

Management Committee Meeting Minutes

September 10, 2019 (DRAFT)

One Newark Center, 17th Floor, Raymond Blvd., Newark, NJ

Participants

Management Committee: Biswarup Guha (NJDEP, WQWG co-chair), Brett Branco (CUNY, WQWG co-chair, by phone), Bruce Friedman (NJDEP), Carol Stein (EPA), Clay Sherman (NJDEP), Dan Gurdak (EPA), Greg Alber (NJHDG, by phone), Jason Fagel (NYSDEC), Judith Weis (Rutgers, STAC co-chair), Karen Green (NOAA-Fisheries, by phone), Liz Butler (EPA), Margaret Flanagan (Waterfront Alliance), Marit Larson (NYC Parks, RWG co-chair, by phone), Peter Weppeler (USACE, by phone), Rob Pirani (HEP), Shino Tanikawa (SWIM, CAC co-chair), Pinar Balci, (NYCDEP, by phone), and Tracy Fay (NJDEP)

HRF/HEP Office Staff: Rosana Da Silva, Isabelle Stinnette, Elizabeth Balladares

Minutes

1. Welcome and agenda review

Rob Pirani reviewed the agenda and sent around invitations for next year's meetings in March, June and September. Friday, November 1st we will host our annual conference, to be discussed later on the agenda.

2. Review and approval of minutes of June 11, 2019 Meeting

Rob Pirani reviewed the June minutes which focused on the 2019-2020 Work Plan.

Action: June 11, 2019 meeting minutes was approved, motioned by Carol Stein.

3. Update on Harbor-wide Water Quality Report

Rosana Da Silva provided an overview on the status of the report which focused on the technical memorandum data analysis. Rosana outlined a tentative schedule with a draft for the committee's review and approval in the December meeting.

Upon reviewing the technical memorandum, several comments were made. Judy Weis suggested that the pH indicator be evaluated in the report to look at ocean acidification; dissolved oxygen should indicate what time of day the samples were taken and if there were variations; and questioned why tributaries (i.e., Newtown Creek, Flushing Bay, and Gowanus Canal) were removed from the analysis. Judy Weis and Margaret Flanagan recommended the narrative identify specific waterbodies that were removed from the analysis but highlight important efforts to improve their water quality. Isabelle Stinnette echoed this recommendation specifically as NY waterbodies are more open waterbodies than in NJ which are more confined. Isabelle also recommended a basin to basin analysis for pH is important. Bruce Friedman recommended NJDEP's shellfish data to be used for the Raritan and Sandy Hook Bay analysis in addition to NJDEP's continuous monitoring programs. Shino Tanikawa made note that what the report does

not cover is highlighted in the environmental monitoring plan monitoring recommendations report.

Action: Committee comments are due to Rosana by September 25th.

4. Raritan Bay No Discharge Zone Update

Rosana Da Silva shared an update on the No Discharge Zone stakeholder feedback process that NYSDEC, NJDEP, and EPA have been working on. The process included identifying key stakeholders, online survey, mailed surveys to marinas, interviews, and two public meetings. The analysis of the feedback will be forthcoming in the next meeting, but overall there seems to be support for a NDZ designation. Margaret Flanagan recommended that future meetings be in the evening to increase participation by recreational boaters and offered to assist in getting additional feedback on the surveys. Bruce Friedman noted an attempt was made for a nighttime meeting, though concerns were largely with commercial vessels. He stated that the outreach process obtained the feedback to move forward with the nomination.

Action: Rosana will follow up with Margaret to distribute additional surveys. Report to be shared at the next Management Committee meeting.

5. Approval of Water Quality Work Group

Biswarup Guha provided an overview of the Water Quality Work Group's bylaws which the group has been working on since the beginning of the year. Restoration Work Group and Citizen Advisory Committee bylaws were used to aid the framing of the bylaws for the group. Voting rights were discussed along with co-chair roles. Shino Tanikawa raised a comment that future amendments to the bylaws should be received for approval by the management committee. A consensus from the committee was in support of this requested change by Shino.

Action: Bylaws, with the proposed amendment, were approved with a motion by Judith Weis.

6. Approval of revised FY 2020 Workplan and Re-Budgeting of FY 2019 Funds

Rob Pirani highlighted requested changes by EPA to the workplan in terms of formatting, budget details, and sections where HEP reports on accomplishments and progress. The new version better addresses the requirements of EPA's National Funding Guidance and provides a clearer picture of HEP activities. Next spring, we will further revise the format with additional improvements. The FY 2020 workplan's activities and budget categories approved by the committee in June remains exactly the same, with \$740,000 of new funds anticipated October 1, 2019. The workplan has been submitted to the Policy Committee and approval is being asked via email by September 20th. Management Committee recommended to send reminders to the Policy Committee members.

Action: Policy Committee to send votes via email by September 20th.

7. EPA Five Year Evaluation



HEP hosted EPA HQ, R2, and many of our partners to highlight past activities. An official letter is forthcoming but approval seems likely. Based on the preliminary findings from the Team, HEP has identified several challenges and is moving forward to address them. These include considering improving communications identifying new sources of funding, and management committee operations.

As part of our CCMP and in a combined effort with the Foundation, a communications plan is in development. An initial punch list has been identified by the consultant and we are hopeful to provide a draft plan to the committee by the December meeting.

