Message

From: Kubik, Kevin [Kubik.Kevin@epa.gov]
Sent: 7/18/2016 11:42:11 AM
To: R2 DESA (EPA and Grantees) [R2_DESA_EPA_and_Grantees@epa.gov]
Subject: DESA, CED and CASD Weekly Highlights

Division of Environmental Science and Assessment
Weekly News
July 14, 2016

Potential or Expected Press Stories

Freedom of Information Requests of RA Interest

Travel/Meetings/Speaking Engagements for Division Directors

Upcoming Highlights for the week (please provide a bulleted list)

Upcoming Request for Regional and Program Office Nominations for the Sustainable and Health Communities (SHC) Partner Alliance and Coordination Teams (PACTs)

R2's RSL (Marie O'Shea) and STL (Diana Cutt) were asked to provide comments on the draft memo SHC plans to send to PO AAs and R2/R10 DRAs (co-lead Regions for SHC's Research Program) soliciting members for SHC PACTs. The memo is anticipated to be released soon with nominations sought sometime in August. ORD's PACT concept was first outlined in a March 19 note to the DRAs and AAs from Bob Kavlock, ORD's Deputy Assistant Administrator for Science. The March 19th note indicating that ORD plans *to promote the PACTs as means to advance connections and collaborations between ORD's National Research Programs and ORD's Program and Regional Partners*. Kavlock's note also indicated that while the overarching goal and objective of the PACTs will be generally consistent across research programs, each program will be at a different point in the development process, and the specifics on how each will be implemented may vary across programs. As an example, nominations for the ACE PACTs were sought in June, with technical Regional and PO staff targeted. In contrast, the three SHC PACTs are seeking nominees that are "managers and senior staff" from Program and Regional Partner Offices.

DESA-HWSB/SST is sampling in the Maurice River 7/11 - 7/14.

DESA-HWSB is providing comments to NYSDEC on the Massapequa Water District CSIA forensic sampling report.

MAB News

DESA-MAB participated in a conference call with staff from CWD and ORD to discuss VI and PR biocriteria development. We discussed the status of strategic plans for marine biocriteria in the VI and freshwater biocriteria in PR. A call will be scheduled with PREQB in September to discuss bioassessment implementation issues before steps are taken on the adoption of narrative biological criteria.

DESA-MAB participated in a conference call to discuss recent changes and developments in EPA's Fish Program. Also discussed was the current status of national fish contaminant studies, development of a fish contaminant database, and updated guidance on fish consumption surveys. The EPA Fish Program is run out of OW-OST.

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Potential or Expected Press Stories

- None

Contact from Elected Officials

- None

Freedom of Information Requests of RA Interest

- None

Travel/Meetings/Speaking Engagements for Division Director

- Jeff will attend the Dead Horse Bay field trip on Tuesday afternoon (7/19).

Indian Consultations Requested or Initiated

- None (though see Shinnecock Nation wetland item below)

***Water Words That Work Training:** The Clean Water Division has arranged to have a training session on September 22 on communicating about water issues with the general public. The training, *Water Words That Work*, has been successfully presented in Region 1 and many other areas around the county. The training will emphasize the language to enable staff to become more confident and successful in communicating the work we do to protect and restore our rivers, lakes and oceans. We have engaged other divisions regarding the training as well.

***Triple Value (3V) Nitrogen Systems and Sustainability Model Scoping Project Capstone Stakeholder Meeting**: Region 2 and Office of Research and Development (ORD) 3V project team will convene a capstone stakeholder meeting on July 14 in Yaphank, NY as the culmination of the scoping phase of the project. Approximately thirty stakeholders representing diverse interests and constituencies in Suffolk County will join us for this meeting. The project team will review interim products developed with stakeholder input during the scoping project including a problem statement, a list of indicators and interventions and the conceptual model of the system. The project team will then solicit stakeholder responses and input to these deliverables. The conceptual model will form the basis of the quantitative model to be developed in Phase II (with funding from ORD's Regional Sustainable Environmental Sciences (RESES) program).

***Chesapeake Bay Watershed:** On July 14-15 Region 3 Chesapeake Bay Program Office (CBPO) and Clean Water Division staff and managers will meet with NYSDEC in Albany as well as with the Upper Susquehanna Coalition in Owego, NY. The purpose of these meetings is to share New York specific information on monitoring trends and to get input on critical midpoint assessment concerns, such as developing Phase III guidance and numerical targets, Phase 6 modeling updates, Local Area Targets and how to make up for the lost assimilative capacity of the Conowingo Dam. This is the last of a series of midpoint assessment meetings the CBPO has held with all of the jurisdictions.

