

Peconic Estuary Protection Committee
Meeting Summary – April 5, 2017

Cornell Cooperative Extension
423 Griffing Avenue, Riverhead, NY
10:00am- 12:00pm

ATTENDEES

Committee Member Representatives

Town of Brookhaven | Veronica King (Committee Vice-Chair)
Town of East Hampton | Mark Abramson
Town of Riverhead | Drew Dillingham (Committee Chair)
Town of Shelter Island | Laury Dowd
Town of Southampton | Paul Birmingham (for Christine Fetten)
Town of Southold | Michael Collins
Village of Sag Harbor | John Parker (for Robert Stein)

Peconic Estuary Protection Committee Coordinator | Rachel Gruzen

Additional Participants

Scott Curatolo-Wagemann | Cornell Cooperative Extension Marine Program
Sarah Schaefer | Peconic Estuary Program
Elizabeth Hornstein | Peconic Estuary Program/Department of Environmental Conservation

Committee Member Representatives Not Present

Suffolk County | Frank Castelli, Jay Elyse, Alison Branco
Village of Greenport | George Hubbard, Paul Pallas
Village of North Haven | Dianne Skilbred
New York State Department of Transportation | Gregg Williams

I. March 1st Meeting Summary Approved

The Peconic Estuary Protection Committee (Committee) members approved the March 1st Meeting Summary.

II. Coordinator Contract, Workplan and Committee Priorities 2017

The Committee approved the continuation of the Coordinator's contract April 1-December 31, 2017, a nine-month contract to synchronize with the municipalities' annual budget cycle starting January 1st. The Committee also approved the Coordinator's rate increase as proposed. Vice-Chair Veronica King modified the Coordinator workplan for inclusion in the 2017 contract revision, and the new contract is being finalized by Committee Treasurer Southampton.

The Committee agreed the Coordinator should focus 2017 efforts on public education and outreach in stormwater management and water quality protection. This has greatest benefit across all members and helps members to comply with requirements of the General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), which was the original driving force behind organization of the Committee.

Further to the workplan in the contract, the Committee outlined the following assignments. The Coordinator shall:

- Identify and collate educational literature on stormwater management and water quality topics from various stormwater coalitions and stakeholders and load them onto the Committee's online e-library;
- Replicate and tailor the outstanding educational resources for use by the members;
- Identify public education opportunities and forums lead by other water quality stakeholders and partner;
- Participate in and give educational presentations at seminars, conferences and schools on MS4 topics;
- Pursue editorial opportunities in smaller publications to educate on stormwater management and related water quality protection subjects;
- Set up a communication network with target audiences such as homeowners, landscapers and building construction contractors. Suggested partners and information sources include: Cornell Cooperative Extension's Marine Program and Agricultural Program which both have outreach components; Perfect Earth Project which addresses non-toxic landscaping and water quality protection; Long Island Business Association; homeowners associations; and municipal clerks managing business licenses; and
- Develop a calendar of and perform training events for member municipalities' staff, including highway and public works departments.

ACTION ITEMS:

- **Set up a communication network with target audiences for educational outreach on stormwater management and water quality;**
- **Create a draft schedule for public outreach activities to be performed by the Coordinator;**
- **Create a draft calendar of municipality staff training events for MS4 compliance; and**
- **Pursue editorial opportunities in smaller publications to educate on water quality.**

III. Committee Website

It was agreed the Coordinator would finalize all website draft materials so they are ready to be loaded onto the server once the web designer completes preparation. The Coordinator will: finalize the draft website text and distribute it to the Committee members for approval; consolidate all documents and files to be stored on the Committee website either publicly or within the members-only e-library; and collect imagery to be used on the website.

ACTION ITEM:

- **Coordinator to finalize all draft website materials and submit to the Committee members for approval; and**
- **Coordinator to consolidate all documents and files to be stored on the website.**

IV. Grant Opportunities

The Coordinator noted that the New York State Regional Economic Development Councils (REDC) are expected to soon announce a call for applications for 2017 grant funding. The Consolidated Funding Application (CFA) is commonly issued in May of each year and due at the end of June. Members agreed that funding for education and outreach activities should be pursued, and the Committee reviewed the 2016 REDC grants for which it could apply. The Coordinator will investigate the NYSDEC Water Quality Improvement Program (WQIP) and the Local Government Efficiency Grant. The Committee asked the Coordinator to start CFA preparations such as identifying requirements, requested documents and drafting a proposal summary, to be presented to the Committee along with a schedule and To Do List at the May Committee meeting. Members can then present the proposal to Town Boards and receive authorization and necessary documentation on time.

The Long Island Regional Economic Development Council (LI REDC) has already issued a schedule of Long Island CFA information sessions. They are on May 16th 1:00pm at Hofstra University in Hempstead and June 9th 10:00am at Stony Brook University in Stony Brook. The LI REDC has also issued a 2017 Call for Priority Projects, a non-required, pre-application phase. For more information go to: <https://regionalcouncils.ny.gov/content/long-island>.

