

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

January 13, 2009

Long Island Maritime Museum, West Sayville, New York

Chair: Maureen Dolan Murphy

Vice-Chair: Allan Aronoff

**CAC Members Present:** Maureen Dolan Murphy (Citizens Campaign for the Environment); Allan Aronoff, (Brookhaven League of Women Voters); Jim Brown (South Shore Audubon Society); Pam Burford (Fire Island Association); Bob DeBona (Mastic Beach Property Owners Association); Linda Freilich (Sierra Club); ; Lesley Kane (Islip Town Leaseholders Association); Gil Kelley (Association of Marine Industries); Florence Sharkey (Brookhaven Bayman's Association); David Thompson (Trout Unlimited); Rich Troy (South Bay Cruising Club); Rob Weltner (Operation SPLASH)

**Guests Present:** Nancy Kearney (Town of Oyster Bay); Karen Chytalo (NYSDEC); Dr. John Tanacredi (Dowling College Dept. of Earth and Marine Science); Don Harris (Operation SPLASH); George Costa (Trout Unlimited)

**South Shore Estuary Reserve Staff Present:** Jeff Fullmer (Director); Sheri Lyn Jewhurst (Program Administration Manager)

**CAC Members Absent:** Bellport Students for Environmental Quality; Hank Dam (Suffolk Alliance of Sportsmen); Ed Davis (Great South Bay Audubon Society); Joe Kayal (Independent); Curt Matzinger (South Shore Waterfowlers Association); Kevin McAllister (Peconic Baykeeper); David Schaper (NY Seafood Council); Ben Sohm (South Shore Bayhouse Owners Association and South Shore Waterfowlers).

### *1. Introductions*

- Maureen Dolan Murphy called the meeting to order at 7:15pm. She then began a round of introductions. It was also noted that there was a quorum of voting members present at the meeting and approval of past meeting minutes and formal election of CAC Chair and Vice-Chair will take place.

### *2. Election of Chair/Vice-Chair*

- Nominees for Chair and Vice Chair were identified previously as Maureen Dolan Murphy and Allan Aronoff, respectively.
- There is a motion to vote for Chair and Vice Chair by L. Freilich, seconded by K. McAllister.
- Voting Results:
  - Maureen Dolan Murphy was unanimously elected as the Chair of the Citizens Advisory Committee for a three year term.

- Allan Aronoff was unanimously elected as Vice- Chair of the Citizens Advisory Committee for a three year term.

### *3. Approval of CAC meeting minutes*

- Draft September 9, 2008 minutes were unanimously approved. Motion to approve by Lesley Kane, seconded by P. Burford.
- Draft November 18, 2008 minutes were unanimously approved. Motion to approve by Florence Sharkey, seconded by Rob Weltner.

### *4. Presentation: Update on the New York Sea Level Rise Task Force, Karen Chytalo, NYS DEC*

- The CAC Chair introduced Karen Chytalo from NYS Department of Environmental Conservation (DEC) and thanked her for presenting to the CAC on the work of the State Sea Level Rise Task Force (Task Force) . She proceeded to give a presentation on the Task Force:
  - Karen is a member of the Steering Committee of the Task Force and is co-chair of the Natural Resources Workgroup of the task force;
  - The Task Force was created after the recognition that sea level rise is occurring and over 62% of NY's population lives in marine coastal counties that could be affected by it. State-level leadership has begun working with a variety of different agencies in order to plan and adapt to sea level rise;
  - The Task Force is composed of appointees by the Governor's office, the legislature, and other groups identified by the enabling legislation. The Task Force is chaired by the Commissioner of the NYS DEC. The Steering Committee is where representatives from environmental organizations, the Department of State, and other groups participate;
  - The Task Force Framework will establish a comprehensive list of potential impacts of sea level rise and coastal inundation, and rate each potential impact for relative significance and relative time of impact. This will help prioritize recommendations for the Task Force who plan to release an action-oriented report by the end of 2009 that outlines what various stakeholders will do to address the problem;
  - There are four working groups under the Task Force: Natural Resources, Infrastructure and Community Resilience, Legal, and Public Outreach.
- Karen began a PowerPoint slideshow presentation discussing the impacts of Sea Level Rise in New York State. Highlights from the presentation:

- Data shows that sea level is rising in the New York City area due to the marked increase in greenhouse gases and resultant climate change. Climate change is also contributing to sea level rise through thermal expansion and glacial ice sheet melt, and elevations are becoming lower in many areas due to subsidence of the land. Especially in marshes, sediment compaction and subsidence is allowing more water to come inland.
  - There is uncertainty around the exact dates that sea levels will rise to given points, and this uncertainty increases the further into the future we attempt to predict. Despite this, the data shows that sea level is rising and will have marked impacts on coastal areas.
  - The Sea Level Rise Task Force hopes to produce pictures and mapping of coastal areas incorporating rising sea levels with respect to infrastructure and habitats.
  - The average sea level rise in New York for 2020 will be 4-7 inches according to the accepted Intergovernmental Panel on Climate Change (IPCC) methodology. By 2050, sea level is predicted to rise 9-14 inches, and by 2080 rise from 16-25 inches.
  - Data from the Atlantic Ocean shows that storm activity has increased substantially since 1970. They observe more nor'easters and a northward shift in the storms in the north Atlantic. More extreme wave heights have been observed, and the cold season will most likely produce stronger winds.
  - Flood recurrence will also be impacted. The NYC Climate Change Planning team has done estimates of the 100 year storm, and on average there will be a 1/100 year storm once every 50-65 years by the year 2020. There will be a 1/100 year storm every 20-50 years by 2050, and every 4-14 years by 2080.
  - Planning for the impacts of sea level rise will include flexibility, commitment to adaptive management, monitoring of sea levels, and monitoring of the effectiveness of implemented plans and actions.
  - The planning process includes study of habitats of concern such as tidal wetlands, coastal bluffs, rocky intertidal areas, seal haul-out areas, barrier islands, and benthic environments. It also includes examination of impacts on groundwater, submerged aquatic vegetation, and freshwater aquatic systems.
- CAC meeting attendees raised various questions:
  - M. Dolan Murphy asked about changes in the freshwater wetlands. K. Chytalo responded that no changes have yet been recorded but that there are freshwater wetlands experts observing and monitoring this closely.
  - J. Fullmer asked if there are any planning scenarios looking at the SSER tributary systems specifically. Karen responded at this time the report is being conducted at a larger scale and that the possibility of specific studies such as this will be assessed after the initial report has been issued.

- Karen advised the CAC about upcoming public meetings on Long Island to discuss the Sea Level Rise Task Force's report and provided the dates and locations.
- The Task Force is being asked to prepare a draft report by May. The Steering Committee will have the draft report by July/August with public review in August/September. They hope to finalize the report in November and are statutorily required to submit the report before the end of 2009.
- It was agreed that the CAC will be notified by email about future public meetings through communication with the Chair.
- Website for the New York State Sea Level Rise Task Force:  
[www.dec.ny.gov/energy/45202.html](http://www.dec.ny.gov/energy/45202.html)

## 5. Reports

### SSER Office Report

Jeff Fullmer, SSER Director briefed the CAC on Reserve Office and Council activities:

- One of the SSER office's former staff, Clare O'Reilly, nominated the Carmans River Fish Ladder partnership for a Coastal America Spirit Award and the partnership was selected as award recipient. Sometime during 2009 there will be an awards ceremony for the partnership and partners will discuss when a good time to have that will be. It is suggested that the awards ceremony is done at a time when there are other activities relative to diadromous fish restoration going on. Congratulations were given to Trout Unlimited who was present at the meeting and to others that participated in the fish ladder partnership.
- Kevin McAllister of Peconic Baykeeper made a presentation to the Council at the December 11, 2008 meeting about the status of a No Discharge Zone (NDZ) nomination petition for the SSER being prepared by the Baykeeper. Based on the number of pump-outs available, a NDZ is possible for SSER waters. The Reserve Council discussed this at its December 1, 2008 meeting and requested that the Reserve Office prepare a letter to the Department of Environmental Conservation (DEC) supporting the NDZ concept and identifying its consistency with SSER CMP recommendations. If the NDZ is approved it will be important from an enforcement perspective for boaters to know that all New York waters are a NDZ. The CAC has advocated for increased pump outs and has done a lot of work when it comes to this, so this progress is good news;
- The Council has adopted bylaws in order to formalize the process of identifying priorities of the CMP and to clarify operational issues for the Council. There is recognition by the Council that there are new emerging issues and a way to formally recognize those issues and address them is needed. The Council has had a series of informal workgroups that CAC members are a part of, and the by-laws clarify the role of those groups in advising the Council, similar to the way the

CAC operates. The adoption of bylaws also recognizes that the CMP is not a static document and over time it will need to be revised or amended. It's important for the CAC to as a major part of its mission is to advise the Council on key issues it should be addressing relative to CMP implementation. The CAC played a key role as the CMP was being developed to identify issues that are included in the plan and it should start thinking about issues relative to revising or amending the CMP, particularly relating to outreach, education and stewardship.

M. Dolan Murphy:

- There was also an announcement made by Fred Anders (NYS Division of Coastal Resources) on the New York Ocean and Great Lakes Ecosystem-based Management report that will be released in February. The report has been going through internal review, and after its release there will be stakeholder meetings throughout the state. Part of the report will focus on the Great South Bay pilot program.

