

**Meeting Minutes of the
SOUTH SHORE ESTUARY RESERVE COUNCIL
March 5, 2008
Stony Brook Southampton
Southampton, New York**

Members/Designees Present: Fred Anders (for Secretary Lorraine Cortés-Vázquez/George R. Stafford); Dan Fucci (for Thomas Suozzi); Laretta Fischer (for Steve Levy/Carrie Meek Gallagher); Michael Foley (for Kate Murray/Ron Masters); Nancy Kearney (for John Venditto/Neil O. Bergin); Richard Groh (for Steven Bellone); Tom Marquardt (for Phil Nolan/Eugene Murphy); Alan Svoboda (for Brian X. Foley/John Turner); Luke Ormand (for Linda A. Kobot/Marty Shea); William Glacken; Robert Grover; Maureen Dolan Murphy; William Wise (for David Conover); Ken Budny (for Gregory LoVece); Michael Eagan; Charles DeQuillfeldt (for Pete Grannis/Jim Gilmore); Gary Lawton (for Carol Ash); and Darrell Kost (for Astrid C. Glynn).

Staff Present: South Shore Estuary Reserve (Reserve) Office: Jeff Fullmer; Clare O'Reilly; and, Lou Siegel.

Guests Present: Ellen Kelly (Village of Freeport); Paula Valentine (National Park Service/Fire Island National Seashore); Patrice Benneward; Linda Angello (Senator Trunzo); and, Frank Castelli and Tamara Sadoo (Suffolk County Department of Environment and Energy).

Members Absent: Joseph Febrizio (for Charles T. Theofan); Cornelia Schlenk; Carl LoBue; Dennis Cataldo; Claire Fratello (for Dennis Perkins); Chris Squeri; and, Robert Wieboldt.

WELCOME, OPENING REMARKS, INTRODUCTION

F. Anders welcomed South Shore Estuary Reserve (Reserve) Council members, designees and guests. He noted that this Council meeting was being recorded for future webcasting in accordance with Executive Order #3, and reminded that all future Council meetings will be webcast. The webcast will be available for download from the DOS website. He conveyed the Council's appreciation to Stony Brook Southampton for hosting the meeting. W. Wise welcomed the Reserve Council on behalf of Stony Brook Southampton, and described current and future development plans for the campus and nearby marine field station.

F. Anders introduced guest Paula Valentine, Fire Island National Seashore.

MINUTES OF THE OCTOBER 2, 2007 MEETING

F. Anders stated that the draft October 2, 2007 meeting minutes were mailed to Council members. K. Budny made a motion to accept the minutes as written. N. Kearney seconded the motion. There was no discussion, and the minutes were accepted unanimously.

SOUTH SHORE ESTUARY RESERVE OFFICE REPORT

A written Reserve Office report was included in the meeting folders. J. Fullmer highlighted Reserve Office activities since the October 2, 2007 meeting:

- The Reserve Office has filled two position vacancies for Program Implementation Specialists. Patrice Benneward will be starting soon as a Program Implementation Specialist, and has significant experience with estuary management as Director of the Manhasset Bay Protection Committee. Clare O'Reilly recently began as a Program Implementation Specialist after previously serving as Program Administrative Manager.
- The Reserve Office now has a vacancy for a Program Administrative Manager, and would appreciate assistance from Council members in filling this position.
- Following a resolution by the Council at the October 2, 2007 meeting, the Reserve Office prepared letters to the USEPA and NYSDEC on behalf of the Council requesting that the two agencies work together to develop a process for advancing development of Total Maximum Daily Loads for the western bays of the Reserve. Both agencies responded positively with regard to working with the Reserve program to address this issue.
- Reserve Office staff provided assistance on behalf of the Council in the initial stakeholder outreach process for the Great South Bay Ecosystem-based Management Demonstration Project. Reserve Office staff assisted with planning logistics for the initial stakeholder meeting held on October 2, 2007 following the Council meeting; a series of ten stakeholder focus group meetings held throughout the fall, and a second public stakeholder meeting held on January 24. Reserve Office staff represented the Reserve Council at the Oceans and Great Lakes Ecosystem Conservation Council (OGLECC) meeting in January, and provided a presentation to OGLECC on the stakeholder engagement process for the Great South Bay Ecosystem-based Management (EBM) Demonstration Project, and initial findings from the process. The steering committee for the demonstration project is currently reviewing a draft final report on the process from Ecologic LLC, the consulting firm which facilitated the stakeholder meetings.

