



Manhasset Bay Protection Committee

Minutes: March 16, 2023, 7:30pm
Great Neck Library

Attendance: Bob Keane (Chairman, Port Washington North), Nora Haagenson (Mayor, Baxter Estates), Maria Branco (Baxter Estates, alternate), Kevin Braun (Town of North Hempstead), Ebi Victory (Kings Point), Carey Ye (Kensington), Annie Mendelson (Great Neck), Don Richardson (Plandome), Kristina Lobosco (Plandome Heights), Tom Lang (Plandome Manor), Karen Lynne Siegel (Thomaston), Samantha Wilder (Intern), Sarah Deonarine (Director)

Meeting was called to order at 7:44pm with a quorum in attendance.

Note: Action items are in **yellow highlight**. *Motions are in italicized underline.*

Discussion & Motion points:

1. *Kevin Braun made a motion to adopt the minutes of February 9, 2023.* Don Richardson seconded. All were in favor and the motion carried.
2. *Kevin Braun made a motion to finalize the 2023 Committee dues at \$53,400.00, broken down as \$24,000 from Nassau County; \$6,000 from the Town of North Hempstead, and \$1,800 from each Village.* Tom Lang seconded. All were in favor and the motion carried. Discussion: one village sent a letter expressing the feeling that the dues structure was unfair in that every village pays the same amount. The Chair went over the fact that the Committee has tried to solve this concern before, but was never able to come up with something truly equitable. Additionally, the costs saved by each member in having the Committee undertake some annual MS4 requirements are quite substantial.
3. *Ebi Victory made a motion to hire Samantha Wilder for three (3) years at an hourly rate of \$20 and a do not exceed amount of \$4,500.* Maria Branco seconded. All were in favor and the motion carried. Discussion: the Committee had passed this motion previously, but the Planning Department needed more specificity to get it through the Town Board.
4. *Maria Branco made a motion to retroactively accept and send the Committee's comment letter to the governor on the "Housing Compact."* Tom Lang seconded. All were in favor and the motion carried. Discussion: there has been push back by both branches of the State Legislature, but this isn't over. Discussion moved to the need to continue keeping pressure on the Governor and Legislature, which lead to the next motion.

- Sarah Deonarine, Executive Director •
- Email: mbpcExec@gmail.com •
- manhassetbay.net •

5. Maria Branco made a motion to send a follow-up letter to the Governor, Speaker, and the Head of the Senate that makes an environmental case for having the Bill removed from the State Budget entirely. Karen Siegel seconded. All were in favor and the motion carried.
6. Kevin Braun made a motion to retroactively accept and send the Committee's comment letter to the US Army Corps of Engineers on their surge barrier study. Carey Ye seconded. All were in favor and the motion carried.
7. Maria Branco made a motion to retroactively accept and send the Committee's comment letters to Federal Representatives on the US Army Corps of Engineers' surge barrier study and the need for new studies in the western Long Island Sound. Don Richardson seconded. All were in favor and the motion carried. Discussion: the Army Corps extended the public comment period to March 31st. Twelve environmental organizations wrote a collective letter to the Army Corps against their proposed option.
8. Maria Branco made a motion to retroactively accept and send the Committee's letters of support to Senators Schumer and Gillibrand for the Town of North Hempstead's Town Dock and Sunset Park Revitalization Project and Oyster Reseeding Project grant applications. Tom Lang seconded. All were in favor and the motion carried.
9. Kevin Braun made a motion to retroactively accept and send the Committee's letter to the Town Board encouraging the use of funds for sewerage along Plandome Road. Nora Haagenson seconded. All were in favor and the motion carried.
10. Upcoming events and a call for volunteers:
 - a. On Saturday, April 22nd, there are Earth Day events (one in Manhasset, the other in Port Washington) that overlap and it would be ideal for the Committee to have a presence at both—if you are able to help cover one of the events, please reach out to Sarah Deonarine.
 - b. The annual Harbor Fest event will be on Sunday, June 4th (all day) at Town Dock in Port Washington
 - c. The two spring coastal clean-ups are scheduled for Sunday, April 30th at Whitney Pond Park and Saturday, May 20th at Bay Walk Park (both at 9:30am) – fliers were distributed to members present. Seeing no issues with the dates, Deonarine will begin advertising.

