

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

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1 LONG ISLAND COMMISSION FOR AQUIFER PROTECTION  
2 MINUTES (continued)

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|----------------------|----------------------------------|
| 8 Jared Herschkowitz | Suffolk County Presiding Officer |
| 9 John Milazzo       | Suffolk County Water Authority   |

10  
11 At 9:57 A.M., the LICAP meeting was called to order  
12 and recorded as follows:

13  
14 MR. SZABO: Maria Trupia from the Water  
15 Authority, for the last almost one year,  
16 has been taking the minutes and trying to do  
17 her normal daily workload and also draft,  
18 cleanup, and disseminate our stuff. We  
19 thought it was probably a good idea if we  
20 brought somebody on to assist with that. It  
21 should be a benefit. We should have the  
22 minutes faster, and I think it's a good thing  
23 overall.

24 Welcome to LICAP's first meeting of  
25 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.

8

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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