

**Number:** **Comment 28**  
**Comment From:** Friends of Clearwater  
**Contact Information:** James Scarcella  
P.O. Box 040270  
Staten Island, N.Y. 10304  
Phone (718) 987-6037

Please use the Staten Island allocation of the Jamaica Bay Damages account to purchase the Hybrid Oak, PAW PAW Woods in Tottenville, Staten Island. This woodland/ wetland (part of designation A-15) is a beautiful area with streams, trees, plants, and wildflowers. Many migratory birds utilize this area. And there is a direct path to the beaches of Raritan Bay located here. Thank you for your consideration of this request.

**Number:** **Comment 29**  
**Comment From:** NY/NJ Harbor Baykeeper  
**Contact Information:** Bdg. 18 Sandy Hook  
Highlands, NJ 07732  
Ph: 908-291-0176  
Fax: 908-872-8041

November 3, 1994

Comments: Restoration of Natural Resources through Jamaica Bay Account

The NY/NJ Harbor Baykeeper supports the proposal to acquire Paw-Paw Woods in Tottenville, Staten Island by NYCDEC. It would be a significant addition to local and regional natural area preservation.

Two freshwater streams that flow into the Raritan Bay from the vicinity of Finlay and Carteret Streets in Tottenville should also be acquired and restored through the Jamaica Bay Damages Account. The natural hydrologic flow in these areas was greatly altered by the initial phases of residential wildlife loss and displacement, disruption of larger ecological systems including the designated AR-22 wetlands, water quality degradation, and the aggravation of flooding of local residences.

Along with reversing the above mentioned problems, the acquisition and restoration of these streams would provide the following benefits:

- Preserve and restore the ecological integrity of natural areas near Conference House Park
- Protect water quality of streams flowing directly into Raritan Bay
- Contribute significantly to the broader effort of preserving wildlife habitat and water quality in and around the NY/NJ harbor, as recommended in the upcoming Harbor Estuary Program Comprehensive Management Plan

Thank you for your consideration.

Sincerely,  
Gregory A. Remaud

**Response to Comments 4-29**

The Paw Paw- Hybrid Oak Woods is included in this document as high priority land acquisition project, see Section 3. The JBDA/DEC is committed to acquiring as much environmentally important land as possible with the limited funds available to be used for acquisition within the JBDA. The parcel's environmental qualities, proximity to the effected landfill area and the use of complementary funding will play a role in the ultimate decision.

**Number:** Comment 30  
**Comment From:** Friends of Rockaway, Inc.  
**Contact Information:** Bernard J. Blum, President  
 (Member HW.G.-HEP)  
 (Member NYC SLUDGE CAC)  
 67-11 Beach Channel Drive  
 Arverne, New York 11692

In RE: Will you please respond to Jamaica Bay Damages Account Report Comments Enclosed? No Illegalities Alleged But Note Suspicions of Unethical

Thank you for the call of October 17th as follow up to ensure our contribution to the range of testimonies on the important issue of how the available funds will be expended. The "Damages List" was held far too long away from public scrutiny while the Harbor Estuary Program was producing a "Jamaica Bay Comprehensive Watershed Management Plan" and the National Park Service - DOI at Gateway NRA, Chair of the Jamaica Bay Task Force", from our perception distance itself during the process. As explained to Director Condra at Regulatory Affairs the in-house NYCDEP watershed model for a slowly flushing bay is unsatisfactory, has not been reviewed by other agencies, and was inserted into the HEP's CCMP by "secret" government known to authoritarian state! Contradictions with NYC Comprehensive Waterfront Management Plan (visionary but not USURPED), and the 1978 Gateway Management Plan (Draft Environmental Statement-General Management Plan-DES 78-6 of 1978) set of proposals including restoration of normal flushing patterns needs to be coordinated in the regulatory review process

will not be helpful in ensuring resource protective actions and timetables that reportedly will be part of the final draft presented to the public. Thus it is important to ensure the best expenditure of available funds in accordance with any watershed protective goal of the HEP. Also please note that we filed the first watershed protective plan for the Bay-Rockaway complex in 1979 as testimony to CZM hearings specifically a proposal to make Rockaway and the Periphery of Jamaica Bay a Geographic Area of Particular Concern (GAPC) in the NYC Coastal Program. So this testimony represents a long period of concern with holistic resource protection a follows:

Site 2a-2b Map #2, pg. 30 - Brant Point

Friends of Rockaway prevented this site from being totally filled in with demolition, etc. In the early 1970's the State Attorney General interceded on our behalf using the new TWA regulations while the uplands within the parkland-refuge site need restoration that can be funded there are still several suggestions not mentioned as follows:

a) The total 16 acres can be added to with a site to the south bounded between the Hillmeyer Avenue right of way that has had used asphalt dumped on it (reportedly for flood control) and Alameda Avenue to the south and with Barbadoes Drive to the West and Beach 72nd Street to the East. This potential expansion site is low in grade and has always had a high water table that produces a phragmites type wetland. It was strip-mined this summer and has been in the past to produce mosquito ponding conditions in a rich remnant wildlife section (with abuse mentioned). The used asphalt berm along Hillmeyer was put in "without drains" to add to the "absurdity" of a local "Mosquito-Weed Program" in which strip-mining produces mosquito breeding sites! Availability should be researched but it is incumbent on agencies to undertake serious mosquito mitigation planning given increased incidence of mosquito vectored diseases and because it represents good public relations for conservation especially in neighborhoods plagued and in which outdoors enjoyment is so impacted.

b) The channelward sections of Spartina alterniflora wetland have been sloughing off due to presumably shipping and boating generated waves and the slope towards the dredged channel that begins below the scarped wetland margin facing the channel). Perhaps some floating breakwaters could be installed to mitigate the problem and given there is really just a relatively small expanse of wetland left relative to the demolition filed upland.

c) Whatever the final boundaries of the park-refuge consideration of "high bayside dune construction", under NYSDEC guidance, would satisfy perpetual flooding mitigation in the vicinity of this conservation effort.

Site 3a-3b Map # 3, pg. 31 - Terrapin Point, aka Vernam-Barbadoes Peninsula, aka Lost Point

This site was proposed for conservation back in the early 1970's as part of the 'Dubos Natural Areas dedication' and then later for a short while as Dubos Point when it was threatened by industrialization plans. By 1989 "Terrapin Point" was proposed by Friends of Rockaway Inc. as a relevant dedication to the memory of the Rockaway Algonquin Nation and linked to the attempt to have the NYC Parks Department sort out precolumbian cultural remains mechanically sifted during beach cleaning operations. Bernard J. Blum, President of the local group, has a collection of worthy purpose USACE has not commented so far, since their dredging contractors for beach nourishment are responsible for the cultural resource. But NYCOPRH claims "transported" remains of lesser value to be concerned with. With profile like the head of Terrapin turtle, and unbulkheaded (non-functional deteriorated one) it is

likely remaining available site for dedication is also linked to the local group's participation in regulatory reform to protect this species (game animal status with size and season limits imposed). When it was proposed for a Truck Assembly Plant back in 1989 even Public Development Corporation (now EDC) environmental consultants could not ignore there was a significant roosting area for black crowned night herons and has a diverse assemblage of other fauna and flora. Thus it is one of the most if not the most worthy proposal sites for conservation listed in the Damages Account!

