

**Meeting Summary
Long Island Sound Study
Citizens Advisory Committee
Thursday, March 18, 2004
Stamford, Connecticut**

The meeting was called to order at 10:05 AM by Connecticut co-chair John Atkin. CAC Secretary Caroline DuBois called the roll, determining that 17 members were present, which did not constitute the required quorum of 20 under the current membership level of 39. Atkin noted that due to the weather, members may arrive late (**see Attachment 1**). Atkin asked if there were any corrections to the notes from the December 8 meeting; Joe Salata indicated that the lunchtime Power Point presentation of the Stewardship System public meeting by Jane Maclellan was left out of the notes. Atkin asked for a motion to accept the notes as corrected, and the CAC so moved, seconded and approved the notes. Atkin asked if there were any updates to the agenda; Robin Kriesberg added an update on the Stewardship System public meetings; Joe Salata added an update on the LIS dredged material Environmental Impact Statement (EIS); Nancy Seligson added an update on the EPA National Estuary Program (NEP) meeting in Washington, DC; Dr. Mickey Weiss added an update on the Science and Technical Advisory Committee (STAC) meeting; and John Atkin added an update on the Attorneys General meeting. Atkin then proceeded to the following agenda items.

Subcommittee Reports

Membership. Nancy Seligson reported that there were no new membership applications since the last meeting, and that there was one change in membership representation. Maureen Dolan replaced Jessica Ottney representing Citizens Campaign for the Environment. Seligson noted that Dolan was in attendance and welcomed her to the CAC. John Atkin noted that several people had come in since the roll call and asked those who had come in to introduce themselves. At this time it was determined that a quorum of 23 members was present. Dan Natchez raised the issue of timing for the mailing of the meeting package, and noted the poor quality of its contents. Natchez pointed out that the current package did not contain any minutes of subcommittee meetings, and indicated that the Bylaws require 30 day notification to the CAC. Although the transmittal memo was dated March 4, Natchez said that he had received the package only two days before, which was not enough time to properly review it. Nancy Seligson replied that the CAC had discussed this matter at the December 8 meeting, which Natchez did not attend, and that some members advocated for less time for notification, citing electronic means that are now commonplace. Other members had felt that if they received information 30 days or more prior to a meeting, that it would be lost or misplaced. Joe Salata said that the LISO had been sending the meeting package out about 10 days to two weeks prior to a meeting to reduce the chance that it would be lost or misplaced, and to extend the time for last minute issues to be developed for inclusion on the agenda by the co-chairs. He indicated that the agenda-setting conference call with the co-chairs normally takes place about three weeks prior to the scheduled meeting. Salata also noted that no subcommittees submitted reports from the December meeting, and that is why no meeting notes were included in this meeting package. The CAC discussed the pros and cons of electronic distribution of information; however, several members, including Natchez, felt that computer systems were vulnerable to virus attack by opening email attachments, and that this was not a very good option. Salata pointed out that the EPA email system itself had been under such attack several times in the last few months, and that EPA security systems automatically scan and delete suspicious attachments.

Salata noted that some CAC members with dial-up service would not be able to easily download large attachments. In addition, various application formats were a problem for some members to download and/or open, such as WordPerfect, Word, or Adobe Portable Document Format (PDF). Seligson clarified for the record that the Bylaws call for 30 day notification to the CAC for resolutions or items on which the CAC is to take an official position that require a vote, not for routine business matters. Seligson said that the CAC had reached no consensus on the issue of the lead time for meeting notices at the last meeting, and therefore the discussion had been tabled. At the December meeting, John Atkin had offered to chair a group to look into possible Bylaw amendments, and had requested any interested members to contact him; to date, none had.

