





Open Water Body Water Quality Monitoring Program









Prepared in 2009 for

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This 2007 and 2008 Annual Water Quality Report was produced in 2009. It presents and describes data and observations that were recorded by Friends of the Bay Water Quality Monitoring Program in 2007 and 2008.

Who We Are

Friends of the Bay (FOB) – a widely respected, not-for-profit organization with thousands of supporters – is dedicated to the protection of the Oyster Bay/Cold Spring Harbor estuary and the surrounding watershed. FOB's advocacy efforts enable the estuary to continue as an unsurpassed scenic, ecological and economically-productive resource.

Our Mission

FOB's mission is to preserve, protect and restore the ecological integrity and productivity of the Oyster Bay/Cold Spring Harbor estuary and the surrounding watershed.

What We Do

- Helping to maintain clean waters that sustain a vital ecosystem, a wide range of recreation and a thriving shellfishing aquaculture business.
- Monitoring water quality within the estuary.
- Creating awareness of the need to preserve water quality and marine life.
- Confronting unsound development proposals.
- Promoting responsible development and land use planning.
- Partnering with residents, organizations, and local businesses.
- Working with government at all levels.

How We Are Perceived

In April 2009, the Friends of the Bay was present with an Environmental Quality Award by the United States Environmental Protection Agency. The honor is given to those individuals or organizations that have made significant contributions to improving the environment and public health. Friends of the Bay has also been identified by *The New York Times* as one of the most effective environmental organizations around Long Island Sound. In 1997, we became one of the few East Coast groups ever to receive the prestigious Walter B. Jones Memorial and NOAA (National Oceanic and Atmospheric Administration) Excellence Award in Coastal and Ocean Resource Management presented to the "Non-Governmental Organization of the Year." In 1999, the New York Chapter of the American Planning Association honored FOB with an Award for Meritorious Achievement. Friends of the Bay was selected in the "Best Environmental Organizations" category of the *Long Island Press* Best of Long Island 2008 issue (issue is Volume 7, Issue 2). (This is the third year, the editors of the *Long Island Press* selected us as their choice in this category.)

More importantly, our cooperative planning efforts are models for local governments and other environmental groups around Long Island Sound that seek to prepare watershed management plans to protect their embayments and reap the benefits of a cleaner Sound. Our Executive Director sits on the Long Island Sound Study Citizens Advisory Committee, the Nassau County Soil & Water Conservation District Board of Directors, Nassau County's 2006 Environmental Program Bond Act Advisory Committee, the Town of Oyster Bay's Environmental Control Commission, and the Town of Oyster Bay's Eastern Waterfront Visioning Plan Steering Committee.



Our History

FOB was formed in 1987 and rallied public support to defeat an environmentally disastrous development plan which would have sited 78 condos, a 225 slip marina with a wave baffle, a restaurant atop a 3-story office building and a boatel – all on a contaminated shipyard site. After defeating the environmentally destructive proposal, FOB led an extraordinary public process that resulted in the "Land Use Plan for the Oyster Bay Western Waterfront."



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- A Oyster Bay/Cold Spring Harbor Estuary Complex Fact Sheet
- B Sampling Locations Map and Description
- C Water Quality Monitoring Data Sheet
- D Tide Tables for Oyster Bay



ACKNOWLEDGEMENTS

Friends of the Bay would like to thank the individuals and organizations that make our water quality monitoring program possible.

National Fish and Wildlife Foundation – Provided a portion of the funding necessary to conduct our water quality monitoring program.

Frank M. Flower and Sons, Inc. - Dwight and Dave Relyea and Joseph Zahtila, owners of Frank M. Flower and Sons, Inc. have provided dock space, use of boats, and logistical support for Friends of the Bay's monitoring program since 1992.

Oyster Bay Marine Center - Donates fuel for the Baywatch II each year.

Bridge Marina - Richard Valicenti and his staff continuously and graciously provide support to Friends of the Bay through repairs, parts, service, and advice for our vessel, the "Baywatch II".

Nassau County Department of Health - Nassau County Department of Health (John Jacobs, Director of Environmental Health is our primary contact) donates laboratory testing services for bacteria samples collected by FOB.

South Mall Analytical Labs, Inc. - Graciously donated their laboratory services for the testing of nitrates, nitrites, total nitrogen, ammonia-N, and organic nitrogen once per month as part of our Water Quality Monitoring Program.

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EXECUTIVE SUMMARY

Friends of the Bay's Water Quality Monitoring Program is an important component of our efforts to protect the Oyster Bay/Cold Spring Harbor estuary (and the surrounding watershed) while serving to increase public awareness of local threats to water quality. This program was developed in cooperation with the United States Fish and Wildlife Service, United States Environmental Protection Agency, New York State Department of Environmental Conservation, local governments, and other volunteer monitoring groups around Long Island Sound.

During 2007 and 2008, Friends of the Bay (FOB) continued data collection in support of the long-term open water body monitoring program. Once a week since 2000, from spring through fall, Friends of the Bay has collected water quality data in Mill Neck Creek, Oyster Bay Harbor, and Cold Spring Harbor. Friends of the Bay went out on the bay 27 times between April 2nd and October 30st, 2007 (22 Mondays and 5 Tuesdays) and 25 times between April 7th and October 27th, 2008 (19 Mondays, 5 Tuesdays, and once on a Wednesday), collected numerous samples that were analyzed for bacteria (approximately 196 samples in 2007 and 380 in 2008) and nitrogen pollution (approximately 48 samples in 2007 and 65 in 2008), recorded on average 1032 measurements in 2007 and 965 in 2008 each of dissolved oxygen, temperature, pH (added in 2008), and salinity, and measured water clarity 396 times in 2007 and 356 times in 2008.

Friends of the Bay monitored 19 locations within Cold Spring Harbor (FOB #1 – FOB #4), Oyster Bay Harbor (FOB #5 – FOB #12), and Mill Neck Creek (FOB #13 – FOB #19). Each site was monitored in the morning once per week, weather and tide permitting, for dissolved oxygen, bacteria pollution, salinity, temperature, and clarity. pH was added in 2008 to the parameters monitored at each location. Nitrogen samples were collected approximately four times during the monitoring season.

Additionally, in 2006 Friends of the Bay received Environmental Protection Agency (EPA) approval for a Quality Assurance Project Plan (QAPP), which we prepared with assistance from Fuss & O'Neill. The QAPP formalizes the quality assurance procedures for the data collection portions of our program, and will ensure that our data can be used by EPA and other government agencies. The QAPP includes many procedures that were already implemented by Friends of the Bay, and introduces a few new quality assurance steps as well.

Three major water quality parameters were monitored in 2007 and 2008: coliform bacteria levels, dissolved oxygen levels and nitrogen concentrations. Analysis of this season's data provided many useful insights into the estuary's water quality.

In 2007 and 2008, bacterial levels were lower than 2004, when coliform bacteria concentrations were unusually high, and similar to 2002 levels. Both years are higher than levels witnessed in 2005-2006. As observed in previous years, bacteria levels in Mill Neck Creek and Cold Spring Harbor were generally higher than in Oyster Bay Harbor. None of the locations in Mill Neck Creek met the state shellfishing standard for fecal coliform in 2007 or 2008 on a geometric mean basis for the entire season. Additionally FB-1, FB-2, FB-3, and FB-10 did not meet the state shellfishing standard for fecal coliform during these monitoring years. FB-7 met the standard in 2007 but not in 2008.



The sixth and seventh years of nitrogen monitoring also suggested continued increases in nitrogen levels in the estuary in 2007-2008, a trend that was first observed in 2004 (although the dataset was somewhat limited in that year) and continued in 2005 and 2006. None of the monitoring locations would have met the nitrogen standard for salt water that New York State applies to the Peconic Bay estuary (standard violation at total nitrogen (TN) > 0.5 mg/l), if that standard were to be applied to Oyster Bay as well. The cause of these increased levels is unclear and warrants additional study.

Construction and start-up is complete of the new \$10.6 million advanced wastewater treatment facility serving the Oyster Bay Sewer District (OBSD). The plant went online in December 2005. Microorganisms used to seed the plant were delivered in mid-January 2006, and the plant was fully operational in March 2006. The facility, a Sequencing Batch Reactor, is already achieving the 2014 nitrogen limits imposed by the New York State Department of Environmental Conservation. The upgrade has reduced the daily nitrogen by as much as 75%.

With the completion of this plant, the Friends of the Bay nitrogen data collected in 2002 through 2008 and subsequent years will provide a valuable baseline in evaluating the effect of reduced nitrogen loading on the estuary. The upgrade represents an important improvement in infrastructure available to the public, which should improve water quality of the estuary.

Dissolved oxygen (DO) data was collected throughout the estuary during the monitoring season. In past years, DO trends indicate that the waters of the estuary are enriched with nutrients consistent with the nitrogen monitoring observations, since dissolved oxygen levels decrease steadily from spring through late summer, and then begin to increase in late summer. Nutrient enrichment can result from inadequately treated sewage discharges, polluted stormwater runoff, over-fertilization of lawns and gardens, agricultural runoff, and atmospheric deposition of air pollutants. Long-term reductions in nitrogen inputs should reduce the occurrence of extremely low DO conditions in the bottom of the harbor.

Friends of the Bay looks forward to working with volunteers, government agencies, and fellow not-for-profit organizations in future monitoring seasons. Together, FOB and its partners will continue to improve and expand their monitoring efforts. These efforts will provide a link to show how investment in water quality protection is affecting the quality of water in Mill Neck Creek, Oyster Bay Harbor and Cold Spring Harbor.

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INTRODUCTION

Friends of the Bay (FOB) is a widely-respected non-profit environmental organization located on the North Shore of Long Island. Friends of the Bay's mission is to preserve, protect, and restore the ecological integrity and productivity of the Oyster Bay/Cold Spring Harbor estuary and the surrounding watershed¹. *Appendix A* presents a fact sheet for the estuary.

The Oyster Bay/Cold Spring Harbor estuary complex consists of a unique ecosystem in close proximity to New York City. Consider:

- Oyster Bay (Mill Neck) is among the 33 Inaugural Stewardship Areas listed within the Long Island Sound Stewardship Initiative 2006 Atlas.²
- The U.S. Fish & Wildlife Service maintains a 3,209 acre National Wildlife Refuge (NWR) within the Oyster Bay/Cold Spring Harbor Estuary Complex.³
- Two State-designated Significant Coastal Fish and Wildlife Habitat areas exist within the Oyster Bay/Cold Spring Harbor Estuary Complex.⁴
- More than 80 commercial baymen annually harvest up to 90% of New York State's oyster crop⁵ and 33% of hard clams⁶ from the Oyster Bay NWR.
- The Harbor Complex is home to the Cold Spring Harbor Fish Hatchery & Aquarium. The Hatchery is proud to have the largest living collection of New York State freshwater reptiles, fish, and amphibians.
- Oyster Bay is a designated New York State "historic maritime area."
- The oldest traditional shellfish farmer in New York State, Frank M. Flower and Sons (est. 1887), operates out of Oyster Bay. Frank M. Flower and Sons is the only traditional oyster company still in operation on Long Island (C.Blair, Newsday.com).

Friends of the Bay's Water Quality Monitoring Program was initiated to continue data collection efforts that were cancelled by county funding cuts. This program was developed in cooperation with the United States Environmental Protection Agency (EPA), New York State Department of Environmental Conservation (DEC), local governments and other volunteer monitoring groups around the Long Island Sound. Friends of the Bay considers this program a necessary component in the effort to preserve the Oyster Bay/Cold Spring Harbor ecosystem and hopes to increase public awareness of local threats to water quality. The water quality program of Friends of the Bay is being conducted to:

1. Provide high quality data to continue the dissolved oxygen-testing baseline established by the Nassau County Department of Health in 1972

¹ Friends of the Bay Mission Statement as of 2005

² The Stewardship Initiative identifies places with significant biological, scientific, or recreational value throughout Long Island Sound and works to develop a strategy to protect and enhance those special places. The Stewardship Initiative has five specific goals: 1) Preserve native plant and animal communities and unique habitat types; 2) Improve recreation and public access opportunities; 3) Protect threatened and endangered species in their natural habitats; 4) Preserve sites that are important for long-term scientific research and education; and 5) Promote efforts to plan for multiple uses. For additional information, visit http://longislandsoundstudy.net/stewardship/stewardship_atlas06.pdf
³ http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

⁴ http://www.nyswaterfronts.com/waterfront_natural_narratives.asp; For almost two decades, there have been three state designated Significant Coastal Fish and Wildlife Habitats within the Oyster Bay/Cold Spring Harbor Estuary: Cold Spring Harbor, Oyster Bay Harbor, and Mill Neck Creek Wetlands (these habitat designations originated in 1987). On October 15, 2005, The New York State Department of State recommendations to consolidate these designations became effective. The two habitats now include 1) Mill Neck Creek, Beaver Brook, and Frost Creek, and 2) Oyster Bay and Cold Spring Harbor.

