



Peconic Estuary Program Policy Committee Meeting Summary
SCCC Culinary Arts and Hospitality Center
20 East Main Street, Riverhead
April 27, 2016 1:00pm

Welcome and Introductions (Joan Leary Matthews, US EPA, Policy Committee Chair)
See sign-in sheet

Discussion and approval of October 2015 Meeting Summary (Joan Matthews, US EPA)
No comments, approved

Roundtable Updates from Members (US EPA, NYS DEC, Suffolk County, Local Governments, TAC, CAC)

1. US EPA (Joan Matthews):

- Clean Water Rule (EPA/ACOE): Ensures waters protected under Clean Water Act are clearly defined- heard by U.S. Court of Appeals in 6th circuit. State briefs are submitted to D.C. circuit.
- Long Island Sound Nitrogen Strategy released April 21st- LIS TMDL comprehensive plan- Judith Enck and commissions meet next Friday in Albany to discuss plan.
- Joan announced her return to NYS DEC on Friday, May 6th. Joan Leary Matthews served as Director under a federal statute – the Intergovernmental Personnel Act – that allows movement of personnel between federal and state governments. Joan’s four-year term ends on May 6th.
- Starting May 9th, Jeff Gratz will serve as Acting Director. Rick Balla will serve as Acting Deputy Director. Prior to assuming this role, Rick served as the Chief for the Watershed Management Branch in Region 2.
- Sheri Jewhurst, will be the Acting Director of the Long Island Sound Study, based in Stamford, CT and New York City.
- Mark Tedesco, the previous director of Long Island Sound Study estuary program, will be Acting Chief for the Watershed Management Branch.

2. NYS DEC (Carrie Meek Gallagher):



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- USGS Groundwater Study- \$ 6 million announced in February to fund study- scope of work is 95% complete. When complete will be a hydrogeological model tool for Long Island and provide information for safe yield, saltwater intrusion, saltwater up-coning, plume migration, impacts to surface water, surface water security issues and a tool for multi-government level use (MODPATH- publicly available).
 - Project plan:
 - i. Year 1: project website up, develop monitoring well drilling plan
 - ii. Year 2-4: drilling, hydrogeological surveillance
 - Regional water quality database will be built upon existing GIS Mapper started by the Suffolk County Water Authority (SCWA)- include NYS DEC, SCWA, USGS monitoring wells, Nassau supply wells, Suffolk County supply well data and historical data.
 - Angus Eaton's presentation at upcoming Latitude 41 Conference on May 3rd will provide LINAP update.
3. Suffolk County (SC) (Walter Dawydiak)
- County press event on April 25th at Southaven County Park announcing Suffolk County water usage fee- \$1/1,000 gallons of water used per household. County Executive, Steve Bellone, is working to authorize referendum on November ballot.
 - Currently, 19 Innovative/Alternative Onsite Wastewater Treatment Systems (I/A OWTS) in the ground from Septic Demo lottery- Phase I. Septic Demo Phase II accepted applications until April 8th for homeowners and until April 22nd for businesses and has 6 companies proposing 8 different I/A OWTS technologies. Over 200 applications were received; around 20 sites are expected to be selected. SC is currently vetting company proposals and properties.
 - Septic demo tour to see some of the sites installed in Phase I planned for May 6th.
 - Update to septic sanitary code is planned to be discussed in May and approved in June or July the latest. Will set up approval process SCDHS approval mechanisms. Monitoring planned for every 3 years. Approval of alternative technology is a continuous process involving receiving septic demo technology application from interested parties, testing technologies and determining if technology should be approved.