So it is surprising, given industrial threats that have continued to date and with call for bulkheading of Rockaway's natural shores, that the language used to describe the site has a "disinforming aspect" with respect to total acreage available for conservation (23 of 26 acres to our knowledge). So it is unclear why only 12 acres is all that is mentioned for conservation. (See Consent Order Map and Several Pages Enclosed). Our knowledge of total acreage available dates back to the early 1980's when there was a meeting with the Port Authority of NY and NJ about conservation of two peninsulas (Conchs Hole Point and the smaller Vernam to Barbadoes one). They were rented from NYC as buffer sites with potential for navigational equipment. Real estate maps were obtained for both sites.

An update about the knowledge came about in researching ownership of industrialization threatened sites in and around Vernam and Barbadoes Basins in the 1990's. This has been at a time when a huge Transfer Station SWMP facility was proposed for a Beach 80th carting company site and there was a proposal for Concrete Recycling a Terrapin Point, and there has been strip-mining of topsoil and living vegetation by NYCDOS, NYCDOT dumping of used asphalt at a number of sites-WITH SOME PAVED ONTO TERRAPIN POINT-C&D dumping in massive amounts at the Norton Peninsula (proposal #33 Map #22 Pg. 46) and at other sites in the Arverne renewal area that has been termed "illegal landfilling".

Furthermore it came about that we were invited to a meeting at the Queens Borough President's office on the Terrapin Point land use issue given that local interests had arranged for a \$2 and one half million dollar Road and Pier proposal on a government bond supported list of projects (voter defeated) and there was interest in the conservation proposal that conflicted with the project. At the meeting a Consent Order was discussed, arranged between NYCDEC Attorneys and the NYC Corporation Counsel, that would dedicate all the peninsula to the Parks Department (but for 3 acres on the neck privately owned) in exchange for site contamination at the Brooklyn Navy Yard see pg 4, 5 and exhibit A Map (of Consent Order -DEC File No. R2-0213-92-07). *Specifically there is a missing 11 acres (12 + 11 = 23) in the language based on knowledge of about 26 available for conservation (includes for restoration).*

To "sweeten the deal" there was suggestion to NYCDEC and NYCDEP that there be arranged a trade for more Terrapin Point acquisition funds with cost of returning tidal flow to an impounded Mott Bridge Creek section related to proposal #36 pg. 47 Seagirt Avenue Site. In 1975 Water Resources (now DEP) had cut off tidal flow, there were alternatives, and no ratification of past acts permit was granted. But no mitigation nor penalties imposed in the decision (see Map for proposal #36 drawn by Gordon Colvin Environmental Analyst) January 13th '94 letter to Paul Gallay, Regional Attorney, on the proposed deal sweetener is enclosed as is letter to Commissioner NYCDEP Albert Appleton suggesting the trade. There were no responses. Thus Stream Application No. 24108-0098SP still is open for a useful trade (or restoration). *Will it be considered?*

There is uncertainty why access road for maintenance is needed nor is the location of a guardrail known in relation to three privately owned acres nor whether the three acres can be purchased in the future. But

one suggestion is a *Paman Interpretive Center* (dedication to last known Sachem of the Rockaway Algonquins) for environmental education including Native American culture linked to the cultural remains collected out of beach fills. A Terrapin Point petition (enclosed) explains all this and the need for conservation of the entire peninsula!

#### Proposal #4a-4b Spring Creek

In the early 1970's Friends of Rockaway Inc. alerted the Sierra Club and environmentalists Mr. H. Silverstein and son about a NYC DOS ashfill of a site off the Belt Parkway in Howard Beach. As result of compromise arranged by NYSDEC, using TWA, two acres were dedicated to conservation and the rest became residential development. So whatever is remaining there available for conservation is worthwhile to expend funds on. Unfortunately no detailed maps were provided at the workshop attended to gauge the extent of the effort.

#### Proposal #4a-5b Fresh Creek

The Sierra Club, through the efforts of Claire DePerrot and others, fought with allies like Friends of Rockaway Inc. lengthy struggles at DEC TWA based hearing to prevent wetlands destruction by developers along this creek. The Silversteins were assisted in environmental analysis by be and there was some success at the series of hearings to save as much as possible. So whatever has not been nibbled away at by development should be saved by expenditure of funds. As with other site proposals detailed maps should have been provided at the workshop to gauge protection efforts.

#### Proposal # 6a-6b-6c Map # 6 pg 33, 34

#### Proposal # 24 Map # 6 pg 43

These "Idlewild Park" Head of the Bay wetlands were recognized in the Friends of Rockaway GAPC proposal and became a GAPC in the City LWRP. With the Sierra Club and the Silversteins there was successful testing of the TWA and preservation of Hook Creek tributaries at several sites. But in recent times nibbling away proposals continue from roads to commercial development proposals. Indeed at the corner of Rockaway Turnpike and Brookville Boulevard there is a prominent recent concrete manufacturing facility on a filled private inholding (1993 or 1994 initiated but completed in '94 it would appear). Friends of Rockaway has questioned the permitting process for such impactive industrial developments there.

It should be noted that in the Meadowmere Park section of the turnpike across from a Pathmark shopping center C&D has been used for real estate development and this processed waste was also leveled at the southern end of the CASCO development. Such filling was encountered in Rockaway (proposal 33 Norton Peninsula) and so wetland and buffering sites are threatened increasingly by disposal pressures. All of these lands in NYC and any in Nassau County must be preserved! Port Authority airfreight facility development planning is another threatening factor to encourage conservation efforts (a hazardous waste dump site at the northern edge of the wetlands (a filled site) is under investigation for remediation and information. *Maybe this site should be remediated and restored for conservation (for dumping and development is an old story)? Once again maps were lacking and there is no explanation why proposal 11 and 12 (both in Bronx) are linked in the Damages Account publication. Why?*

#### Proposal # 7a-7b Map # 7 pg 35 - Four Sparrow Marsh

This Mill Basin site's conservation struggles date back to the '70's with local opposition to wetlands

destruction expressed and in the 1979 testimony. The proposal is certainly worthy and map presentation would have been appreciated. Mr. and Mrs. Buchwald were pioneers in such early conservation efforts.

