

Peconic Estuary Protection Committee
Meeting Summary – June 9, 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 Riverhead | Drew Dillingham (Committee Chair)
Town of Southold | Michael Collins, Jamie Richter
Village of Sag Harbor | John Parker (for Robert Stein, by phone)
Suffolk County | Frank Castelli, Jay Elyse, Alison Branco

Additional Participants

Peconic Estuary Protection Committee Coordinator | Rachel Gruzen
Cornell Cooperative Extension Marine Program | Scott Curatolo-Wagemann

Committee Member Representatives Not Present

Town of East Hampton | Kim Shaw, Mark Abramson
Town of Shelter Island | Laury Dowd
Town of Southampton | Christine Fetten
Village of Greenport | George Hubbard, Paul Pallas
Village of North Haven | Dianne Skilbred
New York State Department of Transportation | Gregg Williams

I. Discussion and Approval of May 3rd Meeting Summary

The Peconic Estuary Protection Committee (Committee) members approved the May 3rd Meeting Summary.

II. Grants

The Committee discussed the New York State Regional Economic Development Councils' (REDC) Consolidated Funding Application (CFA) which consolidates access to state funding opportunities under one application process. The Coordinator presented the document, "Summary of NYS Grant Opportunities under the 2017 REDC CFA that Address Water Quality", produced by the Coordinator and recently distributed to the Committee by email, as well as the highlighted and annotated REDC grant guidebooks, and various linked grant materials and videos listed on the CFA website. The Coordinator pointed out that millions of dollars are available in funding for stormwater and wastewater infrastructure projects. Of particular note are the following grants:

1. "NYS DEC/EFC Wastewater Infrastructure Engineering Planning" (See "Available CFA Resources" guide, p.137)
2. NYSDEC Water Quality Improvement Project Plan funding (p.142):
 - a. "Wastewater Treatment Improvement Projects"; and
 - b. "MS4s funds to develop comprehensive system maps"; and
3. Environmental Facilities Corporation Green Innovation Grant (p.201).

Members reported on the status of CFA submissions for water quality projects. Brookhaven reported it is applying for several stormwater-related projects but not in the Peconic Estuary watershed. Projects include road end assessment; the purchase of a sewer pipe inspection camera; and a salt shed construction project. Southampton may be applying for a habitat restoration and stormwater management project at Alewife Creek, as reported by Peconic Estuary Program Director Alison Branco. Riverhead and Southold reported they are not applying at this time. Information was not available for Shelter Island, East Hampton and the Villages of Greenport, North Haven and Sag Harbor.

Committee members agreed that the Committee would not submit a CFA this year for state funding. There was no project concept at this time that would serve all members. The Coordinator will continue to seek grants that fund education and outreach, which is not covered under any REDC grants. The Coordinator reported that she has been inquiring with other Long Island and New York State stormwater coalitions and the general feedback is that the state does not want to allocate grant monies to MS4 educational and outreach activities that are regulatory requirements.

Alison Branco advised that most of the monies allocated through the CFA are to implement projects for which initial planning and conceptual design have been performed. The grant programs generally do not want to fund feasibility studies. She stated that the local match requirement on stormwater and wastewater construction projects, a condition that may have held back municipalities from applying in the past, should no longer be a hindrance given the availability of Community Preservation Fund (CPF) monies for water quality projects. It was stated that most municipalities want to use CPF monies for construction-ready projects or design development and construction only, and not planning or feasibility studies. Veronica King stated that grants can be allocated for project planning if grant applications are strategically written. Grants for stormwater mapping and DNA analysis at outfalls are such examples. King recommended members "think outside the box" when reviewing grant opportunities. Michael Collins emphasized the importance of working with town Trustees to gain broad support on any water quality projects.

The Committee concluded that the most viable grant proposal that would best serve all members is to fund the management and implementation of the Quality Assurance Project Plan (QAPP) for water quality sampling. This project could fall under the criteria of the Local Government Efficiency Grant (LGEG), which funds projects that consolidate government services across municipalities for cost savings.

