

HEMPSTEAD HARBOR PROTECTION COMMITTEE
FINAL MEETING MINUTES
Sea Cliff Village Hall
June 3, 2015



Photo credit: Tab Hauser

NOTE: **ACTION ITEMS ARE IN BOLD HIGHLIGHTED UNDERLINED ITALICS.** MOTIONS ARE HIGHLIGHTED IN BLUE

Attendees: Tom Powell (Chair – Sea Cliff); Tab Hauser (Glen Cove); Kevin Braun (North Hempstead); Erin Reilley (North Hempstead); Peedee Shaw (Roslyn); Eric Swenson (Executive Director); Sean Jordan (Oyster Bay); Dan Fucci (Nassau County); Carol DiPaolo (Coalition to Save Hempstead Harbor); Catherine Chester (Sands Point); and Jennifer Wilson Pines (Nassau County Legislature).

Call to Order

The meeting was called to order at approximately 7:10 pm.

Review and Approval of Draft Minutes of Meeting of April 8, 2015

Tom Powell moved to approve the minutes of the April 8th meeting minutes. Tab Hauser seconded the motion. The Committee unanimously approved them.

Administrative Matters

Member Dues – Eric reported that to date, Glen Cove, North Hempstead, Flower Hill and Roslyn Harbor have paid their 2015 dues. Several villages prefer to wait until the new fiscal year starts in June. **Representatives should remind their municipalities if they have not paid already.**

Approval for Expenditures for 20th Anniversary Event - Eric requested authorization to spend up to \$400.00 for refreshments and supplies for the Committee's 20th Anniversary celebration on July 12th (not counting the cost for insurance that was approved at the April meeting). **Kevin Braun made a motion to approve up to \$400.00 in expenditures for the 20th Anniversary event. Peedee Shaw seconded the motion. All were in favor.**

Announcements, Reports, Reminders, & Upcoming Events

The following announcements and reports were made:

Reports:

Report on April 10th – Long Island Sound Citizens Summit – Bridgeport CT – *see report below.*

Report on April 21st – Setauket Harbor Task Force meeting - Eric was invited to speak at the Task Force's meeting where there were about 60 attendees including elected officials from the County and Town of Brookhaven as well as former DEC Regional Director Peter Scully. He gave an overview of the HHPC and its history and major projects. Others gave presentations on the situation in Setauket Harbor. He reported that it was good to establish the connection to the Task Force and that they in turn attended our Joint Protection Committee meeting.

Report on April 22nd – Earth Day event at Port Washington Library – the Committee had a table at this inaugural event. It was well attended, both by exhibitors and by attendees.

Report on April 30th Washington DC meetings with Congressional Representatives – Eric reported that he and Tom Powell had a productive day in Washington meeting with Congressional representatives and/or their staffs as well as the White House Council on Environmental Quality and the Office of Management and Budget. It was a long day of meetings but we received a warm reception. The group, organized primarily by Audubon New York, pushed for more funding for Long Island Sound and for the preservation of Plum Island.

Report on May 2nd and 3rd – Town of North Hempstead EcoFest – this two day event went well – good weather. Thanks to Tom Powell, Kevin Braun, Karen Reichenbach and others for helping out.

Report on May 13th – Joint Protection Committee Meeting – the event went well and was standing room only. Speakers included Dr. Sandra Garren and Dr. Bob Brinkmann from Hofstra who spoke about their efforts to develop GIS mapping to assist local municipalities with their stormwater permits and on street sweeping.

Report on May 20th - Opening of the North Hempstead Shoreline Trail Extension – both Eric and Carol were invited to and spoke at the ribbon-cutting of the Town's shoreline trail extension. The trail

was in beautiful condition and the event received good media coverage.

