

Management Committee Meeting Minutes

December 14, 2022

Hudson River Foundation – Remote Meeting

Participants

Management Committee: Pinar Balci (NYCDEP), Rick Balla (EPA), Lisa Baron (USACE), Hugh Carola (Hackensack Riverkeeper, PAWG), Lisa Congiu (NJDEP, WQWG), Chris Daggett (HRF), Jason Fagel (NYSDEC), Maggie Flanagan (PAWG), Allison Fitzgerald (NJCU, CAC), Ann Fraioli (BOP, NY-Educator), Jon Kramer (HRF, STAC), Marit Larson (NYC Parks, RWG), Tom Laustsen (PVSC/NJHDG), Jessie Murray (NOAA), Rob Pirani (HEP), Evelyn Powers (IEC), Clay Sherman (NJDEP), Shino Tanikawa (NYCSWCD, WQWG-CAC), Judith Weis (Rutgers, STAC)

HRF/HEP Office Staff and Guests: Vince Bacalan (EPA), Elizabeth Balladares, Tracy Brown (Riverkeeper), Christina Carrero, Lingard Knutson (EPA), Jim Lodge, Rosana Pedra Nobre

Minutes

1. Welcome and agenda review

Rob Pirani welcomed the committee and reviewed the agenda.

2. Review and approval of September PC/MC Minutes and Management Nomination

Rob Pirani reviewed the September Policy and Management minutes and noted that minor comments were submitted and added. Lisa Congiu was thanked for serving her two-year term as the NJ co-chair of the Water Quality Work Group.

HEP staff have been working towards filling two environmental justice seats on the Management Committee with the approval of small stipends in FY 23 workplan. Request for approval of Arif Ulah from South Bronx Unite to serve as the NY-Environmental Justice representative. HEP anticipates submitting a request for the NJ-Environmental Justice representative via email in the next month.

Action: September 2022 minutes were approved with a motion by Rick Balla and second by Judith Weis. Arif Ullah appointment was approved with a motion by Judith Weis and second by Rick Balla.

3. HEP's Restoration Conference and Restoration Progress Report

HEP's annual conference "Our Urban Shores" took place from Nov 29 – December 1. This hybrid event attracted more than 250 registrants for a series of on-line and in-person workshops and panel

discussions. We had representation from 12 states and Canada. Attendees participated across five panels, three interactive sessions, two keynotes, and a special screening of the [America River by Scott Morris](#). Liz Balladares provided an overview of feedback received from the conference in which the majority agreed that the conference was a good use of their time and enjoyed the opportunity to meet in person. Recordings of the conference are now available on the conference website [here](#). The [Restoration Progress 2020-2022 report](#) was also shared during the conference which highlights success stories and areas where more focus is needed.

Thanks to the many Management Committee members who helped plan or participated in the conference in conjunction with all the HEP staff, in particular Isabelle Stinnette. Judith Weis made a motion to congratulate Isabelle and the HEP staff on an excellent conference, seconded by Rob Pirani and approved by the Management Committee. Judith noted the importance of engaging the STAC to ensure that we continue to elevate science within the region, and it was noted that the next phase of the State of the Estuary report will help do this. A highlight of the conference was a panel featuring eight graduate students from several universities across the estuary that presented on research algal blooms, fisheries, and sediment. A graduate student session should be considered again for future HEP conferences as a way to bring in more science, further engage the STAC, and connect students to potential career opportunities.

4. New Jersey Long Term Control Plan Permits

Clay Sherman announced two CSO permits have been released for Guttenberg and the North Bergen Woodcliff MUA and is open for public comment until February 13, 2023. Public hearings will be held on January 6th and the 23rd. This permit is the first since 2015 for which NJDEP required CSO permit holders to develop Long Term Control Plans for the state's 217 CSOs. A total of 24 LTCPs, except for one, has been submitted to the state for review. The latest CSO permit will cover the first 6-10 years of the submitted LTCPs and the state has already approved \$19M to support advancement of the LTCPs for the two permittees. Additional information can be found on the state's website: <https://www.nj.gov/dep/dwq/cso.htm>.

5. HEP Support for Green Infrastructure

Rosana Pedra Nobre reported on the various activities under the current Action Agenda that HEP has advanced to help support implementation of green infrastructure opportunities in CSO and MS4 communities. Efforts include supporting agencies and organizations in various capacities to develop green infrastructure materials, create opportunities for transfer of knowledge on green infrastructure, and benefits for CSO/MS4 permits. HEP has provided technical assistance funding in Perth Amboy and will be looking to provide capacity funding and technical assistance for municipal action teams in Perth Amboy, Newark and now Paterson utilizing both Bipartisan Infrastructure Law and HEP's regular 320 funds. HEP seeks to use this Year 1 BIL funds to understand how Year 2 BIL funds could further support green infrastructure and flesh out needs around maintenance and/or workforce development. Pinar Balci asked how the City of Newark came up with their goal of 214 acres managed by green infrastructure; Rosana will follow up separately.