Members agreed the Committee should continue to focus in the near-term on developing the QAPP and the municipal programming to conduct water quality sampling in partnership with DEC and EPA. The near-term goal is to establish the baseline of surface water impairment and health. An excellent follow-up CFA in future years could be for DNA source tracking, as suggested by Branco (and Scott Curatolo-Wagemann in the past), to identify the sources of those contaminants, and whether human-sourced or otherwise. A third application could be submitted to fund future QAPP training for municipal staff and citizen scientists.

The Committee requested the Coordinator contact the New York State Department of State, which oversees the LGEG, to assess the viability of the above proposals for its funding stream. The Committee requested the Coordinator make a CFA grant proposal production schedule starting in summer 2017 through to June 2018. The schedule should include internal deadlines for members, including monthly milestones, to provide necessary documents for the CFA. In this way the full application will be complete, but for updates, well before the June 2018 submission deadline. It was noted that town board-approved resolutions are required for grant application documents and can take months to be processed.

It was noted that the LGEG requires cost savings calculations per municipality to assess the benefit to local governments in consolidating resources. The members asked the Coordinator to investigate methodologies to quantify these values.

ACTION ITEMS:

- **Coordinator to contact NYS DOS regarding the viability of LGEG grant application for consolidating municipal services on developing and implementing a QAPP for water quality sampling;**
- **Coordinator to develop a draft CFA for the LGEG and a schedule of monthly deadlines for Committee members to provide required documents and information; and**
- **Coordinator to explore methodologies to quantify cost saving benefits to each member if QAPP development services are consolidated under a LGEG.**

III. Quality Assurance Project Plan for Water Quality Sampling

Branco gave a status update on the development of the Committee's QAPP for water quality sampling. Suffolk County on behalf of the Committee issued in the spring a Request for Proposals titled, "QAPP Services for a Supplemental Water Quality Sediment Data Collection Project" to solicit a contractor to develop the QAPP. Potential contractors attended the proposer's conference and submitted technical questions on the RFP. Branco and other County staff have been working on the responses to the technical questions with input from the Coordinator and Committee Chairs and will issue the responses in mid June.

Branco is also developing the contractor evaluation criteria and will meet in mid July with the County staff assigned to reviewing and scoring the proposals. The Committee does not have a formal role on the review team but can provide recommendations to the County. Branco will provide the proposals and evaluation criteria to King and the Coordinator for their input prior to the first meeting of the County reviewers. Branco anticipates that a contractor selection will be made in August. Given the contracting process at Suffolk County is about 6-12 months, the Committee can anticipate commencing work with the selected contractor in spring/summer 2018.

ACTION ITEM:

- **Vice Chair King and Coordinator to review and score the proposals for QAPP services and provide input to Branco for consideration by the County.**

IV. I/A OWTS Update

The Committee reviewed the latest developments in Suffolk County and municipal legislation to advance Innovative/Alternative Onsite Wastewater Treatment Systems (I/A OWTS). The Coordinator reminded members that the May Committee Meeting Summary contains detailed documentation of presentations by Suffolk County's Justin Jobin and Ken Zegel on the County's Septic Demonstration Program and Subwatersheds Wastewater Plan. The Committee document is public and can be distributed as an educational tool for municipal officials or others. There are also useful resources for I/A OWTS education at:

- The Suffolk County "Reclaim Our Water" website is: <http://reclaimourwater.info/>. Under the webpage "Homeowners", there are links to several informational flyers. Under the webpage "Regulatory", the Article 5, 6 and 19 documents detail existing and proposed County regulations.
- The Peconic Green Growth website with background on the water quality issues, various system types and functions, and considerations for installation: <http://peconicgreengrowth.org/onsite-wastewater-treatment-systems/>.
- The Coordinator reminded the Committee that Peconic Green Growth, The Nature Conservancy and Suffolk County are hosting an informational session on I/A OWTS for designers and engineers on three different dates in June. The agenda is located here: <https://apalongisland.files.wordpress.com/2017/06/iaowtsclasslogo1706.pdf>.

