

PECONIC ESTUARY PROGRAM

FY09 WORKPLAN AND BUDGET



Submitted by:
PEP Management Conference

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**Peconic Estuary Program
SCDHS FY09 Workplan and Budget**

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PECONIC ESTUARY PROGRAM SCDHS FY 09 WORKPLAN

PART I: GENERAL INFORMATION

1. INTRODUCTION

The Peconic Estuary System consists of over 100 distinct bays, harbors, embayments and tributaries, the surface area of these waters exceed over 158,000 acres. The population of the East-End towns surrounding the Peconic Estuary System more than doubles during the summer months. These residents and visitors use the system and its resources extensively for beach-going, swimming, boating, fishing, shellfishing, and other water-dependent activities, contributing significantly to the local economy. However, there are problems in the system ranging from increased nutrient loading to declines in habitat quality and quantity, and reduction in catch of commercially and recreationally important finfish and shellfish. Other issues of concern include closure of shellfish beds due to contamination by coliform bacteria (used as an indicator for pathogens), potential contamination with toxic substances, the relationship of land use to water quality and the health of the living resources, and the occurrence of Brown Tide, a harmful algal bloom. The effects of these problems are a significant threat to the overall health of the Peconic Estuary System and its resources.

2. OVERALL FUNDING SOURCES

The core FY09 budget (see Appendix A) reflects the following sources of funding:

EPA FY09 Base Funding	\$490,000
<u>Non-Federal Match</u>	<u>\$490,000</u>
TOTAL	\$980,000

The non-Federal match is provided by the Suffolk County Department of Health Services (SCDHS) (\$490,000). Match is itemized in detail in **Section III: Grants/Funding to Local Entities, subsection ii**. The actual match for the FY09 period is expected to exceed the commitment reported in this document.

3. ACCOMPLISHMENTS AND TOP PRIORITIES

The Management Conference believes that the PEP has effectively administered the funding it has received to support appropriate and necessary efforts, which has resulted in a truly comprehensive, meaningful, and site-specific CCMP. Especially significant are the following factors that, individually and collectively, have made the PEP unique:

- the focus on early action, which resulted in a firm "no net increase of point source nitrogen" commitment for the western bays system, as well as a commitment to establish a progressive water quality preservation policy for the eastern portions of the Peconics
- the level of detail (e.g., parcel-specific land use information for the entire study area)
- the extent of monitoring and data collection (e.g., thousands of groundwater and surface water samples)
- the powerful management tools which are being utilized (e.g., state-of-the-art hydrodynamic and water quality modeling for the entire estuary and the Critical Lands Protection Strategy)
- the goals of site-specificity for management, with focus not only on the main bays system, but also on subwatersheds for creeks and embayments

- state-of-the-art technical characterization techniques essential to PEP management (e.g., sediment flux and accretion measurement; sophisticated groundwater underflow measurement techniques)
- the early focus on finance and implementation, with a state-of-the-art, full valuation of market and non-market resources completed
- emphasis on water quality and habitat preservation, and interaction of living resources with water quality management

4. COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN (CCMP) GOALS

a. Annual Goals and Top Priorities:

CCMP Chapter: Brown Tide

- Maintain HAB and Brown Tide research funding levels
- Continue monitoring and funding research activities to better understand, and if necessary mitigate, blooms in the Peconic Estuary system

CCMP Chapter: Nutrients

- Implement the Agricultural Stewardship/Agricultural Environmental Management (AEM) Program
- Develop and implement a residential fertilizer use reduction program (e.g., comprehensive education/media program, use restrictions, public relation endorsements of “good”/sustainable products, investigate the feasibility of a selective sales fee on fertilizer and pesticide products)
- Develop and adopt an on-site disposal system strategy (e.g., incentive-based programs, upgrade programs, maintenance programs); and ensuring that all STPs discharging to the Peconic Estuary are upgraded and operating properly

CCMP Chapter: Habitat and Living Resources

- Protect and restore existing eelgrass with aggressive public outreach coupled with a long-term management strategy
- Develop a strategy to minimize shoreline hardening structures that results in no net increase of such structures and protects natural shorelines
- Develop a strategy to protect the Critical Natural Resource Areas in each town and institute a pilot program
- Update and implement the habitat restoration plan; continue shellfish enhancement and other resource restoration programs, particularly fish passage projects along the Peconic River
- Fund priority ecosystem investigations identified in the Living Resources Research, Monitoring and Assessment Plan through the National Estuarine Research Reserve System (NERRS) or by State legislative equivalent
- Manage invasive species, especially water primrose in the mainstream Peconic River

CCMP Chapter: Pathogens

- Implement stormwater mitigation recommendations including those from the four Subwatershed Stormwater Runoff Management Plans, finalized and sent to Towns for implementation
- Continue to implement the Vessel Waste No Discharge Area in the Peconics

CCMP Chapter: Toxics

- Reduce loadings of pesticides and herbicides by pursuing implementation of the NYSDEC’s Long Island Pesticide Management Plan; planning and carrying out “Clean Sweep” programs; developing and implementing a comprehensive agricultural pesticide management strategy; funding and initiating aggressive public outreach and education

- Reduce the use of insecticides used for mosquito control to the maximum extent practicable, while adequately protecting human health and without detriment to the environment
- Continue remedial efforts at sites of concern in Peconic Estuary, including monitoring the effectiveness of implemented remedies under Superfund for Operable Unit V at Brookhaven National Laboratory

CCMP Chapter: Critical Lands Protection

- Continue to implement the Critical Lands Protection Plan
- Accelerate land protection in the Peconic Estuary by monitoring success of acquisition programs; securing 0% financing of county and town CPF monies for the Peconics from the State by executive order or legislation; and securing long-term 10 to 15 year land acquisition funds from county, state and federal sources

