PUBLIC HEARING

On the

JAMAICA BAY WATERSHED
PROTECTION PLAN

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APPENDICES:

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION and JAMAICA BAY WATERSHED PROTECTION PLAN COMMITTEE
BY: ANGELA LICATA, Deputy

NEW YORK CITY DEPARTMENT of ENVIRONMENTAL PROTECTION
BY: JOHN McLAUGHLIN

JAMAICA BAY WATERSHED PROTECTION PLAN ADVISORY COMMITTEE
BY: BRAD SEWELL

LEX REPORTING SERVICE
800-608-6085
MS. LICATA:

My name is Angela Licata. I'm a Deputy Commissioner for New York City Department of Environmental Protection and we are working very diligently on what we came to present to you tonight, the beginning of our Watershed Protection Plan for Jamaica Bay. And we are going to have a number of presenters tonight to explain the purpose of the meeting, so I don't want to detract from any of that, but I would like to simply open by stating that it is very important to me and to my colleagues at the department, as well as to our Commissioner, Emily Lloyd, that we make this process for watershed planning a very collaborative effort. And that's why very early on in the process, we've come to the community to get your input into this planning process.

Now, we don't expect that all of you will be, at this juncture in time, ready
and willing to provide us with comments that we asked about the process. So what we intend to do is to come back to you a few times, then have an iterative responsive planning process where we can incorporate your concerns as we all learn more together about the impairments or the concerns and issues that are affecting Jamaica Bay. And that is truly the intent of tonight's meeting as the underlying intent of the Watershed Protection Plan which is to ensure the productivity and sustainability of Jamaica Bay and to speak about what issues and what sort of a purchase we can take, maintenance, watershed to ensure its brighter future.

Jamaica Bay obviously is truly a crowning jewel in New York City's environment and its protection is a really worthy effort. So, at the current time I'd like to -- oh, remind you of a few housekeeping items.
If people would just sign in on the attendance sheet or if they would like to speak, on the speaker’s sheet, then we will ensure that we get you a transcript of tonight’s meeting so that you'll have a record of the proceedings.

John McLaughlin is going to take us through a little bit more in terms of introduction.

MR. McLAUGHLIN:
I guess we should just introduce some people at the table over here. It's Doug Rely (phonetic), he’s the Deputy Commissioner for Water and Sewer Operations. And Brad Sewell from NRDC is a member of the advisory committee. Also I'll introduce the rest of the advisory committee. Doug Adamo from National Park Service, Manny Caughman, Chris Zeppie, Dan Mundy, and Len Houston.
I just hope you've had a chance to look at some of the posters in the back before going through this and if you also had a chance to go over the local law in some detail. We will try to give you a very quick summary of it now.

Primarily what it does is it establishes a pathway towards restoring and maintaining the water quality and the ecological integrity of the bay, something that's been long overdue. And that local law then charges DEP to develop a comprehensive watershed protection plan in consultation with the advisory committee.

I just want to say why Jamaica Bay is important. It's a very critical ecological habitat and I just want to give a couple of reasons why I think it's important. It provides an important ecological, cultural,
recreational asset in a highly urbanized area, even though it's relatively small geographically, it has many diverse habitats. It contains salt marsh, also grasslands, woodlands, maritime shrub lands, and brackish and freshwater wetlands.

There's sufficient nursery for about 81 different fish species. It's a prime migratory route along the Atlantic Coastal flyway and it's a renowned herding location with 325 bird species recorded and about 62 confirmed breeds.

It's also a dry habitat for reptiles and amphibians, and small butterflies. There's actually 54 species of butterflies that utilize some portion of the bay.

Other reasons why it's important: it provides local marine research and acts as an outdoor classroom, provides --
perhaps this is the engineering side, provides flood control and protection against storm surges and protects the infrastructure. It's also a national pollution attenuator. And throughout the watershed it supports populations of about 214 threatened rare or endangered species, both flora and fauna.

Let's go through some quick summaries of local law. One of the tenants of it is restore and maintain the water quality and ecological integrity of the bay, and to do that, we'll assess the technical, legal environmental economic feasibility of the following: We will look at some BMP's within the watershed to minimize soil erosion, control saltwater runoff and also check on non-point and point source pollution, addressing threats to the aquatic habitat. Part of the things we will also be looking at is land acquisition. There is a map at the back that lists vacant property that's both
public and privately held. The scale of
the map makes it very difficult to see
how much is available. But there's a
small window we'll show you that some of
the parcels are very close together, and
with those closer parcels perhaps
something can be done.

Greater coordination between regulatory
agencies that have control over the bay
is needed. There are many federal,
state, local entities that have some
jurisdiction over the bay, but sometimes
we don't really work very well together.

Develop a protocol for coordination with
the New York City Offices of
Environmental Coordination, develop a
public education and environmental
awareness program and a program to talk
about existing regulations or modify
those to make those more efficient. And
then there are some problems that occur
in the bay. We have seasonal low
dissolving oxygen levels at select locations. That's primarily in the back of the bay closest to the airport. The shoreline contains degraded and disturbed public habitats. And the key factor, the reason for local law is the loss of wetlands within the bay.

Historically there are about maybe 16,000 acres, Dan maybe you can confirm that. Of that 16,000, about 14,000 has been failing over the past 200 years.

I mentioned that agency jurisdictional coordination. Part of the problem with the bay also is limited public access. We'd like to look at that. The Belt Parkway in effect may as well be a fence or a wall because you can't get to the bay. And also there's been limited promotion and public education about the bay. We'd like to increase that.

That's all things we can look at. The obvious one is public restoration. Look at some shoreline and habitat
preservation. I mentioned land acquisition. A key thing is major species control, large portions of the bay, since it does have construction filters on soils, it may have a model stand for either fragmities or above-water Japanese knotweed which can spread to other regions of the bay. Slow water management support, it's important to mention that. Maybe Doug could talk to you a little about some of the capital improvements being done to the sewer system within the watershed and also construction of CS sub tanks is going to be built at Padigan.

Some things we're looking at is if there's ways to increase circulation within the bay. We're kind of limited with that, since that may require substantial effort to try to increase that and eventually the greater regulatory intervention and interagency coordination and substantial public
education program.

