



To: NY/NJ HEP Habitat Workgroup
From: Christina Scully, NYC Parks/NRG
Date: July 9, 2003

Subject: May 20, 2003 meeting minutes

Next Meeting: Tuesday July 15, 2003
10 a.m. - 2 p.m.
NRDC Conference Room
40 W. 20th Street, 9th Floor
NY, NY

Present at Meeting: Robert Alpern (NYCDEP), Alice Belling (NYCDEP), Michelle Bicek (ED), Betsy Blair (NYSDEC), Bernard Blum (FOR), Alexander Brash (NYC Parks), Paul Brunn (NYCDEP), David Burg (WM), Gisele Colbert (EE), Jennifer Danis (NRDC), Kerry Dawson (HRPT), Mario DelVicario (USEPA), Charles DeQuillfeldt (NYSDEC), Eugenia Flatow (HEPCAC), Len Houston (USACE), Steve Jandoli (NJDEP), Erik Kulleseid (TPL), Lynn Mandarano (UPenn), Catherine Greene-Manzi (CSBPPP), E.J. McAdams (NYCAS), Joyce Novak (NYCDEP), Kevin O'Brien (NYCDEP), Greg Remaud (NYNJ), Manuel Russ (CACNYCDEP), Katie Schmid (NYC Council), Christina Scully (NYC Parks), Rosalie Siegel (PANYNJ), Don Smith (NJMC), Carolyn Summers (NRDC), Bill Tai (NYC Parks), Kim Tripp (GNRA), Chris Villari (NYCDEP), Nancy Welsh (NYS DOS), Cathy Yuhás (NJS/HEP)

Announcements:

Nancy Welsh (NYS DOS) announced a NYSDOS coastal program grant available through the Environmental Protection Fund Local Waterfront Revitalization Program, there are a broad spectrum of activities available for grant funding. She said that questions should be directed to her or Steve Ridler, the head of the NYSDOS grant program. The deadline is June 20th.

Bernard Blum (FOR) reminded the group of the ecological importance of the Far Rockways, and announced that a residential complex is set for construction at 90th St.

❑ **Staten Island Land Acquisition**

Carolyn Summers (NRDC) informed the group of the work NRDC is doing in a race to acquire land against developers of Staten Island. A consultant has been hired to ground truth and research property ownership. She is working closely with TPL, who already had a substantial database developed for the Harbor Herons area. This database will be added to and field checked where necessary. HWP HWG members may be consulted for information, throughout this process. Jennifer Danis (NRDC) will be overseeing the work.

Summers said that they are trying to jumpstart the Harbor Conservancy by using the PANYNJ funds for land acquisition there. Already, 10 acres near Old Place Creek and the Brooklyn Union Gas site have been added to the NYSDEC preserve. There are other acquisitions in the works now. Flatow said that an e-mail announcement from Rep. Fossella sounded like there was more money available through NOAA.

Summers said that there is significantly more urgency to acquire land in residential areas along the South Shore, particularly the Paw Paw Woods. She added that they are happy to work with other agencies to obtain acquisitions or easements, where possible.

Summers also said it is important to educate homeowners about the value of their neighboring natural areas, especially those that are partially saved and in danger of being encroached upon. This is especially true for areas neighboring the Paw Paw Woods, and areas with ambiguous ownership.

Catherine Manzi (CSBPPP) mentioned the Senate bill 3427, which is the same as Assembly bill 7409 being pushed by Senator Marchi and Assemblyman Cusick. The bill calls for a 1-year moratorium on building within NA-7, 8, 9 and 10, which includes South Beach, Oakwood Beach and Midland Beach communities. The bill will allow the Bluebelt studies to move smoothly without any interruptions. Summers said there is a suite of potential acquisition sites. However, willing sellers are not readily available and parcels are not conveniently bundled together by owner. There are two particularly good parcels, with one unwilling seller, within Graniteville Swamp and Paw Paw Woods. She recommended acquiring the land surrounding the valuable parcels to prevent their development.