The Committee agreed that funding should be sought for Coordinator time performing educational outreach, developing new materials, and tracking and documenting educational outreach to target audiences; and production costs for educational materials. These activities economize municipality time and resources. The Committee discussed other topics for grant applications, such as outfall mapping or support on development of the Water Quality Monitoring Program Quality Assurance Program Plan, but none were found to be as critical and useful to all members as educational outreach.

ACTION ITEMS:

- **The Coordinator will investigate the NYSDEC Water Quality Improvement Program (WQIP) and the Local Government Efficiency Grant including requirements and previous funded grant topics; and**
- **Coordinator to start CFA preparations including identifying requirements and requested documents, preparing a pre-proposal for Committee members to bring to Town Boards for authorization, and a schedule and to-do list for the Committee members to prepare necessary support documents.**

V. Peconic Estuary Program Subwatershed Management Plans and Monofilament Recycling Program

Elizabeth Hornstein of the Peconic Estuary Program (PEP) inquired with Committee members on how the PEP Subwatershed Plans produced by Horsley-Whitten have been received and implemented over the years. Hornstein stated that PEP, as part of its revision to the Comprehensive Conservation and Management Plan, is interested in updates on what has been implemented to date and what should be prioritized moving forward. Hornstein is currently leading the update of the PEP Habitat Restoration Plan and would like to determine if there are priority habitat restoration sites that are also in need of stormwater improvement projects. Horsley Whitten completed a “regional, storm-event-based, pollutant loading model” in 2003 for PEP to “help prioritize management efforts for four pilot watersheds [in the Peconic Estuary]. In 2006 Horsley Whitten completed management plans for those pilot subwatersheds” and in 2013 completed an additional six. Two more subwatershed plans were completed in 2014. The plans focus on “identifying cost-effective structural and non-structural practices to reduce overall pollutant loadings and runoff volume.” (Source: Accabonac Harbor Subwatershed Management Plan.) The plans are located here: <http://www.peconicestuary.org/projectdetails.php?pid=407>.

Committee members gave varying responses to Hornstein’s inquiry. Some towns had implemented some of the recommended stormwater management projects, such as East Hampton at Three Mile Harbor and Accabonac Harbor, and Southampton at stormwater inflows to Mill Pond. Michael Collins noted that in Southold many of the projects were insufficiently designed and also located on private property, making only about 10% of the proposed projects implementable. Collins noted that all implemented projects required a complete redesign by the Town Engineering Department. Laury Dowd of Shelter Island inquired whether there was ever town buy-in to the projects when they were first developed and noted that this type of feedback is a necessary component of implementation.

The PEP also informed the Committee of its monofilament fishing line recycling program and asked members for names of liaisons at each town that could help determine locations and provide approval for the installation of new receptacles. The PEP also asked for information on the locations of existing collection receptacles. The PEP is creating an online map of all fishing receptacle locations within the Peconic watershed for the public. The Coordinator agreed to facilitate with a communication to the Committee with the above requests.

ACTION ITEMS:

- **Members to revisit the Horsley Whitten subwatershed management plans from 2013 and provide feedback to PEP on which projects are completed and which are priorities. Documents found here: <http://www.peconicestuary.org/projectdetails.php?pid=407>; and**
- **Coordinator to facilitate communication between PEP and the members on locations of existing monofilament line recycling collection receptacles and interest in installing additional receptacles.**

VI. Update on the Draft SPDES General Permit for Stormwater Discharges from MS4s (GP-0-17-002)

The current Draft State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from MS4s (GP-0-15-003) will be extended as of May 1, 2017 and “will remain in effect until the next permit renewal is issued” according to an email communication from NYSDEC Division of Water to MS4 Operators on March 30, 2017. The Draft GP-0-17-002, which was provided to the public for comment in winter 2016-17, was not given final issue. There will be the same reporting requirements as last year, except the last three pages of the annual report do not need to be submitted as the semi-annual reports cover those issues. Furthermore the draft report, according to the regulations, must be published for public comment a minimum of 30 days before submission to the State. The forms are located here for the reporting term ending on March 3, 2017: <http://www.dec.ny.gov/chemical/43150.html>

ACTION ITEM:

- **Given the GP-0-15-003 is still in effect, MS4 Operators shall follow the same reporting requirements as last year except the last three pages of the annual report do not need to be submitted as the semi-annual reports cover those issues. A draft report must be published for public comment a minimum of 30 days before submission to the State.**

VII. Part IX Semi-Annual Reporting

For MS4 Operators subject to the watershed improvement strategy areas in Part IX, “Semi-Annual Progress Reports must be prepared and completed to report on their Pollutant Load Reduction deadlines for the reporting period of September 10, 2016 to March 9, 2017. The completed Semi-Annual Progress Report Form for the associated Pollutant of Concern should be completed as well as the Annual Report Form and both forms submitted to the Department Division of Water by June 1, 2017.