Some of the things we are doing now, comprehensive water quality plan to reduce nitrogen at the four plants have discharged into the bay. Two are being upgraded 26th Ward and Jamaica. I mentioned combined sewer overflow, at basin tank. I believe that's a 45 million gallon tank that will ease some CSO vents. We have a floodables program, catch status; the catch basins within the watershed will have a hood to prevent that from getting into the water body in the first place. And then we're also a cost-sharing partner with the Army Corps on some large projects within the bay under a program called JPER.

It's not just us doing work in the bay, there's many other entities evaluating, restoring and looking at various things within the bay. They include the Army Corps, the National Park Service, Department of City
Planning, and Department of City Parks & Recreation. There's also Jamaica Bay Task Force, local elected officials and others. I don't know if Barbara Brown is here. She's from Queens Alliance, this evening, but she's also very key in this. Her group is trying to restore a portion of Ottawa Park which is the headwaters of the bay, which are extremely critical to the overall health of the bay.

This is a repeat of what I just mentioned, but there are other agencies, Department of Health & Mental Hygiene, Department of State, DEC and other environmental agencies having jurisdiction of the bay, EPA, Official Wildlife Service, and the National Marines Fishery Service. That's a quick summary. I'll turn it over to Brad.

**MR. SEWELL:**

Thanks, John.
I've got the honor of being up here representing the advisory committee for the Jamaica Bay Watershed Protection Plan. This advisory committee is creature of the local law that is requiring this plan to be developed. It set this advisory committee to do exactly what it suggests, to advise and consult with DEP for the purposes of developing the best possible plan and one that really came out of that consisted of public involvement in the maximum range and depth of the expertise as possible. So, who’s on the Jamaica Bay Advisory Committee, we're going to talk about? What will the Jamaica Bay Advisory Committee do? What's our work plan? That is how you all can get involved in this effort, right now on an ongoing basis, through the next few months and then in the months and years after that. So first, who's on the advisory committee? I actually want to
ask the committee members to introduce themselves again. We have someone come in, everyone has to identify who they're with and then there's additional information, far too much information, I'm sure, in the back in a handout with some background information on who each of us are and who we work for. I think it's what our background is that's relevant to this effort.

So, Doug, want to kick it off?

**MR. ADAMO:**
I'm Doug Adamo, Chief of National Resources at Gateway National Recreation Area, National Park Service.

**MR. CAUGHMAN:**
Manny Caughman, Community Board 12, community activist.

**MR. ZEPPIE:**
I'm Chris Zeppie, Director of Environmental Focus for the Port Authority of New York/New Jersey.

**MR. MUNDY:**
Dan Mundy from Jamaica Bay Eco Watchers.

**MR. HOUSTON:**
Hi, my name is Len Houston. I am Chief of the Environmental Analysis branch at the US Army Corps of Engineers, New York District office.

**MR. SWANSON:**
Larry Swanson, Associate Dean of the Marine Sciences Research Center, Stony Brook University.

**MR. SEWELL:**
As I said, the local law is what set up the advisory committee, and pursuant to the local law we have some very specific facts, and again, as I noted a few minutes ago, we're to provide advice on
an ongoing basis and we're also specifically to provide recommendations for what's to begin, the final plans developed by DEP, and that's submitted to the council. So, again, then the plan, it's a requirement again under the local law to include a DEP response to the advisory committee's recommendations, and then our term ends three months after the plan is completed.

So, areas for committee recommendations pretty much track what is supposed to be in the plan and what's already been gone over. We are supposed to provide recommendations on specific goals for restoring and maintaining the bay. The boundaries for the plan, then the measures to include in the plan, and John ran through these, and it's everything from different ways of controlling storm water -- storm water and problems associated with storm
water, together with effluent from the storm water treatment plants are primary problems in terms of the bay's water quality and some different ways of dealing with storm water and different ways of dealing with development planning, including land acquisition and then a number of processes ranging from public education to different coordination and enforcement protocols. And then we would have to look at the feasibility of these measures and actually inform our recommendations and then finally, to provide a schedule, give recommendations concerning the schedule for the plan, everything from interim to final milestones for what the plan should accomplish to schedules for implementation of specific measures and then finally some way of recommendations concerning how to figure out if we're making progress or not, so, sort of monitoring methodology.
Now, you want a goal as being obviously cooperative, but also independent from DEP. We would like to think that we are going to try to promote new approaches in areas that maybe fall outside the traditional things that DEP and the other agencies have been able to do, such as, sewage reduction and development of environmental controls. Would represent the views of multiple agencies, such as those that John mentioned and that are represented at the table, and then also the members of the public, and to serve you and then also serve in addition as sort of a larger resource for you in terms of questions about the plan and obviously provide input into the plan. Now, important dates coming up, in addition to this round of public meetings that we've concluded tonight, we're going to have additional public meetings significantly later in the process once we have a draft put together. Then
July, July 1st, under the local law, we submit our recommendations to DEP and the City Council. And then DEP will take those recommendations from there. Obviously there's going to be a lot of back and forth before that, but -- then DEP takes a final step in September and they submit their plan and then on an ongoing basis after that, there is reporting requirements by the local laws to see how the plan is doing. Now, what's our work plan, we're doing public outreach meetings now, were developing a preliminary draft of our various recommendations and identifying outstanding information needs and then in March, April we'll conduct some workshops to try to fill these outstanding information needs and then in May we're going to complete our draft recommendations, take more public comments and then finalize the recommendations in June and wrap it up by July 1.
And how you all can get involved is the most important part. Fill out a comment sheet tonight and anytime you want to submit a comment, suggestion, recommendation, issue, concern, you can get it to us. There's a web site that we have set up, which is listed here. And there are copies of this presentation in the back of the web site. That way, so you can get updates and meeting announcements along with contact information. By going to the web site you can attend public outreach meetings that will come later on. Encourage others to get involved. And if you want to send any specific plan suggestions, you can use me as a point of contact for the whole advisory committee and my address is listed. And that's it. So, thank you all for coming out again. And I think we're now going to take a couple of comments.
Dan, do you want to run this part?

**MR. MUNDY:**

Thanks, Brad.

First, I'd like to acknowledge that some elected officials or representatives that are elected officials are here today and we thank them for attending. We have representatives from the State Senate in Malcolm Smith's office, Senator Maltese, a council member from William Lloyd Comrie's office, from Assemblywoman Cook's office and from Councilman Jim Gennaro's office, and Queensboro President Helen Marshall's office. We thank you for attending. If anybody else came in after the sign-in sheet, I'm sorry I didn't have them, but you come up to me, I will get your announcement in before the end of the meeting. Thank you.
MR. MUNDY:
We have nine sign-ins and we would like to limit the talk to about approximately three minutes for each individual, so that everybody has an opportunity to speak tonight. So we would like you to close up when I walk up to the podium if your time is nearing.