***Plum Island Law Suit:** Save the Sound has filed a federal suit against the Department of Homeland Security (DHS) and the General Services Administration (GSA) regarding the sale of Plum Island. It believes that the sale of Plum Island violates the National Environmental Policy Act and the Endangered Species Act by failing to protect endangered and threatened species. Save the Sound would like to halt the sale of Plum Island in order to allow DHS and GSA to fully consider conserving the resources on the undeveloped portions of the island through a conservation sale or outright protection.

***Long Island Sound Property Acquisitions**: Two properties were recently acquired for conservation purposes. The Land Alliance purchased a 28-acre heavily wooded parcel in the Village of Matinecock. This acquisition was supported by Verena and Roderick H. Cushman, who donated the funds necessary to purchase this highly significant portion of the Beaver Brook watershed. The property will be named Cushman Woods and it provides critical habitat for birds, fox and a variety of other wildlife species. It is filled with old-growth trees, an abundance of native plants and a trail system that was once a popular fox hunting route for the Meadowbrook Hunt. This parcel will be included in New York's 2016 acquisition report under the National Estuary Program reporting system.

Photo: Cushman Woods acquisition in the Village of Matinecock, CT

The Aspetuck Land Trust of Fairfield County Connecticut closed on a nearly one acre property at 1400 Pequot Avenue in Southport. The parcel was slated for private development, but was acquired by the Land Trust through negotiations with a private developer. Located directly on the marsh across from Southport Beach, the property will be preserved from future development and will be included in EPA's NEPORT reporting system for 2016.

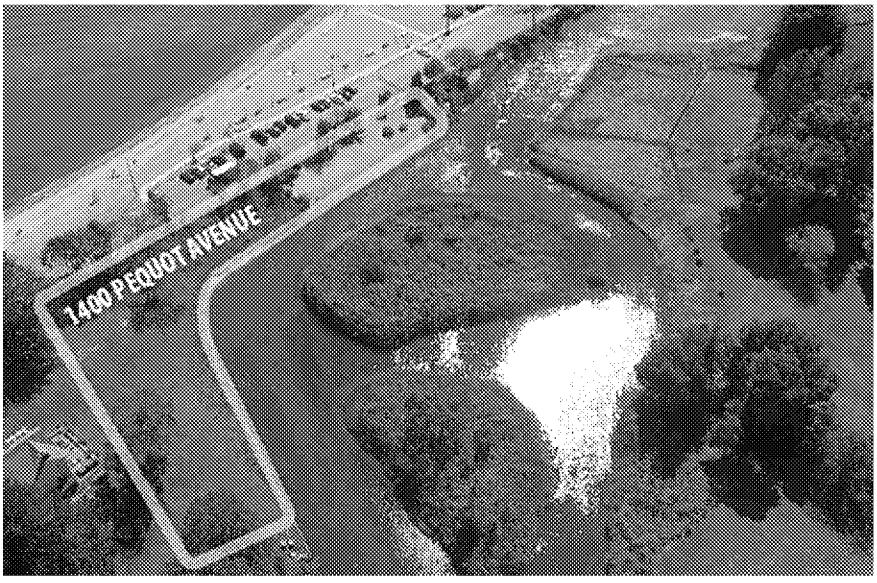

Photo: Property acquired by Aspetuck Land Trust located at 1400 Pequot Ave. in Fairfield, CT.

Final Rule on Long Island Sound Dredged Material Disposal Sites: The EPA issued a Final Rule establishing new restrictions on the use of the Central and Western Long Island Sound Dredged Material Disposal Sites. The Final Rule amends the 2005 site designation rule with new restrictions on the use of the two sites to help meet the goal of reducing or eliminating dredged material disposal in the open waters of Long Island Sound. The Final Rule sets standards and procedures to promote the development and use of practicable alternatives to open-water disposal. The designation of dredged material disposal sites by EPA only makes those sites available for potential use by future dredging projects; it does not actually authorize disposal of any material at the site. Any proposal to place dredged material at either the Central or Western Long Island Sound Dredged Material Disposal Site would still have to obtain a project-specific authorization and satisfy the stringent requirements of the ocean disposal regulations.

***Filtration Avoidance Determination (FAD) Development Process**: CWD will be attending the New York City Public Information Session at Pace University on Wednesday evening 7/20 from 7-9pm. This public information session is part of the NYC Watershed 2017 FAD development process.

