



**Peconic Estuary Program  
Management Committee Meeting Summary  
September 14, 2016, 10:00am  
SCCC Culinary Center  
20 East Main Street, Riverhead**

Attendees: Seth Ausubel, Mark Woolley, Christie Pfoertner , Dawn McReynolds, Matt Sclafani, Alison Branco, Kevin McDonald, , Sheri Jewhurst, Sarah Schaefer, Al Krupski, Holly Sanford, William Wise, Elizabeth Sutton, Jodi Giglio, Chris Lubicich, Michael Collins

1. Welcome and Introductions - **Seth Ausubel** (Management Committee Chair, USEPA Region 2)
  - Sheri is back from her time as Acting Director of the Long Island Sound Study.
  - Seth is planning to retire in February 2017. No one has been selected to replace Seth yet.
  
2. Discussion and Approval of June 8th Management Committee Meeting Summary - **Seth Ausubel**  
No comments, approved.
  
3. CCMP Revision: Outreach Updates and Schedule – **Alison Branco** (PEP Program Director)
  - NY Sea Grant will contract three separate contracts, \$188,000 total available for the writing support, facilitation and graphic design services (Task 1: \$113,000, Task 2: \$50,000, Task 3: \$25,000).
  - Task 1: CCMP Revision Writing Support RFP, Task 2: CCMP Revision Support Facilitation Support RFP advertised through New York Sea Grant on the New York State Contract Reporter on 06/21/16.
  - CCMP Writing Support- selected contractor through NY Sea Grant-\$113,000-underbid to \$83,000.
  - CCMP Facilitation Support- no bids were submitted. Currently pursuing 3 bids from a refocused list (5-6 facilitation consultants) - September 23rd 2016 bids are due, which must be no more than \$49,999.
  - **ACTION**: Send out facilitation bid to Non-governmental organizations on Long Island.

4. Management Committee and Grant Match Structure Discussion- **Alison Branco**

- NYS DEC requested a DEC Biology I position to fund the Peconic Estuary Program State Coordinator Position that Julie Nace left.
- NYSDEC did not approve adding another Biology I position. The current list from the Biology I test no longer has good candidates. The next round for the Biology I test will be in 6 months. The PEP State Coordinator will be employed through NEIWPC- as the position has been in the past.
- **ACTION:** Along with the CCMP revision, PEP Management Committee should address a letter to the NYSDEC thanking the department for their continued support and reiterating the value that Julie Nace and the State Coordinator position has for PEP. A similar letter should be addressed the Suffolk County Department of Health Services, thanking Suffolk County for their support and asking for continued support.
- Match Structure Proposal:
  - Non-Federal match has been provided by Suffolk County and the New York State Department of Environmental Conservation for the Peconic Estuary Program §320 funds; however, the match details provided by Suffolk County and NYS DEC are often not determined before the workplan is submitted. The pressure is put largely on PEP program staff to come up with the SC and NYSDEC projects that will be available as match and it is a stressful process. Alison Branco suggests to PEP Management Committee that a formalized agreement determining NYS and Suffolk County contributing amounts, regardless of the §320 Grant Fund total, from each committed entity to match the Federal grant needs to be developed. Establishing a formal agreement will help PEP facilitate accounting procedures on both ends to guarantee match, and claim match, and make it easier to account for match received through contracts.
  - Formalizing the match structure would make it easier to track the match for CPF, SC and NYSDEC match.
  - Alison presented multiple options to the Management Committee for §320 Fund match structure (<http://www.peconicestuary.org/reports/8468db26a5ebe9b43d356693a9382903c26c316d.pdf>)
  - §320 Funding for FY17 is expected to be approximately \$757,000. In a 50/50 match structure between NYSDEC and Suffolk County each would be responsible for \$378,000.
  - Dawn: NYSDEC needs a dedicated funding source like Ocean and Great Lakes (OGL). PEP could request projects to be funded with OGL funds that align with the OGL Action Plan.
  - **ACTION:** Request renewed funding for direct funding from Suffolk County and NYSDEC and increase it to 50/50 funding responsibility.
  - An OGL budget request should be done soon- through NYSDEC Deputy Executives- should have Division of Marine Resources and Division of Water support.