CCMP Chapter: Financing

- Ensure that funding reserved for the PEP in the New York State Clean Air/Clean Water Bond Act and the Suffolk County General ¼% Sales Tax Program is used effectively for the highest priority eligible projects

b. Status of Annual Goals and Top Priorities & Expected Focus in 2009:

CCMP Chapter: Brown Tide

- *Brown Tide and HAB Research Funding Levels* - Since 1991, Suffolk County has appropriated over \$1.69 million dollars for Brown Tide research. Brown Tide efforts are being carried out using Suffolk County Capital Funds. Additionally, Harmful Algal Bloom research efforts are continuing, as the County continually allocates funds in support of HAB related endeavors

CCMP Chapter: Nutrients

- *Nitrogen Load Allocation Program* - A Nitrogen TMDL has been developed to achieve dissolved oxygen standards in select segments in the western estuary. The document was finalized in September 2007 and implementation has been initiated. Several PEP-related projects are expected to arise in response to the Nitrogen TMDL including enhanced groundwater monitoring efforts to be funded using NEP FY08 funding. Increased groundwater monitoring will provide the necessary data to better understand nitrogen loading into the Peconics via this source.
- *Agricultural Environmental Management (AEM) Program* - Work towards implementation of the Suffolk County Agricultural Stewardship Program continues. The Ag Stewardship Program is envisioned as a comprehensive initiative for maintaining and strengthening farming in Suffolk County while improving groundwater and surface water quality. A Five Year Plan has been developed by the Ag Stewardship Program and initiatives supporting the Plan have been initiated.
- *Residential Fertilizer Use Reduction Program* - Specific recommendations have been made to guide homeowners to eliminate or reduce nitrogen losses, and have been included in the program's newsletter and website. Cornell Cooperative Extension was awarded a contract in early 2009 to implement a homeowner and landscaper outreach program in support of Suffolk County's Nitrogen Reduction Law. The PEP will also continue efforts to encourage homeowner nitrogen reduction through regional Subwatershed Management efforts and the initiatives of the PEP CAC.

CCMP Chapter: Habitat and Living Resources

- *Eelgrass Management* - The Peconic Estuary Program continues to fund the Submerged Aquatic Vegetation Long Term Monitoring Program; an Eelgrass Management Plan has been finalized and is expected to be adopted by the Management Committee in spring 2009; and numerous restoration efforts have taken place and success is being monitored.

- *Shoreline Hardening* – With the use of Base Program funds, the PEP contracted the USFWS to analyze aerials flown in the fall of 2000 for submerged aquatic vegetation and shoreline hardening. New aerials are expected to be flown in 2009 to update the extent of eelgrass beds and hardened shoreline. The maps of the hardened shoreline serve as a basis for developing a strategy to minimize shoreline hardening structures. This information will be showcased in the upcoming 2nd PEP Environmental Indicators report and the GIS layers will be available through the PEP Program Office.
- *Critical Natural Resource Areas* – Critical Natural Resource Areas are areas of particular ecological significance designated by the Peconic Estuary Program. Steps have been taken to protect the marine CNRAs by targeting these areas in the first phase of the Benthic Mapping Project. The upland CNRAs are an overlay criterion in the Critical Lands Protection Strategy for identifying land protection priorities.
- *PEP Habitat Restoration Plan* – Select projects identified in the existing Habitat Restoration Plan have been initiated, including diadromous fish passage restoration along the Peconic River, bay scallop restoration in the eastern Peconics, eelgrass bed restoration in the eastern Peconics and wetlands restoration at Cassidy Preserve. The plan is currently in the process of being updated and PEP staff has reached out to the East-End towns in order to attain updated priority restoration information. Restoration sites are currently being prioritized and the updated PEP Habitat Restoration Plan will be finalized by 2010. A portion of NEP FY09 funds will allow for conceptual design plans to be developed for one project in each of the five East-End towns.
- *Living Resources Research, Monitoring, and Assessment Plan* – The Benthic Mapping Project is one of the priorities in the PEP Living Resources Research, Monitoring, and Assessment Plan. This project is ongoing and Phase II is expected to be complete by the end of 2009. Nine shellfish spawner sanctuaries, another priority in the Plan, have been established by The Nature Conservancy and other partners in the Peconics and will be investigated as a natural resources management tool as well as a possible control for Brown Tide populations.

CCMP Chapter: Pathogens

- *Vessel Waste No Discharge Zone* – The USEPA Regional Administrator approved New York State's designation of the entire Peconic Estuary as a Vessel Waste No Discharge Zone in June 2002. Efforts to educate the public and provide financial assistance to municipalities for the purchase of pump-out boats continue. The Town of East Hampton will be receiving partial reimbursement for an additional pump-out vessel through Suffolk County's Capital Program 8710 in 2009. Additionally, data from the past 7 years of vessel waste pump out efforts is being gathered (with cooperation from the East-End towns participating in the initiative) and will be compiled to show the measurable results of the No Discharge Zone designation in the Peconics.
- *Implement Stormwater Mitigation Recommendations*- The PEP has assisted in securing adequate funding for full implementation of all four of the existing Subwatershed Management Plans. Additionally, funding from Suffolk County Capital Program 8235 will provide for the development of six additional plans. Work will begin in summer 2009 on development of plans for Town and Jockey Creeks, Goose Creek, Richmond Creek, Dering Harbor, Accabonac and Sebonac Creek.

CCMP Chapter: Toxics

- *Long Island Pesticide Management Plan*- The PEP will pursue implementation of relevant elements of this NYSDEC Plan in the coming year.
- *Clean Sweep Programs*- A Clean Sweep event was held in Suffolk County in March 2008. Unwanted, unused and obsolete pesticides and chemicals were removed from various agricultural and non-agricultural businesses within the Peconic Estuary for proper disposal.
- *SC Vector Control and Wetlands Mgmt Long Term Plan & EIS* - Suffolk County was responsible for overseeing the development and implementation of a Suffolk County-wide vector control and wetlands management plan, which addressed numerous issues of Federal and state jurisdiction,

including pesticide fate and transport and wetland preservation. The County Legislature has adopted the Long Term Plan and Findings and Resolution 285 was signed into law by the County Executive in March 2007. Efforts to implement the Long Term Plan continue.

