

South Shore Estuary Reserve Council
CITIZENS ADVISORY COMMITTEE
300 Woodcleft Ave., Suite E, Freeport, NY 11520
Phone: 516-470-BAYS Fax: 516-378-2879 www.estuary.cog.ny.us

Final Minutes
November 10, 2009

L.I. Maritime Museum, West Sayville, NY
Chair: Maureen Dolan Murphy
Vice Chair: Pam Burford

CAC Members Present:

Maureen Dolan Murphy (CAC Chair, Citizens Campaign for the Environment)
Pam Burford (CAC Vice Chair, Fire Island Association)
Jim Brown (South Shore Audubon Society)
Linda Freilich (Sierra Club, L.I. Chapter)
Joe Kayal (Independent)
Larry Merryman (Great South Bay Audubon Society)
Dave Schaper (NY Seafood Council)
Florence Sharkey (Brookhaven Bayman's Association)
Ben Sohm (South Shore Bay House Owners Association & South Shore Waterfowlers)
Dr. John Tanacredi (Dowling College, Earth & Marine Sciences, CEECOM)
George Costa (Trout Unlimited, Art Flick Chapter)
Robert Wilson (Pattersquash Creek Civic Association)
Robert DeBona (Mastic Beach Property Owners Association)
Pam Donovan (representing CRESLI)
Kevin McAllister (Peconic Baykeeper)
Gil Kelley (Association of Marine Industries)

Guests Present:

Tom Cilmi (Suffolk County)
Nancy Kearney (Town of Oyster Bay)
Helga Merryman (Great South Bay Audubon Society)
Marge Wilson (Pattersquash Creek Civic Assoc.)
Nate Woiwode (The Nature Conservancy)

South Shore Estuary Reserve Office Staff Present:

Jeff Fullmer (Director)
Sherry Forgash (Program Implementation Specialist)

CAC Members Absent:

Bellport Students for Environmental Quality
Brookhaven League of Women Voters
Suffolk Alliance of Sportsmen
Islip Town Leaseholders
Operation SPLASH
Captain Don's Nautical Adventures

1. Called to Order / Introductions

The meeting was called to order at 7:00 p.m. by Maureen Dolan Murphy, CAC Chair. Introductions were made all around.

2. Approval of September 8, 2009 CAC draft minutes

Motion by Ben Sohm to approve the September 8, 2009 CAC minutes, seconded by Pam Burford; unanimously approved.

3. Reports

- SSER Office Report, Jeff Fullmer, Director
 - The 2009 SSER Allan Aronoff Stewardship Award presentation was held on October 15 aboard the *Lauren Kristy*. Cory Weyant of Freeport was the individual award recipient; Seatuck Environmental was the group recipient.
 - Copies of the SSER homepage depicting the new Town of Hempstead solar/wind powered shellfish hatchery were distributed among CAC members; the new hatchery was dedicated in early October; possibility of other towns using Town of Hempstead as a source of guidance when developing this system.
 - National Estuaries Day – SSER sponsored a beach clean-up on September 26, 2009. Over 75 people participated, collecting 661 pounds of marine debris from Seal Beach adjacent to the fishing piers on the bay side of Jones Beach.
 - Watershed Management Plans – Massapequa Creek Watershed Management and Corridor Restoration Plan is almost complete; it will be presented at a Town of Oyster Bay board meeting for adoption; Town of Islip is moving forward with the Great Cove Watershed Management Plan; EPF approved funding for the Tuthills Creek Watershed Management Plan.
 - DOS has completed the 2009 Watershed Plans Guidebook which can be accessed on the DOS Coastal website (www.nyswaterfronts.com); the guidebook addresses watershed planning on a statewide basis.
 - SSER attended the Blue Points Bottomlands Council meeting in late October; their work relates to sustainability of hard clam populations and ways partners can work together to advance the protection of shellfish.
 - The EPA has recognized entire South Shore Estuary Reserve as a Federal No-Discharge Zone; congratulations to Kevin McAllister for all his efforts; not yet formally announced by EPA.
 - SSER is working on the development of a *blueway* trail in partnership with the Village of Freeport; an intermunicipal agreement between Nassau County and the Village of Freeport is waiting for approval by Freeport mayor; \$50,000 from the 2006 Nassau County Environmental Bond Act and \$50,000 from the EPF.
- Stewardship Award Presentation Report, Pam Burford, Chair of Award Subcommittee
 - P. Burford thanked everyone involved for planning the event; invited all for next year's event. She described the recipients' accomplishments in detail, leading up to their selection for the award. The award subcommittee recently renamed the stewardship award after Allan Aronoff, former and long-time CAC member. She commended the selection of the artwork for the awards. The artist was Daniel Pollera who also attended the event.
 - M. Dolan Murphy suggested the stewardship award application be revised for next year, so that it is shorter and less complicated to complete; P. Burford agrees and will address this issue for next year's award nominations.
 - M. Dolan Murphy thanked P. Burford and the staff at SSER for all their efforts in organizing the event.