There are four different sign-in sheets. I don't remember which one was first. I'm just going to take them in the order in which the sheets were given to me.

We have William Nelson.

WILLIAM NELSON:
Good evening everyone. My name is William Nelson. I actually had prepared some testimony and I'll hand this to the committee for a record, but I just want to touch on certain points. In looking at the presentation, I noticed that there were certain priority issues that
are established by the committee, one being, providing some access to the bay and some educational opportunities of the bay. Manny Caughman, who actually sits on Southern Queens Park Association's advisory board, knows that we've been working for several years, about five years through a Department of State grant to put together a study on how we can provide access on the bay. For years, Southern Queens Park Association, through a summer day camp has thousands of youngsters to the bay and you know, we found that to our dismay, you know, garbage being dumped in the bay and a whole lot of problems and issues here, and obviously we believe that if we opened up the bay and acquire some of those sites for, you know, for public use and park use, that we become sort of an ecological buffer and it would enable us to teach youngsters and adults about the beauty of the bay and not just, you know, what
we see there now and all the dumping that's occurring. So, I'm actually not going to take up too much time because I do have another engagement, but more detailed statements are what I handed to the committee and actually we are releasing our draft plan within the next few weeks and we want to share that with everyone when it comes out. So, thank you and I appreciate the time.

MR. MUNDY:
Thank you. I also have been handed a sheet saying that we have a representative of Senator Ada Smith in the audience, and we again thank you for attendance and participation in this event.

The next speaker we have is Michael -- it looks like it says, Michael Greene; is it? I might be pronouncing it wrong.

MICHAEL GREENE:
I really did not expect to be speaking
so early. I made sure to sign up kind
of late on the list but then it got
shuffled. I didn't have it all
prepared. I guess there are a couple of
things that came to mind that I would
like to say to this group. First of
all, what a great turnout. This is a
lot of people. I was very impressed
with the information in the back that
was displayed for the public. I thought
that was really a good clear job. I
learned I didn't know about the issue
and was able to learn quite a lot about
it just by being in the back looking at
the maps and talking with people. So
that was really also good. I appreciate
the tone. It's really nice when a
government organization gets up there
and shows you that they really do want
input. I mean, for me, that's what I'm
getting from this whole experience. I'm
very happy about that.

All those are great things. It looks
like a very exciting project beyond -- I mean, both for the protection of Jamaica Bay and for the possibilities of being kind of a broader impact within the neighboring communities. I thought that one of the most exciting things was about the vacant land that you were identifying and how that could be integrated in some general ecological matter to support the work that we're doing. We are looking at it as an ecosystem in New York City. I mean, in a part of New York City, this is the very advance concept. So that's exciting.

One of the other ideas also was about how storm water, for example, one of the things perhaps that people might not know, is that with our sewer system -- excuse me, the reason I know this is I'm the chair of a different DEP citizens advisory committee which looks at the sewer plants and the sewer systems that
tries to reduce pollution that goes into those plants, therefore, having a good impact on the waterway. And, what it's very nice to see as well, is people looking at what can be done here to reduce the amount of runoff, rainwater runoff that goes into the sewer system and causes it to overflow, and instead perhaps, be able to bring it into the bay, perhaps directly or you know, not having to join the sewer system essentially. That was one of the ideas.

What this also means, in order to do that was, is you want to have a plan whereby pollution is not getting into the storm water that easily, through the ground, stuff that people leave around. I mean, for example a used car or cars or just anything, that oil is getting in or different types of pollution. So it also brings to mind other issues that are of an environmental nature with the whole community. So that was something
that would seem to me that there's going
to have to be a lot of efforts like
that. That the DEP or different
committees, we are working on that right
now, so hopefully, we will be able to
work with you and assist that.

The other thing that struck me was that
I think I saw 10 or 12 different
government agencies that were listed as
far as where there was some
jurisdiction. That's a tremendous
amount and I would wish you good luck to
working with all those agencies because
that would be, as we know, one of the
most difficult parts of the project. I
would suggest early-on to have, perhaps
a group with the agencies. Kind of an
early task force trying to get people so
that they start getting to know each
other, who are the principal players
from the agencies, and just open lines
of communication, so that could be a
little smoother as we move forward. So
that's it.

And the only other thing I didn't see with the CAC and it looks like a very strong CAC, I didn't see anything about if people want to join the CAC on a more regular basis, and I was hoping that perhaps, I don't know if you have elections every year or two years or anything like that, but I would imagine this is going to be a long-term project and then you're going to want people involved on that kind of a level. So, I hope that's true too. Thank you.

MR. MUNDY:
Next on the list we have Erik Baard.
Erik.

ERIK BAARD:
I'll just hit four things in kind of a bullet point fashion and if any of them appeal to you, just come up to me afterwards.
I'm with the Citizens for New York City and we're a neighborhood improvement organization since '75 with the environmental program. We had a few things. The first thing is we're making Jamaica Bay a priority area for the summer of 2006 and hopefully for a few more years. And what that means is we will be trying to steer grants towards that area. There are small grants for little volunteer organizations on the neighborhood level. But one of our priorities is water access, getting paddle boats or rowboats onto the water in Jamaica Bay, and therefore building an environmental constituency, getting them on the water then they start caring about it through that connection. Towards the end, we're looking at maybe trying to coordinate an event on September 9th with kayakers, bikers, and hikers all converging on the greenhouse at Floyd Bennett Field. So you have all
these people arriving through the bay, working and doing volunteer work in the greenhouse, and those plants themselves may be planted in the bay and also in public spaces throughout the City. So, September 9, we're going for, it just happens to be that's when the water temperatures are good, the air temperatures aren't too brutal, and the current works so that the people from the Canoe Club don't have to work so hard to get there.

The last thing for the citizens is that we're working maybe to create a thing called naturecalendar.org. We bought the domain and we're looking to build an online kind of a seasonal rhythms for New York, so that anyone can look at a calendar online and know what's going on in nature within the five boroughs that weekend or you put your ZIP code in and find out what's going on in your neighborhood, put in birds, you know as
a category, see what's going on with
birds or just pick a day and see what's
happening anywhere in the City on that
day, that might be interesting for you
if you just want to go out. So, our
goal is that things that are going on in
nature would be as reliably listed as,
you know, Opera and baseball seasons.