Updates, Reminders, & Municipal Updates:

- The MS4 reporting year ended on March 9th – Deonarine is hoping to have the Committee's portion completed by the end of the month
 - Sarah Deonarine, Executive Director •
 - Email: mbpcExec@gmail.com •
 - manhassetbay.net •

- Shellfish Seeding Grant & shellfish density survey –
 - a. the Shellfish Seeding Steering Committee learned that smaller shellfish don't survive, so the plan now is to request larger shellfish in the RFP seeking growers.
 - b. Deonarine completed the sole source justification for Cashin Associates to do the shellfish density and bottom survey of Manhasset Bay and this will be on the next Town Board meeting agenda for approval.
- DEC¹/Marcellino water quality monitoring grant updates: there is one last bill to pay and then have reimbursed and then the grant will be complete. Water quality reports are in process.
- WQIP²: The Committee's consultant, NPV, completed the community engagement plan and Deonarine and Braun sent comments back, which were incorporated. **Committee Reps should expect to review that plan within the next month** and it will be a topic at the next meeting.
- WAC³ (update provided by Maria Branco):
 - a. the Coalition to Save Hempstead Harbor is working to do oyster gardening at North Hempstead Town Park.
 - b. The Town is doing a large debris clean-up in Manhasset Bay with another clean-up planned for October and then annually in the future.
 - c. Renovations to Town Dock have been delayed, because of DEC regulation changes which means the contractor won't have to remove the current Town Dock (Original design included demolition of current Town Dock).
 - d. Working on getting signage near submerged debris at Manorhaven Boat Ramp.
 - e. Bay Constables are having trouble getting staff for summer.
- LISS CAC⁴: they met on March 9 (virtually) and discussed:
 - a. There is a new LISS Communications, Outreach, and Engagement Work Group getting started in April.
 - b. LISS is pursuing a name change to be more in alignment with other estuary programs; they are still investigating if there is any legal issue in changing the name, since they are authorized as LISS). It will be a big deal, as LISS has been around since 1985.
 - c. The CAC Policy Sub-Committee has approached various NY Federal Representatives to serve on the LIS Caucus (both previous NY caucus members did not seek re-election).
 - d. NYSDEC is crafting guidance on how the \$4B Environmental Bond Act, which voters passed last year, can be spent.
 - e. The remainder of the meeting was spent discussing disadvantaged groups and how to get them involved in LISS and the CCMP⁵.
- Nassau S.E.P.T.I.C. program, LINAP⁶ -- no updates
- The Long Island Sound Futures Fund and Resilience Writing grant programs are both now open

¹ NYS Department of Environmental Conservation

² Water Quality Improvement Plan; funded by grant from NYS Department of State

³ Town's Waterfront Advisory Committee, MBPC is a member

⁴ Long Island Sound Study's Citizens Advisory Committee

⁵ Comprehensive Conservation and Management Plan

⁶ Long Island Nitrogen Action Plan – State initiative

- Sarah Deonarine, Executive Director •
- Email: mbpcExec@gmail.com •
- manhassetbay.net •

- The Long Island Sound Resilience Grant Writing Assistance program was holding office hours later in March
- The Science Museum of Long Island (SMLI) is working with Home Depot to start a battery reclamation program on their property in the next 6 to 12 months.

Upcoming meetings and events:

- Upcoming meetings: April 20th, June 8th (both tentative)
- Joint Protection Committee Virtual Symposium on May 11th; 7 – 8:30pm
- Beach clean-ups (9:30am): Sunday, April 30th at Whitney Pond Park and Saturday, May 20th at Bay Walk Park.
- Town of N Hempstead doing STOP program this Saturday, March 18th at Bar Beach on Hempstead Harbor

Carey Ye made motion to adjourn at 8:50pm

- Sarah Deonarine, Executive Director •
- Email: mbpcExec@gmail.com •
- manhassetbay.net •