- *Brookhaven National Laboratory* – The Peconic Estuary Program continues to remain involved (through USEPA/NYSDEC/SCDHS) in the oversight of the Superfund clean-up at Brookhaven National Laboratory (BNL). The oversight of environmental restoration is important as BNL is located at the headwaters of the Peconic River. In 2007, the United States Department of Energy acceded to an SCDHS request regarding decommissioning of the High Flux Beam Reactor. The DOE secured additional funding to complete the Control Rod Blade and Beam Plug removal interim actions within the FY 2008/2009 time frame instead of by 2020 as proposed. This action will remove and secure a large portion of the highly radioactive components remaining within the HFBR structure for decay at an appropriate out of state facility.

CCMP Chapter: Critical Lands Protection

- *Critical Lands Protection Plan* – The Peconic Estuary Program Critical Lands Protection Plan (2004) prioritizes land protection (including acquisition) priorities with respect to estuarine management concerns. Efforts continue to protect critical landscapes through methods including full-fee acquisition, purchase of development rights, conservation easements, and native vegetation protection ordinances. Measures to support these methods of land protection are specifically addressed in the 2009-2011 Marine Conservation Planner workplan and will be supplemented by efforts of Suffolk County Office of Ecology's Principle Environmental Analyst who will serve as Land Use Coordinator for the program.

CCMP Chapter: Financing

- Efforts to ensure funding sources, such as the Suffolk County ¼% Sales Tax Program, are used effectively continue. The PEP has a Priority Funding List which includes the highest priority eligible projects that will support PEP initiatives.

5. PROJECT OBJECTIVES AND STATUTORY AUTHORITY

The objective of this project is to support the Peconic Estuary Program Management Conference in carrying out the EPA Administrator-approved Comprehensive Conservation and Management Plan (CCMP). Specific activities in the workplan address: submerged aquatic vegetation monitoring and management, increased efforts in regards to land use improvement and innovation, support of the PEP's Citizens Advisory Committee and the National Atmospheric Deposition Program, and program coordination at the state and county level. Funding under Section 320 of the Clean Water Act is made available to support activities necessary for the development and implementation of a comprehensive conservation and management plan prepared under Section 320 of the Act. The project therefore carries out Section 320 of the Clean Water Act. Clean Water Act core program implementation is further defined in Appendix B.

6. PROGRAM OBJECTIVES AND EPA'S STRATEGIC PLAN

This National Estuary Program cooperative agreement supports Subobjective 4.3.1 of the 2003-2008 EPA Strategic Plan (see page 94) which is to restore and protect ecosystems and facilitate the ecosystem-scale protection and restoration of natural areas. The Strategic targets under this subobjective specifically cite improving the overall aquatic system health of the 28 estuaries that are part of the National Estuary Program and working with National Estuary Program (NEP) partners to protect and restore habitats. The objective of this project is to support the Peconic Estuary Program Management Conference in carrying out the EPA Administrator approved Comprehensive Conservation and Management Plan (CCMP). Specifically, the SCDHS will support implementation of the CCMP to restore and protect the Peconic ecosystem and facilitate the ecosystem-scale protection and restoration of natural areas.

The workplan for this National Estuary Program Cooperative Agreement contains well-defined outputs, and to the maximum extent practicable, well-defined outcomes, summarized as follows:

Outcomes:

- Improvements in the health and extent of eelgrass beds due to the development and implementation of pollution control programs and an eelgrass management plan, as measured by the eelgrass monitoring program. Maintain existing eelgrass acreage (1,550 acres) in 119 eelgrass beds, per 2000 assessment.
- Enhanced protection of critical lands and better coordination among land acquisition programs, as recorded by critical lands protection reports. Protect 200 or more acres per year through acquisition programs.
- Advancement in knowledge for targeting aquatic habitat restoration projects and the siting of aquaculture projects due to benthic mapping and as described in accompanying reports. Full eradication of the invasive ludwigia plant from the Peconic River and monitoring the status of this goal.
- Knowledge of water quality conditions for conventional water quality parameters to better manage point and nonpoint source water pollution control programs, as reported in summary reports. Achieve dissolved oxygen standards in 97% or more of the Peconic Estuary.
- Planned and realized reductions in pathogen loadings and improvements in water quality for swimming and shellfishing uses, due to the preparation of a Total Maximum Daily Load and the development and implementation of Stormwater Runoff Management Strategies, as measured by water quality monitoring. Maintain all existing open shellfish growing areas (prevent closed shellfishing growing areas from exceeding 5,172 acres). Prevent any public bathing beach closures.
- Planned and realized reductions in nitrogen loadings and improvements in dissolved oxygen conditions due to the preparation of a Total Maximum Daily Load, as measured by water quality monitoring and estimated by modeling. Summarize atmospheric deposition loadings. Ensure the 4 waste water treatment plants included in the TMDL do not exceed their total nitrogen load targets/limits (156 lbs. of nitrogen per day).
- Successful outreach and participation to citizens and elected officials resulting in reduced pollution loads, increased participation in projects, and improved governmental management, as measured by: participation in programs, meetings, and events; increases in subscriptions to newsletters and web page hits; and projects pursued/undertaken. Hold a minimum of six Citizens Advisory Committee meetings per year.

7. OVERALL PROGRAM APPROACH

The Peconic Estuary Program follows the general approach outlined in the Management Conference Agreement. This approach has three key elements: 1) technical, 2) administrative/regulatory, and 3) public involvement. These elements are outlined in general here, and the specific tasks that fall under each element are described below.

The technical element includes research and monitoring activities, designed to synthesize our understanding and further our knowledge of the Peconic Estuary System. It can be further broken down into three categories: 1) systemwide and site-specific investigations and implementation, 2) performing detailed water quality and natural resource investigations, 3) conducting management efforts, additional research and pilot demonstration projects (including Brown Tide research).

