



Management Committee Meeting Minutes

March 27, 2018

Hudson River Foundation

Participants

Management Committee.

Rick Balla (USEPA), Peter Wepler (ACOE), Ursula Howson (NOAA), Jason Fagel (NYSDEC), Clay Sherman (NJDEP), Evelyn Powers (IEC), Dana Mecomber (PANYNJ), Meredith Comi (CAC, NJ) Judith Weiss (STAC), Dennis Suszkowski (STAC), Phil DeGaetano (WQWG Chair), Rob Pirani, (NYNJHEP)

Others in attendance:

Peter Brandt (USEPA), Rick Winfield (USEPA), Nesmarie Negron (USEPA), Shino Tanikawa (CAC), Gregory Alber (NJHDG), Fran Dunwell (NYSDEC/HREP), Keith Mahoney, (NYC DEP)

HRF/HEP Office Staff

Isabelle Stinnette, Sarah Lerman-Sinkoff, Sara Powell

1. Project Presentations

NYC DEP Citywide & East River/Open Waters Long Term Control

Keith Mahoney from NYC DEP provided an update on the Citywide & East River/Open Waters Long Term Control Plan encompassing the Hudson River, Upper New York Bay, Lower New York Bay, the East and Harlem Rivers, and the western portion of Long Island Sound. Of the City's required 11 CSO LTCPs, NYCDEP the Jamaica Bay and Tributaries LTCP and the Citywide/Open Waters LTCP are the only two that have not yet been submitted. NYC DEP projects the total cost of all LTCP improvements to \$4.4 B, reducing CSO inputs to the Harbor by 8.1 billions of gallons per year.

NYC DEP presented their sampling program, which was separated into 3 phases, with Phase 1 covering the Hudson & Harlem River, Phase 2 covering the East River, and Phase 3 covering the LER, KVK, AK, and NYB. Sampling has been completed, and alternative analysis for the LTCP is underway. Phase 1 of the sampling took place between April and November of 2016, at open water and shoreline locations, as well as at CSO and MS4 outlets, and was done at high-tide 12 hours apart. Phase 2 was completed in a similar manner, between April 2017 and July 2017, as was Phase 3 between October 2017 and December 2017.



New York - New Jersey Harbor & Estuary Program www.harborestuary.org

In terms of results, the presentation identified which CSOs had the highest wet weather discharges in each waterbody. The presentation also included the results for each waterbody for DO and pathogens, including which waterbodies were not in attainment.

The Citywide & East River/Open Waters LTCP is due to the state in December, 2018.

Questions from the MC included:

- The proportion of sampling sites nearshore versus in middle of the channel? Answer included in the maps in the presentation.
- What happens when a standard is violated? Answer: NYC DEP would make recommendations to other programs for those waterbodies, such as investment in green and grey infrastructure
- How does NYC DEP decide how long to design sewers for? Answer: NYC DEP follows the recommendations of the State DEC

Proposed Rulemaking to Amend Water Quality Standards and the Classification of Upper and Lower New York Bay – Jason Fagel, NYS DEC will provide a brief update on this.

The proposed rulemaking will reclassify Upper and Lower New York Bay from class I to class SB waterbodies, with primary contact recreation as their best use. In accordance with the federal BEACH Act, the state will now use an enterococci-based standard for the waterbodies, instead of fecal coliform. The change in standards will not involve any regulatory impact in terms of DO, and will require \$55 million in capital investments and \$14 million in ongoing maintenance to be in compliance with the new pathogen standard. These investments are above anything required as part of the LTCP process or other rulemaking. There will be two public meetings about the rule change on May 1st and May 3rd, and two public hearings, on June 5th and June 7th.

Measuring Success - Monitoring Natural and Nature Based Shoreline Features in New York State

HEP is working SRIJB, NYS DEC, NYC Parks and other partners to develop metrics and monitoring protocols for NNBFs in NYS. Technical and regional specific workshops will be used to provide a coherent monitoring framework. The framework will assess the ability of different shorelines to support ecological health, mitigate hazards, and provide socio-economic benefits. The project is a two-year effort, with workshops in the spring and summer of 2018, and pilot monitoring using the framework to take place in 2019.



New York - New Jersey Harbor & Estuary Program

www.harborestuary.org

2. Draft Action Agenda/CCMP Revision

Rob Pirani presented the revised document and timeline. Due to HEP staff changes and our desire to align the release of the Action Agenda with the State of the Estuary report, HEP is delaying the release of both documents until Fall 2018. We will hold our annual conference at that time to mark the release. Rob presented the revised document design, a new map of the Estuary, proposed tracking table, as well as the timeline going forward in advance of the anticipated approval following scheduled April 24th Policy Committee meeting.

Changes from previous version included the format, a new map of the program area, call out text boxes for climate change, progress since 1997 CCMP, SOE and monitoring plan, and funding and finance report, a new Proposed Action on creating a no-discharge zone for Raritan Bay.

Action items:

Committee members were asked to submit any final changes by April 6th which will be incorporated into the version distributed to the Policy Committee.

MC members were also asked to review the tracking table as to their responsibility for actions

3. State of the Estuary Report

The State of the Estuary report will be released in Fall 2018. The indicators are reviewed by the STAC and the MC, with the draft report available by the next MC meeting. The indicators discussed at the March MC included Floatable Debris, Enterococcus, Nitrogen, Riparian Area Integrity, stream health bio-assessment, PAHs, Dioxins, and On Water Recreation.

Key comments from the committee included:

- Can include data from the Hudson River Sweep as a community engagement metric, as well as for the amount of trash removed
- The Riparian Area Integrity as well as the wetlands indicator may tilt to the negative because of development, regardless of the amount of restoration or best practices. Consider adding data on conservation efforts. Is it possible to look at a watershed basis.
- Would HEP consider using the rate of wetland loss as an indicator? That would also show the impact of climate change
- Will EPA funding for PAH analysis continue? Potentially Responsible Parties have to pay for the monitoring of their sites.
- The 2016 data point for Nitrogen seems like it could be an outlier. However, even with 2016 removed, the trend of the 2000s still shows improvement. Would be good to add onto this graph different management actions taken, such as implementation of the LIS TMDL.
- Can we use participation in sponsored swimming events?



New York - New Jersey
Harbor & Estuary Program
www.harborestuary.org

4. Draft 2018-2019 Workplan and Budget

Rob Pirani presented the proposed HEP workplan and Budget beginning October 1st, 2018. HEP is anticipated to receive \$600k of section Sec 320 funds, and is in the running for additional funds from the Urban Waters Federal Partnership. At the moment, HEP has an extra \$12k, which it is considering spending on small grants in UW partnership areas, support for CAC citizen science efforts, and/or a CAC conference. HEP will submit its budget to EPA in June.

5. Other updates

- Judith Weiss announced the March for the Ocean on June 9th.