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- Certification course available to install alternative septic systems to inform operation, maintenance, and construction.
 - Mobile & Manufactured Home Wastewater Treatment Demonstration Program- SC announced \$1.4 million grant opportunity for mobile home communities looking to install an advanced wastewater treatment system.
 - Constructed wetlands projects:
 - i. Sylvester Manor, Shelter Island
 - ii. The Nature Conservancy Property
 - iii. Town of Southold, Jan W. Cochran Park
 - Septic Cesspool Update Program Enterprise (SCUPE) - a partnership between the Departments of Health, Economic Development and Planning, and Public Works to improve and protect water quality in Suffolk County through wastewater infrastructure upgrades. Hiring a new Environmental Projects Coordinator is part of this and his experience is instrumental in revising the County's sanitary code in 2016 to enhance environmental protection and overhauling the Liquid Waste Licensing Program through the Department of Labor, Licensing and Consumer Affairs, requiring training and continuing education for members of the septic industry.
 - Subwatersheds Wastewater Plan and Generic Environmental Impact Statement Consulting Services- selected Camp Dresser & McKee, Inc. - May 16th will be the scoping meeting.
 - Harmful Algal Bloom Symposium- May 17th at Timber Point Country Club- monitoring and assessment discussions.
4. Local Government (Alison Branco)
- State passed Community Preservation Fund (CPF) change- CPF is generated from a 2% real estate transfer tax, now up to 20% can be allocated by each town to water quality improvement and up to 10% of that can be allocated to PEP. Decision must be made by each town. Chapter amendment for CPF is being approved to tighten definition of water quality.
5. TAC (Alison Branco)
- Nitrogen workgroup modeling updates were presented to the TAC and the MC



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- i. Solute transport model and Nitrogen Load Model (NLM) are recommended. USGS's work (PE watershed update) will compliment solute transport model. USGS has proposed cost estimate to do Solute transport model project but PEP wants to wait to see where LINAP and County projects will go first (Nesmarie Negron from EPA can provide insight on past NEP watershed expansion).
 - PEP 2015 Environmental Indicator Report completed and in review at TAC meetings. Discussion of monitoring programs in progress.
6. CAC (Sherryll Jones)
- Two CAC meetings were held since the last PC meeting in October, in November and February. Locations for meetings will alternate from south fork to north fork. Next CAC meeting May 18th 6-8 pm in Sag Harbor.
 - Letter of support for SC Plastic Bag Ban Law and general letter of support for nitrogen action measures at all levels of government signed by CAC.
 - Developing ambassadors in communities to distribute CAC materials and information on CCMP update.
 - Developed public input survey to get CCMP input at CAC meetings.

Implementing PEP's Nitrogen Action Plan in Concert with LINAP and Other Regional Nitrogen Initiatives (Alison Branco, NYSDEC, Suffolk County)

- Plan to figure out what PEP can do to fit into regional nitrogen initiative.
 - Tackle stormwater reduction through BMPs and nitrogen mitigation techniques for pilot projects. Coordinate with Dawn McReynolds (NYS DEC) what projects to focus on that will not replicate current WQIP projects.
- Carrie Gallagher suggested that LINAP projects, scope and updates, DEC and SC efforts be discussed at each PC meeting so we do not duplicate efforts.
- Referenced Documents:
 - PEP 2015-2018 Action Plan- Nitrogen Management:
<http://www.peconicestuary.org/reports/ed611b4c35a1c586bbc34131e8b47c397031bb8a.pdf>
 - Peconic Estuary Program- Strategic Approach to Nitrogen Management and Project Funding (Attached).



- PEP Nitrogen Workgroup Modelling Recommendations:

<http://www.peconicestuary.org/reports/482b4e58d723add2bb63a024fad29089984a4204.pdf>

2016 Budget Approval (Alison Branco)

- \$320 fund request for PEP approved (attached).
- PEP monitoring program, and therefore monitoring funding, will be further analyzed after USGS monitoring plan is completed.

