

Peconic Estuary Partnership
JOINT Management & Policy Committee Meeting

October 11, 2023
10am – 12:30pm

LOCATION: *re-updated

Riverhead *OLD* Town Hall
200 Howell Ave, Riverhead, NY 11901
[Google Maps Link](#)

[Link to Briefing Materials Folder](#)

Briefing Materials for Review:

Policy Committee: May Meeting Minutes Management Committee: July Meeting Minutes
Oct 11th Joint Meeting Agenda
EPA Program Evaluation Letter
By-Laws: Organizational Structure and Governance Procedures of the PEP

In attendance: (*indicates in person)

PEP Policy Committee members:

Javier Laureano, PhD, Water Division Director (USEPA, Region 2)
Cathy Haas, Regional Director (NYS DEC, Region 1)
*Peter Scully, Deputy County Executive (Suffolk County)
*Scott Russell, Supervisor, Town of Southold (Local Government)

PEP Management Committee members:

*Bob Nyman, Regional Coastal Projects Manager (USEPA, Region 2) - Chair
*Cassie Bauer, Bureau Chief, Marine Habitat (NYSDEC, Division of Marine Resources)
Sue Van Patten, Watershed Section B, Section Chief; NYS LINAP Coordinator (NYSDEC, Division of Water)
Jeremy Campbell, South Shore Estuary Reserve Director (NYS Department of State)
Ken Zegel, PE, Chief - Office of Ecology (Suffolk County Dept of Health)
*Lisa Broughton, Water Quality and Energy Director (Suffolk County Dept of Economic Development and Planning)
~~Corey Humphrey, District Manager (SC Soil and Water Conservation District)~~
~~SC Legislators Krupski and Fleming (Suffolk County Legislators, Districts 1 and 2)~~
Derek Stein and Gwynn Schroeder in representation of Legislator Krupski
Councilman John Bouvier, Southampton; (Local Government Representative)
~~Councilman Jim Colligan, Shelter Island (Chair, PEP Local Government Committee)~~
Matt Sclafani, PhD, Cornell Cooperative Extension (Chair, Technical Advisory Committee)
Kevin McDonald, The Nature Conservancy (Chair, Citizens Advisory Committee)
Paul Shepson, PhD, Dean SoMAS, Stony Brook University (Host representative)

Other:

Gavin Cohen (Shinnecock Natural Resource Department); Josh Halsey (Peconic Land Trust); Tommy John Schiavoni (Town of Southampton Council); Elizabeth Butler (EPA); Shauna Kamath (NYSDEC,
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Marine) Rebecca Shuford (NY Sea Grant) Chris Clapp; Theresa Masin (Southampton Town Planning); *Joyce Novak (PEP); *Sara Cernadas-Martin(PEP); *Valerie Virgona (PEP); *Jade Blennau (PEP)

Agenda & Minutes:

10:00 Welcome & Policy Committee Roll Call – Javier Laureano, EPA – Policy Committee Chair

10:05 Review and approval of Policy Committee meeting minutes from May 12, 2023

ACTION: Policy Committee approved May 12, 2022 Minutes.

10:10 Management Committee Roll Call – Bob Nyman, EPA – Management Committee Chair

10:15 Review and approval of Management Committee meeting minutes from July 12, 2023

ACTION: Management Committee approved July 12, 2022 Minutes

10:20 Committee Chair review and nomination

Policy Committee

- All six of the East End Towns will have new supervisors after the November election. The Program Office is recommending that the Town of Southold remain as the Local Government Policy Committee representative for one year to give time to the Program Office to work with new representatives and the East End Supervisors and Mayors Association on a new (or continued) representative.

Joyce Novak noted that she will engage with the East End Supervisors & Mayors Association for new local government representation.

Action: Policy Committee to approve the Town of Southold to remain as the Local Government Policy Committee representative for one year.

Town of Southold remains as the Local Government Policy Committee representative for one year
Motion by Peter Scully, Second by Javier Laureano

Action: The Policy Committee to discuss and approve the new chair

- Policy Committee Chair nomination review and discussion

Suffolk County has volunteered to be the new chair of the policy committee. Peter Scully nominated the future Suffolk County representative to chair the policy committee.

Javier Laureano noted his support but opened the floor for additional discussion.

Peter Scully added that there will be a change in office creating a change in the individual representing the county executive office.

Joyce Novak noted it is the entity that is nominated, not the individual.

Action: Policy Committee to approved new Chair nomination to be Suffolk County Executive Office Representative.

Motion by Sue Van Patten, Second by Matt Sclafani

Management Committee

- Management Committee Chair nomination review and discussion

Chair nomination Sue Van Patten as Chair and Lisa Broughton as Vice Chair

Sue Van Patten noted her work with LI Nitrogen Action Plan Coordinator bringing estuary programs together and is hopeful to leverage this as an opportunity.

