

**South Shore Estuary Reserve Council  
CITIZENS ADVISORY COMMITTEE**

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**MEETING MINUTES**

January 9, 2007

Long Island Maritime Museum, West Sayville, New York  
Chair: Maureen Dolan Murphy

**CAC Members Present:** Allan Aronoff (Brookhaven League of Women Voters/CAC Vice Chair); Pam Burford (Fire Island Association); Michael Cafaro (Sierra Club); Ed Davis (Great South Bay Audubon); Mike Duffy (South Bay Cruising Club); Gil Kelley (Association of Marine Industries); Maureen Dolan Murphy (Citizens Campaign for the Environment); Kevin McAllister (Peconic Baykeeper); Wendy Murbach (South Shore Audubon Society); Dave Schaper (NY Seafood Council); Ben Sohm (South Shore Bayhouse Owners Association); Dave Thompson (Trout Unlimited); and Rob Weltner (Operation SPLASH).

**CAC Members Absent:** Henry Dam (Suffolk Alliance of Sportsmen); Robert DeBona (Mastic Beach Property Owners Association); Joe Kayal (Independent); Lesley Kane (Islip Town Leaseholders Association); Curt Matzinger (South Shore Waterfowlers); Florence Sharkey (Brookhaven Baymen's Association); Craig Kessler (Ducks Unlimited); Students for Environmental Quality.

**South Shore Estuary Reserve Staff Present:** Jeff Fullmer (Director); Clare O'Reilly (Program Administrative Manager); and, Lou Siegel (Science Coordinator).

**Guests Present:** Linda Freilich (Sierra Club); Bill Murphy (Atlantic Coast Dock); Kevin Morgan and John P. O'Donnell (Great South Bay Environmental, Inc.).

**1. Introductions**

M. Dolan Murphy called the meeting to order at 7:00 p.m., and CAC members and guests introduced themselves.

**2. Approval of CAC Meeting Minutes**

R. Weltner motioned to approve the November 14, 2006 meeting minutes. P. Burford seconded the motion and it passed unanimously.

**3. Reports**

**SSER Office Report**

J. Fullmer introduced C. O'Reilly as Program Administrative Manager with the Reserve Office. J. Fullmer announced that the last Reserve Council meeting was held on December 5<sup>th</sup>, and that copies of the Reserve Office report to the Council were available, as well as copies of the Reserve Comprehensive Management Plan Implementation Status Report for 2003-2005. J. Fullmer then updated CAC members on Reserve Office activities since the last meeting:

- The Town of Islip has recently completed the Browns River and Greens Creek Watershed Management Plan, and a vote to formally adopt the plan is on the agenda for the upcoming Town Board meeting. J. Fullmer commended the efforts of Kimberly Rancourt, Program Implementation Specialist, for helping the Town of Islip and Cashin Associates prepare the report. J. Fullmer suggested that the members of watershed plan advisory committee could meet with other interested

stakeholders and begin implementing actions identified in the plan. This is the first completed watershed action plan in the Reserve, and there are additional watershed action plans currently under development.

- Following a technical review, consultants were selected for two priority projects to implement recommendations identified in the Comprehensive Management Plan (CMP). An assessment of fish passage barriers and culverts will be conducted, along with the development of watershed management plans for Beaver Dam Creek and Carlls River. A five year strategic implementation plan and marketing strategy for the South Shore Bayway will also be developed.

C. O'Reilly reported that the Reserve Council Diadromous Fish Workgroup will once again conduct a volunteer monitoring survey for alewives this spring, and asked CAC members to help with volunteer recruitment. A report summarizing the results of last year's survey is forthcoming. L. Siegel reported on the following Reserve Office activities:

- The New York State Marine Educators Association (NYSMEA) in partnership with the Reserve Office was awarded an \$8,000 grant from Environmental Resource Management Group Foundation (ERM) to create the South Shore Estuary Reserve Learning Facilitators program (SSELF). The program is designed to provide guidance to school and community groups to conduct cleanup efforts in the Reserve, with the potential for establishing monitoring programs related to watershed management plan recommendations. L. Siegel will serve as the Estuary Learning Facilitator, and he is available to present the program, and help organize and train students and community group members. L. Siegel requested that the CAC inform him of groups that may be interested in participating in the program.
- L. Siegel presented a proposed stewardship certificate and application for the CAC to review. After soliciting feedback at previous CAC meetings, specific criteria were developed for the certificate application, including submission of images documenting work performed and relating stewardship activities with recommendations in the CMP in an effort to increase awareness of the plan. CAC members approved the application and certificate, and L. Siegel requested that the CAC members discuss the award program with groups that may be interested. J. Fullmer suggested organizing a public relations event with award applicants to demonstrate how many individuals are active participants in stewardship activities in the Reserve.
- The New York State Department of Environmental Conservation will be conducting a State Environmental Quality Review Act assessment of two artificial reefs in the Reserve to determine how the reefs are impacting water quality. L. Siegel distributed information related to this assessment.
- The Reserve Council Formal Education Work Group has been established, and met recently to create a list of priority actions. The next work group meeting will be in February, and interested individuals should contact L. Siegel for more information.
- 2007 Stewardship Award nomination forms are available for distribution, and M. Dolan Murphy asked CAC members to circulate the nomination forms among their groups. A piece about the 2006 award winners was submitted to Newsday for their Winners column.
- J. Fullmer reported the Reserve Office is interested in discussing a potential educational program with the L IMM aboard the Priscilla, a restored historic oyster sloop built in Patchogue in the late 1800's . L IMM is working to have the ship certified for educational purposes by the United States Coast Guard. J. Fullmer suggested that plans could be discussed to develop an educational program

about the Reserve to be conducted aboard the Priscilla as the vessel potentially travels to maritime centers in the Reserve, similar to the Clearwater sloop on the Hudson River. The Priscilla is representative of Reserve maritime heritage, and could act as an education and outreach ambassador/mascot for the Reserve at events in Reserve communities, as well as help to promote L IMM and the South Shore Bayway. J. Fullmer suggested that the CAC learn more about the Priscilla, and express their thoughts on this idea to the L IMM . He added that the Reserve office will reach out to the L IMM on this topic.

### **Council Meeting Report**

M. Dolan Murphy discussed her CAC report to the Reserve Council on December 5, 2006:

- As a result of discussion at the CAC meeting on September 12, 2006, M. Dolan Murphy again raised the topic of the Reserve Council increasing its responsibilities and taking on an advocacy role. She made a motion and conveyed the following resolution passed by the CAC:

*That the Council create a sub-committee to evaluate the feasibility of the Council monitoring social, economic, legislative, environmental and other events, projects, proposals and developments that could effect the estuary within the parameters of the Comprehensive Management Plan and that the Council take advocacy positions, as an entity, regarding these on a case by case basis.*

M. Dolan Murphy reported that after the motion was seconded and significant discussion, it failed by a vote. Following lively discussion about the existing Reserve enabling legislation regarding the role and powers of the Council, the Council passed the following motion later in the meeting agenda:

*That the Council establish a self-study group to evaluate the current role of the Council in overseeing the implementation of the SSER Comprehensive Management Plan and to make recommendations on specific activities the Council should undertake that, consistent with the Council's enabling legislation, will promote that implementation to the maximum extent practicable. The study group will present its findings and recommendations to the Council at the latter's second meeting in 2007.*

M. Dolan Murphy noted that this was an important step for the Council, and reminded CAC members that the organizations that the members represent are free to advocate for certain issues. J. Fullmer added that the Reserve Office has offered to facilitate the establishment of the self-study group, and office staff will poll Council members for participant interest. It is anticipated that the self-study group may examine how the Council operates, bylaws, and other issues that arose since adoption of the CMP, such as ecosystem based management and open space management. A possible outcome of the self-study group will be recommendations for revisions to the CMP.

