

**Suffolk County
Aquaculture Lease Program Advisory Committee**

**MEETING SUMMARY
2 November 2006
(as amended 22 November 2006)**

Location: Cornell Cooperative Extension - Kermit W. Graf Building, Riverhead

Start/End: 4:00pm / 6:00pm

Attending: *Members*

J. Aldred, D. Barnes, E. Bausman, E. Cohen, W. Grothe, T. Isles, J. McMahon, G. Rivara, K. Rivara, C. Schlenk, D. Conover, M. Trent, T. Stebbins

Staff

D. Davies, L. Fischer, J. Kohn, M. Mulé, C. Einemann

Other

J. Gergela, S. Kiernan, J. Catrambone, A. Piccozzi, D. Relyea, B. Taylor, D. Quaranta, B. Link, J. Kassner, G. Greene, M. Kujawa

Meeting called to order by Chairman Thomas Isles who then gave an update of what has been going on since our last meeting on September 21, 2005. Following Thomas Isles' introduction, DeWitt Davies then went over the project summary and timeline. **Cashin Associates** was then introduced. Gregory Greene (Cashin Associates) gave an overview of the firm and introduced his team. Jeff Kassner (Cashin Associates) gave a scope of work overview and discussed task due dates. (Copy of project summary presentation will be available on project website.)

- Jeffrey Kassner - We will collect, interpret & format data.
 - Will be constructing GIS maps showing data coverage's & preliminary Shellfish Cultivation Zone boundaries.
 - Map were leasing can & can not occur.
 - Review preliminary GIS maps and resolve conflicts.

- John Aldred - How & when will you come into local communities to collect data?
 - How & when are you going to speak to the public?

- Jeff Kassner - LI Traditions will be interviewing stakeholders one on one, as well as soliciting information at public meetings.
 - When we have a better idea about how shellfish cultivation is going to go, we will be in better shape to go out to the community.

- Tom Isles - Referenced contractual due dates and stressed continual public involvement.
- DeWitt Davies - There will be ALPAC meetings, which are open to the public, that are held for the purpose of reviewing all draft deliverables.
- Martin Trent - The SEQRA scoping process will make the public aware of any issues & allow specific concerns the community might have to be brought up at that time.
- Ed Cohen - Peoples' concerns may disappear if they see that the preliminary map doesn't include specific areas.
- DeWitt Davies - Boundary must be updated every 5 years.
- Jeff Kassner - Need flexibility in law to respond to changes in society.
- John Aldred - What is "shellfish cultivation" with regard to this process?
- Will there be a definition attached to this process?
- DeWitt Davies - the NYSDEC has a definition, but we must be precise in our wording. There may be many variants of "aquaculture" within the program, but at this point no method is excluded.
- DeWitt Davies - We are going to create a website for the project and ALPAC activities.
- We will post records of meetings, meeting announcements and reports.
- It is our intention to involve the public throughout this process.
- Site is not up yet.
- Karen Rivara - Will you post public meeting dates?
- DeWitt Davies - Yes.
- Tom Isles - Hopefully we will be able to post maps on the site as well.
- Cornelia Schlenk - Cautioned not to rely solely on website.
- Many fishermen do not have computers.
- We should advertise in other ways as well.
- Tom Isles - We need to figure out a way to get that information out to the world.
- John Aldred - Will the local press be contacted?

- Tom Isles - I think so, but that still needs to be decided & we will notify all of you when the site is up and running.

NYS Dept. of State (DOS)

DeWitt Davies presented background on jurisdictional issues; discussing private holding, and associated title searches, as well DOS assistance and role of LWRPs. He introduced Shawn Kiernan from DOS.

- Shawn Kiernan - DOS is responsible for implementing the Coastal Management Program, which includes federal policies enforced at the State level.
 - Updates on East End LWRPs.
 - Here to aid in sorting out local, state, county & federal jurisdiction.
 - Encourage an ecosystem based management approach.
- Tom Isles - What is the time availability for NYSDOS to provide assistance?
- Shawn Kiernan - At any point we are here to help.
- Cornelia Schlenk - How far out in the Bays do LWRPs extend?
- Shawn Kiernan - For entire off shore distance of municipality; some further then others. In situations where a municipality has an approved LWRP, the LWRP typically includes the entire waterside boundary of the municipality.
- Cornelia Schlenk - What if the local LWRP prevents a use?
- Shawn Kiernan - NYS coastal policy promotes aquaculture where appropriate. If a use is expressly prohibited by an approved LWRP it is prohibited through municipal. State and Federal consistency provisions. Other activities that are inconsistent with an LWRP are not to be undertaken.

Discussion of Program Kickoff Meeting

- Tom Isles - Should we hold a kickoff meeting?
 - Who should be invited?
 - Where should it be held?
- John Aldred - Essential to have at least 1 meeting held on each fork.
- Wayne Grothe - The TNC Peconic Bays Aquaculture Committee meeting in Riverhead was attended by about 50/60 people. He has a list of

attendees.

- Tom Isles - We want to have some early data for this meeting and hear public input.
- Cornelia Schlenk - Don't space the meetings too far apart time-wise.
 - Have a framework of when & how to give input so the public feels secure that they will be heard.
- Tom Isles - How do we make this as productive as possible?
 - How many people do we think we will get?
- Wayne Grothe - Sent about 250 invitations to baymen, etc. for Peconic Bays Aquaculture Committee, and had 60 people show.
- Ed Cohen - Use the website to solicit questions & propose answers.
- David Conover - 2 meetings give the people the opportunity to voice their opinion at either meeting, or at both.
- Tom Isles - We need to start scoping locations.
 - Send email to DeWitt with location ideas.
 - Kickoff will be similar to structure of today's meeting.
- Cornelia Schlenk - Public might not be as familiar with aquaculture; need description of different aspects of aquaculture operations.
- David Conover - a FAQ's list for website would be useful.
- Tom Isles - ALPAC will conduct two evening project kickoff meetings, one on each fork, towards the end of January/ beginning of February. A press release will be issued to advertise these meetings.

Public Comment

- Bob Link (Winergy Power) - LWRP & CZM, which takes precedence?
- Shawn Kiernan - Federal government must approve LWRP first & it must be consistent with Federal and State policies.
 - Coastal policies should be consistent at every level.
 - An approved LWRP is incorporated into, is an element of, and is a refinement of the State's Coastal Management Program and is therefore, in accordance with local, State and Federal laws, to be used as the basis for federal, state and local agency decision-making.
- Dennis Quaranta - Theoretically, can State overturn a Town project?

- Shawn Kiernan - Decisions should be consistent, but State could, if project is found to contradict LWRP, but State tends not to. The Town makes a decision for its own permitting, funding or direct actions. A State agency must also determine whether its own actions are consistent with the approved LWRP, and are not to undertake the action if it is not consistent. The Department of State is the only agency that can determine whether an action involving a federal agency is consistent with the State Coastal Management Program or an approved LWRP. In cases where there are disagreements over interpretation between a State agency and a municipality with an approved LWRP, either may request mediation by the Department of State. In such cases, State agencies while not legally bound by DOS decision ordinarily defer to DOS in matters of coastal policy especially when DOS is itself involved through federal decision-making.

Meeting is adjourned by Tom Isles.