MR. DALE: Since we've had this
14 exchange, in the last iteration of how the
15 bill was handled, I think Englebright is
16 going to be Bob Sweeney with a little more
17 charisma. I think certainly how they engage
18 in outreach, not just at the local level but
19 also at the state level, I think was
20 problematic in the last go-around. That's
21 certainly, I think, a point that they probably
22 understand by this point that we should
23 probably reemphasize.

24 MR. SZABO: I will. Steve?

25 MR. TERRACCIANO: The New York City

1 Council Environmental Committee which funds
2 the New York City DEP is planning a hearing
3 on groundwater. I'll alert you to the time
4 and location. They've asked us to submit
5 testimony.

6 MS. GALLAGHER: Let us know and we'll
7 send it around to all the members so they're
8 aware.

9 MR. DAWYDIAK: USGS?

10 MR. TERRACCIANO: Yes, USGS. We did
11 provide some testimony last December, I
12 think, I didn't, on groundwater levels in
13 southeast Queens. The residents there are
14 experiencing groundwater flooding. The
15 council is considering measures to prove
16 surficial drainage and recognizes the issues
17 with rising groundwater levels. The
18 residents in southeastern Queens would like
19 the Jamaica water wells turned on.

20 MR. SCHNEIDER: As the people in
21 southwestern Nassau. People in Elmont and
22 Valley Stream have also experienced basement
23 flooding in some of the commercial buildings
24 and locales in that area. So they also
25 wanted the city to turn their wells on.

1 MR. SZABO: Thanks for that bit of
2 information. Just a reminder, there will be
3 a joint subcommittee meeting February 25th,
4 two-thirty here in the education center. The
5 next full meeting of LICAP is scheduled for
6 June 10th, 2015. Do we have a location
7 determined yet?

8 MS. GALLAGHER: We do not. We're always
9 happy to host it here. If Nassau wanted to
10 host it, we'll throw that out to you, but
11 we're up for it.

12 A MEMBER: We'll talk.

13 MR. SZABO: Okay. If there are no other
14 comments, I'll make a motion to close the
15 meeting.

16 A MEMBER: Seconded.

17 MR. SZABO: Thank you very much. We
18 appreciate everyone's participation. We'll
19 see you very soon.

20 (Whereupon, the LICAP meeting was
21 adjourned at 11:30 A.M.)

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I, Lisa D'Amore, a Notary Public
in and for the State of New York, do
hereby certify:

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

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9

IN WITNESS WHEREOF, I have hereunto
set my hand this 2nd day of March, 2013.

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Lisa D'Amore

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