4. Presentation, Nate Woiwode, The Nature Conservancy (TNC)

Great South Bay Hard Clam Restoration Management Working Group

N. Woiwode described the purposes and creation of the working group and distributed a handout summarizing its work. In summer 2008, TNC, towns of Babylon, Brookhaven and Islip completed a baywide survey on juvenile clams. The survey was done to provide data and confirm efforts to restore shellfish were having positive results. The surveys documented a major increase in the spawning of juvenile clams. This resulted in press events/ announcements by the Great South Bay shellfish restoration partners. Suffolk County then facilitated a Hard Clam Restoration Working Group representing major stakeholders which met during 2009 and developed 3 recommended tasks:

- 1) The development and implementation of interim management measure for the short-term protection of the resurgent juvenile hard clam population;
- 2) The creation of a long-term management strategy for the protection of the health of the Great South Bay ecosystem and the return of a sustainable clam harvest from Great South Bay waters;
- 3) Increased coordination and emphasis on enforcement of shellfish regulations and protections throughout Great South Bay.

The first task has been completed and results were sent to the Suffolk County Executive and towns of Babylon, Brookhaven and Islip.

The subcommittee of the working group prepared a report that recommends that the towns of Babylon, Brookhaven and Islip:

- 1) Create a Great South Bay **commercial hard clam harvest endorsement**, available to those who are eligible. Only those in possession of the endorsement will be allowed to harvest hard clams in the Great South Bay.

This endorsement would be adopted by all three towns (Babylon, Brookhaven, Islip); a DEC shellfish permit would still be required; must have been a resident of one of the three towns for at least 2 years between 2006 and 2009, and; in possession of a NYS shellfish diggers permit during any 2 years between 2006 and 2009.

The purpose of this recommendation is to limit the number of people who could harvest clams, thereby limiting the number of clams taken per day.

- 2) Establish a **commercial** daily catch limit of 2,000 hard clams per hard clam endorsement.

N. Woiwode explained that the intent was for this process (obtaining an endorsement) to be in effect for 2 years, so that science-based clam management could be implemented. There were also concerns about the transport of juvenile clams from areas of productivity to areas where productivity is low. Each town has included a "cull-box" requirement in their regulations.

The working group proposed amending the timeline of commercial harvesting permits to coincide with shellfish digger permits. Currently NYS permits are in force from January 1 – December 31. The town permits begin in February through the following year. The Towns should amend their permit dates to be the same as NYS.

The working group also proposed recommendations pertaining to **recreational shellfishing**:

- 1) To reduce the recreational harvest from 100 to 50/clams/person/day in Great South Bay.
- 2) The Town of Brookhaven should impose a recreational harvesting permit; towns of Islip and Babylon presently have a recreational harvesting permit regulation.

This is a short-term management technique that will expire on January 1, 2012. The working group did not want this to become a permanent approach, but only implemented to give the clam population a chance to increase. During this 2-year period, a more comprehensive science-based approach could be implemented.