Welsh asked if the city owned parcels on the list complement parcels NRDC is looking at. She requested NYCDPR return a list of what city lands parks does not own and that HEP could be looking towards. She added that Katie Schmidt has been researching how city owned properties can be transferred over to NYCDPR. Currently EDC, DOT, and DCAS hold properties in the area.

Alex Brash (NYCDPR) said there is a completed list of city parcels around the four Northernmost Staten Island Creeks. He added that the upland areas should be pursued also.

Welsh said there would be a NYC Council on the Waterfront meeting on June 20th. The meeting will offer a chance to advocate for priority HEP sites city-wide. Brash said that although he is very interested in this proposition, it first needs to be handled internally with the city.

Summers discussed the NYSDEC acquisition of another 12 acres near Old Place Creek. They are now focusing on 70 acres near the NRG plant at the mouth of Chelsea Creek, on the western shore of SI. In addition to money Rep. Fossella secured from the Coastal and Estuarine Land Conservation Program (CELCP) totaling \$1.947 million which will be matched by an equal amount of non-federal funds in the form of cash, other land acquisitions, restoration etc., additional money remains in the Exxon Mobil settlement to purchase land in the area. Flatow asked if there is any hope of getting area in the Great Kills area. She will alert the group when development is close to happening and workgroup members can write letters in opposition to it.

Brash said it would be useful to develop a small working group to review TPL's plans and SI land acquisition in general. He commended the TPL on their vision of acquiring SI parcels.

❑ **Cheesequake Acquisition Update (Greg Remaud, NY/NJ Baykeeper)**

NJDEP Green Acres negotiated a deal to acquire 68 acres of land adjacent to Cheesequake Park. This land was part of a series of sites around Cheesequake Park which were targeted for acquisition as HEP sites 3-4 years ago.

NY/NJ Baykeeper and NJDEP Parks and Forestry, Old Bridge Environmental Commission identified the parcel and championed its acquisition with the support of other HEP partners. NY/NJ Baykeeper also hosted a successful press event with U.S Rep Frank Pallone, Jr., U.S. Sen. Frank Lautenberg and NJDEP Commissioner Bradley Campbell. Senator Lautenberg procured all the funding for the acquisition through NOAA. The federal funds will fully reimburse Green Acres for their initial outlay for the acquisition.

In other Raritan Bay acquisition news, money from USFWS that was originally intended for Conaskonk Creek, will hopefully be used to acquire additional sites near Cheesequake Park.

Greg Remaud (NYNJB) recommended interested workgroup members refer to the *Star Ledger* for articles on the acquisition. Baykeeper gave a lot of information to the press about other HEP sites, focusing on highland areas north of Cheesequake Park. There were additional comments from NJ landowners speaking about why they felt it was better to sell the land to the parks rather than developers, perhaps an indication of success with environmental education. Remaud noted that additional successes may be forthcoming as acquisitions in Monmouth, Union, Hudson, and Middlesex Counties are pursued.

In other news, the Liberty State Park Development Corporation no longer manages within Liberty State Park. The park is now managed by NJDEP Parks and Forestry.

Remaud also recommended the HEP HWG members look at the NJ Meadowlands Commission website for the Meadowlands Master Plan (<http://www.hmdc.state.nj.us/masterplan/index.html>). The plan protects 8,400 acres of wetlands, looks at ways of improving mass transit and improving existing roads, rather than building new roads and encroaching on natural areas.

□ **National Conference (Nancy Welsh, NYSDOS)**

Eugenia Flatow (NYCSWCD) said that the initial reason HEP HWG planned on having a national conference was to demonstrate the effectiveness of HEP HWG to elected officials and stakeholders. Remaud agreed it is important to show how effectively the HEP HWG uses funding to elevate the group in the eyes of potential funders.

Welsh suggested that the HEP HWG needs to define a message to showcase nationally. Money is still available for a conference in the HEP budget.

Both Flatow and Brash agreed to work together, taking the lead in conference planning.