Communications. Carol DiPaolo reported that the subcommittee did not hold a conference call. DiPaolo did send an email to the subcommittee requesting input on a call, but due to low response, the call was not scheduled. DiPaolo indicated that the subcommittee had opted instead to meet after today's meeting. DiPaolo reported that the communications subcommittee had developed its work plan, using the existing template for 2004. DiPaolo explained that the subcommittee will be involved in revising the next Sound Health report and in reviewing the new biennial report. The subcommittee had assisted in distributing information on the Stewardship System public meetings, and has been in touch with Save the Sound about these sessions. Caroline DuBois asked about the subcommittee's request to post information about the meetings on the new website, and why this took so long to make it happen. Mark Tedesco replied that in his view, this was a very good example of how the CAC is working with the program to vet information. The size of the presentation was physically too large for ease of posting on the website, so it had to be scaled back and specially modified in order for it to be accessible. Robert Burg agreed that this was a good example of how the CAC works with the program to review and have material modified for distribution. DuBois thanked Tedesco and Burg, indicating that things that may seem simple at first glance may be more complicated to carry out. Dr. Mickey Weiss pointed out that the EPA Region I website does not link to the new LISS website. Tedesco replied that the Region I Long Island Sound website, <http://www.region01/eco/lis> is meant to be a static site, focusing on EPA's LIS activities and that the office is working with the Region to clarify that the LISS homepage has moved.

Living Marine Resources. Jennifer Wilson-Pines reported that she received little response from subcommittee members to her solicitation for a conference call. The subcommittee was planning to meet after today's meeting.

Sediment/Dredge Management. Allen Berrien announced that Joel Ziev was the new subcommittee chair, and yielded the floor to Ziev. Joel Ziev thanked Berrien for the honor of assuming the chair. Ziev reported that his new town supervisor is sponsoring a small-embayment dredging projects conference at a location to be announced on Long Island, probably in the town of North Hempstead. Ziev asked the CAC to endorse the concept for the conference. Ziev was asked for an outline of the conference. Ziev indicated it was the same as the one he had proposed over a year ago, but that he would circulate a copy of the outline to the CAC. Ziev proposed a motion for the CAC to conceptually support the idea of a conference to discuss small embayment dredging; Fred Grimsley seconded the motion and it passed by voice vote. Ziev also announced that Steve Matthews had asked to be added

to the sediment subcommittee. Ziev indicated that the subcommittee would meet in the cafeteria after the CAC meeting.

Land Use/Watershed Management. Robin Kriesberg reported that the subcommittee did not meet, but did circulate the work plan, and hopes to discuss and revise it after today's meeting.

Tracking & Monitoring. Joe Salata reported that the subcommittee had reviewed and updated its work plan for 2004, and that copies were available for review. While the subcommittee did not hold a conference call, members had received the draft 2003 CCMP Implementation Tracking Report for review.

2004 Subcommittee Work Plan Revisions

Nancy Seligson reminded the membership that the purpose of the work plans is to carry out the work of the CAC and to inform everyone on plans and progress. The work plans developed from the facilitated meetings held in 2002. The subcommittees should revise their work plans and submit them for discussion at the June meeting. Seligson asked the subcommittees to continue with updating their work plans for 2004, and this would be a topic on the June meeting agenda.

John Atkin proposed that the subcommittees provide their final draft work plans to the Long Island Sound Office at least 30 days prior to the June 10 meeting in order for them to be distributed to the membership for review.

2004 LISS Budget Process

Mark Tedesco provided an update on the 2004 LISS budget process (**see Attachment 2**). In response to the LISS enhancements project request for proposals, twenty-four proposals totaling \$3.7 million were received. The proposals are undergoing LISS work group and team review, and several are also undergoing external peer review. The Implementation Team will meet on March 24 to review the proposals and make recommendations to the Management Committee for the April 29 meeting.