So, those are the three things I wanted
to let you guys know about and you can
always come up to me afterwards and I'll
give you my card and propagandize you
further. And then just as a volunteer,
I got into this by starting a community
boathouse on the East River, so I do
have some experience in this matter for
people who would want to start boating
programs in Jamaica Bay. I've got my
little cards out there about the Long
Island City Community Boathouse, if
you're curious about that. And so,
there are some firsthand practical
experiences so you don't make my
mistakes. Thank you.

MR. MUNDY:
Number five, we have Paul Maukiewg.

PAUL MAUKIEWG:
Thanks, Dan.

I just wanted to talk about a plan because unless you plan for a watershed, you can't possibly maintain or protect the resource. And this is one of the most important resources on the earth. It's the stopping place for hundreds of species, literally multiple thousands of birds and literally connects the tropics with the far North with habitat; otherwise it would not be here. It was like really even Nassau County. But then, I just wanted to say, in protecting the watershed and attempting to look at the whole bay, we have really a spectacular opportunity because, as you know, in some parts of Brooklyn and
Queens you have flooding. In other areas we have trees dying when you've had droughts. The vegetation literally regulates the water table. That's what makes it go up and down, and it's the soil that actually is able to hold it, and DEP has a great structure, 45 million gallons that it can capture. It's about an inch of water over two and a half square miles, but really, there's about 50 times that much space in the sands and the glacial material right under the top three feet of the watershed. And the cost of catching water and putting it into the ground, as the Parks Department has showed in Seattle, it's very much lower than pouring concrete. And if you remember the hot summer days, the main coolant here is water. A tree can evaporate literally thousands of gallons of water a day and every gram of water takes with it 500 calories and basically cools the landscape. So, my encouragement to this
process is only to try to literally make the properties much more valuable by catching water on the streets like they've done in the Seattle Sea Street program, by literally making green street parks and park land throughout the landscapes. In areas where there's flooding, it will actually get rid of the water. If you have good maples or pine trees that can actually do that kind of work. In other areas you can capture sometimes literally tens of gallons of water for 2 square feet of land.

Another side that I just want to address quickly is, the bay itself is a great resource because it works to filter and I think we need to see how the bay is being made to behave like it did really a relatively short time ago before they dug the deep holes to create Kennedy Airport and Floyd Bennett Field. The bay probably filtered itself with
oysters, with muscles, with clams, about once a day or once every few days. I know this is one thing that DEP is looking into with this process that would be made to encourage this altogether. Because those creatures actually cost virtually nothing. But literally an acre of salt marsh can take out literally hundreds of pounds of -- 40 pounds of nitrate each year and hundreds, if you count what's stored below the marsh itself. So the uplands catches the water and the marshes itself, the oysters, the muscles, the clams can actually do the filter work and I hope that besides the -- I know that besides the concrete infrastructure, we'll look at the natural systems that have the method of supporting the rest of us as well.

Thank you.

MR. MUNDY:
Thank you, Paul.

I could go on at this time, but if I didn't introduce and have him come up and say a few words, the gentleman that is responsible for us being here. The councilman who held the public hearings for the last four years from his oversight committee environmental chair, and introduce Local Law Number 71 and had it to follow-through till it was passed and that's the reason why we're sitting here tonight. James F. Gennaro, Councilman, would you please come up here, sir?

COUNCILMAN JAMES F. GENNARO:

Good evening. Thank you for being here in such great numbers to work on what we all know is a very important thing, to bring this bay back to health. I thank Dan for his gracious introduction and for your 40, 50 years or whatever of advocacy for the bay, whatever, and
everyone who has been so involved in representing all these great organizations that are going to come together to do the great work that has to be done. I'm the chairman. I get some of the credit or whatever, but I've been really inspired by people like, you know, Larry Swanson, who taught me when I was undergraduate at Stony Brook in the environmental community, Paul Maukiewcz, another great friend and all the great folks at DEP that really, you know, got me going on this issue, so I thank you. I thank all of you. This is a great opportunity to orchestrate a very, very special plan. Not just another plan, but a very, very special plan that would be the blueprint for the saving of this bay. And also it's my hope, a paradigm for other threatened waterways. I don't want to take away from the substance of the evening by going on to all the political blather and you know, gushing, whatever. But I
am very exciting about the fact that so many people are coming together for this process and I'm very confident that we are going to have a really excellent plan that I promise to find the money for, okay. So, I do have something to do with DEP's capital budget, don't I Doug? Isn't that my job? And I'll quote from Emily Lloyd right here on paper. Look at this. What does she say, right here? I'm very thankful for the DEP. In particular, Emily Lloyd for embracing the plan and the advisory committee and it's a critical role in crafting this plan. It's particularly encouraging that Emily Lloyd has stated that creation of this plan, this watershed plan, is one of DEP's most urgent and important projects. That's a good thing that the Commissioner thinks that. And I want to thank the Mayor in a special way for signing this legislation and having these good folks from DEP work with us, to the council's
appointees, Dan Mundy, Larry Swanson,
one of my early mentors, Brad Sewell,
representing the good folks from NRDC,
and of course, you know the members that
have been put forward by the committee --
-- by the Mayor. I don't know them and
I'll -- you know, first name is Doug,
and Len, and Chris and me, my guys. And
so, thank you so much for participating
in this -- in this great work. And one
person also that I really want to thank
in a very, very special way who works
day in and day out on all the great
environmental issues for the committee,
for the council, is my own excellent and
wonderful Chief of Staff, Peter
Washburn. I think we have to give him a
round of applause. He works under the
radar, but I am a success because of him
and all the good work that he comes
forward and does. He's a great
environmentalist in his own right and he
really helped to forge what happened in
the committee, and I owe him a real debt
of gratitude as of all of us do for the wonderful work that's going on here.

I actually snuck out of an event at Anton's. Do you know Anton's in Queens Village, a big political event and everything, so, so about 20 minutes ago I said, could you hold my drink for a minute, I just have to step outside. The ice cubes are probably melted by now. Hopefully this person has put the drink on some table some place. But I am expected back there, but I really couldn't miss this wonderful opportunity to come by and wish this process well and thank you all in a special way for all that you're doing, so thank you from the bottom of my heart.