Previous Grant Spending Status (Alison Branco/Sheri Jewhurst)

- Reviewed attached PEP grant spending document and grant extension request- PEP has approximately \$500,000 in unspent funds that are due to expire September 30th, 2016. PEP is requesting a no-cost time extension on the funds until September 30th, 2019. A revised workplan with milestones was completed by PEP to send in with the grant extension request (PEP 2016 Grant Spending Analysis and one page Peconic Estuary Program (PEP) Grant Extension Request 2016 attached).
- Thomas Melito (SC): Will showing SC contract progression help support grant extension request?
- Seth Ausubel (EPA): Yes, we need to show PEP is making progress and that we have defined goals.
- Sheri Jewhurst (EPA): Currently seeking guidance from EPA for waiver language and requirements.

CCMP Revision Update (Alison Branco)

- Peconic Estuary Program Comprehensive Conservation & Management Plan (CCMP) Revision, Writing Support Services soon to be advertised by NY Sea Grant.
- Meeting facilitation support and graphic design support RFPs are being drafted and will be advertised this year.
- To be discussed: change MC and PC committee structure- opportunity with CCMP revision.

2015 Highlights (Sarah Schaefer, Program Coordinator; Sherryll Jones Outreach Coordinator)



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- Contract updates:
 - Peconic Estuary Conceptual Habitat Restoration Design Plan Services- advertised 4/21/16
 - Southold: Narrow River Road
 - Southampton: Iron Point Wetland Restoration
 - East Hampton: Lake Montauk Alewife Access and Habitat Enhancement
 - Riverhead: MH-2 Main Road Wetland Construction
 - Peconic Estuary Climate Ready Assessment Services- funding availability change- awaiting approval of revised request to advertise.
 - Website Redesign and Development for the Peconic Estuary RFP- reviewing submissions- contract award date early May.
 - Peconic Estuary Engineering Design and Permitting Services for Construction of a Fish Passage at the Upper Mills Dam, Town of Riverhead- awarded to L.K. Mclean, contract to start in the next few months.
 - Peconic Estuary Eelgrass Assessment Services- Awarded to The Research Foundation for SUNY Stony Brook- contract to be signed May 1st.
 - Peconic River Fish Passage updates:
 - Woodhull (design and permit, seeking funding for construction). PEP applied for the NOAA grant for Woodhull.
 - Upper Mills (contractor selected for design and permit)
 - Forge Road (assisting with Brookhaven Town and County for culvert replacement, and RFP for fish passage construction)
 - Edwards Ave (complete)
 - Citizen outreach:
 - Rain garden planting on April 23rd in Riverhead a success.
 - Citizen science opportunities: Community Stormwater Stewardship Program.
 - Agricultural stewardship plan approved by the SC legislature.
 - USGS visited LI on April 26th to see USGS sites-Alison participated on the tour.
 - NY House of Representatives passed the bill to reauthorize NEPs on April 26th, this version is expected to pass NY Senate- NEPs have not been authorized since 2010, will provide more budget stability.

New Business

Adjourn



Peconic Estuary Program – Strategic Approach to Nitrogen Management and Project Funding

Human-induced nitrogen pollution is the biggest threat to water quality in the Peconic Region, and Island-wide. Nitrogen management is the number one priority of the Peconic Estuary Program (PEP). Actions by all levels of government, the public, and the agricultural and business community are required to successfully manage the complexities of nitrogen pollution. The Peconic Estuary Program is committed to cooperating with partners to maximize the use of available funds for nitrogen management and generating added benefits to the activities underway or planned by local governments, Suffolk County, New York State, and the US EPA. While throughout Suffolk County wastewater dominates nitrogen inputs, on the East End it is particularly important that agricultural and other fertilizer uses are evaluated as part of the solution.

The main goal of the Nitrogen Management section of the Peconic Estuary Program's 2015-2018 Action Plan (<http://bit.ly/1itnxXv>) is to cost-effectively reduce nitrogen loads to levels identified in the Peconic Estuary Program Total Maximum Daily Load (TMDL) for nitrogen. To accomplish this, the Action Plan describes several of the steps needed to create a tool that will determine the most cost-effective suite of management actions to reduce nitrogen on a subwatershed basis through integration of environmental data, economic data, and best management practice (BMP) performance data.