Updated: 5/23/2023



Sarah Deonarine, Director • 15 Vanderventer Avenue • Port Washington, NY 11050-3710
(516) 869-7983 • mbpcExec@gmail.com

March 13, 2023

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Opposition to the Transit-Oriented Development Act of 2023 and the environmental degradation it would cause

Dear Governor Hochul:

The “Transit-Oriented Development Act of 2023” (henceforth “Act”) included in your proposed FY 2024 Executive Budget raises serious environmental concerns, the first of which is its removal of any environmental review for development in these zones. As background, Manhasset Bay is the western most embayment on the North Shore of Nassau County on Long Island and would be seriously and negatively impacted by this Act. I am writing to represent some of the environmental concerns of the 15 municipalities who make up the Manhasset Bay Protection Committee (henceforth “Committee”). The Committee is an inter-municipal organization focused on addressing water quality and coastal issues with a coordinated, watershed-level approach. The Committee’s goals are to protect, restore, and enhance Manhasset Bay so as to insure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses.

This proposed Act does not consider the sensitive environmental and ecological concerns of Long Island. Long Island is on a sole-source aquifer, our bays and harbors are already subject to bacteria and nitrogen pollution, and open-space is rapidly disappearing. Long Island municipalities are subject to strict regulations to clean-up our bays and harbors. This Act does not account for these regulations and the impossibility of achieving the environmental enhancements these regulations seek to reach if the Act is passed.

This Act would cover the eastern and southern banks of Manhasset Bay in a high-density metropolis, thus killing any chance at restoration. Manhasset Bay was once one of the largest producers of shellfish in New York State, but now it is closed to shellfishing due to high concentrations of bacteria, carried there by polluted stormwater runoff traveling over impervious surfaces. Those impervious surfaces would increase under the Act, thus increasing polluted stormwater runoff to the Bay.

Additionally, the coastal areas of the Manhasset Bay watershed have very short groundwater travel times to the Bay, further exasperating our issues, especially if new development is put on on-site wastewater treatment systems. For those areas that are within wastewater treatment plant zones, this high density would put a great strain on plant capacity and the ability of those plants to treat wastewater to the

regulated levels of nitrogen removal. The Committee is supporting the sewerage of areas contributing to groundwater pollution and not currently serviced by the plants. This Act would remove any capacity from the wastewater treatment plants for this sewerage.

There would also be impacts to the Manhasset Bay viewshed. Part of the joy of living in or visiting a coastal community are the vistas afforded these areas. The Committee and other organizations are of the belief that the public's enjoyment of a waterway contributes to their willingness to undertake actions that would protect and restore that waterway. The proposed Act would prohibit restrictions on height as well as reasonable requirements relating to property line setbacks, thus removing Manhasset Bay from sight and, therefore, mind.

The exemption of transit-oriented development from any environmental review requirements is unconscionable. The burden is then placed on the locality to prove "bona fide health and safety concerns" in the denial of a transit-oriented building permit. But we would make the argument that environmental degradation is a major health and safety concern. The Act also removes any consideration of open space requirements, but open space is necessary for the infiltration of stormwater, climate change mitigation, protection of clean air and water, and habitat protection.

For these reasons, we request you pull this proposed Act from your budget package. We appreciate the housing difficulties Long Island faces, but it should not be solved at the expense of our delicate environment and, therefore, our public health and safety.

Sincerely,

Sarah Deonarine
Executive Director

CC Senator Jack Martins
Assemblymember Gina Sillitti
Executive Bruce Blakeman, Nassau County
Supervisor Jennifer DeSena, Town of North Hempstead
Mayor Nora Haagenon, Village of Baxter Estates
Mayor Randall Rosenbaum, Village of Flower Hill
Mayor Pedram Bral, Village of Great Neck
Mayor Susan Lopatkin, Village of Kensington
Mayor Kouros Torkan, Village of Kings Point
Mayor John Popeleski, Village of Manorhaven
Mayor Lawrence A. Ceriello, Village of Munsey Park
Mayor Thomas S. Minutillo, Village of Plandome
Mayor Kenneth C. Riscica, Village of Plandome Heights
Mayor Barbara Donno, Village of Plandome Manor
Mayor Robert Weitzner, Village of Port Washington North
Mayor Peter A. Forman, Village of Sands Point
Mayor Steven Weinberg, Village of Thomaston
Councilmember Mariann Dalimonte, Town District 6
Councilmember Veronica Lurvey, Town District 4



