

MINUTES OF MS4 COMMITTEE MEETING
June 8, 2015

Present: Paul Shepherd, Peter Reich, John Colby, Chris Tehan, Laury Dowd
Absent: Butch Labrozzi, Jay Card, Billy Banks

Laury indicated that the Draft Annual Report was available for public comment from April 14 to May 20, including a public presentation and an ad in the newspaper. There were no public comments on the draft. The report was finalized and sent to the NYS DEC prior to the June 1, 2015 deadline.

Laury also reported that the NYS Court of Appeals had issued a decision in the litigation between the NYS DEC and the Natural Resources Defense Council. The net result of the decision was to allow the DEC to continue with the current system of covering multiple MS4s under a single permit. The NRDC had sought to require each MS4 to have its own permit. It also sought to require that MS4s had to implement all possible Best Management Practices (BMPs), unless the MS4 could prove that the BMPs would not be technically feasible or the cost would be prohibitive. That requirement was rejected by the court, who felt that the MS4s could impose those BMPs that the circumstances warranted, subject to oversight by the DEC under the General permit through the NOI and Annual Report processes.

The DEC will be incorporating the elements of this decision in their general permit following the two year interim permit currently in effect.

There had been an email from the Town Engineer suggesting that it would not be productive to test Fresh Pond, so Laury asked the committee for its recommendations. The committee decided it would be valuable to continue to track water quality in Fresh Pond and recommended that it be tested every two years, in May and September. This will be discussed with the Town Board.

Laury asked the committee to look at the Shelter Island Watershed Management Plan prior to the next meeting, so that we can discuss projects for implementation in the 2016 budget.

The meeting adjourned at 3:30pm.
The next meeting is July 13, 2015.

The Meeting dates for 2015 are:

~~1/12, 2/9, 3/9, 4/13, 5/11, 6/8,~~ 7/13, 8/10, 9/14, 10/19, 11/9, 12/14