This tool will help guide decision-making at all levels to reach environmental goals while maximizing nitrogen reduction per dollar spent. The tool will identify the cost per pound of nitrogen removed for each management practice, and then identify the most cost-effective path to TMDL goals on a subwatershed basis, by optimizing the matrix of nitrogen management actions. Recognizing that it may take many years for contaminated groundwater to reach the Estuary, PEP also proposes to investigate emerging technologies, such as permeable reactive barriers, as interim solutions to mitigate the impacts of existing groundwater contamination and incorporate these potential solutions into the tool.

The Nitrogen Management section of the Peconic Estuary Program's 2015 – 2018 Action Plan is meant to guide implementation actions as technical expertise and funding for these actions become available. The Peconic Estuary Program would like to move forward on the following short term projects from the Action Plan when funds become available. We are working with New York State to ensure that these actions are incorporated into the Long Island Nitrogen Action Plan and will continue to collaborate on the long-term goal of developing subwatershed-specific reduction strategies.

Action 1N: Adopt an existing model to determine nitrogen loads by source, jurisdiction and subwatershed OR develop an appropriate model(s), including addressing data gaps and research/monitoring needed to validate model assumptions (e.g. attenuation rates). Compare the modeled loads to TMDL goals. ***Cost Estimate: \$500,000***



Action 2N: Assess the cost per pound of nitrogen reduction to groundwater for various BMPs to guide cost-effective management of nitrogen on a subwatershed basis. **Cost Estimate: \$100,000**

Action 7N: Assess potential usefulness of nitrogen mitigation techniques through pilot projects that evaluate innovative technologies and practices to reduce the impact of existing contaminated groundwater on the Estuary, such as: a. Permeable Reactive Barriers b. Agricultural pilot projects to be identified by the Management Committee c. Bioharvesting (e.g. shellfish, algae aquaculture) **Cost Estimate: \$75,000 each**

DRAFT



Policy Committee, April 27, 2016

FFY 2016 Budget Projections for Discussion

Activity	TOTAL PROGRAM BUDGET	SOURCE					
		EPA §320	NYS DEC	Suffolk County	USGS Cost Share	NYS Budget Line Item	Possible-NYS Budget Line Item
PROGRAM OFFICE	\$380,000	\$380,000					
Program Director	\$139,000	\$139,000					
Program Coordinator*	\$104,000	\$104,000					
State Coordinator	\$123,000	\$123,000					
NEIWPC Program Management	\$7,000	\$7,000					
Travel	\$7,000	\$7,000					
MONITORING	\$360,000	\$120,000	** \$200,000	\$125,000	\$50,000		
Monitoring - County Water Quality	\$200,000	\$75,000		\$125,000			
Monitoring - USGS Water Quality	\$115,000	\$0	**\$200,000		\$50,000		
Monitoring - Atmospheric Deposition***	\$15,000	\$15,000					
Monitoring - Seagrass***	\$30,000	\$30,000					
EDUCATION AND OUTREACH	\$100,000	\$100,000					
E&O Contract for services 2017	\$100,000	\$100,000					
IMPLEMENTATION PROJECT	\$250,000	\$0				\$250,000	
Groundwater Solute Transport Model	\$750,000	\$0	\$750,000				
Hydrodynamic Model	\$250,000	\$0					\$250,000
TOTAL	\$2,090,000	\$600,000	\$950,000	\$125,000	\$50,000	\$250,000	\$250,000

*Continues new Program Coordinator position for another year

** NYS DEC funding will provide USGS Water Quality Monitoring funding for multiple years and full amount is not reflected in 2016 budget total



***Annual seagrass & atmospheric deposition monitoring have been an ongoing part of the PEP's base program for many years. It was not included in the 2013 and 2014 budget tables because this monitoring had been forward-funded for those years.

