

Intro. Res. No. 1802-2021  
Introduced by Legislators Kennedy, Fleming, Anker, Krupski, Mazzarella, Caracappa, Hahn,  
Calarco, Richberg, Berland

Laid on Table 10/5/2021

**RESOLUTION NO. 1122-2021, ADOPTING LOCAL LAW  
NO. 1-2022, A LOCAL LAW TO REQUIRE THE CLEANING OF  
ALL EQUIPMENT USED FOR COUNTY ENVIRONMENTAL  
PROJECTS TO PREVENT THE INTRODUCTION OF  
NONNATIVE SPECIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on October 5, 2021, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE THE CLEANING OF ALL EQUIPMENT USED FOR COUNTY ENVIRONMENTAL PROJECTS TO PREVENT THE INTRODUCTION OF NONNATIVE SPECIES**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 1-2022, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO REQUIRE THE CLEANING OF ALL EQUIPMENT  
USED FOR COUNTY ENVIRONMENTAL PROJECTS TO PREVENT  
THE INTRODUCTION OF NONNATIVE SPECIES**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the proliferation of nonnative species poses a substantial threat to Suffolk County's natural resources, wildlife and overall ecosystem health.

This Legislature also finds and determines that the introduction of nonnative species can have a dramatic effect on the County's natural resources, human health and economy.

This Legislature further finds and determines that the spread of nonnative species can occur when unwashed equipment from an environmental project is utilized in a subsequent, unrelated environmental project.

Therefore, the purpose of this law is to amend Chapter 446 of the SUFFOLK COUNTY CODE to necessitate that all environmental project contracts require a contractor or contracting agency to clean their equipment prior to commencing any project in order to prevent the spread of nonnative species.

**Section 2. Amendments.**

A. Chapter 446 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 446. ENVIRONMENTAL PROTECTION**

\* \* \* \*

**ARTICLE II Sale or Propagation of Invasive Nonnative Plants**

\* \* \* \*

**§ 446-13 Environmental Projects.**

Any contract concerning a project on Suffolk County property and/or funded by Suffolk County shall include a requirement that the contractor and/or contracted agency must clean all equipment, vehicles and/or watercraft to be used in connection with the performance of such project prior to the initial use of said equipment for the purpose of removing invasive species or materials that may contain invasive species. In the event the subject equipment is used on another project, same must be cleaned before being reintroduced to the original project in order to prevent the spread of nonnative species.

- B. Chapter 446 of the SUFFOLK COUNTY CODE is hereby further amended to renumber §§ 446-13 through 446-40 to §§ 446-14 through 446-41.

**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), (27) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

DATED: December 21, 2021

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: January 5, 2022

After a public hearing duly held on January 4, 2022  
Filed with the Secretary of State on January 21, 2022