



# Manhasset Bay Protection Committee

January 12, 2017, 7:30pm  
Law Library, Town Hall

**Attendance:** Annie Mendelson (Great Neck), Brian Herrington (Flower Hill), Chris Shannon (Councilwoman DiGeorgio's office), Chuck Idol (Baxter Estates), Dan Fucci (Nassau Co), Dianne Sheehan (Plandome Heights), Erin Reilley (Town of North Hempstead), Jed Siegel (Plandome Manor), Jennifer Wilson-Pines (Manorhaven), Kevin Braun (Town of North Hempstead), Nora Haagenson (Mayor, Baxter Estates), Kay Ullman (Deputy Mayor, Sands Point), Ray Herbert (Plandome), To-on Pang (Thomaston), Sarah Deonarine (Director)

Note: Action items are in ***bold highlighted, underlined italics.*** Motions are highlighted in blue.

**Meeting was called to order at 7:32pm with a quorum in attendance.**

### **Motion points:**

If any member representatives have an interest in serving as Vice Chair, please let Sarah Deonarine or Bob Keane know.

**Discussion on the draft MS4<sup>1</sup> general permit comment letter** (due to DEC<sup>2</sup> February 3): Not all the comments have been incorporated yet, additionally the Protection Committees are having a call with Eileen Keenan (LI's MS4 guru) the next morning and the letter may change some more. We are also waiting to hear from Northport Harbor Protection Committee about whether they would like to sign-on to the letter. There was consensus that the group liked the detailed comments and the idea of a strongly worded (but not combative) cover letter or preamble that detailed our main points (e.g., financial burden, tax caps, etc) and incorporated comments from Eileen's list. Further include the fact that budgets have already been set for 2017 and so it cannot go into effect this year, especially since DEC doesn't know who will provide training, information, etc. Keep in mind that these stormwater permits are important for preserving water quality without being prescriptive, so we need to congratulate DEC on a job well done. According to the current permit (DEC didn't supply a model ordinance), all MS4s have to have a law on the books that says onsite systems have to be inspected every 5 years (under illicit discharge). **Erin Reilley made a motion, to support the letter as drafted, with the understanding that Deonarine will send around edits and the cover letter.** Jennifer Wilson-Pines seconded and the motion carried. Post-meeting follow-up: The other Protection Committees are in agreement with our approach of a cover letter followed by the full list of comments.

**Review and Adoption of the Minutes of November 10, 2016** **Jennifer Wilson-Pines made a motion to accept the minutes as edited, Diane Sheehan seconded.** One abstention (absent) and the motion carried

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<sup>1</sup> Municipal Separate Storm Sewer System, a permit under the State Pollutant Discharge Elimination System (SPDES); also sometimes called the Phase II permit

<sup>2</sup> New York State Department of Environmental Conservation

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## Director's Updates:

- There was a Long Island Sound (LIS) Study Citizens' Advisory Committee (CAC) meeting on December 8, 2016 in Bridgeport, CT. Main points of interest from that meeting:
  - 1/27 there will be a joint CAC-STAC (Science & Technical Advisory Committee) meeting on communicating science
  - In a meeting with the Governor's Office, Adrienne Esposito said that office hasn't heard to re-evaluate the tax cap from a "diverse crowd." As it's a Governor's mandate, be sure to reach out to his office and express your concerns with the tax cap.
  - The USEPA (Environmental Protection Agency) came out with a final rule allowing dredge materials to be disposed at open-water sites in Long Island Sound. The NYS Governor's Office then released a letter and 60-day notice of intent to sue, citing that this is not consistent with (correction from meeting) the 2005 EPA rule designating the Central and Western Long Island Sound ocean disposal sites for long-term use and requiring, among other things, the completion of the LIS DMMP<sup>3</sup>.
  - The Connecticut Department of Energy and Environmental Protection (CTDEEP) has conducted monitoring in Long Island Sound for over 20 years and stands to lose several monitoring program staff through attrition. The CAC is writing a letter to encourage CTDEEP to rehire those positions as staff leave.
- Progress on water quality report: see "1-12-17 WQ report update.doc"
- In case of last-minute cancellation (snow, etc), Deonarine will make the decision mid-day and send an e-mail, which seems the best mode of communication.
- Deonarine and Eric Swenson (HHPC) are giving a presentation in two weeks to the Port Washington Public Library Nautical Advisory Council on Thursday, January 26<sup>th</sup> at 7:30pm, all are welcome. **Town Communications office can publicize.**
- CESSPOOL update –
  - letters to editor/articles went to newspapers (blank slate media ran the full article and Newsday published excerpts)
  - Printed materials/brochures will be going to unsewered Villages this week. **Deonarine will send a similar packet to Kevin Braun for the Town.** Also available at: <http://www.getpumpedli.org/resources/>
  - The Protection Committees are trying to plan a meeting with Nassau Co to discuss moving forward similar to Suffolk County
  - The NYS Department of State grant, which supported the work, is being closed out
  - The Town's Press Office did press release in Newsday and local papers

## Municipal Updates

Town of North Hempstead (Kevin Braun): The Town received a \$600K grant for Baywalk Trail (1:1 match). Flower Hill put in pedestrian path that could connect (eventually, one day). Also want to connect to Hempstead Harbor (some day). There are five phases.

