

# **APPENDIX O**

**New York State Department of Environmental Conservation  
Irrigation Well Approval  
June 30, 2017**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION****Division of Environmental Permits, Region 1**

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790

P: (631) 444-0365 | F: (631) 444-0360

www.dec.ny.gov

July 30, 2018

East End Holding Company, LLC  
P.O. Box 336  
Mount Sinai, NY 11766-0336

RE: Permit No.: 1-4738-04435/00001

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your modification to your permit identified above. Please read all permit conditions carefully to ensure compliance during the term of the permit. If you are unable to comply with any conditions, please contact us at the above address.

This permit must be kept available on the premises of the facility at all times.

Sincerely,



Danielle Stango-Torre  
Environmental Analyst

DAS/ljs



Department of  
Environmental  
Conservation



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
EAST END HOLDING COMPANY LLC  
PO BOX 336  
MOUNT SINAI, NY 11766-0336

**Facility:**  
EAST END HOLDING CO LLC  
2595 ORCHARD ST  
ORIENT, NY 11957

**Facility Application Contact:**  
WHITE BIRCH CONSULTING GROUP INC  
PO BOX 277  
ORIENT, NY 11957-0277

**Facility Location:** in SOUTHOLD in SUFFOLK COUNTY

**Facility Principal Reference Point:** NYTM-E: 727.116    NYTM-N: 4557.665  
Latitude: 41°08'18.7" Longitude: 72°17'38.3"

**Authorized Activity:**

Installation and operation of one (1) 6-inch diameter irrigation well to a depth of 45 feet and equipped with a pumping capacity of 175 gallons per minute (gpm).

**Permit Authorizations**

**Long Island Well - Under Article 15, Title 15**

Permit ID 1-4738-04435/00001

New Permit

Effective Date: 6/29/2017

Expiration Date: 6/28/2027

Modification # 1

Effective Date: 7/30/2018

Expiration Date: 6/28/2027

**NYSDEC Approval**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.**

Permit Administrator: SUSAN ACKERMAN, Deputy Regional Permit Administrator

Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY 11790 -3409

Authorized Signature: \_\_\_\_\_

Date 7/30/2018



## Distribution List

WHITE BIRCH CONSULTING GROUP INC  
Water  
Danielle A Stango-Torre

## Permit Components

LONG ISLAND WELL PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

## LONG ISLAND WELL PERMIT CONDITIONS

**1. Section 15-1529** Section 15-1529 of the Environmental Conservation Law forbids the operation of any of these works until the completed construction has been approved by the Department. Such approval will be given only once a written request has been received and a Final Inspection has been conducted by a Department Representative. Within 10 days of completion of the project, the permittee and well driller shall sign and return the enclosed Notice of Completion Form certifying that the construction of the well has been completed in compliance with all of the terms and conditions of the permit. The form must be submitted to the following address:

NYSDEC  
Water Supply Management Section  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409

**2. Pumpage** The amount of pumpage from the wells must be recorded and reported to this Department on an annual basis. Annual pumpage report must be submitted to the Department at the address listed in Special Condition 1 or emailed to [R1DOW@dec.ny.gov](mailto:R1DOW@dec.ny.gov) by February 1st of the following calendar year for which the pumpage is reported.

**3. Right to Rescind** The Department reserves the right to rescind this permit if the works authorized to be constructed herein are not initiated within one year from the modification effective date specified on page 1 of this permit.

**4. Meter** The permittee shall install a meter to record the amount of water pumped from the well. The meter must be maintained in satisfactory working order.

**5. Annual Pumpage** The total annual pumpage from the irrigation well on this property shall not exceed 4,000,000 gallons per calendar year.



**6. Cross Connections** No cross connections to any other source of water supply may be installed or maintained. Water from the irrigation well shall not be utilized for potable purposes.

**7. Chloride Monitoring** The well must be sampled for chlorides by a New York State ELAP certified laboratory at the beginning and end of the irrigation season, in June and October. Annual sampling results must be submitted to the Department at the address listed in Special Condition 1 or emailed to R1DOW@dec.ny.gov by November 1st of the calendar year for which the sampling is reported. Sampling reports must be submitted in excel format, and must include concentrations of all samples collected to date and a graph of chloride concentrations. In addition the laboratory reports must be submitted.

**8. Rights** The Department reserves the right to require installation and sampling of monitoring wells, increase the frequency of monitoring, and/or reduction or restriction of pumpage of this well, should increasing chloride concentrations be observed or if chloride concentrations exceed 65 mg/L. The Department also reserves the right to set/modify the chloride limits for these wells, if deemed necessary by the Department, in order to protect the aquifer.

**9. Decommissioning** Should the well(s) no longer be utilized, the well(s) must be properly decommissioned in accordance with the Department's Water Supply Well Decommissioning specifications and the Department must be notified in writing at the address below:

NYSDEC  
Division of Water  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409

**10. Transfer** Should the ownership of the property change, a permit transfer application must be submitted to the Department. In addition, the applicant must verify that the well(s) will maintain the permitted withdrawal and pumping capacity.

**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.



**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY11790 -3409

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Long Island Well.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



## NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

### **Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

### **Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

### **Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.