

PECONIC ESTUARY PROGRAM
MANAGEMENT CONFERENCE AGREEMENT

Submitted by:

Peconic Estuary Management Conference

DRAFT

June 25, 1993

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Suffolk Co. Dept. of Health Services
Office of Ecology

POLICY COMMITTEE ACCEPTANCE

We, the members of the Policy Committee, have reviewed the contents of this Management Conference Agreement. We hereby accept and approve the document and endorse the activities, products, and schedules set forth herein as appropriate and necessary to complete a Comprehensive Conservation and Management Plan for the Peconic Estuary Program.

Kathleen C. Callahan

for William J. Muszynski
Acting Regional Administrator
United States Environmental Protection
Agency - Region II

Robert L. Bendick, Jr.

Robert Bendick, Jr.
Deputy Commissioner
New York State Department of
Environmental Conservation

Robert J. Gaffney

Honorable Robert J. Gaffney
County Executive
County of Suffolk

Fred W. Thiele, Jr.

Honorable Fred Thiele
Supervisor
Town of Southampton

The Peconic Estuary

WE, the undersigned, find and declare that --

The Peconic Estuary is an important natural resource that provides incomparable beauty and significant recreational and commercial benefits.

The Estuary's living resources, water quality, and aesthetic character have suffered from development and other human uses and

Restoration and protection of the Estuary's environmental quality require focused management by a partnership of Federal, State and local governments, affected industries, academia, and the public.

WE therefore pledge to restore and protect the environmental quality of the Peconic Estuary through the preparation and implementation of the Comprehensive Conservation and Management Plan.



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Witnessed this 19th day of April, 1983

Notary Public

National Estuary Program
Peconic Estuary Program

Management Conference Agreement
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6/25/93

National Estuary Program
Peconic Estuary Program

Management Conference Agreement

I. INTRODUCTION - The Citizens Advisory Committee Perspective

For more than seven years, hundreds of people from within the Peconic Estuary watershed have come forward at conferences and public hearings to voice their concerns for the bays. Hundreds more have written and called. They all share a common vision of the Peconic Estuary restored to ecological balance--to the way it used to be.

Our vision is of clear waters that are safe to swim in, fish in, clam in, snorkel and scuba dive and to enjoy the many diverse recreational opportunities in contact with the bays. We envision accessible, litter-free beaches and wetlands teeming with life where our children and grandchildren can discover the wonder and beauty of nature. We seek to maintain healthy wetlands that purify the bays' waters, shield us from damaging storms, and provide critical breeding and fishing grounds for marine wildlife.

We all envision flourishing commercial and recreational fisheries and healthy shellfish beds to support the regional economy. And we all have a vision of natural coastal beauty and clear waters that are havens from the stresses of our modern society.

These visions are what have motivated the citizens of the East End to take action to save the bays.

Those of us who have been involved with the bays recognize that "it is all connected" - clear water with quality of life and the tourist economy. We have learned from our own experiences over the last few years that to be successful we need to pursue our common interest and work through our differences. Working together, we can find solutions to the problems brought about by increased population and the interaction of human influences on the marine environment.

II. STUDY AREA AND RESOURCE OVERVIEW

The Peconic Estuary system, designated by the Nature Conservancy as one of the "Last Great Places" in the western hemisphere, comprises the stormwater runoff-contributing watershed and the groundwater-contributing area to the Peconic River and Peconic-Flanders Bays system, including Gardiners Bay and a portion of Block Island Sound. This study area consists of over 100 distinct bays, harbors, embayments and tributaries which span a total area of over 100,000 acres and drain a land area of approximately 110,000 acres, stretching from the Peconic River groundwater-contributing area in the west to Montauk and Plum Island in the east.

The study area has numerous locally and nationally significant resources which are at risk, including its value as a fishery. For example, bay scallop catches from the Peconic System, which accounted for approximately 28% of the United States landings of this species in 1982, dropped to only about 300 pounds per year by 1987 and 1988, after the onset of algal blooms known as the Brown Tide. Other important shellfish which were apparently adversely impacted by the Brown Tide include clams and blue mussels. In addition, the oyster business was worth about \$3.4 million annually in 1982 before its value plummeted to less than \$10,000 per year in 1987. Long-term impacts of the bloom on shellfish habitats and reproduction are unknown. However, the potential for devastating long-range effects of the Brown Tide on local fisheries is illustrated by the loss of eelgrass resulting from reduced light penetration in the water column; eelgrass is important habitat for certain finfish as well as shellfish.

The Peconic Estuary system is extremely important to the local and regional economy, not just in terms of commercial fin- and shellfishing, but also in terms of other water-related activities. One of the foremost activities that depends on a clean and healthy Peconic Estuary is tourism, which is one of the top industries in the area. Other activities include businesses such as restaurants and marinas that cater to recreational fishermen, boaters, bathers, hunters and nature enthusiasts who utilize the Peconic System. For example, annual direct boater revenues are estimated to be over \$200 million (Association of Marine Industries).

Recreational facilities within the Peconic/Flanders Bays system include 30 public bathing beaches (i.e., beaches with permits which are regulated). The Peconic region also includes numerous campgrounds and golf courses and thousands of boat berths.

The Peconic area possesses a plethora of diverse habitats and species, including extensive tidal and freshwater wetlands. In addition, 15 rare ecosystems as designated in the "Priority Listings of Rare and Natural Communities with Occurrences on Long Island" (New York Natural Heritage Program, December 1986) occur within the study area. Numerous nationally and locally threatened and endangered species use the important habitats which exist in the Peconic Estuary study area.

The land use inventory work performed as part of the Brown Tide Comprehensive Assessment and Management Program ("BTCAMP," Suffolk County Department Health Services and Dvirka and Bartilucci, 1992) shows significant potential for future degradation of the study area's resources. Although a total of 27% and 23% of the land in the BTCAMP western (i.e., Peconic River and Flanders Bay) and eastern study areas, respectively, is in "open space" and "recreational" land use categories, a substantial amount of land is still "vacant" and open to development. The total developable acreage in "agricultural" and "vacant" lands is 38% and 48% in the western and eastern study areas, respectively, highlighting the need for planning future development and pollution control strategies. Since the land use statistics were compiled in 1989, recent acquisitions have decreased the amount of developable land in the Peconic River groundwater-contributing area.

The Peconic Estuary system is clearly at a crossroads. Careless exploitation will lead to increasingly irreversible degradation, contributing to the demise of a once-pristine ecosystem. Therefore, the preservation of resources and careful balancing of demands on the system is of paramount concern.

III. PRIORITY PROBLEMS AND SOURCES

As discussed in Section V of this Management Conference Agreement, BTCAMP provided the primary basis for the Peconic Estuary NEP Nomination Document. BTCAMP's areas of emphasis furnished a basis on which to build. In addition, the areas not addressed by BTCAMP served to identify issues needing further attention. Much of the information which follows in this section is a synopsis of information contained in the Nomination Document.

a) Problems

Historically, most of the Peconic Estuary surface water system has experienced generally good to excellent surface water quality in terms of conventional parameters. However, pollution contribution to the Peconic Estuary system has been caused by a variety of sources of nutrients, pathogens, toxics, and other contaminants. Several areas of the estuary currently do not meet water quality standards required for shellfishing and other activities. Stresses to the natural resources are also of concern and will require additional management. The status and trends of finfish, shellfish, and wildlife, as well as the habitats upon which they depend, need to be emphasized during the course of the Peconic Estuary Program (PEP). Measures of natural resource degradation need to be evaluated for this estuarine system.

i) Brown Tide

The most severe problem which has been plaguing the Peconic Estuary is the occurrence of the Brown Tide Bloom. The Brown Tide is an algal bloom caused by a particularly small and previously unknown species (Aureococcus anophagefferens).