⁵ http://refuges.fws.gov/profiles/index.cfm?id=52563

⁶ 2004 New York Annual Shellfish Landings, New York State Department of Environmental Conservation



- 2. Screen for water quality impairments
- 3. Monitor the estuary in support of the Total Maximum Daily Load (TMDL) for pathogens that has been established for Oyster Bay and Mill Neck Creek⁷
- 4. Determine long-term water quality trends
- 5. Document effects of water quality improvements
- 6. Educate and involve citizens and public officials about water quality protection
- 7. Watchdog activity within the watershed and harbor
- 8. Assist local, State, and Federal agencies in harbor management

This program enables trained volunteers working alongside Friends of the Bay staff to monitor various components of the marine ecosystem. Volunteers track a number of parameters in the estuary including water temperature, pH (added in 2008), clarity, salinity, dissolved oxygen, nitrogen, enterococci bacteria, and fecal coliform bacteria. Measuring these parameters enables Friends of the Bay to better understand changes within the local marine ecosystem. The design of the program was reviewed and approved by the EPA in May of 2006 through Friends of the Bay's *Open Water Body Water Quality Monitoring Program Quality Assurance Project Plan* (QAPP).

A Memorandum of Understanding exists between Friends of the Bay and the U.S. Fish and Wildlife Service as well.⁸ In this agreement, Friends of the Bay supplies collected data to the Fish and Wildlife Service. The objectives of this cooperative effort are to support long-term water quality monitoring within Oyster Bay Harbor, Mill Neck Creek, and Cold Spring Harbor, waterways contained within the Oyster Bay National Wildlife Refuge in addition to cooperative efforts on environmental education, interpretation, and outreach projects.

This Annual Water Quality Report summarizes the data collected during the 2007 and 2008 monitoring seasons. This report was produced in 2009 as part of Friends of the Bay's continuing commitment to study the complex forces that impact water quality within the estuary and the surrounding watershed.

STATE OF THE WATERSHED REPORT

Friends of the Bay has retained Fuss & O'Neill, Inc. to prepare a Watershed Management Plan for the Oyster Bay/Cold Spring Harbor estuary complex and surrounding watershed. The Watershed Management Plan is being developed in cooperation with Friends of the Bay, the Town of Oyster Bay, and other governmental entities, stakeholder groups, and the general public. The Watershed Management Plan for the Oyster Bay/Cold Spring Harbor estuary complex will be developed in two phases – a "State of the Watershed Report" and a "Watershed Action Plan." The State of the Watershed Report will summarize historical trends and existing environmental and land use conditions in the watershed and is seen as the first step in the U.S. EPA's widely accepted "watershed approach." The subsequent Watershed Action Plan will identify prioritized action items to protect and improve the ecological integrity of the estuary and surrounding watershed.

⁷ Pathogen Total Maximum Daily Loads for Shellfish Waters in Oyster Bay Harbor and Mill Neck Creek. NYSDEC (2003)

⁸ Under the authority of the U.S. Fish and Wildlife Coordination Act, as amended, (16 U.S.C. Section 661) and Section 7 of the Fish and Wildlife Act of 1956 [16 U.S.C. 742F(a)(4)], and the Interior and Related Agencies Appropriation Act of 1992 (PL 102-154, Title 1, 105 Stat. 995.)



1.0 MONITORING PROGRAM

Every Monday morning from April through October 2007 and 2008, Friends of the Bay staff and dedicated volunteers collected data on water quality and ambient conditions at 19 sites throughout the estuary complex. The parameters measured by Friends of the Bay included dissolved oxygen, salinity, water temperature, pH (added in 2008), water clarity, coliform bacteria, and nitrogen species.

Dissolved oxygen, salinity, pH, and water temperature were measured using a Hydrolab Quanta. The instrument includes a probe that can be lowered within the water column to analyze the water's attributes in-place and a handheld datalogger that interprets the probe measurements and displays them for the sampler.

Water clarity was measured using a Secchi disk, a circular disk with opposing white and black quadrants that is lowered into the water column to the depth at which it can no longer be distinguished by an observer at the surface.

Water samples for coliform bacteria and nitrogen measurement were also collected by Friends of the Bay and analyzed by the Nassau County Department of Health (NCDH) and South Mall Analytical Labs, Inc., respectively.

Field measurements collected and observations made at the time of sampling were recorded on field water quality monitoring sheets, which are presented in *Appendix C*. The following is a summary of the water quality testing locations and methods. These methods are consistent with the Standard Operating Procedures and Quality Assurance Project Plan that were approved by the EPA in May of 2006.

1.1 <u>Monitoring Locations</u>

Friends of the Bay monitored a total of 19 sites throughout the Oyster Bay/Cold Spring Harbor estuary, including Locations FOB #5 – FOB #12 in Oyster Bay Harbor, Locations FOB #1 – FOB #4 in Cold Spring Harbor, and Locations FOB #13 – FOB #19 in Mill Neck Creek. A map identifying the approximate location of each site, as well as a table of coordinates (latitude/longitude) for each station are included in *Appendix B*. These station locations and identifiers were revised in 2003, so care should be used when comparing results from 2003 through 2008 to results presented in the 2002 monitoring report.

1.2 <u>Monitoring Methods</u>

Friends of the Bay monitored each site for the following water quality parameters:

• Dissolved Oxygen, Water Temperature, and pH - Dissolved oxygen (DO), water temperature, and pH (added in 2008) were measured at 19 monitoring sites using the Hydrolab Quanta datalogger and sonde. At each station, depth permitting, dissolved oxygen readings were taken at approximately one half-meter above the bay bottom, one-half meter below the water's surface, and one meter below the surface. The DO data was measured and recorded in milligrams per liter (mg/l), which is equivalent to



parts per million (ppm). The measured values are then compared to ranges that describe the effect of dissolved oxygen on aquatic life, which are well established. In general, dissolved oxygen levels above 5 mg/l are preferred. Levels between 4 and 5 mg/l can cause harm to some species of organisms, especially the larvae of crustaceans such as lobster and crabs. Levels between 2 and 4 mg/l can cause harm to many organisms if exposure is prolonged. When dissolved oxygen levels decline below 2 mg/l, many organisms can be harmed quickly. Few organisms can survive exposure to levels below 1 mg/l for more than very short periods.

- Salinity Salinity is the measurement of the concentration of dissolved salts in the water. Friends of the Bay monitored salinity with the Quanta meter, which measures specific conductivity (a direct measurement of the ease with which electricity passes through water) and converts that measurement to salinity. In earlier years, Friends of the Bay monitored salinity with a hydrometer, an instrument used to measure the specific gravity of liquids.
- Water Clarity Friends of the Bay measured water clarity with a Secchi disk. The 8-inch diameter disk is divided into alternating black and white quadrants. The disk is lowered into the water with the sun at the volunteer's back. The point at which the disk becomes completely obscured is noted. The disk is then raised and the point at which the disk becomes visible again is noted. The average of these two numbers is the Secchi Depth, recorded to the nearest tenth of a meter (decimeter).
- Bacteria Water samples are collected by Friends of the Bay in sterile bottles approximately one foot below the water surface. The bottles, supplied by NCDH, are then stored in a cooler with ice and transported immediately to the NCDH laboratory in Hempstead for analysis. The NCDH uses the Multiple-Tube Fermentation Technique Method No.9221 (Standard Methods for the Examination of Water and Wastewater, 1995), which uses a 5-tube decimal dilution test. The level of fecal coliform bacteria and enterococci in a water sample is expressed as the most probable number per 100ml (MPN/100ml). A trip blank, supplied by the NCDH laboratory, is used to ensure that proper temperature standards are met. It is placed in the cooler with the ice and, upon arrival at the NCDH laboratory; the trip blank temperature is immediately recorded. If the trip blank exceeds 10°C, NCDH laboratory personnel flag the results on the chain of custody form and then Friends of the Bay flags the data in the electronic database.
- Nutrients Nitrogen species water samples are collected from the water surface in plastic bottles prepared by South Malls Analytical Labs containing sulfuric acid and placed into a cooler with ice packs. They are then transported to South Mall Analytical Labs located in Plainview, New York. The water samples are analyzed for common forms of nitrogen, including nitrate/nitrite, ammonia, and organic nitrogen, collectively called nitrogen species. The techniques used for analysis include the following methods from APHA and AWWA (1995): Nitrate/nitrite-N (mg/l) 4500-NO₃-E & 4500-NO₂-B, Total Kjeldahl Nitrogen (mg/l) 4500-N_{org}-B, Ammonia-N (mg/l) 4500-NH₃-D. Total Kjeldahl Nitrogen (TKN) measures oxidizable nitrogen, including organic and ammonia nitrogen concentrations collectively. Organic nitrogen levels are then



- calculated as the difference of TKN and ammonia. Total nitrogen can be calculated by adding TKN and nitrate/nitrite results.
- Other Parameters Other information collected at the sites include: the time the sample was collected; qualitative description of rainfall in the previous 24 hours; tidal stage (scale of 1-4), air temperature (°C); wind direction (1 of 8 directions); wind speed (estimated in 5-mph increments); wave height (subjective, on a scale of 0-5); weather conditions (on a predetermined 1-6 scale); water color (subjective color, e.g. yellow-brown), cloud cover (0-5 scale) and any unusual conditions (i.e., odors, fish kills, debris).

1.3 Quality Assurance and Control

The 2006 season was the first in which Friends of the Bay implemented a QAPP that was prepared for the project. The QAPP was prepared with assistance from Fuss & O'Neill, approved by EPA, and was implemented by Friends of the Bay in June 2006. Friends of the Bay performed many of the tasks required by the QAPP in earlier years, but the QAPP provides a procedural framework to ensure that the data collected meets EPA standards. The Friends of the Bay continued to implement the QAPP during the 2007 and 2008 monitoring seasons. The QAPP includes:

- Formalized monitoring locations and standard parameter list.
- Defined sampling analysis procedures.
- Required collection of duplicate samples.
- Validation of field data through calibration checks and validation with other measurement methods.

The QAPP can be viewed at Friends of the Bay's office in Oyster Bay and is posted on our website at www.friendsofthebay.org

It should be noted that data generated by the water quality meter was not consistently validated through calibration checks (e.g., titration) and when the titrations were completed. The QA/QC readings where found to be outside of the acceptable range (deviate more than 0.5 mg/l) for approximately 37% of the checks performed in 2007 (19% were 2 or more failed titrations per sampling event, 3 total checks per event) and 36% of the checks performed in 2008 (22% were 2 or more failed titrations per sampling event), such that some of the collected data does not meet QA/QC requirements of the QAPP. It should be noted that some of the titration failures were close to the acceptance criterion (deviate between 0.5 and 1.0 mg/l). Friends of the Bay is working to improve the quality of data collected through volunteer training to reduce QA/QC discrepancies.

2.0 RESULTS, ANALYSIS, AND DISCUSSION

With the help of numerous volunteers, Friends of the Bay monitored water quality at a total of 19 locations on 27 monitoring dates (22 Mondays and 5 Tuesdays) from April through October, 2007 and at a total of 19 locations on 25 monitoring dates (19 Mondays, 5 Tuesdays, and once on a Wednesday) from April through October, 2008. Four sites are located in Cold Spring Harbor, eight are located in Oyster Bay Harbor, and seven are located in Mill Neck Creek. Data collected during this season was analyzed both spatially (differences between areas in the estuary) and temporally (changes throughout the season) and compared to results recorded



during previous seasons. A more extensive analysis of data collected during several monitoring seasons is planned for the future. The estuary was considered as a whole, and in terms of the three primary water bodies that compose the estuary: Cold Spring Harbor (monitoring locations FB-1 through FB-4), Oyster Bay Harbor (FB-5 through FB-12), and Mill Neck Creek (FB-13 through FB-19).

These three water bodies are distinguished by hydrographic separations and differ in terms of physical characteristics, use, watershed features, and tidal influence (See Monitoring Locations Map in *Appendix B*). Relatively narrow constrictions separate each water body. Plum Point separates Oyster Bay Harbor from Cold Spring Harbor, and the narrows at the Bayville Bridge divide Oyster Bay Harbor from Mill Neck Creek. Mill Neck Creek is shallow and likely to be more influenced by tributary inflows than the other hydrographic areas. Oyster Bay Harbor contains a large mooring area and industrial facilities, is more densely developed on its south shore, and is somewhat separated from Long Island Sound by Centre Island and the landmass that includes incorporated and unincorporated parts of Bayville. Cold Spring Harbor is open to Long Island Sound and is likely to be most rapidly impacted by tidal inflows and water quality within the Sound. Tributaries flowing into the estuary include Whites Creek, Mill River, Beaver Brook, Spring Lake, Tiffany Creek, Cold Spring Brook, and others.

There was a long-term data analysis completed in January 2009 which evaluated the water quality monitoring data that was collected by the Friends of the Bay from 2000 to 2006. The data was evaluated for spatial and temporal trends in order to identify how water quality in the Oyster Bay/Cold Spring Harbor estuary has changed and the progress that has been made as a result of management efforts to address water quality problems in the estuary.

2.1 <u>Physical Parameters</u>

Salinity, water temperature, pH, (added in 2008), air temperature, and water clarity were measured at each sampling station throughout the season. These physical parameters can impact environmental and ecological conditions within the estuary. *Figure 1* shows data averaged by sampling season (April through October) for parameters monitored in Oyster Bay during 2000 through 2008.

Water temperature significantly influences water quality. Dissolved oxygen (DO) solubility decreases while biological activity increases with increasing temperature. In the summer months, the decay of dead algae and other organisms is accelerated, consuming DO while DO is also being driven out of solution by elevated temperatures. These factors often result in hypoxic (low DO) or anoxic (no DO) conditions that can severely inhibit or kill aquatic macroorganisms.



