

Peconic Estuary Protection Committee  
**Meeting Summary – August 2, 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 (by phone)  
Town of Riverhead | Drew Dillingham (Committee Chair)  
Town of Southold | Michael Collins, Jamie Richter  
Village of Sag Harbor | John Parker (by phone, for Robert Stein)

**Additional Participants**

Peconic Estuary Protection Committee Coordinator | Rachel Gruzen  
NYS DEC & Peconic Estuary Program | Elizabeth Hornstein

***Committee Member Representatives Not Present***

*Town of Shelter Island | Laury Dowd*  
*Town of Southampton | Christine Fetten*  
*Suffolk County | Jay Elyse (by phone), Alison Branco*  
*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 July 12<sup>th</sup> Meeting Summary**

The Peconic Estuary Protection Committee (Committee) members will make a motion at the September meeting to approve the July 12<sup>th</sup> Meeting Summary.

**II. Grants**

Regarding the New York Regional Economic Development Councils' Consolidated Funding Application, Suffolk County submitted a grant application for \$50M to fund the Septic Improvement Program in Suffolk County. The funds would be distributed evenly across the ten towns. This would be an addition of \$50M to the \$10M the County has pledged out of the County funds for the Program.

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.

### III. Committee Budget 2018

The Committee requested the Coordinator distribute a reminder to members to allocate Committee dues in 2018 budgets. The Coordinator will contact all Towns, County and the New York State Department of Transportation (DOT). She will distribute a reminder to the Villages at the start of 2018 given the Villages and Towns vary in cycle by six months. Chairman Drew Dillingham of Riverhead and the Coordinator stated they are available to all members to discuss 2018 projects and goals.

The Committee roughly discussed Coordinator priorities in 2018, specifically an increased focus on water quality education and outreach to the general public and municipal staff; maintaining communications with NYSDEC on MS4 items; advancing water quality sampling activities in partnership with New York State Department of Environmental Conservation (NYSDEC) and possibly with the participation of bay constables and trustees; and coordinating the contractor on the Water Sampling Quality Assurance Project Plan (QAPP).

There was a brief discussion on whether to make the Committee meetings bi-monthly in the future to increase participation. It was agreed this topic would be revisited in the September meeting.

Michael Collins of Southold reminded members to consider allocating funds for water quality monitoring in 2019 and 2020. The QAPP will hopefully be completed and approved by EPA in that year and municipalities can commence water quality sampling programs. The Committee anticipates applying for grant funding for such a program, and local matches may be necessary.

#### ACTION ITEMS:

- **Coordinator to distribute a reminder to select members, specifically the Towns, County and DOT, to allocate Committee dues in the 2018 budgets.**
- **Coordinator to distribute a reminder regarding Committee dues to the Villages in early 2018.**
- **Committee to discuss the option of bi-monthly Committee meetings at the September meeting.**
- **Coordinator to focus in 2017-18 on water quality education and outreach; advancing water quality sampling activities with NYSDEC; and coordinating the contractor on the Water Sampling QAPP.**

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

A Suffolk County Review Committee will evaluate proposals and select a contractor for services developing the QAPP for Supplemental Water Quality and Sediment Data Collection. The Review Committee will meet in August or September. Members estimated that if a contractor is selected in September, the Suffolk County contract process will likely be complete in spring 2018. The project timeline with the contractor was estimated at 18-24 months. A water quality monitoring program could commence upon QAPP approval in late 2019 or early 2020.

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

As of July 2017, the Final **2016** NYS Section 303(d) List is in effect. The New York State Department of Environmental Conservation (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 at: <http://www.dec.ny.gov/chemical/31290.html>.

The deadline for public comments on the **2018** NYS DEC Section 303(d) List of Impaired Waters is September 29, 2017. Further information can be found at: [http://www.dec.ny.gov/enb/20170510\\_not0.html](http://www.dec.ny.gov/enb/20170510_not0.html) (scroll down to the second notice.) Michael Collins of Southold encouraged members to provide comments and/or resubmit 2015 comments with any new

additions of data. Collins encouraged members to use the Freedom of Information Law to request all data available per waterbody including 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. It was noted that until the Committee members have the water quality and sediment sampling QAPP, the best use of member effort is to address the 303(d) list and sample any waterbodies where contamination is suspected with the NYSDEC. This is a critical step prior to the QAPP because it will shape where a municipality chooses to sample—with municipal or other funds—under the QAPP. Addressing the 303(d) List is also more resource-efficient than addressing a TMDL in the future.

Members gave a brief overview of the status of their respective 303(d) List waterbodies. Brookhaven stated it had no conflicts between local data and NYSDEC listings. Riverhead stated it does not have waterbodies on the 303(d) List though it does have TMDL waterbodies. Southold stated it has been working with the NYSDEC to collect water quality data, and through those efforts have successfully delisted Laurel Pond from the 303(d) List, and changed the status on several other waterbodies toward less significant impairment levels. Shelter Island stated that Fresh Pond was delisted in 2016 and therefore would not have any waterbodies on the 303(d) List to address. Southampton and East Hampton, which have waterbodies on the 303(d) list, were not present to comment.