Vice-chair Lisa Broughton brings 30 years of experience in town and county-level government organizations to this role. She highlights this as a priority of Suffolk County.

Action: The Management Committee discussed and recommended approval to the policy committee.

Motion made by Kevin McDonald & second by John Bouvier

Action: The Policy Committee approves Management Chair & Vice Chair Motion by Peter Scully, Supervisor Scott Russell

Citizens Advisory Committee (Kevin McDonald, Chair):

- Nomination of Chair, Vice Chair, and Steering Committee members as elected by the CAC at the September 21, 2023 CAC meeting

Action: Management Committee to recommend a suite of CAC leadership for approval by the Policy Committee

Management motion by Kevin McDonald to recommend to the Policy Committee

John Bouvier

Action: The Policy Committee approved.

Motion by Peter Scully, Second by Supervisor Scott Russell

Technical Advisory Committee (Matt Sclafani, PhD, Chair)

- Nomination of TAC Chair as elected by the TAC at the Joint TAC/Natural Resource Sub-Committee meeting on August 17, 2023

- Nomination of Natural Resource Sub-Committee Co-Chair as elected by the TAC at the Joint TAC/Natural Resource Sub-Committee meeting August 17, 2023

Action: Management Committee to recommend TAC and NRS leadership for approval by the Policy Committee

The present members agreed to the motion.

Action: Policy Committee to vote on Management Committee TAC and NRS recommendation

Motion to approve by Peter Scully, Second by Scott Russel.

Local Government Committee (Councilman Jim Colligan, Chair):

- 2023-2024 will see a high level of local government elected officials leaving office. The LGC recommendation is to wait until new officials are in place and to table this recommendation and vote until the April Management Committee meeting and May Policy Committee meeting.

Action: Management and Policy Committees discuss this recommendation

Time Frame: October 2024, or if ready for a vote at the Spring Joint Policy and Management Committee meeting.

Follow-up recommendation for CAC representation on the Policy Committee

- During the October 21, 2021 Joint PC/MC meeting, the Citizens Advisory Committee Chair recommended the addition of an additional community representative to the Policy Committee. This item was tabled at the October 12, 2022 meeting.
- The CAC makes the following recommendation (Kevin McDonald, CAC Chair):
 - Recommending the CAC Chair move to the Policy Committee as the community representative
 - Recommending the CAC Vice-Chair move to the Management Committee as the CAC representative

Kevin McDonald noted this extension of the policy committee to include citizen representatives is in alignment with other NEP structures and strengthens our partnership with the community across the organizational committees.

Javier noted the benefit of strengthening the voice of the community on the committee

Action: Policy Committee to vote on Management Committee CAC recommendation

Motion by Scott Russel

Second by Peter Scully

Peconic Estuary Protection Committee

- Eileen Keenan: New Peconic Estuary Protection Committee ([PEPC](#)) Coordinator

Discussion of this topic is tabled until both the Local Government Committee and Eileen Keenan are available.

10:50 EPA Program Evaluation Presentation (Joyce Novak, PhD, PEP Executive Director)

- Presentation on the results of the EPA program evaluation: Proficient

ACTION: Discussion & collation of official comments for submittal to EPA

See briefing materials

Javier Laureano added that he was part of the previous 2017 program evaluation and he has seen this growth. He thanked Joyce Novak, PEP team, and Stony Brook University for hosting the PEP and bringing their resources.

Paul Shepson added his pride for Joyce Novak's leadership and SBU's relationship with PEP.

Kevin McDonald stated that the final letter should have an additional paragraph on the advanced state of LINAP & County subwatershed plan, noting how the two work together and have progressed. This emphasis is needed for future funding requests as the linkage between additional budgets is correlated to the work done in nutrient reduction. This nutrient reduction is the prize for water quality enhancement. He suggested emphasizing this in the letter for continued funding requests at multiple levels.

Joyce Novak noted that this suggestion can be made via letter comments for EPA review.

Opportunities for improvement:

- 1) Agricultural Stewardship- see letter for details.

Joyce Novak noted that the PEP program office does work with the Farm Bureau and the Peconic Land Trust as well as host tools that intersect communicating BMPs and farm practices. Corey Humphrey with the Soil and Water Conservation District plays a key role in this discussion. This Program Evaluation feedback has led to the planning of a PEP subcommittee to liaise with agriculture groups and understand current barriers.

Kevin McDonald suggested an honest conversation between the management and the policy committee to discuss what has worked and what has not. He questioned what the charge for this working group will be that is different from the past, asking, "What will be different?" as he feels continuing to have the same conversation as the past 30 years for another ten years will produce the same results as the past thirty years, which is not much.