- Consider that requesting NEIWPC position for State Coordinator position could burn bridges for DEC funding to fill position in the future.
  - 2017 CPF potential funding:
    - \$2,700 million could be raised from 2016 to 2050
    - \$540 million could be raised for water quality projects
    - \$54 million could directly support PEP (max 10% of max 20% for water quality project from each town) - Discussions will be had between PEP and each town about what projects should be acted upon.
  - MC Structure:
    - Not fully discussed, but all five East End towns should be considered for MC if they will be contributing to the federal match.
5. PEP Revised 2016-2019 Workplan and Grant Progress Tracking- **Sheri Jewhurst** (USEPA Region 2) & **Sarah Schaefer** (PEP Program Coordinator)
- On March 30, 2016, Suffolk County Department of Health Services (SCDHS) requested a No Cost Time Extension in order to complete work under cooperative agreement number CE99200217. This agreement has a project period of October 1, 2009 – September 30, 2016. Contractual funds for several projects included in the 2010, 2011, and 2012 amendments (992002-17-1, 992002-17-2, and 992002-17-3), corresponding to EPA’s FY 2010, 2011 and 2012 allocations for the PEP, remain outstanding. Several factors contributed to these funds not being expended within the 7-year project period starting in 2009. These factors have largely been remedied by current PEP Staff and the EPA Project Officer such that this situation is unlikely to be repeated in the future. The extension was granted on July 18<sup>th</sup> by USEPA Office of Grants and Debarment.
  - A revised workplan was developed by PEP for FY2016-2019 revised timeline with milestones and submitted with the Grant Waiver Request (Attached).
  - The progress of the grant drawdown will be tracked at all future MC meetings using the attached Grant Progress Tracking Table. Region 2 has revised the sufficient progress condition (i.e., Programmatic Condition Number 9) in the award to include specific milestones that must be satisfied for SCDHS to demonstrate satisfactory progress. The condition will also stipulate that if progress is not made by the end of 2018, SCDHS will not be authorized to continue work in the final year and the cooperative agreement will be closed.
  - The Expected Completion Dates included in the “Status of Projects” table in the workplan must be met before SCDHS is authorized to continue work during the third year of the extension period through September 30, 2019. If these milestones (the Expected Completion Dates) are not met, the cooperative agreement will end on September 30, 2018 and SCDHS will not be authorized to continue work under this assistance agreement. If EPA determines that SCDHS has satisfactorily met the milestones, SCDHS will be authorized, with written

notification from the EPA Project Officer, to continue work during the last year of the extension through September 30, 2019.

- The issues that led to the need for a grant waiver request are multifaceted: staff related issues and grants administration related issues. Solutions are being implemented and proposed to make sure that this issue does not happen again: Since 2012, the EPA, at The PEP Management Conference's request, has been awarding funds to support contractual work for the PEP to the New England Interstate Water Pollution Control Commission (NEIWPCC) instead of including these funds in the SCDHS awards. NEIWPCC has a much more streamlined contracting process, which has resulted in expedited funds draw-down. Future contractual funds for the PEP will be administered through NEIWPCC instead of SCDHS.
- The Management Conference of the PEP can provide an additional level of oversight of the project. The Management Conference is interested in assuring that projects supporting the CCMP are implemented in a timely manner. The Management Committee will track project progress at its quarterly Management Committee meetings to ensure progress is being made commensurate with milestones in the work plan. The EPA Project Officer will, through baseline and advanced monitoring, oversee recipient progress in achieving agreed-upon milestones.
- The Suffolk County Health Commissioner recognizes the severity of this situation. The Commissioner has committed to ensuring that procurement for all existing, outstanding funds is expedited.
- Chris Lubicich: A new Suffolk County contracts employee could reduce the work load on the one existing staff person.
- Monitoring could be funded through the Community Preservation Fund and could support projects in the towns and Suffolk County.