Report on June 2nd meeting with Nature Conservancy on nitrogen modeling for Hempstead Harbor – Eric attended this meeting along with representatives of the Manhasset Bay Protection Committee, the Oyster Bay / Cold Spring Harbor Protection Committee and Friends of the Bay. The purpose of the meeting was to advise the protection committees of the Nature Conservancy’s project to perform nitrogen modeling in Hempstead Harbor and Manhasset Bay and to seek input and feedback on their methodologies. The model that they are using (the Nitrogen Load Model) was developed at Woods Hole for Cape Cod and the New Jersey Pinelands and the Nature Conservancy first used it on the south shore. Since then they have used it in the Peconic and in the Oyster Bay / Huntington Harbor area. The University of Connecticut is also using it to model about 1,000 watersheds around Long Island Sound and will be coordinating with the Nature Conservancy. So far, in all of the areas studied, the vast majority of nitrogen was found to be coming from septic systems. They have found that the levels of nitrogen from septic systems is very similar regardless of whether there is a septic tank or simply a cesspool. Nitrogen is persistent in the environment and can travel whereas pathogens are short-lived and usually move no more than one hundred feet. Nitrogen is discharged from septic systems even when they are fully functional. Pathogens, on the other hand, only emanate from failing systems. The model seems to be well thought-out and the maps shown to the group were by and large accurate at first glance. Eric questioned the source of the data to be input and stressed that it was important to have accurate and up to date data. The Nature Conservancy offered to send him a document showing their sources of data. They also agreed to let the committees review the draft before it is released. The modeling is expected to take no more than a few months. The protection committees suggested that maybe a special joint meeting be convened once the modeling is complete to present its findings.

Upcoming Events: ** denotes volunteers needed*

June 7th – HarborFest in Port Washington*

June 8th – Press Event for Hempstead Harbor and L.I. Sound Report Cards (Webb Institute) 11:30 am

June 11th – L.I. Sound Study CAC meeting in Brigeport

July 11th – “Pond Pull” (invasives removal) at Cedarmere*

July 12th – HHPC 20th Anniversary Celebration (Cedarmere)*

October 4th – Sea Cliff Mini Mart*

Water Quality and Monitoring Programs and Report Card Project

Recent Fish Kills - Carol DiPaolo noted that she assisted the Town of North Hempstead last week when approximately 60 dead fish (American menhaden, commonly called “bunker”) were found in Manhasset Bay. At the time, dissolved oxygen levels were good and the fish appeared oxygenated (judging from the red color behind the gills). The fish were still alive but suffering were exhibiting unusual behavior (circling around) and sea gulls appeared to be avoiding them as food sources. Some have speculated that they may be affected by a “whirling virus”. Carol contacted the NYS DEC and samples were taken to be sent to Cornell University in Ithaca for analysis but the samples were ultimately deemed not to be viable. No dead fish were seen over the weekend or since that time in Manhasset Bay [another similar limited kill occurred in Manhasset Bay during the weekend of June 6-7]. At no time were dead fish found in Hempstead Harbor. On the east end of Long Island, much more massive fish kills were observed in the Peconic, Flanders Bay and also along the Hudson

River. No definitive cause has been found although the USGS recorded periods of no oxygen lasting a few hours in the days prior to the kill in the Peconic. It is very unusual for a fish kill at this time of the year. Apparently there is another huge school of bunker out in the Atlantic. If they enter our waters, there is a potential for another large kill. Carol pointed out the need for a set procedure and line of command for situations like this and has been speaking with Steve Heins, head of the DEC's finfish division about this. Protocols are being worked out. [note that since the meeting, a viable fish sample from Manhasset Bay was sent to Cornell on Monday, June 8.]

