

Water for Long Island



Our Mission: to work with Long Island water suppliers, governmental entities and officials, community and environmental groups, academic institutions, conservationists, individuals and others who are concerned about the water and drinking water conditions of Long Island and to advance actions for effective groundwater and water supply management.

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Public Comments on Draft Reports and Plans Prepared by the Long Island Commission for Aquifer Protection

Submitted to:
LICAP
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I. COMMENTS REGARDING THE STATE OF THE AQUIFER REPORT – 2019 UPDATE

The following comments are submitted for consideration by LICAP pursuant to its mandate to prepare an annual report on the state of the Long Island aquifer system.

A. The general appearance of the report is an improvement over earlier reports. It attempts to include updated information on a range of issues that affect the groundwater supply of Long Island, New York.

B. Discussions of Groundwater Quantity Conditions

B-1: The State of the Aquifer Report – 2019 Update (the “Update”) should be corrected to affirm that the main source of “freshwater” into the aquifers originates from precipitation. However, it should also be noted that intrusion from coastal saline waters is another way in which water enters the aquifers. Saltwater intrusion (SWI) into the aquifers is a critical component of establishing hydrologic balance of water storage in the aquifers. SWI is an indicator of aquifer system imbalance and poor health; and must be included in the discussion of the condition(s) of the water (both fresh and saline) being stored within the aquifers. Please refer to and correct page 10 of the Update, where it states: “It was noted in the 2018 report that **precipitation is the only means** by which water enters Long Island’s aquifers.”

Saltwater Intrusion: There is a paucity of data and discussion regarding saltwater intrusion along the south shore of Nassau County, in particular on Long Beach Barrier Island. The report should mention and address samples taken from the USGS monitoring well in Long Beach (the “Laurelton well”) that have been evidencing 110 ppm chlorides since May 2010.

B-2: The discussion of water table elevations (pages 10-11) for Nassau County should be better detailed, including a better description of where the wells are located. This is provided for Suffolk monitoring wells, but is either missing or inadequately indicated for wells located in Nassau.

B-3: The discussion of improvement in water table elevations and stream discharges reflects improvements in shallow aquifer conditions, but it does not necessarily also mean an overall improvement in groundwater quantity conditions throughout the aquifer system. This clarification should be provided to offer a more complete picture of groundwater quantity conditions.

B-4: Pages 14 and 15 presents charts and graphs. All charts, tables and graphs should be numbered for easy identification.

B-5: Groundwater Pumpage

An illustration, perhaps a pie-chart, should be included, which depicts the percentage(s) of water pumped from the aquifers that used for each purpose/category, including (but not limited to):

- a. Residential – indoor
- b. Residential – outdoor
- c. Industry
- d. Golf courses
- e. Agriculture
- f. Maintenance of water supply infrastructure, firefighting training, etc.
- g. Any other significant use categories that are not on this list.

B-6: Groundwater Quality vs. Quantity Discussions

LICAP's reporting on salient/looming groundwater quality issues/problems – including 1,4-dioxane and other emerging contaminants – takes up 40 to 50% of the Update, much of which is redundant and should be pared down. On the other hand, the Update's discussion regarding groundwater quantity and related conservation issues/problems is somewhat lacking. Similar to the observation noted under B-2, there is a concentration of related information pertaining to Suffolk County with less information pertaining to Nassau County.

LI's quantity problems/issues – particularly saltwater intrusion in Nassau County – should be expanded upon, including making recommendations on how to (re)solve them. (See additional comments noted below regarding this specific issue/problem, as it is also not addressed in the draft *Groundwater Resources Management [GRM] Plan*.)

B-7: One point that should be “hammered-home” is: The most important thing LI homeowners can do to conserve water is to reduce the amount they use for irrigation. Efforts should be stepped-up to address this. Tiered water rates should be mentioned as a viable method to reduce consumption, with significant and increasing penalties for high irrigation users; and irrigation restrictions must be implemented and enforced. The use of automated systems to identify violators of local irrigation laws should also be considered. Water suppliers must locate, contact and fine violators. If water suppliers don't have sufficient resources to do it, perhaps the equivalent of neighborhood watch programs could be developed.

Along this line of thought, *PSEGLI* and *NationalGrid* send notices to its customers indicating whether their residences are considered energy efficient, or not. Water suppliers should develop a similar notice for their customers; illustrating water usage and imparting the amount of water and money they could save by proactively implementing the conservation measures suggested in the Update, including the 10 items listed in the *Affirm* pamphlet provided to LICAP's Water Conservation Committee last year.

