



New York State
Department of Environmental Conservation

Division of Fish, Wildlife and Marine Resources

Restoration of Natural Resources Through the Jamaica Bay Damages Account

Response to Public Comment from the
Reconnaissance Phase Report and
Decisions on Project Prioritization for the
Planning Phase

January 1997



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JOHN P. CAHILL, *Acting Commissioner*

Executive Summary

This "Decision and Response" document is an extension of the Reconnaissance Phase of the "Jamaica Bay Damages Account" (JBDA) Restoration Process. Public Comment was generated during the Reconnaissance Phase of this Restoration Process. The public comment raised certain issues and questions in need of comment and also additional projects to be considered for prioritization and inclusion in the Reconnaissance Report. The following sections address issues raised and additional projects to be included in the report.

Section 1: General Response to Public Comment-A variety of issues were raised in the public comment phase. Individuals and organizations presented their project priorities (see Sections 2 and 3 for DEC response), requested that certain additional projects be considered (see Section 4), and asked questions about the fund and how it is being administered. The last set of issues are addressed in this section.

Section 2: List of the criteria used in prioritizing projects-These criteria were discussed in the Reconnaissance Phase report. Given here are the final criteria chosen for prioritizing projects.

Section 3: Priority Ranking of Projects-The projects outlined in the Reconnaissance Report are placed in four priority groups: For Immediate Planning, High Priority, Low Priority, Not Under Consideration.

Section 4: Additional Projects-These projects were submitted too late to be included in the Reconnaissance Report, but were considered for prioritization in this document.

Section 5: Public Comment-Reproduced here are the written comments on the Reconnaissance Report submitted by individuals and organizations.

Genesis of the funds-distinction between this and the on-site remediation by the Division of Hazardous Waste Remediation

The Jamaica Bay Damages Account monies were collected as fines "...for damages for injury to, or destruction or loss of natural resources resulting from the alleged presence, release or threatened release of industrial and chemical wastes or other hazardous substances at the Landfills;..."¹ These funds are distinct from monies collected to remediate the landfill sites themselves. Through other legal arrangements, several hundreds of millions of dollars have been allocated to on-site remediation and closing of the landfills. The Jamaica Bay Damages Account was created from the collection of \$7 million in penalties to be used only for the resource damages, not the on-site remediation.

Distribution of monies

No apportionment of the funds, either by geographic area or by project type, is mentioned in the JBDA consent orders. The orders require that funds be used for injury assessment, restoration and replacement or acquisition of the equivalent of natural resources determined to have been injured as a result of the Landfill operations. There will be no *a priori* apportionment by mathematical rule. However, consideration will be given to geographic balance. It has been suggested by a number of respondents that the funds be apportioned among the three areas, Staten Island, Bronx, and Jamaica Bay in a 1:1:3 split based on the number of landfills covered under JBDA in each area. Decisions on project funding will be made by prioritizing projects with the criteria detailed in this document.

Description of the Geographic and Categorical Mix of Projects

Three distinct ecosystems are affected by the five landfills covered under the Jamaica Bay Damages Account: Jamaica Bay, Eastchester Bay/Pelham Bay (Bronx), and Richmond Creek (Staten Island). The consent order governing the Damages Account does not in any way specify an apportionment, therefore any apportionment among the three affected areas will be necessarily arbitrary. Several factors may be considered in determining the geographic distribution of the final projects. The following list of factors is far from inclusive; it is rather a starting point for further refinement during the Planning Phase.

- The relative ecological integrity and importance of the three affected ecosystems may help determine the apportionment. Jamaica Bay is by far the largest and, by some measures, most ecologically important, of the three natural areas affected.
- Prioritization of individual projects may play a role. The money should go to where it can do the most good, regardless of location within the quarried areas. The prioritization criteria in this report gives some guidance as to factors which make a project more or less likely to succeed.
- Three of the landfills are located in Jamaica Bay, while only one each are in Eastchester

Bay (Bronx), and Richmond Creek (Staten Island). This ratio of 3:1:1 for landfills within each ecosystem may be used to guide apportionment among the areas. A more refined approach may be to take into consideration the relative sizes of the landfills or the estimated damage inflicted by each.

Amount of monies

The consent orders specify fines of \$7 million and currently there is authorization for expenditures of this \$7 million. There may be additional money from interest earned on the fund. The assumption for this planning process is that there is \$7 million and if there is more, additional projects may be possible at a later date.

Ongoing management

Each project plan will include a long-term component. Restoration projects will need monitoring built into the contract to ensure and monitor/measure the success of the restoration. However, funds for management will come from sources other than the JBDA, since management is precluded from natural resource damage revenues. Land acquisitions will also require long-term management plans. Some of the issues to be decided for acquired parcels are:

- Ownership-Which agency will retain ownership of the land.
- Custodian-Which agency will manage the property.
- Management-What is the management plan for the property.
- Restrictions-What are the restrictions on use of the property.

Section 2: Criteria for Prioritization

The criteria used to prioritize projects for funding from the Jamaica Bay Damages Account remain largely unchanged from the Reconnaissance Report. The criteria are divided into "High Priority Issues" and "Priority Issues." In practice, the application of prioritizing criteria is complex; there is no formula or ranking system that specifies that a certain number of criteria must be met or a specific "score" achieved. Rather, projects have been looked at on an individual basis. Some projects received high ranks by strongly meeting one or two criteria, others by more moderate scores on many criteria, and some receive low ranks because they lack necessary criteria or lack of information regarding the project. Projects are prioritized in Section 3.