***WaterSense:** We are pleased that three additional towns have now joined WaterSense: Livingston, NY; Mansfield, NJ and South Nyack, NY.

Stormwater: On Monday, July 11, Region 2 held a conference call with NYSDEC concerning its upcoming 2017 Renewal MS4 General Permit. NYSDEC expects to public notice its draft 2017 MS4 permit on November 1, 2016. This conference call is one of a series of calls intended to help NYSDEC address EPA's concerns and strengthen the NYSDEC MS4 General Permit prior to public notice. Region 2 staff from the stormwater, trash free waters, TMDLs and Chesapeake Bay programs participated, along with ORC. A follow up meeting has been scheduled for August 4, 2016.

Long Island Sound Dredged Material Disposal - The comment period for the proposed dredged material site designation in eastern Long Island Sound (LIS) has been extended until July 18, 2016. Formal consultation with the Shinnecock Indian Nation has been initiated at its request. We and Region 1 (via conference line) will be meeting with representatives of the Shinnecock Nation on July 14, 2016 to provide information on general dredging/disposal practices in LIS, as well as the proposed site designation in eastern Long Island Sound.

Uniform National Discharge Standards (UNDS) - EPA Headquarters (HQ) is finalizing the UNDS Phase II, Batch 2 proposed rulemaking for discharges incidental to the operations of vessels of the Armed Forces. Batch Two includes standards for eleven discharges. Final Agency Review (FAR) will require all Regions and Offices to submit a memo to Headquarters indicating whether they concur, concur with comment or do not concur with the proposed rulemaking. HQ will initiate the FAR review on/about July 18, 2016; Region 2 (CWD) will have until approximately July 29 to return the memo to HQ. EPA anticipates sending the draft rulemaking to the *Federal Register* in early September for publication.

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Travel/Meetings/Speaking Engagements for Division Directors

- CASD and ERRD will participate in a meeting with ASTSWMO on July 20 in Galloway, NJ.

Other Items:

New York Metropolitan Transportation Council Schedules September Meeting: NYMTC has scheduled a full Council meeting for Wednesday, September 7, at 11:00am at the CUNY Graduate Center. During the meeting, voting member agencies will adopt a new transportation improvement program (TIP, which allocates Federal transportation funds for the next four years) and its accompanying air quality conformity determination. The TIP and conformity determination are currently under public review. EPA is a non-voting member of NYMTC. CASD is available to represent EPA should the RA or DRA not be able to attend.

Ex. 5 Deliberative Process (DP) on non-responsive topic

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Rebuild by Design - Meadowlands, NJ: We participated in a public scoping meeting for the Rebuild by Design - Meadowlands Protection Project. The goal of the meeting was to discuss proposed flood risk reduction measures in the boroughs of Little Ferry, Moonachie, Carlstadt, and the Township of South Hackensack, Bergen County, NJ. The meeting included a presentation, a question and answer session, and a poster display session. Citizen concerns raised during the meeting included the importance of protecting wetland habitats, encouraging increased property values without increasing development, and ensuring sufficient funds to complete the project. EPA will be providing scoping comments by July 21.

Patchogue Out-of-District Sewer Extension: We reviewed the FEMA/NYS Governor's Office of Storm Recovery's Environmental Assessment to extend the existing sewer system to approximately 648 homes now on septic systems. The wastewater will be sent to the existing Patchogue advance wastewater treatment facility, which has the capacity to incorporate the volume without an upgrade. We concurred with a finding of no significant impact, but has requested a copy of the General Conformity Applicability analysis when completed during the final design phase, and recommended that any vacant parcels in the floodplain area be left undeveloped as mitigation for future storms.

Commercial Wind Lease, NY: We reviewed the BOEM environmental assessment for the Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore New York. The EA only evaluated the environmental impacts of a successful bidder to evaluate the suitability of the NY wind energy area for a wind farm. These evaluations could include placing a meteorological tower, and benthic, sediment, current and wave studies. If the bidder determines that a wind farm is viable, BOEM and the bidder will prepare an EIS for construction and operation of a wind farm. We concurred with a finding of no significant impact for preliminary study activities.

Recovery and Resiliency, General: We participated in a panel discussion hosted by the Regional Plan Association (RPA) on health and regional planning in the New York metropolitan region and beyond. The discussion focused on how better planning can influence health outcomes and the importance of multi-sector collaborations between health agencies, planning agencies, and others to optimize health outcomes in the region