John Bouvier noted political changeover is coming and there is a need to lean into local government internal committees that work on this charge and have an impact. He stressed the need to have these internal municipalities be a part of this conversation and that participation is subject to local municipal review.

Sue Van Patten emphasized the barriers are what needs to be looked at to figure out why our conversations are not working. There is a need to go beyond the conversation and move forward. She notes that the DEC is having the same issue and some leverage has been gained to scrape their way in, but this is a problem faced in LINAP. LINAP has covered its scope of work except for this topic.

Kevin McDonald used septic as an example, relating the need for willingness to have an honest conversation that septic systems were a problem. Once the conversation was able to be had, things moved forward. Once you have the difficult conversation, you can ID the barriers and the willingness to invent a different way to address these issues because they are currently not being addressed.

Sue Van Patten adds that the resources and BMPs are out there and there is money available to implement them.

Kevin McDonald added that if these difficult conversations can be had, someone in the future will recognize that this watershed will have dealt with the two biggest load sources.

Peter Scully highlighted the need for acknowledgment of the institutional aspects and the tension that exists.

Jeremy Campbell agreed and noted that there are differences between upstate and Suffolk County. He recognizes and states that Suffolk County is the largest ag center in the state of NY. Although the crops here are very different from the rest of NYS, we have to look at, learn from, and compare these differences that we recognize between counties.

Theresa Masin notes that there are BMPs and money available but farmers need assistance in the applications for the money. There are many sources of funds and farmers do not have the technical expertise to write these grant applications. This development of applications should be looked at in future committee formation.

Scott Russel added that Corey Humphrey has lots of experience and knowledge of this topic and will have lots to contribute to this conversation. Concerning previous comments that were made suggesting that the conversation has been going on for thirty years with little progress, Scott Russell stated this is not the failure of any committee or subcommittee, it is a failure of government like himself to listen. He states when you get the conversation going, you get results. Candidly, he added it is difficult for government officials like himself to mandate IA systems or regulate farming. He stated that to regulate farming you need to get supervisors like himself to pass legislation to do so and you are not going to be able to do that, with him or any supervisor after him. In terms of reaching out now, he noted that Cornell had a good model to reach out to farmers, share BMPs and incentives to get involved and work with farmers. The agricultural community is an example of a community that wants to be good stewards, they have done a good job reinventing how they do things but a lot of it is education. He noted that you can come to supervisors in government all you want but we are not going to move on some items. He added that this was not the failure of this or any committee

Peter Scully added that if you want to get into the agricultural community, you need to work through the farm bureau and Cornell Cooperative Extension (CCE) to provide the kind of technical support that individual growers need.

Scott Russell agreed and noted that Becky Weissman at CCE ran a good program years ago that had a

few farmers subscribe and implement BMPs in their Ag operations and it made sense. In contrast, to come to him asking to pass regulations to reduce nitrogen loading, his response will be to apologize to Kevin but the backlash to that regulation is too much and it will not happen.

Kevin McDonald responded that regulation is not his suggestion, just that the conversation needs to happen and we need to discover what the new invention will be different from what we have been doing. He acknowledged this but added that we must recognize what we are doing is not working in order to find what will. He agreed leading with a regulatory approach is probably not smart but currently what we are doing is not working. He also recognized this change will take time.

Joyce Novak added that half of our job involves having difficult conversations. PEP has made great strides as we are a non-regulating & non-enforcement organization. We must focus on what our role is and understand the dynamics of partnership between these types of organizations to assist in pushing these hard conversations forward

Scott Russel added that his commentary is to not escape responsibility and to acknowledge his role in work.

Javier Laureano noted that this is a regional struggle and there are new opportunities via the BIL & Inflation Reduction Act adding billions of dollars to federal programs across the country.

He added [the Environmental Justice Thriving Communities Technical Assistance programs](#) that help to build capacity in EJ communities. Syracuse Environmental Learning Center is receiving money to provide technical assistance and grant writing to aid Ag communities. These are ways that EPA can help. Suggested a conversation with Aimee Boucher to connect to these initiatives.

Chris Clapp agrees a new conversation can be had regarding agriculture if we stop looking at each sector as individual parts of the puzzle. When we look at agriculture, wastewater, and surface waters as whole systems we see new emerging opportunities to create circular economies around water and nutrients. He recognized Riverhead for embracing water reuse and biosolid reuse.

He added there are opportunities for a circular economy regarding nutrients that will drive the overall load down and have carbon sequestration benefits. There are examples of tying this nutrient management to agricultural work already in practice.