#### 6. PEP Program Office Updates- **Sarah Schaefer**

- Staff changes- Julie: NJ Superfund Program at EPA and Sherryll: New York State Ocean Coordinator, Atlantic States Marine Fisheries Commission, NYSDEC Division of Marine Resources.
- PEP Program Evaluation- to be completed in February 2017- starting completion with PEP/EPA/NEIWPCC staff collaboration.
- Website Redesign- FusionSpark Media- finishing up website discovery/ planning phase. Reviewing draft of the content strategy and corresponding site map. Reviewing website wireframe next week. Launch January 2017.
- RFPs:
  - i. Climate Ready Assessment- Advertised July 20<sup>th</sup>- Proposals Due September 14<sup>th</sup>. \$98,381. FY14: \$30,000 (Climate Vulnerability Assessment)+ FY12: \$68,381.39 (FY12 (original): \$35,000+FY 11: \$12,350 + FY09: \$21,031)

- ii. Upper Mills Engineering/design and permitting- contract under development- \$71,000 under-budget
  - iii. Conceptual Habitat Design- Proposals due 7/12/16, PEP internal review completed- need to set date for reviewers conference- FY10: \$100,000
  - iv. Monitoring Program QAPP- Submitted August 1st, being reviewed by Procurement \$75,000 in 2015 Suffolk County Capital Budget
  - v. Nitrogen Assessment-Submitted June 2<sup>nd</sup>, being reviewed by procurement-\$155,000 (FY11: \$100,000 Nitrogen Assessment Task+ FY13 \$55,000 Nitrogen Source Loading Assessment) FY15:\$87,000 Nitrogen Load reduction cost assessment.
  - vi. Peconic Land Trust- Habitat Restoration Project-Contract to be developed-FY11-\$150,000
- Woodhull Fish Passage- applied for WQIP under CFA July 29<sup>th</sup>. Plan to reapply to NOAA Coastal and Marine Habitat Restoration Federal Funding Opportunity- Fall 2016. Permit application is complete and NYSDEC review is underway.
  - 2015 Ecosystem Status Report- finalized and uploaded.
  - Contract work for Peconic Estuary Eelgrass Assessment Service with Bradley Peterson is ongoing FY12 \$80,000.
  - Sept. 17-24- National Estuaries Week. National Estuaries Week is designed to raise awareness about these unique resources and their importance to our communities. Help us amplify the National Estuaries Week social media campaign by acknowledging National Estuaries Week.
  - Community Preservation Fund (CPF) referendum: CPF referendum will be voted on in east end towns in November, 2016. In 2015, New York State passed legislation to extend the CPF until 2050, and to allow up to 20% of those funds to be utilized on water quality improvement projects. Additionally, up to 10% of the water quality portion can be provided directly to the Peconic Estuary Program to support base program functions and facilitate PEP assistance to municipalities. Each town must develop a plan for the spending of the CPF funds, and approve the plan by voter referendum. PEP staff will work with towns to develop these plans to be consistent with the PEP CCMP, where appropriate, and may assist towns in the administration of these funds once the programs begin. East Hampton and Southampton town have draft water quality plans available on town websites. Comments are welcome on each of the draft documents.

7. Habitat Restoration and Stormwater Updates- **Sarah Schaefer**

- July 27<sup>th</sup> Ludwigia Pull above Edwards Ave dam- Nearly 25 DEC staff members and volunteers in kayaks, canoes and flat-bottomed jon boats.
- Dam Removal Workshop planned for October 18<sup>th</sup>. Presentation from NYSDEC Dam Safety from Albany who will review dams, dam regulations, and the process of dam removal. Plan to have: at least one speaker talk about a successful local urban/suburban dam removal project (Talking with American Rivers, CT TNC, and

CTDEEP, and Save the Sound right now) and overviews of LISS, PEP and Seatuck fish passage projects. Planning meeting soon to finalize agenda.