Once upon a time I had an environmental job. I was an environmental policy advisor to the City Council. It was a great job. It was wonderful. I got to go to things like this all the time. I
did you know, environmental stuff you
know, twenty-four/seven and now that I'm
Chairman of the committee, I'm running
around to this and that, so I really do
relish the free moments that I actually
get to sort of be an environmentalist
and participate in forums like this.
But I got to go back. Duty calls.
Thank you all, very much. God bless you all.

MR. MUNDY:
Thank you, Councilman Gennaro for those
inspirational words. The DEP, you know,
can't very well get up here and say it,
but I'll reiterate what Jim said, and
that was that the Commissioner, Emily
Lloyd, has been very active with us our
very first meeting on the boat ride that
she attended. It was about four or five
hours, very lengthy. She went all
around the bay with us. She listened to
things that we had to say and she has
been very closely watching this on her
end, and we've heard from her a good number of times and we want to thank her for that input, and myself, on the opinion that because of this we're going to have great cooperation and good team work on this.

The next speaker that we have is Mickey Cohen. Mickey, would you please come up here.

MICKEY COHEN:
Thank you, Dan.
So, I followed Councilman Gennaro up here this evening and what an honor that is. Follow him any place, any time, wherever you want to take me, Councilman.

I was present at the September 11 -- January 11th meeting of this advisory council and there was a young man who made a comment during this open mic session and he really stirred up my
imagination, as he did the imagination of many other people present, but he's a local fishermen and a boatsman, and he fishes year-round. He reported to this group, at that time, that he had observed the Asian Shore crab in Jamaica Bay sometimes in accumulations in gatherings of hundreds of crabs and he was extremely concerned about that phenomenon. He thought that they might actually be one of the causative agents in one of the greatest crisis we are experiencing in Jamaica Bay. That is the destruction of the salt marsh and grass. And as you are very much aware of, I'm sure various agencies have been attacking the problem trying to find out what might be a cause of the depletion of the salt marsh grasses, not only in Jamaica Bay, but in salt marshes around the East Coast. His thought that they might be eating the marsh grasses is an extremely important item. Now, there's no -- he didn't have any proof of that,
but this was a suspicion. And I came home and I immediately got to work following up on various reports about Asian Shore crab activities. Would you believe that there were some 25,000 references to Asian Shore crab on the web? Now, I can't tell you that I read all 25,000 of those reports, but I did spend an inordinate amount of time going through the reports on various observations of Shore crab activities, and I summarized them as best I could. A summary along with a rather descriptive illustration is waiting for you on the back table. If it happens at all, the issues that I put together for you, it's just an information sheet. If they've run out, you can find copies on this on the American Literal Society web site, as well as the web site for the Jamaica Bay Task Force. What I'm hoping for, is that I'll be able to gather together a volunteer's group who will be able to follow some distinct protocols.
for coming out into the shore of Jamaica
Bay at low tide and counting and
measuring the Shore crab so we can get
an idea of the population.

Any kind of information that we gather
is going to be helpful, but we must find
out whether the Shore crabs are indeed
eating the grass. And this could be
done in one of the many local school
laboratories. I went out -- I should
note those of you who live in Howard
Beach or Broad Channel of the Rockaways,
any place around Jamaica Bay, two weeks
ago we had several days of extraordinary
low tide, and I went out on one of those
particularly low tide days to perform a
rather long -- very particularly
transecting right on the spurs that you
walk collecting Green crabs and Asian
Shore crabs. The Shore crabs are out
there at the ratio of about -- the way I
counted them -- it was six Shore crabs
for every four Green crabs. So, many of
the references that I've read, mentioned that the Shore crabs are replacing the green crabs in their ecological niche. So there's one little observation that I made, at least to verify that information.

Will you all please keep an eye on those web sites? They're mentioned again in the brochure that's in the back and keep in touch with me. There's a web site, I mean an e-mail number that I have. Please call me if you think that you'd like to get started with us in the springtime. This is not going to be directed completely by me. I hope only to organize it through the auspices of the Jamaica Bay Guardian, but I'd like to get together with those in the academic circles as well, to figure out really good sites protocol. Thanks very much for your time.

MR. MUNDY:
Thank you, Mickey. And out of those 25,000, I think about 24,000 and something, there's a recipe for the Asian crab for eating them in a soup; am I right, Mickey?

MR. COHEN:
Actually, that's what I thought was the case. I was looking through these recipes for Asian Shore crab, didn't realize that I was looking not through recipes for Asian Shore crab but an Asian recipe for crab.

MR. MUNDY:
The next speaker we have is Dr. Frans Vedhagen.

DR. FRANS VEDHAGEN:
My name is Dr. Frans Vedhagen. I'm an environmental or sustained ability sociologist, and I am speaking here tonight as the president of SAFE Inc., which stands for Sane Aviation for
Everyone, which is a coalition of about 24 separate groups around in the metropolitan area and we are working for a sustainable, equitable and accountable aviation industry. And so, I am also teaching sustainable aviation at the College of Aeronautics at LaGuardia and I'm affiliated with the Aviation Institute here at your college. My comments are threefold.

First of all, I want to congratulate the DEP and the city government for the process that is being followed here, the iterative process from the very beginning because what often happens is that the scoping process of a project like this is being done by so-called technical experts without input from the community and other stakeholders. So, congratulations. I'm also very pleased to see that the DEP takes this very seriously. They sent two deputy commissioners to be here, so many people
of the staff of the DEP, so I did feel this is very serious and I congratulate the DEP and also the Bloomberg administration for this kind of initiative.

My second comment is a couple of questions, particularly in terms of the impact of the airport on Jamaica Bay watershed. I would like to see that the project compares the health of Jamaica Bay with a similar bay, namely, Peconic Bay, to see in terms of pH levels and other things. Probably the pH may be somewhat similar because generally speaking, saltwater -- I would really like to see a comparison made in that regard.

The second point, of course, in terms of the airport, there is the runoff, particularly, the deicing and the glycol. I don't know to what extent there are studies there, but I think
it's very important that these studies are being done and maybe the City may consider having a deicing shed, like they have in Paris and other airports, where they have infrared heat deicing planes. So, that's an important part.

The third one in terms of the airport is the fuel allowance of the oil depots to the airport. From a friend of mine in the National Park Service Headquarters, I learned that some of those lines are leaking, and I wondered to what extent that's true and what kind of studies are done. So, I think it's very important that also the health of lines is going to be included.