B-8: Drought

Asserting LI's 8-year drought has been totally reversed and resolved during the last two years is misleading, as it is not the case. It can take several years, even decades, for groundwater to recover from extensive drought. Some experts assert LI is still recovering from the drought it suffered during the 1960s (*albeit*, it was far more severe than the one the Update notes). Also, giving the impression the conservation programs certain suppliers have installed within their districts was the solution to the recent drought – and is LI's solution to future over-consumption – is rather disingenuous. Although providing some relief, such programs are currently insufficient and will prove ineffective at providing the groundwater resource conservation measures LI sorely needs to preserve and protect a pure and plentiful drinking water supply. The reason is the programs are mostly voluntary; and there is no way of enforcing or otherwise effectuating most of them into everyday consumer (or supplier) practice. (See additional comments noted below regarding this specific issue/problem, as it is also not addressed in the draft GRM Plan.)

C. Groundwater Quality: 1,4-Dioxane

C-1: An illustration should be provided, perhaps a table, which includes every water supplier that has wells requiring treatment for 1,4-dioxane. The illustration should list the number of wells operated by each supplier and the number of its wells requiring treatment for the contaminant, so any user reviewing the illustration will be able to judge the status of his or her water supply.

C-2: The Update should explain the difference between the costs disclosed to treat 1,4-dioxane. There is a big difference between \$177 million and \$840 million. The expenses that account for the difference between these two disparate costs must be explained? Without additional explanation, the higher figure seems to be way out-of-line when compared to the lower one.

C-3: The water supply community should commit to regular reporting that details: (a) how 1,4-dioxane may be affecting their customers' water supply; and (b) the actions and strategies they are implementing to remove the contaminant.

II. Groundwater Resource Management Plan Documents

The four documents presented in the draft Groundwater Resources Management Plan is confusing, which discourages helpful comment and input because it is not clear exactly what the "Plan" is.

In addition, the draft GRM Plan does not appear to be an actual plan at all. It appears to be an accumulation of issues being discussed with some recommendations; but it has not been developed into a clear and implementable plan of action. Further, there is no sense of urgency for moving ahead as quickly as possible to PROTECT groundwater which is the central duty of LICAP.

A. Formation of a Regional Groundwater Entity

LICAP's argument against forming a regional groundwater entity, because the NYS DEC and NYS DOH are already assigned management responsibilities, is fundamentally flawed for three salient reasons:

A-1: The Commission's basic argument disregards the fact that the rest of NY State including the DEC, works closely with specifically authorized water management agencies. Those water agencies have in fact been authorized to perform a number of activities originally performed by the DEC. Thus, the fact that DEC has certain duties now does not prevent those duties from being reassigned to an agency that can give them more attention and professional implementation.

A-2: A central problem confronting LI's groundwater is the inability for a single agency to assume responsibility for the protection of groundwater or effectuate recommendations that will. Too many players is just as dysfunctional as having none at all. The fundamental question is still: "Who is in charge and will assume responsibility?" Who is to get the credit for success and who must accept criticism/responsibility for failure? Long Island's groundwater policy does not exist; and virtually none of LICAP's recommendations address or will remedy this failure.

A-3: There is no leadership or vision provided in the GRM Plan's recommendations; in most cases, suggesting more of the same un-installable and un-implementable advice – in many cases proposing more studies and the creation of other plans – for the future of Long Island's groundwater.

A-4 With regard to items 1-3 above and the observation(s) cited below, the Update should reverse its current opposition to better groundwater oversight and management. The GRM Plan should include the creation of an independent LI groundwater resources management agency to correct the paucity of oversight that is presently in place on Long Island.

The Update must adequately address and the GRM must establish and install the following:

- a. Regulatory groundwater management, including making recommendations and/or proposing regulatory amendments;
- b. Enforcing existing (and future) groundwater management regulations; and
- c. Proactively implementing any of LICAP's own recommendations

B. The timing and public notification of the hearings and public comment period to address the work products of LICAP generated little public interest, input or attention. This undermines the seriousness of the problems confronting Long Island. It simply reinforces the *status quo*.

Respectfully submitted by Elizabeth Bailey and Gerald Ottavino for *Water for Long Island*
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