6. Bipartisan Infrastructure Law Workplan and HEP Equity Strategy

Rob Pirani provided a brief overview on the background for the Bipartisan Infrastructure Law (BIL - also known as the Infrastructure Investment and Jobs Act) which will provide HEP \$909,800 a year for the next five years (FY 2022 through FY 2026). The Policy Committee approved the FY22/FY 23 Workplan in September. Lingard Knutson along with others at EPA R2 have been working with HEP to advance contracts so that we can begin to fund projects as early as January 2023. The Equity Strategy is being requested by EPA to determine whether the match of 50% will be required from HRF (or any NEP host) for the final 3 years of the BIL funds. It will provide EPA HQ with the direction each NEP is taking to meet (as best as possible) the goals for Justice 40. Beyond that it can be a living strategy for HEP to use for its own DEIJ efforts. We expect Justice 40 to also cover the Section 320 annual funds in the future, and the equity strategy/mapping/decisions will be useful for that, as well. Therefore, HEP envisions the equity strategy will not only help to calculate benefits and progress towards Justice40 but would also help inform criteria for funding decisions and be a cornerstone of the next Action Agenda/CCMP revision.

Several draft maps and initial considerations for an equity strategy were shared with the Committee. HEP staff is proposing three geographies to help prioritize its work: Areas meeting the Five Factor Demographic Index suggested by EPA guidance (where any of the five factors are greater than 80%, buffered by ½ mile and the boundary of adjacent waterfront parks); New York and New Jersey definitions of Disadvantaged (NYS) and Overburdened (NJ) communities (also buffered by ½ mile and the boundary of adjacent waterfront parks); and HEP's identification of higher need public access and stewardship areas in the 2017- 2025 Action Agenda along with the Federal Urban Waters Partnership service areas in the Lower Passaic and Bronx and Harlem Rivers. HEP proposes using the combination of these factors to report our progress in serving disadvantaged/overburdened communities with the BIL funding and to help guide our action agenda going forward. While the presentation focused on the Harbor Estuary, the HEP analysis extended to the entire HEP watershed boundary.

During the discussion the following points were made: HEP is developing a google map and will share for the Hudson Raritan Estuary to ensure accessibility to all to use. The EPA index data is currently downloadable from [EPA's EJScreen](#). Lingard Knutson offered her assistance to anyone interested in learning more about EJScreen and its functionality. The Management Committee noted that the state maps seemed to include areas that were hard to be believed are disadvantaged, including Southeastern Queens and portions of Manhattan. It was agreed that the ½ mile buffer on the state's map is not necessary and HEP would consider whether the state maps are too encompassing. It was also recommended that HEP engages with a range of stakeholders to ensure that the maps make sense. Rob noted that HEP will be engaging the CAC and look towards creating an ad hoc committee to engage stakeholders in this process. Rick Balla thanked everyone for their leadership and noted EPA R2 is committed to working with HEP and its partners to advance the equity strategy.

Action: Rob will send the PPT presentation and draft maps for MC and CAC review. An ad hoc committee is to be established to further review the equity strategy (maps and language). MC members will be asked about their interest. It was suggested to ask Pamela Pettyjohn from Coney Island and Gabriela Velardi-Ward of Graniteville, Staten Island if they were interested. A final strategy for approval will be presented at the April 2023 meeting alongside a draft FY24 workplan.

7. Updates from Work Groups and Committee Chairs

- Water Quality Work Group: Lisa Congiu thanked HEP for the opportunity to chair the work group and will be looking to submit a nominee forward for approval at the next meeting. MST efforts in the Third and Second Rivers (tributaries to the Passaic), Harlem River, and the Raritan River were discussed at part of an effort to create a baseline characterization of bacterial loadings in each River with an effort to aid in track-down efforts by the states and EPA as well as help to inform uses at various Public Access sites. In addition, the work group has requested for information on the implications storm surge gates would have on water quality when closed by the USACE as part of HATs.
- Restoration Work Group: Marit Larson shared the group has largely been focused on the Restoration Conference, the content in the restoration progress report, and how we count projects in the future at their various stages.
- Public Access Work Group: Maggie Flanagan shared NYSDEC's Advanced Notice of Proposed Rulemaking - Saline Water Reclassification and Water Quality Standards and the effort by the work group to assist Riverkeeper and Pratt institute in developing a method to collect responses by the public via an [online mapping tool](#). This is building on HEP's work with Pratt on the Hudson Access Project to collect and share data regarding on-water recreation.
- Hudson-Harbor Educators Work Group/DEIJ Subcommittee: Rosana Pedra Nobre noted that both the Educators and the DEIJ subcommittee are seeking to identify ways to bring people together for professional development opportunities. Leadership partners in each are working to identify how we may be able to host a day summit to encourage participation in both and additional information will be shared via email.
- Citizen Advisory Committee: Liz Balladares indicated that the committee will be meeting on Friday to discuss the equity strategy along with an announcement for new NY co-chairs to join the leadership. Further information is available [here](#). The CAC is also working to recruit an EJ officer to join the leadership to inform on future agendas and focus.
- Passaic River/Harlem River UWFP: Liz Balladares shared the Passaic River UWFP are advancing on a RfP in partnership with the Town of Kearny for consultant services to design shorelines along Kearny which may be in poor and/or deteriorating conditions. Christina Carrero shared they are reviewing the last workplan to close out current projects and looking build on Harlem River greenway plan which will begin in January/February of next year (in-person and virtual meetings).
- STAC: Judith Weis indicated that a meeting was held in the Spring and hope to have another meeting soon to further advance discussions with the scientific community.

8. Other Estuary and Partner Updates

- Jim Lodge shared the Hudson River Foundation has supported Dr. Dave Ralston who has completed some research on the barrier near the Verrazano and the impacts to tidal flow and sediment. His research will be highlight at an Ames Seminar on January 24th from 10:30-12pm. To register to the event please click [here](#).
- Judith Weis indicated that a submission to [Blue Mission's HOPE Spot](#) was submitted and there has been no news yet regarding the application.