Brown Tide persisted for extended periods in 1985, 1986, 1987, and 1988 and has had devastating effects on the marine environment. Elevated Brown Tide cell counts were also observed in July of 1990 in West Neck Bay, a sheltered water body off Shelter Island. Another intense bloom of Brown Tide began in the Peconic Estuary system in May, 1991 and persisted at high levels through July, 1991.

The Brown Tide effects have included the virtual eradication of the scallop population and the decimation of eelgrass beds and hatchery areas. Other shellfish and finfish have also suffered from the Brown Tide bloom; the long-term impacts of the Brown Tide have yet to be assessed.

Particularly disturbing is the fact that the Brown Tide organism continues to occasionally reappear in the Peconic Estuary and in other water bodies in Suffolk County.

ii) Nutrient Pollution

The Peconic River and Flanders Bay do not meet pollution input guidelines set forth in the Long Island Comprehensive Waste Treatment Management Plan (LI 208 Study, Long Island Regional Planning Board, 1978). As a result, nutrient pollution and cultural eutrophication have been occurring in the poorly flushed areas of the western bays system in which the heaviest loading of contaminants occur. For example, portions of the eastern (tidal) Peconic River and western Flanders Bay routinely experience elevated nitrogen concentrations in marine surface waters which occasionally suffer from low dissolved oxygen levels.

iii) Pathogen Contamination

The coliform group of bacteria is used as an indicator of the possible presence of human and non-human sources of fecal contamination resulting from wildlife and domestic animals, stormwater runoff, sewage treatment plant effluent and, potentially, from boats in marinas and transient mooring areas, as well as from duck farms. Over 4,000 of the approximate 120,000 acres of shellfish grounds are closed to shellfish harvesting due to the presence of excessive concentrations of coliform bacteria.

iv) Toxic Chemicals

Toxic contamination, including pesticides in surface waters, has been detected in the study area. The issue of toxics in the Peconic Estuary system needs to be better characterized to assess its significance.

v) Natural Resources Threats

An important component of the Peconic Estuary system is the diverse community of plants and animals that inhabit and visit the area, and the habitats upon which they depend for feeding, nesting, and nursery areas, as well as for shelter. These living resources have certain minimum ecological conditions that must be met in order for them to survive and reproduce successfully. Included among these requirements are sufficient quality and quantity of habitat to ensure that survival is not impaired. Many of the resources are currently threatened by pollution, development, and overuse. Thus, PEP must assess the status of living resources of the Peconic Estuary and their habitats, with an aim towards managing these vital resources. One key component of this characterization will be investigating the effects of identified sources of pollution on the plants and animals in the system.

b) Pollution Sources

Pollution problems in the Peconic Estuary have resulted from numerous point and non-point sources of pollution which have individually and cumulatively adversely affected the Peconic system.

i) Point Sources

The point sources in the study area include ten sewage treatment plants, six of which discharge directly to surface waters. Duck farming activity has also played a prominent role in the pollution of the Peconic estuary. In the late 1970's, at least seven duck farms discharged within the study area. Today only one of these farms continues to operate. It is located at the head of Meetinghouse Creek off Flanders Bay and operates with waste materials being disposed of through an approved upland groundwater discharge system. However, elevated nutrient and coliform concentrations in the Creek continue to persist. BTCAMP identified the pollution problem in Meetinghouse Creek as adversely influencing water quality in portions of Flanders Bay, and called for further investigations of Meetinghouse Creek and the duck farm waste management system. Both sewage treatment plants and duck farms have contributed significant loads of nutrients (nitrogen and phosphorus), coliforms, BOD, and suspended solids.

Rivers and tributaries such as the Peconic River and Meetinghouse Creek have also been considered as point sources, since they provide convenient opportunities to gauge flow and monitor for pollutant levels. In actuality, the streams incorporate the impacts of several point and non-point sources, such as stormwater runoff, sewage treatment plant effluent, duck farms, fertilizer, and sanitary system effluent.

Other point sources include nine major landfills which exist in the study area, five of which are currently active. Industrial and commercial sources, such as the Rowe Industries site in Sag Harbor, which has generated a plume of organic solvents which have reached their discharge boundary at the surface waters of the study area, constitute another point source of contamination.

ii) Non-Point Sources

Based on preliminary sediment flux monitoring, sediment flux, which is the chemical exchange between the sediment and the water column, is a greater source of nitrogen pollution than all other point and non-point sources combined. Reductions in point source loading resulting from the implementation of management alternatives would eventually change the non-point source sediment flux rate of oxygen and nutrients, potentially resulting in significant water quality improvements. More monitoring and study is needed to better characterize the dynamics of the relationship between pollution contribution and sediment flux and to document actual short-term and long-term water quality benefits which would be associated with pollutant abatement measures.

Other major non-point sources of pollution include sanitary waste, fertilizer, and animal wastes. Contaminants from these sources may be washed directly with stormwater runoff to receiving water bodies, or they may enter the groundwater regime which ultimately discharges to surface waters. Animal wastes are sources of surface water pathogens via stormwater runoff and direct contribution. In terms of nutrient loading, fertilizer and on-lot sewage disposal (i.e., sanitary systems) are significant sources. Underground storage tank leaks and spillage of chemicals provide yet another potential route of contamination. Finally, household chemicals such as drain and cesspool cleaners have resulted in contamination problems, and direct rainfall contributes a significant amount of acidity and nitrogen to surface water bodies.

Although stormwater runoff has historically been considered to be the major factor in surface water coliform loading which results in the closure of shellfish beds, discharges from boating-related activities are another potential source. Oil, grease, and other chemical pollution may also result from boating. Marinas and boating are of special concern in constrained and poorly-flushed water bodies. Shoreline development and sanitary waste disposal are also a concern with respect to pathogen contamination to constrained and poorly-flushed water bodies due to improper siting of sanitary systems in shallow groundwater conditions as well as possible overflow and bypass of sanitary waste.

IV. PROGRAM GOALS AND OBJECTIVES

Like all aspects of the Peconic Estuary Program's Management Conference, the process for establishing program goals and priority objectives is based on committee consensus. Initially the New York State Department of Environmental Conservation (NYSDEC), United States Environmental Protection Agency (USEPA) and Suffolk County Department of Health Services (SCDHS) staff presented a set of goals and objectives which were taken from the Peconic Estuary NEP Nomination Document. These were distributed to all committee members and discussed at the committee meetings. By Policy Committee adoption of this Conference Agreement, the following set of goals and objectives are formally accepted by the Management Conference, subject to refinement as the program proceeds.

- 1) To establish a comprehensive water quality policy which ensures the integrity of marine resources, habitat and terrestrial ecosystems while supporting human activities in the Peconic Estuary study area.
- 2) To ensure an effective technical, regulatory and administrative framework for the continued monitoring and management of the Peconic Estuary study area.
- 3) To broaden and generalize the recommended water quality policy and administrative and regulatory framework so that the lessons learned from the Peconic Estuary system will serve as a local, nationwide, and global model for other estuaries which may experience similar problems.

