

Long Island Sound Study
Citizens Advisory Committee
Meeting Summary
Thursday, December 10, 2009
UConn Stamford, CT

Celebration of Success

CAC Co-Chairs Curt Johnson and Nancy Seligson opened the meeting with acknowledgement and accolades for the efforts of many people, including CAC members who worked to increase LIS funding to 7 million dollars (more than double) for 2010. The CAC policy committee, under the leadership of Sandy Breslin from Audubon CT, and Adrienne Esposito of CCE, composed a widely acclaimed letter detailing the needs for the requested increase in funds, and CAC members provided important letters of support from a variety of institutions and municipalities. Sandy acknowledged that there would be more scrutiny for LIS actions as a result of the increase in funding. The CAC agreed to send a letter of thanks to the entire LIS delegation to ensure continued support and success. Joel Ziev (town North Hempstead) suggested a public policy forum/briefing session for legislators to document how the money is being spent; Jon Kachmar (TNC) agreed and reminded all that Rosa DeLauro is the new chair of the LIS caucus.

Welcome, Introductions

Connecticut CAC co-chair Curt Johnson called the meeting to order at 10:00AM and asked that at the next meeting CAC members provide brief introductions of their organizations. A majority of CAC members were present by the beginning of business, representing a quorum. Joel Ziev suggested that at the next meeting tent cards with names and organization affiliation for CAC members be used.

Former CAC co-chair David Miller, now with E&E Consulting (based in Lancaster, NY), introduced himself and E&E invited guests. E&E is an environmental consulting firm with offices worldwide with expertise in restoration implementation work. David, as E&E Director of Strategic Initiatives, is interested in getting involved in water issues, including LIS.

Reports

Co-Chair Updates

1) Johanna Hunter (EPA Region 1) has been promoted; she will no longer be directly as involved working with LISS. Nancy suggested that CAC forward a letter of congratulations to Johanna and invite the new EPA Region I and II point people to attend a CAC meeting, especially once the Sound Vision action plan is adopted.

- 2) There has been a request from Glen Haas, the Massachusetts representative on the LISS Management Committee, for the CAC priority letter to the Management Committee to include the upper watershed and acknowledge upstate involvement in protection of LIS.
- 3) Nancy provided a LIS Quadra centennial meeting update (LIS400). The CAC proposed the idea to the Management Committee as a priority. There is a working group that is currently defining what the event could be. There is a need for an individual or organization to lead this project.
- 4) Curt provided a brief review of the recent Bio-Extraction conference held at UConn, Stamford. Curt acknowledged the contributions of the organizers, particularly Julie Rose.
- 5) Mark Tedesco provided a fiscal year update: the process begins in summer; work plans are developed with working groups; the October Management Committee meeting determines priorities; the January MC meeting discusses proposals for meeting the priorities; the April meeting determines the general distribution of funds; the details are made available to the science and technical advisory committees.
- 6) Curt gave an update about the LIS License plate funds. In early October attorneys from Save the Sound/CFE raised concern that the Governor's proposed raiding of this fund was unconstitutional and a taking of donated funds for purposes other than the donor intent. STS/CFE brought this to the attention of the Attorney General. The AG agreed with the legal conclusion and forwarded his legal opinion to CT legislative leaders. The fund was protected and expressly authorized to continue by legislative action.
- 7) Nancy raised issue of gaps in representation on CAC, including oyster/shell fishing, tug/pilot, boating/marina in NY. Maureen Dolan suggested the name of the NY Marine Trades representative.

STAC: Mickey Weiss provided an update: STAC is looking at research priorities and the process that translates into research and what gets done. Mickey expressed the STAC's concern that the process currently works through Sea Grant organizations and that the priorities of the two organizations may be misaligned. The STAC also discussed the process used to ensure that there is no conflict of interest between STAC Fellows selectors and applicants.

Management Committee: Nancy Seligson reported that the two-day Management Committee meeting held in NY this fall was very productive. Many members of the Management Committee complimented the CAC letter to request additional LISS funds in the highest terms. The Management Committee used the CAC letter as a template for discussing and deciding priorities. Kudos were given to the Policy Subcommittee for the letter. All agreed that the letter established excellent goals

and represents the foundation for how to proceed. The CAC is having a real impact. Curt explained the budget priorities graphics and displayed the Management Committee categories graphic representing the final vote. A discussion ensued about the need for CAC to continue to advocate for funds, and how the money should be used. It was agreed that the money should not be used to backfill state agency jobs. The CAC reviewed a short written policy statement in opposition of using this funding for back filling that was presented by the CAC and STAC co-chairs to the October Management Committee. A motion was made and seconded for the full CAC to adopt that statement with one additional concept that was offered by Joel Ziev. Joel commented that he does not want to see previous federal monies allocated for dredging supplanted by the current numbers. The CAC voted unanimously to adopt the statement with direction to the co-chairs to present the statement with amended language to incorporate the sense of the amendment offered by Joel.