My last point deals with actually an increase into the whole process. Generally I don't volunteer other people in my organization, but I have one particular gentleman called John Vasio (phonetic) who lives near Jamaica Bay
and who has been involved for decades in all kinds of committees in that regard, that I would like to see that he might become a part of the advisory committee. He knows the bay very well. As a matter of fact, I also know the bay a little bit out of practical experience because I used John's place as storage for my windsurfing board when I was windsurfing around the whole bay for a year. Not for the whole year, but during one particular year.

And the last point is, in terms of the planning process, I would like to see that the whole project is based within the framework of a value base planning approach. And what I mean by this, I can't exactly explain now because time is not there, but what I can say is this, I'm heading up a steering committee in the City to get 100 leaders in government, business and civil society together in a consultation where
they are going to work on building sustainable communities, so that is the whole concept. Some people call it smart growth, other people, they call it local attempt 21, and I think I'm going to input into the planning process of the project, as a sustainable sociologist, this particular framework for consideration of the advisory committee and also of the DEP.

So once again, many congratulations. I think this is an excellent way to start to have people making input and really use the resources and the creativity of people in Queens. Thank you.

MR. MUNDY: Next we have David Burg, please.

DAVID BURG:
Thank you, Dan. Thank you to the advisory board for heading this wonderful hearing.
I want to say my name is David Burg.  
I'm the president of Wild Metro. We are  
a nonprofit organization interested in  
protecting nature where people live,  
protecting nature in metropolitan  
regions around the world. With a  
headquarters in Manhattan, we're fairly  
new. I have a lot of experience in  
Jamaica Bay going back for 20 years. I  
was president of New York City Audubon  
and created a lot of Jamaica Bay  
programs. Picked up some of the torch  
from the former DEP Commissioner Al  
Appleton, who before he was DEP  
commissioner, created for the bay  
programs for Jamaica Bay when he was  
president of the Audubon Society. And,  
even before that, my own background with  
the bay, my dad grew up in Brooklyn. I  
had an aunt who lived in Laurelton, who  
I did visit all the time. So, we got to  
know the watershed area of the bay from  
an early age. It is as people have said
today, a very special place and it's a place that many of us have seen in our lifetime, lots of change. We don't know all the courses for the degradation or the loss of marshes. That's the reason it's hard to know because you've heard some of those things tonight. We've seen the growth of housing, and the growth of roads, and the growth of airports, and the change of airports, so we have a lot of things going on at once in the bay. I was a professional naturalist. I also worked in the real estate field. It's sort of an odd combination. I think that we need to have plans. This is the part that I would really urge the committee, I think you're very fortune in having a lot of people I've worked in a lot of different capacities, Chris and Len in the harbor restoration program. I've been privileged, working in Metro, done some research and I'm very privileged to work with Brad on some protection issues in
Staten Island. We have a terrific team here. But I think your hardest part of this is going to be that you don't want to do another report. You want to do something that will have some practical measures. If you would look and cut to the chase of what's going to be the most controversial, it's going to be development control. And as a former real estate person, I would like to urge you to take the position that can try to reach out to both sides on this issue. Wild Metro survives on the good graces of very formidable, very successful real estate people involved in this organization. They have proven that you can protect the environment and have economic and real estate growth. The challenge is, you want to do that with leaving open space, so that means increasing neighborhood densities. You get into a lot of other issues that other New Yorkers know about, the important traditions, the small
distribution of income between neighborhoods, the racial segregation in neighborhoods, which I faced as a real estate person and tried to overcome without much success. You're going to have to see it connected to series of issues that are attacked. One of the things I've done with Audubon is we initiated a lawsuit to try to stop the Gateway Shopping Center. I believe the best example is the mall opened sprawled within the City, I think the Audubon project is a mistake.

51 percent of the subsidized housing for Queens is located in the Rockaways, for example and I think it was kind of out of sight, out of mind. I think we need a more comprehensive approach. How could you do a combination of regulatory and economic incentives to get the kind of city we all want and need? I think that's going to be a big challenge. And if I may, one plug. Wild Metro working with Long Island University is
sponsoring a conference on urban ecology and remodeling. We have one of the presentations that Russell Burke is working on is the ecology of Jamaica Bay. I have brochures here. There's a little minor e-mail glitch unfortunately. You have to insert Brooklyn before LIU. But if you're interested I'll put this in the back. Thank you.

MR. MUNDY: Next we have Carter Craft.

CARTER CRAFT:
Good evening. My name is Carter Craft. I'm director of the Metropolitan Waterfront Alliance. We're a coalition of community based groups in New York and New Jersey working together for a better waterfront. I just want to make a few points.

In such a big place as Jamaica Bay, I think number 1, we should also at the
same time think small. And in thinking small, something I think the task force should advocate for and does on the ground level so they keep doing, is to continue the marsh restoration processes ongoing and keep working to reduce the nitrogen. I think we should keep looking at the runoff from JFK Airport and how to minimize it. I think we need out to look at doing small and local things like introducing oyster colonies, eelgrass and maybe some underwater reefs because these sort of small-scale projects can be great educational opportunities for young people, for school groups, for classes; and that's the constituency that really needs to get engaged in this process.

We also have to recognize, you know, in the big picture we are the problem with Jamaica Bay. We eat, we drink, we flush, we drive, it's our runoff, it's out litter, it's our consumer
preferences and habits. We can't just find alternative methods for dispersing the effluent and the runoff. We have to stop the storm water runoff. If there's one agency that can look ahead down the road, just as they looked back 180 years from the creation of the Manhattan Water Company, its DEP that can look ahead 180 years from now and maybe this watershed and sewer shed plant and come up with a comprehensive green building, porous painting surfaces throughout the watershed and sewer shed, so that we reduce the runoff before it ever becomes runoff. My feeling is that we can't engineer in the traditional sense with concrete and steel our way out of the problem because the problem being created is a product of concrete and steel and runoff and asphalt and imperfect surfaces. In terms of how the group is structured, I'd say outreach involvement also needs to be made immediately to the Department of
Transportation and the Department of Buildings because it's their agency processes which widen streets, which require that parking lots be paved, which require that buildings have roof surfaces or allow building surfaces to have roofs that just run the water off. As taxpayers we are paying for buildings and DEP to create and allow all these new infrastructures that we then expect DEP to then solve through all the runoff that we've created through these other agencies. So, we're using our tax money on one hand to solve the problem that we are causing on the other, and that's the cycle that needs to be broken.