Such an approach would focus on program development and coordination as well as involvement at all levels of government and citizenry.

The more specific objectives of the Peconic Estuary Program, which will become better defined as the Management Conference proceeds, are as follows:

- 1) To protect and improve the Peconic Estuary system water quality to ensure a healthy and diverse marine community.
- 2) To preserve and enhance the integrity of the ecosystems and natural resources present in the study area so that:
 - a) Optimal fish and wildlife habitat and diversity of species can be ensured, and
 - b) Conservation and wise management of the consumable, renewable natural resources of the bay are promoted and enhanced.
- 3) To optimize opportunities for water-dependent recreation.
- 4) To promote, to the maximum practicable extent, the social and economic benefits which have been associated with the Peconic Estuary system.
- 5) To minimize health risks from human consumption of shellfish and finfish.
- 6) To promote, to the maximum extent possible, public awareness and involvement in estuarine management issues.

V. PECONIC ESTUARY PROGRAM ROOTS

a) Brown Tide Comprehensive Assessment and Management Program

In response to the Brown Tide problem, the Suffolk County Department of Health Services initiated the Brown Tide Comprehensive Assessment and Management Program in 1988. BTCAMP was managed by SCDHS, and benefitted from input from a Management Committee comprised of representatives from SCDHS, the United States Environmental Protection Agency, New York State Department of Environmental Conservation, Long Island Regional Planning Board (LIRPB), Suffolk County Planning Department (SCPD) and others.

BTCAMP was undertaken with two distinct objectives. The first objective was to research the causes and impacts of the Brown Tide, identifying any appropriate remedial actions and defining those areas which require further study. The second objective was to investigate more conventional water quality problems affecting local bay areas so that corrective actions to minimize any present or future water quality problems could be identified and evaluated.

The final BTCAMP management plan was supported by a comprehensive series of tasks including monitoring of the bays, assessment of the sources of pollutant loading to the bays (e.g., stormwater runoff, sewage treatment plants, groundwater inflow), analysis of land use in the area surrounding the bays, and computer modelling of water movement and quality in the bays. BTCAMP study efforts were particularly focused on the western Peconics (i.e., Flanders Bay and its tributaries), the most stressed portion of the system.

BTCAMP is of critical importance to the Peconic Estuary Program for two reasons. First, BTCAMP served as the basis for the Peconic Estuary NEP Nomination Document. Second, BTCAMP provides a foundation of management information which serves as an invaluable resource for NEP system characterization and management. BTCAMP and its recommendations will be evaluated by the Management Conference in formulating early action plans.

b) Research Program Workshop

Subsequent to the submission of the Peconic Estuary Program Nomination document in June, 1991, and in anticipation of acceptance of the Peconic Estuary into the NEP, a Peconic Estuary research needs workshop was held at State University of New York at Stony Brook, Marine Sciences Research Center (MSRC) on November 26, 1991. The workshop, which was sponsored by several agencies and organizations, culminated in a document produced by MSRC based on input from various working groups. The document, entitled "Development of a Research Program for the Peconic Estuary Responsive to Management Needs," followed up on the research needs identified in BTCAMP and the Peconic Estuary NEP Nomination document. The workshop was designed to define the spectrum of research needs to provide estuarine managers with necessary information, and was instrumental in refining research needs in certain areas (e.g., sediment flux) and establishing priorities in areas which were not previously fully addressed (e.g., habitat and living resource characterization and rare and endangered species habitat research needs).

c) Citizen Involvement

Shortly after the appearance of the Brown Tide algal bloom in Flanders Bay, an ad hoc citizens group successfully lobbied for an investigation of the phenomenon. Citizens' involvement has been critical to the success of BTCAMP and to the startup of the PEP. The BTCAMP Citizens Advisory Committee (CAC), with the support of groups such as The Peconic Bay Task Force, and Save the Bays, Inc., is comprised of representatives from marine related industry, environmental and civic organizations, baymen, boaters, recreational fishermen and other interested citizens. The CAC has made significant contributions to BTCAMP by assuring public involvement in the study, preparing educational materials, providing project input, and setting up the series of Save the Bays Conferences. Of special note is the booklet "Clear Water - A Guide to Reducing Water Pollution" and the video entitled "Save our Bays."

Several other civic organizations and environmental groups have also been active in the protection of the natural resource of the Peconic Bays system. These organizations include the Group for the South Fork, the North Fork Environmental Council, the Nature Conservancy, the League of Women Voters of Riverhead/Southold, Southold 2000, Save the Peconic Bays, Inc., the Green Seal Program and the Association of Marine Industries.

The BTCAMP CAC expanded its advocacy and information program from the Suffolk County Legislature (and the five East End Towns) to other legislators in all matters relating to policy, budgeting, management and technology of Government's response to correcting problems in the Flanders/Peconic Bays Estuary System. The BTCAMP Citizens' Advisory Committee was instrumental in furthering the National Estuary Program nomination process, and provided a core group of involved citizens for the PEP CAC. The PEP CAC continues to provide invaluable guidance to the Management Committee and to develop a public outreach strategy.

VI. CONFERENCE COMMITMENTS

This Management Conference Agreement spells out the activities, products, and schedules by which the Peconic Estuary Management Conference will complete the Comprehensive Conservation and Management Plan (CCMP). The work activities and timetable (see Table 1) presented in this Conference Agreement will be the general guide to PEP activities, while annual workplans will lay out detailed projects and associated budgets.

As reflected in Table 1, first year Management Conference Activities will be directed, to a large degree, on characterization activities, even though program analysis and action plan refinement will occur. Data gaps identified in the first year base will be addressed later in the program with an aim towards developing management measures. In addition, as the Peconic Estuary Program progresses through its second and third years, increasing emphasis will be placed on program analysis and implementation issues.

Conference activities will be conducted in a manner which will maximize management information from other National Estuary Program studies and other management programs, thereby avoiding the use of relevant duplication of efforts which have already been performed. Other estuarine management program studies which will be reviewed include, but are not limited to, Narragansett Bay, Buzzards Bay, and Waquoit Bay.

a) Statutory Purposes

A critical task in the PEP is for the USEPA, New York State, Suffolk County and local governments to negotiate a conference agreement intended to achieve the seven purposes of a Management Conference as laid out in Section 320 of the Clean Water Act. These seven purposes are to:

**RELATIONSHIP BETWEEN WATER QUALITY ACT PURPOSES,
EPA GUIDANCE, AND NEGOTIATED PEP PRODUCTS**

<u>WOA PURPOSE</u>	<u>OWOW GUIDANCE</u> Priority Problem Identification	<u>PEP PRODUCT</u> Conference Agreement	<u>DATE</u>
	Educate and Involve the Public	Public Participation Strategy	Oct. 1993*
	Develop a Data Management Strategy	Data Management Strategy	Oct. 1993
	"Actions Now"	Action Plan Report	Oct. 1993*
	Establish Project Office		Oct. 1993
	Base Programs** Analysis	Base Program Analysis Report	July 1994*
Trend Study		Characterization Report	July 1994*
Cause/Effect Study	Characterization Report	Characterization Report	July 1994*
Loading Study		Characterization Report	July 1994*
CCMP	CCMP	Preliminary CCMP Draft CCMP Final CCMP	July 1994 July 1995 July 1996 (submitted to USEPA administrator)
Federal Consistency	Federal Consistency** Review	Draft CCMP Final CCMP	July 1995 July 1996
Coordinated Implementation	Implementation Plans**	Draft CCMP Final CCMP	July 1995 July 1996
	Financial Strategy**	Draft CCMP Final CCMP	July 1995 July 1996
Monitoring	Monitoring Program (accompanies CCMP and is summarized in CCMP)	Draft Monitoring Program Plan Final Monitoring Program Plan	July 1995 July 1996

* Activities will continue beyond target completion date for initial PEP product.