Some municipalities are also moving forward with local legislation to incentivize and possibly require septic upgrades to I/A OWTS. East Hampton is developing a sanitary local law and a septic rebate program using CPF funding, similar to the policy and grant opportunities issued by Suffolk County. Southampton is currently advancing similar legislation. Chris Fetten reported via email that Southampton is holding a Town Board public hearing in July to discuss the introduction of a new chapter requiring I/A OWTS for certain residential properties. There is also a Southampton local law under development for a municipal I/A OWTS rebate program. Shelter Island is encouraging upgrades to I/A OWTS and promoting awareness of the County incentive program. Its Town Board has yet to discuss whether to develop a municipal incentive program with CPF monies. Southold has no plans to develop local legislation on I/A OWTS at this time. Brookhaven adopted a Nitrogen Zone code last year that requires new construction within 500 feet of surface waters to install an I/A OWTS.

Branco and Frank Castelli reported that Suffolk County and New York State are in discussions on the allocation of state funds to finance I/A OWTS installs in Suffolk County. Collins suggested that if state grant funding becomes available, the Committee could submit an application to install a large quantity of I/A OWTS of like manufacturer and type in target subwatersheds across all member municipalities. Sharing in product purchase and design/engineering could be a large cost save for municipalities. Collins stated that while stormwater does not tend to migrate across municipalities, groundwater does, making I/A OWTS installation a highly relevant intermunicipal project.

It was noted that the County's goal is to install 200 I/A OWTS per year over the next two years. There is funding in the Suffolk County grant program to finance 187 systems. Each grants funds up to \$11k per system install including a shallow narrow drainfield.

The Committee discussed the viability of retrofitting neighborhoods with I/A OWTS cluster systems. Collins commented that cluster systems are only economically and politically feasible in new subdivisions. Retrofitting existing neighborhoods triples the cost of installation compared to new construction, and zoning and health department issues are challenging, with district agreements nearly impossible between homeowners for cost and maintenance sharing. Furthermore the costs would be higher to connect existing homes to a new I/A OWTS than to install an individual I/A OWTS at each home. The maintenance costs would be greater on the combined system, and the install costs for running lines, trenching and performing restoration are high. In contrast, in new subdivisions with a homeowners association, an I/A OWTS cluster system can work well and the legal, technical and monetary considerations are much more easily addressed. There is one such case study in Cutchogue using the Hydroaction system.

V. Community Preservation Fund Water Quality Improvement Technical Advisory Committees

The Coordinator surveyed the members on the status of their Community Preservation Fund (CPF) water quality improvement technical advisory committees (WQITAC). Since the resolution was passed in November 2017 to allocate up to 20% of CPF to water quality projects, some municipalities have been creating Technical Advisory Committees to recommend projects and priorities to the Town Boards. Some municipalities have CPF Water Quality Improvement Project Plans (WQIPPs) to guide actions while others do not. The Peconic Estuary Program produced this brief overview of each municipality's CPF Water Quality Improvement Project Plan (WQIPP) in 2017: <https://files.acrobat.com/a/preview/c805a0fb-d5d5-43ae-89da-b3d7da87c46e>.

The Coordinator reported on behalf of Laury Dowd and Tim Purtell that the Shelter Island WQITAC first met in April. Its 2017 focus is septic system upgrades. Its near-term goals are getting the word out to Shelter Island residents about the Committee and its goals, and creating an application form for I/A OWTS installation to go before the Town Board and public for approval. The WQITAC is meeting with Suffolk County's Justin Jobin and I/A OWTS manufacturer representatives to learn more about the systems and technologies. There has yet to be discussion on a local I/A OWTS financial incentivization program.

Collins reported that Southold will continue to focus on farmland and open space. It does not have a committee or ongoing plans to form one in the near future. The CPF does not have a large revenue stream as exist on the South Fork.

Collins stated that in order to have a committee, Southold would need a list of priority projects, and in order to create that list, one would need subwatershed studies based on sound data to know where water quality restoration efforts should be prioritized. Furthermore, Southold is having more water quality protection impact by purchasing and conserving agricultural land and thus eliminating the need for future septic systems.