#### Proposal #13 pg 38 Artificial Reef

This may be a worthy proposal at a glance. But there has been a considerable amount of dumping of concrete and asphalt demolition along the Jamaica Bay shoreline (for erosion control and disposal). Furthermore there have been proposals and operations of C&D processing and concrete grinding on the bay shoreline. The "attraction" of disposal activities to Jamaica Bay is problematic and should be avoided. Thus offshore reef production and enhancement activities should be the continued agency focus! More demolition hauling along Rockaway roads must be avoided by this suggested focus! Thus this form of disposal is not recommended while efforts to remove wastes from the bay should be encouraged! If there is not agreement please explain why?

#### Proposal #14 Phragmites Management/Restoration-Habitat Alteration

This is an excellent proposal and should be combined with "Open Marsh Water Management" for *mosquito mitigation!* *Indeed it is surprising that this conceptualization of management focus was not expressed as a benefit at least. Why?* At any rate it was expressed at a bay conference that phragmites adapts to grades where stagnant rainwater collects (altered grades or "contours") which encourages all the mosquito breeding. Thus restoration to tidally flushed wetlands and restoration of more flushing of wetlands (permitting access of mosquito larvae feeding killifish and their survival between high tides) is a great proposal and for a baywide mosquito mitigation program (in conjunction with other biofriendly methods)! Dubos Point (Proposal 25 pg 14 pg 43) has flushing problems in its tip there. Management parties there (NYCDPR-NYCAS and the Advisory Committee) need to be contacted for application of this proposal there. Low spots manufactured by previous grade-contour altering activities also need "restoration" to mitigate mosquito breeding beyond expected number. Will such contact be made when the proposal is enacted? There would be good publicity for all agencies and parties that become involve

#### Proposal #15 Ranger Road Bulkhead and Navy Pier

Improved access for fishing is important but the prime focus of funding expenditure should be for habitat-watershed protection. *Furthermore how is this proposal for bulkhead rehabilitation related to Hook Creek (proposal 24) and Dubos Point (proposal 25) where none is called for?* So a Terrapin Point Paman Center and "open Marsh Water Management"/"Phragmites Management" certainly should take priority (for such prioritization where the need is greatest for meaningful benefits). *If there is a disagreement why?*

#### Proposal 16 pg 40 - Restore Fishing Access

Early plans for Dubos and Terrapin Points included fishing piers. Furthermore enhanced access discussions on this issue have taken place in the 1970's at the Project 208's waterfront committee and in the 1980's at the Jamaica Bay Task Force. The NYC Parks Department already has published a veritable "Biblical Tome" on shoreline parkland use and access. But this exploration had little if any treatment of the issue for Jamaica Bay. How many studies ("comprehensive look") are needed when local voices are more knowledgeable? Unfortunately some of these voices are not sensitive to natural area protection but at least the issue is being expressed in public and by the public. So "while a motherhood type issue" expenditure towards it should not be a priority to habitat protection that has storm water pollution mitigation which affects fish consumption safety. Furthermore such expenditure should come from other funding sources. *If there is disagreement why?*

### Proposal 17 Broad Channel Interpretive Kiosk and Bathroom

How this proposal relates to 23 and 24 is questionable other than the funding source. As in the proposal 16 it must be said that habitat protection with positive impacts on fish consumption safety should be the priority in the Damages Account, funding should come from other sources. *Why if there is disagreement*

### Proposal 18 Culvert to Restore Tidal Flow at Kennedy Airport Runway Extension at JoCo Marsh

This "crucial proposal" for Jamaica Bay restoration is not found in the Jamaica Bay Watershed Plan proposed by NYCDPP and was inserted into the HEP's CCMP in an allegedly problematic style! It was being discussed in the early 1970's at the Project 208 waterfront committee, is found in Friends of Rockaway GAPC testimony of 1979, and discussion continued in the 1980's at the Jamaica Bay Task Force.

Friends of Rockaway actually wrote to the Port Authority on the culverts issue and met with the agency with Project 208 Cooperation. There is no written reply but USEPA and NYSDEC did send perfunctory replies that, by not stating, provided evidence of the need for Port Authority cooperation to accomplish this major restoration construction.

The need for the culverts or "sluice ways" is found on pg 56 of the 1978 Gateway Draft Environmental Statement. Such "sluice ways" are also proposed through the MTA subway trestle fill and the East and West Ponds. The need is also supported by the following quote from "Use Impairments of Jamaica Bay" by Anne S. West-Valle, Cynthia J. Decker, and R.L. Swanson (Marine Sciences Center The University at Stony Brook, NY 11794-5000) 1992.

"The 1962 extension of JFK Airport (runway 4-22L), obstructed the natural counterclockwise flow in Jamaica Bay and increased residence time of the creeks by threefold what it was 100 years ago, when the creeks were not bulkheaded (US Dept. of Int., 1976). Grassy Bay was transformed into a nearly stagnant pool in which fine grained sediments and their associated contaminants readily precipitate (Nat'l Acad. Sci., 1971.....(pg 22)

Thus proposal #35 for the rehabilitation of Grassy Bay through shallowing would not be enough to restore flushing action.

Even further support comes "for personal communication" with Eugenia Flatow (Director Coalition for the Bight, CoChair HEP's CAC., associate of Commissioner Albert F. Appleton) who admitted after an HEP meeting that shallowing up Grassy Bay (with USACE Dredging Forum Program inserted into the CCMP of the HEP) and other borrow pits would not be sufficient and that the culverting of the JoCo Marsh runway and of the MTA fill and the ponds would still be necessary to restore normal flushing patterns (paraphrase). *Is there an effort not to perturb the Port Authority in all of these deliberations but to ensure disposal of contaminated dredge spills off Rockaway and Coney Island and elsewhere? So perhaps Friends of Rockaway should be funded by the Damages Account to lobby for Port Authority involvement for what parties are doing so to undertake this important challenge? So with government facilitation this huge bureaucracy can fund the extension of a LaGuardia runaway the same process might facilitate culverting (even with excessing or 'powering down' their well funded staff if necessary). If there is disagreement please explain?* Note the Jamaica Bay Task Force will be agenda forming and at our request there will be discussion of the KIAC Cogeneration power plant with outfall into Jamaica Bay (needing SPDES monitoring of mineral salt, grease, and thermal impacts on the effluent and receiving

water-specifically Grassy Bay and its stagnant circulation and low DO). This discussion will be in the context of the proposal 18 approach by our efforts and any assistance would be appreciated! There is the expectation of obtaining some thermal plume diagram to gauge the impact but none has yet been obtained from Richard Newman Regional Engineer at the Water Division nor from Michelle Moore Senior Analyst at Regulatory Affairs contact for the permit. So the agency has also been "stagnant" but we keep hoping.