** Program analysis and implementation issues will assume increasing prominence after first year characterization efforts are completed.

- Purpose 1. Assess trends in the estuary's water quality, natural resources and uses.
- Purpose 2. Identify the causes of environmental problems by collecting and assessing data on toxics, nutrients, and natural resources within the estuary.
- Purpose 3. Assess pollutant loadings in the estuary and relate them to observed changes in water quality and natural resources.
- Purpose 4. Develop a Comprehensive Conservation and Management Plan that recommends priority corrective actions, sets out schedules and responsibilities, and identifies the means for addressing point and non-point sources of pollution to restore and maintain the chemical, physical, and biological integrity of the estuary.
- Purpose 5. Develop plans for the coordinated implementation of the plan by the state, federal, county and local agencies participating in the conference.
- Purpose 6. Monitor the effectiveness of actions taken pursuant to the plan.
- Purpose 7. Ensure that the federal assistance and development programs are consistent with the goals of the plan.

b) USEPA Guidance

To ensure that the seven purposes are met, USEPA Office of Wetlands, Oceans, and Watersheds (OWOW) guidance lists eight key activities and major products to be identified in the Conference Agreement:

1. An identification of priority problems of the estuary based on public and other input;
2. An inventory of applicable federal programs to identify potential conflicts with the final CCMP. This is part of the consistency review required as one of the tasks of the Management Conference;
3. An analysis of the current scope and effectiveness of existing federal, state, county and local water quality and resource management programs to evaluate gaps, targeting opportunities, or potential for leveraging. This base-program analysis is essential for identifying and developing recommendations of the CCMP;
4. A financing plan based on federal, state, local, and public input that considers costs of potential pollution control options and identifies how those options will be financed;

5. Final reports on the estuary's status and trends, probable causes of environmental problems, and pollutant loadings. These reports are required under Purposes #1-3 of the Management Conference and may be combined in a final draft characterization report. The characterization report will be primarily devoted to the synthesis of existing data on the estuary. New data collection will be funded with Clean Water Act Section 320 funds, only if a critical data gap is identified, and specific management decisions requiring such data are identified by the Management Conference;
6. A preliminary CCMP which: (1) identifies actions that agencies and other entities can commit to immediately as well as potential actions that require further consideration or information gathering; and (2) where possible, includes estimates of the costs of and financing options for the actions identified for immediate implementation;
7. A draft CCMP that includes a federal consistency report and plans for coordinated implementation and monitoring; and
8. A final CCMP that identifies action plans for implementing the CCMP, including:
 - a discussion of their likelihood of success;
 - lead implementation agencies;
 - a financial strategy, including funding required and the sources of funding; and
 - schedule for implementation.

In addition to these eight activities, and to stay consistent with recent OWOW guidance for Tier IV estuary programs, the PEP Management Conference agrees to:

- establish a project office, to support the activities of the Management Conference and its participants;
- take early action where problems and solutions have been identified;
- develop a monitoring program plan to be included in the CCMP;
- educate and involve the public; and
- develop a data management strategy.

The signing of this State/County/EPA/Local Government Conference Agreement represents the commitment and direction established for the 3 years of the Conference, and ultimately, for the protection and enhancement of the Peconic Estuary as a vital national resource.

c) Action Plan

For Peconic Bay, a significant amount of scientific and technical information already exists, and much of this information has been synthesized into the BTCAMP Final Report. Included in this report are recommendations for action. As an initial effort to focus on "action now," the Peconic Estuary Program Management Conference will reexamine the recommendations from BTCAMP and divide them into several categories, including, but not limited to:

- recommendations that have already been implemented;
- recommendations that will be implemented;
- recommendations that should be implemented;
 - recommendations that have the potential for timely implementation;
 - subject areas that require more time before implementation;
- issues that require more study prior to making final management decisions; and
- matters that should not be pursued further in the NEP due to limited resources or inappropriateness for NEP study.

The Action Plan will commit all levels of government to early action in the Peconic watershed, and it will be developed by staff from USEPA, NYSDEC, and SCDHS as directed by the Management Committee, with input from the Local Government Committee, and the Citizens and Technical Advisory Committees. The first Action Plan will be approved by the Policy Committee, no later than October 31, 1993. Subsequent refinements of the Action Plan will be incorporated into the draft and final CCMP's.

The development of the Action Plan also will include an assessment of Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (entitled "Protecting Coastal Waters"), which provides guidance for management of non-point source pollution of coastal waters. The Management Conference will initially identify the applicable non-point source pollution categories and subcategories in the Peconic Estuary for which base management measures should be implemented. The Management Conference will then identify and describe the applicable base management measures which should be implemented. The target date for a preliminary report on this assessment is also October 31, 1993.

The Management Conference will also identify additional management measures which go beyond the base measures. Assessment of the Action Plan's additional management measures will be subject to subsequent Management Conference evaluation, which will continue through the three years of the Peconic Estuary Program and which will be assessed in light of the Base Programs Analysis. Increasing emphasis on program analysis and implementation issues will take place after first year characterization efforts are completed.

d) Base Program Analysis

A crucial part of the Peconic Estuary Program is to characterize and understand the scope and effectiveness of existing federal, state, and local laws, regulations and programs that deal with managing coastal related issues. All federal, state and local agencies represented on the Management Conference will be asked to compile descriptions of their respective programs which may be relevant to the Peconic Estuary Program. This and other information will be used to prepare a Base Program Analysis Report by July 1994. The objective of the Base Program Analysis Report (Management Conference Purpose 5) is to prevent duplicate efforts by the various regulatory agencies and to identify gaps and weaknesses in ongoing management and regulatory programs.

The preliminary draft CCMP will include a Base Programs Analysis, an evaluation of the scope and effectiveness of existing federal, state, county, and local water quality and natural resources programs. Development of this Base Programs Analysis will assist in identifying areas that are not covered by existing programs, and those programs that need to be modified to meet the goals of the Management Conference.

Development of the Base Programs Analysis will follow a three-step process. Initially, a list of all existing federal, state, county, and local water quality and natural resources programs will be developed with accompanying descriptions of each program. This task will be undertaken by agency staff with input from various Management Conference participants. It will be followed by a preliminary assessment of the adequacy of these programs, to be conducted by a specially selected committee. This committee will examine each program to determine if it functions and its level of effectiveness.