John Bouvier noted there is unprecedented money available and currently there are two issues concerning agriculture 1) legacy runoff and 2) current practice. Both need resources to have the infrastructure to make changes. It is up to municipalities, PEP, and outreach to farmers to have them get money and make changes. It is a very similar model as used with the septic issue.

Lisa Broughton noted that SC is not big enough to get direct funding but is working with NYC as the lead. There are secondary grants and the SC planning department is working on this initiative that will hopefully then bring in towns.

Sue Van Patten noted that even after 30 years of conversation, she is sure that farmers have made progress during that time and perhaps that is the first place to focus. She recognized legacy pollution from 30 years ago and cited the work of the solute transport model to understand this dynamic. Sue recognized how unique farming is in this county and described her desire to hear what farmers are doing to make strides. She specified she is interested in what BMPS are in place not asking for application

information.

Kevin McDonald added this conversation happens every seven years. He stated the update will note that the status is a little better than seven years ago. He added the overall question is figuring out what are you managing for, and what loads are the goal. He noted that some believe having a program that is named is a success not if it works. Work is needed for a productive program, with a value-added, results-focused mission on load reduction. He adds all of this is about keeping the industry Present, functional, & thriving.

Josh Halsey added he supports Sue's past comment and that it is important to acknowledge the effort as a constructive way to approach a complicated subject.

Joyce noted a past PEP farm tour and noted the Corwin duck farm as a shining example of farmers investing in stewardship with their full waste-water treatment systems. Although legacy pollution exists, farmers are working toward progress in their current practices.

Notes on Governance Procedure:

Action has been taken on this comment and is to continue on.

Administrative Burden:

Kevin McDonald noted that people are the fuel that does the work that needs to be done. If we want to get this work done, we need the right people doing the work.

Javier Laureano adds there is historical context in that the EPA would like to see the estuary programs flourish, even without EPA support. That is the goal of the Office of Water in EPA headquarters. He recognizes the diversification of funds is the goal and this NEP is working towards it currently.

11:20 PEP Program Updates – PEP Program Office

- BIL Updates
- Regular Program Updates

11:50 Introduction of projects for FY24 BIL and EPA320 Work Plans (Joyce Novak)

Action: FY24BIL projects: agreement on projects to include in the work plan

**The FY24 BIL work plan will be circulated and approved via email*

**The FY24 EPA320 work plan will be approved as usual in the Spring of 2024 - no action today*

12:20 Public Portion / Additional Comments

Kevin McDonald noted that a county executive office was needed in the name of nutrients and thanked

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the office and Peter Scully, both personally & professionally for his dedication and focused commitment to the effort. Kevin also noted Scott Russell's long-standing commitment to PEP and was thankful for his work. Kevin thanked Jim Colligan and John Bouvier for their work & dedication. He thanked everyone for their work in this effort and noted the CAC's role.

Joyce Novak thanked Legislators Al Kruppski & Bridget Flemming for their work in nutrient reduction legislation.

Peter Scully added news that the county is currently working on major streamlining of the septic improvement application

Lisa Broughton added that the county is reissuing the RFP for seaweed work in the county bid system named Bonfire. The new scope is more focused on policy writing than previously. She noted that Camilo Salazar has left the county and there is a mid-level environmental program position open that focuses on county contracting as WQPRP and SCALP programs are contracts with Suffolk County.

Tommy Schiavoni added that in the village of Sag Harbor, the stormwater mitigation and shoreline project at Round Pond is underway. Also, The town of Southampton is set to approve a \$10 million water quality grant and noted he is thankful for John Bouvier's work on the town of Southampton board as well as all members of PEP Committees who are moving on.

Chris Clapp added that he has been working with the effort recently named H.E.A.T., Helping Eelgrass Adapt to Temperature. This is a collaborative effort across eelgrass researchers and implementers, from the North Atlantic eelgrass range from North Carolina to Maine. This effort is looking to do common garden experiments utilizing seeds to examine how the different populations fare in changing water temperatures. Chris Clapp noted that the PEP and the data collected by the PEP were fundamental to the formation of this group and the initial workshop by Chris and Brad Peterson. Currently, the group is moving on a proposal to NOAA for a collaborative \$ 20 million task and looking for letters of support. A project summary and drafted letter of recommendation will be sent around for review and consideration in supporting this effort.

Joyce Novak added that Jon Lefcheck will be hired by PEP to connect PEP to this effort and is hopeful to have a site within the Peconic. We are currently waiting on a contract to move these efforts forward.

- 2024 Management Committee meetings:
 - January 10, 2024
 - April 17, 2024
 - July 10, 2024
 - October 2, 2024 *Joint Meeting
- 2024 Policy Committee meetings:
 - May 15, 2024
 - October 2nd, 2024 *Joint Meeting

12:30 Adjourn- Javier Laureano, PhD, EPA – Policy Committee Chair

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