Town of North Hempstead (Erin Reilley): Reilley attended a Unified Water Study scoping meeting. The Program wants to see the same data collected the same way through the entire LIS area. To accomplish this, they have come up with a two tier approach. Tier 1 embayment monitoring groups collect dissolved oxygen (DO), chlorophyll, macrophytes, and clarity data. Tier 2 groups collect continuous DO, nutrients, and macroalgae. Put hexagonal grid on embayment, pick three sites per grid (0.42km<sup>2</sup>), with at least four sites per embayment, but there may be a little flexibility such that groups can sample the same locations as they have been sampling. The Study provides a Quality Assurance Project Plan that will be approved by state agencies (EPA won't approve unless we want federal funding), data sheets, training, field guides, and some funding. Complaints from groups already involved: staffing schedules, complexity of

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<sup>3</sup> Dredged Material Management Plan; a product of the US Army Corps of Engineers, which was completed in 2015

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protocols, redundancy with already established sampling programs, it is time intensive (have to drive samples, and once every two weeks, volunteers/staff get up at sunrise to take samples (within three hours of sunrise – which is when DO is the lowest), etc) and money issues. Are we interested in setting up a monitoring program, because they will help us, but they need funding requests by March 31<sup>st</sup>, with training sessions in March and April. The group had some questions and concerns: Can money go to anyone or just 501(c)3s? Save the Sound is heading up the Unified Water Study and they are seen as having an agenda. There is also the possibility that our data could feed into the poorly received report card, which sends the wrong message. So, the question was raised whether our data would be compared to ourselves or to other embayments? ***Erin Reilley collected a list of the Committee's questions and will follow-up.*** Another concern was raised: we couldn't find volunteers to do it in the past, so the bay constables stepped up.

6<sup>th</sup> Council District, Councilwoman De Giorgio's office (Chris Shannon): North Hempstead Beach Park visioning public meeting in Port Washington is on January 18<sup>th</sup>; it may be standing room only. There is still no update from DPW on the FEMA money for Town Dock, but DPW didn't receive any bids on the RFP that went out last year for engineering and permitting (not implementation).

Nassau County (Dan Fucci): Still no word on IMA (Inter-Municipal Agreement).

Great Neck (Annie Mendelsohn): The Village is installing LED street lights, Thomaston did that last year and electricity cut down by 70%.

Plandome Manor (Jed Siegel): Repairs to the culvert under Plandome Road will happen "one of these days." The Town has funding from the State and the project is in the 5-year capital plan.

Sands Point (Deputy Mayor Kay Ullman): The Village didn't have sufficient water this past summer. They are in the process of building two wells. They also want to convince residents to put in more bushes and trees and less lawn, but have minimum 2-acre zoning. It was suggested that they pursue lawn watering education as, in our climate, you don't have to run a sprinkler.

Manorhaven (Jennifer Wilson-Pines): The Village board had a public meeting to extend the moratorium on waterfront development, which was well attended, though many people didn't fully understand the SEQRA process for a moratorium.

Nassau County Comptroller Maragos (Chuck Idol): Chuck Idol is chairing the new Nassau County Environmental Advisory Committee for Comptroller Maragos. They are assembling an environmental risk list. Comptroller's office is sharing items that are coming to them that are environmental – getting input from the environmental groups. First round of invites was to non-profits and other environmental groups as well as some scientists, doctors, etc. Second round they may invite municipalities and other areas, but not included right now.

Flower Hill (Deputy Mayor Brian Herrington): The former mayor, Elaine Phillips, is now a state Legislator. Bob McNamara is now mayor, Brian is Deputy Mayor, and Frank G is now a board member. Scotts Miracle Gro has opened up their grassroots grant program (e.g., community gardens, native plants, etc – 501c3s can apply) visit gro1000.com for more information. ***Buddy might be interested in that.***

Baxter Estates (Mayor Nora Haagenon): The Village met with County Legislator Delia DeRiggi-Whitton, Sarah Deonarine, and Nassau County Soil and Water Conservation District about Baxter Beach, which is eroding away (noticeable change in a year). Shore Road, an evacuation route, is being undermined and utilities are under the road. The Village wants to do some stabilization and, eventually, beautification. May look into FEMA money (there is damage there). Baxter Pond Park is looking better;

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the County planted trees, but have to move some, which they'll do in the spring. A fundraising gala for the pond will be on March 4<sup>th</sup> (the first one in three years).

The Port Washington Public Library is having an Earth Day on that Saturday afternoon. The focus is on volunteering, "act locally, think globally."

Meeting adjourned at 9:23.

**Upcoming meetings:** February 2, March 9, April 6, May 4, June 8

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