

LAURA CURRAN  
NASSAU COUNTY EXECUTIVE



OFFICE OF THE COUNTY EXECUTIVE  
THEODORE ROOSEVELT EXECUTIVE & LEGISLATIVE BUILDING

January 31, 2018

New York State Department of  
Environmental Conservation  
625 Broadway  
Albany, NY 12233

Attn: Basil Seggos, Commissioner

Re: NYSDEP Water Supply Permit Renewal – Queens Groundwater System

Dear Commissioner Seggos:

Greetings from Nassau County, Commissioner Seggos. As the newly elected County Executive of this great County, I have become intimately aware and engaged in an issue which has become a centerpiece of environmental awareness and concern to all County residents. This issue is the renewal of the Queens Groundwater System Well Permit currently held by the New York City Department of Environmental Protection (NYCDEP). The County has been engaged with members of the NYCDEP, NYSDEC - Region I and II, and is on the steering committee of the Governor's initiative – the LI Water Sustainability Study ("The Study"). We are encouraged to be a part of this group. We also appreciate all the hard work and outreach being performed by the NYCDEP to inform government officials, residents and all stakeholders who rely on the sole source aquifer beneath Long Island for their drinking water of their plan for the Queens Groundwater System.

We have seen presentations of the results of a Draft Environmental Impact Statement (DEIS) conducted by the NYCDEP depicting the probable impacts of re-activating the wells in the Queens Groundwater System on a wide variety of quality of life issues. For the most part, the impacts of well reactivation would be temporary or benign according to the DEIS, however the County is of the belief that the most critical impact to the only source of drinking water to the 1.3 million County residents would be significant and potentially irreversible. It is for this reason the Governor committed \$6 million dollars towards "The Study". The results of "The Study", being conducted by the United States Geological Survey (USGS), will provide critical scientific information to fill data gaps and will improve the understanding of the complex hydrogeological system beneath Long Island...including Kings and Queens Counties. At a minimum, an improved delineation of the saltwater interface in the various aquifer layers would support the NYCDEP's efforts to present the short and long-term impacts of the Queens Groundwater System well re-activation. This is information which admittedly the NYCDEP does not possess.

We are aware that the NYCDEP recently submitted their permit re-authorization package to Region II. Discussions and assertions from the various involved parties suggest that there is no intention to reactivate these wells. The County, however, recognizes that according to the

NYCDEP's Drought Management and Contingency Plan, a drought watch, or warning or reservoir system outage could trigger the re-activation of the Queens Groundwater System. It is this fact that compels the County to recommend to the NYSDEC that several conditions, at a minimum, be included in the well re-authorization permit if the permit process cannot be held in abeyance until "The Study" is completed. In addition, we request that the NYSDEC prepares a short and long term regional ground water resource management plan that includes all Long Island and Queens which will be supported by the results of "The Study". Included with this letter are the recommended permit conditions for the re-authorized permit as well as recommended topics for inclusion in the regional groundwater resource management plan.

The County has been working in concert on this issue with a large and varied group of municipalities, government officials, water suppliers, environmental activists and citizens spearheaded by the Western Nassau County Aquifer Committee. There is overwhelming support in asking that the re-authorized permit be held in abeyance until "The Study" is completed or that permit conditions are imposed. I have included a listing of all those who support our stance on the permit conditions as well as the request for a short and long-term groundwater resource management plan be prepared by your agency.

While we understand that the NYCDEP considers this well permit re-authorization "routine", the County, in protecting its only source of drinking water for its residents, believes that this process is the furthest thing from routine. We stand ready and will continue to work with all stakeholders to ensure that we all have a plentiful supply of fresh drinking water.

Very truly yours,



Laura Curran  
County Executive

c: Steven Zahn, NYSDEC – Region II  
Carrie Gallagher, NYSDEC – Region I

## Proposed Permit Conditions for NYC Jamaica Water Supply Wells

The following conditions are recommended to the NYSDEC for inclusion in any permit renewal issued for the 68 public water supply wells within the former Jamaica Water Supply company area in Queens, New York.

**Condition 1:** A renewed permit should not reauthorize the use of the four Lloyd aquifer wells in the system. The vulnerability of the Lloyd aquifer to over-pumping requires that the aquifer be reserved for coastal communities that rely on the Lloyd as their only viable source of water.

**Condition 2:** The renewal of the permit for the 68 public water supply wells in the Jamaica Water Supply Area in Queens, now operated by the New York City Department of Environmental Protection (NYC DEP), shall be delayed and held in abeyance until the findings of the *USGS/NYS DEC Sustainability Study*, Phase I, are available. Permit conditions will be developed that reflect the results of the study and appropriate mitigation measures are included in the permit.

