

**ORANGE COUNTY SEWER DISTRICT NO. 1 ADVISORY COMMITTEE
MINUTES**

**(REMOTELY)
WEDNESDAY, JANUARY 20, 2021
1:15 P.M.**

PRESENT: Peter Tuohy, Chairman,
Michael Amo, Katie Bonelli, Barry J. Cheney, Laurie Tautel, John Vero

ALSO

PRESENT: Leigh J. Benton, Legislator
Thomas Faggione, Legislator
Kevin W. Hines, Legislator
Harold J. Porr, III, Deputy County Executive
Langdon Chapman, County Attorney
Joseph Mahoney, Senior Assistant County Attorney
Erik Denega, Commissioner, Department of Public Works
Robert Gray, Deputy Commissioner, Department of Public Works/EF&S
Anthony Griffin, Principal Sanitary Engineer, Department of Public Works
Mary Beth Bianconi, Partner/Senior Project Manager, Delaware Engineering, D.P.C.
Gedalye Szegedin, Administrator, Clerk, Village of Kiryas Joel/Town of Palm Tree

Mr. Tuohy called the meeting to order at 1:21 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present.

Mr. Tuohy stated that they have the final scoping documents and all the written and oral public comments. They heard from environmental groups, legal firms and all their concerns have been addressed.

Ms. Bianconi stated that they were conducting a SEQRA review for the longevity improvement and expansion of the Harriman Waste Water Treatment Plant (WWTP). The details of the project include making improvements to extend the useful life of the existing facility; adding 3 MGD of treatment capacity; a variance application from affluent limitations for the total dissolved solids (TDS) and chloride for discharge to the Ramapo River. They began by declaring themselves intent to act as lead agency. Other agencies responded to the letter that was sent out and the county declares lead agency based on no other responses. They issued a positive declaration and prepared a draft scoping document which was very generic in order to receive public and agency comment and focus on the review. There is a detailed memo (see original minutes) from them that reviews in detail the comments received. She addressed some of the comments and how they responded. Some of those comments were people wanting to know the source of the chloride and TDS in the watershed and comments on the Ramapo River and its current conditions. There was discussion on the application for variance, treatment capacity and distribution of the cost of the project. The detailed memo is 92 pages long and included a copy or transcript of every comment and a tabular response to each major comment. The scoping documents provides a generic description how the SEQRA process takes place and it describes the contents of the Environmental Impact Statement (EIS) which will be based on statutory requirements and based on the comments they received and various other impacts. They are required to look at a "No Action Alternative" which means do nothing. That will result in them stating that they do not have a position where they can do nothing, they must comply with the SPDES Permit and they must do something regarding demand. They have an alternative to just conduct the longevity improvements. They have an

alternative to evaluate different technologies to achieve 9 MGD of treatment capacity. Another alternative would not include the variance but would include installing reverse osmosis technology to meet the SPDES permit. They can evaluate expansion of the plant beyond 9 MGD. There is a regional alternative that will evaluate to discharge to the Hudson River instead of the Ramapo River.

Mr. Tuohy confirmed that now they move forward with the EIS which will be more detail. He asked for Ms. Bianconi to elaborate on that.

Ms. Bianconi explained that they evaluated the project back when they issued a positive declaration and stated that there were potential environmental impacts that can be important and needed to be further addressed. The scoping document outlines those areas where there is potential environmental impacts. Today, the scoping document is presented to this committee for recommendation to refer it to Physical Services who will review it and send it to the full Legislature to be adopted. Once that occurs, they will prepare a draft EIS that will follow the information requested in the scoping document. Once it is prepared it will come back to the committees for review. They will refer back to the scoping document and they will determine if the draft EIS includes the information that was outlined in the scoping documents. If the answer is yes, then the Legislature will adopt the draft EIS for a public review which is usually for sixty days. The public would have the opportunity to view the documents and submit written comments and would also include a public hearing although it is not mandated but recommended. There will be a closing date for comments and they will address each of the comments. The comments that are addressed and the draft EIS becomes the final EIS. Once adopted there will be a signing statement prepared and that will conclude the process. The signing statement will describe the environmental review from start to finish and outline key areas and it will establish the requirements for the framework to move forward to actually execute the project.