W. Wise asked what the significance of the two initial EBM demonstration areas will be once the plans are implemented, and suggested that other areas of the state may also want demonstration plans developed for their area, therefore shifting the focus of EBM efforts away from Great South Bay. F. Anders replied that the intention of the demonstration projects is to provide guidance for the final report on EBM to the state legislature, due in November. Upon review by the legislature, the existing demonstration projects may continue and additional areas may be added, including additional parts of the Reserve. The Council has begun to discuss how EBM can be integrated with the Reserve's Comprehensive Management Plan.

- The Council's self-study workgroup recently met and discussed the Council's input provided at the previous Council meeting regarding by-laws development, and review and modification of the Comprehensive Management Plan.
- Reserve Office staff and the Bayway Advisory Committee are reviewing a draft of the *South Shore Bayway Strategic Implementation Plan and Marketing Plan* prepared by project consultants. The draft plan includes a Reserve cultural resources survey, identification of potential destinations and connectors, areas of special interest, interpretive themes, a visual identify including logo, website, promotional outreach materials, and priority capital improvement projects consistent with enhancing visitation.

C. O'Reilly updated the Council on office activities related to watershed management and diadromous fish restoration:

- The Reserve Office coordinated review of the draft *Inventory and Analysis of Barriers to Fish Passage for the Carlls River, Browns River, Swan River, Mud Creek, Carmans River, and Beaver Dam Creek*. The inventory found 63 crossings and 29 dams on the six streams. The draft report includes recommendations for barrier modification to enhance diadromous fish passage, and was reviewed by Reserve Office staff and members of the Diadromous Fish Work Group. A final report addressing reviewer's comments is forthcoming, and will be made available on the Reserve Council website.
- A watershed advisory committee for the *Beaver Dam Creek Watershed Management Plan* met on October 18, 2007. The watershed advisory committee discussed the study area boundary, information from previous studies and projects that is relevant to the watershed management plan, and proposed goals and objectives. Committee members also toured the creek via boat thanks to the Suffolk County Office of Ecology. A public outreach meeting was held on March 4 to collect additional information for the watershed management plan, and gain input on the proposed goals and objectives.
- Reserve Office staff reviewed the *Stormwater Infrastructure Mapping Inventory and Assessment* report prepared by Bowne AE&T. A copy of the final, approved report was provided in the Council mailing. The report documents the geographic extent of completed stormwater drainage infrastructure mapping by governments within the Reserve, and commitments by governmental agencies to initiate and/or complete such mapping, including the need for grants, contracts, and/or budgeting of resources. Infrastructure mapping methodologies that have been used or proposed were reviewed, and a database of the terminology and technical specifications utilized by each agency engaged in mapping infrastructure within the Reserve was compiled as part of this project. The report recommends a common mapping protocol for Reserve municipalities to use for stormwater infrastructure mapping, and outlines steps for how Reserve municipalities can complete their stormwater infrastructure mapping.

L. Siegel reported on his Science Coordinator activities:

- The South Shore Estuary Learning Facilitator (sSELF) Project currently has ten groups gathering water quality monitoring data. A summary of activities for 2007 was provided in Council member folders. The Project was initiated by the New York State Marine Education Association in cooperation with the Reserve office under a grant from Environmental Resources Management Foundation (ERM.) Each participating group was provided a water quality sampling kit and protocol handbook when they were visited for general orientation and instruction sessions. Groups report collected monitoring data including temperature, salinity, density, dissolved oxygen, nitrates, nitrites, ammonia and phosphates via an online form. The sSELF program may be expanded into a larger monitoring system for the Reserve to make estuary wide data available to researchers and the general public. Several additional groups have expressed an interest in the program and we are currently seeking guidance to identify additional resources to maintain and expand the program.