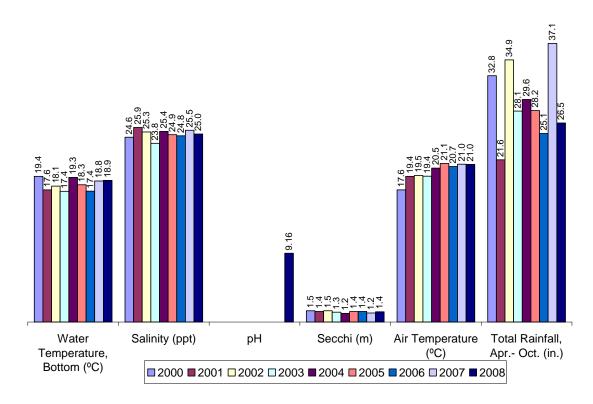


Figure 1. Physical conditions in the Oyster Bay/Cold Spring Harbor estuary for nine monitoring seasons

The seasonal average value for each physical parameter measured by Friends of the Bay in 2007 and 2008 were within the range of values from previous years. Average bottom water temperatures in 2007 and 2008 returned to levels seen in the 2004 and 2005 sampling seasons. Warmer temperature waters do not allow for as high dissolved oxygen levels as do cooler waters.

Average air temperature recorded during monitoring in 2007 and 2008 were near the upper limit of average values recorded in previous years, at approximately 1.5°C above 2001 through 2003 levels and 3.5°C above 2000 levels. However, the 2007 and 2008 averages are similar to averages from 2004 through 2006.

Water salinity can also affect DO levels; the saturation dissolved oxygen level at 25 parts per thousand (ppt) of salinity is approximately 85% the saturation dissolved oxygen level of freshwater (Chapra, 1997). Average salinity levels recorded in 2007 and 2008 were similar to levels recorded in 2000 through 2006 (measurements range from 24.6 to 25.9 ppt during 2000 through 2002 and 2004 through 2005), and are higher than the unusually low levels recorded in 2003 (23.8 ppt). These differences in salinity are also unlikely to significantly impact dissolved oxygen levels in the estuary.

Rainfall recorded during the 2007 season in the vicinity of the estuary was significantly higher than the other seasons of record. The 2007 season was the wettest of all of the seasons of record with 37.1 inches of precipitation measured at Levittown, Long Island. This far surpasses the 28.3 inches average of seasonal precipitation from 2000 through 2006 and including 2008.



During the 2008 season, the rainfall recorded was lower than most of the other seasons of record and similar to the rainfall witnessed in 2006. At Levittown, Long Island, 26.5 inches of precipitation fell in 2008, whereas the average of seasonal precipitation from 2000 through 2007 was 29.7 inches. However, 2008 was not exceptionally dry; in 2001, only 21.6 inches of precipitation fell during the monitoring season.

Figure 2 and Figure 3 presents the 2007 and 2008 Secchi disk depth results as averaged for Mill Neck Creek, Oyster Bay Harbor, and Cold Spring Harbor. Average Secchi disk depths for these areas were 1.30, 1.42, and 0.91 m, respectively in 2007 and 1.30, 1.57, and 1.16 m, respectively in 2008. As was the case in past years, Mill Neck Creek is generally less clear than Oyster Bay Harbor and Cold Spring Harbor, possibly a result of increased biological activity due to it shallow depth, marshy areas, and close proximity to tributary discharges. Secchi disk depths were variable throughout the season, and it is difficult to discern any trends (e.g., in several previous years, such as 2003 and 2004, clarity generally increased during the season).

Measuring Secchi disk depth is an indication of water clarity. Light that penetrates the surface of the water passes through the water column, reflects off the disk, and passes back through the water column to the eye of the observer. The Secchi disk depth is the depth where enough light is scattered (by objects, such as sediment particles) or absorbed (by being converted to heat or chemical energy, such as by algae) within the water column that the light reflected by the disk can no longer return to the surface. Dissolved solids, particulate solids, algae, and other biota can impact clarity in a water column. Secchi disk depths in the Oyster Bay/Cold Spring Harbor complex are generally between 2.5 and 0.5 m. Although the cause of the attenuation has not been studied in detail, it is likely to be caused by algal growth fueled by nitrogen inputs to the bay.

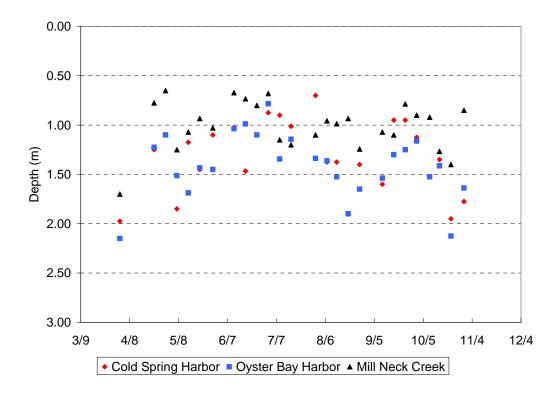


Figure 2. 2007 Secchi disk results, averaged locationally



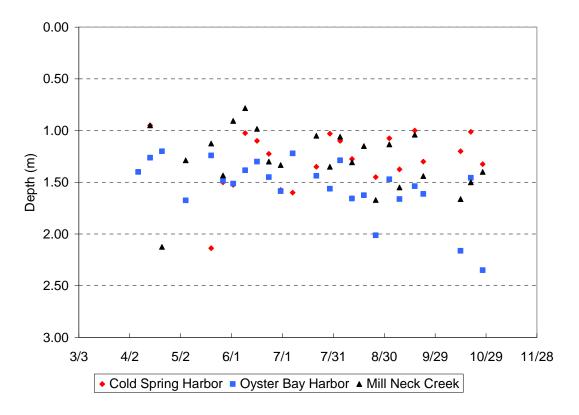


Figure 3. 2008 Secchi disk results, averaged locationally

2.2 Bacteria

Bacteria are ubiquitous in the environment. Certain types, however, can be used to indicate the possible presence of human pathogens. Common environmental indicator bacteria include fecal coliform and enterococci. Bacteria are introduced in the marine environment through various point and non-point sources such as surface water runoff, industrial and agricultural discharges or wastewater discharges. The New York Code of Rules and Regulations (NYCRR) specify levels of fecal coliform bacteria that should be met in bodies of water designated for different purposes. Waters used for shellfish cultivation and harvest have to meet the most stringent bacteriological criteria.

Coliform bacteria levels are reported as logarithmic average with a 30-day averaging period (also known as the geometric mean, or geomean). Geomeans are often used for regulatory thresholds as they are less prone to influence by outlier values which frequently result during bacterial analysis.

Friends of the Bay collected bacteria data during 26 of the 31 weeks during the 2007 monitoring season and 25 of the 30 weeks during the 2008. The completeness of monitoring runs, calculated by dividing the number of runs performed (11 in 2007, 24 in 2008) by the number of



possible runs (31 in 2007, 30 in 2008) and expressed as a percent, is 84% and 83% respectively for the 2007 and 2008 monitoring seasons. In comparison, completeness of monitoring runs in 2003, 2004, 2005, and 2006 was 81%, 88%, 96%, and 77%, respectively.

Table 1 summarizes shellfish standards for fecal coliform bacteria that are enforced by New York State (NYS). In 2004, new beach closure standards were implemented that are based on measured levels of enterococci, an alternate indicator bacteria, and fecal coliform (although a total coliform standard is still included). The new standards are summarized in *Table 2*.

Table 1. NYS Coliform Bacteria Standards

	Shellfishing *		
Fecal Coliform	LOG AVG <14 MPN/100 ml and If < 10% of samples do not exceed 43 MPN/100 ml		

* 6 NYCRR §47.3

Table 2. NYS Coliform Bacteria Standards, effective 2004

	Swimming †		
Fecal Coliform	LOG AVG 30 days < 200 MPN/100ml, and no sample greater than 1,000 MPN/100ml		
Enterococci	LOG AVG 30 days <35 MPN/100 ml, and no sample greater than 104 MPN per 100 ml		

†10 NYCRR Section 6-2.15 - Water quality monitoring

Fecal coliform and enterococci levels were measured and reported at all nineteen (19) locations during the 2007 and 2008 monitoring seasons. Fecal coliform has been measured by Friends of the Bay since the inception of the monitoring program, while enterococci has been measured since 2004. Samples were collected for enterococci as well, but a different laboratory method was used in 2004 than in 2005 and later. The method used in 2004 resulted in elevated values compared to these later years, so 2004 enterococci results are not included for comparison in this report.

Table 3 and Table 4 presents a summary of the season's bacteria results compared to the New York State Shellfishing Standards presented in Table 1. Although only fecal coliform data was collected in 2007 and 2008, in earlier years of the monitoring program, total coliform exceedances were generally accompanied by exceedances in fecal coliform as well, so the results are not likely to be significantly different if total coliform data was also collected.

⁹ Completeness is typically calculated as the number of total datapoints collected divided the number of datapoints planned. However, completeness calculated in this manner is less meaningful for Friends of the Bay, since several monitoring locations cannot be sampled under certain tidal conditions.

¹⁰ The NCDH laboratory, which performs bacterial analysis for Friends of the Bay, changed analysis methods from the 2004 to 2005 season. As such, data from 2004 is not comparable to data from later years.



Table 3. Comparison of 2007 Monitoring Results to State Shellfishing Standards

Fecal Coliform			
Q	Seasonal	90th	
Station	Geomean	Percentile	Location
FB-1	109.4	598.0	CSH
FB-2	57.1	220.0	CSH
FB-3	15.1	46.0	CSH
FB-4	3.2	12.0	CSH
FB-5	2.0	6.0	OBH
FB-6	2.1	7.8	OBH
FB-7	9.1	31.6	OBH
FB-8	8.5	30.6	OBH
FB-9	6.4	21.6	OBH
FB-10	25.9	222.0	OBH
FB-11	2.8	10.4	OBH
FB-12	5.1	32.5	OBH
FB-13	22.0	175.0	MNC
FB-14	27.3	260.0	MNC
FB-15	134.4	570.0	MNC
FB-16	156.3	568.0	MNC
FB-17	275.6	577.0	MNC
FB-18	11.8	77.4	MNC
FB-19	25.9	73.1	MNC
Shellfish Standard	14	43	

Table 4. Comparison of 2008 Monitoring Results to State Shellfishing Standards

Fecal Coliform			
Station	Seasonal Geomean	90th Percentile	Location
FB-1	146.5	530.0	CSH
FB-2	103.4	290.0	CSH
FB-3	18.4	70.0	CSH
FB-4	3.6	15.0	CSH
FB-5	2.2	6.4	OBH
FB-6	2.1	4.8	OBH
FB-7	13.5	47.2	OBH
FB-8	8.8	31.4	OBH
FB-9	5.4	11.8	OBH
FB-10	47.1	318.0	OBH
FB-11	3.7	15.7	OBH
FB-12	4.4	14.8	OBH
FB-13	28.0	248.0	MNC
FB-14	49.3	308.0	MNC
FB-15	202.4	588.0	MNC
FB-16	130.4	408.0	MNC
FB-17	170.5	615.0	MNC
FB-18	19.5	91.2	MNC
FB-19	25.7	110.0	MNC
Shellfish Standard	14	43	



Bacteria levels exceeded the fecal coliform standard at FB-1, FB-2, FB-3, FB-10, FB-13, FB-14, FB-15, FB-16, FB-17, FB-18, and FB-19. Levels were also exceeded at FB-7 during 2008. These results are encouraging, since the majority of Oyster Bay Harbor met the standard for fecal coliform (FB-1, FB-2, and FB-3 are located in Cold Spring Harbor, FB-10 is located near Beekman Creek, and FB-13, FB-14, FB-15, FB-16, and FB-17 are located in Mill Neck Creek). Oyster Bay Harbor is where the majority of shellfishing occurs in the estuary. In 1983, the New York State Department of Environmental Conservation closed Mill Neck Creek to shellfishing due to the elevated coliform bacteria levels found there, which is likely to be a result of the sewage overflows from "The Birches" (also known as Continental Villa) housing development in Locust Valley that have plagued Mill Neck Creek.

Figure 4 and Figure 5 present seasonal geometric means (i.e., May through October) for fecal coliform and enterococci, respectively, for each of the estuary's embayments. A sizable increase occurred in fecal coliform geometric mean levels measured in Mill Neck Creek, Oyster Bay Harbor, and Cold Spring Harbor in 2007 and 2008 as compared to 2006. The fecal coliform levels seem to be similar to those witnessed in 2002. An increase in enterococci geometric means also occurred in 2007 and 2008 in Mill Neck Creek as compared to 2006. Cold Spring Harbor and Oyster Bay Harbor enterococci levels remained similar to previous years.

Although the shellfish and swim standards are included on the figures found below, the locationally-averaged geomeans cannot be used to directly determine compliance with the standards.