In looking at transferring City owned vacant water from parcels, you know, I say extend that to vacant and City owned parcels within the whole watershed and sewer shed or community gardens can be created in the public parks and empty spaces.
Just sort of the last two points. I think public access and education is absolutely critical. Our organization and in collaboration with the park restoration program has been doing inventory of access points in and around New York City. We found about, I think between four and 450 thus far, and per square mile or per linear mile on the waterfront. Jamaica Bay, I think, actually has less than a lot of the other stretches of waterfront in the City, in terms of places that allow you to go right down and into the water. In terms of creating more access to the bay and getting more young people involved, we've also got to find ways to create access that protect and enhance the natural habitat which is so sensitive. We have to look at those two things together.

My last point really is to, in getting
about this planning process which we see as kind of revolutionary for how the City is attempting to do business, we should look at other places and learn from other places. Talking to Dan, communicating with Dan recently he's mentioned some technologies in Europe and Japan that can help to reduce nitrogen. There are also examples right across the Hudson River and New Jersey, where about five years ago they created a statewide watershed management area program. Took the whole state, broke it up into watershed Management areas. Some of those grids worked better than others, passing on contact and background information to the advisory committee on some of the programs that worked.

And just as a last point, I think we've all got to be aware and I'm also encouraged by the leadership that so many national environmental
organizations, as well as local involvement and agency attention, but we have to remember that the plan is really only the beginning. While we've got the commitment from the chair of the Environmental Protection Committee tonight to help find the money to make that plan a reality, we can't just take him at his word. We've got to make it stick. And in solving the problems which we've all created in and around Jamaica Bay, is going to last through the next mayoral administration, so let's continue to work together and help make Jamaica Bay the great resource that it once was and can be again in the future. Thank you, very much.


BARBARA BROWN:
Good evening. I'm Barbara Brown. I'm the Chairperson of Eastern Queens...
Alliance and Idlewild Park Preservation Committee. A couple of my remarks, I'm going to start by talking about Idlewild Park, because until, let's say the last year, Idlewild Park was not on the Jamaica Bay map. Idlewild Park is the head of the bay. For those of you who don't know where it is, it's tucked away just north of JFK and it's all that green space on either side of what people who live in the area call Snake Road. But it is the head of the bay. It is the major source of freshwater to the bay and it needs attention just as other parts of the bay need attention.

One of the things that we are asking for is that there be no further intrusions upon construction, upon or demapping of the wetlands in Idlewild Park. Some of you may know that several years, I think in 2003, they -- we call it raping of the park. They put in an international air cargo center. They alienated 25
acres of land out of that park and
constructed an international air cargo
center. We're calling for no further
intrusions. And part of that is, that
if you look at a map of Idlewild Park,
an official map, you see red striated
lines going through the park, and we're
told that that's the mapped Nassau
Expressway. We're asking that that
Expressway be demapped. We have been
told that there are attempts to do that,
but thus far those lines are still there
going through Idlewild, and if Nassau
Expressway ever goes through Idlewild,
you're destroying probably at least a
hundred acres of the marsh and plants in
that park.

The other thing is that there is a plan
for Brookville Boulevard to be
redirected or they call it straightening
it out. Brookville Boulevard which
probably just stopped in the middle of
the marshland years ago with no
consideration for the flow of the water
coming from one side to the other, it
doesn't need to be straightened out.
What needs to be straightened out is the
culverts under it need to be opened up
so there is more of a flow of water from
one side of the park to the other. The
other things that need to be done, we
call on the state really to enforce
wetland regulations. We find that
people are building houses well within
the 150 feet of so-called controlled
areas within the wetlands and that the
people who buy these homes are
unsuspecting and they end up with
basements that are filled with water,
when really DEC is supposed to be
protecting those wetlands. We've also
been calling on the City to turn over
its city-owned parkland to -- its city-
owned wetlands to parks. There's a
parcel of land just south of -- on the
south side of Rockaway Boulevard
bordering Thurston Basin, and that's
under the control of EDC. Now, EDC wants to put -- they want some kind of industrial commercial use of it. We were successful in stopping a Brookville -- they call it a Brookville Mall, strip mall, we were successful in stopping that, but up until now, although we have petitioned the mayor, that land is still under EDC control and there's still a sign out there saying that they're looking for people to acquire that land. We're also asking -- privately owned parcels along that track, and we are asking that the City either issue conservation easements to the owners so they don't keep trying to develop those properties or that they purchase the property outright, if at all possible and attach it to the park. Because if you look at a map of the park, there's a lot of green space that you think is a part of the park but it really isn't because it's still privately owned.
We are also calling for the replacement—restoration and replacement of structural and functional aspects of wetlands in the park. And that calls for money. DEP and NRG have been doing quite a bit of mitigation there, but they're dependent upon mitigation money. There aren't monies being appropriated just for Idlewild’s sake, an important place that needs to be preserved and restored.

In terms of stewardship, we are doing quite a bit with the little bit of money in terms of stewardship, trying to reach out to youngsters in schools. This past year we served over 50 different classes in Districts 28, 27, and 29, but we are looking for a dedicated Idlewild Park salt marsh and science learning center which Parks tells me is going to cost about 4.6 million in order to put such a structure in the park. But it's important because our kids -- first of
all, our kids need to be turned on to
science. And secondly, if we want
children to grow up to be adults who
respect and value the environment, then
we need to start that education now.
And not enough of it is going on in the
schools and we find that what we're
doing is very valuable. The teachers
are looking for our interns going to the
schools and educate them, but much more
money is needed.

We also need access to the larger bay.
Right now we have access to the salt
marsh and we are in the process of
putting in a kayak launch in Idlewild
Park so people will be able to get out
and launch. But there is a need for
people to be able to get access to the
bay. And in Southeast Queens, Thurston
Basin is a major point where that can
happen, and that goes back to that
parcel that's owned by DTC that needs to
be turned over to Parks and developed
into an open recreational space for
people to enjoy it and also a place
where they can launch boats.

Other watershed issues, we know that in
Southeast Queens the water table has
been rising since they stopped pumping
the wells that belong to the Jamaica
Water Co. And those of us who live over
there were happy to hear that we were
not going to be drinking all that
Jamaica Water because it was not good
when water kind of bleaches your
stockings, you know. That's an issue.
But there needs to be some other uses
for some of that groundwater because the
water table is very, very high and
Southeast Queens is sitting -- a lot of
it was filled in land anyway. So,
nondrinking water uses need to be found
for the groundwater in the Southeast
Queens area.