High Priority Issues

High Natural Values-High priority should be given to projects involving lands with high actual or potential natural values. This includes richness of plant and animal species and positive contributions to ecosystem functioning.

Diverse Natural Values-High priority should be given to projects involving land which harbors a diversity of plant life or animal habitat onsite or would add diversity to the ecosystem due to the presence of a rare habitat.

Development Pressure-High priority should be given to projects involving land which is in imminent danger of being developed for residential, commercial, or industrial use. Indicators of development pressure include recent transfer to a development company, application for extension of services such as streets, sewer, water, and utilities, application for zoning changes or subdivision of the property. Any land that has no intrinsic factors limiting development (i.e., in a flood plain, within wetland regulatory jurisdiction, etc.) should be considered under development pressure simply due to the urban location. Development pressure, in and of itself, is only important in the context of other threatened values.

Consolidation of Protected Land-High priority should be given to projects involving land which is adjacent to or an inholding of land that is already under some kind of protected status such as park land. The natural value of the protected land is improved by increasing the uninterrupted span of the land holdings. This also provides a buffer against incompatible land use.

High Restoration Potential-High priority should be given to projects judged to have a high chance of success. Implementation of restoration procedures that are experimental or have a low success rate, for example, should be avoided.

Availability of Complementary Funding-High priority should be given to projects currently possessing or having the potential for additional funding from other sources. Other sources might include Department of Transportation ISTEPA Enhancement Grants and the Environmental Quality Bond Act, among others.

Priority Issues

Access-Priority should be given to projects involving the management of access to natural resources. The goal of managing access is to ensure public use and access to natural resources that are suitable for use while controlling access where it would potentially damage important wildlife habitat or result in an unsatisfactory recreational experience. Access management includes providing roads, boat landings, piers, nature trails, and facilities as well as the erecting of fence and guardrails to prevent illegal dumping of fill and garbage, exclusion of vehicles from fragile habitats such as sand dunes, and putting up signs to help discourage inadvertent damage from inappropriate access.

High Social Value-Priority should be given to projects which provide educational or recreational opportunities. This includes providing controlled access for shoreline recreation, bird watching, and hiking, the provision of interpretive nature trails, and of multi-purpose parkland and open space.

Buffering-Priority should be given to projects which help to provide a buffer between natural resources and activities which tend to have a negative impact upon the functioning of the resources. This includes open fields between developed areas and natural areas to help capture and filter surface run-off, land in-holdings to complete a fragmented natural shoreline and may also include areas of disturbed upland depending on the degree to which a buffering function is being performed.

Appropriateness of Adjoining Lands-Priority should be given to projects whose goals are not undermined by incompatible uses on nearby lands. A project which will suffer continuing negative impacts from adjacent industrial activities, for example, may not be a location for successful restoration of habitat. However, a project may be effective by preventing a negative impact use of land that would be otherwise likely to occur. In other words, preempting a negative use with a neutral use may be as good as providing a positive use.

Local Public Support-Priority should be given to projects for which citizen constituency groups or elected officials have expressed advocacy. This advocacy may be for the specific project or generally in line with the stated goals of the project.

Meets Existing Planning Priorities-Priority should be given to projects which are identified as high priorities as part of other planning processes. Many local, state, federal, and private agencies set plans for land use and natural resource conservation. In addition to setting broad objectives, these plans often give specific guidance on strategies and priorities. Consultation of applicable plans will help to coordinate inter- and intra-agency efforts. These existing planning priorities must, of course, meet the goals of this plan to be considered.

Section 3: Priority Ranking of Projects

The projects outlined in the Reconnaissance Report are placed in four priority groups:

For Immediate Planning (I)-Projects which will be acted on immediately, those that were designated as "fast track" in the Reconnaissance Phase. If these prove to be viable, they will be undertaken.

High Priority (H)-These are projects which meet criteria for inclusion in the restoration process and rank quite highly in these criteria.

Low Priority (L)-These are projects which meet criteria for inclusion in the restoration process, but rank relatively low in these criteria.

Not Under Consideration (N)-Projects which are judged as not appropriate use of Jamaica Bay Damages Account funds.