- Visit from Carl Alderson from NOAA's Restoration Center on September 8<sup>th</sup> and 9<sup>th</sup>. Tour of Southards Pond Dam, Diadromous Fish Workgroup meeting and tour of Peconic River dams and fish passage. Helpful feedback for future NOAA grants program applications. GIS web-based map for all projects and tributaries in progress.
- NYSDEC MS4 Permit re-write committee meetings- Peconic Estuary Protection Committee represented and Protection Committees in Nassau County up in Albany.
- NYSDEC is in the process of completing a Pathogen TMDL Revision.

8. Citizens Advisory Committee (CAC) Updates- **Kevin McDonald** (CAC Chair), **Christie Pfoertner** (PEP Education & Outreach Coordinator)

- Originally the Education and Outreach Program was planning summer CAC meetings for the North Fork and the South Fork; however it was decided to hold one large Special Topic Meeting on August 22<sup>nd</sup> at the Clean Water Center for Technology from 5- 8pm. The Special Topic Meeting: Nitrogen and our Impacts on the Estuary, had over 60 attendees come to listen to presentations by representatives from Stony Brook's Center for Clean Water Technology, The Nature Conservancy, Concerned Citizens of Montauk, The Peconic Estuary Program and Suffolk County Department of Health Services.
- A CAC meeting was held on September 13<sup>th</sup> from 6 -8 pm at the SCCC Culinary Arts and Hospitality Center.
- Next CAC meeting will be held on November 16<sup>th</sup> from 6-8 pm at the Floyd Memorial Library in Greenport.
- Discussion at the CAC meetings is structured around the CCMP revision and collecting the public's input.
- National Estuaries Week Events will include a Northwest Woods Cultural and Ecological Hike on September 17<sup>th</sup> in Easthampton at 10am, and a week-long Photo Contest with #CelebrateTheCoast

The Management Committee suggests writing a formal response to Roger dismissing his arguments and referring to the previous responses from the NYSDEC, Suffolk County and Long Island Nitrogen Action Plan (LINAP) to his solicitations. This document can be referred to in future situations.

9. Technical Advisory Committee (TAC) Updates- **Matt Sclafani** ( PEP TAC Chair)

- PEP should investigate resources at the EPA and within National Estuary Program to facilitate estuarine monitoring discussion- The TAC should break into subgroups for each monitoring subtopic to thoroughly evaluate and complete a cost/benefit analysis for monitoring methods and schedule.

- The August 17<sup>th</sup> TAC meeting featured a presentation by Dr. Robert Cerrato: Integrating Fish Trawl, Water Quality, and Benthic Mapping Data in the Peconic Estuary.
- LINAP endpoints: PEP can influence indicators and endpoints that come out of the plan and structure the PEP monitoring program around them.
- Clean Water Act Section 303(d) Impaired Water List- revised list not sent to EPA yet.

10. New Business, Next Steps and Upcoming Meeting Dates- **Seth Ausubel & Alison Branco**

- Next meeting will be held on December 7<sup>th</sup> instead of December 14<sup>th</sup> due to the Restore America's Estuaries Conference (December 9<sup>th</sup>- 15<sup>th</sup> in New Orleans, LA).

11. Adjourn

**Grant Progress Tracking Table**

		Milestone reached	Milestone not yet reached	Milestone not obtained							
NEP Grant and Workplan Year	Task/Contractor	Total Budgeted	Expended	Not yet Expended	Contract Status	Outputs/ Deliverables & Milestones					
						Task	Description	Start Date			Expected Completion Date
								Contract Year One (September 2013- Decemner 2013)	Contract Year Two (January, 2014- Decemeber, 2014)	Contract Year Three (January, 2015- December, 2015)	
NEP 2009 CE992002 17-0	Submerged Aquatic Vegetation Management/Cornell Cooperative Extension (CCE)	\$105,895.00	\$105,895.00	\$0.00	2015 Monitoring completed. The final task was submitted in July 2016.	Contract Task 1	Long Term SAV Monitoring Services	\$7,500 Completed	\$7,500 Completed	\$7,500 Completed	N/A
						Contract Task 2	Temperature, Light, and Sediment Monitoring Services	\$7,500 Completed	\$7,500 Completed	\$7,500 Completed	N/A
						Contract Task 3	SAV Long Term Monitoring Services	\$15,000.00 Completed	\$15,000.00 Completed	\$15,000.00 Completed	Sep-16
NEP 2010 CE992002 17-1	National Atmospheric Deposition Program Monitoring/ University of Illinois	\$15,000.00	\$7,698.50	\$7,301.50	Work underway	Contract Deliverable 1:	Data available online, quarterly reports of results and collection/analytical issues	Oct-15			Dec-16
						Contract Deliverable 2:	Annual reporting, periodic status and trends assessments performed by PEP and EPA staff as needed (e.g. 5-year TMDL Assessment)				
	Living Resources, CCMP Tasks/Contractor TBD after advertising	\$100,000.00	\$0.00	\$100,000.00	RFP advertised April 2016. Proposals received August 9, 2016. Reviewing proposals.	RFP advertisement	N/A	Apr-16			Oct-16
						Contracting for Services		Oct-16			Apr-17
						Contract for Services (Tasks 1-6 outlined in RFP)		May-17			Oct-18