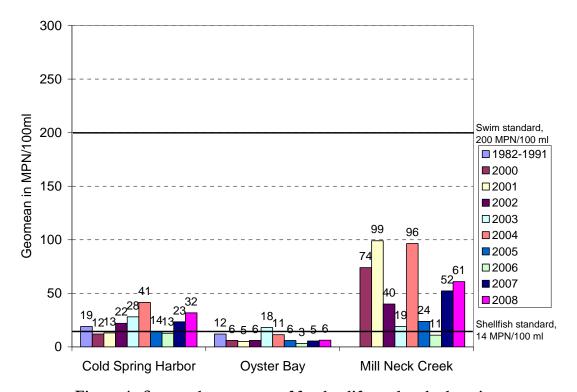


Figure 4. Seasonal geomeans of fecal coliform data by location



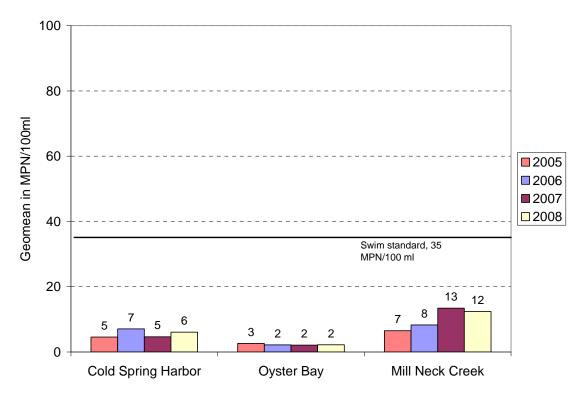


Figure 5. Seasonal geomeans of enterococci data, by location

Figure 6 and Figure 7 presents total monthly precipitation as recorded at a precipitation station in Levittown during the 2007 and 2008 sampling seasons. Total monthly precipitation during 2008 was relatively evenly distributed. Precipitation quantities ranged from 2.6 inches in June to approximately 6.2 inches in September. Precipitation in 2007; however, was quite high and erratic – with a high of 10.57 inches in July and a low of 1.25 inched in May. Distribution of precipitation through the monitoring season is important since stormwater runoff can transport bacteria pollution to receiving waters.



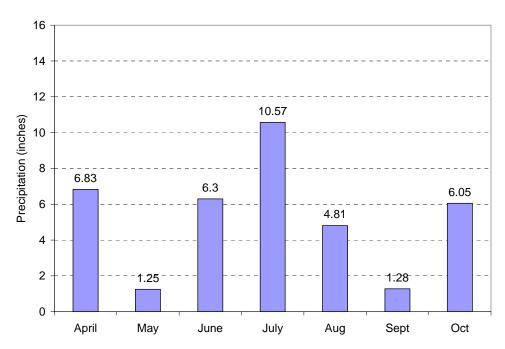


Figure 6. Precipitation recorded at Levittown, Long Island, 2007

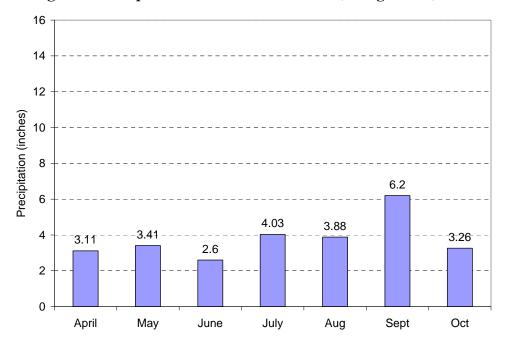


Figure 7. Precipitation recorded at Levittown, Long Island, 2008

2.2.1 Cold Spring Harbor Results

Four stations were monitored for fecal coliform and enterococci bacteria in Cold Spring Harbor in 2007 and 2008. Figure 8, Figure 9, Figure 10, and Figure 11 present the 2007 and 2008 fecal coliform and enterococci 30-day running bacteria geometric means for each station. In some



cases, fewer than two samples were collected in the preceding 30-day period, so some breaks in the line are present.

The results for shellfishing agree with those presented in *Table 3* and *Table 4*; only one station in Cold Spring Harbor (FB-4) complied with the fecal coliform NYS shellfish geometric mean standard for the duration of the 2007 and 2008 season. The other three stations failed to comply with this standard for both fecal coliform bacteria for portions of the monitoring seasons. In 2008, FB-4 just met the fecal coliform standard with the highest calculated 30-day mean reaching 13 MPN/100ml.

FB-3 and FB-4 met both the fecal coliform and enterococci geometric mean components of the swim standards for both the 2007 and 2008 seasons, and FB-1 and FB-2, particularly FB-1, exceeded the standards during the majority of the summer season (late June through late August). One fecal coliform sample at the FB-1 location exceeded 1,000 MPN/100 ml swim standard during the 2007 season. However, the 104 MPN/100 ml single sample standard for enterococci was exceeded three times at FB-1 and once at FB-2 during 2007 and six times at FB-1 and once each at FB-2 and FB-3 during the 2008 season. These results would have resulted in beach closures.

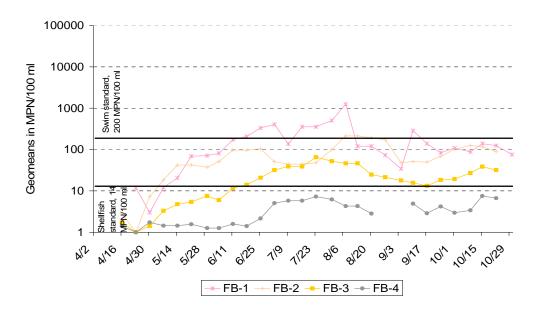


Figure 8. 30-day running geometric mean of 2007 Cold Spring Harbor fecal coliform samples



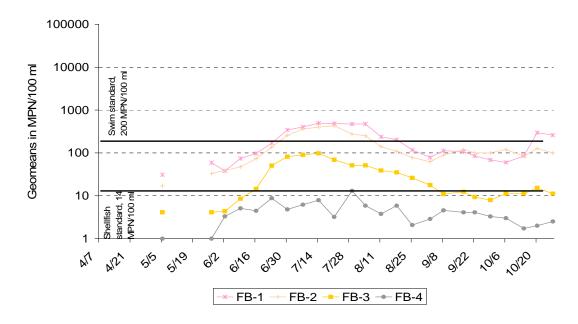


Figure 9. 30-day running geometric mean of 2008 Cold Spring Harbor fecal coliform samples

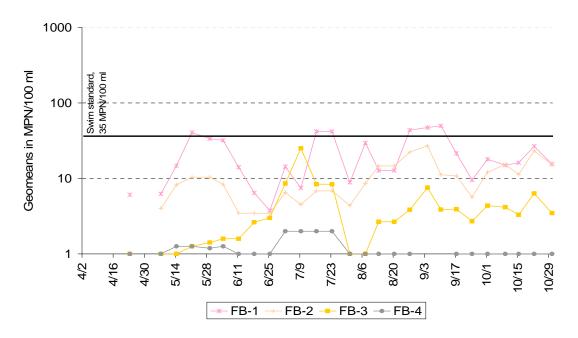


Figure 10. 30-day running geometric mean of 2007 Cold Spring Harbor enterococci samples



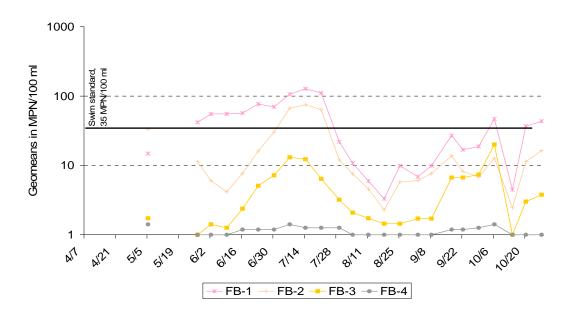


Figure 11. 30-day running geometric mean of 2008 Cold Spring Harbor enterococci samples

2.2.2 Oyster Bay Harbor Results

A total of eight stations were monitored for fecal coliform and enterococci bacteria in Oyster Bay Harbor in 2007 and 2008. As shown in *Figure 12* and *Figure 13* the geometric mean of fecal coliform and entercocci results at many of the stations did not met the geometric mean component of the NYS water quality criteria for shellfishing for the 2007 and 2008 seasons. In 2007, FB-7, FB-8, FB-9, FB-10, and FB-12 and in 2008, FB-7, FB-8, FB-9, FB-10, FB-11, and FB-12 exceeded the standard during some portion of the season. FB-12 exceeded the standard for a short period of September and October in 2007 and 2008 while FB-11 exceeded during a small portion of July in 2008. *Figure 14* and *Figure 15* show that none of the stations exceed the 35 MPN/100 ml swimming standard for enterococci.

The single sample exceedance levels of 1,000 MPN/100 ml for fecal coliform and 104 MPN/100 ml for enterococci were exceeded at FB-5, FB-8, and FB-12 in 2007 and at FB-10 in 2008. Although the running 30-day enterococci geometric mean standard (35 MPN/100 ml) was not exceeded for enterococci in 2007 or 2008, the 30-day fecal coliform geometric mean standard (200 MPN/100 ml) was exceeded at FB-10 during part of October 2008.

Bacteria levels were elevated at FB-10, for fecal coliform in 2007 and 2008. The cause of these elevated levels is unclear. However, this site is located near the outflow of the Mill Pond, which supports a substantial population of waterfowl, and Beekman Creek, which discharges to Oyster Bay Harbor via the Mill Pond outflow. It is possible that either of the outflows or the waterfowl population is contributing to elevated bacteria levels.



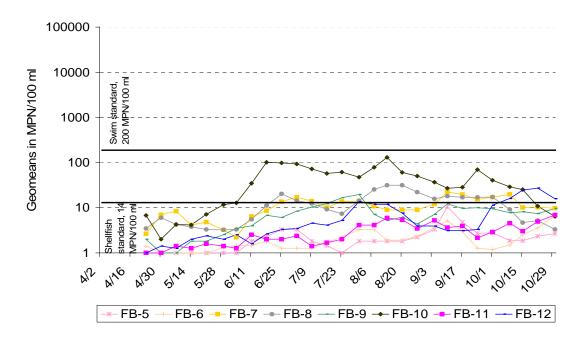


Figure 12. 30-day running geometric mean of 2007 Oyster Bay Harbor fecal coliform samples

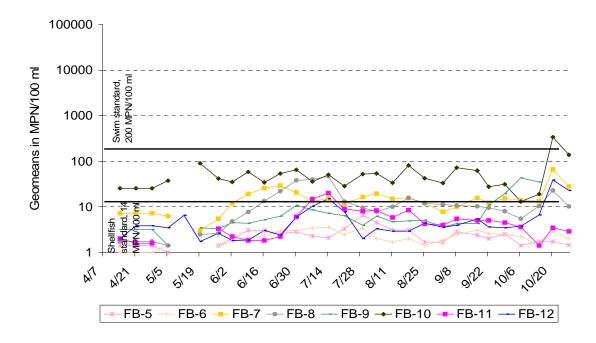


Figure 13. 30-day running geometric mean of 2008 Oyster Bay Harbor fecal coliform samples



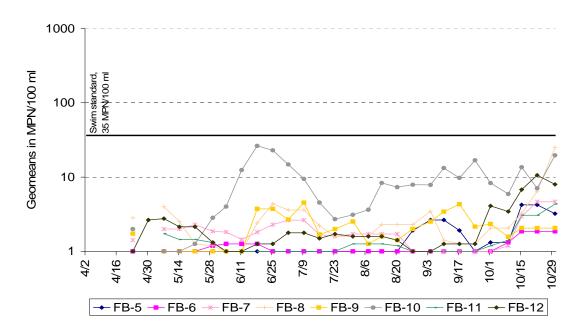


Figure 14. 30-day running geometric mean of 2007 Oyster Bay Harbor enterococci samples

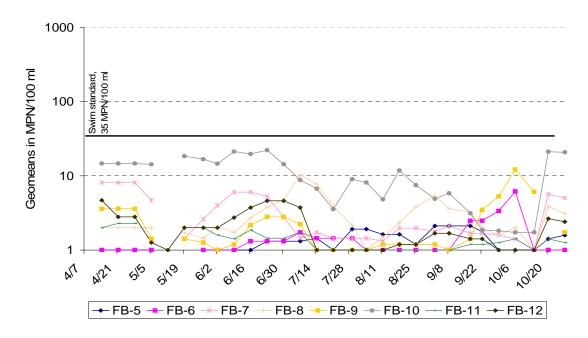


Figure 15. 30-day running geometric mean of 2008 Oyster Bay Harbor enterococci samples



2.2.3 Mill Neck Creek Results

In 2007 and 2008, seven stations were monitored in Mill Neck Creek for fecal coliform and enterococci, and monthly geometric means were calculated for the data. *Figure 16*, *Figure 17*, *Figure 18*, and *Figure 19* present the results of this analysis.

FB-15, FB-16, and FB-17 are difficult to monitor since low tidal conditions often prevent access; FB-15, FB-16, and FB-17 were only successfully sampled on 62%, 50%, and 46% of the monitoring events during 2007, respectively and on 52%, 48%, and 32% of the monitoring events during 2008, respectively. Therefore, the analysis is based on a much smaller pool of data, which may affect the analysis of the resulting data. In general, sample collection at these sites was consistent; samples were collected at each location at least once a month during the monitoring season.

None of the Mill Neck Creek locations met the geometric mean component of the State shellfishing standards for the entire 2007 and 2008 monitoring seasons. Locations FB-15, FB-16, and FB-17 did not meet the geometric mean component of the State swimming enterococci standard for the majority of the 2007 and 2008 seasons as well. Although none of the Mill Neck Creek monitoring locations exceeded the single sample fecal coliform standard, locations FB-13, FB-14, FB-15, FB-16, and FB-17 exceeded the enterococci standard two, four, three, three, and six times respectively in 2007 and FB-14, FB-15, and FB-16 exceeded the standard one, three, and two times respectively in 2008.