2016 PEP Grant Spending Analysis

PEP PROGRAM	EXPIRES SEPT. 2016				EXPIRES SEPT. 2019			PROGRESS NOTES		
	FY09	FY10	FY11	FY12	FY13	FY14	FY15	RFP	Contract	Final
PROGRAM OFFICE	\$192,000	\$135,966	\$184,689	\$0	\$196,066	\$43,550	\$140,000			
unspent	\$0	\$0	\$4,491		\$80,030	\$6,683	\$140,000			
MONITORING	\$118,000	\$332,034	\$50,000	\$0	\$150,000	\$254,941	\$110,000			
unspent	\$15,000	\$7,894	\$3,550		\$0	\$77,227	\$110,000			rebudgeted, see climate project
EDUCATION & OUTREACH	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0			
unspent	\$20,878	\$0	\$0	\$0	\$0	\$0	\$0			rebudgeted, see climate project
IMPLEMENTATION	\$80,000	\$182,000	\$314,111	\$81,689	\$55,000	\$54,711	\$87,000			
Conceptual Habitat & Land Use	\$153									rebudgeted, see climate project
Living Resources CCMP Tasks (new conceptual designs)		\$100,000						advertized		
Habitat Restoration Implementation			\$150,000					project selected, procurement waiver underway		
Nitrogen Assessment			\$100,000							
PEP Talk Newsletter			\$8,800							rebudgeted, see climate project
Mini Grants			\$15,000					X	X	2 complete, 2 near completion
Eelgrass bio-optical Study			\$35,311	\$46,689				X	X	underway
Climate Ready Critical Lands Protection Strategy (CLPS)				\$35,000				advertized		
Nitrogen Source Loading Assessment					\$55,000		\$87,000			
Climate Vulnerability Assessment						\$30,000		advertized		
Subwatershed Management						\$24,711				
TOTAL 320	\$490,000	\$650,000	\$548,800	\$81,689	\$401,066	\$353,202	\$337,000			
Unspent	\$36,031	\$107,894	\$317,152	\$81,689	\$135,030	\$138,621	\$337,000			



	PROGRESS NOTES		
	RFP	Contract	Final
MATCH PROJECTS			
Subwatershed Management Plans Phase II	X	X	X
Subwatershed Management Plans Phase III	X	X	X
Reeves Bay Stormwater Implementation WQPRP	X	X	underway
SC Comprehensive Water Resources Management Plan	X	X	X
USGS WQPRP	X	X	X
Suffolk County MS4 program	X	X	X
Bay Scallop (WQPRP)	X	X	X
Sag Harbor (WQPRP)	n/a	X	
On-site Cluster Pilot (WQPRP)	X	X	X
Woodhull Dam (SC Capital)	X	X	near completion
Wastewater Plan (WQPRP)	X	signing	
Mosquito Control Monitoring (WQPRP)	X	X	
CCE Ag Stewardship (WQPRP)	X	X	X
Subwatershed Management Implementation (SC Capital)	X	X	underway
HAB Action Plan (WQPRP)	X	X	underway
Diadromous Fish Passage Design (SC Capital)	X	drafting	
Fertilizer Reduction (WQPRP)	N/A	N/A	X
Orient Decentralized Wastewater (WQPRP)	X	X	cancelled
Indian Island Tidal Wetlands Restoration (NYS)	X	X	underway
Upper Mills Dam (NYS)			
OTHER PROJECTS			
Agricultural Stewardship Strategy (SC DEDP)			Complete
Tidal Wetlands Status and Trends (DEC/WPDG)			Complete
Suffolk County Comprehensive Water Resources Management Plan			Complete
Inter-municipal Agreement (municipalities)			Ongoing
EPA 3VS Project			Underway
EPA HIA			Underway
LINAP			Underway



The Peconic Estuary Program (PEP) Grant Extension Request 2016

Summary: NEP Grant FFY09-FFY12 Agreement No. CE992002-17 is scheduled to expire on September 30, 2016, PEP is requesting a no-cost time extension until September 30, 2019.