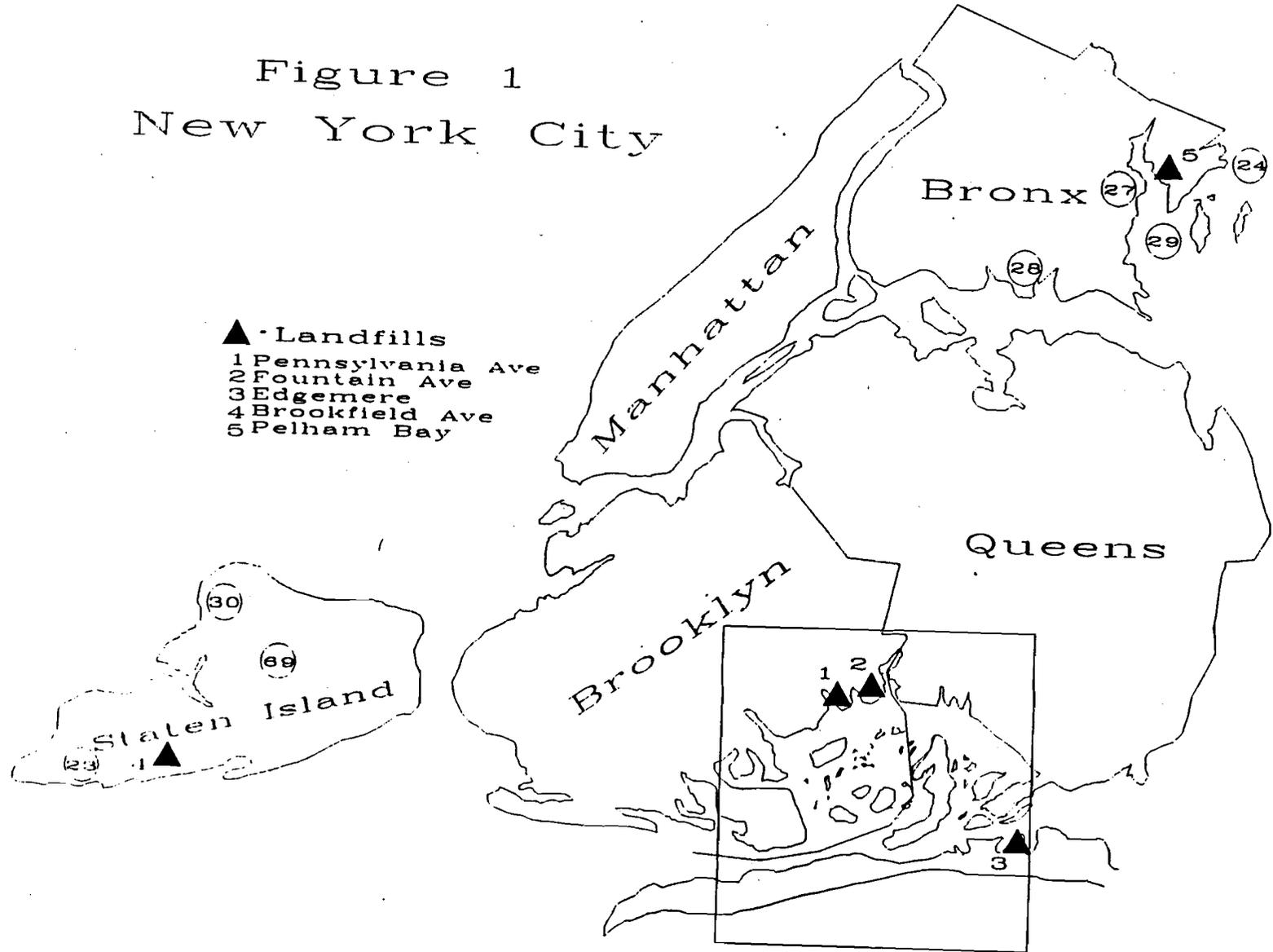
Planning, Implementation, and the Viability of Projects

After being chosen as projects needing immediate attention or as having high priority, each project will be further analyzed to determine if it is viable given the monetary and staffing resources available. There are several reasons why a project may be judged as a very high priority at this stage, but after beginning the planning phase, not make it to implementation. For an acquisition project, the planning process may reveal that the owners of the property are demanding a purchase price far outside the money available in the JDBA. The initial planning of a restoration project may determine that restoration is not feasible for a particular site after all. Because of these and other possibilities, highly ranked projects are not "certain" to come to fruition, but will be given resources to begin planning and, if viable, implementation.

Summary of Project Proposals

The following table is a short summary of the proposed projects under consideration from the Reconnaissance Phase of the process and includes the additional project proposals considered for prioritization in this document. Proposal numbers are a continuation of the numbering scheme in the Reconnaissance Report and are for reference only. See Figures 1 and 2 for proposed project locations. Section 4 details the proposed project additions as submitted.