The administrative/regulatory element includes, but is not limited to:

- Communicating regularly with all PEP participants about activities and issues to ensure consensus and that all views are fairly represented in work products
- Coordinating activities among Federal, state, county, and local agencies as well as the public sector to obtain program objectives.

- Managing the preparation of annual workplans, the CCMP, and budgets, in cooperation with all PEP participants.
- Managing the preparation of all PEP work products, including data summaries, annual reports, technical reports, CAC products, and modeling activities, for content and accuracy before publication.
- Ensuring the transfer of all PEP materials (e.g., work products, annual reports, meeting minutes, etc.) to the appropriate persons and locations (e.g., Management Conference participants, the public, local libraries, etc.).
- Receiving and responding to requests for technical information and assistance regarding the PEP from the public, elected officials, USEPA Headquarters, and others.

Public involvement is addressed through a Public Participation strategy developed by the Citizens Advisory Committee. The Public Participation and Outreach Program will include disseminating information to educate the public regarding the scope, goals, and progress of the Peconic Estuary Program. This information will be disseminated through pamphlets, booklets, public service announcements, conferences, workshops, and other methods.

8. PEP ADMINISTRATION: STAFF AND RESPONSIBILITIES

The Peconic Estuary Program is administered by a Management Conference, as outlined in the Management Conference Agreement. However, funding will be provided for support of most Management Conference activities, in the form of NYSDEC and SCDHS staff. State and County staff will provide many functions that are vital to the success of the Peconic Estuary Program. These tasks include planning and coordinating Management Conference activities, developing support documents for the Program, and providing State and County input into all levels of the Program. Staff support of the PEP is more fully discussed below. (It should be noted that in addition to administering and carrying out NEP workplan activities, program staff also dedicates time to PEP endeavors sponsored by various funding sources and partners. Detailed accounts of such Non-NEP support can be seen in Appendix D.

The SCDHS Office of Ecology has been designated as the PEP Program Office. As such SCDHS, as the working arm of the Management Committee, is responsible for management and coordination of all routine aspects of the PEP.

Vito Minei, P.E., Program Director (approx. 20% of time)

Walter Dawydiak, P.E., JD, Deputy Program Director (approx. 20% of time)

Sponsoring Institution: Suffolk County Department of Health Services

Location: Suffolk County Department of Health Services, 360 Yaphank Ave, Suite 2b
Yaphank, NY 11980

Responsibilities and Funding Sources:

The SCDHS Division of Environmental Quality, directed by Mr. Vito Minei, stands at the national forefront as a progressive, pro-active County environmental agency. With approximately 170 employees, the division conducts comprehensive environmental programs through its offices of Pollution Control (e.g., commercial and industrial pollution discharge monitoring, assessment, and management), Water Resources (well drilling, groundwater quality monitoring, drinking water supply, etc.), Wastewater Management (including development and discharge permits), and Ecology. The Division also has a state-certified laboratory, which analyzes groundwater, surface water, and sediment samples for a broad array of organic and inorganic conventional parameters (nutrients, salinity, etc.), pesticides, metals, organics (e.g., PAHs), Brown Tide, coliform bacteria, enterococcus, etc.

Mr. Vito Minei serves as Program Manager of the Peconic Estuary Program and oversees the activities of the PEP Program Office, situated within the SCDHS Office of Ecology. Mr. Minei also marshals the multi-disciplinary resources of the Division to provide technical and administrative support for the PEP. Mr. Minei typically attends national NEP meetings, as well as Association of National Estuary Program functions.

Walter Dawydiak serves as the Chief Engineer for the SCDHS Division of Environmental Quality. With Mr. Minei, he oversees and works with many offices within the Division, including the Office of Ecology. The Office of Ecology oversees water quality-related planning studies for all of Suffolk's waters, including the Peconic Estuary Program, the Long Island Sound Study (LISS) Suffolk County Watershed Management Strategy, the South Shore Estuary Reserve (SSER) Suffolk County Monitoring Program, and the Source Water Assessment Program. The office also conducts an aggressive surface water monitoring program, having collected over 50,000 samples since 1988.

Between them, Vito Minei and Walt Dawydiak bring over 53 years of professional environmental management experience to the PEP, with advanced degrees in engineering and law. They serve the program at no cost to the PEP, and are funded through the operating budget of the SCDHS. As such, their positions are not dependent on grant funds, and provide a great likelihood of continued local commitment and institutional longevity. Unique opportunities for interdisciplinary integration are also offered, by virtue of SCDHS commitment to the program.

Richard Balla, Federal Coordinator

Sponsoring Institution: U.S. Environmental Protection Agency – Region II

Location: U.S. Environmental Protection Agency, 290 Broadway, New York, NY 10007

Responsibilities:

The regional coordinator is responsible for ensuring that the Peconic Estuary Program and the CCMP comply with the requirements of the Clean Water Act, Federal regulations and EPA issued guidance. This includes serving as project officer or work assignment manager for all funds awarded in support of the program, including grants, cooperative agreements, interagency agreements, contracts and procurements. The coordinator participates in and represents EPA at PEP meetings, and meetings with other stakeholders, elected officials and the public. The coordinator serves as the liaison with EPA-HQ on matters related to the National Estuary Program and ensures that all reporting requirements are satisfied and program requirements are met. Within the regional office, the coordinator works to secure funding or services of other programs to complete actions in the CCMP. The coordinator works to ensure PEP goals and actions are consistent and integrated with other EPA functions and programs, including but not limited to: water quality standards, total maximum daily loads, wetlands protection, vessel waste no discharge areas, Superfund, the national pollutant discharge elimination system, stormwater management, dredged material management, monitoring and assessment, quality assurance/quality control requirements, peer reviews, nonpoint source management, pollution prevention, sustainable development, state revolving loan funds, RCRA programs, Clean Air Act programs, and matters related to Brookhaven National Laboratory. The coordinator is also responsible for working with other Federal Agencies (including FWS, NRCS, NOAA).