These first two steps will be conducted during the first year of the Peconic Estuary Program. In the first year, the committee also will recommend which programs should be further assessed under the Peconic Estuary Program. During subsequent years program analysis activities will be enhanced and specific programs that require more in-depth analysis and assessment will be identified and their examination enhanced. For non-point sources of pollution, the scope and effectiveness of existing programs should be characterized in terms of their effectiveness of achieving or implementing the management measures of Section 6217 of the Coastal Zone Reauthorization Amendments of 1990 ("6217").

e) Financial Strategy

Information from the Base Program Analysis will be used to identify priority areas where state, federal and local programs and funding sources may be redirected to implement actions, emphasize (or change) programs, and carry out demonstration projects. The Financial Strategy (Management Conference Purpose 5) will also include local, regional, state-wide and federal

strategies for financing projects and programs to reduce pollution or manage the estuary. This strategy will be a key component of the Draft and Final CCMP.

The Management Conference will continue to function after completion of the CCMP and will help to assure appropriate financing of projects during the implementation phase.

f) Federal Consistency Report

National Estuary Programs are required to ensure consistency of other federal programs with the purposes and objectives of the CCMP. This requirement is intended to coordinate federal programs to gain optimum benefits toward program objectives. To fulfill this requirement an inventory of federal programs will be completed as part of Base Program Analysis by July 1994. From this information a Federal Consistency Report (Management Conference Purpose 5) will be prepared and incorporated into the Draft and Final CCMP.

g) Characterization Report

Studies will be performed to address the Peconic System's current status and historical trends, probable causes of environmental problems, and pollutant loadings. These studies will be combined into a Characterization Report (Management Conference Purpose 1, 2 and 3) where technical and scientific findings are described in lay terms. This report will be completed by July 1994 and eventually incorporated into the CCMP.

Aside from being an important public education tool, the Characterization Report may also demonstrate a need to reprioritize or revise the current list of priority problems as described in this Agreement and in the Nomination Document. In addition, by summarizing current knowledge, the report will address questions integral to the effective management of the Peconic Estuary's living resources and ecosystem.

h) Monitoring Program Plan

Data collected through environmental monitoring is essential for characterizing water and natural resources and to assist in the development and to determine the success of management plans. The primary goals of the Peconic Estuary Program's Monitoring Program Plan (Management Conference Purpose 6) will be to measure the success of the CCMP and to provide information that can be used to redirect and refocus management. This detailed plan will include sampling and analytical protocols, data management specifications, quality assurance guidelines, data reporting requirements, methods of coordination, and cost estimates.

The plan will be designed to measure the success of the CCMP and to provide information that can be used to redirect and refocus management. Thus, the continuing monitoring and periodic reassessment of regulations and programs are needed to ensure effective management of the Peconic Estuary system.

Although the development of this Monitoring Program Plan will fall mainly under the purview of the Technical Advisory Committee, the Citizens Advisory Committee may also provide input into the potential development of a long-term citizens monitoring program.

i) Public Participation Strategy

The Peconic Estuary Program's Citizen Advisory Committee will prepare a Public Participation Strategy by October 1993. This strategy will foster support of the final CCMP by ensuring that the general public has input into the development and implementation of the plan. A key component of the Public Participation Strategy will be the development of an educational component around specific action items from the Action Plan. The Public Participation Strategy is discussed in greater detail in Section VII.c).

j) Comprehensive Conservation and Management Plan

The primary goal of a National Estuary Program Management Conference is to develop a Comprehensive Conservation and Management Plan to protect and improve the water quality of nationally significant estuaries that are threatened by pollution, development, or overuse. The CCMP uses scientific and technical information collected, synthesized, and analyzed during the course of the NEP, along with information from other sources, to develop, recommend, and commit to management actions that will result in the clean-up and preservation of our waterways. Thus, development of a CCMP addresses Management Conference Purpose 4 of Section 320 of the Clean Water Act: recommend and schedule priority actions to restore and maintain the estuary, and identify the means to carry out these actions.

Development of the CCMP will follow a rigid schedule. A preliminary draft of the CCMP will be completed within the first 12 months after this Conference Agreement is signed (July, 1994). It will be prepared by staff from USEPA, NYSDEC, and SCDHS as directed by the Management Committee, with input from the Local Government Committee and the Citizens and Technical Advisory Committees. It will be approved by the Policy Committee. The Preliminary Draft CCMP will consist of a summary of all Peconic Estuary Program activities conducted to date, their status and findings, and a general heading outline for the CCMP prepared according to guidelines. This preliminary draft will incorporate an updated Action Plan. This Action Plan will be an expanded and more comprehensive version of the preliminary action plan which will be completed by October 1993, based on a review of BTCAMP, 6217 management measures and other information collected

and synthesized to date. Where possible, the Preliminary Draft CCMP will include estimates of costs of the actions identified for immediate implementation. This Preliminary Draft CCMP will also include a Base Program Analysis, an evaluation of the scope and effectiveness of existing programs. Development of this Base Program Analysis will assist in identifying areas that are not covered by existing programs, and those programs that need to be modified to meet the goals of the Management Conference. It will assist in identifying and developing recommendations of the CCMP. One final element to be included in the preliminary Draft Plan is the identification of new research questions that need to be answered to develop relevant management actions.

A Final Draft CCMP will be completed by July 1995, one year before the due date of the Final CCMP. Sections will be drafted as information becomes available, based on the outline developed for the Preliminary Draft CCMP. Information collected over the course of this program will be analyzed and presented in a form such that it shows justification for the recommended management actions. These management actions are commitments for action that will be taken by all levels of government to protect and restore Peconic Bay, and represent a further expansion and refinement of the Action Plan. All management actions will be developed consistent with other programs such as 6217, unless there is a basis for recommending actions which are inconsistent with other programs (i.e., recommended changes to existing programs made pursuant to Base Programs Analysis).

In addition, this Final Draft CCMP will include a finance plan that identifies potential costs of actions and how these actions will be financed, a Federal Consistency Report (Management Conference Purpose 7; see Section VI above) to ensure that federal assistance and development programs are consistent with the goals of the plan, and Monitoring Program Plans (Management Conference Purpose 6; see Section VI above) to monitor effectiveness of actions taken under the CCMP. Upon its completion, the Final Draft CCMP will be released to the public for comments. During this public comment period, copies of the Draft CCMP will be made available to all interested persons, and the CCMP will be presented at a series of public meetings. At the end of the public comment period, all comments will be addressed through inclusion in the Final CCMP or written explanation of why they cannot be included (i.e., a public responsiveness document).

The Final CCMP will be completed within three years of the signed Conference Agreement (submitted to USEPA Administrator by July, 1996). It will incorporate all parts of the Final Draft CCMP, including modifications requested during the public comment period. In particular, the Final CCMP will identify recommendations and commitments for action by all levels of government (i.e., the "Action Plan" as updated, expanded and refined in light of the Peconic Estuary Program). The Final CCMP will include a discussion of the likelihood of success of these actions, identification of the agencies responsible for specific commitments, cost estimates for each action, benefits expected to occur as a result of the cost expenditures, sources of funding, the benefits expected as a result of the cost expenditures, and a schedule for implementation.

k) Non-Federal Match

A 25% non-federal match will be provided by Suffolk County, New York State, and, possibly, other non-federal sources.

VII. PECONIC ESTUARY START-UP - PROGRESS TO DATE

The NEP was established by the federal Water Quality Act of 1987 to protect and preserve nationally significant estuaries. Congress added the Peconic Estuary system to the priority list in October 1988.