Sarah Deonarine, Director
15 Vanderverter Avenue
Port Washington, NY 11050-3710
(516) 869-7983
mbpcExec@gmail.com

March 13, 2023

Bryce W. Wisemiller, Project Manager
NYNJHAT Study Team, Planning Division
U.S. Army Corps of Engineers, New York District
26 Federal Plaza, Room 2145
New York, NY 10279-0090

Re: *Comments on the Army Corps' NY & NJ HATS Draft Report of September 2022*

Dear Mr. Wisemiller:

Manhasset Bay is the western most embayment on the North Shore of Nassau County. The communities around the Bay are in the non-benefitted area and, as such, are concerned our Bay and communities would be greatly affected by the Tentatively Selected Plan (TSP) in the *New York New Jersey Harbor and Tributaries Focus Area Coastal Storm Risk Management Feasibility Study*. We thank you very much for considering the north shore in your analysis, but do offer the attached comments and requests.

As background, the Manhasset Bay Protection Committee is an inter-municipal organization, formed in 1998, focused on addressing water quality and coastal issues in Manhasset Bay with a coordinated, watershed-level approach. There are 15 municipalities on the Committee, including Nassau County, the Town of North Hempstead, and the 13 villages in the watershed.

The Committee appreciates the difficulty the Army Corps faces in protecting New York City. New York City is extremely important to the economic health of the country and is an important cultural and international area whose loss would have far-reaching impacts. And New York City sits in a vulnerable location exposed to the Atlantic's annual hurricane season, among other naturally-imposed dangers. But so does Long Island.

Thank you in advance for reviewing our comments and requests. As always, please feel free to reach out for clarification.

Sincerely,

Sarah Deonarine
Executive Director

Comments and Requests

The Manhasset Bay Protection Committee has the following requests and comments:

1. Even as a non-benefitted area, the communities around Manhasset Bay will be affected by the TSP. We, therefore, request a public meeting be held on the North Shore of Long Island.
2. In our opinion, hydrological studies from the 1960s and a North Shore Recon Report from 1993 are outdated. We request that the Army Corps use more updated data sources for the North Shore of Long Island and then reassess the North Shore impacts.
3. Additionally, we request more specificity for our area. The protections planned under the TSP will increase the effects of any 1-in-100 year storm on our shore line, but the model is not clear or accurate as to how much. As such, the environmental impact is also not clear.
4. The Army Corps had previously stated that, in order to do studies in Manhasset Bay and Hempstead Harbor, the Corps would need a non-federal partner and a request from elected officials. Seeing as both estuaries are included within the scoping area and that the Army Corps already has a non-federal partner in the NYS Department of Environmental Conservation, any studies that need to be done in these areas should automatically be included.
5. Please evaluate the impacts and cost of mitigation for sewage treatment plants outside of the barrier, such as the two on Manhasset Bay.
6. Please evaluate the impacts and cost of mitigation for any induced saltwater intrusion into our aquifer(s).
7. Please evaluate the impacts and cost of mitigation for environmental impacts caused by the inundation of on-site wastewater treatment systems.
8. Please evaluate the impact of induced flooding on coastal evacuation routes in the non-benefitted area.
9. Include the Long Island Sound Study Comprehensive Conservation and Management Plan and the progress made by the partnerships of the Long Island Sound Study (which is Clean Water Act-authorized).

Thank you for your consideration of our requests. The Manhasset Bay Protection Committee, through the Director, is available for any questions or clarification that may be needed to help in this process. Please continue to keep us updated on the Army Corps' process.