Burg suggested that the HEP look into Chicago Wilderness as a model for developing national level clout and gaining member organizations.

□ **Harbor Herons Subcommittee (E.J. McAdams, NYCAS)**

E.J. McAdams (NYCAS) said that many interested parties have contacted him after “Why Have the Herons Abandoned the Arthur Kill Islands: A New York City Audubon Harbor Herons Project Emergency Meeting and Discussion”. As a result, a HEP HWG subcommittee on the Harbor Herons was formed. It will be co-chaired by McAdams and Brash.

A report summarizing speeches from the emergency meeting is available through McAdams (ny.cas@verizon.net). Additional funding through HEP CAC will increase NYCAS’s education and monitoring efforts. NYCAS will be conducting shore monitoring from June to August on Saturdays this year from Manhattan viewing Mill Rock and Staten Island viewing Hoffman Island.

Charles DeQuillfeldt (NYCDEC) asked if there has been any heron population work done in other areas, such as the abandoned piers on the Brooklyn waterfront, where he has noticed their presence. Welsh said that there were reports on herons nesting at the Bush terminal, but this appears unsubstantiated. Brash said that the Harbor Herons region already stretches beyond SI and includes parts of Jamaica Bay, Pelham Bay, and North and South Brother Islands. McAdams said that NYCAS also wants to look into Bannister Island, which is close to Long Island. Burg said there are studies available from the past about the NYC area heron breeding areas, which do expand beyond the Harbor Herons region.

McAdams said that NYCAS would eventually like to adopt more of a regional view and get agencies working together. Ideally, the Hackensack Meadowlands would be included in their bird habitat regional overview. Brash said that efforts could expand to include piping plover monitoring in the Far Rockaways. NYC Parks recently met with Paul Kerlinger to discuss foraging studies and new technologies to track the species.

Regarding the Prall’s Island habitat, Flatow said that NYCSWCD recently found deposited dredge material there. She suggested thinking about teaming up on the issue and seeking money to deal with the dredge. McAdams responded that NYCAS is interested in tracking the pollution and contamination there.

Summers recommended workgroup members review Katharine Parson's work on Heron Toxics. A list of Parson's articles on the subject can be found at <http://www.manomet.org/wildlife/resources/#toxic>.

□ **HRE Study Update (Leonard Houston, USACE)**

Less than a month ago, the USACE signed a feasibility cost sharing agreement to initiate the Hackensack Meadowlands Project. HMDC, the project's funding partner has been extensively involved in the project. Leonard Houston (USACE) commended Bob Ceberio for being an instrumental part of this venture. A public notice for the project should be released soon. Houston suggested the HEP HWG determine what level of involvement it will take.

With the HRE project, a contractor is currently searching for existing sediment information. CARP and the USACE are working on locating contaminated sediment and finding information gaps. From this, they will recommend additional information collection and identify areas for restoration.

Fran Dunwell's group is working on benthic characterization, and a Canadian firm has proposed a sediment analysis procedure to help develop a plan for reducing contaminants. These could be tied into the dredge management plans for the Harbor deepening projects. Ideally, they could remove some contaminated material, treat it, and replace it with cleaner material as an added benefit to environment. It is more of a conceptual theory at this point, and could also include options that might come out of the HRE to cap contaminant hot spots or remove them for treatment and replacement. GIS staff with the HRE study have located detailed harbor maps from the 1820's including land features, water features, and bathymetry. This will be digitized to serve as the HRE baseline. The map includes Jamaica Bay. Houston cautioned that the accuracy will not be there, but that you can get a feel for the current conditions, what habitats were lost and extract rough habitat type proportions to perhaps aim for.

This GIS venture will allow a more detailed look at areas within the Harbor to identify vacant land for restoration of lost habitats. These lands can then be arranged into public and private lands categories. HEP can work on converting private to public land, bringing the parcels back into the HRE realm.