R. Grover asked if there is a link from the Reserve website to the data collected in the sSELF program. L. Siegel replied that there is a link included in the program summary and from the Reserve website

homepage. Participants have found the Google Docs platform for reporting data to be easy to use. Data reviewers have been leaving comments, and L. Siegel encouraged Council members to review the data. W. Wise suggested that the Reserve Office should contact Ken Grimball to secure resources for the continuation of the program.

J. Fullmer mentioned that the sSELF program is an initial effort at establishing a citizens monitoring component of a larger water quality monitoring strategy. Additional efforts are being considered to expand the program with additional partners, including development of a quality assurance/quality control component and a clearinghouse for water quality data collected in the Reserve.

- The Preserve the Reserve Stewardship Certificate Program has produced and distributed nearly 100 certificates. A summary was provided in Council member folders. Recipients are a diverse group which includes students, teachers, community activists and professionals who are all stakeholders in the success of the Reserve program. Additional recognition is afforded to the recipients on the Reserve Council web site, where there is a list of certificate recipients and descriptions of their activities. Council members are encouraged to use these certificates as a means to recognize estuary stewards.

W. Wise asked if the certificate program is different than the Stewardship Award, and L. Siegel replied that they are different programs. M. Dolan Murphy added that the certificate program has been very successful, and that the idea for the certificates came up when the Citizens Advisory Committee was discussing the Stewardship Award. The certificates are a way to recognize more estuary stewards.

DEPARTMENT OF STATE REPORT

Fred Anders presented the DOS report:

- The Department received, reviewed, and approved the final report for the project titled *Inventory and Assessment of Stormwater Drainage Infrastructure Mapping within Long Island's South Shore Estuary Reserve*.
- As part of the project titled *Strategic Implementation and Marketing Plan for the Long Island South Shore Estuary Reserve Bayway*, the Department received, reviewed, and approved a cultural resources inventory, a draft strategic implementation and marketing plan, renderings of a Bayway logo, a Bayway website template, and a draft promotional brochure.
- The Department has nearly completed evaluation of 2007 EPF LWRP grant applications. The Department received 23 grant applications from Long Island municipalities requesting more than \$7.5 million. Ten of those applications came from municipalities within the Reserve. DOS anticipates an April 1st call for 2008 EPF LWRP applications.
- A contract has been signed with the Woods Hole Group for the preparation of tasks related to development of a Reserve-wide Dredged Materials Management Plan. However, the contract has not yet been approved by the Office of the State Comptroller. Next steps would be an initial meeting of the Project Advisory Committee with the Consultant to exchange of information and organize the project schedule.

- The next Oceans and Great Lakes Ecosystem Conservation Council (OGLECC) meeting will be held in Albany on April 1st. At that meeting, OGLECC will have a presentation on the Coastal Atlas currently being tested. OGLECC staff are planning a GIS data priorities workshop in April. The Science Advisory Group is working on refining their preliminary summary of research and monitoring needs. OGLECC has reached out to regional partners, including the New York Association of Regional councils, New York Soil and Water Conservation District Commission, Hudson River Estuary Program, and the Long Island Sound Study. OGLECC has also scheduled interviews for six new staff positions. A report writer/editor has been hired to assist with drafting OGLECC's report to the legislature in November. A regional programs consultant (Provincetown Center for Coastal Studies) has been hired to help with identifying regional issues and needs of seven regional partners (estuary programs, Tug Hill Commission, and Great Lakes Basin Advisory Council) as a starting point. Demonstration project partners have completed contract amendments for the second phase of their work. Products from the demonstration project partners are in for review. Stakeholder meetings have been completed for the demonstration projects, as reported earlier in the meeting.

CITIZENS ADVISORY COMMITTEE REPORT

CAC Chair M. Dolan Murphy presented the CAC report to the Council:

- At the November 13, 2007 meeting, the CAC focused its discussion on how the Ecosystem Based Management (EBM) Stakeholder Meetings were going. Many of the CAC members attended the first stakeholder meeting as well as the "break-out" stakeholder meetings. Overall, CAC members felt that moving towards EBM is an important management approach. It was unclear to some members what the true definition of EBM is. Many agreed that it is important that members of the public have a clear understanding of EBM in order for it to move forward. There was some confusion as to the role of The Nature Conservancy and how the Great South Bay pilot project fit into implementing EBM on a state-wide level. It was clarified that The Nature Conservancy was asked to help prepare a draft EBM plan for Great South Bay due to their scientific expertise, and their experience and ongoing implementation activities in shellfish and seagrass restoration work on the Bluepoints Bottomlands in Great South Bay and as a member of the Reserve Council. The Great South Bay demonstration project is an opportunity for the Reserve to incorporate principles of EBM in CMP implementation activities, and what is learned in this project can be applied to other parts of the estuary. The CAC agreed that it would be good to have follow-up conversations about EBM, as well as progress updates.