If Condition 1 and/or Condition 2 are not accepted by the NYS DEC, then upon the declaration of a severe drought or infrastructure emergency declaration requiring the temporary use of these wells, the following permit conditions should be included in any permit renewal issued for the Jamaica Water Supply wells:

**Condition 3:** The following five (5) terms of use shall be incorporated into the NYC DEP Jamaica Wells Permit (2018 – 2027):

- A. Pursuant to the pledges made by the NYCDEP in the DEIS and elsewhere, limiting the use of the Jamaica wells to drought or infrastructure emergencies, a declaration of a drought emergency or infrastructure emergency by DEP must be approved by the NYSDEC, prior to the activation of the Jamaica wells. The declaration and approval shall be in writing. The terms, “drought emergency” and “infrastructure emergency,” shall be defined in the permit.
- B. Prior to the return to active use of any the Jamaica water supply wells, New York City must actively implement water conservation and water demand management strategies to the fullest extent possible;
- C. Upon the completion of Phase I of the *USGS/NYS DEC Sustainability Study*, if the Study finds serious, negative impacts, as determined by the NYS DEC, in the Queens and/or western Nassau aquifer system due to the use of the Jamaica wells, the NYC wells permit must be reopened and the findings from the study must be used as a basis for new permit conditions that reflect appropriate mitigation measures, pursuant to the Study.
- D. The NYC DEP shall install a series of groundwater monitoring/sentinel wells to identify saltwater intrusion and migration within Brooklyn and Queens for all three primary aquifers, along the north shore and south shore areas of the two boroughs. Monitoring wells shall also be installed between Queens and Nassau County in all three aquifers to track changes in water quality as well as to identify salt water intrusion.
- E. If the New York City DEP’s intended use of the Jamaica wells changes from that described in the *In-City Water Supply Resiliency DEIS* during the permit period, the permit shall be re-opened and new conditions inserted that address the new use. The permit review by the NYS DEC must be subject to a full public review and public comment/hearing process.

## **SIGNATORS:**

### **I) ELECTED OFFICIALS**

#### **NEW YORK STATE**

Senator Elaine Phillips, 7<sup>th</sup> District  
Senator Todd Kaminsky, 9<sup>th</sup> District  
Assemblyman Anthony D'Urso, 16<sup>th</sup> District

#### **NASSAU COUNTY**

Legislator Siela Bynoe, 2<sup>nd</sup> District  
Legislator Denise Ford, 4<sup>th</sup> District  
Legislator C. William Gaylor, 6<sup>th</sup> District  
Legislator Howard J. Kopel, 7<sup>th</sup> District  
Legislator Vincent T. Muscarella, 8<sup>th</sup> District  
Legislator Richard J. Nicoletto, 9<sup>th</sup> District, Presiding Officer  
Legislator Ellen Birnbaum, 10<sup>th</sup> District  
Legislator Delia DeRiggi-Whitton, 11<sup>th</sup> District  
Legislator James Kennedy, 12<sup>th</sup> District  
Legislator Thomas McKeivitt, 13<sup>th</sup> District  
Legislator Laura Schaefer, 14<sup>th</sup> District  
Legislator John R. Ferretti, Jr., 15<sup>th</sup> District  
Legislator Arnold W. Drucker, 16<sup>th</sup> District  
Legislator Rose Marie Walker, 17<sup>th</sup> District  
Legislator Steven D. Rhoads, 19<sup>th</sup> District

#### **TOWN OF NORTH HEMPSTEAD**

Town Supervisor Judi Bosworth  
Councilwoman Viviana Russell, 1<sup>st</sup> District  
Councilman Peter Zuckerman, 2<sup>nd</sup> District  
Councilwoman Anna Kaplan, 4<sup>th</sup> District  
Councilwoman Lee R. Seeman, 5<sup>th</sup> District  
Councilwoman Dina De Giorgio, 6<sup>th</sup> District  
Town Clerk Wayne Wink  
Receiver of Taxes, Charles Berman

#### **CITY OF LONG BEACH**

Anthony Eramo, Council President  
Chumi Diamond, Council Vice President  
John Bendo, Council Member  
Scott J. Mandel, Council Member  
Anissa D. Moore, Council Member  
Michael Tangney, Acting City Manager

#### **VILLAGES**

Mayor Adam Hoffman, Village of Lake Success  
Mayor Robert McNamara, Village of Flower Hill  
Mayor Steven Weinberg, Village of Thomaston