The Committee agreed the Coordinator would facilitate communications with NYSDEC in the fall to offer assistance with the Shellfish Program “conditional” waters. These are waters that open and close based on conditions such as seasonality, water temperature, heavy rain events, etc. The municipalities could offer to bring water samples to the NYSDEC laboratory.

It was noted that there are several waterbodies that are listed as impaired due to limited available data. In order to create a full data set, Collins explained that one needs 30 samples across a variety of conditions and time of year. There is a minimum allowable time between samples. Southold worked with NYSDEC in the last year and sampled select waterbodies twice per month. It was suggested that Committee members work with bay constables and trustees who often have their own vessels to conduct the water quality sampling.

#### **ACTION ITEM:**

- **Members to submit comments on the 2018 NYSDEC 303(d) List of Impaired Waters by September 29<sup>th</sup>.**
- **Coordinator to reach out to NYSDEC on behalf of Committee to express interest in assisting with water quality sampling, particularly in “conditional” waterbodies.**
- **Coordinator to survey members on which waterbodies they would like to test.**
- **Collins to distribute Southold’s comments on the 2018 NYSDEC Section 303(d) List to the Committee.**

## **VI. NYSDEC Updates**

There has been no update from NYSDEC on the potential withdrawal of the Pathogen TMDL for select Long Island waterbodies. There has been no update from NYSDEC on the Draft 2017 General Permit for Municipal Separate Storm Sewer Systems (MS4). The Semi-Annual Reports documenting various Minimum Control Measure (MCM) activities are due in December for the reporting period March 10<sup>th</sup> – September 9<sup>th</sup>, 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 10<sup>th</sup> - September 9<sup>th</sup>, 2017.**

## **VII. Education and Outreach**

The Coordinator reported on the ongoing education and outreach activities. She is stationing a booth at various summer municipal street fairs attended by adults and children. She is spending approximately 75-100% of her time on outreach events. In the fall she will continue outreach to school groups as well as homeowners associations.

Committee members advised on prioritizing outreach to children and young adults at the street fairs as well with interactive displays. New suggestions included creating games that simulate rainwater flow, or noting the variety of garbage types that are recyclable at Stop Throwing Out Pollutant (S.T.O.P.) Days at municipal recycling centers. The Peconic Estuary Program (PEP) suggested directing visitors to the raingardens in Riverhead.

The Committee reviewed the proposed education and outreach budget for additional purchases. Given there was not a quorum present, the Coordinator agreed to solicit member votes by email. (*Update as of September 5: the budget revision was approved.*) Committee Vice Chair Veronica King reminded the Coordinator to obtain a letter documenting the Committee's tax-exempt status.

Regarding various educational media: Southold offered to print some education and outreach materials for distribution at the events. Riverhead stated that it has several topic-specific pamphlets on water quality. The PEP stated that its website and the Committee's would be launched soon.

The NYSDEC reporting timeline for semi-annual reports closes on September 9<sup>th</sup>. The Coordinator will provide the Committee with a semi-annual report of Committee activities to be included in the individual MS4 reports.

#### **ACTION ITEMS:**

- **Coordinator to continue education and outreach at municipal festivals and focus in the fall on school groups and homeowners associations.**
- **Coordinator to continue to expand interactive displays that attract young people to the education booth.**
- **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.**

### **VIII. Reporting on Land Acquisition and Conservation Easements to the Peconic Estuary Program**

Elizabeth Hornstein of the PEP and New York State Department of Environmental Conservation reminded the Committee members that she is collecting information from members on recent water quality and ecological conservation projects. These might include recent land acquisitions, conservation easements, and habitat restoration and stormwater management projects. This information will be used in the Program's required annual report to the Environmental Protection Agency (EPA) on progress made toward conservation goals. Hornstein stated she has already communicated with most members to collect information and would be reaching out again to some.

#### **ACTION ITEMS:**

- **Members to share information with the PEP on recent water quality and ecological conservation projects. These might include recent land acquisitions, conservation easements, and habitat restoration and stormwater management projects. This information will be used in the Program's required annual report to the Environmental Protection Agency (EPA) on progress made toward conservation goals. Hornstein will reach out to individual members on the request.**

### **IX. Community Preservation Funds, Water Quality Improvement Projects and Septic Improvement Programs**

Updates on Community Preservation Funds, Water Quality Improvement Projects and Septic Improvement Programs were deferred to the September meeting. There is an August meeting on the Suffolk County Article 6 to be attended by at least one member.

*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: October 4<sup>th</sup>, November 1<sup>st</sup>, December 6<sup>th</sup>*

*Meeting summary prepared by:  
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