#### Proposal 19 Access Enhancement/Control (on Jamaica Bay)

The complaint about "limiting access caused by conservation" of land has been waged against conservation proposals in Rockaway. Even if those who complain are perceived as wishing access for land use approached that would significantly impact or destroy natural areas with bulkheading and fillin there is an agreement to be made for "enhancement of controlled access" for public enjoyment. But this should not be the priority of expenditures until significant habitat-watershed protection is achieved. But the approach is good anyway. There has been no real and significant waterfront recreational facility construction on the bay or oceanside of Rockaway for some time and even boardwalk or promenade facilities lack any interpretive aspect. Without destroying natural sites some such facility "would draw appropriate access" and provide for environmental education as well and about how not to abuse natural areas. But such does not happen in Rockaway and Gateway NRA sites are often too distant for such public education about access. Thus the Paman Center conceived of in the Terrapin Point proposal (Map #3 Vernam Barbadoes) makes sense as do some site selection for waterfront park and pier by the local planning board.

*Is there a municipal agenda to ignore Rockaway on such issues but concentrate on waste disposal and related industrial activity enhancement (for even the Parks Department has a beach waste Transfer Station near the boardwalk at B64th St, and the Sanitation Department has a strip-mined topsoil sifting station to the northeast at B63rd and Larkin Avenue, and NYCDOT has dumped large amounts of used asphalt at the park waste-transfer site)? Such is access enhancement Rockaway style on an abandoned municipal parking lot)? Only one of the abandoned parking lots has been appropriated for community recreation use.*

Bicycle and hiking route programs do exist that connect with Rockaway and the funding should come from those programs. But key guardrail construction, trails and signage could be attached to facilitating other conservation proposals.

#### Proposal 20 Far Rockaway Piping Plover/Least Terns Restoration

The presentation of this proposal is disinforming or at least problematic! First the Map on page 14 places Far Rockaway (eastern part of Rockaway) at the western end at Neponsit/Bell Harbor and secondly there is the lack of "protection of nest sites" in the project and type labels.

There is knowledge of a program handled by Christina Dowd of the DEC Fish & Wildlife Division (now back in Albany reportedly) to protect Piping Plover nest sites on the beach at 44th Street in Edgemere (just west of Far Rockaway) with reports of a USFWS program on the bayside also in Edgemere (but no definite observation of the sites). If "Far Rockaway" means the entire peninsula "it is still a timely program". *But cooperation is needed with the NYC Parks Department and FEMA regulations to bring under control all the mechanical transfer of sand with bulldozers and the mechanical sifting of the beach.* Such programs enhance wind and water erosion and temporary flood control dune constructions

(seldom if ever stabilized with fencing and never with beach grass) appear random. Then there are the endless four-wheel drive vehicular traffic that also has to be directed to avoid potential nesting sites. There almost appears to be a plan to frighten nesting shore birds away given megalopolis type aspirations of some locals and some municipal agencies who would be frightened themselves by increased nesting. At any rate such a program is a good idea that needs coordination. Thus in the B30's to B50's the Parks Department has permitted low dunes to build and vegetate on the beach. *Should development ever proceed in the renewal area will such potential nesting habitat be bulldozed away?* Note we have urged resiting of the boardwalk inland as well as CEHLine on a 'highly erodible beach nourishment boondoggle' B20's to B50's with such appropriate dune construction for whatever stabilization is possible there.

The widened beach intervals since 1976 are correlated with more ringbill gulls and there are certainly more laughing gulls. We would be interested in least tern nesting sites beyond those known at Breezy Point. Public education would be useful but could also lead to vandalism. *If there is disagreement with the aforementioned please will you explain why?*

#### Proposal 21 Upland Sand Piper at JFK Airport and other Jamaica Bay Sites

Upland sand piper populations might breed in the Arverne renewal area grassland patches and on the Edgemere landfill if it will really be closed and not appropriated for new composting and sludge dumping agendas or for more secret strip-mined topsoil transfer activities of the "Lot Cleaning" Division of NYCDOH, or expansion of bulkhouseholder waster processing on his mapped 'fraudulent parkland' site. A proposal to build a pier to barge in fill for closure (truck traffic mitigation) could serve other SWMP agendas. Hopefully all the bayside "really closed" landfills will be 'upland sandpiper heaven'. Please note also that the Arverne-Edgemere renewal area is never treated as sensitive habitat by municipal agencies nor so far by the CCMP!

#### Proposal 22 Enhancement of Public Access and Education at Gateway NRA

While a good idea this is not a priority when outside of the federal park there are so many conservation-water quality problems in the watershed that need attention. Federal resources should be utilized for the proposal. *If there is disagreement why?*

#### Proposal 23 Lilco Site NYCDEP Purchase

Since NYCDEP was invited to the October '93 workshop for this Damages Account and not a small grass-roots Friends of Rockaway, Inc. obviously it was easy to throw to (insert) this absurd proposal into a more conservation oriented list. But how is this acceptable on the following grounds:

1) This is a Superfund site given past coal gassification history (PAHs) and there has been NYSDEC and USEPA attention towards whatever contamination may exist. There is transformer equipment currently on the site (SW corner at B108 and Beach Channel Drive and concern with possible PCB contamination. But so far neither USEPA, NYSDEC, nor LILCO have indicated there has been any contamination problem. Second hand information indicates worker concern at the site about environmental health problems possible from being there. Note by letter of 3/10/93 NYSDEC was waiting for a Site Evaluation performed by USEPA and due that May. Information is always hard to obtain so if there has been any Consent Order for remediation it is unknown to us. Yet even commercial interests in the vicinity have noticed, as we have, mysterious soil removals on the site on which demolition has been bulldozed down too. If there is remediation by degrees who knows? USEPA Region II needs to be questioned.

2) In the past the site was discussed in terms of a shopping center (commercial enterprise). But it was worried over as a potential threat to the struggling Beach 116th Street commercial strip.

3) But the Lilco site has commercial value. The local government agency (Cbd. No. 14) reportedly did include it as one of the alternatives to a bayside public park with pier among more environmentally sites eg. Terrapin Point (aka Vernam Barbadoes Peninsula (3a-3b, Map #3 pg 31). Thus to relegate this large site to DEP waste facility planning, given few large sites available for public recreational-econom development that is not sensitive, would be a poor choice for expenditure of shrinking available funding

Proposal 24 Hook Creek

(See 6a-6b) This Hook Creek area and all Head of the Bay wetlands were of concern back in the early 1970's and were included in the 1979 GAPC testimony (to repeat proposal). *But why it is separated off from it is not explained in the damages account document. If it is assumed that there is no intention to confuse will an explanation please be provided for this number choice? Naturally, given the threats, all these wetlands and adjacent buffer should be saved as habitat and traffic (aircraft and automobile) mitigation for air quality impacts. The wetlands also provide airport buffer for ditching in case of mechanical difficulty.*

Proposal # 25 Map # 14 pg 43 - Dubos Point (Buffer Purchase)