Mayor Bob Weitzner, Village of Port Washington North  
Mayor Lloyd Williams, Village of Plandome  
Mayor Nora Haagenon, Village of Baxter Estates

## **ID) WATER SUPPLIERS**

### **Bethpage Water District**

Michael Boufis, Superintendent  
John Sullivan, Commissioner  
John Coumatos, Commissioner  
Theresa Black, Commissioner

### **Carle Place Water District**

Timothy E. Stellato, Chairperson  
Lawrence F. Zaino, Jr., Treasurer

### **Locust Valley Water District**

Anker Johansen, Chairman  
Louis P. Savinetti, Commissioner  
Pasquale J. Eliseo, Commissioner  
Charles Savinetti, Superintendent

### **Manhasset-Lakeville Water District**

Brian J. Morris, Chairman  
Mark S. Sauvigne, Treasurer  
Steven L. Flynn, Secretary  
Paul J. Schrader, P.E., Superintendent

### **Massapequa Water District**

Stanley Carey- Superintendent  
Joseph Tricarico- Chairman  
Ray Averna- Commissioner  
Tom McCarthy- Commissioner

### **Port Washington Water District**

Paul Granger, Superintendent  
David Brackett, Commissioner  
Mindy Germain, Commissioner  
Peter Meyer, Commissioner

### **Roslyn Water District**

Richard Passariello, Superintendent  
Michael Kosinski, Commissioner  
William Costigan, Commissioner  
Sandford Klein, Commissioner

## **Westbury Water and Fire District**

Vincent Abbatiello, Commissioner

William Olson, Superintendent

John Inram, Superintendent

## **III. ORGANIZATIONS and INSTITUTIONS**

Beach to Bay Civic Association – Gerald Ottavino, Director

Center for Water Resources Management at NYIT - Sarah Meyland, Co-Executive Director

Citizens Campaign for the Environment - Adrienne Esposito, Executive Director

Grassroots Environmental Education – Patricia Wood, Executive Director

Long Island Sierra Club – Bill Stegemann, Conservation Chair

Long Island Water Conference - Charles Savinetti, Chairman

The North Shore Land Alliance, Inc. – Lisa Ott, President & CEO

Nassau County Department of Health, Division of Environmental Health – Donald Irwin,  
Director

Nassau County Water Resources Board – Arnold Palleschi, Chairman

Nassau Suffolk Water Commissioners Association - Vincent Abbatiello, Chair

Northside Civic Association – Sandra D’Archangelo, Treasurer

Open Space Council – Marilyn England, President

Open Space Council, Karen Blumer, Vice President

Port Washington/Manhasset League of Women Voters – Francine Furtado and Jane Thomas,  
Environmental Chair

Residents Forward (formerly Residents for a More Beautiful Port Washington) - Curt Trinko,  
Chairman

Rocky Point Civic Association – Charles Bevington, President

Sludge Stoppers Task Force – Scott Bochner

Surfriders, Central Long Island Chapter

Water for Long Island

Western Nassau County Aquifer Committee:

Mindy Germain, Lead Organizer and NYSDEC Steering Committee Representative

Sarah Meyland, NYSDEC Steering Committee Representative

Honorable Michelle Schimel, NYSDEC Steering Committee Representative

Brian Schneider, NYSDEC Steering Committee Representative

## **Proposed Components for Nassau County Regional Groundwater Resource Management Plan**

As the initial results of the *Sustainability Study* become available, the NYS DEC agrees to develop a short and long term regional groundwater resource management plan that includes Queens. The Plan shall be implemented no later than January 1, 2022. The Plan shall include, but not be limited to, the following components:

- Develop and implement science-based sustainable withdrawal pumpage values for each county and region.
- Groundwater withdrawal levels for all Lloyd Aquifer wells shall be revised to reflect sustainable withdrawal levels based on the most recent information available from the USGS and others;
- Enforceable water use limitations on water used for irrigation by non-potable well permit holders; special consideration shall be given to agriculture irrigation needs.
- A state-funded program for the management and improvement of recharge basins; other recharge opportunities shall be identified and implemented;
- Development of a policy to recharge high-quality water produced from Superfund and related remediation activities; and
- A program to recharge highly treated wastewater effluent, once treatment quality technology meets appropriate health protection standards.
- Investigation of long term collaborative initiatives between New York City and Long Island to advance joint sustainability efforts.
- Increase inter-municipal coordination to share resources between suppliers.

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