

Long Island
South Shore Estuary Reserve Office
300 Woodcleft Avenue, Suite E Freeport, NY 11520
Telephone: (516) 470-BAYS Fax: (516) 378-2879

Final Minutes
July 13, 2010

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)
Joe Kayal (Independent)
Don Harris (Captain Don's Nautical Adventure)
Larry Merryman (Great South Bay Audubon Society)
Dr. Arthur Kopelman (CRESLI)
Linda Freilich (Sierra Club, L.I. Chapter)
Dave Schaper (NY Seafood Council)
Dr. John Tanacredi (Dowling College, Earth & Marine Sciences, CEECOM)
Lesley Kane (Islip Town Leaseholder's Association)
Jim Brown (South Shore Audubon Society)
George Costa (Trout Unlimited, Art Flick Chapter)
Robert DeBona (Mastic Beach Property Owners Association)
Rob Weltner (Operation SPLASH)
Judi Bird (Brookhaven League of Women Voters)

Guests Present:

Nancy Kearney (Town of Oyster Bay)
Michelle Consorte (Citizens Campaign for the Environment)

South Shore Estuary Reserve Office Staff Present:

Nancy Kunz (phone from Albany) (NYS Department of State, NYS DOS)

CAC Members Absent:

Association of Marine Industries
Bellport High School Students for Environmental Quality
Brookhaven Baymen's Association
Fire Island Association
Pattersquash Creek Civic Association Inc.
Peconic Baykeeper
South Bay Cruising Club
South Shore Bayhouse Owners Association

1. Called to Order/ Introductions

The meeting was called to order at 7:02 p.m. by Maureen Dolan Murphy, Chair. Introductions were made.

2. Approval of May 17, 2010 CAC draft minutes

Motion by Robert DeBona to approve May 17, 2010 CAC minutes, seconded by Dr. Arthur Kopelman; unanimously approved.

3. SSER Office Report

Nancy Kunz, Assistant Bureau Chief, Natural Resources Bureau, Office of Coastal, Local Government and Community Sustainability, NYS DOS, gave a 15-point report. Topics in/information given by the report included:

- Adding the OCEAN amendment to the NYS Coastal Management Program, which would extend the state's jurisdiction from three miles off shore to the edge of the Continental Shelf, and would empower the state to review federal actions for consistency with the policies set forth in the amendment. This would allow the state to update and tailor the state-wide policy to meet local needs. The amendment will also result in management criteria, new policies, and mapped ocean areas appropriate for wind development and resource conservation.
- Adding the South Shore Estuary (SSE) Amendment to the NYS Coastal Management Program to address habitat restoration, water quality improvement and climate change adaptation. The proposed SSE amendment would also extend the geographic area of the SSE from the ocean high tide mark on the barrier islands seaward 1,500 feet.
- Collectively, these two amendments will achieve continuous habitat protection for waters up to the Continental Shelf, as the jurisdiction of the OCEAN amendment begins where that of the SSE amendment ends.

M. Murphy asked if the CMP would be revised as part of the SSE amendment process. N. Kunz that there are no revisions planned, but they will end up with changes to the CMP. M. Murphy asked if other states had jurisdiction from 1500 feet to the edge of the continental shelf. A. Kopelman thought others did. N. Kunz asked that all questions on the ocean amendment be directed to Greg Capobianco, e-mail: gregory.capobianco@dos.state.ny.us or Jeff Herter, e-mail, jeff.herter@dos.state.ny.us .

Later in the meeting, members expressed confusion as to why they were not notified about the public meetings on the Ocean amendment. M. Murphy notified CAC members that she did talk to G. Capobianco and asked if the notice should be emailed to CAC members. G. Capobianco

stated it was not necessary; the main focus of the meeting was to gather missing ocean data gaps. However, some members felt they were purposely left out.

- Review, by staff, of the final plan for the Massapequa Creek Watershed Management and Corridor Restoration Plan. The plan is posted on the SSER website
- Review, by staff, of the final plan for the Estuary Public Use and Tourism Study. The draft plan was prepared for the Town of Oyster Bay by Cashin Associates. The final plan for the Estuary Public Use and Tourism Study is a component of the "Town of Oyster Bay Implementation of the SSER CMP" project. This project was funded by the DOS through an EPF LWRP grant. Since the staff review of the final plan has been completed, Cashin Associates is now in the process of incorporating DOS/SSER comments into the *Open Space Preservation Plan*, another component of the same EPF LWRP grant. Throughout the reviewing process of these plans, SSER staff worked closely with DOS Albany staff.
- Review, by staff, of preliminary recommendations for the NYS Dept of Transportation's draft plan for the Scenic Bayway Management Plan. The final plan will be implemented on select LI Parkways, including Ocean, Loop, Bay, Bethpage, Wantagh, and Meadowbrook parkways. The draft is available at the DOT website: <http://www.nysdot.gov/display/programs/scenic-byways/Long-Island-Parkways-CMP>
- Review, by staff, of draft signs for the NYS Coastal Resource Interpretive Program
- The SSER office and DOS staff are reviewing the strategy preparation for how to move forward with the Bayway Project. They may end up having to hire an additional consultant. The website is not live.

Some members of the CAC agreed that the Bayway SIMP did not meet expectations. According to DOS, The website created by the consultant is problematic. DOS and SSER Office are working to correct the website issues.

