

June 29, 2006

Speaker Christine Quinn
New York City Council
City Hall
New York, New York 10007

Commissioner Emily Lloyd
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, New York 11373

Dear Speaker Quinn and Commissioner Lloyd:

On behalf of the Jamaica Bay Watershed Protection Plan Advisory Committee, we are honored to submit the attached report, which contains the committee's recommendations for the New York City Department of Environmental Protection's (DEP) Jamaica Bay Watershed Protection Plan. We submit this report pursuant to Local Law 71. As you both are aware, legislation – Int. No. 376 – is currently before the City Council to extend the deadlines in Local Law 71, including requiring the committee to submit preliminary, rather than final, recommendations by July 1, 2006. The committee supports Int. No. 376, and in the event that it is enacted into law, as we hope will be the case, the committee requests that the recommendations in the enclosed report be considered preliminary recommendations.

The committee believes Jamaica Bay's value to the city, the region, and the nation to be immeasurable. The bay comprises one of the largest and most productive coastal ecosystems in the northeastern United States, and includes the largest tidal wetland complex in the New York metropolitan area. These wetlands serve as flood protection and shoreline erosion control for the homes and businesses of the encircling neighborhoods, as well as important nurseries for more than eighty fish species. Hundreds of species of birds use the bay as a critical stopover point on their migration routes and endangered and threatened species like peregrine falcons, piping plovers, and the Atlantic Ridley sea turtle call this area home. Accessible to the nation's most populated city by subway and bus, Jamaica Bay is a recreational haven and place of sanctuary for the millions of people who visit the area each year.

However, Jamaica Bay's resources are in jeopardy. Thousands of acres of the bay's marshlands are mysteriously disappearing. Scientists predict that, at the current rate, the marsh islands will vanish in less than twenty years. Poor, and in some places deteriorating, water quality remains a continuing problem in sections of the bay, and may even be spurring the marsh loss.

To address this crisis, the city last year enacted Local Law 71, which requires DEP to develop the plan to "restore and maintain the water quality and ecological integrity" of Jamaica Bay. Local Law 71 also created the committee and directed it to advise DEP on the watershed plan, including by developing specific recommendations for the components of the plan.

To this end, since last fall, the committee has been meeting regularly, including with DEP. In developing our recommendations, the committee considered the most current scientific information available on the problems confronting the bay, including by convening expert panels on the topics of stormwater and green building best management practices (BMPs), wetland loss and water quality. The committee also solicited input from the public by holding two public meetings together with DEP – one in Brooklyn and one in Queens – at the start of the process. The committee received a large number of comments at the meetings, as well as subsequent written comments, which are reflected in our report.

While the committee believes all the report's recommendations to be necessary to restore and maintain the water quality and ecological integrity of Jamaica Bay, we have identified fifteen recommendations as priorities. These priority recommendations are listed below and are also identified in the accompanying report. The committee believes that this suite of fifteen priority actions is of utmost importance for Jamaica Bay's future, and should be addressed immediately.

Priority recommendations to improve Jamaica Bay's water quality:

- Upgrade the 26th Ward and Jamaica wastewater treatment plants to tertiary treatment to reduce nitrogen inputs into the bay.
- Stop centrate processing at Jamaica Bay's sewage treatment plants or further treat centrate for nitrogen removal.
- Revise codes, guidelines and requirements that govern construction, reconstruction and landscaping of the city's public infrastructure, including sidewalk, street, median and public spaces, to incorporate minimum standards of performance for stormwater retention and infiltration.
- Implement a city pilot program that aggressively tests a variety of stormwater BMPs (e.g. green strips/medians, enhanced curb designs, use of porous sidewalk pavement) including through one or more area-specific pilot projects within the watershed area in both Brooklyn and Queens that would maximize use of such BMPs. Monitor and adapt the projects to generate a better base of information on the efficacy of different BMPs.
- With the goals of reducing water waste and lessening the impact on sewer systems, require that the city implement an aggressive public education program and a system of requirements and incentives to decrease residential and industrial water use in the Jamaica Bay watershed by 15 percent within 10 years.

Priority recommendations to improve Jamaica Bay's ecology:

- Expediently transfer city-owned wetlands and adjacent areas within the Jamaica Bay watershed/sewershed to a responsible public agency, per the recommendations of the Wetlands Task Force created by Local Law 83 (a seven-member group to inventory city-owned wetlands in the City of New York). The Advisory Committee recommends that the wetlands and adjacent areas identified by the Task Force within the Jamaica Bay watershed be protected from development immediately.
- Expand the buffer zone on tidal wetlands in Jamaica Bay from 150 to 300 feet.
- Implement a Transfer of Development Rights program in the Jamaica Bay watershed to encourage the preservation of existing open space.
- Fill degraded low-lying areas of marshes with sediment to help restore their historic footprint, and monitor results.
- Remove artificial barriers and obstructions to tidal flushing within Jamaica Bay.
- Develop a plan to monitor the spread of invasive species, assess impact on Jamaica Bay's health, and develop programs for control.

Priority recommendations to improve Jamaica Bay planning and outreach efforts:

- Increase the number of remote real time monitoring stations in Jamaica Bay and the infrastructure necessary to support these.

- Direct the Mayor's Office of Environmental Coordination to ensure that all relevant state, municipal and federal agencies are notified of construction and restoration activities and their impacts within the Jamaica Bay watershed/sewershed. Create a new Jamaica Bay watershed/sewershed environmental assessment form that ensures additional scrutiny of projects within the Jamaica Bay watershed, with an emphasis on environmental issues pertinent to the bay.
- Add access points in Southwestern and Southeastern Queens.
- Incorporate a unit on the Jamaica Bay watershed into city science and social studies curricula.

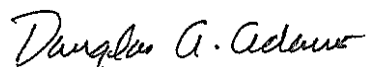
The committee hopes for and anticipates the passage of Int. No. 376, so that the committee, and DEP, can continue their work in developing both a vision and workable solutions for Jamaica Bay's future. In the event of Int. No. 376's passage, the committee also intends to conduct additional public and agency feedback on the preliminary recommendations contained in the accompanying report prior to submitting our final recommendations on or before June 1, 2007.

We look forward to continuing to work with the Mayor, the City Council, and DEP to safeguard and improve Jamaica Bay's natural resources.

Respectfully yours,

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Brad Sewell
Jamaica Bay Watershed Protection Plan Advisory Committee Co-Chair

A handwritten signature in dark ink, appearing to read "Doug Adamo", written over a light gray rectangular background.

Doug Adamo
Jamaica Bay Watershed Protection Plan Advisory Committee Co-Chair