

Peconic Estuary Protection Committee
Meeting Summary – July 12, 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 Shelter Island | Laury Dowd
Town of Southold | Michael Collins, Jamie Richter
Village of Sag Harbor | John Parker (for Robert Stein)
Suffolk County | Jay Elyse (by phone), Alison Branco

Additional Participants

Peconic Estuary Protection Committee Coordinator | Rachel Gruzen
Cornell Cooperative Extension Marine Program | Scott Curatolo-Wagemann
NYS DEC & Peconic Estuary Program | Elizabeth Hornstein (by phone)

Committee Member Representatives Not Present

Town of East Hampton | Kim Shaw, Mark Abramson
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 June 9th Meeting Summary

The Peconic Estuary Protection Committee (Committee) members approved the June 9th Meeting Summary.

II. Quality Assurance Project Plan Services for Supplemental Water Quality Sediment Data Collection Project

The Committee discussed progress made on the Supplemental Water Quality Sediment Data Collection Project. Suffolk County is currently reviewing proposals from six vendors to provide consultancy services to develop the Project's Quality Assurance Program Plan (QAPP). Alison Branco, Peconic Estuary Program Director and Suffolk County co-representative, stated the proposals are under review by the Evaluation Committee, made up of representatives from County offices of the Executive, Budget and Legislature as well as the Department of Health. The Evaluation Committee will likely convene in August after which the contract process can commence. Branco has distributed the proposals to Committee Vice Chair Veronica King and Coordinator Rachel Gruzen for their review and input. While they do not have any direct input to the proposal scoring, Branco can share their input in discussions with the Evaluation Committee.

III. Consolidating Funding Application

The Committee reviewed which municipalities are submitting project applications for state grant funding under the Regional Economic Development Councils Consolidated Funding Application (CFA). Brookhaven stated that it was applying for several outside the Peconic Estuary watershed, and reminded members of the specific allocation under the New York State Water Quality Improvement Program for salt shed construction.

Shelter Island's Laury Dowd stated that the Town was applying to the New York State Office of Parks, Recreation and Historic Preservation funds to replace bathrooms at Crescent Beach with a new nitrogen-reducing Innovative/Alternative Onsite Wastewater Treatment System (I/A OWTS). Dowd accepted offers from Branco and the Coordinator for letters of support from the Peconic Estuary Program and the Committee respectively.

Southold, Riverhead and the Villages were not applying for state funding via the CFA at this time. Information on Southampton and East Hampton was not available.

The Coordinator reported on communications with New York State Local Government Efficiency Grant (LGEG) staff, who confirmed that consolidated services on stormwater education and outreach are eligible for funding, as well as developing of a water quality monitoring program. The Coordinator will develop for the September meeting the Committee-requested schedule of grant application deliverables.

IV. Community Preservation Funds and Water Quality Improvement Projects

Committee members provided updates on the use of Community Preservation Funds (CPF) for water quality improvement projects. East Hampton and Shelter Island have created technical advisory committees (TACs) that meet every 2-4 weeks and advise town boards on the prioritization of projects for funding. Southampton is in the process of creating its TAC. Southold and Riverhead are not forming TACs at this time. Brookhaven does not have a CPF.

East Hampton, Shelter Island and Southampton are in various stages of helping shape legislation that allows for the financing of I/A OWTS installs with CPF funds, developing legislation that requires I/A OWTS in certain districts, and evaluating other water quality projects for funding such as stormwater management projects. Branco emphasized the benefit of municipalities communicating with Suffolk County to ensure the respective septic programs work with each other, for example on issues of building permits, setback requirements and technical requirements. The Committee emphasized the importance of constructing stormwater management and remediation projects with CPF funds. It was agreed the Coordinator can conduct outreach to the TACs over time to emphasize the importance of funding stormwater management projects as well as the wastewater management projects.

King reported that Brookhaven is requiring I/A OWTS installations for certain building site conditions, specifically new construction within 500 feet of surface water. Brookhaven also stated that any property owner that participates in the County's incentive program will not be required to obtain permits from the Town, but the waiver only applies to the installation of the new I/A system. All other actions or improvements on the subject parcel will require permits.

