

HEMPSTEAD HARBOR PROTECTION COMMITTEE

FINAL MEETING MINUTES

Sea Cliff Village Hall

March 13, 2013

NOTE: ACTION ITEMS ARE IN **ITALICS**

Attendees: Dan Fucci (Nassau County); Jim Moriarty (Oyster Bay); John Mirando (Sea Cliff); Len Shaw (Roslyn); Kevin Braun (North Hempstead); Eric Swenson (Executive Director); Abby Kurlender (Roslyn Harbor); Catherine Chester (Sands Point); Joel Ziev (North Hempstead); Carol DiPaolo (Coalition to Save Hempstead Harbor)

Call to Order

Eric Swenson called the meeting to order at approximately 7:10 pm.

Review and Approval of Draft Minutes of Meeting of January 9, 2013

Kevin Braun moved to approve the minutes of the January 9th meeting. Len Shaw seconded the motion and the Committee unanimously approved them.

Announcements, Reports, Reminders, & Upcoming Events

Eric Swenson made the following announcements, reports and reminders:

L.I. Green Infrastructure Conference and Expo – Eric noted that this June 12th event at Brookhaven National Laboratory is progressing well and that the scope has been broadened somewhat to include some green energy issues. The organizing committee expects to be able to offer P.E. credits.

Creation of Long Island Water Quality Coordinating Committee – Eric noted that a lot of interest has been generated for the Committee and that the kickoff meeting of the steering committee had to be cancelled due to the recent snowstorm. It has been re-scheduled for April.

Report on Cleaner Greener Communities meeting – Eric stated that he and John Mirando attended the meeting on January 18th and that neither was able to attend the final meeting on March 1st. A number of water quality recommendations were discussed and which he hopes will make it into the report's final recommendations. This report is expected to form the basis for recommendations to the state's Regional Economic Development Council for funding.

Center for Watershed Protection Webinar on Phase II Good Housekeeping Practices – Eric and John Mirando also attended a webinar on February 13th which was sponsored by Dvirka and Bartilucci. The webinar included a case study from Monroe County, New York (Rochester area). Eric's notes are attached to these minutes.

Update on Glenwood Power Plant Decommissioning – Carol DiPaolo reported that she had spoken with the National Grid personnel and was advised that asbestos removal has begun in the building behind the guard house. Every 3 or 4 days, a truck is filled with material and removed from the site. They have also applied for demolition permits and expect to begin demolishing this building around May 1st. The large brick building will begin asbestos removal in the Fall and demolition is expected to be completed in 2014. There is some community sentiment for re-purposing the large building rather than demolishing it. National Grid has apparently determined that it would be too cost-prohibitive to do so and that the best alternative is to raze it.

Adoption of 2013 Member Dues

Eric noted that at its January 9th meeting, the Committee proposed a calendar year dues structure for 2013 which was identical to that of 2012 and that, in accordance with our inter-municipal agreement, the proposed dues were circulated to the member for at least 60 days. He has received no comments or questions from members during that review period. In accordance with the agreement, the Committee is now free to adopt the dues. Jim Moriarty moved to approve the proposed dues as follows: County - \$30,525; Towns - \$9,900 each; City - \$7,425; and villages - \$4,950 each for a total = \$82,500.00. Dan Fucci seconded the motion. The Committee approved this motion unanimously. Eric reminded the villages that the Committee customarily waits until after the start of their fiscal years before billing (usually June 1st).

Water Quality and Monitoring Programs / Shellfish Opening

2012 Water Quality Monitoring Program update – Carol DiPaolo reported that Fuss & O’Neill have received the data for the 2012 Annual Report and that she is beginning to work on the narrative portion. She expects that the Annual Report will be completed by early May.

New EPA Beach Testing Standards - Carol mentioned that she and Eric attended an EPA webinar on January 30th which explained the anticipated new beach water quality testing standards (“Recreational Water Quality Criteria or RWQC”) that are being developed. These are based on new studies and are believed to be more protective of public health. After review and discussion with Nassau County Department of Health personnel, the new standards (for which the final manual is due out this Fall) are not expected to result in much different results than the current testing procedure.

2013 Water Quality Monitoring Program – The National Fish and Wildlife Foundation (NFWF) has released its Request for Proposals for the 2013 Long Island Sound Futures Fund. While it specifically includes funding for water quality monitoring programs, it adds two new criteria: 1) programs must be tied to impaired waterbodies subject to TMDL requirements and 2) funding cannot exceed three consecutive years. We believe that we meet these criteria. It is unclear at this time as to whether we would need to add “something new” to our program in order to receive funding. Eric and Carol will speak to NFWF to answer these and other questions.