Salary, fringe benefit, and supply funding has been drawn down almost entirely, and will all be expended by the original expiration date of 09/30/2016. Contractual funds awarded in 2009 (992002-17-0) will be fully expended by the original expiration date as well. Contractual funds for 7 projects in total, among the 3 annual amendments (992002-17-1, 992002-17-2, and 992002-17-3), remain outstanding. Most of these funds are now, or will soon be, encumbered in contracts. All of the projects are expected to be completed by September 30, 2019. This no-cost time extension is necessary to allow PEP to complete the projects in our annual workplans, as well as the projects that constitute the non-federal match to this award. The Peconic Estuary Program Office is presenting a revised work plan to EPA with specific milestones to completion by the extension end date.

Justification: This program has experienced several set-backs in recent years that have prevented us from timely expenditure of funds in this grant:

- The program was without a permanent Director for 18 months during the grant period (spring 2010 - fall 2011). There was also turn-over in every program staff position during this grant period. This caused delays in many projects and initiatives.
- Significant decreases in the NEP funding level in 2013 and 2014 delayed the planned rebuilding of program staff (program coordinator hiring) until 2015, further exacerbating delays and slowing the financial “catch-up” process.
- Until 2008, grants were awarded in 1-year increments. This grant represents the first “bundled” multi-year grant where annual awards were issued as amendments for a total of four years. Some of the funds in this grant were awarded only three years ago.
- This multi-year grant arrangement was set up without the benefit of discussions with program staff who understood the financial management of this program at its interface with the host agency processes. Grant periods of three and four years are simply not practical given the extensive processes required for appropriation, procurement and contracting. This is especially true when large amounts of older funds must be prioritized for procurement ahead of newer ones.
- Since late in 2011, the program staff has been working extremely hard, with the host agency, to catch-up with delayed projects and to streamline the expenditure process for contractual funds. Although progress has been substantial, it has not yet been sufficient to accommodate the shortened timelines presented by multi-year grants.

Expedited Expenditure: Corrective measures being implemented include:

- Since 2012, the program staff has been shifting contractual funds from Suffolk County to New England Interstate Water Pollution Control Commission (NEIWPCC) to expedite grant draw down. All future contractual funds will be administered through NEIWPCC.
- Suffolk County Health Department has made a Commissioner level commitment, to work with the program office to expedite procurement for all outstanding funds to accelerate the catch-up process.



- The revised workplan submitted with the waiver request includes projected completion dates and interim milestones for all outstanding projects
- The PEP Management Committee will track project progress at every management committee meeting (quarterly) to ensure progress is being made.
- The EPA Project Officer will, through baseline and advanced monitoring, oversee recipient progress in achieving agreed-upon milestones.

			YEAR													open time	current status		
			2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016		
Other	97281300	path	[Color-coded bars]													10	closed		
	98293200	pest	[Color-coded bars]													7			
NEP AWARDS	99200212	FY04	[Color-coded bars]													7	closed		
	99200213	FY05	[Color-coded bars]													7			
	99200214	FY06	[Color-coded bars]													7			
	99200215	FY07	[Color-coded bars]													7			
	99200216	FY08	[Color-coded bars]													6			
	99200217	FY09	[Color-coded bars]													7	open		
		FY10	[Color-coded bars]													6			
		FY11	[Color-coded bars]													5			
		FY12	[Color-coded bars]													4			
	99200218	FY13	[Color-coded bars]													3			
FY14		[Color-coded bars]													2				
FY15		[Color-coded bars]													1				
99200219	FY16	[Color-coded bars]													0				
# open awards												10	10	9	8	7	7		