Figure 1
New York City



Restoration of Natural Resources through the Jamaica Bay Damages Account

See Figure 2 for insert

Figure 2 Jamaica Bay

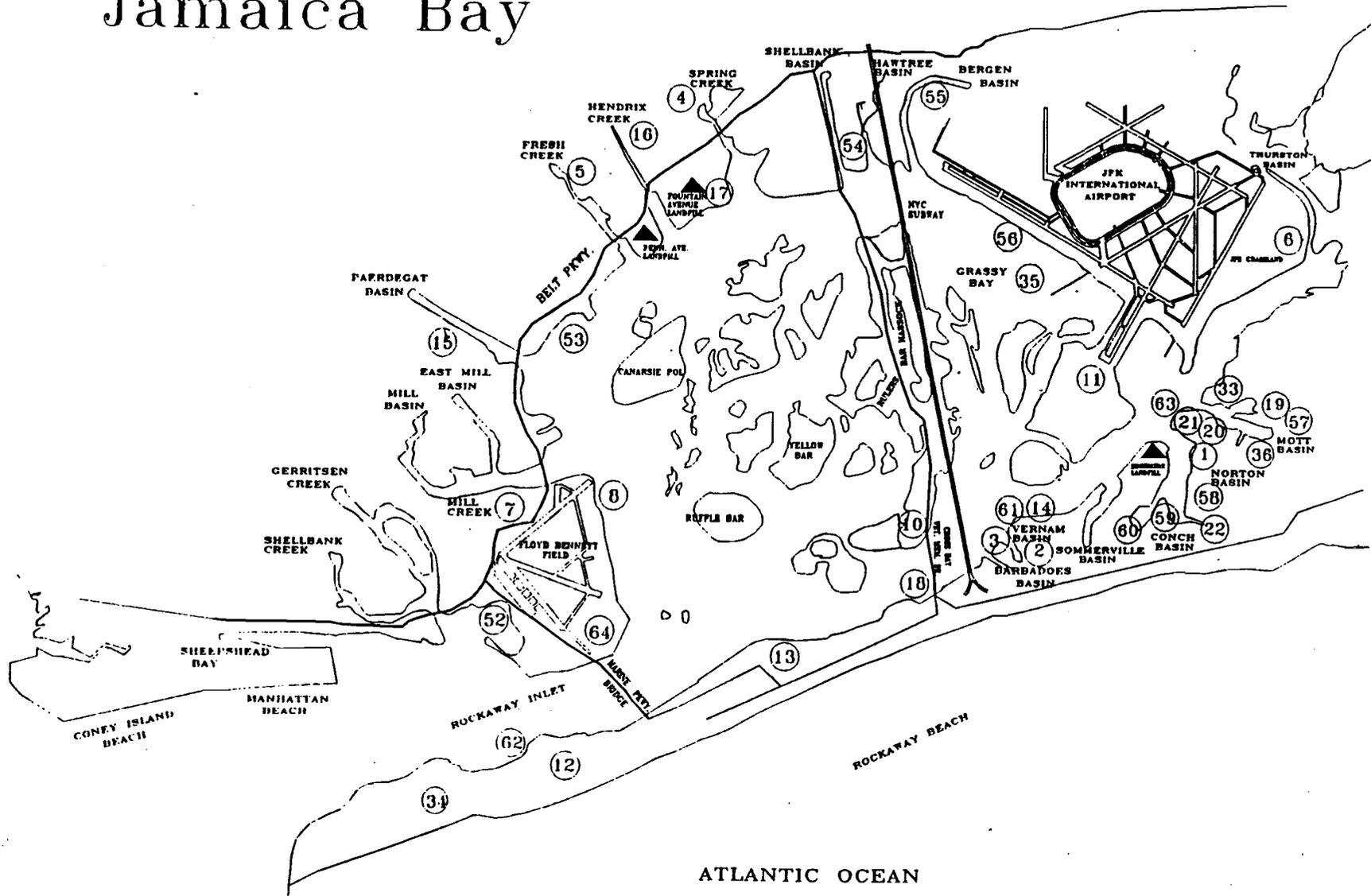


Table 1: Summary of Project Proposals

Proposal Number and Site Name		Description	Rank	Location	Map Number
1-A	Healy Ave.	Purchase parcel for addition to park	I	Jamaica Bay	1
1-B	Healy Ave	Install guardrail / Restore wetlands	I	Jamaica Bay	1
2-A	Brant Point	Purchase parcels to consolidate holdings	I	Jamaica Bay	2
2-B	Brant Point	Wetlands enhancement/Shrub and meadow restoration	I	Jamaica Bay	2
3-A	Vernam-Barbados	Transfer of land from NYC Economic Development Corporation to NYC Parks	H	Jamaica Bay	3
3-B	Vernam-Barbados	Restore maritime heathland and grassland / Create access road / Install protective guardrail	H	Jamaica Bay	3
4-A	Spring Creek	Purchase land for consolidation of holdings	H	Jamaica Bay	4
4-B	Spring Creek	Salt marsh planting / Clean-up / Protective Guardrail	H	Jamaica Bay	4
5-A	Fresh Creek	Transfer from NYC Department of Real Property to NYC Parks	H	Jamaica Bay	5
5-B	Fresh Creek	Purchase of land for consolidation of NYC Parks holdings	H	Jamaica Bay	5
6-A	Hook Creek	Transfer of Parcels to NYC Parks	I	Jamaica Bay	6
6-B	Hook Creek	Purchase of In-Holding Private Land	I	Jamaica Bay	6
6-C	Hook Creek	Install Guardrail for Security	I	Jamaica Bay	6
7-A	Four Sparrow Marsh	Transfer of Land from NYC EDC to Parks (Or Agreement on Protection)	H	Jamaica Bay	7
7-B	Four Sparrow Marsh	Woodland/Shrub Plantings for Erosion Control and Installing a Protective Guardrail	H	Jamaica Bay	7
8	Long Pond	Purchase Privately Held Parcels	H	Staten Island	23
9	Butler Manor	Purchase Privately Held Parcels	H	Staten Island	23
10	Pelham Bay	Intertidal Wetland Restoration	H	Bronx	24

Proposal Number and Site Name	Description	Rank	Location	Map Number	
11	Twin Island Marsh	Restoring Tidal Inundation with Culverts	H	Bronx	25
12	Turtle Cove	Restore Tidal Flushing - Bank Regrading	H	Bronx	26
13	Unspecified	Artificial Reef	L	Jamaica Bay	
14	Unspecified	Phragmites Management	L	All 3 Areas	
15	Navy Pier	Restore Fishing Access	L	Jamaica Bay	8
16	Jamaica Bay	Restore Fishing Access (Various Projects)	L	Jamaica Bay	
17	Broad Channel	Restore Interpretive Kiosk and Bathroom	L	Jamaica Bay	10
18	Airport Extension at JoCo Marsh	Install Culverts to Restore Tidal Flow	L	Jamaica Bay	11
19	Jamaica Bay	Access Restriction	L	Jamaica Bay	
20	Far Rockaway	Piping Plover / Least Terns	L	Jamaica Bay	12
21	Unspecified	Upland Sand Piper Habitat Creation	L	All 3 Areas	
22	Unspecified	Enhancement of Public Access/Educational Materials	L	All 3 Areas	
23	LILCO Property	Purchase Property	H	Jamaica Bay	13
24	Hook Creek	Inter-Agency Transfer / Park Designation	H	Jamaica Bay	6
25	Dubos Point	Purchase Land	H	Jamaica Bay	14
26	Paerdegat Basin	Transfer Land to Parks and Protect	H	Jamaica Bay	15
27	Hendrix Creek	Inter-Agency Transfer	H	Jamaica Bay	16
28	Vandalia Dunes	Purchase Land - Limit Development	H	Jamaica Bay	17
29	Beach 90th Street	Purchase Parcel	H	Jamaica Bay	18
30	Mott Basin	Purchase Private Parcel	H	Jamaica Bay	19
31	Mott Peninsula (Bayswater Park)	Acquire Several Private Parcels	H	Jamaica Bay	20
32	Bayswater Park	Restoration of Tidal Wetlands	H	Jamaica Bay	21
33	Norton Peninsula	Transfer and/or Open Space Easements and Acquisition	H	Jamaica Bay	22