A second motion was made and seconded to ask that the Management Committee invest the additional \$3.5 million of federal funding authorized for the LISS in FY '10 in accordance with the pie chart category percentages adopted by the Management Committee in October '09. This pie chart was presented by Curt using a power point slide and was distributed in hard copy at the meeting. Curt reviewed the proposed investment of funds in detail. It was noted that investment very closely matched the original recommendations by the CAC. The motion passed nearly unanimously as 20 in favor, no abstentions, and one opposed.

Presentation: Overview of Sound Vision process

Leah Schmalz, from Save the Sound, introduced Dr. Drew Carey, PI from Coastal Vision, Newport, R.I., the consultant hired for Sound Vision. Drew provided a brief bio, and then stressed the need to show concrete results from this initiative, with a February or March target to provide a progress report to the CAC. The process initially tracks existing data on LIS CCMP priorities. The consultant is developing an online tool to collect data on the type of implementation projects that have been funded, and will be comparing these results with other National Estuary Programs (NEP). Drew Carey will develop and refine the pie chart to indicate the types of projects that have been implemented and the associated funding levels. The scope and focus of implementation will be broadly assessed in relation to environmental conditions in Long Island Sound. The consultant will then work to involve the CAC and other stakeholders to get feedback on gaps and needs. The consultant's priority is to facilitate with technical expertise, actively listen, identify and synthesize ideas and reflect them back to the group. This process may require homework for the CAC. This effort is expected to conclude in June, when a draft action plan should be presented. Curt stressed that the momentum for this initiative will come from how the CAC works together and encouraged members to make the time to be involved in this. David Miller suggested that we might want to look at the Great Lakes as a model; Sandy Breslin cited the work of Great Waters Coalition. Challenges include

visual interpretation of where the money over the years has gone (dots on a map), and recording collaborations that have created results.

Reports from Subcommittees

Communications: Robert Burg reported that the discussion of the subcommittee focused on Sound Health distribution and whether or not to go to electronic distribution only, or continue with newspaper distribution.

Public Policy: Sandy Breslin reported for the group that they would let CAC know as they are putting their work plan together what the dates are for the appropriations process.

Dredging: Dan Natchez shared that the committee is very concerned; siltation rates are still high and recreational sites will be shutting down.

Discussion: Possible action by CAC on Watershed Protection

CT Riparian Buffer Protection: Judy Preston, Tidewater Institute, presented a PowerPoint program on the importance of and scientific basis for riparian buffers, and LIS Futures work done in the CT River estuary to protect buffers. Eric Annes, CT Fund for the Environment, introduced the purpose of the topic, specifically seeking:

- 1) CAC support to increase regulation on conversion of natural vegetation to other uses injurious to water quality within 100' of waterways draining to LIS
- 2) CAC support for guidance for local decision-making commissions in CT
- 3) CAC support for inclusion of buffers in construction storm water permits

All of these requests are designed to maximize natural vegetation next to waterways. Margaret Miner, Rivers Alliance, provided the state riparian working group background and rationale. The discussion included clarification about current jurisdictions for the riparian resource in CT and dissent about the use of state regulation, claiming that one size regulation does not fit all. Curt suggested that the CAC perhaps should run this through the CAC Policy Committee meeting. There was confusion regarding what was specifically being asked of the CAC, and what "signing on" meant, with the suggestion that it may be too early to ask for CAC support without further clarification. Suggestions included: consult the CCMP section on riparian buffers, look at Adirondack buffer regulations, and work on a policy statement about buffers. The following motion was made: Co-chairs should draft a letter re-stating the principles of the 2003 LIS Agreement that supports inclusion of buffers protecting waterways. The language should include applications to construction storm water permits and also quote actual language from the 2003 Agreement. 13 voted in favor, 1 abstention.

Fertilizer legislation/NPS workgroup: Sarah Deonarine provided an update and overview of current fertilizer legislation in NY for counties adjacent to LIS, including permitted, restricted uses and exceptions. Mark Parker provided an update and presentation on CT fertilizer laws, including restrictions from sellers to buyers, packaging, storage and use.

Updates/Announcements

No Discharge Zones: Sarah Deonarine reported that NY is working on a petition to the EPA to get all LIS designated as a no-discharge zone.

Cable settlement fee update: Mark Tedesco reported that guidelines are being developed to look at a way to distribute funds from the LIS cable settlement. Currently looking at MA, RI seafloor mapping projects to inform similar RFP's for this fund. Also looking at federal work, especially the potential to match this money with federal funds.

Mark also reported that today the NYDEC is holding a press conference concerning the purchase/protection of 28 acres in the town of Setauket, NY, that used LISS stewardship money as well as money from a violation award, citing this as a good example of leveraged funds.

Other Business/March Agenda Items

Meeting adjourned at 2:54PM.

Next meeting will be Thursday, March 11th in New York City.