Houston mentioned that there is a push to complete the Liberty State Park Project. Construction will start there in 2005. The full NJDEP share of the project money still needs to be matched. The restoration will occur in phases; the first being a restored salt marsh. Additional phases will be constructed as money is available. It will be the first completed project with the HRE study.

The Gowanus project is progressing, with an extremely active field sampling operation. The Lower Passaic River restoration is being held up as they try to coordinate the restoration with the super fund clean up. As the cleanup progresses, the USACE will initiate adjacent restorations along the river.

Of the other 13 sites, the USACE has been working closely on Sherman and Newtown Creeks, including complementing CSO maintenance projects. Because of a lack of active sponsors, the remaining fast track sites are on hold. Without committed partners, the projects will remain in the HRE but will not proceed to a more detailed design phase.

Houston stressed that the federal government does not intend to pay for the Passaic River clean up and restoration to then walk away from it. The EPA is working on the clean up, including who will pay for it, with the USACE complementing their work through restoration of the aquatic habitats once the sediments are cleaned up. The USACE management plan pertains to the Dundee Dam and below. Similar to the Lincoln Park restoration, the USACE can use ecological damage accounts for local matching.

David Burg (WM) questioned how far inland the USACE studies are going. Houston responded that anything within a ¼ mile of the coastline or tributary will be considered, as long as it is recognizable on GIS

mapping. Summers, Remaud, and Burg said that ¼ mile is too short of a cutoff. Burg said there are more detailed GIS mapping efforts underway, at Columbia University for example, which could help pinpoint tributaries and expand the area covered. He recommended using other biological filters to decide the extent of area the USACE will consider.

Houston confirmed that Weequaic Park is going to be a separate CAP project, rather than one of the 13 sites in the USACE Harbor Restoration Study.

Remaud said that Liberty Park groups and the Park's Interdisciplinary Planning Committee are working with NJDEP Parks and Forestry and other local partners and USACE attempting to speed progress towards interior restoration at Liberty State Park. A hydrologic plan has been drafted by Carl Alderson (NOAA), NJDEP and local partners and agreed upon by USACE and consultants.

The Needs and Opportunities Report was received Monday with a HEP HWG cover letter. Houston requested that the next HEP HWG meeting, to be held July 15, be devoted to defining methods of coordination between the HEP HWG, USACE, and its HRE consultants, as well as next steps for the study and the scope of work. Welsh requested that HWG members publicize this meeting with their local partners and colleagues to gain maximum collaboration and public participation.

Flatow recommended that the USACE consultants help community groups gather site information to move their projects along. Remaud agreed that it is difficult for smaller local groups to get their sites progressing. Remaud said that the pipeline for community groups needs to be established so they can begin preliminary studies on their sites. Houston said he is especially interested in getting non-profits contributing to the overall project and more agency presence as they approve construction, permit, and often fund the projects.

Welsh agreed that the HEP needs to secure funding for getting sites ready, with baseline work/inventories, preliminary studies and project designs, to take advantage of the many funding programs geared toward construction/putting a shovel in the ground. Remaud said that Baykeeper has partnered with NOAA on this very issue; getting projects designed and ready to go. He said it would be great to standardize this process to work with all the HEP sites, and added that there has to be commitment from more HEP partners. Remaud stressed that the EPA, the HEP Program Office and other partners should contribute more funds and resources to this process.

With regards to the Needs and Opportunities Report, several HEP HWG members asked about the maps in earlier versions of the document. Houston informed the group that Al Appleton elected to remove the accompanying maps, which denoted ecosystems. Flatow reminded the group that members have repeatedly stressed the importance of the linkages between ecosystems, which could be seen on the maps.

Alpern said he would like interaction with the LIS stewardship program as the HEP program overlaps with them in the East River. Welsh said she spoke to LIS representatives and they are not at the point to discuss their stewardship approach and team up with HEP on the issue.

Remaud suggested the workgroup designate some committed people to focus on the next meeting and getting appropriate attendees from involved agencies. Welsh and Jandoli agreed to work on this.