As a follow-up to the January 9th meeting, Carol distributed a written justification for the increase in costs for the Coalition to Save Hempstead Harbor to perform the 2013 program (from \$40,000 to \$45,000). These costs are based on the program remaining the same as 2012. Carol noted that last year, there were problems with the monitoring equipment and with the boat engines. The two monitoring meters (YSI Model 600s) are 16 or 17 years old and 15 years old respectively and according to the manufacturer, the typical life expectancy is about 10 years. The manufacturer is phasing out this particular model. A meter in the new model line would cost about \$10,000. After discussions with Eric, it was recommended that the best course of action would be

to have the units serviced and try to get at least one more year out of them. This is due in part to the fact that the Long Island Sound Study is developing a coordinated monitoring strategy for all of Long Island Sound and we do not know at this point if this will include standardized monitoring equipment (that can be shared) or if funding will be available for such equipment. The Committee concurred with this approach.

Nassau County Soil & Water Conservation District

Kevin Braun mentioned that the District's post-Sandy Tree and Shrub sale has been a big success with over \$16,000 worth of trees and shrubs sold. An art auction will also be held on June 22nd at Martin Viette Nurseries to benefit work that the District does.

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

Eric noted that the project team is still pursuing the procurement of a professional pollster determine the level of knowledge and motivational factors for residents with respect to septic system maintenance.

Coastal Signage Project

Kevin Braun noted that he has heard nothing from the Department of State since his phone conversation late last year in which they advised him that they have hired a new staff person and once this person is up to speed, our project is "on the top of the list". **Kevin agreed to follow up with the Department of State.**

Scudder's Pond Subwatershed Improvements

Eric reported that the North Shore Country Club has reviewed the draft easement and has provided written comments. John Mirando has forwarded these onto the Village Attorney for review. Eric also noted that he and John recently met with the DEC and Cashin Associates over the remaining issues with the permit and came to agreement. He is expecting to receive the permit in the next couple weeks. It thus appears more than likely that we will be able to bid and award the project and begin construction this Fall.

Phase II Stormwater Compliance Plan

Nothing to report this meeting. Eric would like to get this wrapped up by the Spring and he has spoken to Cashin Associates about wrapping this up.

Municipal Updates

Roslyn – Len Shaw reported that the Village has selected a contractor to re-construct the bulkhead behind the Gristmill and that the Village is expanding its security patrols by adding a second patrol car. They have also approved the issuance of bonds to purchase the former Mobil station lot on Old Northern Boulevard by the Roslyn Savings Bank and are looking into this. With respect to the Friends of Cedarmere, Len mentioned that the Town of North Hempstead's historian was able to obtain funds to fabricate and erect an historic marker on the road in front of the home.

Sands Point – Catherine Chester reported that she followed up on the progress of the Lands End development and learned that the roadway is being constructed and that they are using Belgian Block curbing. She observed no erosion. Kevin Braun asked if they had adequate sediment and erosion controls in place and

having not been trained in such measures, Catherine was unable to say. Kevin suggested that she contact the Village's Building Inspector and **Catherine agreed to contact him and report back at the next meeting.**

Nassau County - Dan Fucci stated that his office has been busy dealing with Hurricane Sandy debris but that seems to be wrapping up.

Town of North Hempstead – Kevin Braun mentioned that bids for the extension of the shoreline trail have been received and that construction is expected to begin after July 15th. In addition, a reconnaissance boat trip was taken with Jim Moriarty and Town of North Hempstead Bay Constable Mal Nathan and the two Towns have agreed to work together on a joint cleanup of Hempstead Harbor. It will take place in two phases. The first phase will take place on April 6th at noon (rain or shine) and will concentrate on removing storm debris that washed up on the Town of North Hempstead's wetland restoration area in the lower harbor. Kevin has lined up about 50 volunteers from the rowing clubs to assist. Anyone wishing to volunteer should bring rubber boots. They will also re-install the goose-exclusion netting to protect the plants. The second phase will focus on the larger debris and can be handled with municipal employees. It will utilize the Town of Oyster Bay's landing craft as well as a dingy. Joel Ziev suggested if it turns out that the debris cannot be handled with the existing equipment, DiNapoli could supply a crane but there may be a cost involved. Carol DiPaolo also suggested that perhaps the fishermen can be asked to assist. No date has been set for this phase.