Proposal Number and Site Name		Description	Rank	Location	Map Number
34	Unspecified	Plant Submerged Aquatic Vegetation	L	All 3 Areas	
35	Grassy Bay	Rehabilitate Dredging Site	L	Jamaica Bay	35
36	Seagirt Ave.	Purchase Parcels Containing Tidal Wetlands	L	Jamaica Bay	
37	Palmer's Inlet	Purchase of Parcels to Protect Access to Historic Fish Weir	H	Bronx	27
38	Pugsley Creek	Purchase of Parcels or Easements to Consolidate Holdings	H	Bronx	28
39	City Island	Purchase land containing salt marsh	H	Bronx	29
40	Harbor Herons	Purchase Land with on-site restoration	H	Staten Island	30
41	Pelham Bay Park	Eastchester Bay Coastline, Restore a highly altered coastline that was originally rocky	H	Bronx	31
42	Pelham Bay Park Ferry Point	Grasslands Restoration	L	Bronx	32
43	Greenwich Property	Creation of an Intern Center	L	Jamaica Bay	33
44	Unspecified	Purchase boat for research and educational purposes	L	All 3 Areas	
45	Breezy Point	Gull Management	L	Jamaica Bay	34
46	Jamaica Bay	Rockaway/Gateway Greenway Bike Path	H	Jamiaca Bay	
47	Jamaica Bay (Various Sites)	Grassland Restoration	L	Jamaica Bay	
48	Bronx River	Expansion of Water Quality Monitoring	L	Bronx	
49	Bronx River	Shoreline Habitat Restoration for Soil Conservation	H	Bronx	
50	Bronx	Expand Community Education and Outreach Programs	L	Bronx	
51	Paw-Paw Woods	Land Purchase	H	Staten Island	23

Proposal Number and Site Name		Description	Rank	Location	Map Number
52	Gerritsen Inlet/Dead Horse Bay	Intertidal wetland restoration/cleanup, upland restoration and phragmites control	H	Jamaica Bay	52
53	Canarsie Beach	Wetland and upland restoration/cleanup and security guardrail	H	Jamaica Bay	53
54A	Hawtree Basin	Tidal wetland restoration	H	Jamaica Bay	54
54B	Head of Hawtree Basin	Enhance intertidal and high marsh wetlands and phragmites control	H	Jamaica Bay	54
55A	Bergen Basin Bulkhead	Restore and enhance wetlands	H	Jamaica Bay	55
55B	Bergen Basin Western Point	Tidal wetland restoration	H	Jamaica Bay	55
55C	Bergen Basin Subway Site	Enhance intertidal marsh and debris removal	H	Jamaica Bay	55
56	JFK Shoreline Enhancement	Tidal wetland enhancement	H	Jamaica Bay	56
57	Mott Basin	Tidal wetland/upland enhancement and debris removal	H	Jamaica Bay	57
58 (1b)	Healy Avenue	Tidal wetland restoration, upland restoration and security guardrail	H	Jamaica Bay	58
59	Conch Basin, Southeast Shore Front	Wetland restoration and debris removal	H	Jamaica Bay	59
59B	Conch Basin, Head of Bay	Tidal wetland enhancement and debris removal	H	Jamaica Bay	59
60A	Sommerville Basin - East Side	Tidal wetland enhancement and phragmites control	H	Jamaica Bay	60
60B	Sommerville Basin - West	Restoration of tidal wetlands, debris removal and possible fishing access	H	Jamaica Bay	60
61	Vernam Barbados	Tidal wetland enhancement and debris removal	H	Jamaica Bay	61
62	Breezy Point	Dune stabilization	L	Jamaica Bay	62

Proposal Number and Site Name		Description	Rank	Location	Map Number
63 (32)	Bayswater State Park	Shoreline naturalization by removal of rip-rap and enhance the tidal wetland	H	Jamaica Bay	63
64	Floyd Bennett Field	Shoreline naturalization and tidal wetland restoration	H	Jamaica Bay	64
65	South Garden, Jamaica Bay National Wildlife Refuge	Fresh water pond creation	L	Jamaica Bay	
66	Beach 80th Barbadoes	Tidal wetland creation	H	Jamaica Bay	
67	Arverne Renewal Area, Beach to Bay Park	Recreational access	L	Jamaica Bay	
68	Jamaica Bay (Various Sites)	Phragmites management	L	Jamaica Bay	
69	St. Francis Seminary	Acquire sensitive parcels	H	Staten Island	

Section 4: Additional Projects

These projects were submitted too late to be included in the Reconnaissance Report, but were considered for prioritization in this document. Project numbers in parentheses are references to projects already in the Reconnaissance Report. Additional new project ideas may come up throughout this next planning phase that are not part of this document, but are potential candidates for restoration efforts. These potential projects may be considered for inclusion into the planning process.

