



Peconic Estuary Program 2012 Annual Report DRAFT: December 2012

Abbreviations:

EPA – Environmental Protection Agency

DEC – Department of Environmental Conservation

NEIWPCC – New England Interstate Water Pollution Control Commission

SC – Suffolk County

DHS – Department of Health Services

NEP – National Estuary Program (does not include match)

WQIP – Water Quality Improvement Program (NY State)

WQPRP – Water Quality Protection and Restoration Program (a.k.a. ¼% sales tax fund, Suffolk County)

CCMP – Comprehensive Conservation and Management Plan

MS4 – Municipal Separate Storm Sewer System

QAPP – Quality Assurance Project Plan

NADP – National Atmospheric Deposition Program

CCMP Implementation

- At the September 2012 Management Committee meeting, it was concluded that an updated CCMP implementation report is a large undertaking not appropriate for this annual reporting format until after the initial update is completed. PEP has committed to creating a *CCMP Implementation Update* for each CCMP priority management topic, one at a time. This process will be initiated in 2013 with nitrogen.
- The following summarizes implementation work that has taken place from Sept. 2011 to Sept. 2012.
 - A robust long-term monitoring program was supported and continued using NEP and non-NEP funds:
 - Water quality has been monitored periodically at 38 marine stations (approximately monthly, bi-weekly in summer) and 26 stream and point source locations (approximately quarterly with additional sampling during summer). During this year, the SC Bureau of Marine Resources collected 4,104 samples for analysis within the estuary, adding to a consistent 40-year-old record (SC and NEP funds).

- New continuous monitoring equipment was installed and maintained by the US Geological Survey (USGS) in two locations in the Estuary, collecting water quality data every 15 minutes and available in real-time on the USGS website (SC WQPRP and NEP funds).
 - Seagrass was measured at 8 long-term monitoring locations within the Estuary, with continuous temperature measurements during the growing season at 6 of those locations (NEP funds).
 - Atmospheric deposition of major cations, including ammonium, was measured continuously at Cedar Beach in Southold (NEP funds).
- Conceptual designs have been created for 5 habitat restoration projects (one in each of the 5 towns within the PE watershed). Stakeholders have been involved throughout the process and the final meeting to present final conceptual designs to stakeholders will take place in January 2013 (NEP funds).
- 6 new sub-watershed management plans have been created, focusing on stormwater controls, for Town/Jockey Creek, Goose Creek, Richmond Creek, Dering Harbor, Accabonac Harbor, and the Sebonac Creek complex (SC Capital funds). The final results of this project will be scheduled for a presentation to the stormwater work group in 2013. Contracting has been initiated for 2 additional plans in Northwest Harbor and North Sea Harbor (SC Capital funds).
- A working group has been convened and plans made for an inter-municipal coalition to manage stormwater and comply with MS4 permit requirements. Progress has been made toward the consultants' products under this contract, and the groundwork has been laid for successful incorporation of the inter-municipal agreement, and funds for a coordinator, in the 2014 budgets of participating municipalities (NEP funds).
- Research has been completed on the utilization of SAV as habitat for juvenile Bay Scallops (NEP funds). A presentation of these results will be scheduled for a TAC meeting in 2013.
- A study examining the impact of submarine groundwater discharge on SAV was completed. A presentation of these results will be scheduled for a TAC meeting in 2013 (NY State funds).
- Monitoring was conducted at the Grangebél Park fish passage, on the Peconic River, showing successful use of the fish ladder for the second year in a row (Seatuck and volunteer effort). NYS DEC continues to pursue an RFP for design of a fish passage at the Upper Mills dam (NEP funds). A SC WQPRP application (created by PEP staff) was submitted by SC DHS for additional fish passage design at the Forge Road Dam, but the project was not selected for funding.