On June 10, 1991, NYSDEC submitted a nomination document, prepared by SCDHS, supporting inclusion of the Peconic Estuary into the National Estuary Program. On May 13, 1992, SCDHS in cooperation with NYSDEC, prepared and submitted additional information as requested by OWOW. USEPA reviewed the complete Peconic Estuary nomination package and found the nomination had adequately documented the national significance of the estuary, the need for the Management Conference, and the likelihood of success of the Management Conference in developing a Comprehensive Conservation and Management Plan. USEPA officially announced its decision to convene the Peconic Estuary Management Conference on September 9, 1992.

On March 12, 1993 a grant of \$90,000 was awarded to the Suffolk County Department of Health Services, and a grant of \$60,000 was awarded to the New York State Department of Environmental Conservation. These funds went to support the preparation of this Conference Agreement and the First Year Workplan. The funds also supported specific "start-up" activities as required by USEPA Headquarters. Another key accomplishment so far includes the development of a proposed budget to support a public participation strategy by the Citizens Advisory Committee (CAC), and a consensus-built compilation of long term goals by members of the CAC, the Local Governments Committee (LGC), and the Technical Advisory Committee (TAC) and the Management Committee.

a) Kickoff Workshop

To date, the start-up grant has funded a full day kickoff event and Policy Committee meeting. On April 19, 1993, the PEP kickoff workshop was held at the Southampton Campus of Long Island University. Prior to this workshop, an ad-hoc meeting of the Management Committee was held. At this ad-hoc meeting the Management Committee, with input from representatives of the CAC, LGC and TAC, proposed specific rosters, and charges for each committee.

At the kickoff workshop, members of the Policy Committee and elected officials discussed the importance of the Peconic Estuary and also signed a pledge declaring their support for

protecting and enhancing this resource. The Policy Committee also reviewed and approved the Conference structure, as well as the respective committees' rosters and charges.

The kickoff workshop served two purposes. As a media event, it helped increase public awareness of the existing and potential threats to this important resource. As a working meeting, the workshop allowed the Policy Committee to discuss and approve the Management Conference's structure and the specific charges to each committee. The specific charges to the respective committees can be found in section VII.b) below.

b) Management Conference Structure

The structure of the Peconic Estuary Program Management Conference is presented in Figure 1. This structure was initially developed during the nomination process by representatives of USEPA Region II, New York State, and Suffolk County, in cooperation with local government officials and members of the BTCAMP Citizens Advisory Committee. The Management Conference consists of Policy and Management Committees, and three advisory committees: the Citizens Advisory Committee, Technical Advisory Committee (TAC), and Local Government Committee (LGC). These committees provide the framework in which the Management Conference will meet the goals of this program. They represent a forum for open discussion, cooperation, and compromise that results in consensus. While these committees function as separate entities, they are not meant to be exclusive. Thus, all committee meetings are open to the public. In addition, communication between committees exists in the form of members that serve on more than one committee and federal, state, and county representatives who will be attending all Management Conference meetings. The roles and responsibilities of each of the committees, as well as charges to them, are summarized below.

i) Policy Committee

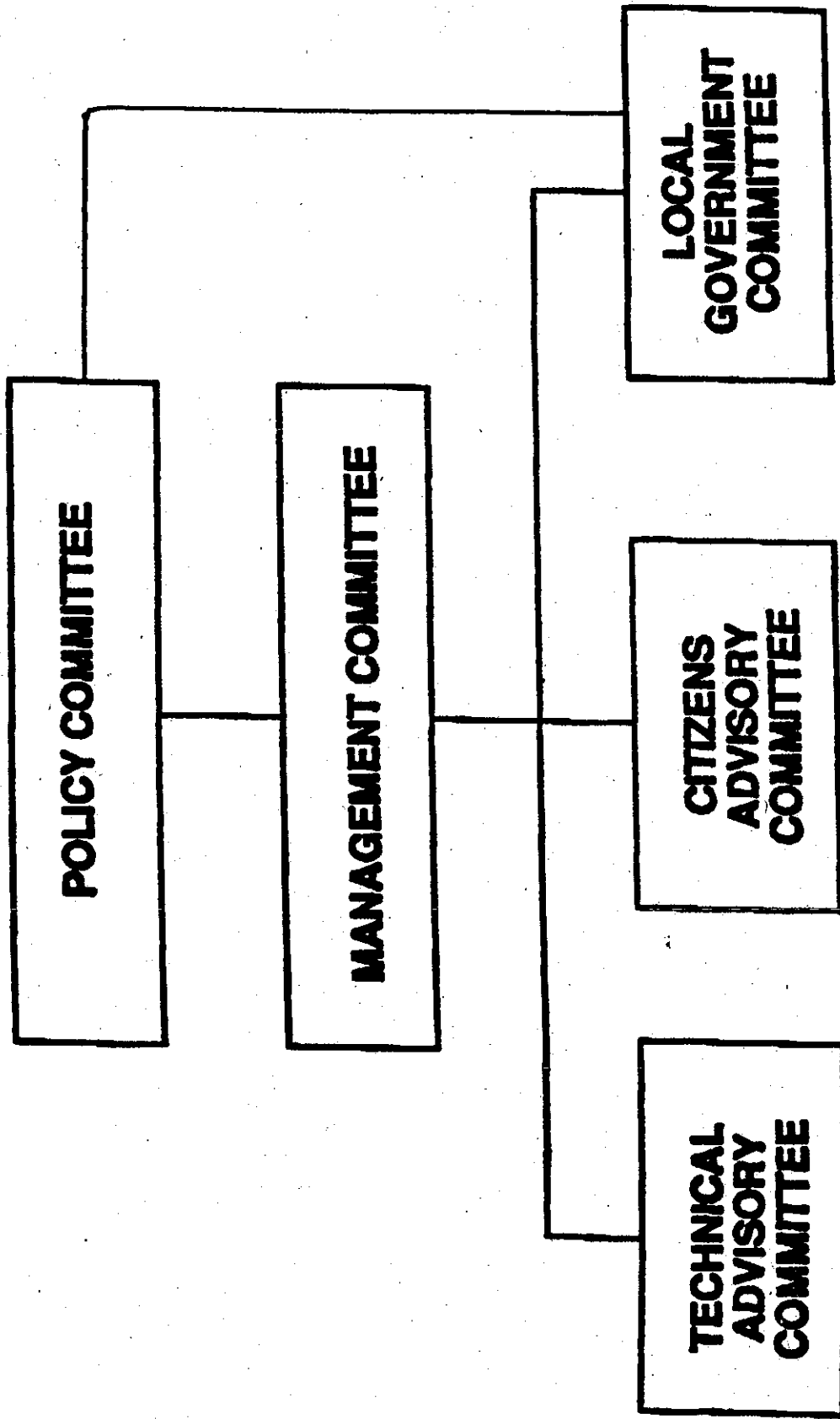
The Policy Committee consists of representatives from USEPA, NYSDEC, Suffolk County, and local government. Currently, the representatives are the Acting USEPA Regional Administrator, the Deputy Commissioner for Natural Resources of the New York State Department of Environmental Conservation, the Suffolk County Executive, and the Supervisor of the Town of Southampton. The Policy Committee approves the workplans and budget, approves Action Plans and the Comprehensive Conservation and Management Plan, and resolves policy issues, including those identified by the Management Committee.

ii) Management Committee

The roles and responsibilities of the Management Committee are to recommend the workplans, budgets, Action Plans and the Comprehensive Conservation and Management Plan to the Policy Committee. On behalf of the Policy Committee, the Management Committee manages

FIGURE 1

Management Conference Structure



the Peconic Estuary Program, ensuring that commitments and deadlines are met. The Management Committee also coordinates the effective involvement of the advisory committees.

