

**Long Island Sound Study
Management Committee Meeting Summary
Wednesday, April 13, 2005
UCONN Stamford**

Mark Tedesco called the meeting to order at 10:10am, asking attendees to introduce themselves and sign the attendance sheet (**see Attachment 1**). Tedesco handed out a revised agenda, which added a presentation on the LIS Futures Fund for 2005. Tedesco asked if there were any changes to the January 27, 2005 meeting notes, or if there were any additions to the agenda; as no changes or additions were offered, the notes were accepted as written and Tedesco proceeded with the agenda.

1. COMMITTEE/WORK GROUP REPORTS

Citizens Advisory Committee (CAC). Nancy Seligson, New York CAC co-chair reported that the CAC met on March 24, 2004 in New York City, unanimously passing a resolution concerning federal preemption of state and local control over the siting and operation of liquified natural gas (LNG) facilities in Long Island Sound. Seligson stated that the CAC had not taken any position on the Broadwater proposal, but that some CAC member organizations have taken positions on the proposal. Seligson indicated that the CAC would continue to gather information as the regulatory processes proceeded over the coming months. The resolution was transmitted to the Long Island Sound Congressional Caucus, with copies to the New York and Connecticut Governors and the Policy Committee. A copy of the resolution was included in the March 24 CAC meeting package. Seligson reported that the CAC had presentations from the US Coast Guard (USCG) and the Federal Energy Regulatory Commission (FERC) on their respective roles in the siting and operation of the proposed Broadwater LNG facility. Lieutenant Commander Alan Blume of the USCG's Group Marine Safety Office, Long Island Sound in New Haven, and Mr. James Martin of FERC in Washington, DC made the presentations. The CAC's new ad hoc committee presented its report on unanswered questions stemming from the CAC's December 9 presentations from Broadwater managers. Seligson said while the CAC still had a number of questions, it would continue to focus on the issue through its ad hoc committee.

Science & Technical Advisory Committee (STAC). Charles Yarish, Connecticut STAC co-chair reported the STAC met on April 8 in Stamford, voting several items out of committee. The LIS Fellows announcement was released with a closing date of May 13. The STAC also agreed to the CAC's resolution supporting an annual joint STAC/CAC meeting. The STAC is working on developing a mission statement and by laws, and its priorities for 2006. Subcommittees have been established to draft priorities for presentation at the STAC's June 3 meeting in Stony Brook. The New York LIS Fellow gave a presentation on the update of the contaminants of concern list; and the Connecticut Fellow presented her project to determine residence time in LIS.

Nutrients Work Group. Mark Tedesco reported that the work group worked on a pre-colonial/pastoral scenario. The USGS SPARROW model will be applied in SWEM to estimate natural background concentrations of organic carbon. Work is ongoing to develop data from

more pristine areas. A pre-colonial model run is expected in the next 60 days. NY and CT will meet to discuss how to use the results for TMDL revision. Tedesco reported that at the January meeting, the Management Committee agreed that a presentation will be made at a future meeting on the schedules and next steps related to TMDL revision and the CT River nitrogen management efforts.

Habitat Restoration Initiative Work Group. Karen Chytalo reported that the work group is updating its work plan for 2006. CTDEP is working on a database for tracking restoration projects that would fulfill the standard reporting requirements, but also provide a section for lessons learned. The NYSDEC is finalizing a contract with NEIWPC for the NY habitat restoration coordinator position.

Stewardship Initiative Work Group. Don Henne and Tom Halavik, who led the work group for the identification of the stewardship ecological sites, reported on the status of site selections. The milestone has been reached, and draft inaugural sites have been identified, which include national sites that are under federal or state management. John Atkin reported that identification of the recreational/public access sites is not quite as far along. The RPA had a meeting in December 2004 with the state representatives, and their lists included several hundred sites. The department heads are paring down the lists. A series of public meetings is planned for this spring in order to get feedback from the public on the proposed inaugural stewardship sites. Atkins reported that he was in Washington on Monday, April 11 and presented the stewardship proposal to 25 Congressional staffers, who were very impressed that so much work had been done locally on the stewardship initiative. Atkin said that it is very important to show positive local action in gaining national support.

Communications. Robert Burg reported that the LISS program has sent out to municipalities an initial supply of 200 nonpoint source brochures, entitled *Step by Step*, a citizen's guide to curbing polluted runoff. The brochure was developed to assist in educating localities on this type of pollution. The brochures can be used for the Phase II storm water program, and was put together by NEIWPC using LISS non-point poster information and materials. The brochure is available on the LISS website <http://longislandsoundstudy.net/pollutionguide/index.htm>.

2. Futures Fund

As Lynn Dwyer of the National Fish and Wildlife Foundation was not able to attend, this agenda item was tabled for a future meeting.