Village of Sea Cliff – John Mirando reported that the Village has been busy with FEMA documentation, tax assessment challenges and dealing with tree debris.

Town of Oyster Bay – Jim Moriarty stated that the Town has received a conditional shellfish harvesting permit for Oyster Bay Harbor that will run through March. This will assist local baymen who can harvest in that protected harbor rather than have to venture into the Sound or over to Hempstead Harbor. He also advised that Tobay Marina and the Tobay dune system did suffer some damage as a result of Hurricane Sandy and that progress is being made to restore them by Memorial Day.

Roslyn Harbor – Abby Kurlender stated that she has nothing to report.

City of Glen Cove – no representative present.

Village of Flower Hill – no representative present.

Other Items

No other issues.

The meeting adjourned at approximately 9:10 pm

NEXT MEETING: April 10, 2013 (Sea Cliff)

CENTER FOR WATERSHED PROTECTION WEBINAR
LOSE 10 POUNDS OF POLLUTION WITHOUT (STRUCTURAL) BMPS – THE JOYS OF GOOD HOUSEKEEPING

February 13, 2013

12:00 to 2:00 pm

Dave Hirschman – moderator

One of the presenters is Andy Sansone from Monroe County NY (Rochester)

Municipal Operations (Sergio Bosques – EPA Region II) –

- Phase I regulations finalized in 1990
- Phase II regulations finalized in 1999
- Many common components of municipal operations have impacts on stormwater management
- Pollution prevention and good housekeeping are a critical component
- Important to perform inspections (do self-audits). Head off problems.
- Maintenance yards are probably the areas with the most problems
- Inspection criteria:
 - Are chemicals, bulk materials covered and stored properly?
 - Are wash racks and dewatering areas plumbed to sanitary sewers or otherwise in compliance with MS4
 - Do you document findings with photos, etc.?
 - Are inoperable vehicles stored in a way to prevent polluted runoff?
 - Are storm drain inlets free of debris?
- Common problems:
 - Paints and chemicals not stored properly
 - Batteries and drums exposed to stormwater
 - Sloppy road paint storage
 - Failure to clean storm drains
 - Wastewater discharge to the MS4
 - Lack of clear signage for employees
- Cover your stockpiles
- Use storm drain filters
- Keep manifests on storm drain cleanings
- Use video inspection of storm drains
- Hold training for employees
- Contractors should be required to consider stormwater quality and implement appropriate BMPs

Definitions and Basics on Good Housekeeping (Lori Lilly – CWP):

- Differentiate with municipal facilities and municipal operations
- Municipal facilities – hotspots:
 - Fleet storage and maintenance
 - Equipment storage
 - Compost facilities
 - Etc.
- Municipal operations – broader

- Management of hot spot sites
- Construction activities
- Street repair
- Street sweeping
- Drainage maintenance
- Etc.
- There are many pollutants associated with municipal operations (showed a chart)
- Good housekeeping is an assessment and subsequent alteration of operations to reduce the amount and types of pollution entering the storm drain system
- Important because prevention is better and cheaper than remediation, required by law, reduces liability and future maintenance
- CWP has a lot of manuals – Manual # 9 is available for free from their website. Helps you develop a good housekeeping plan. 7 steps outlined in the manual.
- They also have a Hotspot Site Investigation Form (EPA Region III likes this form). EPA likes documentation (“HSI” form)

A Local Government’s Recipe for Addressing Hot Spots (Diana Handy, Arlington County VA):

- Arlington County did a hot spot inventory, follow-up enforcement, good housekeeping outreach
- County is 25.8 square miles – population 211,700, more than 10,000 storm drains, urban area with a lot of hot spots.
- Pollutants include sediment, hydrocarbons, nutrients, bacteria and trash
- County ordinance Sec 26-5 addresses discharges to storm drain system. Recently amended to add penalties and enforcement procedures.
- Potential hot spots include outdoor areas associated with restaurants, loading docks, service stations, grocery stores, vehicle washes, maintenance yards, fleet storage areas, nurseries and auto dealerships.
- Indicators of hot spots may include staining, puddles, etc.
- Worked with CWP on developing a program
- Inventory resulted in a long list of sites and sources of transient illicit discharges
- They then prioritized their responses (site revisits, letters, outreach)
- Restaurants and grocery stores were a big problem area – used grease is a big pollution source
- Compacting dumpsters can leak hydraulic fluid
- Car wash operations are becoming more and more an issue – they are seeing more and more mobile or temporary car washes.
- Auto dealers – washing and outdoor storage can be a source of pollution including hydrocarbons
- A business may look clean from the front but the back alley can be a different story
- Inform people about the issue and address concerns and complaints from citizens, colleagues and inspections
- Inform people what, when and who to call (and when not to call)
- Use partners (health department, fire marshal, etc.) – multiple eyes in the field and help with enforcement and education
- Follow-up – they always follow-up with a letter and provide photos. Discuss problems. The violators typically go through the classic five stages of grief (denial, anger, bargaining, depression and acceptance)
- They give them from 24 hours to 30 days to comply depending on the circumstances
- Give list of options to violators. Some just go and power wash the site which is the worst thing to do.