M. Dolan Murphy also reported on other topics discussed at the Council meeting:

- The Council also approved establishment of a dredging and dredged materials management work group to address recommendations in the CMP related to dredging. The Reserve Office will facilitate formation of the work group. The work group will examine dredging issues related to the maritime economy and navigation in a comprehensive, reserve-wide manner to bring various partners together, including county and town governments. There is the possibility of creating a dredging needs survey and dredge material management plan based on work group discussions. K. McAllister added that the CMP addresses dredging for navigational purposes, but it does not address new dredging projects with significant ecological impacts. He cited the Dockers Marina

Project in Shinnecock Bay as an example. J. Fullmer responded that creation of the dredging and dredged materials management work group will bring partners together to examine the environmental impacts of dredging, as well as the siting of dredged materials disposal sites and CMP recommendations related to sediment removal.

- The Council's Western Bays Water Quality Work Group has developed an informal consensus that a Total Maximum Daily Load (TMDL) analysis for nutrients in the Reserve Western Bays should be pursued. There is currently a schedule to develop a TMDL for pathogens and the DEC recently listed the western bays as also impaired by nutrients. Reserve partners have voiced concerns that nutrient inputs from the five waste water treatment plans which discharge into the western bays and non-point source pollution may be causing significant observed changes in the ecology of the Western Bays, such as the increased presence of the seaweed *Ulva*. A TMDL for nutrients would assess what the nutrient inputs are to the Western Bays, and devise a plan to mitigate the impacts of these inputs.
- Governor Eliot Spitzer has nominated a new Secretary of State, Lorraine Cortés-Vázquez. M. Dolan Murphy suggested that the CAC draft a letter to welcome Sec. Cortés-Vázquez as Council chair. A. Aronoff added that the CAC should invite Sec. Cortés-Vázquez to a CAC meeting to meet Reserve partners and inform her about the Reserve. M. Dolan-Murphy responded that she will include CAC meeting dates in the letter. D. Schaper asked if a publicity tour for the new Council chair was planned. J. Fullmer responded that this idea was being discussed and suggested that an event could be developed for the new Council chair to meet Council and CAC members in the future.

#### **Great South Bay Environmental, Inc. Report**

M. Dolan Murphy received a report from Great South Bay Environmental, Inc. on ocean/ bay water exchange on January 9th, but did not have a chance to review the report before the meeting. The CAC will review the report, and discuss at the next CAC meeting on March 13 if they want Great South Bay Environmental, Inc. to give a detailed presentation about their report at the following CAC meeting on May 8.

K. Morgan and J. P. O'Donnell from Great South Bay Environmental, Inc. provided a brief verbal summary of the report, stating that their idea for facilitating increased ocean/bay water exchange arose from the lack of exchange between these two water bodies due to the closure of several inlets. According to their calculations, the amount of time that water remains in the estuary (residence time) is approximately 96 days on average. Great South Bay Environmental, Inc. has developed a system of pipes to remove water from the bay while allowing ocean water to come into the inlets on an incoming tide. On an outgoing tide, ocean water will flow into stagnant areas to disperse pollutants. The report proposes 4 different pipelines and a pumphouse in the vicinity of Fire Island, which will include a turbine and pumpsets to reverse the flow of water with variable frequency drives to increase, decrease or shut down the pump cycle. Great South Bay Environmental, Inc. developed targets based on minimal research at two inlets in the vicinity of the Patchogue River, and identified Connetquot and Bellport Bays as the most polluted areas. The idea is based on the concept that taking a small percentage of water out of the most polluted areas will improve water quality in the bay overall. Additional research may advance the system capacity to remove a variable amount of water over time.

K. McAllister asked if the report was available in electronic format. K. Morgan and J. P. O'Donnell responded that it was, and it is available for distribution to other interested members of the CAC. R. Weltner added that he recently visited a tide gate project in Center Island currently managed by the U.S. Department of Agriculture which allows increased water exchange from Long Island Sound, and suggested that Great South Bay Environmental, Inc. observe this device as part of their research.