The majority of the additional project proposals were submitted by New York City Department of Environmental Protection through the Army Corp of Engineers Preliminary Reconnaissance Study. These proposed projects are discussed below in proposal numbers 52 - 64. This study was undertaken because of an environmental restoration program designed to make environmental improvements to offset habitat degradation related to the Corp's activities past or present. In conjunction with such initiatives Jamaica Bay has been identified as a suitable candidate for such restoration. A preliminary report was generated from this study and addresses the impacts and potential restoration work. This preliminary work will require further study.

These environmental restoration programs require cost-sharing partners. Currently, NYCDEP is in the process of finalizing a study plan with the ACOE for a cost-shared feasibility study to investigate alternatives and develop detailed plans to implement this habitat restoration project for Jamaica Bay including measures to correct water quality problems. The Jamaica Bay Damages Account Restoration Project has been working closely with these two agencies on this initiative and has a desire to cost-share in the construction of recommended habitat restoration plans, making this effort a comprehensive federal state and local effort to this targeted ecosystem and to integrate all efforts of the agencies involved.

The remaining additional projects (proposals 65-69) were suggested by Gateway National Recreation Area staff, The Friends of the Rockaways and NYSDEC.

PROPOSAL NUMBER: 52

SITE: Gerritsen Inlet/Dead Horse Bay

MAP NUMBER: 52

PROJECT: Shoreline enhancement

TYPE: Restoration/clean up

PROPOSED BY: NYC DEP

DESCRIPTION: 1 acre of intertidal/upland restoration: debris removal, phragmites control, vegetation planting

ESTIMATED COST: \$40,310

PROPOSAL NUMBER: 53

SITE: Canarsie Beach

MAP NUMBER: 53

PROJECT: Wetland and upland restoration, upland cleanup, guardrail (for site security), upland planting

TYPE: Restoration

PROPOSED BY: NYC DEP

DESCRIPTION: 1 acre intertidal restoration, spartina planting, guardrail for securing site, site cleanup.

ESTIMATED COST: \$26,320

PROPOSAL NUMBER: 54-A

SITE: Hawtree Basin

MAP NUMBER: 54-A

PROJECT: Tidal Wetland Restoration

TYPE: Restoration

PROPOSED BY: NYC DEP

DESCRIPTION: Regrade upland to intertidal inundation levels, replanting

ESTIMATED COST: \$52,680

PROPOSAL NUMBER: 54-B

SITE: Head of Hawtree Basin

MAP NUMBER: 54-B

PROJECT: Enhance intertidal and high marsh

TYPE: Enhancement

PROPOSED BY: NYCDEP

DESCRIPTION: Regrading and phragmites removal/control, replanting. Possible trenching to restrict freshwater. (Not included in estimated cost).

ESTIMATED COST: \$128,250

PROPOSAL NUMBER: 55-A

SITE: Bergen Basin Bulkhead

MAP NUMBER: 55-A

PROJECT: Restore and enhance Tidal Wetlands

TYPE: Restore and Enhance

PROPOSED BY: NYCDEP

DESCRIPTION: Partially remove derelict shoreline stabilization structures, regrade and replant.

ESTIMATED COST: \$137,725

PROPOSAL NUMBER: 55-B

Bergen Basin Western Point

MAP NUMBER: 55-B

PROJECT: Tidal Wetland Restoration

TYPE: Restoration

PROPOSED BY: NYCDEP

DESCRIPTION: Removal of sludge storage building, regrade and replant both intertidal and high marsh

ESTIMATED COST: \$150,000

PROPOSAL NUMBER: 55-C

SITE: Bergen Basin Subway Site

MAP NUMBER: 55-C

PROJECT: Enhancement of Spartina Community

TYPE: Enhancement

PROPOSED BY: NYCDEP

DESCRIPTION: Debris removal supplemental by planting Spartina alterniflora

ESTIMATED COST: \$26,400

PROPOSAL NUMBER: 56

SITE: JFK Shoreline Enhancement

MAP NUMBER: 56

PROJECT: Tidal Wetland Enhancement

TYPE: Enhancement

PROPOSED BY: NYC DEP

DESCRIPTION: Substrate elevation, spartina planting.

ESTIMATED COST: \$436,000

PROPOSAL NUMBER: 57 (30B)

SITE: Mott Basin

MAP NUMBER: 57

PROJECT: Enhancement of tidal marsh and upland

TYPE: Enhancement

PROPOSED BY: NYC DEP

DESCRIPTION: Debris removal, grading and extensive planting

ESTIMATED COST: \$84,680

PROPOSAL NUMBER: 58 (1B)

SITE: Healy Avenue

MAP NUMBER: 58

PROJECT: Install guard rail, restore tidal marsh and upland, fishing access

TYPE: Restoration/Enhancement

PROPOSED BY: NYC DEP/ NYC Parks

DESCRIPTION: Remove concrete relieving platform, plant saltmarsh, restore upland meadow and stabilize dune.

ESTIMATED COST: \$200,000 +

PROPOSAL NUMBER: 59-A

SITE: Conch Basin, Southeast Shore Front

MAP NUMBER: 59-A

PROJECT: Restoration of shoreline and salt marsh

TYPE: Restoration

PROPOSED BY: NYC DEP

DESCRIPTION: Debris and fill removal, grading and replanting of saltmarsh vegetation (Note: add access restriction. This is not included in \$294,140.)

ESTIMATED COST: \$294,140 + \$36,000 for guardrail (1500 ft.)