W. Wise offered to give a presentation to the CAC about EBM.

- At the January 8, 2008 meeting, the CAC had a presentation from Chart Guthrie, Regional Freshwater Fisheries Manager for New York State Department of Environment Conservation (NYSDEC). The presentation focused on freshwater aquatic invasive species, which are non native species causing harm to the environment or human health. C. Guthrie presented CAC members with information about freshwater invasive aquatic species, explaining how they arrived on Long Island and several control options. CAC members asked several questions, which are detailed in the written CAC report provided to Council members in the meeting folders.

The CAC had previously been made aware of invasive species issues in the Carmans River. The

Town of Brookhaven established a task force to evaluate the feasibility of several control options. The CAC would like to be kept aware of the task force's work. Council members specified that Anthony Graves is the point of contact for the task force. The CAC encourages the Council to submit nominations for the annual Stewardship Award.

COUNCIL WORK GROUP REPORTS

Work group meeting summaries were included in Council member folders. C. O'Reilly highlighted Diadromous Fish Work Group activities since the October 2, 2007 Council meeting:

- The Diadromous Fish Work Group met on February 19, and received several updates regarding diadromous fish restoration activities in the Reserve and elsewhere. The work group received an update on construction activities related to the installation of the first fish ladder in the Reserve at the Hards Lake Dam spillway on the Carmans River. The ladder is expected to be in place by the end of March, prior to the upcoming alewife spawning run.
- The Diadromous Fish Work Group will be conducting a volunteer alewife monitoring survey this spring with assistance from staff at the Seatuck Environmental Association. Reserve Office staff will continue to assist in conducting the survey, and more information is available on the Reserve Council website.
- The work group thanked Jake Kritzer of Environmental Defense for serving as work group chair.

L. Siegel provided an update on the activities of the Formal Education Work Group:

- The Formal Education Work Group met on February 27 to review the results of two education surveys. The first survey of science teachers showed that there are several teachers actively using the Reserve as a outdoor teaching laboratory for studies with their students. The second survey of the needs of general education teachers from elementary through college showed that teachers preferred brief, single concept video products accompanied by related fact sheets. The work group agreed that it would be possible to use these single topic products as the basis of a broader presentation that would be suitable for the general public. The work group indicated that the first action should be to update the Reserve Council web page education section with three groups of materials for Parents and the General Public, Teachers and Students. Links would be provided to existing web based materials on estuaries in general and the Reserve in particular where possible. Gaps could then be assessed and a plan to address these needs would then be formulated.

W. Wise provided an update on the activities of the Self-Study Work Group:

- The Self Study Work Group met for the third time on February 21, and reviewed draft bylaws written to guide how the Council conducts business. The work group identified several issues that should be resolved prior to adoption of the bylaws.

Discussion of the draft bylaws ensued.

Article 46, which established the Reserve and the Council, specifies that elected officials serve terms on the Council concurrent with their term of office. Non-elected Council members are expected to serve for

four years. Council members asked if Article 46 defined the length of terms in office, and if the terms apply to the member or their designee. J. Fullmer replied that term lengths of elected offices are not specified in Article 46, and that members should notify the Reserve Office when they name a designee.

Council members discussed what the definition is of being “present” at a meeting. According to Article 46, 13 of the 23 voting members of the Council must be present to have a meeting. Council members discussed if proxy voting or participating in the meeting via teleconference would be allowed. W. Glacken suggested that under the New York State Open Meetings Law, teleconferencing is allowed to be considered present at a meeting. Council members have not previously teleconferenced into meetings. Council members discussed the advantages of being physically present at a meeting, and the need to adapt to new technologies. This issue will be further investigated by DOS attorneys.

