



C H A P T E R E I G H T

CATEGORY 6, IMPLEMENTATION AND COORDINATION

INTRODUCTION AND ISSUES IDENTIFICATION

There are a myriad of federal, state, and city government agencies, non-governmental organizations, academic institutions, and private interests working to preserve and enhance the unique resources of Jamaica Bay and reverse the trends of water quality degradation and wetland loss. The Public Outreach chapter of Volume One lists dozens of organizations committed to these goals. Despite all of these efforts, there is a lack of resources to do all that needs to get done.

Neither individual organizations nor individual agencies, acting alone, can accomplish the aggressive agenda outlined in this *Jamaica Bay Watershed Protection Plan*. Only through coordinating separate efforts and pooling resources will the strategies recommended in this Plan be realized. There is much more to be gained from working collectively.

A key issue for Plan implementation is funding. As presented above, a number of the priority implementation strategies are currently unfunded. Partnerships will need to be developed between the public and private sectors to fund these initiatives. And coordinated advocacy efforts are needed across the many non-governmental organizations working in the Jamaica Bay watershed to help leverage additional funding from state and federal agencies. NYCDEP also suggests fostering the development of a conservancy that would act as an umbrella organization to support efforts to preserve and enhance the Bay.

Partnerships and collaborations among the range of entities engaged in environmental research and management in Jamaica Bay are already occurring. An example of this are the salt marsh restoration projects in the Bay interior, the result of successful collaboration between USACE, NYSDEC, NPS, NYCDEP, and a host of academic institutions and citizen groups. Additionally, as part of the development of the *Jamaica Bay Watershed Protection Plan*, NYCDEP has been reaching out to other agencies, engaging them in the planning process, and identifying mechanisms by which coordination could be further leveraged to implement the plan's strategies.

Four additional strategies should be pursued to coordinate the implementation of this Plan and ensure that its recommendations turn into actions:

- Form a Jamaica Bay Water Quality and Ecological Restoration Committee under the auspices of the NY/NJ HEP
- Continue to work through the Mayor's Office Interagency BMP Task Force to implement BMPs
- Continue the Jamaica Bay Education Coordinating Committee under the auspices of the Soil and Water Conservation District



- Monitor Land Use, Water Quality and Ecological Restoration Efforts through Coordination with the Office of Environmental Coordination and other agencies with jurisdiction over the Jamaica Bay area

In addition, a strong enforcement strategy is a key implementation issue. Enforcement is needed to deter polluters, address violations, and ensure that strategies are implemented and maintained over time. Under the proposed review of the Sewer Code (see Chapter 5, Stormwater BMPs), it is anticipated that there may be revisions concerning requirements for installation of stormwater BMPs. As part of the Code review, NYCDEP will identify enforcement measures related to BMP implementation and maintenance. With respect to pollutant discharges to the sewer system from industrial sources, the NYCDEP tracks compliance with the Industrial Pretreatment Program. The Department of Sanitation's (DSNY) City-wide Illegal Dumping Task Force provides for local enforcement actions against illegal dumping. DSNY also provides monetary rewards for reporting observations of illegal dumping.

At the State level, NYSDEC is responsible for enforcement of water quality standards and wetlands protection. Through its permitting programs, NYSDEC evaluates compliance with water quality standards and requires mitigation with respect to water pollution control plants and other facilities discharging to the Bay. Penalties for violation of Environmental Conservation Laws generally include both civil and criminal fines. Additional fines can be assessed for each day that an operation remains in violation, and jail sentences can be imposed. Under a consent order with NYSDEC, an individual or company typically agrees to pay a penalty for its environmental violations, come into compliance with state and federal environmental laws and regulations, and, where necessary, clean up any pollution that it caused. Governor Spitzer recently issued a press release announcing that the State will provide additional resources to support an expanded environmental enforcement initiative within NYSDEC. (For additional strategies related to enhanced monitoring see Chapter 9, "Strategies for Future Consideration.")



Form a Jamaica Bay Water Quality and Ecological Restoration Steering Committee under the auspices of the Harbor Estuary Program (HEP).