- In cooperation with NYS DEC freshwater fisheries division, two Ludwigia pull events were held on the Peconic River, engaging 51 volunteers (316 volunteer hours) and removing approximately 20 cubic yards of Ludwigia (175 staff hours including NEP funded and NYS DEC funded staff).
- An analysis of the status and trends of water quality in the Peconic Estuary was completed (SC Capital funds).
- An assessment of pathogen loads to the Peconic Estuary was completed (non-NEP EPA funds).
- An assessment of potential piping plover habitat and plover carrying capacity of the Peconic Estuary was completed (NEP funds).
- The Peconic Estuary was incorporated into The Nature Conservancy's Coastal Resilience tool which predicts sea level rise (NEP funds).
- A model code for the protection of native vegetation on developing lands has been created to help local municipalities incorporate vegetation protection into their local laws (NEP funds).
- A scallop restoration project has led to dramatic increases in scallop populations in the Peconic Estuary (SC WQPRP funds).
- Shellfish restoration work has begun at the shellfish hatchery in East Hampton (NEP funds).
- Seagrass has been planted in many areas of the Peconic Estuary, in some cases engaging volunteers to assist in preparing plants for transplant (SC WQPRP funds).
- The agricultural stewardship program educated East End farmers about sustainable agriculture, recruited farms to participate in pilot efforts and conducted side-by-side trials of innovative products and methods that limit nitrogen and pesticides leaching to groundwater from farms, helped farms to optimize equipment performance to minimize fertilizer waste and excess nitrogen application, facilitated integrated pest management on farms, and brought farmers and scientists together to facilitate collaboration and technical transfer (NEP and SC WQPRP funds).
- PEP's Public Education and Outreach program conducted events with schools, represented PEP at numerous events, supported the citizens advisory committee, and held one outreach even for the public (NEP funds).
- The new PEP website was activated and continues to be updated and improved (NEP funds).
- The Suffolk County Executive hosted a press event in honor of the 20th anniversary of the Peconic Estuary Program.
- The PEP Citizens Advisory Committee met 9 times, the Technical Advisory Committee met 4 times, the Management Committee met 4 times, the Policy Committee met once, and the PEP Director attended one

meeting of the East End Mayors and Supervisors Association in lieu of holding a Local Government Committee meeting.

Leveraging of Stakeholder Resources

- PEP leveraged approximately \$25 million in stakeholder resources during the 2011-12 fiscal year to restore or protect over 434 acres. PEP influences land acquisition decision making through the *Critical Lands Protection Strategy*, and describes and prioritizes habitat restoration projects in the *Habitat Restoration Plan*.
- This has been a difficult year, financially, for New York State and Suffolk County. New projects beyond the required match have not been secured. The PEP will continue to push for a dedicated “match” or leveraged funding mechanism from the main partners (Suffolk County and New York State).
- New mechanisms (such as support letters, project screening, and dissemination of grant opportunity information to partners) are helping to encourage increased Peconic-related applications for non-NEP funds (e.g. WQIP, WQPRP, NOAA, etc.).
- The PEP continues to assist local governments in planning and conceptual design in order to encourage additional spending to further PEPs mission of protecting and restoring the Peconic Estuary (e.g. habitat restoration conceptual designs, model code for vegetation preservation, inter-municipal agreement planning and coordination, subwatershed management plans).

Top Priorities, Desired funding, and Strategic Planning

- PEP is scheduling a strategic planning workshop for January 2013 (delayed due to Hurricane Sandy). At this time, the Top Priorities and Desired Funding lists will be updated. This year, the *Desired Funding* list was updated in preparation for the program evaluation and has been utilized on a few occasions when potential funding opportunities were discussed. The February 2012 update appears in the Annual Workplan and Strategy for FFY 2013.

Programmatic Reporting

- NEPORT (EPA’s required reporting about habitat restoration, including land acquisition, and leveraging) was completed on-time by the State Coordinator, with assistance/information provided as part of the Marine Conservation Planner contract. The grant total for habitat restoration (including land acquisition) was 434 acres restored for a total of approximately \$25 million. PEP’s role was “significant” (according to EPA definitions) in 348 acres and approximately \$22 million.
- PEP successfully completed the triennial “program evaluation” process with EPA headquarters this year. The program “passed” and is therefore eligible for continued NEP funding for another 4 years. Results were primarily positive, with a few areas for improvement highlighted.