3. 2005 BASE PROGRAM BUDGET

Mark Tedesco indicated that he funding requests for the base program totaled \$2,645,092, including a \$300,000 reserve for the 2006 research program; the Enhancement Projects requests

totalled \$1,470,828; there is approximately \$2.7 million available in the 2005 budget for LIS. Tedesco referred the Committee to the funding recommendation package it had received under separate cover prior to the meeting, and opened the floor to any exceptions or proposed changes to what the Implementation Team was recommending for the base program. Betsey Wingfield indicated that while CTDEP withdrew its request for program coordination support, it reserved the option to include this request for funding in the 2006 base program budget request next year. After discussion, the Committee agreed to approve \$20,000 to NYSDEC for National Coastal Assessment monitoring in Long Island Sound; increase the research budget by \$100,000 to a total of \$400,000, and to use any unallocated funds to forward-fund base program activities in 2006. The Committee also agreed to hear further justifications for placing the Small Grants program within the LIS Futures Fund as a separate grant category with a budget of \$85,000; and providing NEIWPCC with an additional \$49,000 to manage the LISS Enhancements Project grant program in 2006. Tedesco will send an email to the Committee and set up a conference call to discuss and decide on these issues.

4. 2005 CCMP Enhancements Projects Budget

Mark Tedesco referred the Committee to the budget recommendation package it had received under separate cover prior to the meeting. Tedesco indicated that the Implementation Team was unable to make a recommendation for Outcome Area 2 projects, and asked the Committee to consider the matter. Tedesco opened the floor for discussion. STAC co-chairs Yarish and Swanson spoke in favor of the UCONN proposal, citing its independence from the developer of the model. Dr. Swanson suggested reducing the cost by a reduction in the additional model years; Mark Tedesco indicated that the RFIP was clear that four years of data were solicited, and that was the priority agreed upon by the Committee last year; an independent evaluation of the SWEM model was a separate issue and was not related to the evaluation criteria used for this Outcome Area in the RFIP. The Committee approved the UCONN proposal for funding in Outcome Area 2. The Committee accepted the Implementation Team recommendations in the remaining Outcome Areas. Joe Salata reported that the fourteen project proposer organizations would be notified of the Committee's decisions by May 6, 2005 as indicated in the RFIP.

5. EPA Order 5700.5, Competition in Assistance Awards

Mark Tedesco advised the Committee that the LISO has received preliminary verbal indication from the EPA Competition Advocate that the LISS program is subject to the EPA Competition Order if it issues a competitive RFP, since EPA would be making the grant awards. All other National Estuary Programs are considered exempt under EPA Order 5700.5. This would apply to the CCMP Enhancements Projects, and the Research Program RFPs; our understanding is that the base program, since it is not competed, would continue to remain exempt. Tedesco indicated that the increasing complexity of the grants management process, and limited federal staff resources to manage all phases of awards would make compliance with the Order burdensome, and severely

impact programmatic support that staff would be able to provide to the Management Conference. The LISO is currently managing in excess of \$25 million in ongoing grant awards. Tedesco reported that EPA Order requirements would also affect the flexibility of the LISS in several areas, including potential RFP schedules, since EPA would have to approve in advance all proposed RFPs; EPA would be the sole approver of projects, although a limited set of non-EPA personnel could be involved in the proposal review and evaluation process. To address these concerns, Tedesco recommended that, in 2006 and beyond, the LISS include the CCMP Enhancements Grants Program as part of the NEIWPCC base program award. In turn, NEIWPCC would work with the Management Conference in developing priorities, announcing project proposals, and reviewing and evaluating projects. In this way, the LISS would retain its vital flexibility in implementing the program without subjecting limited federal staff resources to an increasing administrative burden at the expense of programmatic responsibilities. Committee members expressed concern that the LISS, an NEP, was not considered exempt from the competition policy, as are other NEPs. Committee members suggested appealing the verbal decision, or clarifying the Order's applicability to the program. Tedesco indicated that while this was a possibility, the fact that the LISS is a federal-lead NEP, with EPA awarding all assistance agreements make it unlikely that the policy would be reversed. Committee members expressed concern with NEIWPCC, rather than the LISO, administering the program; Tedesco clarified that NEIWPCC would simply become the fiscal agent and manage the subgrant program for the CCMP Enhancements Projects; the Committee would retain its influence over the priority-setting process, RFP development, and proposal evaluation and approval. Betsey Wingfield recommended development of an analysis of both options for consideration in a future conference call. Tedesco agreed and will schedule a call as appropriate to follow up on the issue.

6. Presentation of Draft July 20-21 Meeting Agenda

As agreed at the January 27 Management Committee meeting, Mark Tedesco circulated a draft agenda for the two-day Management Committee meeting (see **Attachment 4**). Tedesco indicated that the planning team consists of himself, Karen Chytalo, Rick D'Amico, Paul Stacey, Laura Blake and Walter Smith. Tedesco opened the membership to any other interested staff or members, and Nancy Seligson volunteered to participate on the team. **[NB: The meeting has been scheduled for Danfords Inn, Port Jefferson, NY.]**

7. EPA/CTDEP Nitrogen Projects

Due to lack of time, this topic was deferred to the July meeting.

8. FLOOR UPDATES/ANNOUNCEMENTS

EPA NEP HQ Implementation Review. Joe Salata reported that a team of Headquarters and Regional staff will plan to attend the July Management Committee meeting as the site visit for the

Implementation Review. The required written Executive Summary was sent to the review team on March 3. The LISO will coordinate the schedule and any field trips. The results of the review will determine whether the LISS continues to receive Section 320 NEP funding. **[NB: The review team subsequently decided to schedule a separate time for the review, and will coordinate this with the LISO.]**

Attachments

1. Meeting Attendance
2. Draft July 20-21 Agenda
3. 2005 Budget Decisions