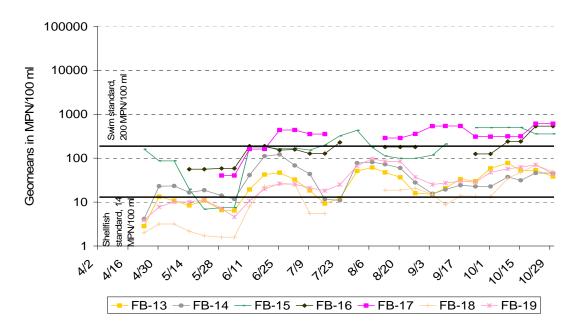


Figure 16. 30-day running geometric mean of 2007 Mill Neck Creek fecal coliform samples



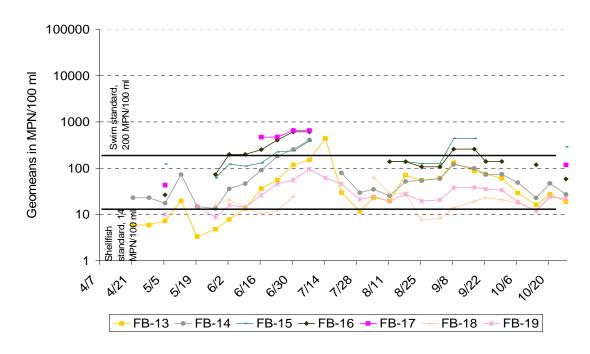


Figure 17. 30-day running geometric mean of 2008 Mill Neck Creek fecal coliform samples

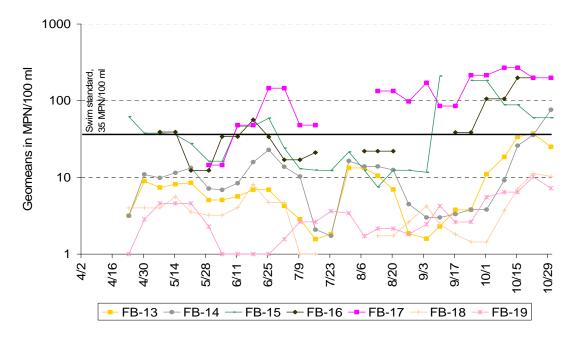


Figure 18. 30-day running geometric mean of 2007 Mill Neck Creek enterococci samples



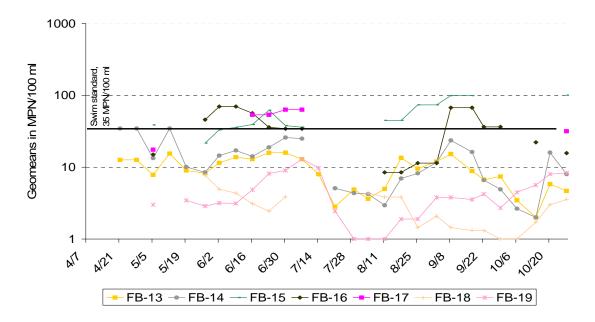


Figure 19. 30-day running geometric mean of 2008 Mill Neck Creek enterococci samples

The highest levels of fecal coliform and enterococci generally occur at FB-17. It is notable that FB-17 is the closest location to the untreated sewage discharge from the Birches, which could account for the high levels. Additionally, both FB-15 and FB-17 are located in tidal flats that could accumulate bird droppings during periods of low tide.

2.3 Nutrient Enrichment by Nitrogen

2.3.1 The Nitrogen Cycle

The nutrients nitrogen and phosphorus, as well as other minerals, are essential components for organisms in Oyster Bay. Nitrogen and phosphorus are typically the limiting factor in the quantity of biomass (organisms, such as algae, bacteria, fish, and plants) that can grow in a water body. When nutrient inputs to a water body increase, microorganism populations also increase. These increases are generally first seen in the density of algae, resulting in an algal bloom.

A common rule of thumb is that the ratio of nitrogen to phosphorus in biomass is approximately 7 to 2. This means that, if the nitrogen concentration divided by the available phosphorus is less than 3.5, biological growth will be limited by the amount of nitrogen (Chapra 1997) in the water. If this ratio is greater than 3.5, then phosphorus will limit biological growth (other nutrients, such as silica, are known to limit growth as well in less common instances).



In marine ecosystems, such as the Oyster Bay/Cold Spring Harbor complex, phosphorus is generally abundant. The amount of biological growth that occurs is directly related to the amount of nitrogen that is present in the water. For this reason, Friends of the Bay monitors nitrogen parameters in the estuary.

Several algal blooms may occur during the year, depleting the nutrient concentrations within the water column. When the nutrients are depleted, phytoplankton populations die off and sink to the bottom, contributing to large amounts of organic matter in the water column. This organic matter decays while sinking and is further decomposed by bacteria in the estuarine sediments.

While decomposing dead phytoplankton, bacteria consume oxygen. This depletion of oxygen may result in hypoxia (DO less than 3 mg/l) at the harbor bottom. Typically, hypoxia occurs in summer, when the water column stratification hinders oxygen replenishment in deep water. There are four nitrogen species commonly present in marine waters: ammonia-N, nitrate, nitrite and organic nitrogen. *Figure 20* presents a schematic of the interrelationships between these species, showing the processes that impact nitrogen in the marine environment.

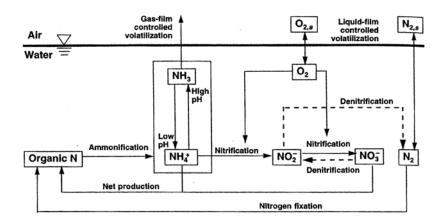


Figure 20. Nitrogen species and processes in marine environments (Source: Chapra 1997)

Organic nitrogen is present in the form of urea, amino acids, proteins and other compounds (LISS, 1994). It can be bound to organic matter such as plants or algae. Dissolved forms of organic nitrogen come from sewage plants effluent, sewer overflow, failing septic systems and stormwater runoff. Dissolved forms of organic nitrogen are available to bacteria and phytoplankton populations and promote their growth.

Phytoplankton also utilize inorganic forms of nitrogen, including ammonia, nitrate, and nitrite. Organic nitrogen decays through ammonification to ammonia. Nitrates and nitrites are carried into the marine waters by stormwater runoff or result from nitrification of ammonia within the water body. Nitrates and nitrites can be converted to nitrogen gas by bacteria under anoxic conditions, and thus removed from the aqueous environment. High levels of ammonia may pose a danger to aquatic life. With rising temperatures and pH, ammonia ions (NH₄+) change at increased rates into an un-ionized form of ammonia (NH₃). This form of ammonia is toxic to fish and aquatic plants.



2.3.2 Nitrogen Criteria and Standards

In 1989, the U.S. EPA proposed ambient water quality criteria for ammonia (NH₃) in salt water. These criteria are pH, salinity, and temperature dependent. The EPA recommends that continuous total ammonia levels should not exceed 0.72 mg/l for waters having the following conditions: salinity 20 ppt, temperature 2°C, and pH 8. However, for slightly more alkaline conditions (pH 8.4), the criterion decreases to 0.30 mg/l.

The 1994 Long Island Sound Study (LISS) identified several major sources of nitrogen. These sources include deposition from air pollution, delivery from large tributaries, sewage treatment plants, failing septic systems, and storm water runoff. LISS presented several management options for controlling the nitrogen load into the Sound. Two of these options, including sewage treatment plant upgrades for nitrogen removal and reduction of nitrogen from non-point sources, could potentially result in a 55% reduction of nitrogen load to Long Island Sound.

Nitrogen water quality standards vary across the U.S. Some states follow total maximum daily load (TMDL) criteria. Others use site-specific or waterbody-based ambient nutrient levels (National Research Council, 2000). New York State adopted a new aquatic life standard for ammonia level in marine waters on February 16, 2008. For estuarine waters such as Oyster Bay, the **chronic**, or long-term aquatic standard for ammonia (un-ionized ammonia as NH₃) is $35 \, \mu g/L$ (0.035 mg/l). The **acute** ammonia standard is $230 \, \mu g/L$ (0.23 mg/l), meaning that the estuary is considered impaired if measurements ever exceed this level.

In addition, the NYS DEC has adopted a total nitrogen (TN) guideline of 0.5 mg/l for the Peconic Bay estuary surface water (Suffolk County Department of Health Services, 1999). This guideline is based on the 1988-1990 summer data correlation of the mean TN levels with an occurrence of dissolved oxygen standard violations. The 1999 Comprehensive Conservation and Management Plan for the Peconic Bay Estuary proposed a change of this guideline to 0.45 mg/l based on more recent data (1994-1996). A more stringent criterion of 0.4 m/L TN is being considered for shallow waters in order to protect eelgrass habitat areas.

LISS established a target of 58.5% nitrogen reduction from the 1990 baseline for cumulative point and non-point in-basin sources (NYS DEC, 2000). This target is to be achieved through maintaining maximum annual loads of nitrogen at 11 management zones. As of 2002, sewage treatment plant upgrades decreased nitrogen loads to the Sound by 28% (EPA 2006). An additional 12% reduction was targeted for completion by August 2004 (it is unknown if this goal was accomplished).

With the intent of reducing nitrogen discharges into Oyster Bay and Long Island Sound, the Oyster Bay Sewer District began construction of a nitrogen removal process for its wastewater treatment plant in 2004. The plant was fully operational in March of 2006 and has reportedly reduced the nitrogen concentration in the treated wastewater discharge by up to 75%.

2.3.3 Monitoring Results

FOB began monitoring nitrogen in 2002 with the goal of establishing a baseline of data and identifying possible areas of concern in the estuary. In 2007 and 2008 FOB monitored three species of nitrogen at nineteen sites in the Oyster Bay estuary, including ammonia-N,



nitrate/nitrite-N and TKN. Samples were collected approximately once per month as scheduled. From these analyses, Organic Nitrogen levels (TKN minus ammonia) and total nitrogen (i.e., TKN plus nitrate and nitrite) can be calculated.

Figure 21 and Figure 22 shows averages of nitrogen species for the monitored stations in 2007 and 2008. Following the NYS DEC guideline for the Peconic Bay estuary, all of the Cold Spring Harbor, Oyster Bay Harbor, and Mill Neck Creek monitoring locations would have exceeded the total nitrogen seasonal mean of 0.5 mg/l in 2007 and 2008. By comparison, in 2002, 2003, 2004, 2005, and 2006, 17, 11, 12, 19, and 19 locations, respectively, would have exceeded the standard.

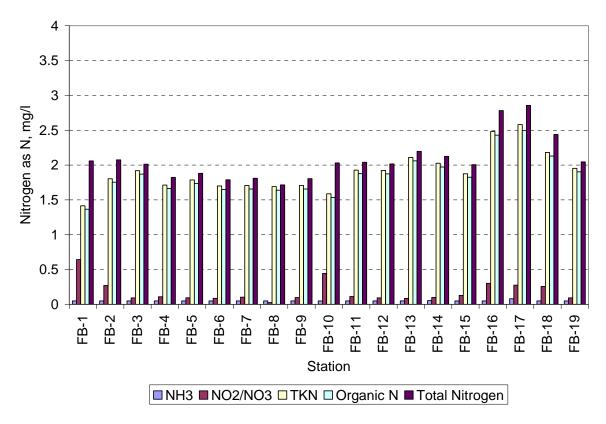


Figure 21. Seasonal average nitrogen species results for 19 stations in the Oyster Bay/Cold Spring Harbor Estuary, 2007



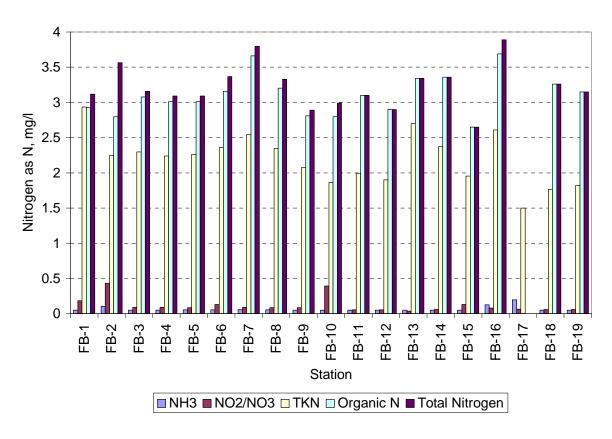


Figure 22. Seasonal average nitrogen species results for 19 stations in the Oyster Bay/Cold Spring Harbor Estuary, 2008

Organic-N is typically present in larger quantities in the Oyster Bay/Cold Spring Harbor estuary waters than ammonia and nitrate plus nitrite, generally accounting for more than 50% of total nitrogen at the sites that FOB monitors. In 2008, organic nitrogen accounted for more than 80% of total nitrogen at many locations. Organic nitrogen seasonal averages exceeded 2.5 mg/l at all locations in 2008. Organic nitrogen data was not available for the 2007 sampling season.

Ammonia and nitrate/nitrite levels were low compared to organic nitrogen levels. The detection limit for ammonia is 0.050 mg/l which in itself exceeds DEC's acute aquatic standard, thus it's difficult to determine the chronic conditions within the estuary. No measurements exceeded the acute ammonia standards in 2007 or 2008.

Total nitrogen levels in Cold Spring Harbor, Oyster Bay Harbor, and Mill Neck Creek were significantly elevated in 2007 and 2008 as compared to previous years. *Figure 23* presents seasonally and locationally-averaged total nitrogen data for seasons 2002 through 2008. Total nitrogen levels appear to have been increasing in the estuary since 2003. The elevated levels were described in Friends of the Bay's 2004 Water Quality Report, but nitrogen samples were only collected on two occasions in that year and the elevated results could not be verified.



However, in other years, a similar number of samples were collected, so the limited 2004, 2007, and 2008 sample set is unlikely to significantly contribute the result. *Figure 23* also shows the number of nitrogen samples collected in each year.

