

HHPC FINAL MINUTES
March 14, 2012

NOTES: Items Requiring Action are ***italicized and underlined in Bold***

Present: Bill Clemency (Chair - Flower Hill); Eric Swenson (Director); Kevin Braun (North Hempstead); Joel Ziev (North Hempstead); Len Shaw (Roslyn); Catherine Chester (Sands Point); Tom Powell (Sea Cliff); Jim Moriarty (Oyster Bay); Bill Archambault (Glen Cove); Dan Fucci (Nassau County)

Call to Order

Bill Clemency called the meeting to order at 7:10 pm.

Review and Approval of Draft Minutes

Kevin Braun moved to approve the draft minutes of January 11, 2012. Len Shaw seconded the motion. They were approved unanimously.

Announcements, Reports, Reminders, & Upcoming Events

Glenwood Power Station Demolition - In December LIPA sent a letter to the two towns announcing the project which includes demolition of the plant and other structures and the relocation of the overhead transmission lines. In the letter LIPA also offered to serve as lead agency. On January 10th, Oyster Bay sent a letter stating that they did not object to LIPA serving as lead and included comments from HHPC and the Town on the project. North Hempstead responded by stating that the Town would like to serve as lead agent. Specific comments included, among other things, asking that the full environmental assessment be circulated for public review; that closure of access to the lower harbor take place in the off season; that Peregrine falcon nests be relocated within the harbor; and to address impact of the demolition process on the osprey nests in the area.

NYS DEC Phase II Training – this event will take place on March 26th at Old Bethpage Village Restoration. Registration is available through the Nassau County Soil and Water Conservation District.

Town of North Hempstead EcoFest – the event will be held on May 5th + 6th at Clark Botanical Gardens. Eric stated that he has another commitment on May 5th and asked if anyone would volunteer to staff the booth that day. The Committee decided to proceed with the event. Len Shaw, Kevin Braun, Catherine Chester and Jim Moriarty all volunteered to assist. **Eric will advise Susanna Laruccia of North Hempstead that the Committee will participate.**

SoundWaters Boat Visit - the SoundWaters will be coming to Hempstead Harbor for an HHPC sail as well as public sails on Friday, June 22nd. Those who signed up for the canceled trip last fall will have first shot at the seats.

OB / CSH PC status update - the protection committee has drafted an inter-municipal agreement based on HHPC's and is circulating it among the 18 municipalities for comment. The intent is to have a final version signed by June 1st.

Report on Long Island Shellfish Managers meeting - on March 1st Eric attended a meeting of Long Island municipal shellfish managers at the DEC Shellfish offices in East Setauket. It was the first time that the group met in about 3 years. A chair was selected (from East Hampton) and it was decided that the group will meet 2 or 3 times a year. The group will work together to share information and standardize shellfish growing techniques and equipment.

Review of February 27th Special Joint Meeting with MBPC and OB/CSH PC

Eric mentioned that the special joint meeting of the three protection committees was well attended with approximately 35 attendees. Despite a

tight agenda with many items to discuss, the meeting adjourned on time. Eric mentioned that he had previously e-mailed a summary of the meeting and that additional copies are available upon request. Tom Powell mentioned that there was a discussion at that meeting regarding the obligation of municipalities to ensure that septic systems are inspected whenever there is reason to believe that the systems are improperly discharging to an MS4 system and asked when that requirement comes into effect. Eric stated that he believed that it was currently in effect.

2012 Member Dues Proposal

Eric Swenson reminded the Committee members of the dues approval process and indicated that he had received no comments or notices from any of the members that they intend to withdraw from the Committee. There was no further discussion from the Committee. Noting that there was a quorum, Eric requested that the Committee vote to approve the dues as proposed at the January 11th meeting. Dan Fucci moved to approve the 2012 dues. Bill Clemency seconded the motion. It was passed unanimously. **Eric will send out dues invoices.**

Water Quality and Monitoring Programs / Shellfish Opening

2011 program update - Carol DiPaolo was unable to attend. Eric mentioned that he received the 2011 grant agreement with NFWF on March 6th and forwarded it to John Mirando of the Village of Sea Cliff for the Mayor's signature. **Eric will follow-up with John to ensure that the agreement was signed and sent to NFWF.**

2011 Annual Report - Eric stated that Carol had advised him that she is working on the report with Fuss & O'Neill and that it was his hope that the report would be completed by the grant deadline of May 31st. Carol had

indicated that it might be difficult to complete by then but she would do her best.