The recommendations were finalized at the end of June and sent to the town supervisors. Nothing more has happened since then. The working group suggested that the county executive could convene a meeting with the 3 towns. Discussion ensued on how this meeting might be encouraged.

TNC produced a hard clam population survey, the results of which are still being analyzed.

J. Fullmer mentioned that at a recent Bluepoints Bottom Lands Council meeting, he heard a consultant presentation that currently approximately 27% of all clams taken from Great South Bay are recreationally harvested. This reflects a major decrease in commercial clamming. He asked if residents are aware that they need a town provided permit to harvest clams recreationally in town waters. Have the towns discussed ways to educate the public on requirement of obtaining a permit or the reasons that permits are required? N. Woiwode indicated there is little support from the towns for additional recreational harvest restrictions and he was not aware of local outreach efforts connected with permits to educate residents about shellfish management, habitat restoration and stewardship, harvest size restrictions etc. For example, in addition to not harvesting shellfish restricted by size, if people were aware that returning larger clams such as chowder size to the bay would result in improved clam populations, many would probably be willing to do that if they better understood the management outcomes which could be achieved through education. Given the current lack of support by the Towns for additional harvest restrictions, he suggested that the CAC may want to consider making this type of recommendation to the Towns.

D. Schaper identified multiple enforcement entities for commercial clamming, including, the NYS DEC, Harbor Patrol, US Coast Guard and the Bay Constable. N. Woiwode conveyed that enforcement is limited due to a limited number of personnel.

L. Freilich continues to perform water quality monitoring in association with the sSELF program coordinated by Lou Siegel of the SSER. She stressed the effects of nitrogen and phosphorus on algae blooms and their effect on clam populations. She will send N. Woiwode the site locations of the water quality monitoring.

S. Forgash will email the *Report of the Interim Harvest Management Subcommittee to the Great South Bay Hard Clam Restoration Working Group* to CAC members.

M. Dolan Murphy asked the CAC if they felt the towns should consider implementing an educational program targeted at shellfishing and obtaining a permit; there was agreement.

If towns feel it is necessary to charge a fee for the cost of administering the permits then they should do so, however the working group is not advocating a fee be charged for obtaining a harvest permit from towns.

Motion by Maureen Dolan Murphy, for CAC to send a letter to the towns of Babylon, Brookhaven and Islip, and Suffolk County, requesting that they convene a public forum to discuss the recommendations of the Great South Bay Hard Clam Restoration Working Group Interim Measures; seconded by Pam Burford; 13 voting yes; 3 abstentions.

5. Adoption of the 2010 Meeting Schedule

The proposed CAC meeting dates for 2010 are: January 12, March 9, May 11, July 13, September 14, November 9.

Motion by Larry Merryman to approve the 2010 CAC meeting schedule; seconded by Bob DeBona; unanimously approved.

6. Public Portion/Announcements

- Ed Hubbard (Town of Brookhaven) will give a presentation at the January 12, 2010 CAC meeting regarding the Brookhaven landfill.
- Letter regarding status of TMDLs sent to Governor Paterson and elected officials, from M. Dolan Murphy on behalf of the CAC; immediate response received from Governor.
- L. Freilich announced that Rob Weltner has been selected by the Sierra Club L.I. Group, as Environmentalist of the Year; the ceremony will be held in Freeport next March or April; L. Freilich will send information on this event to CAC.
- Dr. Tanacredi distributed flyers regarding the Long Island EcoSummit to be held at Dowling College on November 13. It is free and open to the public.
- G. Costa will be replacing Dave Thompson as CAC member representing Trout Unlimited-Art Flick Chapter.
- The Federal No-Discharge Zone was approved by the EPA for the entire SSER.
- F. Sharkey asked if the towns had any data on the quantity of materials received at sewage treatment plants from pumpout boats.
- Several copies of the amended CAC Charters, Policies and Procedures were distributed.
- Several copies of information describing the Town of Hempstead Shellfish Hatchery/FLUPSY were distributed.

Motion by Joe Kayal to adjourn the meeting at 8:55 p.m.; seconded by Linda Freilich; unanimously approved.