G. Lawton mentioned that ex-officio members are not referenced in the bylaws. Council members agreed that the bylaws should make mention of ex-officio members.

Council members asked how abstention votes are considered when the Council votes on an issue. Council members suggested consulting Roberts’ Rules of Order for guidance on how abstention votes are considered.

Council members discussed whether or not votes should be made at the same meeting where a motion is proposed, or if a vote should wait until the meeting following when a motion is first proposed. If votes are postponed to the next meeting, some Council alternates and designees may be able to vote on an issue rather than abstaining because of the need to discuss the issue with the designating member. Council members suggested that when possible, they should be notified before the meeting about voting issues. Council members discussed if waiting to vote on an issue is practical, given that the Council meets infrequently. Roberts’ Rules of Order guides meeting participants on how to table a motion to the next meeting for consideration. Council members agreed that it is important for the Council to have the ability to make decisions when issues are raised, and that the procedures for tabling a motion in Roberts’ Rules of Order should be followed when necessary.

The draft bylaws specify that Council meetings are convened by the Chair. However, Council members can suggest to the Chair that a meeting should be convened, with the Chair in attendance.

Council members discussed the roles of members, designees and alternates in reference to the attendance policy included in the draft bylaws. A designee may be appointed by the official member if the official member cannot attend, and an alternate may be chosen by the official member or designee if the designee cannot attend. This policy is specified in the “Authority” section of the bylaws.

Council members mentioned that the Council’s ability to amend the CMP is not included in the “Authority” section. J. Fullmer commented that Article 46 specifies that the Council may revise the plan as necessary. Council members suggested that the Council’s ability to amend or revise the CMP should be specified in the bylaws.

Council members discussed if implementation priorities have already been identified in the CMP, or if those priorities should be revisited and new priorities should be established. Council members discussed if amendments to the CMP would need to be signed by Council members and the Governor via procedure similar to what was followed for adoption of the CMP. W. Glacken suggested that all Reserve

municipalities should be provided any amendments or revisions to the plan, not just each town and village. Council members agreed that the procedure for adopting amendments should be reviewed by attorneys at DOS.

Council members agreed with the procedure for the creation of advisory work groups as outlined in the draft bylaws.

Council members discussed the roles of the Council and the Reserve Office in determining if the Reserve Office should respond to requests for support of particular projects from implementation partners. Council members asked how implementation partners are identified, and J. Fullmer responded that the Implementation Status Report identifies Reserve implementation partners. W. Wise suggested that implementation partners not represented on the Council who request review of a specific project should ask a Council member to bring up the issue to the rest of the Council to allow for an initial screening of the project. J. Fullmer replied that requests for consistency letters are usually time sensitive, and that it may not be possible to respond to requests if Council review is necessary. W. Glacken suggested that requests should be vetted through the Reserve Office, and that the Reserve Office should make the Council aware of the request. J. Fullmer added that referencing consistency letters in the bylaws will provide codification of this procedure that the Council has previously directed the Reserve Office to carry out. W. Wise suggested that the wording be changed so that the Reserve Office, and not the Council, is specifically charged with preparing consistency letters. Council members agreed that "Duties of the Council #5" referencing consistency letters should be removed, and that the Reserve Office should continue to prepare consistency letters following previous procedure. Council members encouraged the Reserve Office to bring requests for consistency letters to the Council as deemed necessary.

C. DeQuillfelt mentioned that there are resources that could be used for CMP implementation activities that come from sources other than the government entities mentioned in "Duties of the Council #6." W. Wise suggested that this bylaw was written in an attempt to codify past practice of annually reviewing the Reserve Office budget. J. Fullmer commented that the Council had previously discussed recommending to partners how resources should be allocated for CMP implementation priorities. The Reserve Office has received such requests in the past. W. Wise suggested that "Duties of the Council #6" should specify that the Council will advise how resources should be allocated on request. A. Svoboda suggested that Council members may be competing for the same resources, which may lead to conflicts of interest. T. Marquardt suggested that the Council should track how resources are expended in the Reserve to determine if the Council is able to achieve identified goals, and could therefore advocate for allocation of additional resources in areas where they are lacking. Council members agreed that bylaws should specify that the Council will annually develop recommended funding priorities to implement CMP recommended goals, priorities and objectives.