Laura Stephenson, State Coordinator

Sponsoring Institution: New York State Department of Environmental Conservation

Location: New York State Department of Environmental Conservation, 205 Belle Meade Road, East Setauket, NY 11733

Responsibilities:

The New York State Coordinator is responsible for assisting the New York State Department of Environmental Conservation in providing support to the Peconic Estuary Program Management Conference and is primarily responsible for ensuring implementation of PEP CCMP Pathogen and Habitat and Living Resources Management Actions. The New York State Coordinator co-chairs the PEP Natural Resources Subcommittee and the PEP Phase II Stormwater Workgroup, spearheads the PEP Impacted Shellfishing Waters Management Initiative, and supports a myriad of stormwater management, regional watershed-based pathogen management, invasive species, habitat restoration, and water quality improvement initiatives. The Coordinator also reviews proposals submitted to New York State for NYS Clean Air/Clean Water Bond Act and Environmental Protection Fund funding.

Kimberly Paulsen, Suffolk County Coordinator

Sponsoring Institution: Suffolk County Department of Health Services

Location: Suffolk County Department of Health Services, Yaphank, NY 11980

Responsibilities:

The County Coordinator works within the Program Office and is responsible for assisting the departments of Suffolk County in providing support to the Peconic Estuary Program Management Conference. Responsibilities include management of all PEP related contracts (and management of the projects associated with them) to ensure terms of the agreements are adequately fulfilled; ensuring administrative duties are carried out sufficiently within the Program Office; and participating in technical and public outreach activities. Ms. Paulsen serves as the Program Office representative for various workgroups and committees while providing support to the various committees which make up the PEP Management Conference.

Emily Fogarty, Technical Outreach Specialist

Sponsoring Institution: Suffolk County Department of Health Services

Location: Suffolk County Department of Health Services, Yaphank, NY 11980

Responsibilities:

The Technical Outreach Specialist is responsible for producing technical publications for the program, including PEPTalk, the official newsletter of the PEP. Working out of the Program Office, Ms. Fogarty coordinates and attends outreach events and provides information pertaining to PEP initiatives to the public. She is responsible for updating and maintaining the PEP website (www.peconicestuary.org), overseeing the mini-grant program, and fielding information inquiries in relation to PEP reports and GIS data. In addition to technical outreach tasks, Ms. Fogarty provides support to the Program Coordinators and the Citizens Advisory Committee.

Wayne Grothe, Marine Conservation Planner

Sponsoring Institution: The Nature Conservancy

Location: The Nature Conservancy, 250 Lawrence Hill Road, Cold Spring Harbor, NY 11724

Responsibilities:

The Marine Conservation Planner was originally responsible for developing the living resources characterization report, a living resources threats analysis, and the Living Resources Research and Monitoring Framework. Responsibilities now include co-chairing the Natural Resources Subcommittee, implementing the

Critical Lands Protection Plan, and providing assistance and guidance to the program in regards to climate change and land use regulations.

Kimberly Shaw, Land Use Coordinator/Program Office Manager

Sponsoring Institution: Suffolk County Department of Health Services

Location: Suffolk County Department of Health Services, Yaphank, NY 11980

Responsibilities:

Kim Shaw serves as Principle Environmental Analyst and Supervisor of Suffolk County Office of Ecology's Bureau of Environmental Management. Ms. Shaw will be partially funded under the NEP grant to help the PEP develop regional land use recommendations, determine what course of action needs to be taken in order to improve land use and development patterns, and determine what the outcomes of such measures would be, while providing overall leadership for PEP staff. Ms. Shaw's experience in land use planning activities and her existing relationships with the planning staff and local government representatives of the East-End towns will assist the PEP in fulfilling numerous land protection and improvement initiatives.

PART II: PROPOSED AND ONGOING PROJECT REPORTING

I. STATUS OF NEP FY08 PROJECTS

- *Submerged Aquatic Vegetation Management and Long Term Monitoring funds* (FY08; \$30,000 Federal funding) continue to support ongoing Peconic eelgrass monitoring including vegetative sampling at six sites (Gardiners Bay, Orient Harbor, Southold Bay, Northwest Harbor, Three Mile Harbor, and Bullhead Bay) as well as other SAV-related activities including the commencement of work on development of an Eelgrass Management Plan. Responsible entities are the Suffolk County Department of Health Services (SCDHS) and Cornell Cooperative Extension (CCE). Milestone/Completion Date: Ongoing.
- *Water Quality Monitoring Program/Long Term Monitoring funds* (FY08; \$153,000 Federal funding) were used to support the Suffolk County Department of Health Services' Marine Monitoring Program (monthly monitoring at 32 Peconic surface water quality stations throughout the year for a suite of parameters; periodic monitoring of point source stations; weekly monitoring at the NADP rain gauge; and several YSI continuous monitoring stations). Specifically, the funds were used to support a Boat Operator and Chemist, as well as overtime for personnel. The responsible entity is the SCDHS – Office of Ecology. Milestone/Completion Date: Ongoing.
- *Groundwater Discharge Determination* (FY08; \$40,000 Federal funding) funds will be provided to SUNY SB to support initiatives to link the occurrence of groundwater underflow and prevalence of eelgrass in addition to developing a groundwater monitoring network for future long term groundwater monitoring initiatives. Milestone/Completion Date: The project is expected to be underway by summer 2009.
- *Program Office funds* (FY08; \$78,750 Federal funding) continue to provide support for a PEP Suffolk County Coordinator and Program Office supplies. Milestone/Completion Date: Ongoing.
- *Public Participation* (FY08; \$50,000) will be utilized to support efforts of the PEP CAC. Milestone/Completion Date: Ongoing
- *Public Health/Stormwater Management* (FY08; \$104,000) will be utilized to support PEP related stormwater remediation and prevention initiatives. Milestone/Completion Date: Projects to begin summer 2009
- *NYSDEC Staff* (FY08; \$121,000) continue to provide support for a NYSDEC PEP Coordinator. Milestone/Completion: Ongoing
- *National Atmospheric Deposition Program funds – NTN and Mercury Monitoring Costs* (FY08; \$15,000 Federal funding) are necessary to maintain the respective contracts with Illinois State Water Survey and Frontier Geosciences required for the PEP to be a part of the National Atmospheric Deposition