A "Jamaica Bay Collaborative" should be established specifically to coordinate the implementation of Water Quality and Ecological Restoration strategies under this Plan. The Collaborative could be modeled after, or incorporated into, the NY/NJ HEP which provides a working example of multi-entity coordination within this region. Using the NY/NJ HEP as a template, the Collaborative could be composed of federal (USEPA, USACE, NPS, NOAA, USFWS), state (NYSDEC), and City (*e.g.*, NYCDEP, NYCDOT, NYCDDC, NYCDPR, NYCDCP, NYCDOB) agencies and non-governmental agencies with jurisdiction and/or interest in the Bay and its watershed.

The role of the Collaborative would be to track the results of water quality and ecological restoration monitoring (see Objective 1E), identify positive trends and problem areas that need to be addressed, track the progress of restoration and acquisition efforts and raise funds needed for these efforts, review and advise on the effectiveness of water quality and ecological restoration pilot projects, among other similar tasks.

NY/NJ HEP receives funding from USEPA, and state and local partners. Compared to other National Estuary Programs in the Mid-Atlantic/Northeast, NY/NJ HEP receives considerably less federal funding and currently does not have the resources to incorporate a Jamaica Bay focus. It will be critical to coordinate efforts across many organizations to leverage the funding that is needed to ensure the establishment of a comprehensive stakeholder entity that can oversee the implementation of the water quality and ecological restoration elements of the Plan. National Estuary Programs can be well-situated to leveraging funding by developing strategic alliances with implementing partners to obtain their financial support and providing seed money or staff to initiate and develop new funding sources.



Continue to work through the Mayor's Office Interagency BMP Task Force to implement BMPs.

While NYCDEP will continue its leadership role on evaluating and monitoring BMP pilot projects and updating its sewer code and guidelines to better foster BMPs, interagency coordination is key to ensuring widespread incorporation of BMPs into both public and private development. The Mayor's Office Interagency BMP Task Force is playing a key role in coordinating the implementation of BMPs through providing a vehicle for cross-agency communication. The Task Force will also play a key role in formulating City policy with respect to regulating and/or incentivizing BMP implementation on public and private development.



Continue the Jamaica Bay Education Steering Committee under the auspices of the Soil and Water Conservation District.

Public education and outreach are vital to creating awareness and fostering environmental stewardship for the Bay and watershed. The Jamaica Bay Education Coordinating Committee, formed as part of the *Jamaica Bay Watershed Protection Plan* development process, was instrumental in developing the education and outreach implementation strategy concepts included in the Plan. To implement these strategies, NYCDEP will partner with the NYCSWCD, which will oversee and direct these efforts. The Education Coordinating Committee will continue to work with and advise the NYCSWCD on strategy development and implementation. NYCDEP is committed to funding a one year effort with the NYCSWCD, with additional funding possibilities in the future.



Monitor Land Use, Water Quality and Ecological Restoration Efforts through Coordination with Office of Environmental Coordination and other agencies with jurisdiction over the Jamaica Bay area

Another key implementation and coordination issue is monitoring and reviewing growth and changes in the watershed over time. NYCDEP will facilitate an initiative to track new development in the watershed and coordinate this effort with appropriate federal, State, and City governmental entities that have jurisdiction over the Jamaica Bay area. The Department will work with the Office of Environmental Coordination (OEC) to review and track proposed development projects in the



Jamaica Bay watershed that are subject to CEQR and to add a section to the CEQR Technical Manual to require these developments to identify stormwater management measures to be implemented as part of their environmental assessments (see also Chapter 5, Stormwater BMPs). NYCDEP will combine this effort with reviewing building and sewer connection permits in the watershed to develop a comprehensive tracking system of new development and stormwater BMPs that are being implemented. As part of this effort, NYCDEP will also develop indicators and a tracking system to monitor the effectiveness of stormwater BMPs over time (see Chapter 5, Stormwater BMPs). The Department, in coordination with OEC, will make these data accessible to other agencies including the National Park Service, NYSDEC and other regulatory agencies. The tracking of land use and development data, coupled with developing a robust scientific monitoring program to track water quality and ecological restoration changes over time (see Chapter 3, Water Quality), will ensure a comprehensive review of the impacts of changes in the watershed over time.