



**New York State Office of Parks,
Recreation and Historic Preservation**

The Governor Nelson A. Rockefeller Empire State Plaza • Agency Building 1, Albany, New York 12238
www.nysparks.com

David A. Paterson
Governor
Carol Ash
Commissioner

October 13, 2009

Ms. Linda Henninger
[REDACTED]

Dear Linda,

Commissioner Ash has asked me to respond to your September 22 letter, requesting information about OPRHP's review of the request by the Suffolk County Department of Public Works to evaluate whether the former Kings Park Psychiatric Center property, now under OPRHP's jurisdiction, might be an appropriate location to construct a treated effluent recharge facility, as part of expanding the capacity of the Kings Park sewage treatment plant.

Let me emphasize that OPRHP has not made any determination regarding whether the former KPPC property is a necessary or appropriate location for an effluent recharge facility. We are at the earliest stages of reviewing this request. To date, OPRHP has not received a formal proposal for a specific type or location of facility. The only action OPRHP has taken is to authorize Suffolk County to conduct limited soil investigations to determine whether or not the soils on the property have the capacity to accommodate this type of facility. To respond to the specific questions in your letter:

1. *Has the state ever allowed a sewage effluent system on state parkland, other than for park use?* There are many state-owned sewage treatment facilities – ranging in scale from large sewage treatment plants to individual septic systems – located within State Parks. These facilities treat sewage generated within the parks and historic sites. To my knowledge, there is no prior instance in which OPRHP has authorized construction of a sewage effluent discharge facility *for non-park use* within our facilities. I should point out that there are many instances where OPRHP has authorized the placement of other types of public utilities across state parkland, such as municipal sewage collection mains, electrical lines, drinking water mains, and public water wells, typically in situations where no other reasonable alternative location exists.

2. *What is the process the state will use to determine whether any alternatives exist?* OPRHP will not consider an effluent discharge facility unless Suffolk County demonstrates that no reasonable alternatives exist. The agency will rely on the expertise of our engineering staff to review whether the County has reviewed potential alternative locations. If necessary, we will consult with other state agencies with expertise on this issue.

3. *If such a system is ultimately allowed, what steps would the state have to take in order to accommodate such a request?* In the event that information provided by Suffolk County demonstrates that no reasonable alternative exists, OPRHP would initiate a review process to determine whether or not the construction and operation of an effluent recharge facility is an acceptable activity. The agency would weigh the various policy implications of the proposed facility, seek public input, conduct environmental review required under the State Environmental Quality Review Act, and evaluate mitigation requirements. OPRHP would also need to determine what legal documents would be required to authorize construction of a treated effluent facility by the County.

Ron Foley and Long Island regional staff are committed to keeping Kings Park elected officials and community groups informed at every stage of OPRHP's review of this issue. Please don't hesitate to contact Ron if you have additional questions or comments.

Sincerely,



Andy Beers
Executive Deputy Commissioner

cc: Commissioner Carol Ash
Ron Foley
Senator John Flanagan
Assemblyman Michael Fitzpatrick
Supervisor Patrick Vecchio