PROPOSAL NUMBER: 59-B

SITE: Conch Basin, Head of Bay

MAP NUMBER: 59-B

PROJECT: Enhance tidal marsh habitat 1.25 acres

TYPE: Enhancement

PROPOSED BY: NYC DEP

DESCRIPTION: Remove asphalt and concrete rubble and revegetate.

ESTIMATED COST: \$93,900

PROPOSAL NUMBER: 60-A

SITE: Sommerville Basin - East Side

MAP NUMBER: 60-A

PROJECT: Wetlands enhancement through phragmites control

TYPE: Enhancement

PROPOSED BY: NYC DEP

DESCRIPTION: Upland debris removal, grading and replanting

ESTIMATED COST: ?

PROPOSAL NUMBER: 60-B

SITE: Sommerville Basin - West (Between DeCosta and Thursby)
MAP NUMBER: 60-B
PROJECT: Restoration of saltmarsh and fishing access.
TYPE: Restoration/Access
PROPOSED BY: NYC DEP
DESCRIPTION: Debris removal, grading, revegetation and possibly boat ramp construction
ESTIMATED COST: \$318,650

PROPOSAL NUMBER: 61 (3B)

SITE: Vernam Barbados
MAP NUMBER: 61
PROJECT: Enhance shoreline
TYPE: Enhancement
PROPOSED BY: NYC DEP
DESCRIPTION: Debris removal, grading and replanting
ESTIMATED COST: \$144,700

PROPOSAL NUMBER: 62

SITE: Breezy Point
MAP NUMBER: 62
PROJECT: Dune stabilization and marsh vegetation
TYPE: Enhancement
PROPOSED BY: NYC DEP
DESCRIPTION: Plant stabilizing beach vegetation to control erosion
ESTIMATED COST: \$27,710

PROPOSAL NUMBER: 63 (32)

SITE: Bayswater State Park
MAP NUMBER: 63
PROJECT: Shoreline naturalization
TYPE: Enhancement
PROPOSED BY: NYC DEP
DESCRIPTION: Remove rip-rap (concrete) in an area between the seawall and an emerged spartina area to enhance the existing spartina stabilization of the shoreline. (Addition to Audubon Project).
ESTIMATED COST: \$50,550

PROPOSAL NUMBER: 64

SITE: Floyd Bennett Field

MAP NUMBER: 64

PROJECT: Shoreline restoration

TYPE: Restoration

PROPOSED BY: NYC DEP

DESCRIPTION: Remove metal bulkhead, regrade upland and plant tidal marsh

ESTIMATED COST: \$242,450

PROPOSAL NUMBER: 65

SITE: South Garden, Jamaica Bay National Wildlife Refuge

MAP NUMBER: 65

PROJECT: Pond Creation

TYPE: Replacement

PROPOSED BY: Don Riepe, Jamaica Bay National Wildlife Refuge

ESTIMATED COST: Using the Return-A-Gift pond information, the digging of the pond by an excavator should be accomplished in a week's time at a cost of approximately \$20,000. The boardwalk blind, plantings, signage, etc. can be accomplished in-house at a cost of approximately \$10,000. Total Cost: \$30,000.

DESCRIPTION: Resource Management Proposal: South Garden Pond Creation

Rationale

During the past 10 years there have been several plans and attempts to create a small freshwater pond in a low-lying monoculture of phragmites just west of the South Garden area of the Wildlife Refuge District. A "Pond Suitability Study" conducted by Dr. Raul Cardena of Polytechnic Institute for the NY Audubon Society and Gateway NRA also listed this area as a candidate for placing a small pond. A paper entitled, "Management Strategies for Increasing Habitat and Species Diversity in an Urban National Park" (Cook, R.P. and Tanacredi, Jamaica Bay, T., 1990) extols the importance of freshwater habitats to species diversity.

Several years ago on Christmas Day, a fire burned about 5-6 acres of phragmites in the aforementioned area. The next Spring, many species of wading birds and waterfowl utilized the open, wet areas for foraging and roosting. As the area grew in, it became less attractive to wildlife. Creation of a small (1 acre), permanent, shallow, freshwater pond would provide a protected habitat for birds, mammals, herptiles, invertebrates and other wildlife. Such a pond would benefit visitors by affording close views of ibis, herons, egrets, etc. as they fly over the West Pond Trail to access the pond. In addition, a boardwalk and blind placed at the southeast section of the proposed pond would greatly enhance the park's "Watchable Wildlife" program by allowing easy access from the Visitor Center with closeup views for birders, photographers, school groups, seniors, disabled and the general public.

Pond size, depth, and configuration

Given the size of the general low-lying area of Phragmites bordering the South Garden, the pond should be at least 1 acre in size (200' X 200'). Depths should range from shallow, gradually sloped edges where

possible (1"-6") to mid depths of 4-5 feet. One section should contain a peninsula or finger of upland (40'-60') and a small island of fill in the center (10' X 6'). The shallow, gently sloped edges would provide habitat for shorebirds, and puddle ducks such as mallard, black duck and teal as well as ibis and herons. Deeper, center spots would ensure some standing water during mid-summer droughts. Some basking logs and brush would add sunning and nesting substrate for herptiles. Wood Duck and Tree Swallow houses would increase potential nest sites and interpretive value.

Plantings

Some planting of emergent and submergent vegetation such as duck potato, duck weed, pond lily, etc. should be tried as this would increase the pond's attractiveness both aesthetically and as a food resource for wildlife.