John Parker of Sag Harbor reported that the Village will be presenting water quality improvement project proposals to East Hampton's TAC in coming weeks. The Village has selected 20 projects from its comprehensive water quality improvement plan to prioritize in the near-term. The projects are primarily stormwater projects including raingardens that address a few targeted storm drains areas and should reduce the most nitrogen and/or pathogen load per dollar invested. Branco reminded the Committee that there is an ongoing grant program to provide rebates to homeowners for the installation of raingardens on private property. The program can also be extended to municipal properties. The Coordinator reminded the Committee of the several grants within the Consolidated Funding Application for green infrastructure including raingardens that could be used as a match to CPF funding.

V. Education and Outreach Program Plan

The Coordinator reviewed the Education and Outreach (E&O) Program Plan with the Committee. Members agreed to allocate Coordinator time to one municipal festival or street fair and one homeowner association event per member. This would put E&O at about 50-75% of the Coordinator's time for the summer months. The Coordinator would then focus on E&O to school children and municipal staff (under MCM 6: General Housekeeping) in the fall and winter months. The Coordinator presented a draft schedule of E&O events and agreed to survey all members for additional events. Drew Dillingham of Riverhead reminded the Committee that the reporting timeline for semi-annual reports closes on September 9th. The Coordinator will then provide the Committee with a semi-annual report of Committee activities to be included in the individual MS4 reports.

The Coordinator has received water quality materials from Suffolk County, Cornell Cooperative Extension, Peconic Estuary Program and Nassau Soil & Water Conservation District. Brookhaven has provided dog waste bags. It was concluded that municipality-specific educational materials such as brochures and other handouts are limited in quantity. There is an area of opportunity for the Committee to develop Committee-wide materials that can be replicated and distributed by all members.

Branco directed the Committee to the NYSDEC website which has a public education toolkit and materials that are designed for replication. She emphasized that if there is a gap in information and messaging the Committee could find resources at this site. Jamie Richter of Southold volunteered to replicate the Committee logo in a higher resolution using the GIS Long Island shape files.

Members gave various E&O recommendations to the Coordinator including: ensuring that the Committee identity is separate from the Peconic Estuary Program via signage and general messaging; emphasizing the positive aspects of water quality pollution prevention that empower people to do something to protect the environment, such as including the "Stop Throwing Out Pollutants" (STOP) Day materials on pollution prevention literature; providing flyers and materials on the formation and mission of the Committee itself; qualitatively and quantitatively documenting the amount of outreach and to which audiences for reporting purposes; and integrating interactive props and activities for children.

PEP reported that the website is under development and moving forward.

ACTION ITEMS:

- **Coordinator to survey each member on municipal festivals and homeowners association events at which to conduct education and outreach activities this summer.**
- **Coordinator to provide a Committee progress report to members by early October that includes activities during the MS4 semi-annual reporting timeframe of March 9-September 9, 2017.**
- **Coordinator to reach out to 4H Clubs, Girl Scouts and Boy Scouts in the fall for educational activities that involve youth.**
- **Coordinator to develop the E&O program and public presentations with suggestions provided by members.**

VI. New York State Department of Environmental Conservation Section 303(d) List of Impaired Waters

Michael Collins of Southold reminded Committee members of the September 29, 2017 deadline for public comments on the NYSDEC Section 303(d) List of Impaired Waters. Further information can be found at: http://www.dec.ny.gov/enb/20170510_not0.html (scroll down to the second notice.)

Collins encouraged members to provide comments and resubmit 2015 comments with any new additions of data given the 2016 list still has yet to be approved. Collins reported that Jeff Myers retired from the NYSDEC.

Update on 8/1/17:

The [Final 2016 NYS Section 303\(d\) List \(PDF, 167 KB\)](#) is in effect as of July 2017. The NYSDEC website states,

"The Proposed Final NYS 2016 Section 303(d) List was 'partially approved and partially disapproved' by USEPA on July 21, 2017. In its [letter of partial approval/partial disapproval \(PDF, 107 KB\)](#), USEPA stated that it approved New York State's listing of 792 waterbody/pollutant combinations requiring TMDLs that New York has included on its list. However, USEPA stated that it was disapproving the State's decision not to list 71 waterbody/pollutant combinations."