*This site has been of interest to Friends of Rockaway Inc. as early as the late 1960's to early '70's. "The Greening of Jamaica Bay" by Joseph Kastner (Smithsonian Magazine, July 1990, pg 110) records this and notes how we are the pioneering group that arranged for the dedication with the Dubos Center and Mrs. Rene' Dubos. Dr. Dubos had coined the expression "Think Globally-Act Locally" and had arrange for the National Academy of Science Study that helped stop more runways into Jamaica Bay such as the JoCo Marsh Runway at Map #11 (Proposal # 18). Thus with all this involvement we were written out o the Buffer the Bay Revisited-X publication discussion of Dubos Point nor were not invited to the workshop in October '93 to have significant input wished into the Damages Account document. Please explain why no grass-roots groups were invited but a NYC Audubon is as well as a Trust for Public Land? This latter group was removed from the Dubos Point Advisory Group, and with struggle, Friend of Rockaway Inc. was given some significance. Yet there has been a purposeful exclusion from meaning full agendas there! Your agency bears full responsibility for the failure for protection of Terrapin Turtl nesting in a meaningful way (what NYC Audubon was not doing) and for erosion problems there than can also impact residential development on the sites that were available for buffering!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!*

Note "exclusion" from the Governor's Task Force on Coastal Erosion meetings (alleged on purpose in spite of testimony in 1988 on Queens CEHL siting) was not helpful to disseminate such ideas on backb erosion. Indeed a Plumb Beach type nourishment may be necessary in several years to maintain the upland nesting sites and the diversity of habitats too! Lack of NYSDEC oversight is deplorable (fires, over harvesting of hard shell clams, worms, Terrapin turtles (report of harvesting comes from NYCAS) Mosquito mitigation problems (also of DEC responsibility) is discussed with respect to Proposal # 14 p 38. Phragmites Management/Restoration Habitat Alteration with focus at the saltmeadow tip. But other parts of the site also need such management-alteration.

With the above stated it is unfortunate that, with all the effort expended allegedly to exclude us from meaningful management decisions, the expansion of residential development on disturbed (but functioning wetland and wildlife habitat) freshwater Phragmites marsh due south of Dubos Point was n

given proportionate attention! If this sounds harsh and cynical there may be a wish to investigate the "politics" of the conflicting parties (OR NOT) to gauge lack of efforts towards buffering with mosquito mitigation!!! Thus the site between B65th-B63rd Streets DeCosta to Thursby Avenue already has residential development though NYC Parks Dept. in 1989 circulated maps as is still to the local resident etc., indicating it is an expansion site as is still a site (wooded but topsoil scraped) between B65th-B69th Bayfield to DeCosta Avenues.

Of interest are reports of litigation already (needs verification) on foundation problems related to the high water table on the expansion site. When there was site clearing in 1993 Regulatory Affairs was contacted pointing out hydrological link between expansion site and Dubos Point (including reports of *Typha* along DeCosta, as well as *Gerardia Aqualins sp.*) and scouring rush (*Equisetum sp.*) but we were told that presence of DeCosta Avenue (even with presence of *Juncus gerardi* bayward of perimeter protective berm lining south side of DeCosta) prevented any regulatory process to require some buffer along the northern portion of the site. For years the middle of the site was a regular puddling site for ducks (due to spring rains and high water table) and from this perspective it seems a problematic construction site. Note at a recent Dubos Point Mosquito Safari Day event (induced by our pressure but not really a program) ironically the construction site was conducting a "dewatering operation" that used Dubos Point as the receiving site.

At this time the construction site bears watching for maybe the eastern portion, not yet built on and facing industrial site (auto junkyard, etc.), might be worked into some buffering strip with mosquito mitigation funded. But it may be too late! *Will NYSDEC staff research this and also any available buffer strips south of Dubos Point along B63rd St that has also been cleared for residential development?* These sites, either side of B63rd and south of Thursby Avenue, could have been part of a Beach to Bay Park (see original Buffer the Bay and '60's-early '70's local government agency (CBD # 14) plans) with some serious Coastal Management agency coordination of other agencies and programs (CMP/LWRP coordination with other agencies)! Note Ring Necked Pheasant, Cotton Tail Rabbit, Raccoon, White Foot Mouse, Fowlers Toad still exist on these sites or have already been bulldozed off. Terrapin turtles reportedly used to be crushed at B65th and DeCosta seeking nesting sites in an area that in the '50's -'60 still had some wood lots nearby where college professors birdwatched. Thus the nest sites at the point are more important (unless many of those females have already been harvested). The lack of attention to buffer planning is all too apparent to preserve remnant populations and habitat and there has been time in spite of development pressures. *The "boxing in" of Dubos Point is equivalent to the "boxing in" plans NYC has approved or is in the process of approving for Jamaica Bay (no matter the other buffering activities including the Damages Account program).* So it is relative and it all is 'redolent of manure' as program that is supposed to protect wildlife habitat and water quality in the CCMP! Note also that a lot of sludge was going to be dumped in the Edgemere Landfill across Sommerville Basin from the Dubos Point before the Contract fell through after tabloid and 20/20 revelation. There is redolence indeed!

#### Proposal #26 Paerdegat Basin

The efforts of Marilyn Vogel of the Sebago Canoe Club and others of the club kept pressure on municipal agencies in the '70's and afterwards to improve the water quality of this Jamaica Bay tributary and to protect natural shoreline around it. Whatever is left there of natural lands should be preserved to culminate such struggles. Hopefully DEP is continuing to improve water quality in the basin for water dependent recreation.

### Proposal #27 Hendrix Creek

Whatever can be preserved around this highly polluted creek (identified in Project 208 tributary studies) should be in connection to proposal # 28 Vandalia Dunes as the Damages Account recommends. Hopefully the DEP CSO abatement program will be functional at some future time to improve the water quality in all these north shore tributary creeks. If not at least remnant shoreline natural areas provide some mitigation.

### Proposal #28 Vandalia Dunes

This site, also considered along with the creek shorelines in the 1979 Friends of Rockaway GAPC proposal, never made it into the NYC Planning Commission's "Comprehensive: Waterfront Plan". Thus the "Gateway Estates" proposal for about 3200 units along with the Edgemere 800 and Arverne 7500+ units amounts to considerable "boxing in" of available wildlife habitat on the Jamaica Bay. The point has been made that there are sites in the "urban core" (including Brooklyn) suitable for residential development and so there is no need to move onto the CMP/LWRP storm surge floodable zone.

