



NEW YORK STATE SENATOR

Anthony H. Palumbo

Palumbo, Thiele Urge DEC to Follow Court Ruling on Sand Mining

ANTHONY H. PALUMBO June 9, 2021

| ISSUE: **SAND MINING**



Lawmakers Seek Immediate End to Sand Land Mining Operations

Senator Anthony Palumbo (R,C-New Suffolk) and Assemblyman Fred Thiele (Sag Harbor) today sent a letter to Basil Seggos, Commissioner of the New York State Department of Environmental Conservation (DEC), imploring him to stop sand mining operations at Sand Land Corporation in the Town of Southampton, after a recent New York State Appellate Court ruling voided mining permits issued to Sand Land by the DEC. The lawmakers argue that the Court's ruling solidifies the primacy of local zoning under the

State's Environmental Conservation Law.

The DEC processed the Sand Land application, despite the fact that mining was prohibited by the Town of Southampton Zoning Code and approved the massive expansion of the mine. The DEC also ignored the fact that the Suffolk County Department of Health Services had found that the water at Sand Land mine was polluted and exceeded state and federal drinking water standards. Additionally, the Sand Land mining operation is located in a residential area which is also designated by State of New York as a Special Groundwater Protection Area.

q

Assemblyman Thiele stated, "Time and again, the DEC has failed miserably to protect our groundwater from pollution at the Sand Land mining facility. I am grateful that the Appellate Division of the State Supreme Court recognized both the intent of the Legislature to preserve Long Island's valuable groundwater resources and the home rule authority of local government. The DEC must right their wrong and enforce the decision of the court by immediately closing down the mine."

q

"The Appellate Court's ruling is an important victory for the Southampton Community, the environment and for local control," said Senator Anthony Palumbo. "Clearly, the Town of Southampton opposed the Sand Land mining facility out of quality of life concerns and in order to protect the region's drinking water and local environment. The DEC should never have circumvented the will of the community by issuing these mining permits."

q

“Assemblyman Thiele and I have once again called on the DEC to acknowledge the rule of law and enforce the Court’s decision. Additional litigation is not in the public interest. Close the mine as you originally proposed to do in the fall of 2018, and do so immediately,” concluded Senator Palumbo.

Attached is the joint letter to DEC Commissioner Seggos from Senator Palumbo and Assemblyman Thiele