Council members agreed that there should be a higher standard of support for approving amendments to the CMP.

Reserve Office staff agreed to revise the draft bylaws based on input from Council members and attorneys at DOS. The Reserve Office will then distribute revised draft bylaws to the Reserve Council for additional input. Final draft bylaws will include any additional input and will be distributed prior to the next Council meeting, where they will be considered for adoption.

IMPLEMENTATION PARTNER REPORTS

- John Waltz from Bowne AE&T led a discussion of the recommendations and conclusions contained in the *Stormwater Infrastructure Mapping Inventory and Assessment* report which was recently approved by the Reserve Office and DOS. Over the course of 2006-2007, Bowne received survey responses from 39 government entities in the Reserve. Their responses indicated that stormwater mapping efforts are progressing in the Reserve, with the Phase II program serving as a driving force for mapping drainage infrastructure. The report discusses the different mapping approaches used between municipalities in Suffolk and Nassau Counties. The report recommends that Suffolk County municipalities model their mapping efforts on Nassau County's enterprise GIS system, through which municipalities could share their data with each other and the Council to prioritize where stormwater capital projects should be located. The report also estimates how long it would take to create a digitized map in GIS starting from a scanned paper map for municipalities that have not started stormwater mapping efforts.

J. Fullmer thanked Bowne for discussing the report recommendations. He asked Council members what the next steps will be to implement the report's recommendations.

A. Svoboda replied that the recommendations relate to earlier discussions about what the duties of the Council are regarding developing priorities and allocating resources. The Council could make recommendations to municipalities based on the report recommendations. He added that the Reserve Council could encourage partnerships between municipalities to advance mapping efforts.

R. Groh added that stormwater infrastructure mapping is a key component in developing watershed management plans.

D. Fucci provided Council members with some background on Nassau County's mapping efforts. Nassau County has used their mapping information to develop a watershed vulnerability analysis guidebook that explains how to determine pollutant loading in a watershed.

T. Marquardt mentioned that the Suffolk County Office of Information Technology is discussing establishment of a consortium for data sharing, which may be useful in establishing protocols for collecting data.

J. Fullmer asked Council members to contact the Reserve Office with additional ideas for next steps based on the report's recommendations to create a tool to help improve and maintain water quality.

- L. Ormand presented Council members with information regarding the Town of Southampton's CMP Implementation Activities. Southampton has been partnering with Suffolk County in several open space acquisition projects, using resources from Southampton's Community Preservation Fund and Suffolk County's 1/4 cent Water Quality Improvement Fund. Southampton has mapped its stormwater infrastructure and has begun planning for drainage improvements, also in partnership with Suffolk County. Southampton has partnered with Cornell Cooperative Extension in an eelgrass and bay scallop restoration project in Shinnecock Bay.
- M. Eagan reported to Council members on the newly formed South Shore Promotions Committee. The committee is a group of concerned businesses, non-profits, and government entities who are interested in attracting more visitors to the south shore. The committee has a website, www.exploresouthshore.org, and will be working with www.MyLITV.com to promote the

committee. The committee is interested in working with additional companies or groups to promote the south shore.

W. Wise asked if the committee is working with the Long Island Convention and Visitors Bureau, and M. Eagan replied that they are.

J. Fullmer suggested that the committee will be implementing many of the recommendations from the *Bayway Strategic Implementation and Marketing Plan* currently under development.

- Paula Valentine of Fire Island National Seashore (FINS) reported that Superintendent Michael Reynolds is moving to another position in the National Park Service, and FINS will continue to work on its General Management Plan.

W. Wise asked if the completion schedule for the General Management Plan will change, and P. Valentine replied that it would not have a significant impact on the plan's development because they are working with a professional planning team. She added that FINS expects to have portions of the General Management Plan ready to share with the public later this year.

NEW BUSINESS

R. Groh announced that the Town of Babylon is having an Earth Day celebration on May 3. The Department of Environmental Control will be showcasing programs such as stormwater management and wetland restoration. Council members are invited to participate.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

M. Eagan motioned to adjourn the meeting, W. Glacken seconded. The meeting was adjourned at 4:00pm.