Further information as well as the Response Summary can be found here: <http://www.dec.ny.gov/chemical/31290.html>

Thanks to Michael Collins for bringing this update to the Committee's attention.

Collins will lead a discussion at the August Committee Meeting on reviewing water quality data and information collected by the NYSDEC and Suffolk County that informs classification on the NYSDEC 303(d) List. Collins encouraged all members to use the Freedom of Information Law to request all data available per waterbody including NYSDEC sampling and sanitary surveys for shellfishing waterbodies. By assessing the data, including the data behind administrative closures, data gaps can be identified and prioritized for future sampling and comments made to the NYSDEC on the 303(d) List.

According to NYS DEC, "Section 303(d) of the Federal Clean Water Act (CWA) 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 the United States Environmental Protection Agency (US EPA) by April 1, 2018...Corresponding to the development of the State's Section 303(d) List, the public is solicited to provide water quality data and information for any waterbody (any basin). This allows for a more comprehensive updating of the List. Some of the solicited data and information may result in changes to the List; other data, it may be determined, will have no impact on the pending List, but will be incorporated into subsequent water quality assessments."

VII. NYSDEC Potential Withdrawal of the Pathogen TMDL for Select Waterbodies and Semi Annual Reporting

Collins reported that based on the available information it does not seem likely that EPA will withdraw the Pathogen TMDLs for select Long Island Impaired Waterbodies in the near future.

The Semi-Annual Reports documenting various Minimum Control Measure (MCM) activities are due in December for the reporting period March 10th – September 9th, 2017. The Coordinator will provide a Committee Progress for that period in early October.

ACTION ITEM:

- **Coordinator to provide a Committee Progress Report in early October for MCM activities during March 10th - September 9th, 2017.**

VIII. Reporting Harmful Algal Blooms

John Parker of Sag Harbor raised the issue of how to report harmful algal bloom (HAB) observations. Parker asked what are the steps for a municipal employee or citizen to report a potential HAB sighting. Members suggested providing information, photographs and any other high quality digital records to the Harbor Master or Bay Constable of that municipality, Suffolk County, NYSDEC and Stony Brook University. Taking samples of the potential HAB and refrigerating them for delivery is also recommended.

Mike Jensen of Suffolk County Department of Health Services has expressed to the Coordinator in the past that he would like to know about any and all potential HAB as soon as possible at Michael.Jensen@suffolkcountyny.gov. Jensen states that in addition, information should be directed to NYSDEC at HABsInfo@dec.ny.gov and the following NYSDEC staff:

- For marine waters, all identifications of HABs should go to Melissa Albino at NYSDEC for incorporation on the centralized marine database that NYSDEC maintains. Melissa.albino@dec.ny.gov.
- For fresh waters (mainly cyanobacteria), all identifications should be directed to Scott Kishbaugh and Rebecca Gorney at NYSDEC who maintain a HAB webpage on DEC website. scott.kishbaugh@dec.ny.gov.

Jensen provides the following link for further information on HABs: <http://www.dec.ny.gov/chemical/77118.html>

Dr. Christopher Gobler has also communicated in the past to the Committee via the Coordinator. He states that he too would like information on observations of HABs as well as fish kills. Information can be provided to him with as much detail as possible with the other agencies looped in as well. Observations of blooms then need to be confirmed with cell counts in the lab. In general, samples are best delivered to the Stony Brook University lab in Southampton, Gobler states. Contact: christopher.gobler@stonybrook.edu.

The above persons are also engaged in a Suffolk County HAB Action Plan and Strategy under preparation by Suffolk County and NY Sea Grant. The Advisory Group or the Plan consists mainly of government agencies (SCDHS, NY Sea Grant, SUNY Stony Brook, NYSDEC, USGS, NYDOS and NYSDOH). A draft Plan and Strategy should be available to the public in coming months.

*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:*

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

*Meeting summary prepared by:
Rachel Gruzen, Coordinator
Peconic Estuary Protection Committee
PeconicEstuary@gmail.com*