In addition, there needs to be
appropriate technology for getting some of that water into the storm sewers, and I understand that DEP is working on that. Because of that, there is no place for the water to go. In terms of flooding from storm water runoff, there needs to be some sort of requirement about porosity and the ratio of porous versus non-porous surfaces. A lot of people, we find in the community, they have driveways and backyards and they're paving them over and it seems like there should be some kind of regulation about that because the more pavement you add, the less place there is for water to go and that's an issue. There needs to be some development of other places for the water to go. I know there's an idea floating around about the development of wetland areas in other parts of the watershed and we applaud that. And some of that, a possible place for that to happen is in some school yards. There are a lot of schools that have so-called
gardens but they're not developed or not used for anything and those would be perfect areas to create school wetland areas and the children could learn about wetlands, as well as serve as a purpose, a place for some of that runoff to go.

An increase, someone mentioned before, an increase in the number of green streets. There are a lot of concrete medians throughout our area and we don't have enough green streets in Southeast Queens.

And finally, all the industrial projects that sprout up in our area. We have large warehouse districts and so forth. There needs to be a requirement that they incorporate open landscaped areas to serve, not only to serve as buffers between the community and themselves, but also to provide some places for water. Right now, they're just concrete and steel.
And my last comment is, that there are a number of industrial places around the Idlewild area. There are concrete factories there and water runs -- I don't know what they are producing that's running off into the wetlands, but I think there needs to be some looking at that. Some of those are actually in the Five Towns area, but there are also some on the City side, and some of that needs to be looked into. Thank you.

MR. MUNDY:
Thank you, Barbara. I'd like you to get some of those maps of the area to us, Barbara. Some of those maps that were talked about in the past, if you can get them to our committee, please, of your area that we're talking about and other stuff that has to be done. Get us something in writing.
Now, we're back to the first speaker, Rich Spadlla, come up here.

RICHARD SPADLLA:

Good evening and thank you for allowing me to be here. I have lived in Rosedale for about 50 years and spent a lot of the years fishing, hunting, and scuba diving through those channels that Mrs. Brown is talking about. I use the currents to take me through these canals in the back behind the factories and then when the current changes, I come back out and catch crabs and eels and things like that. But I have a love for the Jamaica Bay in its whole and its entirety. What I am interested in at this time was not brought up yet, but it has to do with the environment around us and our own well-being. I'll start with political leaders unknowingly or knowingly allowing a deadly pesticide called Malathion to be sprayed over the five boroughs in the past years,
disregarding the after effects and the complaints. Now, the statistics are over 3.4 million pounds and 238,000 gallons of lethal pesticide, namely Malathion were used in only one year. What I believe is that a lot of this has to do with our environment as far as affecting it and our health. Because it was two years ago what happened was, Malathion was sprayed from the air and what happened is that the hospitals in Queens and a lot of other areas were overwhelmed by medical problems. The doctors knew nothing about them because they weren't attuned to what they called chemical warfare so-to-speak, and what happened was, during this September, the temperatures varied from 71° to 87° changing the chemistry of the pesticide, Malathion into an extremely toxic illegal nerve gas. Now, they were spraying nerve gas on communities, on our environment, and many people were ending up in the hospital with symptoms.
that the doctors couldn't comprehend and they weren't aware of where it came from. At the same time, look at the concept that if this Malathion can affect us, what it does to small creatures and fish, and so forth. There was one statement that was out about two years ago in reference that they sprayed a lake in Staten Island and within two days, thousands of fish came up dead. This gives you incite on what's going on with the spraying every summer. What I'm asking is that this whole group here look in to something like this, maybe that its part of the problem. Thank you.

MR. MUNDY: I thought we were at the end, but Ellen Hartig are you here? I didn't see you come in.

ELLEN HARTIG:
Hello. Thank you for still including me, Mr. Mundy. My name is Ellen Hartig. I'm a former researcher at
Columbia University and I now do environmental consulting. I'm a professional wetland scientist. I just want to say what a pleasure it is to be here at this point, I think early on involved in the finding and documentation of the marsh loss at Jamaica Bay, I remember when I first ordered aerial photographs and I ordered a series from 1959, 1974, 1994 and took a look at these and was astonished that there was -- you just looked at the photos and you could see dramatic loss over time of the marshes and it was too dramatic. It was not a matter of just changing the tidal flow. I could trace the timing of the tides. And there really was this loss and we took it to the agencies and about the same time, the communities, very active, knowing something was wrong with the marshes, and that was Dan Mundy. And to think now, that there was work going on in academia, there was work going on by the
community. There was work going on by advocacy groups and all brought this information to government agencies. And now, government agencies are working and using this information and are moving forward, and so it's just, I think, the best of all possible worlds when these often disparate groups are able to come together and then really move the science forward and go from the science to changes in policy. And it's also a matter here where initially with National Park Service where the approach was, what uses were appropriate, that there was a preservation approach, that if we can not build on those weapons and not to construction, then we're doing preservation and the marshes will be here forever. But it turns out, as we found out, that that's not enough and that you need to manage the marshes, you need to monitor, you need to do other things in the watershed to protect the marshes, and that's really, I think,
what we're moving towards here, and it's
great to see this happen. Jim Gennaro
had to go to a party, and it was very
much his doing to take this information
that was being made available to him and
move it forward to a change in
government policy and New York City DEP
is going to take this on and work it
into their water supply and wastewater
agency. So, I just wanted to say that
and I look forward to continuing along
this avenue in cooperation with the
community here. So, thank you.

MR. SEWELL:
Thank you. That concludes the speaker
list that I have in front of me. I'll
turn the microphone back over to the
DEP.

MS. LICATA:
In closing, I guess, I would just like
to applaud all of you that came out
tonight. This was really an amazing
meeting and a wonderful start, and I
don't want to detract from all of the
wonderful input that you gave. I just
would again, on behalf of all of us
here, like to thank you for your
participation and we would look forward
to the future of this endeavor. Thank
you.

MR. SEWELL:
Also just to echo this on behalf of the
Advisory Committee, thank you very much
for coming out on the cold evening.

(Time noted: 8:13 p.m.)
CERTIFICATE

I, Dawn Anatra, a court reporter and Notary Public within and for the State of New York, do hereby certify:

That the foregoing transcript is a true record of the proceedings.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

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