Thus NYC and NYS policies are in contradiction and the purpose of Gateway East (in part to protect bay and watershed with state and city agency cooperation) becomes defeated with increasing threats of habitat loss and water quality threats. Cumulative storm water pollution impacts of all development should be of concern in this connection! Naturally there is always the choice to destroy Nature. So given the odor from the adjacent Pennsylvania Landfill (across Belt Parkway) and this large remaining buffer and wildlife habitat site the "extreme development pressure" should be released with acquisition and limited if not to "no development" choice. How could that longstanding odor problem really be mitigated anyway? *If there is disagreement with the contradiction, habitat needs, and odor mitigation problems will there please be an explanation?* This critical upland buffer needs management as well as conservation. With volunteer educators and managers educational needs in the natural sciences could be satisfied and assist in a conservation proposal. Gateway NPS rangers could also be integrated into a site conservation proposal.

### Proposal # 29 Beach 90th Street

Between roughly B90th Street between the bay and Beach Channel Drive there is a strip of vegetated uplands that runs to roughly B86th Street. The site is bounded on the east by a marine concrete rubble L shaped groin and a remaining section of early 20th century bungalows on poles over the bay. Towards B86th there are lots with a nice stretch of intertidal wetlands. The strip is broken by "Rosies" Bait Station and Fish Store at about the B87-88th Streets.

For some reason the Trust For Public Land focused in on the B90th Street portion of the strip (it has a building from a former gas station on it) and omitted the vegetated strips with wetlands to the east. The omitted sites offer wildlife habitat (Brant feed close to shore noticeably in fall to spring) preservation opportunities, passive recreation opportunities (fishing and picnicking), and visual corridors for viewing the bay that other developments block. There is some nonfunctional bulkheading and a great deal of concrete ripped filled shoreline (Fucus covered) and with some improvements can serve this multi-use function.

At the moment the garage site has a hotel planned for it and a replacement bulkhead has already been installed. Reports are the builder feels constrained by visual corridor and height limitations imposed on the plans by the regulatory process. The Rockaway Beach Civics Association has been in opposition of

the development trend there and the blocking of a magnificent view of bridge and bay especially at night (with lights reflected of the surface). Buffer the Bay has been slow to assist and with current plans its a problematic picture.

*Will the Damages Account program please research the opportunities for acquisition for the aforementioned purposes explained along the entire strip as they exist and develop? There are those segments of Rockaway that would like a seaside hotel and maybe a trade might originate to fee the B90th Street site. But who knows? Thus the so called B90th Street site never was intended to be limited to the boundary the Trust for Public Land chose! The intertidal wetlands at the eastern portion should be included in any site acquisition and its critical to providing public access to the bay for passive recreation. Please make this neglected shoreline segment a priority for the program in the name of such access! Will this be done?*

Proposal 30 Map # 19 pg 45 - Mott Basin

Proposal 31 Map # 20 pg 45 - Mott Peninsula (Bayswater Park)

Proposal 32 Map # 21 pg 45 - Bayswater State Park Wetlands Restoration

Proposal 30-32 above are worthy but much has been accomplished already around Bayswater State Park The Beach 90th Street extended strip eastwards should not be neglected for public access certainties (note limited public access to conservation sites has been pushed as complaint by developer interests at the local government agency (CBD # 14) and one local media voice and so it would be more than suitable to explore this less sensitive strip (relative to others) for access and conservation). If there is disagreement why?

Proposal # 33 Map # 11 pg 46 - Norton Peninsula

This peninsula has been the site of extensive illegal landfilling with processed Construction and Demolition solid waste with an "herbicial character." No agency (NYSDEC, NYCDEP, USEPA) has accounted for the lack of plant growth nor has located the dumpers. The dumping ostensibly filled freshwater wetlands produced by constant strip-mining of topsoil by NYCDOS on high water table sites dumped on (but not needing strip-mining). A NYCDOS-IG investigation has been requested to account for all the missing topsoil from such sites and for which mosquito and flooding mitigation need not require a "contaminated" processed solid waste! The B43-44th Streets area has been the focus of the waste dumping. Many of the illegally dumped on sites are in the Edgemere renewal area and potential fo hazardous waste is supposed to be addressed. Rich Gardineer this summer, as Hazmat Director at Regior II NYSDEC, site visited and promised an analysis if NYCDOS provided equipment for taking grid depth samples. Note Red Bag fragments were removed from one very odorous and oily site (that was cleaned) and so there is potential cause to be suspicious! Frankly confidence in the agencies is at a minimum at this site and this is not the time to consider acquisition until some explanation is provided for the strip-mining and illegal C&D dumping. A request has been sent for removal (based on no permit for storage on public land (there is mix of public and private land dumped on) but so far there has been no movement by the bureaucracies on this mysterious operation site. There has come the suggestion that the waste, rather than local or at least not too far away, came from the Brooklyn Navy Yard contamination problem but there is no proof nor is there any that it came from some contaminated Port Authority site.

So will the Damages Account program please delay the acquisition process? Note there has also been a area block off by concrete along the shore there with some dumping this is a mystery too!

Proposal # 34 pg 46 - Plant Submerged Aquatic Vegetation

Discussion at H.G.-HEP and other information would indicate that turbidity and high nitrogen levels would make restoration difficult. Had there been a less selective invitee list for the October '93 Damage workshop to be sure there would have been more emphasis attempted on mosquito mitigation planning and upland restorations as well.

Proposal # 35 Map # 35 pg 46 - Grassy Bay Dredge Site Rehabilitation

Any consideration of this proposal at this time is more problematic for the following reasons:

1) There is a KIAC Cogeneration power plant tenant at J.F.K. Airport that "could be" linked to "phase" Liberty Pipeline industrialization plans for bay waterfront and environs. The plant was approved as not impactful but there are perceivable problems with thermal pollution in "stagnant" Grassy Bay! No thermal plume diagram has been provided as requested of NYSDEC but the recent long delayed Jamaica Bay Task Force placed the item on the agenda at our request. There was a commitment to prove more information at the next meeting and hopefully NYSDEC "regional water expertise" will participate. There has been discussion about neither the plant nor the pipeline being necessary based on updated energy needs review. But it is there and there needs to be more public review. Even the DEP CWMP does not mention this plant nor the Joco Marsh Runway "impairment" so there are a number of reasons to generate suspicion.

2) The same ex-DEC official, involved with the KIAC approval process, was until recently active as Port Authority representative at the Dredging Forum (with a function to dispose of contaminated dredged spoils by the USEPA-USACE coordinated program.) A Straw proposal has been under agency and public review to become an insert in the Harbor Estuary Program CCMP. There is concern, with the "need to dispose and cap" sediment planning, that proposals for less than uncontaminated sediments might be brought to the program central committee and somehow be presented under cost benefits analysis as suitable especially with capping. *And then what of other borrow pits disposal options?* This may appear farfetched but there is a perceivable USACE boondoggled in Edgemere beach nourishment related to borrow pit dredging that has the disposal option to the potential benefit of the Port Authority. So "all is imaginable" with good cause! *So while the bay borrow pit option was said to have been dropped (after public review) will sediment parameters be configured to appear less contaminated and thus more suitable? Will the Damages account program, therefore, refrain from funding considerations and focus more on mosquito mitigation and habitat restoration at sites eg., Dubos Point, Brant Point, Beach 90th Street site (extended), etc.?* (Note discussion at the Dredging Forum worried some publicly minded environmentalist about 'such' to "close-expand" the Mud Dump.)