As noted above, the Southampton WQITAC is under formation and the Town Board is advancing legislation to require I/A OWTS for certain residential properties and a municipal rebate program for I/A OWTS installs.

The Coordinator reported that East Hampton has a WQITAC that meets as frequently as every two weeks. It recommended to the Town Board the creation of a sanitary local law and a septic rebate program using CPF funding, which are under development. The WQITAC is in the process of recommending water quality projects. Riverhead is not creating a WQITAC at this time. It is focusing the CPF on debt service on completed purchases, and anticipates developing a Water Quality Improvement Projects Plan in the future. Brookhaven does not have a CPF.

The Coordinator asked whether there was benefit in visiting each WQITAC and introducing the Committee and its mission and role as one stakeholder in the water quality protection efforts on Long Island. Members were supportive and recommended the Coordinator talk about MS4 compliance, the significance of stormwater management projects, TMDLs and the regulatory need to prioritize and mitigate state-designate Impaired Waters. The Coordinator could direct the WQITACs to stormwater projects that are already conceptually designed. The Committee recognized that land conservation and wetland restoration can also have a big impact on water quality as methods of stormwater management.

Collins mentioned how significant stormwater management can have on habitat restoration, as well. Unblocking the culvert at Hashamomuck resulted in restored tidal flow, a modification of the phragmites population, and a return of biodiversity including bird life.

VI. 303(d) List Data Solicitation

The Committee discussed the New York State Department of Environmental Conservation (NYSDEC) data solicitation for the 2018 Clean Water Act Section 303(d) List. According to the NYSDEC,

“Section 303(d)...requires States to compile periodically (every two years) a list of impaired waters that do not meet water quality standards and where designated uses are not fully supported and where a Total Maximum Daily Load (TMDL) plan is necessary to address the impairment. States are scheduled to submit their next Section 303(d) Lists to USEPA by April 1, 2018. To support the development of the Section 303(d) Lists, States are also required to assemble and evaluate existing and readily available water quality related data and information. New York State is currently soliciting and accepting water quality data and information that may be useful in compiling the 2018 Section 303(d) List.”

The deadline is September 29, 2017. More information can be found here: <http://www.dec.ny.gov/chemical/110222.html>

Collins offered to assist members in the process by providing a workshop on data review methodology at the August committee meeting. Collins suggested that all members submit a Freedom of Information Law (FOIL) request to the NYSDEC to obtain the sanitary surveys for pathogen-impaired waters. Collins will share with the members methodology and key considerations for assessing the data. The Committee expressed concern to the NYSDEC in 2015 (in prep for the 2016 303(d) list) that the NYSDEC data sets are incomplete or outdated. The Committee members requested the NYSDEC increase data collection efforts and increased lab capacity for processing samples.

Drew Dillingham briefly shared on Riverhead's experience evaluating NYSDEC data sets, identifying questions such as reasons for administrative closures, and communicating with NYSDEC's Lisa Tettlebach and Ken Kosinski on those questions. Collins recommended that members review data for all of the 43 Impaired Waterbodies in the Peconic Estuary and review with NYSDEC the reasons and data that determine impairment. It is important to identify where there are data gaps, or expired data, that falls short of the 30 data points minimum requirement for an embayment.

There was concern that NYSDEC is advancing a holistic approach by which water quality for all harbors is modeled after studying water quality in one embayment. Members agreed that surface waters have to be looked at individually to properly document impairments and identify pollution sources. DNA tracking will be useful in this effort in the future.

The Coordinator has discussed with NYSDEC augmenting its data collection efforts with municipal resources starting this fall. The NYSDEC has been amenable to this and already works with some members. Those wishing to develop such a program can be trained by NYSDEC in the fall, pending state staff and lab availability. The Committee and NYSDEC could develop a sampling program for wintertime and summertime sampling, and work with NYSDEC to coordinate lab availability. In order to advance this, King suggested the Committee offer assistance first on sampling water bodies with "conditional" status. It was noted that the draft 2017 General Permit for MS4s clarifies that NYSDEC is the agency responsible for the sampling to support the TMDLs.