- Current contract drafting ensures that Quality Assurance Project Plans (QAPPs) are developed and in place prior to initiating projects that collect or use environmental data as a requirement of the contract. New PEP policies ensure that this is a topic of discussion during the initial project kick-off meeting for all projects and the importance of this step is emphasized by PEP staff. PEP staff members are currently working to ensure that previously awarded projects are catching up to new QAPP requirements. Project delays due to QAPP review continue to be an issue for project timelines, but review times have improved.
- The PEP was represented by both the program director and state coordinator at the EPA HQ-hosted *National Meeting of NEPs* in Washington DC in February 2012 and by the program director at the *Association of National Estuary Programs* joint meeting with *Restore America's Estuaries* in Tampa in October. The program director and state coordinator have also worked collaboratively with staff from other NEPs in the region as opportunities have presented themselves. The PEP program director and state coordinator have also ensured PEP representation at numerous local conferences and workshops (e.g. Pine Barrens Forum, NY Ocean Action Plan, Long Island Agricultural Conference, Long Island Natural History Conference). Travel restrictions (DEC) and slow reimbursement (SC) remain deterrents to travel.
- The Policy Committee was convened in June, and included active participation by representatives from the Technical Advisory Committee, Local Government Committee, and Suffolk County's new administration.
- The Management Committee met regularly (quarterly) and actively participated in program planning and decision-making. State and County Management Committee representatives have been responsive to PEP staff requests for assistance with program administration issues.
- PEP did not publish an environmental indicators report in 2012 as planned, but planning has occurred and broad status and trend assessment studies have concluded. We expect to publish this technical report in 2013, and to initiate a new companion report summarizing that information for a lay audience.
- The Stormwater Workgroup and Natural Resource Subcommittee continue to meet approximately three times per year. Topics presented and discussed include amending the CCMP to address climate change, subwatershed management plans, Pathogen Load Assessment, and habitat restoration.

Program Administration (Contracts and Grants)

- FFY2003 and FFY2004 grants are closed out and nearly all funds were expended. The FFY2005 funds have all been expended and that grant's final claim, currently being drafted by SC accountants, will be submitted before December 30, 2012.
- Nearly all salary funds from FFY 2006, 7, and 8 have been expended. Most of the contractual funds are encumbered in contracts which are all completed or expected to be completed this year. Re-budgeting of some NADP funds may be

necessary. If that occurs, we are on track to expend all funds by their expiration dates.

- FFY 2009, 10, and 11 funds are mostly in contract, but a few exceptions remain. These all require committee decisions to be made or are awaiting the completion of earlier project phases.
- The contract writing process is working smoothly now and good communication has been established between PEP and the SCDHS contracts unit. Contract drafting causes little or no delay with new projects. The contract approval and signature process, while still on the order of one to two months, has dramatically improved.
- The FFY2012 grant application and workplan were submitted successfully, and the contract accepting the funds is being processed relatively quickly (only one signature remains as of December 4th). The application was submitted after the EPA deadline, but in time for award of the grant in early October (only days after the goal). The delay was due to unusual circumstances this year: there was substantial re-budgeting of previous years' awards included in the application and uncertainty within EPA Region 2 about requirements for presenting re-budgeting details delayed finalization of the application. Additional delays resulted from complications associated with the conversion of the EPA's CCR registry to the Sam.gov database. These have been resolved. We do not anticipate problems meeting EPA deadlines in the future.
- The goal of awarding contracts associated with that new grant within one year is still the goal for the FFY 2012 award and we anticipate that this is achievable. Only one contract has been awarded from the 2011 funding thus far, but much of that funding was subject to re-budgeting during the year and is no longer in the contractual category (re-budgeted to salary and water quality monitoring, those tasks will be performed by NEIWPC with FFY2012 funds instead). One other item (habitat restoration) will be awarded after the first phase of the project is concluded (anticipated completion January-February 2013) because those results will impact decision making for the new funding.