- SSER office staff participated via conference call in the May 18 & 26 Suffolk County Wetlands Working Group
- Brian Kedler, chair, resigned his position at the Seatuck Environmental Assoc. Enrico Nardone, Seatuck Director will convene the next meeting for the Reserve Council Diadromous Fish Work Group

- Advisory group submitted recommendations to the Village of Freeport of official advisory group members for the Nassau County South Shore Water Trail. The Village accepted.
- Town of Hempstead received a DOS 2006 EPF grant of \$6,715 to complete a Historic Water Quality analysis project that would map and detect illicit discharges. They will be convening a scoping meeting to start the project.
- Staff submitted revised draft nomination form and procedures for the Council Stewardship Award to the DOS

CAC members were confused why the stewardship was being revised and why the CAC was not involved or notified about this process. N. Kunz responded the application was inconsistent and they needed to revise the eligibility criteria. She did not understand why Council members could not receive the Stewardship Award. CAC members clarified that individual Council members or CAC members could not receive the award, however the agencies or groups they belonged to are eligible to receive the Award. The CAC has always offered support and assistance with the implementation of the Stewardship Award and feels compelled to continue their involvement and commitment moving forward with any changes/revisions to the Stewardship Award. On a phone call initiated by Bill Wise on June 11, 2010 DOS reaffirmed their commitment to the Stewardship Award.

- Website update: Paul Breschard has replaced Robert Wilson as the Pattersquash Creek Civic Assoc. CAC rep.

D. Schaper asked about the funding for the SSER program. N. Kunz stated that even though in the EPF the office is fully funded, the Division of Budget is not releasing the funds to DOS and the office financially is in "dire straits". N. Kunz stated that it was her understanding that when the SSER Office was formed the six south towns would contribute financially to support the office and its activities. N. Kunz did not say that the funds would be used for the "continuation of the CAC".

J. Tanacredi asked if DOS was looking for a replacement for the SSER Office Director. N. Kunz stated it was being discussed in DOS.

4. SSER Council Meeting

M. Dolan Murphy gave members a report on the Council meeting.

- Stewardship Award

M. Murphy reported that she spoke to the Council about the CAC's views concerning the need and importance to continue the Stewardship Award. Members of the Council were very supportive. Ken Bundy, Brookhaven Bayman's Association, agreed to donate the awards for the 2010 Stewardship Awards and Carl Lobue, The Nature Conservancy, offered to donate \$50 to additional costs for the award. The CAC expressed frustration and confusion regarding the phone conversation with N. Kunz while she provided her report over the phone. Members felt Nancy did not clarify why the Stewardship

award was being re-evaluated. Some CAC members expressed concern that the CAC was being left out of the process. CAC members have always provided assistance and guidance on the Stewardship Award that was appreciated and respected by the Council members and the SSER office. M. Murphy reported that DOS was also re-evaluating the Boat Tour. Members expressed disappointment. The Boat Tour has been in place before the Stewardship Award and was put in place as an educational and networking tool for Council members and stakeholders. CAC members expressed a desire to have more direct communication with Fred Anders and SSER Council members to allow for a more consistent relationship and to streamline communication.

Office Support

M. Murphy reported that during the Council meeting she expressed frustration regarding the lack of SSER office support. She also reported that Bill Wise, SUNY Stony Brook spearheaded a subcommittee to resolve and mend the tension between the CAC-DOS partnership. The first meeting, via conference call on June 11, 2010, resulted in agreement that DOS would participate in CAC meetings via conference call. SUNY Stony Brook purchased a phone for CAC use.

The CAC agreed to draft a letter to the council that will focus on the need to continue to move forward and implement the CMP, even if DOS and the Council move forward with the SSE amendment, the focus and priority should remain on the protection and restoration of the Reserve. The letter should also reflect the strong support the CAC has for the Stewardship Award. M. Murphy will draft the letter and send it to CAC members for review. The letter will be addressed to Council members.

5. Total Maximum Daily Load (TMDL) Update

R. Weltner from Operation SPLASH gave an update on the Total Maximum Daily Load (TMDL) study in the Western Bays. Stony Brook University has not yet received funding for there much needed study in the Western Bays. The money is being held by the state Division of Budget. The U.S. Geological Service (USGS) study is moving forward and they should have monitoring buoys in the water in the next few weeks. USGS will be monitoring dissolved oxygen and nitrogen levels near sewage treatment plants.

(Note: The money was finally received August 8, 2010 & the contract was finalized August 30, 2010)

6. Horseshoe Crab Update

Dr. John Tanacredi gave an update on the horseshoe crab beach monitoring program. Monitoring efforts are still on-going. Horseshoe crabs will still be coming onto the beaches until August. There are about ten beaches that still need some monitoring help.

7. Nutrient Pollution in the Peconic Bay Update

M. Dolan Murphy presented a report for Kevin McCallister, who could not attend the meeting. Copies of the report, entitled, "Nutrient Pollution: A Plague to Our Waters," were distributed to the council.

8. Public Portion/ Announcements

- Citizens Campaign for the Environment recently released a report on fish kills by New York power plants, entitled "Reeling in New York's Aging Power Plants. The Case for Fish-Friendlier Power." Copies are available on the CCE website: www.citizenscampaign.org
- On October 8, 2010, Dowling College will host the NY Marine Science Consortium from 8am- 4pm.
- Dr. Tanacredi inquired if the CAC should begin meeting monthly. It was determined that bi-monthly is sufficient for now, but members will re-examine after the next Council meeting.
- Dave Schaper asked that at the next meeting each member of the CAC bring the number of people that he/she represents

9. Adjournment

Motion by Maureen Dolan Murphy, Chair, to adjourn the meeting at 8:55 p.m., seconded by John Tanacredi; unanimously approved.