VII. Education and Outreach

The Coordinator presented a draft education and outreach (E&O) program plan that outlines key messages, target audiences and a draft schedule of E&O events. The Coordinator will conduct E&O at public events on behalf of the Committee members and introduce the audience to water quality issues, explain stormwater pollution and homeowner best management practices, distribute educational material and answer questions. The Coordinator will advance the written E&O program plan and submit it to the Committee for feedback. The Committee reminded the Coordinator to quantitatively record E&O statistics including numbers of pamphlets distributed, and estimations of target audience reached, for MS4 reporting purposes.

The Committee recommended the Coordinator select a few focal areas per year for E&O instead of presenting on all of them. It was agreed that 2017 topics should focus on homeowner education on fertilizer and pesticide use, and green infrastructure best management practices (BMPs) including rain gardens, bayscaping and use of impervious surfaces. These topics tie into ongoing local and County /A OWTS programming.

King recommended the Coordinator develop an E&O traveling kit with materials. Next step is collating copies of the existing materials including municipal pamphlets on stormwater, boater's education and more. King suggested borrowing Brookhaven's physical models of the aquifer and watershed. These are interactive props that attract children. She suggested the Coordinator contact each member to identify any educational props that are interactive and can be picked up or touched. Examples include coloring sheets for kids. Branco reminded the coordinator to send visitors to the PEP raingarden installation in Riverhead. Elyse Jay suggested giving brief presentations at the Suffolk County Turf Management Courses on stormwater BMPs.

The Committee supported Coordinator participation in the "Day in the Life of the Peconic Estuary". The school program is a one-day outing for school students to collect water quality data at a location in the Estuary. The Committee recommended the Coordinator give a brief stormwater presentation to students at a location with an outfall or stormwater infrastructure and/or impervious surface. The Committee suggested Carmen's River as such a site. The Coordinator will contact the event organizer, Melissa Parrot, to discuss further.

The Coordinator asked for input on whether the Committee would like to add its name as a supporter of government projects and alliances that focus on water quality. Examples include the Suffolk County Reclaim Our Water Allies list found at: <http://reclaimourwater.info/contact.aspx>; and the Long Island Clean Water Partnership: <http://www.longislandcleanwaterpartnership.org/>. Branco and others advised that an intermunicipal alliance can give support to government projects, but it is unusual for a government entity to give support to a non-profit. One means of evaluating this condition is to see whether the Peconic Estuary Program has signed on as a supporter of an initiative, and follow suit. The Committee recommended the Coordinator wait until the Committee website is live and then conduct a press release public announcement to various partners providing our logo and link to our webpage.

The Committee revisited the web address for the future website and agreed upon www.PeconicEstuary.org/LocalGovernment. This web address could be secured for no additional cost as part of the Peconic Estuary Program parent site, and is memorable and easy to dictate to people. The Committee agreed it could

also later add a second URL that redirects to the above website. The Committee asked the Coordinator to investigate registration protocols for websites with .info suffixes.

The Coordinator and Branco pointed out that the NYSDEC Long Island Nitrogen Action Plan (LINAP) host an online calendar of water quality-related events hosted by LINAP partners at: <http://www.dec.ny.gov/lands/109852.html>

ACTION ITEMS:

- **Coordinator to advance the Education and Outreach (E&O) Program Plan and distribute to Committee;**
- **Coordinator to collate stormwater and water quality education materials from members for distribution at E&O public events and develop a traveling E&O kit;**
- **Coordinator to contact various entities and programs to discuss E&O presentation on water quality, particularly stormwater management and BMPS;**
- **Coordinator to advance on using the website address: www.PeconicEstuary.org/LocalGovernment and also investigate registration protocols for websites with .info suffixes; and**
- **Members to check out the NYSDEC LINAP calendar of events: <http://www.dec.ny.gov/lands/109852.html>.**

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:

July 12th, August 2nd, September 6th, October 4th, November 1st, December 6th

*Meeting summary prepared by:
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