#### **Pump-out Boat Report**

M. Dolan Murphy reported that there were two articles recently published about the Town of Brookhaven purchasing two new pump out boats for use on the south shore. The Town of Islip had a pump out boat in operation in the beginning of September. M. Duffy estimated a 100 fold increase in the amount of waste being deposited at the Patchogue pump out station since the new pump out boat began operating. He asked CAC members and their groups to contact the new Town of Islip administration to encourage them to increase the hours that the pump out boats are out, and to contact the Town of Babylon regarding acquisition of a pump out boat. M. Dolan Murphy noted that the CAC has been active on the pump out boat issue, and the Council has commended this activity. R. Weltner suggested that the CAC continue to work on this issue, noting that the Town of Hempstead and the Town of Babylon are the only towns in the Reserve without pump out boats, and Town of Hempstead is working on having a pump out boat on the water by the end of the year. B. Sohm added that pump out boats reduce not only the amount of natural waste entering the bays, but also chemicals that are added to holding tanks.

J. Fullmer asked if it was legal to discharge sanitary waste into the bay, and K. McAllister replied that it was legal based on the threshold level of marine sanitation devices. J. Fullmer asked approximately how many people discharge waste into the bay, and if data was available on how much waste is collected by pump out boats and stations. This information could be used to document the amount of waste that might be otherwise discharged by vessels through marine sanitation treatment devices which may be related to the increase in pump out boats. M. Dolan Murphy suggested that the CAC draft a letter to the Town of Islip and the Town of Southampton requesting information documenting the amount of pump out boat waste collected in the Reserve. B. Sohm proposed a motion supporting this suggestion, which was seconded by P. Burford. The motion passed unanimously.

#### **4. Broadwater Presentation**

Adrienne Esposito, Executive Director the of Citizens Campaign for the Environment (CCE) was unable to attend the CAC meeting to give her scheduled presentation about the Broadwater project, and M. Dolan Murphy said she would instead provide an overview of the Broadwater project on behalf of CCE. She reported Broadwater is a proposed liquid natural gas (LNG) facility to be sited in Long Island Sound. The facility will accept LNG from incoming tankers, which would be heated into natural gas and distributed through pipelines from the facility to Long Island, New York City and Connecticut. There is a proposed no access zone of 1.2 square miles surrounding the facility which would be patrolled by armed guards. The location of the facility will restrict boating and fishing access in a part of the Sound known as "The Race," which will need to be patrolled as tankers enter the sound to deliver LNG. The Federal Energy Regulatory Commission (FERC) issued a draft environmental impact statement (EIS) finding the facility to have no environmental impact. She cited three scientific evaluations of the draft EIS citing numerous concerns with the report.

Several public hearings were scheduled for the month of January on Long Island and in Connecticut as part of the New York State Department of State (DOS) consistency review process to determine if the Broadwater project is consistent with the current use of the Long Island Sound. Representatives from the US Army Corps of Engineers, DOS, FERC, and the US Coast Guard will be present to listen to public comments, but the hearings are not an interactive exchange between representatives and the public. M. Cafaro asked how this project would extend the power of FERC beyond its current charge, and M. Dolan Murphy replied that FERC is provided with powers designated in the Energy Act that might be able to overrule the DOS consistency review. New York State is in the process of issuing a consistency ruling.

#### **5. Viewing of Pine Barrens Society TV Interview with Reserve Staff**

The CAC viewed a DVD of an interview of Michelle Pluzynski, SSER Program Implementation Specialist, and J. Fullmer discussing the Reserve Bayway and Comprehensive Management Plan on the Long Island Pine Barrens Society Long Island environment show, which aired during June 2006 on a local public access television channel .

## **7. Announcements**

M. Cafaro announced that the Long Island Sierra Club had selected Baykeeper K. McAllister for its Environmentalist of the Year Award for 2006. Members of the CAC offered their congratulations. The Sierra Club is coordinating an event for announcement of the award recipient to take place after the next CAC meeting in the early spring.

R. Weltner reported that Operation Splash was awarded a grant from Sierra Club to install a storm drain catch basin and filter on the Nautical Mile in Freeport. He also announced that the Nassau County Bond Act passed, and applications for funds should be submitted between February 1 and March 15. Operation Splash and the South Shore Audubon Society will be advocating for funds for stormwater projects in the Reserve.

M. Dolan Murphy reported that there was an article in Long Island Advance regarding Suffolk County's efforts to install 6 stormwater treatment drains.

## **8. Adjournment**

R. Weltner motioned to adjourn the meeting. M. Cafaro seconded the motion. The meeting was adjourned at 9:00 pm.