Committees within the Peconic Estuary Program strive for consensus. However, if a Management Committee vote needs to be taken, representatives from USEPA, NYSDEC, Suffolk County (currently represented by the Office of the Suffolk County Executive), the Local Government Committee (currently represented by the Southold Town Supervisor), and the chairs of the Citizens and Technical Advisory Committees will be eligible to vote.

Including both voting and non-voting members, the Management Committee representation currently consists of representatives of USEPA Region II (Water Management Division), the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service (USFWS), NYSDEC Division of Marine Resources, New York State Department of State (NYSDOS) (Division of Coastal Resources and Waterfront Revitalization), New York State Department of Transportation (NYSDOT), Office of the Suffolk County Executive, Suffolk County Department of Health Services, Supervisor of the Town of Southold (representing local government), and the chairs of the Citizens and Technical Advisory Committees.

iii) Local Government Committee

The Local Government Committee (LGC) consists of representatives from the five East End Towns surrounding Peconic Bay (Southold, Riverhead, Southampton, East Hampton, Shelter Island), one town which is not directly on the shores of the marine system but is located within its watershed and includes portions of the Peconic River (Brookhaven), the eight villages surrounding Peconic Bay (Quogue, Dering Harbor, Sag Harbor, North Haven, Southampton, Westhampton Beach, Greenport, East Hampton), and the Trustees of Freeholder Commonalities (East Hampton, Southold, Southampton).

The charges to the LGC, in addition to providing input into this Conference Agreement and the one year workplan, are to develop and oversee the implementation of the local government outreach component of the workplan and to develop a Local Government Action Plan for inclusion in the overall Action Plan. This input of the Local Government Committee is crucial because local governments have ultimate responsibility over land use, zoning, and other local issues.

iv) Technical Advisory Committee

The Technical Advisory Committee consists of representatives from universities, the Federal Government (USEPA, USFWS), New York State (NYSDEC, NYSDOS, NYSDOT), Suffolk County (Office of the County Executive, SCDHS, Suffolk County Planning Department, Soil and Water Conservation District), Long Island Regional Planning Board, local government planning and environmental agencies, and other entities dealing in technical issues. New members

with specific expertise will be asked to join the TAC as pertinent issues arise. In addition to providing input into this Conference Agreement and the one year workplan, the TAC will organize to meet the needs of the Management Conference including recommending the addition of other members as appropriate. The TAC will also develop a research agenda that supports the CCMP in the form of both a comprehensive agenda unconstrained by availability of funds and a priority ranking of potential projects. In addition, the TAC will assist in the development of a public outreach/education components of the PEP.

v) Citizens Advisory Committee

The Citizens Advisory Committee (CAC) consists of members of the public that have an interest in preserving and protecting Peconic Bay. The CAC, as an autonomous group, has tentatively divided into ten focus groups, into which each member of the committee fits, based on their interests. These focus groups are commercial fishers, marina and related industries, recreational fishermen, environmental/ecology, recreation, agriculture, macro economics, education, commerce/business, and civic organizations and members at large. The CAC is also developing a voting procedure (which tentatively incorporates the focus groups) should a vote be necessary. Additional individuals may join the CAC by requesting placement in the appropriate focus group.

In addition to providing input into this Conference Agreement and the one year workplan, the CAC will develop and oversee implementation of the public involvement and education component of the workplans. The CAC will also develop a Citizens Action Plan for inclusion in the overall Action Plan.

c) Public Participation Strategy

The Peconic Estuary Program's CAC will prepare a Public Participation Strategy by October 1993. This strategy will use innovative communication techniques to foster support of the Final CCMP by ensuring that the general public has input into the development of the Plan. A key component of the Public Participation Strategy will be the development of an educational component around specific action items from the Action Plan.

The broad goals of the Public Participation strategy are:

- to increase awareness of the Peconic Estuary as a regional and national resource;
- to improve the understanding of the social and economic value of the Peconic Estuary;
- to improve the understanding of human interactions with, and impacts on, the estuary;

- to promote stewardship of the system's resources;
- to engender support for the NEP and its management proposals;
- to inform the public about NEP activities; and
- ultimately, to help insure the implementation of the CCMP.

The following statement regarding outreach was provided by the CAC:

The Peconic Estuary System is an integral part of the Long Island economy and ecology and has been designated an estuarine system of national importance. In order to sustain this valuable resource, we must achieve a balance between the needs of the estuary's resources and the sometimes conflicting demands of the region's populace. Key to establishing this balance is an educated citizenry that is willing to support, promote and actively participate in measures to protect the Peconic Estuary System, and collectively act as wise stewards of a shared public resource. Achieving this will require an intensive education and outreach effort that is aimed at key audiences as well as the general public.

Informing and involving the public and obtaining its support is critical to success of the Peconic Estuary Program. Everyone on Eastern Long Island needs to understand his or her role as a user of the estuary. Effective public participation in the Management Conference will develop the broad-based public support needed to ensure that estuary program strategies reach the implementation phase. The ultimate goal of public participation in the Peconic Estuary will be to establish the public consensus that will ensure long-term support and implementation of the Comprehensive Conservation and Management Plan. The public participation program will supplement and complement Management Conference activities, and will advance the Citizen's Advisory Committee's lead role of providing for public input to estuary program decision-making.

The Peconic Estuary Program will be building upon the Brown Tide Comprehensive Assessment and Management Program and so will the Public Outreach Education and Communication Plan. Because of the amount of work carried out during BTCAMP, the Management Conference has a solid foundation on which to build and will enable a fast track for needed activities. The public participation activities will likewise be able to build upon a well organized, active and successful public education program developed during BTCAMP. In fact, one of the first activities of the public participation program outlined in this proposal will be to develop a Citizen Action Plan to implement BTCAMP recommendations.

The outreach, education and communication campaign for the Peconic is the responsibility of the CAC and is to be accomplished as a cooperative endeavor. This strategy is based on past and current activities in the Peconic Bay region, other PEP outreach efforts, and the collective

experiences of the members of the CAC. In addition, this strategy will be carried out cooperatively with the entire Management Conference to ensure that scarce resources are utilized effectively. This strong foundation sets the state for a positive and successful campaign.

d) Data Management Strategy

USEPA, NYSDEC, and SCDHS have initiated discussions regarding data management for the PEP. A data management strategy will be formalized by October, 1993.

e) Program Office

The Management Conference participants have agreed to establish a Program Office by October, 1993. The Program Office roles and responsibilities are outlined as follows (in Draft).

i) Management Responsibilities

- Communicates regularly with all PEP participants about activities and issues to ensure consensus and that all views are fairly represented in work products.
- Coordinates activities among federal, state, county, and local agencies as well as the public sector to obtain program objectives.
- Participates in inter-agency work groups.
- Manages the preparation of annual workplans, the CCMP, and budgets, in cooperation with all PEP participants.
- Coordinates conference activities in identifying and seeking alternative sources of funding for activities associated with Peconic Bay.

ii) Technical Responsibilities

- Manages the planning, development, and implementation of all phases of the PEP using knowledge of marine and estuarine environmental systems related to scientific/engineering operations, and programmatic issues.
- Coordinates the compilation of findings of other estuary programs and transmits them to the PEP Management Conference.