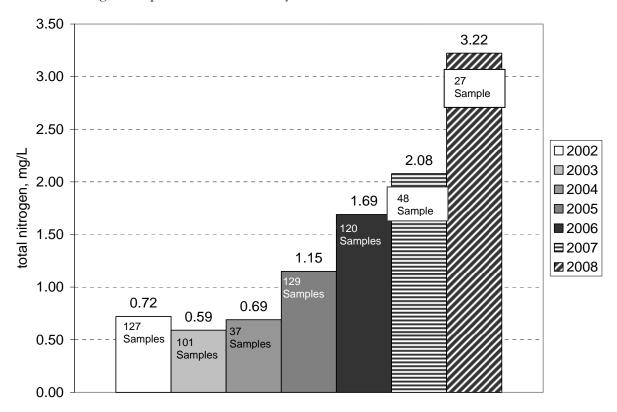


Figure 23. Seasonal averages for total nitrogen

The cause of this increase in nitrogen levels is unclear. Other water quality indicators monitored by Friends of the Bay did not show significant declines in water quality during this period. It is notable that ammonia and nitrate/nitrite levels were not elevated during 2007 and 2008, although TKN levels were elevated, and total nitrogen values were calculated from TKN values.

2.4 <u>Dissolved Oxygen</u>

LISS (1994) concluded that low dissolved oxygen (hypoxia) poses the most serious threat to the health of the Sound ecosystem. The waters of the western and central portions of the Sound generally exhibit hypoxia through the months of July, August and September. During these months, dissolved oxygen concentrations in the top level of the water column are typically 5-9 mg/l, while on the bottom levels of as 3-4 mg/l can be observed.

All aquatic life depends on oxygen availability in the water column. Low levels of oxygen have multiple effects on the marine ecosystems such as a change of species behavior, sensitive species growth impairment and in severe conditions, death of large populations of fish and other species. LISS summarized the effects of different oxygen impairment levels on some organisms of the Long Island Sound. An excerpt of these findings is presented in *Table 5*.



Table 5. Effect of Dissolved Oxygen Concentrations on Selected Organisms. (LISS, 1994)

Dissolved oxygen concentrations above the pycnoline (top of the water column)											
4-5 mg/l	Suitable for many species and life stages, may result in limited biological consequences										
3-4 mg/l	25-50% mortality of larval lobsters (based on 4-day long experiments)										
2-3 mg/l	50-95% mortality of larval lobsters (based on 4-day long experiments)										

Dissolved oxy	Dissolved oxygen concentrations below the pycnoline (bottom of the water column)										
4-5 mg/l	Protective for most biological consequences										
3-4 mg/l	Protective for many biological consequences, reduced growth of juvenile Am.										
	Lobster, grass shrimp, summer flounder (12-day experiments)										
2-3 mg/l	Impaired finfish habitat (reduced abundance), mortality of larval grass shrimp and										
	mud crabs (12-day experiments)										
1-2 mg/l	Impaired lobster and finfish habitat, 10-90% mortality of some non-larval species										
	(4-day experiments)										
0-1 mg/l	Many severe consequences, even at short exposures										

In bodies of water, oxygen is replenished from the atmosphere and by plant and algal photosynthesis. While aquatic plants and algae produce oxygen during the day, throughout the night photosynthesis does not occur, and consumption of oxygen by bacteria through decay of dead biomass consumes residual oxygen. Thus, the lowest levels of the daily cycle occur in the early morning hours. Several other factors influence the amount of dissolved oxygen found in a particular body of water:

- Water temperature cooler water holds more oxygen; therefore, warm summer waters can be particularly stressful for marine organisms.
- Salinity with increasing salinity the capacity of water to hold oxygen diminishes.
- Water turbidity poor water clarity prevents sunlight from reaching oxygen-producing aquatic plants lower in the water column.
- Nutrients excess nutrients can cause an algal bloom which blocks sunlight from aquatic
 vegetation lower in the water column. When algae dies and sinks to the bottom, the
 bacteria involved in decay of the plant material consume a significant amount of dissolved
 oxygen.
- **Mixing of the waters** stagnant waters and waters that are stratified hinder transport of oxygen into lower levels of the water column.

Previously, DO levels above 5.0 ppm were considered healthy; DO levels below 5.0 ppm were considered to cause various adverse impacts (related to growth, reproduction, and survival of organisms). The severity of impacts, and threshold DO levels where impacts occur, are strongly species dependent. A new dissolved oxygen standard was implemented by the New York State Department of Environmental Conservation on February 16, 2008. For estuarine waters such as Oyster Bay/Cold Spring Harbor Estuary, the **chronic**, or long-term DO standard is 4.8 ppm. The standard allows levels to fall below 4.8 ppm for short periods of time; the lower the level, the shorter the time interval allowable (as defined by the formula below).



$$DO_i = \frac{13.0}{2.80 + 1.84e^{-0.1t_i}}$$

where $DO_i = DO$ concentration in mg/l between 3.0 - 4.8 mg/l and $t_i = time$ in days. This equation is applied by dividing the DO range of 3.0 - 4.8 mg/l into a number of equal intervals. DO_i is the lower bound of each interval (i) and t_i is the allowable number of days that the DO concentration can be within that interval. The actual number of days that the measured DO concentration falls within each interval (i) is divided by the allowable number of days that the DO can fall within interval (t_i). The sum of the quotients of all intervals (i ...n) cannot exceed 1.0:

$$\sum_{i.e.,}^{n} \frac{t_i(actual)}{t_i(allowed)} < 1.0$$

The DO concentration shall not fall below the acute standard of 3.0 mg/l at any time.

The **acute** DO standard is 3.0 ppm, meaning that the estuary is considered impaired if DO measurements ever fall below this level.

Friends of the Bay monitored dissolved oxygen (DO) levels at the top and bottom of the water column at 19 sites in the Oyster Bay estuary. *Figure 24* and *Figure 25* presents DO data collected at the bottom of the water column throughout the 2007 and 2008 seasons.

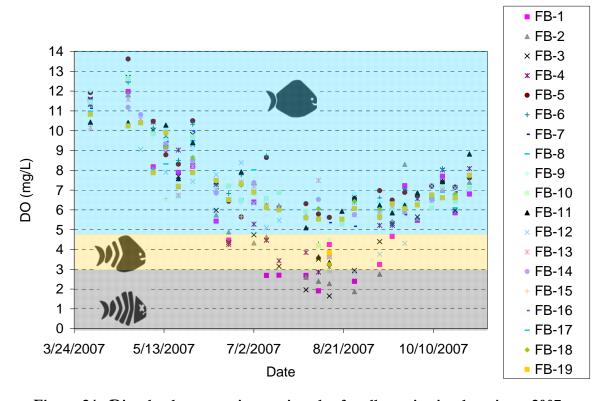


Figure 24. Dissolved oxygen time series plot for all monitoring locations, 2007.



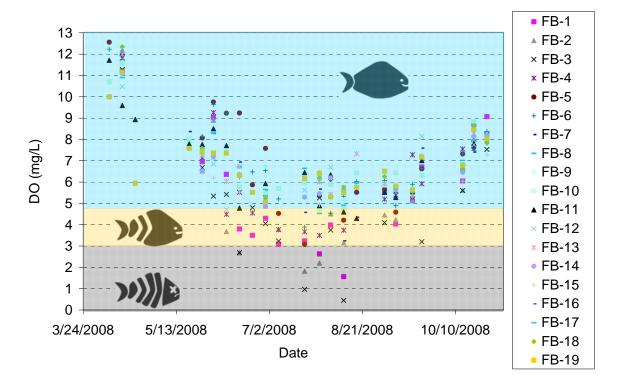


Figure 25. Dissolved oxygen time series plot for all monitoring locations, 2008.

Also presented is a curve that was generated by a polynomial regression of average weekly DO results from 2005. It should not be interpreted as a model for the data shown, nor as values that occur throughout the season, but just as a visual representation of a trend that average DO values may follow.

The data that was collected in 2007 and 2008 follows these general trends witnessed in past years, with the highest DO values occurring in spring, levels declining through the early summer, and then rising again in late summer and into the fall. The DO level at the bottom of the water column fell below 3.0 mg/l (acute standard) at stations FB-1 (5 times), FB-2 (5 times), FB-3 (3 times), FB-4 (1 time), FB-10 (1 time), and FB-12 (1 time) in 2007 and at FB-1 (2 times), FB-2 (3 times), and FB-3 (3 times) in 2008.

While hypoxic and anoxic conditions are likely to have occurred in the Oyster Bay/Cold Spring Harbor estuary complex, based on past experience and the trends suggested by the data that was collected, it is important to remember that no fish kills were reported. As such, it is likely that the existing ecologic community has adapted to low DO levels, and that parameter levels did not deviate beyond typical ranges. Low dissolved oxygen levels are a symptom of over enrichment by nutrients and not a problem that can be solved directly. Reducing nutrient inputs from the surrounding watershed into the estuary would likely improve water quality and could reduce the occurrence of low DO levels.



3.0 PROGRAM RECOMMENDATIONS

A. Proposed Changes to Monitoring Procedures

- Add one location for monitoring stratification within the water column. Prior to 2003, FOB recorded DO at 1-meter intervals throughout the water column. This practice ceased in 2003 due to the excessive number of measurements being recorded each week. However, stratification data can be useful in tracking conditions within the estuary. FOB should consider measuring DO profiles at one of the deep monitoring locations to track the development of stratification throughout the season. If temperature and salinity profiles were also recorded at that location, then the pycnoline (depth interval of steep density gradients) could be tracked via the halocline (depth interval of steep salinity gradients) and thermocline (depth interval of steep temperature gradients).
- 2) Focused study of pollution problems in CSH and MNC. A focused study of the Cold Spring Harbor inner harbor area and Beaver Lake and Oak Neck Creek in Mill Neck Creek area could provide more insight into pollution sources in these areas of concern. Perhaps a partnership with a research, educational organization, or local municipality would provide necessary insight into the design of such a study.

B. Continue Partnerships

It is our volunteers who fulfill a multitude of roles by participating in sample collection, data recording and boat operations. Individually they bring fun, humor, intellectual curiosity, personal skills and compassion for the environment to the program. All the individuals listed in the acknowledgements use their volunteering opportunity to get involved in protecting the estuary.

We had a great volunteer base in 2007 and 2008. Friends of the Bay volunteers have diverse backgrounds and hometowns. Among the careers represented are retired teachers, an automotive engineer, and a filmmaker. They come from as far as the south shore of Long Island and Huntington Harbor, and as close as Bayville and Oyster Bay. All are united in their intellectual curiosity and compassion for the environment.

In 2007 and 2008, as in prior years, Friends of the Bay's Water Quality Monitoring Program was made possible by supporting members, businesses and volunteers. For example, partnerships with the Nassau County Department of Health, Frank M. Flower & Sons, Inc., and on boat-volunteers were invaluable this monitoring season. Additionally, the new partnership with South Mall Analytical Labs in 2002 enabled Friends of the Bay to test for nitrogen species, thereby establishing a nitrogen baseline to help identify trends and high nitrogen areas in the Oyster Bay/Cold Spring Harbor estuary.

Friends of the Bay has been assisted in water quality monitoring efforts by students and teachers from Locust Valley High School. During the 2007 season five students, supervised by their teachers, participated in monitoring during July and August. They used the data compiled by Friends of the Bay to develop their own research projects. Two other students, from Friends Academy, also participated in our program during 2007.



C. Look to the Future

To further refine the understanding of Cold Spring Harbor, Oyster Bay Harbor, and Mill Neck Creek, Friends of the Bay considered the following additions to the program:

- Stationary Probes Consider the installation of several stationary probes, perhaps one
 in Oyster Bay Harbor, one in Cold Spring Harbor, and one in Mill Neck Creek.
 Stationary probes will allow FOB to continuously monitor fluctuations of dissolved
 oxygen, salinity, and water temperature. Such an instrument would also allow FOB to
 identify how long the selected locations remain hypoxic and to compare dissolved
 oxygen readings with that of other stations.
- Apparent color Apparent color is an easy way to get general information about what material is dissolved or suspended in the water, and thus would be a beneficial parameter for FOB to monitor. Water with very little dissolved or suspended material appears blue in color. The presence of dissolved organic matter such as decaying plant matter can result in water color of yellow or brown. The presence of dinoflagellates can produce a reddish or deep yellow color. Water that is rich in phytoplankton and algae appears green. Runoff can result in a variety of colors including yellow, red, brown or gray.
- Chlorophyll a and/or algal enumeration In addition to measuring apparent color, it would benefit the monitoring program to measure chlorophyll levels within the estuary. A chlorophyll test would measure the concentration of algae in the water column, helping to identify if algal blooms are influencing water clarity. Alternatively, algal enumeration by an experienced limnologist can identify the quantity of specific algal species that are present. Varying algal species can be an indicator of changes in a water body from year to year.

4.0 CONCLUSION

Since 2000, Friends of the Bay's Water Quality Monitoring Program has developed into a well-conceived periodic monitoring program of several important water quality parameters throughout the Oyster Bay/Cold Spring Harbor estuary complex. In 2007 and 2008, four stations were monitored in Cold Spring Harbor, eight in Oyster Bay Harbor and seven in Mill Neck Creek. All waters in the Oyster Bay estuary need protection. However, based on bacterial and nitrogen monitoring results, additional management efforts should be focused on areas of concern such as Cold Spring Harbor, Mill Neck Creek/Beaver Lake and Oak Neck Creek.

Three major water quality parameters were monitored in 2007 and 2008: bacteria, dissolved oxygen and nitrogen. Analysis of this season's data provided many useful insights into the estuary's water quality.