NEP 2011 CE992002 17-2	Habitat Restoration Plan Implementation/ Peconic Land Trust	\$150,000.00	\$0.00	\$150,000.00	Work underway. Suffolk County grant waiver approved.	Final Design	N/A	Dec-15		Jul-16
						Permit Submittal & Approval		Jul-16		Jan-17
						Procurement Waiver		Jan-17		Jun-17
						Contracting		Jun-17		Dec-17
						Construction RFP		Jan-18		Jun-19
	Nitrogen Assessment/ Contractor TBD after advertising	\$155,000.00* *\$100,000 was allocated to the FY2011 Nitrogen Assessment task. FY2011 funds will be combined with \$55,000 allocated to the FY13 Nitrogen Source Loading Assessment to complete this task.	\$0.00	\$155,000.00	RFP submitted to Suffolk County Procurement June 2, 2016.	Construction RFP Advertisement	N/A	Oct-16		Mar-17
						Contracting	N/A	Mar-17		Oct-17
						Contract for Services	N/A	Oct-17		Mar-19
	Public education Mini- Grants/ 4 Contractors	\$20,000.00	\$10,000.00	\$10,000.00	Mini-grant work is completed and one remaining contract is currently being completed. Contracts (4) (April, 2015-September, 2016)	Conscience Point Shellfish Hatchery Corp.	Educational Program Services	Completed	Apr-15	N/A
						Quality Parks, Inc.		Task 3 still to be completed. Waiting for final summary of work		Sep-16
Central Pine Barrens Joint Planning and Policy Commission						Completed		N/A		
Peconic Green Growth						Work completed. Contract currently being finalized		May-17		

	Eelgrass/Bio-Optical Study/ The Research Foundation of SUNY Stony Brook	\$82,000.00 (FY11 \$35,311 & FY12 \$46,689)	\$0.00	\$82,000.00	Contract signed May 2016, work has begun.	Contract Task 1 Quality Assurance Project Plan	May-16	Apr-18	
					Contract Task 2 Field Sampling and Analysis of Water Quality and Bio-Optical Model				
					Contract Task 3 Light, Temperature and Combined Thresholds for Eelgrass Survival				
					Contract Task 4 Site Suitability Index				
					Contract Task 5 Reporting				
NEP 2012 CE992002 17-3	Climate Ready Estuaries CLPS Updates/ Contractor TBD after advertising	\$63,381.00* *Reallocated \$320 funds to Task: \$20,878.39 (FY09 Public Participation, CCE (incl. Ag Stew)); \$153 (FY09 Conceptual Habitat & Land Use); \$3,550 (FY11 US Geological Survey- Water Qual Mont); \$8,800 (FY11 PEP Talk Newsletter)	\$0.00	\$63,381.00	RFP advertised on July 20, 2016	RFP advertisement N/A	Jun-16	Nov-16	
						Contracting for Services N/A	Nov-16	Jun-17	
						Contract for Services (Project 1: Tasks 1-4 and Project 2: Tasks 1-3 outlined in RFP) N/A	Jun-17	Dec-18	