- Identifies, participates in, and ensures the transfer of scientific/engineering information to Program participants.

iii) Program Administration

- Provides administrative support to the Management Conference.
- Manages development of Requests for Proposals for tasks identified in the annual workplan among all involved agencies and advisory committees.
- Oversees the administration and performance of contract and grant activities to ensure quality products are produced on time and within budget.
- Facilitates the convening of conferences and meetings for local and state officials and legislators to brief them on CCMP development and PEP progress in coordination with other Conference participants.
- Prepares PEP status reports, as needed, and coordinates review with all PEP participants.

iv) Administrative Support Responsibilities

- Attends meetings of major committees (not limited to the technical, local, citizens, management and policy committees).
- Manages preparation of all PEP work products, including data summaries, annual reports, technical reports, CAC products, and modelling activities, for content and accuracy before publication.
- Ensures 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.).
- Receives and responds to requests for technical information and assistance regarding the PEP from the public, elected officials, USEPA Headquarters, and others.

v) Program Office Requirements

- A Program Manager receives responsibilities from and reports directly to the Management Committee of the PEP.
- A Program Office with central office space convenient to the Peconic Estuary System.
- Support staff.
- Office resources and equipment.

VIII. OVERVIEW OF PROGRAM ELEMENTS

a) Technical Program Elements

The technical aspects of the PEP approach can roughly be categorized into three major program elements. These elements are summarized below.

There are many specific projects that will be carried out as part of the technical program element. Those that will be carried out during the first year are summarized in the First Annual Workplan and Budget. These tasks focus primarily on collecting and assessing existing data, identifying data gaps, and filling data gaps that are already known, to the extent that funding permits within the priorities set by the Management Conference.

There are additional projects that may be funded during the second and third years of this program to complete characterization of the Peconic system and fill in data gaps. Some of these may include assessing toxic contaminants in the sediments, water column, and living resources in the system, determining the abundance and distribution of shellfish resources, assessing trends of wetlands communities, and conducting pilot, demonstration, and other site-specific projects.

i) Extend Geographic Scope of BTCAMP Efforts

Although many positive efforts have already occurred with respect to research, analysis, and management, numerous areas of concern remain substantially unresolved or unaddressed and deserve extensive study. The PEP will include extending and expanding the BTCAMP inventory and analysis, which has been performed mainly for the western study area, to the entire Peconic Estuary system. Research, hydrodynamic and water quality modelling, land use and pollutant loading analysis, and groundwater and surface water monitoring will be included in extending the BTCAMP-type study to the entire estuary.

ii) Incorporate a Vital Natural Resources Component

A strong natural resources inventory and management plan is an integral issue for the Peconic Estuary Program. Management of habitat and wildlife resources is of paramount importance to the program. Finfish, shellfish, rare, threatened, and endangered species, habitat quality and quantity, and associated issues, have already been identified as critical components of the PEP. Selected areas of concern are outlined as follows:

- Characterization of shellfish resources and related habitat components of the Peconic system (e.g., submerged aquatic vegetation, sediment type, etc.) and assessment of success of prior shellfish reseeded and vegetation restoration programs.
- Determination of the abundance and distribution of finfishery resources through trawl, seine and plankton surveys, followed by mapping of habitats, quantification of abundance of nursery habitat.
- Compilation of existing inventories of rare and endangered species and identification and protection of their critical habitat (both terrestrial and aquatic). Issues requiring investigation include, but are not limited to, establishing the relationship of land-use and water quality to the use of the bays by rare species; identification and assessment of populations of keystone species necessary to survival of rare species; and, additional inventories, as needed.
- Development of biocriteria to measure degradation and determine if ecological goals have been met.

iii) Conduct Additional Management Efforts, Research, and Pilot Demonstration Projects

All "research" will, to the maximum practicable extent, be management-oriented. The research-related efforts of the NEP can generally be categorized as Brown Tide research, other management issue investigation, and pilot/demonstration projects.

Brown Tide research will focus on determining factors which control onset, persistence, and cessation of the bloom, as well as bloom impacts on shellfish and mitigation strategies to minimize bloom impacts. The Brown Tide research will emphasize field investigations, where possible. Interaction of Brown Tide with fisheries may also be evaluated.

The PEP will also have a strong component of localized, site-specific investigations designed to lead to implementable recommendations. Management issues to be addressed by the

PEP in general, and in the localized studies in particular, include groundwater, stormwater runoff, natural resources, sediment flux, land use and best management practices assessment.

The final aspect of the research and demonstration portions of the PEP will be the pilot/demonstration projects. Many pilot/demonstration projects have been identified as priority items which need to be conducted immediately, while others require preliminary investigation and assessment prior to taking place. Potential pilot/demonstration projects address such issues as natural resources restoration (e.g., eelgrass restoration and scallop transplants), sediment remediation, and stormwater runoff control.

All research and demonstration projects should be designed to quantitatively assess the success of actions, where practicable. This will maximize the potential usefulness of the information generated.

The PEP will also broaden the scope of management issues addressed by BTCAMP. Additional issues to be addressed by the PEP include, but are not limited to, an analysis of underwater land use and ownership, an economic value assessment, and a base programs analysis.

b) Administrative/Regulatory Program Elements

The administrative/regulatory portions of the PEP will conform to the criteria set forth in Section VI of this Management Conference Agreement. These aspects of the study will include, but not be limited to, an inventory of applicable federal programs for purposes of consistency review, development of procedures for ensuring that programs are consistent with recommendations from the PEP, a program analysis with respect to federal, state, and local water quality and natural resources management programs, a detailed set of recommendations regarding implementation, including a financial component, and a workplan for post-approval activities that cannot be funded through grants. Action plans will be emphasized early on in the program to identify those measures which can be implemented immediately, and do not need additional study. All enforceable actions of the CCMP will be incorporated in the State Coastal Management Program.

c) Public Involvement

The CAC has been charged with developing a public outreach strategy. Activities of the CAC will include disseminating information to educate the public regarding the scope, goals and progress of the program. This dissemination of information may be accomplished by videos, pamphlets, public information conferences and workshops, and other methods. The CAC also will be instrumental in guiding Management Committee decisions and program progress through providing input into the Management Committee and interfacing with other Committees.

d) Program Support

Program support will be provided by staff from NYSDEC and SCDHS, with input and guidance from USEPA. NYSDEC will request funding annually for one full-time Peconic Estuary Program Coordinator; SCDHS will also request annual funding to defray administrative costs, including support staff. The purpose of support staff will be to carry out all day-to-day work required by the Management Conference. This includes coordinating intra-agency and inter-governmental activities regarding the Program, and conducting meetings to formulate agency positions on all topics. Support staff will be responsible for preparing and developing annual workplans and budgets, the Action Plan, progress summaries, the Base Programs Analysis, a Data Management Strategy, the CCMP and its various components, and other work products required by the Program, in cooperation with other Management Conference participants. In addition to supporting the administrative elements of the PEP, support staff also will provide technical services (e.g., characterizations, loading and cause/effect assessment, etc.) as specified in the workplan.