**Proposal # 36 Seagirt Avenue**

As the Terrapin Point (aka Vernam-Barbadoes site 3a-3b) discussion states we had suggested a trade of the cost to restore tidal flow from this site through blocked culverts to an impounded section north of Seagirt Boulevard at B9th Street for more of the threatened peninsula.

We were party of interest back in 1975 to restore tidal flow to the impounded creek bed and shoreline

area and mitigation is still pending from our perspective (Stream Appl. No. 24108-0098SP).

Naturally the site (all of the creek north and south of Seagirt Boulevard (see DEC map) is in our GAPC Proposal and had not been forgotten when in 1991 we were invited to a scoping session (chaired by NYCDCP with NYCDEP representation) for a large 13 story high-rise proposed for the unimpounded section with tidal wetlands impacts (CEQR# 89-068Q). Both city agencies indicated there might be a City Permit but that USACE permitting would be problematic given that the proposal was "not water dependent" (see scoping map enclosed). There was advice to the developers and consultants that NYSDEC would also provide a permitting problem.

There was an attempt by us to insert this Seagirt Avenue unimpounded site into the NYC "Comprehensive" Management Program Reach 17 (includes Rockaway and Jamaica Bay) but without success. So it is timely to consider purchase of the entire area as shown on the 1975 map. It is functioning wetland habitat and it is threatened by filling and other shoreline modifications by commercial activities. It is remnant of all the line modifications by commercial activities. It is remnant of all the creeks in the area south of Seagirt Boulevard with drainage into the bay. Naturally there has been considerable modification since the early 20th century when this natural drainage existed.

We were recently invited to an informational meeting concerning a NYSDOT storm water retention pond/wetlands restoration project (Nassau Expressway NY Route 878 R, Broadway to Seagirt Boulevard, PIN 0072.12 Wetlands Report available from NYSDOT and perhaps Region I that suggested site). Rather than 'more Expressway involved arbicide' in the area we suggested examining whether the Mott Bridge Creek Seagirt Avenue and its impounded section could be an "alternate system" with some pipe engineering. Note the impounded section has become freshwater and generated a toad invasion that made the tabloids in 1993 and probably generates some mosquitoes (though reports of complaints are unknown). *There is concern that the NYSDOT project will become a mosquito generating nuisance so, if possible, why not remediate an already impacted site?* As is the Seagirt site does receive storm water at B5th Seagirt Avenue outfall and with both sites with unpaved shoreline there is storm water runoff mitigation provided and under normal condition mitigate street flooding during heavy rains and storm surge. *Thus will the Damages Account program please consider the preservation of these remnant wetlands (much modified drainage area) that serve multiple function?* Egrets and glossy ibis are observed there, red winged black birds, also feed, and even raccoons are reported to wander through. But there is little left to preserve so the application would be timely. *If preservation should not be a priority compared to already portions of the Mott Point State Park area (proposals 30-32) will the program please explain why not?* Ownership should be researched and note the impounded section (with its own development conflict against another multi-residence structure) has a For Sale sign Phone No. (516) 820-5900.

#### **Proposal #43 Bayswater Park-Greenwich Property Intern Center Construction**

Suffice it to say this is a worthy project but it is not habitat conservation as a priority represented. There is the suggestion the Damages Account program fund a mosquito mitigation/habitat restoration project of Friends of Rockaway Inc. at Dubos Point and elsewhere around Jamaica Bay. An interpretive center dedicated to Paman (see Terrapin Point discussion) would also be preferable to an intern center. Thus environmental and multicultural education could outreach to a wider public audience. Conservation of the Seagirt Avenue site (proposal # 29) is also more important than this one as worthy as it is. *If there is disagreement please explain?*

**Proposal #44 Boat Purchase and Outfitting For Research and Education**

The discussion of proposal # 43 applies to this other worthy proposal. Conservation should be a priority in agreement with CCMP of the Harbor Estuary Program and in this case foundation and donation sources of obtaining an outfitted craft should be sought rather than to compete with scarce funds. If there is disagreement please explain?

**Proposal # 45 Map # 34 pg 50 - Black -backed and Herring Gull Colonies Displacement/Eradication at Breezy Point**

For the sake of piping plover nesting success and for other species impacted by gull presence this is a worthy proposal. This proposal perhaps should be linked with the proposal 20 Map # 12 pg 41 Far Rockaway piping plover/least terns management project for an overall proposal to promote nesting success of this endangered species on the peninsula (as well as Terns, etc.) with interagency cooperation. If there is no agreement for this consolidation why not?

**Proposal #46 Rockaway/Gateway Class 1 Bike/Pedestrian Greenway**

While a worthy proposal this access enhancing and recreational utilitarian one should not be competing with scarce conservation funds “nor dare it be said much neglected mosquito mitigation” at Dubos Point and other shoreline sites. All the Rockaway conservation proposal might also share the \$300 thousand dollars suggested. But it is not explained the requirement that it is obligate for this sum to derive from the Damages Account. This is 'too arbitrary' given other needs! So this is not recommended from a grass-roots perspective. *The funds should be obtained from other sources. If there is disagreement please explain will you?* All these construction proposals generate outrage given problems attracting attention to all the C&D dumping, strip-mining of topsoil with flooding and mosquito breeding impacts, used asphalt dumping and the need for impacts analysis and habitat protection from the Arverne renewal area, to Terrapin Point, to the Norton Peninsula, etc.

**Proposal # 47 Upland Grassland Habitat Restoration (Gateway Estates-Vandalia Dunes Mitigation Sites)**

There is no explanation why "Gateway Estates" is mentioned at this proposal but not at proposal # 28 - Vandalia Dunes. This would be confusing to less informed reviewer and hopefully is just an oversight. At any rate there are other sites to remediate and protection of Gateway NRA watershed requires opposition to the Vandalia Dunes development.

**Site 1a-1b Map # 1 - Healy Avenue (Bayswater Park Addition)**

*If this is the Solow property or environs there certainly is habitat worthy of preservation in the area to be added to the park. Unfortunately maps are not available to determine exact location to any reviewer. But on faith, and given development threats, it certainly ranks just behind Terrapin Point/Dubos Point buffer/ Seagirt Avenue/B90th Street extended site, etc. listed sites.*

Thank you for your kind attention and concern.