Illicit Discharge in Glen Cove Creek – Carol also reported that it appears that the source of unusual discharges through a storm drain outfall in Glen Cove Creek (west of the wastewater treatment plant – known as “CSHH#10) has finally been found. During weekly sampling on May 7th, she observed a milky flow from this storm drain (as she has periodically for several years) and reported it to NYS DEC. DEC investigated and observed a similar discharge. They searched around and found workers at the adjacent restaurant (Boca – located in the Brewer Shipyard) dumping grease into an outdoor stormdrain. They called in Nassau County Department of Health who issued violations and agreed to follow-up with regular inspections. Past efforts to locate this discharge included dye testing from inside the restaurant; reviewing piping plans from the wastewater treatment plant; and even sending a remote controlled camera through the pipe – all to no avail. She again reported high bacteria levels at CSHH #10 to both DEC and NCDH — this for samples collected on June 3—following the first significant rainfall over a long period of no rain. We do not know yet whether it can be explained by the rainfall—the numbers were the highest for all samples collected in Hempstead Harbor on that date]

Reports of “Sludge” in area waters – Carol also reported that on May 4th, area residents reported seeing what appeared to be sludge in area waters including Hempstead Harbor and Long Island Sound. She investigated as did the NYS DEC and the Coast Guard and all concluded that it was heavy accumulations of decaying pollen. This year has been especially bad for pollen. A sample was collected directly from the pollen slick on May 7th was sent for bacteria analysis and results showed < 1 CFU of fecal coliform and enterococci.

Small Sewage Spill – Carol reported that on May 18th there was a small sewage spill from a manhole in Glen Cove.

Bacteria Testing in Streams – Dan Fucci reported that on May 18th the Nassau County Department of Public Works conducted bacteria testing (fecal and total coliform and enterococcus) on numerous streams (including Scudder's Pond) on the north shore and found extremely high levels of all types of bacteria. This occurred after a rain event following a long dry period.

New Harbor Monitoring Locations – Carol reported that she has expanded her water monitoring program by adding two new stations in the outer harbor. One is in the center of the open shellfishing area and the other is at Crescent Beach outside the 250 yard shellfish closure line. Separately, she is also collecting samples inside the closure line to monitor for bacteria levels.

Report Card Project – Carol and Eric reported that the report card project is in its final stages and that simultaneous press events have been scheduled for Monday, June 8th at the Webb Institute in Glen Cove and in Norwalk. The report card for Hempstead Harbor has undergone several iterations over the last couple months, basically revising the way that the data is scored. The initial report card for the harbor, based on 2013 data, showed an overall “B+” based on the scoring system used for other major waterbodies around the nation including the Chesapeake Bay. Some of those who reviewed the draft felt that a more conservative

scoring system was needed and our grade, based on identical underlying data, went ultimately to an overall “D+”. Since there were insufficient data points in the outer harbor, the report card is being labelled a report on the “Inner Harbor” (defined as Glen Cove Creek, the center portion of the harbor and the lower harbor). The driving factor giving us a “D+” was the low water clarity readings (averaging 38%). The other criteria were dissolved oxygen (which is very good at 87%) and dissolved inorganic nitrogen (which was also fairly good at 78%). The press event will feature Congressman Steve Israel, Nassau County Legislator Delia DeRiggi-Whitton, National Fish and Wildlife officials, an EPA official and University of Maryland officials. Other report cards were done for Long Island Sound as a whole and Norwalk Harbor. All are invited to attend the event which begins at 11:30 am and runs to 12:30 pm.

Scudder’s Pond

Eric reported that the Village of Sea Cliff has authorized Allied Biological to seek a permit modification from NYS DEC and to remove Phragmites from the rear pond.

Long Island Sound Citizen’s Summit

On April 10th, Eric, Carol, and others attended the Long Island Sound Citizen’s Summit in Bridgeport, CT. One of the topics focused on ocean acidification, for which there has been little federal funding and thus not much focus. It was mentioned that low oxygen and low pH are “two sides of the same coin”. When nitrogen-induced algae blooms end up consuming oxygen, they produce a lot of CO₂ which can affect very early stages of fish. pH is a proxy for CO₂ (they parallel each other). pH starts high in the winter and reduces as daylight hours increase in the summer. It is worst (most acidic) in August and September. Low pH (i.e. acidity) and low oxygen separately do not affect the growth of clams but together they do. The NRDC has looked at the vulnerability of areas around the nation and their model predicts that Maine will experience problems in 2030 – 2050 and New York State and Connecticut will be affected by the end of the century. Plugging other factors in shows that the Long Island Sound is one of the hot spots for ocean acidification in the country.