In 2007 and 2008, bacterial levels were generally higher than past years, except 2004, when coliform bacteria levels were unusually high, and similar to 2002 levels. As observed in previous years, bacteria levels in Mill Neck Creek and Cold Spring Harbor were generally higher than in Oyster Bay Harbor. None of the locations in Mill Neck Creek met the state shellfishing standard for fecal coliform in 2007 or 2008 on a geometric mean basis for the entire season.

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Additionally FB-1, FB-2, FB-3, and FB-10 did not meet the state shellfishing standard for fecal coliform during these monitoring years. FB-7 met the standard in 2007 but not in 2008.

The sixth and seventh year of nitrogen monitoring also suggested dramatic increases in nitrogen levels in the estuary in 2007 and 2008, a trend that was first observed in 2004 and continued in 2005. None of the monitoring locations would have met the nitrogen standard for salt water that New York State applies to the Peconic Bay estuary, if that standard were to be applied to Oyster Bay as well. The cause of these increased levels is unclear and warrants additional study.

Construction and start-up is complete of the new \$10.6 million advanced wastewater treatment facility serving the Oyster Bay Sewer District (OBSD). The plant went online in December 2005. Microorganisms used to seed the plant were delivered in mid-January 2006, and the plant was fully operational in March 2006. The facility, a Sequencing Batch Reactor, is already achieving the 2014 nitrogen limits imposed by the New York State Department of Environmental Conservation. The upgrade has reduced the daily nitrogen by as much as 75%.

With the completion of this plant the Friends of the Bay nitrogen data collected in 2002 through 2008 and subsequent years will provide a valuable baseline in evaluating the effect of reduced nitrogen loading on the estuary. The upgrade represents an important improvement in infrastructure available to the public, which should improve estuary water quality.

Dissolved oxygen data was collected throughout the Oyster Bay estuary during the monitoring season. In past years, DO trends indicate that the waters of the estuary are enriched with nutrients, since dissolved oxygen levels decrease steadily from spring through late summer, and then begin to increase in late summer. Nutrient enrichment can result from inadequately treated sewage discharges, polluted stormwater runoff, over-fertilization of lawns and gardens, agricultural runoff, and atmospheric deposition of air pollutants. Long-term reductions in nitrogen inputs should reduce the occurrence of extremely low DO conditions in the bottom of the harbor.

Friends of the Bay looks forward to working with volunteers, government agencies, and fellow not-for-profit organizations in future monitoring seasons. Together, FOB and its partners will continue to improve and expand their monitoring efforts. These efforts will provide a link to show how investment in water quality protection is improving the quality of water in Mill Neck Creek, Oyster Bay Harbor and Cold Spring Harbor.



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APPENDIX A

OYSTER BAY/COLD SPRING HARBOR ESTUARY COMPLEX FACT SHEET



Post Office Box 564 • Oyster Bay, NY 11771

Oyster Bay/Cold Spring Harbor Estuary Complex

Background Information

Located on the north shore of Long Island, the Oyster Bay/Cold Spring Harbor Estuary Complex – approximately 6,000 acres in size – is recognized as a vital natural, economic, cultural, historical and recreational resource.

And there is so much more to know about the Oyster Bay/Cold Spring Harbor Estuary Complex:

- The Oyster Bay/Cold Spring Harbor Estuary Complex is an embayment of Long Island Sound. (In 1987, the Sound was officially designated an Estuary of National Significance under the National Estuary Program.)
- The U.S. Fish & Wildlife Service maintains a National Wildlife Refuge (NWR) within the Oyster Bay/Cold Spring Harbor Estuary Complex. In fact, the Oyster Bay NWR which encompasses part of Cold Spring Harbor is the largest of the Long Island Complex's eight refuges. The NWR consists of 3,209 acres of bay bottom, saltmarsh, and a small freshwater wetland. Nationally, Oyster Bay NWR is one of the few bay bottom Refuges owned and managed by the U.S. Fish and Wildlife Service. ¹

The Oyster Bay NWR – which was established in 1968 via land donation from the Town of Oyster Bay and several local villages under the Migratory Bird Conservation Act – consists of high quality marine habitats that support a variety of aquatic-dependent wildlife. The refuge's waters and marshes surround Sagamore Hill National Historic Site, home of Theodore Roosevelt - father of the National Wildlife Refuge System.²

Subtidal (underwater up to mean high tide line) habitats are abundant with marine invertebrates, shellfish and finfish.³ The Refuge is located off of the Long Island Sound and the sheltered nature of the bay makes it extremely attractive as winter habitat for a variety of waterfowl species, especially diving ducks.⁴

In 2005, Defenders of Wildlife included the Oyster Bay NWR on their list of the ten most endangered Refuges in the country. The *Refuges at Risk: America's Ten Most Endangered National Wildlife Refuges 2005* report explains that the Oyster Bay NWR has become threatened by polluted stormwater runoff; non-sustainable development; habitat destruction; and human sewage associated with failing sewer infrastructure, inadequate on-site septic systems, and boat discharge.

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

http://refuges.fws.gov/profiles/index.cfm?id=52563

http://refuges.fws.gov/profiles/index.cfm?id=52563

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

• For almost two decades there have been three State-designated Significant Coastal Fish and Wildlife Habitats within the Oyster Bay/Cold Spring Harbor Estuary: Cold Spring Harbor, Oyster Bay Harbor, and Mill Neck Creek Wetlands (these habitat designations date back to 1987). The New York State Department of State recently concluded a review involving proposed revisions to 25 designated Significant Coastal Fish and Wildlife Habitats (SCFWH) on the North Shore in Nassau and Suffolk counties. The habitat designations went into effect on October 15, 2005. Among the 25 habitats that have been revised are areas that fall within the OB/CSH Estuary. The three Habitats will now be consolidated into two: 1) Mill Neck Creek, Beaver Brook, and Frost Creek and 2) Oyster Bay and Cold Spring Harbor. [See end of document for more info regarding SCF&W Habitat areas.]

• OB/CSH Fish and Wildlife Facts:

- o More than 126 bird species have been documented at the Oyster Bay National Wildlife Refuge, including 23 species of waterfowl.⁶
- Oyster Bay National Wildlife Refuge has the heaviest winter waterfowl use of any of the Long Island National Wildlife Refuges.⁷
- According to the U.S. Fish and Wildlife Service (USFWS), species that rely on this ecosystem include Federal and State designated endangered and threatened species such as the bald eagle, peregrine falcon, osprey, northern harrier, and least tern.⁸
- o The northern diamondback terrapin is common at the Oyster Bay National Wildlife Refuge, particularly in the Frost Creek and Mill Neck Creek sections. The Refuge is considered to have one of the largest populations of diamondback terrapins on Long Island.⁹
- The Harbor Complex hosts a productive marine finfishery. Oyster Bay has been designated by the National Marine Fisheries Service (NMFS) as Essential Fish Habitat (EFH) for 15 species of finfish across multiple life stages. The harbor serves as a nursery and feeding ground from early spring to late fall for these species and, as a result, contributes to the abundance of fisheries resources that are of regional significance. ¹⁰
- New York State's 1999 Long Island Sound Coastal Management Program, prepared by the NYS Department of State, identifies the Oyster Bay-Cold Spring Harbor area as a Regionally Important Natural Area.¹¹ [See end of document for more info regarding RINA.]
- The Oyster Bay/Cold Spring Harbor Estuary Complex is also considered one of the most important shellfish producing areas in New York State. The majority of Oyster Bay is certified for commercial shellfish harvest, with economically important shellfisheries including oyster (*Crassotrea virginica*) and hard clam (*Mercinaria mercinaria*). The waters of Oyster Bay are classified SA the highest and best water quality determination for shellfishing. This is an unusual distinction given the harbor complex's proximity to New York City and the fact that harbors to the west have been closed for more than 30 years.
- The F.M. Flower & Sons, Inc., along with more than 90 licensed independent commercial baymen (45 of which are full-time baymen), annually harvests up to 90% of New York State's oyster crop¹² and 33% of hard clams¹³ from the heart of the Oyster Bay National Wildlife Refuge.

⁵ http://www.nyswaterfronts.com/waterfront_natural_narratives.asp

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

http://refuges.fws.gov/profiles/WildHabitat.cfm?ID=52563

¹⁰ National Marine Fisheries Service and Mid-Atlantic Fishery Management Council. 2000. *Guide to Essential Fish Habitat Designations in the Northeastern United States.* http://www.nero.noaa.gov/hcd/webintro.html

¹¹ http://www.nyswaterfronts.com/downloads/pdfs/lis_cmp/Chap6.pdf

¹² http://refuges.fws.gov/profiles/index.cfm?id=52563

^{13 2004} New York Annual Shellfish Landings, New York State Department of Environmental Conservation

- A section of the surrounding watershed is located within the Oyster Bay Special Groundwater Protection Area a Critical Environmental Area¹⁴ on the spine of the deep flow water recharge area. Virtually all of Long Island's drinking water is drawn from a system of underground reservoirs or aquifers. The Island's drinking water system was designated as the nation's first Sole Source Aquifer, requiring special protection. The Oyster Bay Special Groundwater Protection Area is one of two such state-designated areas in Nassau County designed for the purpose of maintaining open space to recharge the aquifer.
- The Harbor Complex is home to the Cold Spring Harbor Fish Hatchery & Aquarium. The Hatchery is proud to have the largest living collection of New York State freshwater reptiles, fish and amphibians which are housed in the Julia F. Fairchild Building, the Walter L. Ross II Aquarium Building and in eight outdoor ponds. Brook, Brown and Rainbow trout are raised to stock private ponds.
- Renowned for its maritime legacy, Oyster Bay has been designated a "historic maritime area" by New York State.

What is a Significant Coastal Fish & Wildlife Habitat?

The New York State Department of Environmental Conservation evaluates the significance of coastal fish and wildlife habitats, and following a recommendation from the DEC, the Department of State designates and maps specific areas.

A habitat is designated "significant" if it serves one or more of the following functions: (a) the habitat is essential to the survival of a large portion of a particular fish or wildlife population; (b) the habitat supports populations of species which are endangered, threatened or of special concern; (c) the habitat supports populations having significant commercial, recreational, or educational value; and (d) the habitat exemplifies a habitat type which is not commonly found in the state or in a coastal region.

In addition, the significance of certain habitats increases to the extent they could not be replaced if destroyed.

What is a Regionally Important Natural Area?

Regionally important natural areas are defined geographic areas within the Long Island Sound coastal boundary and generally are composed of a variety of smaller, natural ecological communities that together form a landscape of environmental, social, and economic value to the people of New York. A regionally important natural area would meet the following three conditions:

- 1) The area contains significant natural resources.
- 2) The resources are at risk.

3) Additional management measures are needed to preserve or improve the significant resources, or sustain their use.

http://www.dec.state.ny.us/website/dcs/seqr/cea/ To be designated as a CEA, an area must have an exceptional or unique character with respect to one or more of the following: a benefit or threat to human health; a natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality); agricultural, social, cultural, historic, archaeological, recreational, or educational values; or an inherent ecological, geological or hydrological sensitivity to change that may be adversely affected by any change. Following designation, the potential impact of any Type I or Unlisted Action on the environmental characteristics of the CEA is a relevant area of environmental concern and must be evaluated in the determination of significance prepared pursuant to Section 617.7 of SEQR.

Additional information:

- V Use impairments in Oyster Bay Harbor, Mill Neck Creek, Cold Spring Harbor and its tributaries are identified in the 2000 Atlantic Ocean/Long Island Sound Basin Waterbody Inventory and Priority Waterbodies List (PWL).¹⁵ The use impairments include shellfishing, public bathing, fish consumption, habitat/hydrology, aquatic life, and recreation. (The use impairment of shellfishing is reinforced by the following facts: 1) Oyster Bay Harbor, Mill Neck Creek and its tidal tributaries are among the 69 water bodies, in the New York State 2002 303(d) list, impaired for shellfish harvesting ¹⁶ (SEE BELOW) and 2) The NYS DEC has decertified all shellfish harvesting areas in Mill Neck Creek and some shellfish harvesting areas in Oyster Bay.)
- ✓ According to Pathogen Total Maximum Daily Loads for Shellfish Waters in Oyster Bay Harbor and Mill Neck Creek, a September 2003 report¹⁷ by the New York State Department of Environmental Conservation, "urban storm water is...the major source of pathogens (approx. 88% of total) to the Harbor." The report also points out that "the waters support a large recreational environment for boating which represents the second largest source of pathogens (approx. 11% of total) to these bodies."
- V Oyster Bay Harbor, Mill Neck Creek, and its tidal tributaries are among the 69 water bodies listed in the New York State's 2002 303(d) as impaired for shellfish harvesting. The New York State Department of Environmental Conservation, with the cooperation and technical assistance of the U.S. Environmental Protection Agency (USEPA), along with their contractors Battelle and HydroQual, has completed the total maximum daily loads (TMDL) for pathogens in the shellfish waters for Oyster Bay Harbor and Mill Neck Creek. In accordance with USEPA's Water Quality Planning and Management Regulations (40 CFR, Part 30), TMDLs need to be developed to achieve the applicable water quality standards. Oyster Bay Harbor needed to be broken down into several distinct areas where individual TMDLs have been developed. Once implemented, these TMDLs are expected to achieve the targeted reductions in pathogen loads from point and non-point sources with the ultimate goal of achieving the water quality standards for shellfish harvesting. In management zone OBH-2 a 10% pathogen load reduction is mandated and in management zone OBH-3 an 89% pathogen load reduction is mandated. In the other management zones, it is necessary to ensure no increase in pathogen discharges. ¹⁸

Further, the TMDL indicates that pollution from marinas and boat mooring areas should be reduced using appropriate mitigation techniques such as:

- o Public awareness campaigns on illicit dumping of wastewater,
- o Enhancement of public toilet facilities near the shore and,
- o Expansion of current pump-out programs including the mobile and on-shore pump out facilities.