Program. The funds are also being used to carry out the mandatory equipment upgrade to the existing gauge and will also allow for mercury deposition to be monitored at Cedar Beach County Park in Southold. Milestone/Completion Date: Ongoing

2. NEP FY09 WORKPLAN TASKS

a. Land Use/Env. Resources and Underwater Land

Project Purpose and Description:

The quality of land and water resources of the Peconic System is tied to the cumulative impact of individual decisions local governments make on a daily basis. Improvements and innovations are needed so these decisions are protective of the Peconic Estuary System, consistent across jurisdictions, and able to withstand scrutiny and challenges that may weaken them. The PEP Management Conference has determined it is appropriate to provide additional NEP funds to the Program Office in support of a dedicated PEP Land Use Coordinator to assist in such efforts.

Milestone/due date: The funding allocated by this source will provide for 50% of the Land Use Coordinator's salary through 2011.

Related CCMP Action: CLPP-5, CLPP-6 CCMP Pages 7-20 to 7-23

Budget: \$99,210 Federal Funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS)

Roles:

The Land Use Coordinator will operate out of the PEP Program Office, housed by SCDHS's Office of Ecology.

Outcomes:

Short Term: By comprehensively assessing current land use trends, the PEP will be better prepared to develop regional recommendations and ensure future development and land use regulations are consistent with the goals of the PEP. To kickoff this effort, a workgroup of stakeholders (including Town/Village Planning staff) will be convened to develop new watershed wide policy guidelines.

Intermediate: After developing guidelines, work will continue with the appropriate stakeholders to ensure the guidelines are adopted and enforced by local municipalities. Following these local efforts, the issue of adopting state legislation to identify municipalities that adopt minimally consistent local laws to protect the Peconic Estuary will be assessed.

Changes in Pressure Targets: The need for consistent land use guidelines to be developed and implemented has become apparent. Having a devoted staff person to spearhead this effort will be integral to its success. Issues such as potential climate change, sea level rise and the consequences that such unpredictable future impacts may have on the Estuary have made it clear that more needs to be done to protect wetlands, natural buffers and native vegetation.

Long Term: Through development and implementation of effective land use guidelines (for vegetative buffers, vegetative and wildlife preservation, impervious surfaces, sea level rise implications, post storm recovery, erosion control, lawn care, irrigation practices, etc.), the Program expects to see long term improvements of water quality, habitat and general health of the Estuary.

b. Submerged Aquatic Vegetation Management and Long Term Monitoring

Project Purpose and Description:

Eelgrass was at one time abundant throughout the Peconic Estuary. At least 82% of the Peconic's eelgrass meadows have disappeared since the 1930s - only 1,550 acres of eelgrass remain. This submerged, marine plant is inextricably linked to the health of the Estuary, providing an important shellfish and finfish habitat in nearshore waters and a food source for organisms ranging from bacteria to waterfowl. While Brown Tide has not occurred in harmful concentrations in almost a decade, eelgrass beds and scallop populations have not rebounded. Because of the importance of eelgrass habitat to the biodiversity and health of the Peconic

Estuary, the Peconic Estuary Program will continue to contract Cornell Cooperative Extension (CCE) to track the health and extent of the eelgrass beds in the estuary and identify management needs. The Submerged Aquatic Vegetation Management and Long Term Monitoring Project includes vegetative sampling at six sites (Gardiners Bay, Orient Harbor, Southold Bay, Northwest Harbor, Three Mile Harbor, and Bullhead Bay). Additionally, a portion of the FY09 allocation for this project will be used to conduct an updated aerial photography survey. Aerial maps will be produced to indicate the status and extent of both eelgrass beds and hardened shoreline throughout the Peconics. This information is integral to eelgrass research and restoration.

Milestone/due date: Ongoing activity, annual report. New aerial imagery to be completed in Spring/Summer 2011

Related CCMP Action: HLR-6.2, CCMP Page 4-39; HLR 16.8, CCMP Page 4-65

Budget: \$103,000 Federal Funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS) and Cornell Cooperative Extension

Roles:

SCDHS acts as the contracting agency for this project and oversees progress of SAV management activity tasks and goals. CCE is subcontracted by SCDHS and provides SAV management services by carrying out monitoring and management activities and produces annual reports

Outcomes:

Short Term:

Assessment of eelgrass health; identification of research needs; greater understanding for restoration site selection; increased understanding of reasons for decline in eelgrass abundance; and a greater awareness among natural resource managers of the need for protective management measures to be taken

Intermediate:

Ongoing research and monitoring will help decision makers identify appropriate management efforts; established management efforts can be translated in an education and outreach program

Changes in Pressure Targets:

Research, monitoring and management recommendations have been compiled into the PEP Eelgrass Management Plan, which is expected to be adopted by the PEP Management Conference in summer of 2009.

Long Term:

Local management efforts will aid in heightened protection of existing eelgrass beds; increased success in restoration activities; mitigation and elimination of threats to eelgrass; increased research undertaken in the Peconic system

c. Priority Living Resource and CCMP Tasks

Project Purpose and Description:

In 2009, the PEP Natural Resource Subcommittee Co-Chairs embarked on an effort to update the 2000 PEP Habitat Restoration Plan (Plan). Funding availability, NYSDEC permitting requirements and other complicating factors have made it difficult for habitat restoration projects to occur within the Peconic Estuary. The first step in trying to increase the frequency and effectiveness of habitat restoration efforts has been taken by updating the Plan, and the next step needed is to attain funding to implement these projects. In attempts to mitigate some of the difficulties associated with initiating restoration efforts and ensure each of the East-End towns has at least one "ready to go" project, the PEP plans to provide funding for the conceptual design of the top ranked habitat restoration project (as per the Plan) in each of the five east-end towns.