There was also a lot of discussion regarding nitrogen. Mark Tedesco predicted that by 2017 all of the targets set forth in the 2000 TMDL for nitrogen reductions will have been met (58.8% reduction from wastewater plants; 10% reduction from nonpoint sources; and 18% reduction from atmospheric deposition). Nevertheless, the Sound is still receiving the same level of nitrogen. Why is this? More rainfall and therefore more runoff? Would levels be even higher if the TMDL had never been implemented? There are no answers at this point. Hypoxia in the Sound varies. 2012 was one of the worst years. 2014 was the opposite – very little hypoxia. There has been a 25 – 40% reduction in agriculture in the Sound’s watershed (thus less fertilizer and livestock contributions).

A presentation was made on the Cape Cod Commission’s new “208 Plan” commissioned in Cape Cod. The \$3 million study has taken 3 years and is expected to be approved by EPA in September. They found that 80% of the nitrogen problem is from septic systems (very little of the Cape is sewerred). To facilitate the study, they divided the Cape into 53 watersheds and engaged stakeholders in each area. They looked at over 60 different technologies and developed an online tool that allows users to see which would be most effective and at what cost. There is no single solution. Each area will have its own solutions and every 5 years the Commission will revisit the areas and look at the results.

It was mentioned that New York State has appropriated \$200 million in the new budget for infrastructure to be spent over three years (\$75 million + \$75 million + \$50 million). Grants will be awarded to municipalities for up to \$5 million. An additional \$5 million was earmarked for the study of nitrogen on Long Island and to develop a Nassau – Suffolk plan for additional infrastructure and other strategies.

Nassau County Soil & Water Conservation District

Eric reported that the District has moved its offices to Nassau Hall in Muttontown (located in part of the Muttontown Preserve).

Sewer Feasibility Study

Eric mentioned that the study was unanimously approved the week by the Rules Committee of the Nassau County Legislature. Dan Fucci stated that NIFA now has 60 days to decide whether to challenge the award and if it does nothing, the contract is awarded.

C.E.S.S.P.O.O.L. Project Update

Eric reported that Phase 3 of the NYS DOS grant has begun but that there is nothing to report at this time. This involves the design and carrying out of a public education campaign on septic systems and their maintenance and will build upon the knowledge gained from the professional survey of homeowners conducted last year. This activity will take place between now and the end of October. In addition, the C.E.S.S.P.O.O.L. Project members have applied to the National Fish and Wildlife Foundation for additional training and certification of septic companies and local government officials (see Administrative Matters above) and may also apply for a grant from the NYS DEC under the New York State Consolidated Funding opportunity that is due July 31st.

20th Anniversary Celebration

Eric passed around a staffing chart for the event and many representatives signed up to assist. Weather providing, the event will be outdoors in the sunken garden at Cedarmere (or inside if necessary). It will be somewhat informal with wine (and maybe local beer), soft drinks, cheese and crackers, etc. It will take place on Sunday, July 12th from 2:00 to 4:00 pm. After consulting with it's insurer, the Village advised Eric that while the Village's insurance would provide some coverage in limited situations, it would be prudent for us to take out our own policy for the day. The purchase of such a policy was approved at the April meeting. The premium is a little over \$100.00.

Municipal Updates

[given time limitations, municipal updates were not given]

Other Items

There were no other items.

The meeting adjourned at about 9:00 pm

NEXT MEETING: September 9th – Have a good summer [BUT SEE YOU AT THE 20th ANNIVERSARY CELEBRATION!]