2003 CCMP Tracking Report

Joe Salata reviewed progress in developing the 2003 CCMP Implementation Tracking Report. The draft report has been circulated to the CAC Tracking and Monitoring Subcommittee, and to the Implementation Team for final review. Pending receipt of comments, the report may be ready for publication by mid-April. Salata reviewed several of the major accomplishments of the program, including timing and duration of hypoxia, point source nitrogen load reductions, and progress in restoring habitat (**see Attachment 3**). The CAC discussed various reasons for the low dissolved oxygen in the western Sound. Dr. Mickey Weiss urged the program to run the LIS computer model as soon as possible in order to determine whether or not the low oxygen levels of the past summer were consistent with the model predictions based on the observed temperatures, salinity, etc. during the prior period (winter, spring, summer), increased population growth, and with the current levels of nitrogen

reduction. Also, Weiss urged that the model be run under the observed meteorological conditions but without any nitrogen reduction to see what effect can be attributed to the nitrogen reduction to date. There was general agreement that this computer run is essential to address the criticism that the program has spent a fortune on nitrogen reduction and that the Sound is still getting worse. Dr. Weiss said that it is also essential for our own reassurance that we are on the right track. Mark Tedesco indicated that the program had set aside funds for modeling in the past, and that this was a priority area in the 2004 Enhancements Project request for proposals. Whether or not the model is run under differing scenarios is a function of the budget, not of its priority to the program.

Updates

Management Committee Report. John Atkin reviewed the January 29 Management Committee meeting. The Management Committee approved funding seven research grants totaling \$850,000 in a combination of FY2003 and FY2004 funding. The Connecticut and New York Sea Grant programs each are again contributing \$25,000 to this effort. The research project review committee recommended allocation of \$300,000 from FY2004 funds to support these seven projects. (see **Attachment 4**) Bill Howland, manager of the Lake Champlain Basin Program presented an overview of the program, which is similar in scope to the LISS. The CAC has invited Dr. Howland to make his presentation at the June 10 CAC meeting in New York City.

NYC Consent Order. Mark Tedesco reported that NYSDEC has issued a Notice of Violation to New York City citing lack of compliance in adherence to deadlines imposed in the original Consent Order.

LIS Economic Report. Joe Salata announced that the final report on the economic value of Long Island Sound had been received. The new report provides comparable economic values for water quality related aspects of the Sound, including commercial finfish and shellfish, sportfishing, and recreational boating and beach going that were included in the 1990 report. However, outdated sources for methodologies applied in the 1990 report precluded their use or modification in development of comparable economic multipliers in the new report. Salata showed several slides (see **Attachment 5**) of declining fisheries catch data and lower dockside prices over the last decade that were used in the report. In addition, currently available regional data on tourism and travel could not be sufficiently disaggregated to satisfy the requirement that data cited in the report must directly relate to LIS water quality. If regional travel and tourism data were used, the resulting value figure would not credibly represent the true value of LIS as it related to water quality, which is the program's main concern. The CAC discussed various aspects of the report, including the available data, and original the statement of work. The report will be sent to CAC members for further discussion at the June meeting.

Stewardship System Public Meetings. Robin Kriesberg reported that six of the seven public meetings on the stewardship system had taken place. More than 200 people had attended the sessions and more than 80 surveys had been returned. Most people responding to the survey favored Option 1, which is to use existing authorities and mechanisms to implement the system. The final public session will be held at 7:00PM on Tuesday, March 30 at Huntington Town Hall, 100 Main Street, Huntington, NY. Contact Robin for information at 203 354-0036.

EPA/ANEP National Meeting. Nancy Seligson reported on the March 8-11 meeting of the EPA NEP and the Association of National Estuary Programs (ANEP). Seligson met with the various staff of the NEPs and EPA HQ NEP program. Diane Regas, director of EPA's Office of Wetlands, Oceans and Watersheds, reviewed EPA's new strategic plan architecture, which now includes five strategic goals. The NEP is included in Goal 4, Healthy Communities and Ecosystems. Regas also reviewed the Office of Wetlands, Oceans and Watersheds' strategic priorities. (see Attachment 6) Seligson said that the CAC should be aware of EPA's national goals and how it fit into them during the CAC's upcoming discussions of the 2005 planning and budgeting processes.