Boardwalk and Blind

Placement of a 100' boardwalk ending with a 16' X 8' blind at the southeast end of the proposed pond would provide visitor access without unduly disturbing most wildlife. It would be a great attraction to school groups and photographers as well as add a major point of interest to the South Garden area. It would also enhance the District's interpretation programs.

Proposal Number: 66

SITE: Beach 80th Barbadoes

MAP NUMBER: 66

PROJECT: Wetlands Restoration

TYPE: Restoration

PROPOSED BY: Friends of the Rockaways

ESTIMATED COST:

Reported topsoil theft on this industrial zoned site has led to a significant restoration of an intertidal wetland pool. In spite of rip-rapping, the tidal exchange exists and the pool contains killifish that are fed on bay egrets and other long-legged wading birds. Several years ago even a Great Blue Heron flew up near the northerly portion of the site environs of the pool.

This site has also been proposed for a big recycling plant (see Terrapin Point (proposal # 3) discussion. There was opposition that led to an agency TWA action that stopped the proposal and an operation that was unpermitted.

This site, aka "Rockaway Industrial Park", was in the early '70's proposed for light industry but there was discovered potential plans for a tank farm facility and plans were dropped.

Given that there is this succession and even patches of Spartina patens at the tip (in spite of dumped-on uplands) the site should be researched for acquisition with limited recreational development. The site welcomes people into Rockaway entering by subway and there is sensitivity to the impression an industrial dump and waste station produces on the watershed of Jamaica Bay. If there has to be some development, there have to be monitored performance standards. NYSDOS Enforcement Division produces little evidence of monitoring of local waste activities.

PROPOSAL NUMBER: 67

SITE: Arverne Renewal Area, Beach to Bay Park

MAP NUMBER: 67

PROJECT: Habitat Preservation and Recreational Access

TYPE: Restoration

PROPOSED BY: Friends of the Rockaways

ESTIMATED COST:

Friends of Rockaway, Inc. has sought habitat protection for this 308 acre renewal area site on the Atlantic side of Rockaway and for any development proposals to be in compliance with the 44 NYS CMP policies (and the 12 NYC related policies). There is a Duke Kahanamoku Way legal dedication at B38th Street (as entrance to an official surfing beach dedicated to father of American surfing Duke Kahanamoku) that we pioneered as a water-dependent use symbol. We have also proposed a Matthew Henson African American Coastal Hero Park (polar explorer under Peary expedition-neglected though arrived at North Pole first when Peary took ill) for a Beach to Bay facility.

Furthermore, to promote sensitivity to coastal erosion and to protect habitat we have proposed resiting the boardwalk inland B20's to B50's 200-400' along a crescentic arc the perceived natural northeaster HTL in the reach (personal observation and checking of charts and aerial photographs). Dedication to the Martyred Civil Rights Workers (Chaney-Schwerner-Goodman) would be appropriate for this Sprayview Promenade proposal (for Sprayview Avenue behind the boardwalk there).

But the site is being strip-mined, dumped on, mismanaged (still R5 high densities are found at Beach 38th where the erosion is strongest and where beach as along the arc lasts only one winter storm cycle (such is the boondoggle fund wastage (FEMA/COE/NYS taxpayers).

More conservation is needed for the site and water dependent use and related recreational economic developments. A feasibility study could be funded to determine such development with habitat sensitive planning. This can be tied to exploration of upgrading NYC Parks Department Boardwalk and promenade facilities for interpretive activities of park rangers and even volunteers. There is much neglect of this boardwalk and its potential for waterfront revitalization. This is the shame of NYC and NY State!

A symptom of neglect is to find the NJ Liberty Park site mentioned as a succession habitat sensitive one in the CCMP but not the Arverne site where piping plovers try to nest, checkered white butterflies fly, monarch butterflies stream through late summer and fall, owls and hawks feed, cotton tail rabbit survive, etc. The Parks Department has a beach waste transfer station B64th-B65th near the boardwalk-such is its management concerns. Boardwalk tunnels for access by its trucks allegedly represent erosion threats-such is it management concern!

The NYCDOS topsoil strip miners have had seemingly more jurisdictional power over the habitat there than NYC parks so it is indeed a strange management program for a waterfront!

Would the Damages Account program consider funding a feasibility study for a new waterfront program that makes sense? Experienced planners are available to perform the analysis for such a waterfront program.

Such a plan would be good for both new and older residential developments.

PROPOSAL NUMBER: 68

SITE: Jamiaca Bay (Various Sites)

MAP NUMBER: 68

PROJECT: Mosquito Mitigation

TYPE: Restoration

PROPOSED BY: Friends of the Rockaways

ESTIMATED COST:

This is proposal # 14 pg 38 Phragmites Management/Restoration- Habitat Alteration with an "Open Marsh Water Management" focus (see discussion there)! Other methods are called for too for grass-roots funding. *To repeat will the Damages Account program fund such a local program?* It makes more sense than the construction-type proposals listed as worthy as they may be. *Public health and outdoors enjoyment are at a premium for this selection. If there is disagreement please will you explain?*

PROPOSAL NUMBER: 69

SITE: St Francis Seminary

MAP NUMBER: 69

PROJECT: Land preservation by purchase

TYPE: Acquisition

PROPOSED BY: NYSDEC Bureau of Lands and Forests

ESTIMATED COST: \$14,000,000

This beautiful glacial woodland and pond has both recreational and watershed protection values, its habitat value for butterflies, birds and wildlife give this area a high priority for acquisition . It would be a great addition to the Greenbelt.