- They give businesses a pollution prevention inspection checklist so that they can do self audits
- Enforcement – first notices of violation – civil penalties like a parking ticket. Each day is a separate offense. Letters with date stamped photos are send mail.
- Keep track of all sites. Use calendar reminders to follow-up.
- IDIoTS – illicit discharge Inspection online tracking system
- Their education program targets specific businesses / maintenance activities. They stress the benefits of good housekeeping “Attract Customers, Not Pests!”. “If it aint messy, it aint pesty”.
- Municipal Housekeeping – facility inspections quarterly – reports go back to each facility manager. They do training and outreach.
- Challenges:
 - Existing older development / site constraints – limited space, sanitary drain access
 - Lack of awareness of why it is a problem
 - Language, cultural barriers
 - Conflict – someone is not going to be pleased with findings
 - Lack of cooperation / repeat offenders
 - Keeping track of multiple cases
 - Grease theft
- Results / progress –
 - Good compliance / cleaner sites
 - Eliminated transient illicit discharges
 - Increased awareness of issues
 - Less pollution to surface waters
- They are funded through their sanitary district

Monroe County (NY’s) Program (Andy Sansone – Monroe County Department of Environmental Services (585) 753-7684)

- Population 740,000 over 1,366 square miles. 29 regulated MS4s
 - County itself has 21 parks, 1 marina, 650 road miles, 178 bridges, 22 county buildings, fueling operations, community college, fleet maintenance, solid waste transfer station, landfills
- Unified approach – stormwater coalition for the 29 MS4s. Over \$10 million in grants. County staff provide leadership and technical support.
- Municipalities still must ultimately carry out BMPs themselves
- Their DEC permit specified several categories of municipal operations (street & bridge maintenance, etc.)
- The number one pollutant source they see is vehicle washing
- Common sense guiding principles to stormwater pollution:
 - Identify pollution sources
 - Prevent pollution at its source
 - Minimize pollutant exposure to clean water
 - Minimize use of pollutants
 - Plan for spills and accidents
 - Practice preventative maintenance
- They developed a Guidance to Developing an Effective Pollution Prevention and Good Housekeeping Program manual for its MS4s.
 - Step 1 – Understand what is required in your MS4 permit, develop a program, conduct an assessment once every 3 years, establish measurable goals, election and implement BMPs and report on progress

- Step 2 – develop an inventory
 - Fixed facilities
 - Operations
- Step 3 – conduct an assessment – identify facilities and operations to be covered under the plan, identify existing BMPs and determine pollution sources
 - They use checklists and come up with stormwater management plans for each MS4. Tells what BMPs they have and what BMPs they need to develop.
- Step 4 – Develop BMPs and Measurable Goals
 - They have BMP summary sheets for each type of operation (ex.- vehicle and equipment cleaning)
 - Measurable goals could be number of catch basins cleaned, staff retrained, etc.
- Step 5 – Implementation – establish priorities (is there an immediate threat to water quality?), implement BMPs (operational and structural), staff training and reporting
 - Tracking and reporting progress is important
 - They developed a mascot (H2O Hero) and posters for employees. “Be and H2O Hero”. “Only rain down the drain”.
- They try to keep things as simple as possible – one page sheets, simple slogans, etc.

Summary and Take Home Points

- Multiple benefits of pollution prevention
- Important to keep and update documentation of efforts
- Providing guidance and training to employees is critical
- Comprehensive hotspot inventory can be used to identify and prioritize actions at regulated and unregulated sites
- Communicate, work with businesses, get problems resolved

Upcoming Webcasts

- Smart Stormwater Retrofitting in the Urban Environment – March 13 12:00 – 2:00 pm
- Watershed Arithmetic – Crediting and Counting Your Watershed Practices Toward TMDL Goals – April 17th 12:00 – 2:00 pm
- Please Come Audit My MS4 – May 15th 12:00 to 2:00 pm