Manhasset Bay
Protection Committee

ManhassetBay.net

Sarah Deonarine, Director • 15 Vanderventer Avenue • Port Washington, NY 11050-3710
(516) 869-7983 • mbpcExec@gmail.com

March 13, 2023

Honorable Charles E. Schumer
145 Pinelawn Road, #300N
Melville, NY 11747

Re: *Request for federal funding to update hydrological studies from the 1960s and a North Shore Recon Report from 1993*

Dear Senator Schumer:

The U.S. Army Corps of Engineers, NY District has completed their *New York New Jersey Harbor and Tributaries Focus Area Coastal Storm Risk Management Feasibility Study* and we on the north shore of Long Island, a non-benefitted area, have concerns about their projections for our area. The Army Corps is using hydrological studies from the 1960s and a North Shore Recon Report from 1993 to make their predictions as to how the north shore of Long Island will be affected by their various alternatives, including their Tentatively Selected Plan. We are writing to request federal funds to update these studies.

The time for these studies is now: the Army Corps will next head into an optimization phase where they will make their final stormwater flooding elevation and extent predictions. Please don't let this be based on outdated studies.

As some background, Manhasset Bay is the western most embayment on the North Shore of Nassau County. In the summer of 2021, you announced from the shores of Manhasset Bay that the Infrastructure Investment and Jobs Act (also called the "Infrastructure Bill") would include \$106 million for the Long Island Sound Study. The Manhasset Bay Protection Committee is an inter-municipal organization of 15 member municipalities focused on addressing water quality and coastal issues in the Bay with a coordinated, watershed-level approach.

Thank you in advance for your help on this important issue to our communities.

Sincerely,

Sarah Deonarine
Executive Director

CC Senator Kirsten Gillibrand
Representative Nick Lalota (NY-01)
Representative Andrew Garbarino (NY-02)
Representative Anthony D'Esposito (NY-04)



Manhasset Bay
Protection Committee

ManhassetBay.net

Sarah Deonarine, Director • 15 Vanderventer Avenue • Port Washington, NY 11050-3710
(516) 869-7983 • mbpcExec@gmail.com

March 13, 2023

The Honorable Charles Schumer
United States Senate
Washington, DC

The Honorable Kirsten Gillibrand
United States Senate
Washington, DC

Re: Support for North Hempstead Town Dock and Sunset Park Revitalization Project

Dear Senator Schumer and Senator Gillibrand:

I write on behalf of the Manhasset Bay Protection Committee to convey our strong support for the Town of North Hempstead's priority community projects, especially the Town Dock and Sunset Park Revitalization Project. We respectfully request that you support it for congressionally-directed grant funding.

We understand that North Hempstead has requested \$3.4 million in community development funding from U.S. HUD to support upgrades to the North Hempstead Town Dock and Sunset Park in Port Washington. These sites are directly on the coastline of Manhasset Bay, an embayment in the Long Island Sound watershed. In the summer of 2021, Senator Schumer, you announced from the shores of Manhasset Bay that the Infrastructure Investment and Jobs Act would include \$106 million for the Long Island Sound Study. This Town initiative will revitalize the Manhasset Bay waterfront in downtown Port Washington, NY with public plaza, shoreline, and green infrastructure improvements on the 117,000 sq. ft. Town Dock and adjacent Sunset Park. We are very supportive of this project funding request from North Hempstead and hope that you will support it in the congressional appropriations process as well.

The Manhasset Bay Protection Committee is an inter-municipal organization of 15 member municipalities focused on addressing water quality and coastal issues with a coordinated, watershed-level approach. The Committee's goals are to protect, restore, and enhance Manhasset Bay so as to insure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses. Every chance to minimize or remove stormwater moving across Town Dock and Sunset Park and directly into Manhasset Bay is essential as this area is silting in and experiences high bacteria counts.

You have been strong leaders in the revitalization of North Hempstead and Long Island Sound and we appreciate your continued support for our town and its priority community projects.