Mr. Tuohy stated that the D.E.C. noted that an application has not been received yet and asked what the status was for the application on the variance. He further asked if that would have an impact on the draft EIS which would lead to the final EIS.

Ms. Bianconi explained that the variance that was referenced in the D.E.C. comment letter is the variance to the current permit. The permit they have in place now states they can discharge up to 6 MGD on average. There is a timetable of compliance in the permit that states that certain triggers they need engineering reports done and they need to do things to comply with TDS and chloride limit. The current SPDES permit has interim limits that the plant does meet. The SEQRA process is for the new project which would be a 9 MGD facility.

Mr. Cheney questioned the nine page final scoping document and referenced to page four. He asked if the paragraph that states "the project may include upgrade to the main building supply air, odor control," etc. He wondered about the use of the phrase "may include" because he thought they were things they all agreed on that were going to be necessary.

Ms. Bianconi explained that those items that may be included came from the county's capital and maintenance for ongoing list of work that are done at the treatment plant.

Mr. Cheney asked if it would be separate from the longevity improvements.

Ms. Bianconi stated that these are things that were already programmed and was already being done. The reason they put "may include" because as time passes, this may be done in advance of the construction project so they might be removed, it could also be part of the

construction project. Some of the improvements that are made could make them no longer necessary. They are doing the review but for SEQRA they want to provide the flexibility in case the project does not begin construction for three or four years and if the air supply improves within a year, it could be part of the project or maybe it will be done in advance.

Mr. Cheney referred to page five of nine in the final scoping document and asked about the groundwater resources existing conditions. He asked if the data they presently had was sufficient to make their case before the D.E.C. successfully.

Ms. Bianconi stated that they have extensive data and it came from multiple sources. There are studies that go back to the late 1970's or early 1980's about the TDS and chlorides in the Ramapo River basin and in other locations in the lower Hudson Valley. There is other data that goes back forty years from other independent consultants on work that was done in the region.

Mr. Cheney asked if Ms. Bianconi felt confident in the data that has been collected to satisfy the D.E.C.

Ms. Bianconi responded that there is a large amount of verified data for the E.I.S. She believed that the D.E.C. is seeking as part of the regulatory work, additional data on what they can do about the TDS. Is there something that could be done to reduce the amount of TDS in the watershed. There might be additional data that is done regarding permit compliance. However, they do not anticipate doing additional data analysis or data gathering as part of the EIS.

Mr. Cheney stated that with the ongoing development in the area, have they looked at the increase and impervious paved surfaces and the need for surface treatment during inclement winter weather exacerbating the impact on the ground water.

Ms. Bianconi responded yes it would be part of the analysis. She explained that they use a geographic information system (GIS), and they have impervious covered data which covers many years. They plan to evaluate the urban invasion of the watershed in regard to the impervious surface over time.

Mr. Tuohy mentioned that the next step would be to bring this forward to the Physical Services Committee which will start the work on the draft EIS. He asked what the timeframe was for that.

Ms. Bianconi stated that they already began the data collection for the existing conditions. They anticipate preparing the draft EIS statement during the upcoming months. The goal is to have the draft EIS statement ready for review by the county in May. The EIS can be noticed for public comment over the summer and they would be doing the Final Environmental Impact Statement (FEIS) late summer, early fall. The finding statements should be adopted by September this year.

Ms. Bonelli confirmed that the notice for this meeting was set to all local municipalities and Mr. Tuohy confirmed that it was sent out.

Ms. Bonelli further asked if the final scoping documents were provided to the municipalities and Deputy Clerk Bradley responded that the information was posted to the county website, but she can forward the information directly to the municipalities.

Ms. Bonelli noted that Mr. Szegedin, representing Kiryas Joel and Town of Palm Tree, was participating in the meeting and asked if there were any other local municipalities.

Mr. Amo asked if the communication from the county regarding the scoping documents will be available to the municipalities because Mr. Szegedin was inquiring.

Ms. Bradley confirmed with Mr. Amo that she would send the documents to all the municipalities.

Ms. Bonelli made the motion to adopt and refer the Final Scoping Documents to the Physical Services Committee, seconded by Ms. Tautel.

Motion carried. All in favor.

On the motion of Mr. Amo, seconded by Ms. Tautel, the meeting adjourned at 1:46 p.m.