STAC Meeting. Mickey Weiss reported on the February 27 meeting of the STAC. The STAC discussed the 24 enhancements project proposals and recommended several changes to the review process, including simplifying the format for proposal submission and soliciting external peer reviews on a subset of proposals made by STAC member organizations.

Dredging EIS. Joe Salata read a note from Ann Rodney regarding the Long Island Sound dredged material disposal EIS process. *The EPA and the Corps have been reviewing all comments sent in during the 95-day comment period. They have developed a Final EIS, a response to comments document, which is Appendix L, and th Final Site Monitoring and Management Plan (FSMPP). (The original comment period was from September 12-Oct. 27, 2003; the comment period was extended to November 17, 2003, with additional hearings; and extended again to December 15, 2003 with two additional hearings.) It is anticipated that these documents, FEIS, Appendix L and FSMPP, will be released to the public on April 9. The final EIS, Appendix L and FSMPP will have a 30 day comment period anticipated to begin on April 16. A general Notice of Availability will published in the Federal Register and mailed to all on the mailing list at the same time these documents (FEIS, App. L & FSMPP) are released on April 2; this notice will provide information on the meetings and where the document may be reviewed: <http://www.epa.gov/region01/eco/lisdreg/index.html>. The documents will be mailed to all who have commented, the dredging working group, agencies and tribes who are involved and may have any jurisdiction. It is anticipated that there will be two meetings, one in Connecticut and one in New York; no locations or times have been established yet. Once the 30 day comment period closes, EPA and the Corps will review all comments and develop and publish a Record of Decision (ROD). The ROD is the Agency's decision. It is anticipated that the ROD will be published in the summer. Work on the Eastern Sound has not yet begun and no time frame has been developed, but it is not anticipated that work on the Eastern Sound will begin before the ROD is published. Contact Ann Rodney 617 918-1538 or Jean Brochi at 617 918-1536 for further information.*

LIS Anniversary Event. John Atkin reported that he and Nancy Seligson had discussed the possibility of inviting the Governors or Attorneys General to an event celebrating the 10th anniversary of the LISS CCMP, sometime in September. Due to the current local political situation and the upcoming national elections in November, they felt it best to table the idea. While there still may be an event commemorating the 10th anniversary of the CCMP signing, it may involve the Policy Committee.

Floor Updates

Carol DiPaolo announced the NYSDOH had rescinded its decision on beach closure standards, intending instead to implement the new EPA enterococcus standard under the Beach Act. DiPaolo said that there may be a significant difference in beach closures due to the new standard, and more beaches may be closed for more days as a result.

Dianne Selditch asked members to submit any upcoming events or attractions of note on LIS to Jeff Cordulak of Sound Waters at jeffc@soundwaters.org. Include your contact information, the name of the event or attraction, the date, and contact information.

Caroline DuBois reported that Oyster Bay Day 2004 will be held on Sunday, June 6. The focus will be on a kayak cluster world record attempt to assemble the most kayaks. The current record is 600.

Fred Grimsey reported that Save the River/Save the Hills is sponsoring a pumpout boat in the Niantic River again this year in an effort to complement CTDEP's request for a No Discharge Zone declaration from the Pawcatuck River to the Connecticut River.

June 10 Agenda Topics

John Atkin noted the following agenda topics suggested for the June meeting:

- 1) New Member Applications
- 2) Subcommittee 2004 Work Plans/Reports
- 3) 2005 LISS Priorities
- 4) LIS Economic Report Update
- 5) Presentation on the Lake Champlain Basin Program CAC
- 6) Updates on selected completed projects

There being no further business brought before the CAC, John Atkin adjourned the meeting at 1:10PM, advising the members to coordinate subcommittee meetings during the lunch break. The communications, sediment, land use/watersheds and living marine resources subcommittees agreed to meet.

List of Attachments

1. March 18 attendance sheet
2. LISS budget presentation slides
3. 2003 CCMP Tracking Report presentation slides
4. List of 2003 funded research projects
5. LIS Economic Report presentation slides
6. OWOW Strategic Priorities
7. March 18 LMR Subcommittee Meeting Report