Funding needs ranging from large capital projects to small grant funding identified in the Action Agenda. The appropriations subcommittee has reported out a recommendation for the National Estuary Program that, if approved, would result in an additional ~\$100,000 for FY 2021 (Oct 1, 2020). This could be used to fund projects and/or hire an educator to work on actions in the Action Agenda. We are also working with a re-authorization bill with ANEP, that if passed, would allow Congress to appropriate up to \$ 1.2 million and provide additional funds to the competitive grant program. Rob Pirani will be attending a meeting in DC during National Estuaries Week to support this effort.

Better alignment with agency priorities and engagement of management and policy committee members was the last item identified by the Program Evaluation. The development of the tracking tool is one method to align and capture activities with our partners to meet Action Agenda goals. In addition, Chris Girgenti, member of the Citizen Advisory Committee, is working on a Masters Degree and will be evaluating HEP's management and policy committee structure. He is currently conducting surveys and interviews, and is hoping to speak and/or survey Management Committee members by December. We have some vacancies on the Management Committee and looking to engage new representatives to participate. We are also working on how we will be replacing the loss of Dennis and given the Foundation funding support, Jim Lodge (MC) will represent the Foundation on STAC and will co-chair the STAC with Judy Weis.

Action: Interviews to be held with Chris Girgenti will be forthcoming. Rob Pirani to provide a draft communication plan by next meeting. Shino Tanikawa motioned, and the Committee approve Jim Lodge (MC) and Judy Weis (PC) as the STAC co-chairs and MC/PC representatives.

8. November 1st Annual Conference

HEP will hold its annual conference on Friday November 1st at the US Customs House on Bowling Green. An anticipated 220 people are expected. Isabelle Stinnette announced the theme Lessons Learned for a Changing Future: focusing on restoration and climate change, featuring plenary sessions and interactive workshops focused on restoration progress and how habitat restoration supports other HEP goals. . Similar to last year's conference, will begin with a plenary sessions and

considering political representatives. In accordance with the CRP, we'll be evaluating against these 2020 targets across the 12 TECs and release a report at the conference.

Margaret Flanagan recommended a topic to better understand site specific nature of habitat restoration projects. Roop Guha indicated that a presentation on the activities and challenges along the Hudson and Passaic Rivers would be interesting given the ongoing work. Shino Tanikawa suggested that a better integration of New Jersey projects are needed to balance the agenda. Clay Sherman suggested Hoboken's resilient parks, improvements in Newark Bay, or Liberty State Park. Bruce Friedman suggested NY/NJ Baykeeper's living shoreline project and expanding the oyster stations outside of Earle.

Action: Committee members to provide additional recommendations of topics and/or speakers to Isabelle by next week.

9. State of the Hudson River

Rob Pirani announced that HEP was approached by the NYSDEC Hudson River Estuary Program to partner together on the State of the Hudson River report to be similar to the State of the Estuary with a goal of a joint report in 2025. We would then be able to link this to the EMP and generate a more robust monitoring plan in the region. A draft list of indicators was shared and we will largely be using the same goals though Port & Maritime will likely need to change – Hudson River Estuary Program is looking at renaming it to Contamination. Climate may be added as a new goal and new indicators were added across the goals.

Judith Weis raise the issue of invasive species and whether freshwater invasives will be evaluated. Roop Guha suggested that BOD or COD as additional water quality indicators. Rob Pirani identified that pathogens did not make it on the indicator list, given the lack of data, but that HEP staff was suggesting that it should be at least discussed in the report and include mention of DEC's commitment to the mid-Hudson pathogen monitoring and connect to NYCDEP's data. The process will proceed with November sharing the project scope to HREMAC and a STAC review. By December, we will review progress, highlighting any controversial indicators. By February a first draft will be developed. After all reviews are completed, it is anticipated to release the report in May.

10. Updates from Work Groups and Committee Chairs

The chairs of the Water Quality, Restoration, Public Access Work Groups and the Citizen Advisory Committee highlighted progress on HEP priorities and upcoming activities.

- Restoration Work Group: Marit Larson indicated that the last meeting focused on the complexity of habitat values of tidal wetlands and dealing with phragmites. Migratory bird monitoring and network of data that could be collected was shared. RWG gave recommendations to the NYC Waterfront regarding the typologies and the issues of how permitting is driving some design decisions and perhaps constraining opportunities that we should be considering now.

- Water Quality Work Group: Roop Guha updated on a review of microplastic research and identified that continued research is needed on the toxic effects and how it passes through the trophic zones. More collaboration between the two states on the ongoing LTCP process is needed and HEP is provided this opportunity. LIS model effort is ongoing and plans to improve eutrophication modeling for the region continues.
- Public Access Work Group: Maggie Flanagan highlighted how HEP and the Waterfront Alliance's collaboration on the Public Access Task Force has focused on the need for more EJ perspectives along with waterfronts.
- CAC: Shino filled in for the co-chairs. The citizen science subcommittee has released a on-line social media platform to highlight citizen science programs and help with volunteer recruitment. The CAC plans to work with school groups and schools to utilize the platform and to participate in citizen science. Community representatives from New Jersey presented on outreach for the LTCP and learned about robust public engagement in addition to a rubric to evaluate the alternative reports.

11. Other Updates

- Rob Pirani announced the Foundation has released a report from Resources for the Future on how to better incorporate ecosystem services in USACE decision making for restoration projects. The report has been distributed to policy makers in USACE and elsewhere. One outcome is that the recommendations could help the Foundation identify research topics for its next funding cycle.