Milestone/due date: Conceptual designs to be completed in 2010

Related CCMP Action: HLR-7 CCMP Page 4-40

Budget: \$80,000 Federal Funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS) and Consultant TBD

Roles:

SCDHS will act as the contracting agency for this project and oversees the development of conceptual design plans for each of the 5 restoration sites to be carried out by a consultant.

Outcomes:

Short Term:

In order to advance the success and number of habitat restoration projects eligible for funding, it is necessary to develop conceptual design plan that will make permitting and other requirements for these projects able to be fulfilled in a timelier manner

Intermediate:

By attaining these plans and being ready to apply for funding sources as they become available, it is more likely that habitat restoration efforts will fulfilled and thus the benefits of such projects can be realized.

Changes in Pressure Targets:

The high financial cost of habitat restoration projects and the time and effort needed to apply for funding sources and attain NYSDEC permits has made it necessary for the PEP to intervene and try to assist in the habitat restoration process of local governments throughout the Peconics. By updating the PEP Habitat Restoration Plan, the program has been able to work closely with the East-End towns to prioritize projects based on their readiness and likelihood of being successful.

Long Term:

The benefits of habitat restoration efforts will be seen over a long period of time, but will result in enhancement of existing resources and/or restoration of habitats that have been lost or degraded. Significant natural habitats such as eelgrass beds and wetland complexes will benefit from restoration efforts.

d. Program Office

Project Purpose and Description:

The SCDHS-Office of Ecology continues to serve as the PEP Program Office. The Program Office conducts program management on behalf of the Management Committee. Responsibilities include administering grants, managing activities of several committees, providing technical support to the PEP (including conducting technical projects and providing data management services), and offering public information and outreach services. The budget for the Program Office includes support for a PEP County Coordinator (\$69,866 for salary and fringe benefits) and office supplies (\$4,088). Specific tasks of the PEP County Coordinator include, but are not limited to, initiating and overseeing PEP subcontracts and serving as a liaison between County Government and the PEP Management Conference.

Milestone/due date: Ongoing

Related CCMP Action: M-2.1, CCMP Page 10-16

Budget: \$73,954 Federal Funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS)

Roles: House the PEP Program Office and provide technical and administrative support to the PEP Management Conference

Outcomes:

Short Term:

Daily operations of the PEP will continue and work towards programmatic goals will be carried out. Overall program perception and stakeholder approval and agreement of elements of the

PEP are strived for continuously.

Intermediate:

Cooperative partnerships with various agencies will be maintained and communication within these groups will be fostered as a result of Program Office efforts.

Changes in Pressure Targets:

Staff turnover and vacancies have proven to be problematic in recent years, but the Program has since filled the vacancies of the County Coordinator and Technical Outreach Specialist and the Program is now functioning at an effective level.

Long Term:

The projects and research initiatives in which the Program Office assists in carrying out, both technically and administratively, ultimately help the PEP to carry out the restoration and protection activities that are the core of the program.

e. **Public Participation**

Project Purpose and Description:

On behalf of the Peconic Estuary Program, Cornell Cooperative Extension is carrying out the Public Education and Outreach Program. In addition to focusing on initiatives pertaining to estuarine awareness and education, nutrient reduction and estuarine protection and involvement, this funding source provides for the salary of a Public Education and Outreach Coordinator who in addition to ensuring the planned tasks of the Public Education and Outreach Program workplan, supports, plans and promotes the activities of the PEP CAC.

Milestone/due date: Ongoing

Related CCMP Action: POE-1, PEO-2, PEO-4, PEO-7 CCMP Page 8-9-8-25

Budget: \$100,000 Federal funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS), Cornell Cooperative Extension of Suffolk County

Roles: SCDHS oversees the contract with CCE to carry out the objectives as listed in the Public Education and Outreach workplan.

Outcomes:

Short Term:

Re-invigorating the PEP CAC and developing an updated mission statement and broad reaching public outreach campaign are the immediate priorities of this initiative. Increased positive public relations and active involved presence in communities will be attained.

Intermediate:

Many public stewardship campaigns are planned and will allow for citizens to learn what they can do to protect and restore the Peconics.

Changes in Pressure Targets:

The PEP CAC has been meeting monthly for the past year and will continue to do so in the future in order to ensure outreach efforts are developed and realized in a timely manner. Efforts are underway to recruit additional citizens to join the CAC and a media campaign is being launched to re-introduce stakeholders to the efforts and ideals of the PEP.

Long Term:

Through these efforts, the PEP will develop long lasting relationships with civic and community groups throughout the Peconics and maintain and foster relationships with other stakeholders as part of it's mission to offer a holistic program based in science and research along with public education and participation.

f. National Atmospheric Deposition Program – NTN and Mercury Monitoring Costs

Project Purpose and Description:

On behalf of the Peconic Estuary Program, the Suffolk County Department of Health Services – Office of Ecology has participated in the National Atmospheric Deposition Program (NADP) since winter 2004 by constructing and operating a rain collection site at Cedar Beach County Park in Southold. Every Tuesday according to established protocols, the site is maintained and a water sample collected from the rain gauge is sent to the Illinois State Water Survey for testing (pH, SO₄, Cl, NO₃, NH₄, and base cations). With funding from the USEPA, the Cedar Beach County Park site will also monitor mercury deposition this year. Funding in the amount of approximately \$6,000/year is needed in order to continue the National Trends Network contract with the Illinois State Water Survey. Funding in the amount of approximately \$9,000/year is needed to contract Frontier Geosciences for one year of analyzing rain samples for total mercury. Both of these contracts are a requirement of the NADP.

