

**NYS Public Hearing on Water Quality and Contamination  
September 12, 2016  
Statement from Brookhaven Town Supervisor Edward P. Romaine**

Thank you for holding this important and timely public hearing. Water quality has been among my top priorities and one which I have passionately advocated for the more than 30 years I have held elected office. As we have learned over the last year from the tragedy of high lead levels in the water in Flint, Michigan, and from our own New York State drinking water crisis in Hoosick Falls, the residents of the United States expect their elected officials and government agencies to provide them with clean water, and accurate information in the event water becomes contaminated. Providing safe drinking water and clean surface waters is an issue that holds no partisan boundaries.

The Town of Brookhaven is one of the largest Towns in New York State. Within our boundaries we are fortunate to have the Carmans River - a state Wild and Scenic River, the Fire Island National Seashore, the Port Jefferson Harbor Complex, Lake Ronkonkoma, and a large portion of the Great South Bay. Brookhaven contains the headwaters of the Peconic River, and our Shellfish Mariculture Facility is located in Mt. Sinai Harbor. We have many other waterbodies that are too numerous to mention, however, are equally beautiful and valuable to our residents and visitors. We are, in fact, not only surrounded by water on all sides, but we also live, work and play on top of the sole source aquifer that is our drinking water.

Clean water is not something that we take for granted. We are passionate about protecting water quality in both surface waters and in groundwater. Our residents have repeatedly supported measures, such as the creation of the Long Island Pine Barrens, to protect water quality. Long Island's present and future are inextricably tied to water quality. The protection of water quality is critical to the quality of our lives.

We live in a time of change. The population of Long Island has increased by 50% since 1970. Suffolk County has a large number of people living in a small area located atop a critical drinking water supply and is surrounded by surface waters. For too long we have relied on the land to absorb our pollution. Our sanitary systems are essentially holes in the ground that discharge our untreated sanitary waste into course, sandy soil, where it can rapidly travel into our surface waters and drinking water supplies. This may have been acceptable in the 1800s when a few hundred thousand people were scattered over the landscape, but now with a population of 1.5 million, this method of sanitary waste disposal is causing a host of ills for Suffolk County. In the last few days we have recorded a rust tide, a type of harmful algal bloom, in Port Jefferson Harbor. Algal blooms are fueled by the nitrogen in sanitary waste. This past winter as a result of a decline in water quality, for the first time in history, the NYSDEC sampling data forced the Town to close Mt. Sinai Harbor to shellfishing on a seasonal basis. A report in Newsday last Friday on data collected by Dr. Chris Gobler revealed that dissolved oxygen levels in the Forge River and the Peconic River often go to zero.

Over the past two decades, a very short time when speaking of a resource of such value, we have seen significant increases of nitrate concentrations and other contaminants in the Upper Glacial and Magothy aquifers. Other contaminants have also migrated into the sole source aquifer, resulting in the closing five (5) contaminated wells in 2014 by the Suffolk County Water Authority (SCWA). The costs to treat and deliver clean water to the residents of the Town are rising. The economic impacts of poor water quality to tourism and shell fishing have been widely reported and the decline of the Long Island shell fish industry is a case study in the collapse of an entire local industry.

There is an urgent need for updated legislation to protect water quality against such threats as unregulated contaminants, nutrients, and low dissolved oxygen using current scientific data and analysis. The Town of Brookhaven recommends that the following immediate actions be considered by the NYS Assembly Health Committee:

- Increase/restore funding for state and local water quality monitoring programs. The United States Geological Survey (USGS) and Suffolk County were once at the leading edge of water quality monitoring. Sadly, this is no longer the case due to funding cuts at every level of government. A region dependent on a sole source aquifer must have the very best monitoring programs in place.
- The cheapest, most effective way to protect water quality is to preserve open space. We request increased state funding for open space purchases in Suffolk County, particularly in watershed corridors.
- The Town of Brookhaven funded a study using DNA to identify the sources of pathogens that are impacting water quality in Setauket Harbor. The data collected allows us to determine whether pathogens are anthropogenic, or are originating from wildlife. This study should be expanded to all local waters so that we can better understand the origin of pathogens that are forcing the closure of bathing beaches and shell fishing areas.
- Data shows that composting/mulching sites have become a potent source of contaminants to our groundwater. We request continuing data collection and development of standards that allow organic waste to be recycled without harming water quality. However, Assemblyman Englebright's bill, that was adopted by the Legislature last year, would have addressed these issues. Unfortunately, it was vetoed by the Governor. In its place, the New York State Department of Environmental Conservation is working on issuing regulations regarding mulch. We eagerly await the release of the regulations, particularly as they relate to Nassau and Suffolk Counties who depend on a sole source aquifer for their drinking water.
- State policy on inlets and breaches for the barrier island – the Town has seen substantial benefits to water quality in Bellport Bay from the Wilderness Area breach. Current State and Federal policy does not appear to account for the water quality

benefits of the natural processes that result in breaches. We request a review of the policy so that both flood protection and water quality benefits are weighed.

- State support and funding to expedite the replacement of old sanitary systems with innovative/alternative sanitary systems capable of removing contaminants.
- Rapid adoption of State ecological numeric nutrient standards for all surface waters.
- We need funding for tertiary treatment or better at public and private wastewater treatment plants. Unfortunately, some of these plants currently empty into the Long Island Sound, Great South Bay, Patchogue River, etc. To preserve our water quality, we need to upgrade these plants to tertiary treatment or better.
- A robust water conservation that includes aggressive implementation of water reuse on Long Island.
- Given the funding needs to protect groundwater and coastal water quality on Long Island, I urge the Legislature to work with the Governor's office to explore other sources of funding to help improve water quality.

Lastly, the Town proposes the creation of a single agency responsible for the protection of ground and surface waters across Long Island to provide efficient and consistent enforcement of water protection regulations.

Thank you for your consideration of our comments and your concerns regarding the water quality on Long Island and across the State of New York. We look forward to working with the Committee to address one of the most critical and pressing issues within the Town of Brookhaven.