2012 Agreement with CSHH - Eric prepared a draft agreement with the Coalition to Save Hempstead Harbor reflecting the wishes of the Committee as expressed at the January meeting. After receiving comments, a final draft was revised on March 6th. Up until this point, it could not be finalized until Carol DiPaolo heard back from the Nassau County Department of Health as to whether they will be able to provide the same laboratory services as last year. Earlier today the Health Department advised Carol that at present they have the capacity and it is their intent to provide the same services as last year with the caveat that they do not know from day to day what will happen within the County due to their fiscal situation. Carol had expressed concern to Eric as to the ramifications of her agreement with the Village in the event that the county has to curtail its services during the contract period. Eric indicated that he could not speak for the village but that if it were a situation that was out of her control that he was confident that adjustments could be made. The Committee decided to proceed with the agreement with the assumption that the county would provide the services. ***Eric will advise John Mirando to proceed to have the agreement signed by the Mayor.***

Long Island Sound Futures Fund grant application - the National Fish and Wildlife Foundation is seeking applications for its 2012 grant cycle. Eric indicated that he has reviewed the grant's Request For Proposals and that he and Carol DiPaolo have had conversations with NFWF staff and with others regarding the Committee's application and it appears that we will be able to apply for a continuation of our program along the lines of our 2011 program. He also noted that the Long Island Sound Study is moving forward with setting up the infrastructure to fund monitoring programs without the need for competitive grants. They have retained the Norwalk Aquarium to develop the protocols and structure. The Aquarium has partnered with the University of Connecticut and with Citizens Campaign for the Environment to perform this work.

Long Island Sound Study CAC Update

The CAC met in New York City on March 8th. Eric, Carol, Jim and Joel attended.

The Science and Technology Advisory Committee (STAC) met on February 10th. Interest was expressed in mtg with CAC. That meeting will probably take place in June at the Norwalk Aquarium.

The STAC has created a "synthesis book" which consists of chapters prepared by various authors on topics related to Long Island Sound. Chapters cover: History, geology, physical oceanography (weather impacts, etc.), geochemistry, pollutants, biology & ecology, science and adaptive management. The book is entitled: Long Island Sound Prospects for an Urban Sea and has been about 3 years in the works. Mark feels it fits in well with SoundVision plan. 400-500 pgs. It is the most comprehensive look at the data in about 20 years. Each chapter has management implications. The last chapter will discuss ecosystem-based management and what that means for LIS. [President Obama issued an order that federal programs will be run on ecosystem-based management).

We now need to think how we synthesize the CAC's Sound Vision plan and synthesis book. Consensus seems to be that these should form the basis for the updated CCMP. The update process is very complicated - 4 pages long. Mark Tedesco said "Let's not worry about the process so much. If we can all agree with what we need to focus on, we'll figure out the process. We'll make it work. We are really at the beginning of the CCMP update process." Carol had suggested that demographic and planning issues be addressed such as the development pressure that increases along with cleaner waters and with issues such as sea level rise.

Eric mentioned that there was some interesting information that came out of the presentation about the book including a finding that there seems to be a direct correlation between dissolved oxygen levels and wind

direction. With southwest winds, you have higher levels and with northwest winds, lower levels. Also where there is a warm winter, you tend to find a decrease of organic matter in the water column.

It was also reported that the Long Island Sound Study's budget for 2012 is 23% lower than for 2011. There is an effort underway to try to increase federal appropriations for Long Island Sound. Eric indicated that he was asked to join a delegation that would be going to Washington DC in May to plead that case and that since Hempstead Harbor is one of the best examples of how investments in water quality can lead to positive results, his presence would help. He asked if the Committee would pay his travel expenses for the trip and estimated that they would not exceed \$250.00. Kevin Braun made a motion for the Committee to pay for Eric's travel expenses not to exceed \$250.00. Jim Moriarty seconded the motion and it was passed unanimously.

Eric also mentioned that a high level EPA official from Washington may be invited to join us on our SoundWaters sail on June 22nd as a way to help EPA see first-hand the success in Hempstead Harbor.

Joel Ziev mentioned that the topic of the Army Corps' Dredge Material Management Plan was discussed. He represents CAC, HHPC and MBPC on the work group to develop the DMMP. The study was undertaken because the Army Corps must close western Long Island Sound open water dump site by 2013. Joel said that the group preparing the plan pretty much ignored beneficial reuse which NYS requires be used where practical. This is despite the fact that the Army Corps has done extensive research on the topic in other parts of the country. The plan also does not give much priority to dredging needs of recreational harbors. In addition, the draft DMMP only deals with Army Corps dredging projects yet the purpose was to address ALL projects. Meetings were ostensibly to get stakeholders' views but the location and timing of the meetings did not lend themselves to stakeholders attending. Joel felt he could not adequately represent all 3 groups and offered to be interviewed for his personal opinion. They would not do

that. They also would not agree to come and meet with the CAC. Only 2 of the 30 members have so far agreed to be interviewed. **Eric will work with Joel on a letter from CAC discussing our concern with the process.**

The next meeting of the CAC will be in June at Norwalk Maritime Aquarium - joint meeting with STAC.