Milestone/due date: Ongoing

Related CCMP Action: N-9.4, CCMP Page 3-36

Budget: \$15,000 Federal funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS)

Roles: SCDHS Office of Ecology is responsible for ensuring the site is maintained and sampled on a weekly basis (with analytical services provided by Frontier Geosciences and Illinois State Water Survey)

Outcomes:

Short Term:

The national collaboration of all of the partners, including the PEP, who participate in weekly wet deposition sampling for the National Trends Network, is contributing to increased knowledge and awareness of atmospheric deposition.

Intermediate:

Quality control is a key element in sample collection. Practices to ensure samples are not contaminated in any way are taught to sample collectors via workshops and informational updates. In addition, the NADP Management Committee makes recommendations and mandates changes in procedure and equipment as appropriate to improve the accuracy and efficiency of the sampling process.

Changes in Pressure Targets:

Site specific requirements and recent equipment update mandates have slowed the process of integrating the site to perform Mercury sampling in addition to wet deposition sampling.

Long Term:

A long term, national data set is being contributed to with every sample analyzed. This data set will help to determine long term trends and can serve as baseline information as to the elements that make up our atmosphere and how they are circulated across the country.

g. Technical Outreach Specialist

Project Purpose and Description:

The Technical Outreach Specialist operates out of the Program Office. The funding provided in FY09 will allow for this position to be funded out through 2011. The activities of this staff member include, but are not limited to overseeing the PEP's quarterly newsletter, administering mini-grants, developing and maintaining project and funding tracking systems, maintaining and upgrading the Program's website and providing support to the Program Coordinators as needed.

Milestone/due date: Ongoing

Related CCMP Action: M-3 CCMP Page 10-18 POE-1 CCMP Page 8-9

Budget: \$18,836 Federal funding

Responsible Entities: Suffolk County Department of Health Services (SCDHS)

Roles: SCDHS Office of Ecology houses the Program Office, where the Technical Outreach

Specialists works under the supervision of the County PEP Coordinator.

Outcomes:

Short Term:

Funding for this position allows for daily program maintenance activities to take place as well as publication of 4 newsletters per year and regular updates of information on the Program's website.

Intermediate:

Comprehensive tracking systems are being developing in Microsoft Access and will allow for detailed tracking of Contracts status, project updates, grant drawdowns, and the status of various initiatives that need to be reporting in triennial EPA Program Evaluation reports. Overall management of the PEP's finances and projects will be made easier by such advancements allowing for PEP staff to focus on securing additional supplemental funding sources for advancements of CCMP initiatives, allow for more time to assist East-End municipalities in implementing PEP related goals and focus on fostering relationships with the public and elected officials.

Changes in Pressure Targets:

Turn-over in staff in this position has made it difficult to ensure the success of technical outreach tasks over the past two years, but much progress is being made with the current Technical Outreach Specialist. The backlog of work related to this position is being addressed and advancements of additional initiatives are moving forward.

Long Term:

Annual program reports highlighting the PEP's success, an up to date & easy to navigate website and streamlined organized tracking systems will prove to be invaluable to the ongoing success of the program and the advancement of goals as listed in the CCMP.

PART III: GRANTS/FUNDING TO LOCAL ENTITIES

I. FUNDS LEVERAGED FOR 2008

The Peconic Estuary Program has documented \$24,263,400.64 in leveraged funds for 2008 (see Appendix D). Actual leveraged dollar amounts are likely higher but the calculation is not fully possible at this time due to delayed reporting by some program participants. A more accurate, larger amount for the 2009 reporting period will be entered into the NEPORT system by September 15, 2009. The PEP is therefore presenting a highly documented, but also highly conservative figure for leveraged funds.

The attached accounting details the following:

- *Suffolk County Department of Health Services Marine Monitoring Program* - Laboratory, monitoring vessel fuel, ice, equipment and supplies costs for water quality monitoring in the Peconic Estuary
- *Suffolk County Department of Health Services Personnel* - SCDHS personnel time dedicated to Peconic Estuary Program initiatives
- *Suffolk County Water Quality Protection and Restoration Program (1/4% Sales Tax)* - The sales tax revenues from this County program are used for three distinct categories: open space acquisition, farmland easements, and water quality improvement projects.
- *Community Preservation Fund (2% Real Estate Transfer Tax)* - The Community Preservation Fund raised over \$100,000,000 to date for land acquisition and the purchase of development rights. In the decade since its inception, the CPF has generated over \$508 million. The five east end towns located in the Peconic Estuary study area have contributed to these values. Approximately one-half of the land area in the Townships of Riverhead, Southold, Southampton and East Hampton, and the entire town of Shelter Island, are situated within the Peconic Estuary watershed. The appropriate leveraging information for this source is broken down into the amount generated by these towns.

2. NON-FEDERAL MATCH FOR 2009

The non-Federal match provided by Suffolk County consists of \$490,000 from the Suffolk County Water Quality Restoration and Protection fund awarded to the Town of Southampton to fully implement the PEP Subwatershed Management Plan for Reeves Bay.

3. COOPERATIVE AGREEMENT ALLOCATIONS FOR 2009

Category	Federal Contribution	Non-Federal Contribution	Total
1. Personnel	\$141,918	\$0	\$141,918
2. Fringe Benefits	\$45,994	\$0	\$45,994
3. Travel	\$0	\$0	\$0
4. Equipment	\$0	\$0	\$0
5. Supplies	\$4,088	\$0	\$4,088
6. Contractual	\$298,000	\$490,000	\$788,000
7. Construction	\$0	\$0	\$0
8. Other	\$0	\$0	\$0
9. Total Direct Charges	\$490,000	\$490,000	\$980,000
10. Indirect Charges	\$0	\$0	\$0
11. Program Income	\$0	\$0	\$0
TOTAL	\$490,000	\$490,000	\$980,000