

## MINUTES

### Long Island Sound Stewardship Work Group Meeting

Tuesday, November 20, 2007

10 a.m. – 12 noon

888 Washington Blvd  
SWRPA Conference Room, 3<sup>rd</sup> Floor  
Stamford, CT

#### *Attendees*

Sandy Breslin, Audubon – CT

Al Caccese, Audubon – NY

Karen Chytalo, NYSDEC

Chris Cryder, Save the Sound

Rob Freudenberg, Regional Plan Association

Dave Kozak, CTDEP

Jeff Main, Westchester County Parks

Nancy Seligson, Citizens Advisory Committee

Richard Weisberg, Recreational Fishing Alliance

Adam Whelchel, The Nature Conservancy – CT

*Volunteer Note Taker*

*Volunteer Timekeeper*

Mark Tedesco, EPA LI Sound Office

Louise Harrison, US FWS Liaison to LI Sound Office

The meeting began at 10:10 a.m. with a moment of silence in memory of Don Henne, recognizing his significant contributions to the Long Island Sound Stewardship Initiative, his dedication to conservation, his collegiality and professionalism, and his friendship.

Louise Harrison explained the meeting format and asked if there were any additions or changes to be made to the agenda. Al Caccese volunteered to keep time and Sandy Breslin volunteered to take notes, provided a male volunteer take notes at the next meeting.

#### **Update**

Mark Tedesco provided background information and an update. With the passage of the Long Island Sound Stewardship Act (LISSA) in November of 2006, there remain unresolved questions about implementation. One question is whether or not the advisory committee called for in LISSA must be set up according to the rules of the Federal Advisory Committee Act (FACA) or whether it could follow the established, typical committee structure already familiar to Long Island Sound Study participants. EPA attorneys have been consulted, but there is no clear directive as yet. The Stewardship Initiative work group needs to determine how best to function and carry on its work in light of this problem.

The Long Island Sound Office (LISO) submitted a formal request to EPA to analyze the financial implications (administrative costs) of carrying out the requirements of LISSA .

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Although the Act authorized up to \$25 million per year, (a) no funds were allocated and (b) the 2008 budget remains unresolved. Mark asked the group to consider what work needs to be done in the interim.

The various budget scenarios set out in the Long Island Sound Office's aforementioned letter will be discussed at the next meeting of the Stewardship Initiative work group. Should the advisory committee be subject to the rules of FACA, the LISO anticipates there may be significant administrative costs incurred.

After some discussion, the group decided it would be helpful if nongovernmental entities in the work group would contact members of the Long Island Sound Congressional delegation for the following purpose: Could language be added to the appropriations bill clarifying that the LISSA advisory committee is not subject to FACA? If such a statement were added to the language of the bill, the question would be answered in law, providing a final determination.

Regarding the composition of the LISSA advisory committee, there is no process as yet for nominations. We should wait for determination from EPA's legal staff as to whether or not FACA needs to be followed.

### **Informal Subcommittee on Terminology and Future Revisions of the Long Island Sound Stewardship Act**

LISSA is not going to be revised in the near future, so it is helpful to agree on its some of its potentially troublesome terminology in the interim. A July 17<sup>th</sup> conference call (volunteers from the January 2007 meeting) resulted in (a) some preliminary consensus on what certain terms in the LISSA mean, (b) suggested changes to the "Definitions" section of LISSA, (c) a list of items in the Act that are suggested for future revision, and (d) some suggestions for future work group meeting agenda items. Louise handed out the conference call notes. Discussion of these results will be on the agenda for the January 2008 full work group meeting.

### **Decision-making—Work Group's Discussion, Consensus and Next Steps**

Louise explained the format of the next part of the meeting. Using two different go-rounds of two minutes each, with one-minute follow-ups, the group would address the following issue:

#### ***How viable are the present 33 Inaugural Stewardship Areas in light of the LISSA?***

In the first round, work group members would answer,

*Is there value in applying the Act's criteria to the 33 inaugural areas to evaluate the fit; why or why not?*

In the second round, work group members would answer,

*What is our role concerning the 33 inaugural areas if the Act prescribes attention to other lands?*

*Round 1: Is there value in applying the Act's criteria to the 33 inaugural areas to evaluate the fit; why or why not?*

In the first round, it was agreed that Connecticut's stewardship areas already appear to fit the criteria set forth in the Act, yet there may be some areas in New York, such as the eelgrass beds surrounding Fishers Island, that do not. It is understood that the new advisory committee would need to confirm sites' appropriateness under LISSA, in any

case. One view was that it might be a good idea for this standing work group to “push” for the areas that are not included by the Act.

It was agreed this work group already has done a great deal of the work that will need to be accomplished by the new advisory committee; it would be good if the new advisory council were made up of members of the work group.

We need to identify/develop information on threats and protection/improvement opportunities. New York’s small parcel/vacant lands analysis, now underway, will help us begin to expand the stewardship areas and help establish continuity.

The consensus of the group is that all 33 inaugural stewardship areas, already identified by this group, are ecologically significant. Many of the sites would meet LISSA’s criteria. Actual stewardship sites, per LISSA, would have to be proposed for designation and reviewed according to the Act.

*Round 2: What is our role concerning the 33 inaugural areas if the Act prescribes attention to other lands?*

In the second round, it was expressed that the work group’s work with regard to designating the 33 inaugural areas has been completed; now it is time to focus on projects in those areas. Mark Tedesco suggested that initially, at least, it would be appropriate to combine the funding process with the designation of new stewardship projects/sites. Nancy Seligson and Al Caccese reminded the group that the LISSA remains just one small part of the overall LIS stewardship initiative. Adam Whelchel echoed that perspective. Dave Kozak suggested we invest time preparing for stewardship funding: the time frame for spending under a Congressional earmark appropriation would be short—we won’t have time to identify and process new projects. Karen Chytalo suggested we conduct local workshops to inform citizenry, build enthusiasm and get ideas, and, ultimately, mobilize the constituency. David Kozak remarked that during the first year it might be all right to combine funding, as Mark Tedesco had suggested, yet he would not want to see that approach in future years.

Louise attempted to summarize the comments and find a consensus:

- The work group should begin getting ready for funding that may become available for stewardship projects in the near term
- We want to continue our partnerships and the good work now ongoing in the stewardship areas.
- We want to get the word out/mobilize with regard to habitat management projects and other good projects and foster a sense of the Long Island Sound community, creating momentum for the stewardship initiative and obtaining good proposals for grant programs such as the LI Sound Futures Fund.

The group agreed this was the consensus.

### **Next Steps – Role of the work group in light of LISSA**

The group expressed that by going through the previous two go-rounds we had answered the question of the work group's relationship to LISSA.

Karen pointed out that we need to develop a simple, clear, and easily understood work plan to direct our efforts and secure funding. The work plan should highlight those areas that potentially have budgetary impacts.

Al Caccese and Nancy Seligson offered to make contact with Congressional representatives to urge funding for Long Island Sound stewardship in this appropriation.

We should ask ourselves, prior to meetings, what "deliverables," or written results will come out of each of our meetings.

The group agreed to conduct four, short (approximately two hours each), meetings per year. We could conduct conference calls in between the meetings, as needed. Richard Weisberg suggested we try to hold meetings on the fourth Tuesday of the months when we meet.

The meeting adjourned at 12:10 p.m.