□ **Corporate Wetland Restoration Partnerships (Mario DelVicario, USEPA)**

Mario DelVicario (USEPA), Co-Chair of the Mid-Atlantic USEPA division which includes NY, NJ, PA, MD, DE, and VA, briefed the workgroup on the corporate wetland restoration partnership opportunities. The project, still largely in developmental phases, has focused on Boston Area projects. They are looking to expand into the NY/NJ area. NJ already has corporate sponsorship, but NY does not.

PSEG (Public Service Electric Gas) has already voluntarily donated money to install fish runs to compensate for potential fish losses within their cooling systems. A partnership between the HEP and this program could potentially get projects implemented.

DeVicario said that PSEG has since taken a leadership role by recruiting other corporations to participate, getting ground rules together, establishing criteria, educational materials, monitoring plans, and filling in the holes. They form a 501(c)(3) group at the national level. All contributions are confidential.

Currently, the program looks for partner organizations that already have permits and designs in order. The goal is to get fast moving projects completed. DeVicario suggested that the CWRP will only work with HEP HWG's best projects, and those that are immediately ready to go.

Welsh asked if the limitations on the HRE fast-track sites were purely financial, if so, maybe CWRP could step in. Houston responded that the USACE cannot currently accept match money from a non-government source. Welsh said there is a fundamental need to get projects from being identified to fruition - the projects that are already ready-to-go are not the ones HEP needs to look for funding for. Remaud agreed there are other issues that need to be addressed beyond corporate sponsorship—most importantly, the natural needs of the land. He also expressed concern that although PSEG is often a good corporate partner, its involvement in south Jersey wetland restoration resulted from a lawsuit with the American Littoral Society.

Don Smith (NJMC) said he often finds it discouraging to find garbage washed up on restored sites. He suggested seeking corporate sponsorship to cleanup floatables and plastics on restoration sites, similar to the Adopt-a-Highway program. Others suggested environmental education, fish ladders, and restoration projects.

Paul Mankiewicz (GI, NYCSWCD) said that watershed plans are often missing with fish ladders. He urged the group to pursue corporate sponsorship to go beyond installing fish ladders to also funding the collection of watershed data, including sediment and flow budget information.

□ **Northeast Rapid Assessment Aquatic Invasive Species Survey (Cathy Yuhas, USEPA)**

Cathy Yuhas (USEPA) described the Northeast Rapid Assessment Aquatic Invasive Species Survey, which will identify aquatic invasive species between Casco Bay, Maine to NY/NJ Harbor. The program involves eight Northeast National Estuary Programs and the MIT Sea Grant program. Massachusetts Bays Program and MIT Sea Grant are leading the investigation.

The study attempts to assess the impacts of aquatic invasive species on marine and estuarine coastal ecosystems including impacts to food webs, displacement and predation of native species, which often lead to decreased biodiversity.

The collection areas were chosen under criterion which include receiving a large amount of international and domestic shipping and/or recreational boat traffic from other regions, ballast water discharges, exotics via street runoff, and having a small enough distance between the ship hull and pier, such that larvae may attach to the pier.

Four sampling locations were explored on April 14, 2003. They include Great Kills Park, Snug Harbor, Marine Ocean Terminal of Bayonne, South Street Seaport. In August 2003, samples will be taken at South Street Seaport, Snug Harbor, and Great Kills Park. They will be identified at the Fairfield University Biology Laboratory.

Flatow, Mankiewicz, Burg and Summers warned that the study seems so simplified that useful information may be difficult to obtain. A one day sampling effort is likely to be inconclusive. Summers said that

Newark Bay needs to be examined as it is the main site where large ocean going vessels stop. She also recommended going beyond Snug Harbor to Howland Hook. DeQuillfeldt said that the study is limited to a one day sampling effort because of funding issues. As a result, many habitat types are being overlooked. Still, it is a start on what should become a much larger issue to study/examine.

Yuhas said a report from the 2000 survey is available and volunteered to forward it to Welsh. She also said she would forward the criticisms on to those conducting the study.