It was also noted that stormwater managers for each town must be authorized by the NYSDEC to sign the semi-annual report, otherwise a Supervisor or Deputy Supervisor must sign it.

The Coordinator was asked to produce on a quarterly basis a report of Committee activities that can be used for both MS4 reporting to the NYSDEC and documentation of progress on the Committee workplan.

ACTION ITEMS:

- **MS4 Operators to submit semi-annual reports on Part IX waterbodies.**
- **Coordinator to produce a progress report on Committee activities January-March 2017 for semi-annual reporting to the NYSDEC and continue to produce quarterly reports here forward.**

VIII. Water Quality Monitoring for Pathogens with NYSDEC Shellfish Sanitation Program

The Coordinator reported that she spoke with Bill Hastback at the NYSDEC Shellfish Sanitation Program to discuss ways in which the municipalities and NYSDEC could collaborate on water quality sampling in waterbodies with shellfish restrictions due to pathogen impairment. As was reported by PEP's Elizabeth Hornstein at the March meeting, the Shellfish Sanitation Program's laboratory will be at full capacity over coming months testing for marine biotoxins that cause Paralytic Shellfish Poisoning. The next window for training and testing would be late fall. Hastback suggested the Committee re-approach the Program in September to schedule training by the NYSDEC laboratory in its collection protocols.

The Committee agreed that in the meanwhile the municipalities should submit requests for the NYSDEC sanitary surveys through the Freedom of Information Law (FOIL) process and assess the data gaps, including where waterbodies are closed for administrative reasons or because of lack of recent water quality data. Collins recommended requesting the data in July at which time the sanitary surveys will be complete. He volunteered to provide the Committee with a training session in August on how to review the data and identify gaps. In September the municipalities can then work with NYSDEC regional biologists to review the data gaps and develop a schedule to sample in the highest priority waterbodies.

ACTION ITEMS:

- **Committee members to FOIL NYSDEC Shellfish Sanitation Program Sanitary Surveys in July. Collins to lead a training session in August on how to review the surveys for data gaps and prioritize waterbodies for water quality sampling; and**
- **Coordinator to reapproach Hastback at the Sanitation Program in September to schedule training sessions for water quality sampling.**

IX. NYSDEC Pending Withdrawal of the Pathogen TMDLs for Select Waterbodies

Collins reported on a recent call with NYSDEC's Kenneth Kosinski for an update on the pending withdrawal of the Pathogen TMDLs for select Long Island waterbodies. EPA is reviewing the withdrawal. There is debate on how to develop the revised TMDL and whether to model a few embayments and use them as representatives of all embayments on Long Island. Committee members agreed this is illegal and leads to inaccuracies that are the problem with the current TMDLs. Collins reported that he has been in communication with EPA directly on this. There was agreement that the Committee members should be advocating in Albany for a thorough, data-driven assessment of the health of each waterbody in order to produce accurate TMDLs. Collins emphasized to the group that funds spent on a representative embayment study would be more effectively used expanding the laboratory of the Shellfish Sanitation Program and collecting embayment-specific water quality data to then support revision of the pathogen TMDLs. Collins also noted that NYSDEC is proposing withdrawal of the retrofit requirements without any current modeling to support the elimination of these requirements.

X. May 3rd Committee Meeting on I/A OWTS with Justin Jobin and Ken Zegel at the Suffolk County Department of Health Services in Yaphank

The May 3rd Committee meeting will be held at the Suffolk County Dept. of Health Services in Yaphank. The Peconic Estuary Program has organized a presentation and Q&A by Suffolk County's Justin Jobin, Manager of the Innovative/Alternative Onsite Wastewater Treatment Systems Septic Demonstration Program, and Ken Zegel, Manager of the ongoing Subwatershed Wastewater Plan which includes nitrogen modeling. Committee members are encouraged to prepare questions in advance for Jobin and Zegel.

ACTION ITEMS:

- **Committee members to prepare questions for Jobin and Zegel on I/A OWTS and the Septic Demonstration Program for the May 3rd meeting to be held in Yaphank.**

XI. Long island Protection Committees Annual Meeting

The Coordinator will participate in the annual Long Island Protection Committees meeting to be held this year in Oyster Bay. The tentative date is May 11th and the working title of the event is, "Long Island Sound, Harbors & Bays Town Hall". Anticipated topics include federal issues of EPA and federal funding; state issues such as the stormwater permit requirements and the Long Island Nitrogen Action Plan; and regional issues of water quality protection and restoration presented by each Protection Committee. The Coordinator has been asked to give, as in previous years, a 5-10 minute presentation on the accomplishments of the Committee in 2016 and the workplan priorities for 2017.

Kindly note your calendars with the upcoming 2017 meeting dates. We meet the first Wednesday of each month at Cornell Cooperative Extension in Riverhead, unless otherwise noted:

*May 3rd (in Yaphank), **Friday** June 9th, July 12th, August 2nd, September 6th, October 4th, November 1st, December 6th*