*6. SSER 2009 Budget Funding*

M. Dolan Murphy:

- The Environmental Protection Fund (EPF) is a dedicated fund in New York for environmental projects including the SSER program. The EPF is funded through the New York Real Estate Transfer Tax (RETT), which generated about 800 million dollars last year. A portion of the RETT money funds the EPF and is a reliable, stable source of funding. Last year the EPF was funded at 255 million dollars and there was also legislation passed saying that the EPF would be funded at 300 million. This was before the state fiscal crisis culminated.
- The governor has proposed a new budget which has significant cuts. The EPF is proposed to be cut by about 20% across the board, and in the governor's current budget proposal instead of using the RETT to fund the EPF, the proposal is to use the unclaimed deposits from un-recycled bottles as EPF replacement funding through the "Bigger Better Bottle Bill". This legislation has not been approved, so this funding does not yet exist. If we have successful recycling programs, we will not have a stable and/or increasing source of funding for environmental projects through the Bigger Better Bottle Bill. M. Dolan Murphy encouraged the CAC to share their opinion with the Governor's office and state legislators about this topic after passing out several fact sheets.
- M. Dolan Murphy explained that Citizens Campaign for the Environment (CCE) who she represents, has supported a Bigger Better Bottle Bill for several years, and returning the 5 cent deposit on bottles is a great idea, especially in difficult economic times. However she shared her perspective that any money generated from the return of bottles should go into the state general fund so the EPF continues to be funded with a more stable, dedicated source of funding from the RETT.
- The CAC discussed that many other interests will be competing for the stable funding source provided by the RETT. M. Dolan Murphy further clarified that if the Bigger Better Bottle Bill does become law, environmental groups believe that

associated funds should be added to the EPF along with the stable RETT sums. The conundrum of having environmental protection funding stem from the failure of recycling is recognized by the CAC.

- It was agreed that the CAC Chair will prepare a letter on its behalf to the Governor's office and state legislators conveying its concern about the proposed change of funding sources for the EPF.

#### *7. Public Portion/Announcements*

- The CAC meeting calendar for 2009 was agreed to with meetings on the second Tuesday of every other month. A note was made that the CAC meeting on May 12 is a very special day – Maureen's Birthday!
- It was called to the CAC's attention that in the CAC Charters, Policies, and Procedures there is an attendance policy. Members must attend at least half of the CAC's meetings within a 12 month period. Failure to do so will result in a notification letter from the Chair. It was suggested that all CAC members re-read the Charters, Policies, and Procedures document.
- M. Dolan Murphy will send a letter to all members informing them of all the 2009 meeting dates, as well as information about the attendance policy.
- Expanding the CAC membership will be on the next meeting's agenda. There are people who expressed interest in being on the CAC and we should reach out to them.
- L. Freilich shared her fundraising efforts with Lou Siegel for the sSELF program. She auctioned off signed merchandise and was able to raise \$800.00 for the program. She is going to begin creating baskets from re-gifted merchandise to have raffles whenever possible. This effort will raise money for the sSELF program to buy water testing kits for the Sierra Club's efforts and also repair old kits as needed by L. Siegel.
- D. Thompson discussed Trout Unlimited's concern over the Brookhaven landfill groundwater plume of contaminants heading towards the Carmans River. He shared that there is a town hall meeting about it, and his impression is that monitoring is going on but nobody is talking about remediation because it is most likely prohibitively expensive. He believes the public needs to weigh in on this more because of the highly toxic nature of the plume and the damage it has already caused Beaver Dam Creek.
- M. Dolan Murphy suggested having someone from the Town of Brookhaven come and talk to the CAC about the landfill plume. She shared that part of the problem is that they are not sure of the extent of the contamination and have not characterized the plume entirely.
- G. Costa agreed that it would be beneficial to have someone from Brookhaven come to a CAC meeting to discuss the plume. He also shared that approximately 50-100 people on private wells will be connected to public water supplies at a cost of at least six figures. He was interested in seeing whether some of this money should be spent on monitoring creeks to see what is present, especially if these chemicals are entering the Great South Bay.

- L. Kane announced a Community Forum (1/14) from 6-9 pm at the Touro Law School for the public to speak to the commissioners on topics of their choice.
- B.DeBona announced his organization's award of a \$50,000 grant to do a study at the old Bayview Hospital at Mastic Beach. The hospital was taken down in the late 1960s and it has been a dumping ground for quite a while. The grant will go toward a study to revitalize it into a kayak/canoe launching area. It is at the headwaters of Pattersquash creek and some dredging and naturalizing will have to be done, but there are five different drawings in the works.

#### *8. Adjournment*

M. Dolan Murphy makes a motion to adjourn. All are in favor and the meeting is adjourned at 9:10pm.