

CITIZENS ADVISORY COMMITTEE

of the New York – New Jersey Harbor & Estuary Program

September 12, 2018

Nancy J. Brighton
Chief, Watershed Section, Environmental Analysis Branch, Planning Division
U.S. Army Corps of Engineers, New York District
26 Federal Plaza, Room 2151
New York, NY 10279-0090

Sent via email
NYNJHarbor.TribStudy@usace.army.mil

RE: New York – New Jersey Harbor and Tributaries Coastal Storm Risk Management Feasibility Study

Dear Chief Brighton:

On behalf of the New York New Jersey Harbor & Estuary Program Citizens Advisory Committee, please accept these comments on the U.S. Army Corps of Engineers' (USACE) proposed storm surge barriers in the New York – New Jersey Harbor and Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study.

The Citizens Advisory Committee (CAC) of the New York-New Jersey Harbor & Estuary Program (HEP) is an advisory committee established to support and advocate for the HEP, a national estuary program. The CAC is an official committee of the Management Committee first convened by the US Environmental Protection Agency, Region II; NY State Department of Environmental Conservation; and NJ Department of Environmental Protection for the HEP and Bight Restoration Programs.

The purpose of the CAC is to: 1) provide guidance and advice to the Management Committee on Program decision-making on behalf of the diverse stakeholders in the NY-NJ Harbor Estuary and NY Bight; 2) promote public awareness and understanding of the Program's issues, goals, and recommendations; 3) assist the Management Committee in developing and implementing the Comprehensive Conservation and Management Plan (CCMP) as required by Section 320 of the Water Quality Act of 1987.

We are deeply concerned about the significant environmental impacts and other consequences that could result from the storm surge barrier alternatives, particularly the four that include in-water barriers throughout New York Harbor and the Throgs Neck. These four plans (Alternatives 2, 3A,

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3B and 4) threaten to permanently damage, and otherwise alter, our local waterways and their wildlife by significantly restricting the migrations of species essential to our ecosystem – namely striped bass, Atlantic sturgeon, river herring, shad, and American eel. These in-water barriers also would significantly restrict tidal exchange essential to moving sediment and flushing contaminants from the New York Harbor and Long Island Sound, resulting in higher concentrations of contamination, sewage, and pollution in our already contaminated harbor and waterways. Studies must evaluate the potential effects on all the affected water bodies, including the Bronx River, the Hudson River and its tributaries, the East River and its tributaries, New York Harbor, Hackensack River, Passaic River, Raritan River, the Meadowlands, Jamaica Bay, and Long Island Sound, and must examine how the impacts would vary over the life of any structures, particularly projecting centuries into the future, and in relation to increasing precipitation, sea levels and other climate change related impacts to the region's water ecosystems.

The Corps must provide more detail about the alternative plans, including the size and number of all ship and tidal exchange gates in all barrier alternatives, and the sea level threshold for closure of the gates. The maps shared with the public offer too little information to make effective scoping comments, particularly because the potential impacts of these plans are enormous. The public has not been provided an extensive enough opportunity to become informed and provide feedback on these plans, and the only alternatives are expensive and create significant hydrologic manipulation of the NY-NJ

Harbor Estuary area. The Corps should take into consideration the effects on our ecosystems in its evaluation of the current array of alternatives and propose more “green” alternatives that also serve as adaptation measures and shoreline protection essential to protecting our area against flooding from sea level rise. We request that no plan be advanced unless it addresses flooding from BOTH storm surge and sea level rise.

Specifically we request that you study effects on the following:

- Tidal range / regime and flow velocity
- Endangered, threatened, and special-concern fish and wildlife species (both federally and state designated) in the New York Bight; the Harbor and all its tributaries (e.g., Hudson, East, Harlem, Bronx, Hutchinson Rivers among others); Meadowlands; Jamaica Bay; and Long Island Sound
- Abundance of all native and currently existing fish and bird species, including migratory patterns
- Abundance and distribution of all mollusk species throughout the study area
- Current and potential commercial and recreational fisheries, commercial shipping, and recreational boating

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- Vegetation (subaquatic and intertidal)
- Habitat for fish, birds, and other wildlife
- Sedimentation rates, scour, and elevation in the rivers, bays, and harbor
- Changes in contamination levels both in the water and in river and harbor sediments
- Rate at which PCBs and other contaminants will be transported from the rivers and harbor to the sea
- Water quality in the harbor, rivers, and bays, particularly dissolved oxygen, salinity, temperature, and nutrient levels throughout the study area
- Frequency of algae blooms throughout the study area, especially those which are toxic to humans and/or fish and wildlife
- The degree and cost of wastewater treatment required to comply with the Clean Water Act, in light of reduced tidal exchange / flushing
- Induced coastal flooding or deflection of storm surge to areas adjacent to any barrier alternatives
- Back-flooding inland of any barriers due to heavy rain events
- Cost to state taxpayers for future operation and maintenance of ship and tide gates in any barriers
- Shorelines outside of the barriers (e.g., South Shore of Long Island, New Jersey coast)
- A broad array of adaptive shoreline techniques designed to stabilize and protect localized areas prone to flooding during storm surges and as sea levels rise.

Given the enormous and perpetual consequences that would result from the project alternatives listed in the NYNJHAT Feasibility Study, any initial selection or prioritization of alternatives is unconscionable and irrational without knowledge of the full range of impacts. Thank you for your consideration and your service.

Sincerely,

The Citizens Advisory Committee, New York-New Jersey Harbor & Estuary Program.

This letter has been adopted by the HEP CAC following procedures established in its bylaws (<http://www.harborestuary.org/pdf/CAC%20Bylaws-Revision-Jun-03-11-F.pdf>). CAC members who have voted in support of this letter include (but not limited to):

Lisa Bloodgood, NY Co-Chair, Newtown Creek Alliance
Joseph Reynolds, NJ Co-Chair, Monmouth County Park System
Carrie Roble, Alternate to NY Co-Chair, Hudson River Park Trust
Meredith Comi, Alternate to NJ Co-Chair, NY NJ Baykeeper

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cc: Basil Seggos, Commissioner, NYSDEC
Bryce Wisemiller, NY District Project Manager, U.S. Army Corps of Engineers
Catherine McCabe, NJDEP commissioner

NOTE The New York-New Jersey Harbor & Estuary Program is a partner program and its members occasionally have conflicting positions on regulatory and management issues. One of the Program's roles is to facilitate the exchange of ideas and to work towards resolution of these issues. The opinions of individual agencies or committees do not necessarily reflect the opinion of the Program as a whole.

The Citizens Advisory Committee provides guidance and advice to the New York-New Jersey Harbor & Estuary Program Management Committee on Program decision making on behalf of the diverse stakeholders in the region. Its membership and meetings are open to all interested parties in the region that use, or have concerns about, the New York-New Jersey Harbor Estuary and New York Bight. The Citizens Advisory Committee is the only body in the New York-New Jersey Harbor & Estuary Program that can adopt official positions on issues and topics. These official Citizens Advisory Committee positions are adopted by a majority vote of Citizens Advisory Committee members. Citizens Advisory Committee positions do not necessarily reflect the opinion of the New York-New Jersey Harbor & Estuary Program or its members and partners.

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