¹⁵ 2000 Atlantic Ocean/Long Island Sound Basin Waterbody Inventory and Priority Waterbodies List (PWL), New York State Department of Environmental Conservation.

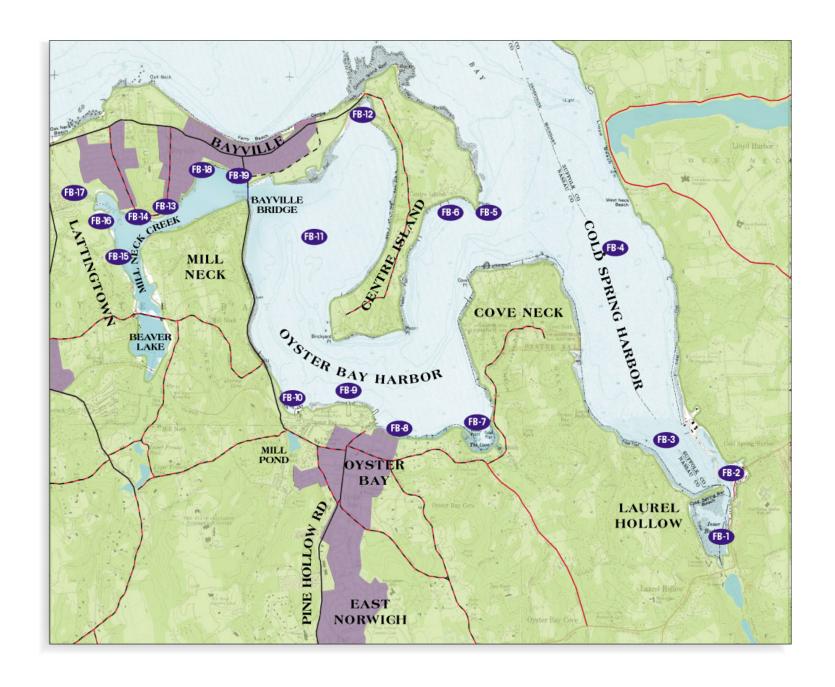
¹⁶ Pathogen Total Maximum Daily Loads For Shellfish Waters in Oyster Bay Harbor and Mill Neck Creek, New York State Department of Environmental Conservation (September 2003) http://www.dec.state.ny.us/website/dow/oystbay.pdf

¹⁷ Pathogen Total Maximum Daily Loads For Shellfish Waters in Oyster Bay Harbor and Mill Neck Creek, New York State Department of Environmental Conservation (September 2003) http://www.dec.state.ny.us/website/dow/oystbay.pdf

¹⁸ Pathogen Total Maximum Daily Loads For Shellfish Waters in Oyster Bay Harbor and Mill Neck Creek, New York State Department of Environmental Conservation (September 2003) http://www.dec.state.ny.us/website/dow/oystbay.pdf



APPENDIX B SAMPLING LOCATIONS MAP AND DESCRIPTION



Sampling Locations in Mill Neck Creek, Oyster Bay, and Cold Spring Harbor

	Site ID	Site Name	Site Description	Latitude	Longitude
Harbor	FB-1	South Cold Spring Harbor Cove	50 yards off last dock in Cold Spring Harbor, just south of Whalers Yacht Club Slips.	40°51′45″	073°27′51″
ng Ha	FB-2	CSH Cove North Mooring Field	Cove just north-east of Powell's Marina, east of large sand bar and small mooring field	40°52′09″	073°27′48″
d Spring I	FB-3	CSH South	200 yards west of Cold Spring Harbor mooring field; mid channel between Mobil Oil Terminal and orange brick house	40°52′22″	73°28′25″
Cold	FB-4	CSH North	Center of CSH, south-east of Plum Point; just north of Charles Wang's dock	40°53′47″	73°29′08″
	FB-5	Plum Point	Off Plum Point, 110 yards south of Red Nun "4"	40°54′04″	73°30′23″
	FB-6	Seawanhaka Yacht Club PSTP outfall	Out fall is located at pink buoy. Station 200 years off boat yard dock.	40°54′05″	073°30′42″
ō	FB-7	Oyster Bay Cove	Center of cove 100 yards south-west of Mr. Yampole's pier	40°52′31″	073°30′25″
Harbor	FB-8	Whites Creek and OB-STP outfall	100 yards east of Commander Oil dock	40°52′31″	073°31′17″
er Bay	FB-9	Roosevelt Beach	Approx. 200 yards offshore and in line with flagpole at Roosevelt Park.	40°52′45″	073°31′53″
Oyster	FB-10	Beekman Beach and Mill Pond outfall	Mid Channel between mooring field and finger piers, 100 yards off shore.	40°52′40″	073°32′24″
	FB-11	West Harbor	Midway between east and west shores, off large white house on North western shore	40°53′52″	73°32′11″
	FB-12	Turtle Cove	110 yards west of canal	40°54′44″	073°31′41
	FB-13	Mill Neck Creek-East	Mill Neck Creek, south of yellow house and wall	40°54′00″	73°33′43″
	FB-14	Mill Neck Creek -West	Confluence of Oak Neck Creek and Mill Neck Creek	40°53′56″	73°34′03″
Creek	FB-15	Mill Neck Creek- South	As far south towards Beaver Dam in Oak Neck Creek as tidal stage allows.	40°53′32″	73°34′04″
Neck (FB-16	Mill Neck Creek-North	As far North in Mill Neck Creek as tidal stage allows to steel pillared dock.	40°53′57″	073°34′18″
Mill N	FB-17	The Birches STP	North-west most channel past steel pillared dock in Mill Neck Creek.	40°54′10″	073°34′50″
	FB-18	Mill Neck Cove	North most point which tide will allow	40°54′20″	073°33′20″
	FB-19	Flowers Oyster Hatchery	10 feet south of warning buoy marking shellfish racks.	40°54′15′	073°33′04″



APPENDIX C WATER QUALITY MONITORING DATA SHEETS

Friends of the Bay Volunteer Water Quality Monitoring Data Sheet

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DATE:	
Captain:	Field Sampling Leader:
Samplers:	
STATION: Time (240	00): Air Temp (C°)
Bacteria Sample	Duplicate
GPS Reading: 40°	073°
Nitrogen Sample	Duplicate
DO Sample collected	DO sample preserved
Rainfall in previous 24 hours:	0= none 1= light 2= moderate 3= heavy

WATER & WEATHER CONDITIONS

Tidal Stage	1=high slack 2 = ebbing/falling 3= low slack 4 = flooding/rising							
Water Color	1 = brown 2 = red brown 3 = green 4 = yellow brown 5 = green brown							
Surface conditions	1= algal bloom 2 = oil slick 3 = foam 4 = dead fish 5 = debris 6=Other:							
Wave Height	0 = no waves 1= slight movement 2= light chop small waves on shore 3= moderate chop 4 = white caps 5 = swells							
Cloud Cover	0 = no clouds, 1 = <25%, 2 =25-50%, 3 =50-75%, 4 = 75-100%							
Wind Speed	0 = no wind 1 = <5mph 2 = 5-10mph 3 = 10-15mph 4 = 15-20mph 5 = 20-25mph 6 = >25mph							
Wind Direction	1= North 2= Northeast 3= East 4= Southeast 5= South 6= Southwest 7= West 8= Northwest							
Weather	1 = fair 2 = partly cloudy 3 = cloudy 4 = rain 5 = snow 6 = fog							

FIELD MEASUREMENTS

Depth (m)	Temperature °C	Dissolved Oxygen (mg/l)	Salinity (ppt)
0.5			
1.0			
(0.5 m above bottom)			
Bottom =			

SECCHI DEPTH

	Initials:		Initials:		
Descending-Disappearance		(m)			(m)
Ascending - Reappearance		(m)			(m)
Average		(m)			(m)
Hit bottom before disappearing?	Yes	No	Yes	No	
Angle					
Average of Two Readings					(m)

COMMENTS			



APPENDIX D TIDE TABLES FOR OYSTER BAY



John Venditto

Town Supervisor

TOWN OF OYSTER BAY 2007

NORTH SHORE HIGH TIDE TABLE

JUNCTION OF OYSTER BAY AND COLD SPRING HARBOR

Date of NEW MOON ______

KEEP OUR WATERWAYS CLEAN

- * Free Dockside Pumpout at Roosevelt and Tappen Marinas
- Tappen Marinas

 * Free Pumpout Vessel Service Call on Marine Channel 9

	JA	N.	FE	B.	MA	RCH	Al	PRIL	M	AY	JL	INE	JL	JLY	AUG	UST	SE	PT.	0	CT.	N	OV.	D	EC.
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.		A.M.	
1.	9:04	9:42	10:36	11:03	9:35	10:01	11:36	11:49	11:46	11:52	12:01	12:38	12:18	12:55	1:24	1:53	2:39	3:00	3:14	3:33	4:59	5:23	4:32	4:56
2.	9:57	10:32	11:19	11:45	10:20	10:41	1000	12:13	I District	12:24	12:40	1:18	1:01	1:37	2:10	2:38	3:32	3:53	4:14	4:35	6:03	6:29	5:30	5:56
3.	10:47	11:20		12:00	11:00	11:19	12:23	12:49	12:27	1:01	1:20	1:59	1:44	2:20	2:59	3:26	4:30	4:52	5:18	5:42	7:06	7:32	6:24	6:53
4.	11:34		12:23	12:40	11:38	11:54	12:57	4000000	1:03	1:39	2:01	2:41	2:30	3:04	3:51	4:17	5:33	5:57	6:25	10000000				
5.	12:07	12:20	1:01	1:19		12:14	1:31	2:02	1:40	2:18	2:47	3:27	3:18	3:52	4:47	5:12	6:40	7:05	7:31	6:51 7:57	7:03	7:29 -	7:15 8:03	7:46 8:35
6.	12:50	1:04	1:39	1:58	12:29	12:51	2:05	2:40	2:19	3:00	3:36	4:16	4:10	4:42	5:48	6:12	7:46	8:11	8:31		7:54	8:20		
7.	1:34	1:49	2:19	2:41	1:04	1:29	2:44	3:22	3:04	3:48	4:30	5:08	5:07	5:37	6:53	300	8:50	9:14		8:56	8:39	9:06	8:47	9:20
8.	2:16	2:33	2:58	3:26	1:38	2:07	3:25	4:08	3:53	4:38	5:27	6:02	6:06	6:33	7:58	7:17 8:20			9:25	9:48	9:21	9:49	9:29	10:03
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17.	9:42	10:17	10:53		10:41	11:06	11:57		11.00	12:29	12:27	1:04	1:01	1:33	2:04	2:25	2:54	3:04	3:07	3:12	3:18	3:29	3:39	3:58
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	COLUMN TO	Chicon I			10.00	1.1.10			11.00				12:39	1:10	1:49	2:11							8:44	5:12

EASTERN STANDARD TIME January 1 through April 1 October 30 through December 31 EASTERN DAYLIGHT SAVINGS TIME April 2 through October 29

For Bayville Bridge Add 5 Minutes For Northport Bay Subtract 5 Min.

For Bridgeport Subtract 10 Min. For Orient Point Subtract 1 Hour, 15 Min.



Town Supervisor

www.ovsterbaytown.com

TOWN OF OYSTER BAY

Date of NEW MOON

Date of FULL MOON

KEEP OUR WATERWAYS CLEAN

*Free Dockside Pumpout at Roosevelt & Tappen Marinas * Free Pumpout Vessel Service - call on Marine Channel 9

> Commissioner Neil O. Bergin Department of Environmental Resources (516) 677-5943

2008

NORTH SHORE HIGH TIDE TABLE

OYSTER BAY HARBOR

	www.oysterbaytown.com										(516) 677-5943													
	Ja	ın	Fe	eb	M	ar	A	pr	M	ay	Ju	ın	Ji	ul	AL	ıg	Se	p	0	ct	N	v	De	ec
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
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2	6:30	7:05	7:35	8:12	6:55	7:33	9:04	9:32	9:20	9:40	10:40	10:54	11:18	11:35	12:15	12:45	1:27	1:46	1:42	1:53	**1:39	**1:46	1:55	2:03
3	7:22	7:58	8:27	9:01	7:51	8:25	9:55	10:18	10:12	10:28	11:35	11:48		12:13	1:04	1:33	2:11	2:28	2:24	2:34	2:24	2:33	2:39	2:49
4	8:11	8:47	9:15	9:46	8:42	9:12	10:43	11:01	11:04	11:17		12:28	12:29	1:05	1:52	2:19	2:55	3:11	3:08	3:18	3:12	3:24	3:25	3:38
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31	5:41	6:20			7:11	7:50			8:48	9:06			11:03	11:23		12:21			1:17	1:23			1:27	1:36

Start Daylight Savings Time March 9th

** Start Eastern Standard Time November 2nd

For Bayville Bridge Add 5 Minutes For Northport Bay minus 5 min. For Cold Spring Harbor minus 14 min. For Bridgeport minus 7 min. For Orient Point minus 1 hour, 15 min. For Glen Cove Hempstead Harbor add 8 - 10 Mins

Tide Estimates supplied to the Town of Oyster Bay by National Oceanic & Atmospheric Administration