**Response 30**

All proposals mentioned in your letter are included as possible projects for inclusion under the JBDA. Please refer to section 3 for Priority Ranking of Projects. Greater planning of individual projects is underway so that staff can begin the development of restoration plans and ultimately project

implementation. Individual project comments will be taken into consideration within this planning phase

**Number:** Comment 31  
**Comment From:** Broad Channel Civic Association Environmental Committee  
**Contact Information:** 435 Cross Bay Blvd.  
Broad Channel, NY 11693  
Contact person: Susan Williams  
(212) 560-5733  
Committee Chair: Dan Mundy

Received by FAX

This is in response to your announcement of Sept. 16, 1994 regarding the development of a restoration and enhancement plan for the monitoring of activities under the Jamaica Bay Damages Account.

The Broad Channel Civic Association's Environmental Committee has the following comments/suggestions concerning the three phases outlined in the announcement.

#### Phase I: Reconnaissance Goals

##### Types of Projects

- Removal and cleanup of debris from the waterways and wetlands surrounding and/or in Jamaica Bay.
- Enhancement of wetlands.
- Educational campaigns.

##### Possible Projects

- Contract to clean waterways and wetlands in and around Jamaica Bay.
- Create a tidal wetland educational park in Broad Channel at the site of the old Broad Channel Day Camp.
- Have wetland education added to the school curriculum by way of guest speakers knowledgeable in this area.
- Adopt a wetland adjacent to the school.

#### Phase II & III: Planning and Implementation Goals

The Broad Channel Civic Association Environmental Committee is interested in the cleanup of Jamaica Bay and is committed to the continued education of our fellow residents.

We would be interested in participating in any planning which would assist us in attaining these goals, and the implementation of restoration and/or educational projects which result from such planning.

If possible, our Committee would like to obtain, for review, a copy of the Jamaica Bay Damages Account Reconnaissance Report mentioned in the announcement.

**Response 31**

As stated in the Reconnaissance Phase Report, the JBDA is to be used to restore, replace or acquire the equivalent of natural resources determined to have been injured or lost as a result of release of hazardous substances from five landfills within New York City. The type of projects to be undertaken are acquisition and natural resource restorations. Please refer to Section 3 for potential projects to be undertaken with these funds.

**Number:** Comment 32  
**Comment From:** NYC Parks, Natural Resources Group  
**Contact Information:** Marc Matsil, Director  
830 5th Avenue  
New York, NY 10021  
PH: (212) 360-1417  
Fax: (212) 360-1426

Comments (Attach additional pages if necessary):

Thank you for the opportunity to comment on the Jamaica Bay Damages Account Reconnaissance Phase Report-Draft. Since we submitted our last priority projects, several proposals have been completed. Based on these actions, I would like to re-prioritize the projects. The restoration plan has several important components. As the five landfills in question are located in every borough, except Manhattan, and outstanding projects have been proposed for those boroughs, we recommend allocating the fund proportionately by borough. As a result, \$4.6 million would be spent in Jamaica Bay (Brooklyn and Queens); \$1.5 million in Staten Island; \$1.1 million in Pelham Bay Park, in the Bronx; Our recommendations build on pre-existing studies done by public interest groups (Protectors of Pine Oak Wood, Audubon Society, Trust of Public Land, GAIA Institute) and Parks' Natural Resources Group, and eliminate the need to perform new and costly assessments. The acquisitions will support the consolidation of publicly-held lands which will make their management more efficient, and magnify their resource value. The plan includes a provision for management and coordination, to be performed by Parks' Natural Resources Group (land transfer and restoration component on Parks property,) and NYS DEC, to ensure they are accomplished quickly and competently. The proposals all enjoy considerable community support.

The prioritized recommendations are as follows:

- 1) Pelham Bay Lagoon - Proposal 10, 1st highest priority (A top priority) (see additional attachment). Estimated cost: \$400,000.00
- 2) Turtle Cove, Bronx - Proposal 12, 2nd highest priority (A top priority). Estimated cost: \$500,000.00. (See attachment.)
- 3) Proposal 8 & 9, Long Pond and Butler Manor Acquisition, 3rd highest Priority (a top

priority). Estimated cost: \$1,500,000.00. In addition to the original proposal we wish to add site AR22 (see map). The site, Paw-Paw Woods, is in close proximity to Butler Manor located the Southwest corner of Hylan Boulevard on Page Avenue. Paw-Paw Woods contains the finest example of rare coastal oak barren containing white, black, red, pin oak in addition to uncommon post, chestnut, blackjack, scrub oaks, and rare hybridized species including Quercus Rudkini and Quercus heterophylla (Bartrams oak).

The site also contains State endangered (G5, SI) bleeding heart, willow oak (G5,SI), and PAV (G5-S2) and a glorious hibiscus pond. (See attached article and map).

4) Proposal 2A & B: Brant Point Acquisition (2A) and Restoration (2B). 4th highest priority (A top priority); Estimated cost: \$1,150,000.00

5) Proposal 1-A & B, Healy Avenue/Bayswater; Acquisition. Estimated cost \$1,500,000.00, and Restoration protection (1B), \$200,000.00 5th highest priority (A top priority). Cost: \$1,700,000.00.

6) Proposal 6 B & C. Hook Creek Acquisition and Restoration. 6th highest priority (A top priority) Estimated cost: Acquisition: \$600,000.00 and Restoration/protection: \$150,000.00. Total cost: \$750,000.00

7) Proposal 7 B. Four Sparrow Marsh, Protection/Habitat Enhancement. The Four Sparrow Marsh Preserve was recently transferred from NYC EDC to Parks. An MOU has been executed - 7th highest priority (A top priority). Estimated cost: \$100,000.00. Includes guardrail installation, 1 mile (measured) around perimeter of preserve. In addition, \$150,000.00 for buffer enhancements. Total: \$250,000.00

8) Management & Coordination: A top priority. Coordination and oversight for Parks restoration and acquisition are necessary to ensure ecological integrity and timeliness of projects. An ecologist hired by New York City Parks (reporting to the Natural Resources Group), and New York State Project Manager (reporting to NYS DEC), will initiate management plans to facilitate acquisition of properties, and restoration oversight. Wetland restoration projects require field supervision to check grades, establish biological benchmarks, and monitor the projects. As most, if not all of the projects are related to NYC Parks' properties (acquisition, land transfers from other City agencies, and restoration), this position would require necessary oversight by a Parks' employee. Cost: 2 positions x 3 years, (one for NYC Parks, one for NYS DEC):

\$30,000.00 base pay,

30.8% fringe,

5% annual increases:

Total: \$247,408.00

9) Proposal 3B Vernam-Barbados Restoration, 8th Priority. Wetland and meadow restoration. Estimate cost: \$750,000.00. NYC EDC has agreed to transfer the natural areas (wetlands, meadows and shrub

buffers) of Bernam Barbados to Parks

**Response 32**

Please see Section 3- Priority Ranking of Projects.

1. State of New York: Department of Environmental Conservation. Order on Consent Case # D: 0001-90-11.