Sincerely,

Sarah Deonarine
Executive Director

CC Town Supervisor Jennifer DeSena



Manhasset Bay
Protection Committee

ManhassetBay.net

Sarah Deonarine, Director • 15 Vanderventer Avenue • Port Washington, NY 11050-3710
(516) 869-7983 • mbpcExec@gmail.com

March 13, 2023

The Honorable Charles Schumer
United States Senate
Washington, DC

The Honorable Kirsten Gillibrand
United States Senate
Washington, DC

Re: Support for Oyster Reseeding in North Hempstead's Manhasset Bay

Dear Senator Schumer and Senator Gillibrand:

I write on behalf of the Manhasset Bay Protection Committee to convey our strong support for the Town of North Hempstead's Environmental Protection Agency (EPA) State and Tribal Assistance Grant (STAG) request for the Oyster Reseeding to Clean Manhasset Bay project. I respectfully request that you support them for congressionally-directed grant funding.

The Manhasset Bay Protection Committee is an inter-municipal organization of 15 member municipalities focused on addressing water quality and coastal issues with a coordinated, watershed-level approach. The Committee's goals are to protect, restore, and enhance Manhasset Bay so as to insure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses.

The Committee is committed to remaining engaged and supportive of this project through collaboration and information sharing. The Committee has just approved funding for a shellfish bottom survey of Manhasset Bay so that both the Committee's and the Town's reseeded efforts will be in the right locations to ensure the best success. We strongly support this project because the proposed reseeded project will improve water quality, enhance coastal resilience, and provide important environmental and community benefits in and around Manhasset Bay.

You have been strong leaders in the revitalization of North Hempstead and Long Island Sound and we appreciate your continued support for our town and its priority community projects.

Sincerely,

Sarah Deonarine
Executive Director

CC Town Supervisor Jennifer DeSena



Manhasset Bay
Protection Committee

ManhassetBay.net

Sarah Deonarine, Director • 15 Vanderventer Avenue • Port Washington, NY 11050-3710
(516) 869-7983 • mbpcExec@gmail.com

March 13, 2023

Supervisor Jennifer DeSena
Town of North Hempstead
220 Plandome Road
Manhasset, NY 11030

Re: Support for sewerage Plandome Road in Manhasset by utilizing ARPA funding

Dear Supervisor DeSena:

I am writing on behalf of the Manhasset Bay Protection Committee to express our support for sewerage the Plandome Road area of Manhasset and request that you use funding received from the American Rescue Plan Act (ARPA) for this important work.

Research has made it clear that the major contributors to both our groundwater and surface water issues are antiquated on-site wastewater treatment systems, specifically cesspools. It appears that some, if not all, of the cesspools in the study area are failing and a source of nitrogen and bacteria to Manhasset Bay. Groundwater travel times to Manhasset Bay for the entire Plandome Road area are very short.

Additionally, Manhasset is situated at the back of the Bay, which is very shallow and does not exchange cleaner waters from other parts of the Bay and Long Island Sound very well. Nitrogen here can cause blooms of algae which contribute to odor complaints during low tide. Diverting this sewage to the Great Neck Water Pollution Control Plant, which is monitored by the State Department of Environmental Conservation and which has to remain in compliance with strict nitrogen limits set by the 2000 Long Island Sound Nitrogen TMDL, will serve to improve and protect the Bay and quality of life for residents throughout the Town.

Funds received through ARPA provide an exciting opportunity to make sure that, when sewers get placed in Manhasset, as many landowners connect as possible. Investment in sewer infrastructure is a specified eligible use of ARPA monies and the Government Finance Officers Association has identified investment in infrastructure as a “particularly well suited use of ARPA funds.” The Committee urges you to take advantage of this funding in order to improve water quality in Manhasset Bay

As you know, the Town is a member of the Manhasset Bay Protection Committee, an inter-municipal organization focused on addressing water quality and coastal issues with a coordinated, watershed-level approach. The Committee's goals are to protect, restore, and enhance Manhasset Bay so as to insure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses. An important step in achieving these goals is the removal of as many cesspools as possible from the watershed.

Thank you in advance for your consideration of our comments.

Sincerely,

Sarah Deonarine
Executive Director

CC Councilmember Robert Troiano, Jr.
Councilmember Peter Zuckerman
Councilmember Dennis J. Walsh
Councilmember Veronia Lurvey
Councilmember David A. Adhami
Councilmember Mariann Dalimonte