Nassau County Soil & Water Conservation District

Eric and Kevin reported that with the County's elimination of nearly all of their funding, the District is working on other avenues in order to stay afloat. He also mentioned that the District lost one of its two staff members (unrelated to the county fiscal situation). One fundraiser is an art contest with a wine and cheese reception that will take place at the Old Bethpage Village Restoration in June. There will be various categories of artwork submitted by various artists with the artwork relating to soil and water. There will also be a silent auction of donated items. Further details will be provided closer to the date. The other big effort underway is the green infrastructure conference. Details are provided below.

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

The project is moving forward despite the fact that the grant application has not yet been finalized. A draft workplan was received a couple weeks ago and we are providing comments on it. A public presentation was given at Bayville Village Hall on February 13th. A Hofstra University public relations class has agreed to take this project on for the semester and they are working on press releases, brochures, a survey, Facebook posts, etc. Eric and Pat Aitken from Friends of the Bay have met with the class three times so far. We have been asked by the National Fish and Wildlife Foundation to apply for a Long Island Sound Futures Fund grant as septic education is a key topic they wish to pursue. The three protection committees, the Town of Oyster Bay and Friends of the Bay have held one meeting and one long

conference call to discuss this and the thought is to apply for funds to hold a one day conference for municipal officials and employees as well as cesspool companies and also to hold certification courses for the cesspool companies. Eileen Keenan would be hired to give the presentations to the municipal employees and officials and a national trade industry group or the University of Rhode Island would be hired for the certification course. At present there is no certification taking place on Long Island. While the scope of the grant is yet to be determined, we have run the numbers and feel that we can easily provide about \$25,000 in in-kind match. We were encouraged to apply for \$60,000 to \$75,000. Even asked for the Committee to authorize him to devote time to the project to meet the in-kind match. The Committee authorized Eric to do so.

Green Infrastructure Conference

The conference will take place on Thursday, June 21st and most likely at Brookhaven National Laboratories. Already nearly \$6,000 in sponsorships has been raised. The event will be an all day conference and trade show and will be aimed at municipal employees and institutions. There will be no charge (except for lunch) for municipalities.

Coastal Signage Projects

Kevin and Eric have had a conversation with Ken Smith to try to get the second coastal signage project off the back burner. After discussion, the Committee decided that it should turn back the Signage III grant. **Eric will notify the Department of State of the Committee's decision turn turn back the Signage III grant.**

Phase II Stormwater Compliance Plan

Eric mentioned that the draft plan went through two sets of comments and revisions by Eileen Keenan on behalf of NYS DEC and was submitted to DOS on March 7th. No comments have been received from DOS at this

point. Eric passed around a looseleaf copy. Once finalized, copies will be distributed to all municipal members. They will be in looseleaf format to facilitate revisions and additions.

Scudder's Pond Subwatershed Improvements

The agreement between the two Towns and the North Shore Country Club for the removal of yard waste was completed and signed by all parties on March 13th. Removal will commence on Monday morning, March 19th.

Draft permits have been prepared by Cashin Associates and sent to the Committee and the Village of Sea Cliff for review on March 13th. They expect to file for them very soon.

The next step will be to prepare the easements for the adjoining homeowners and to revise the existing easement where necessary. **Tom Powell will relay this information to Village Attorney Brian Stollar.**

Powerhouse Drain Subwatershed Plan

Stormwater Pollution Abatement Plan - Cashin submitted the 3rd draft of the Stormwater Pollution Abatement Plan to DOS in mid-January for what is hopefully the final review. The DOS has not provided comments yet.

Coordinated Ordinances - Cashin is currently completing the first draft of the coordinated harbor protection code, expecting to have a draft completed by next week, for distribution to the Committee for comments. They are also addressing questions received for the review of individual codes. They will also be completing the write-ups for the review of the final three municipal codes. They expect to have the reviews completed by next week also.

Municipal Updates

Oyster Bay - Jim Moriarty mentioned that the Town has two big events coming up - its annual Dune grass planting day at TOBAY Beach on March 24th and a public meeting on the Blueway Trail on March 27th.

North Hempstead - Kevin Braun stated that the Town will be holding a public meeting on its Blueway Trail in early April.

Glen Cove - Bill Archambault reported that the city has about 90 homes that are not connected to the sewer system and that the city has always offered them one free pumpout a year. The city has recently offered these homeowners a free engineering inspection of their septic systems and for those that respond by a certain date, free aeration of their system as well. The value of the inspection is about \$550.00.

There were no other municipal reports.

Other Items

There were no other items.

The meeting adjourned at 9:15 pm

NEXT MEETING: April 25, 2012 (Sea Cliff)