

Minutes (DRAFT December 20)
Public Access Work Group
New York-New Jersey Harbor & Estuary Program
December 15 12:00 – 1:30 PM

VIA ZOOM

Attendees: Hugh Carola, Hackensack Riverkeeper; Maggie Flanagan; Liz Balladares, HEP & UWFP; Sara Eichner, Pratt SAVI; Rob Pirani, NYNJ HEP; Karen Argenti from the Bronx Council for Environmental Quality; Christopher Girgenti, Randalls Island Park Alliance; Chris Bowser NYSDEC Hudson River Estuary Program; Rosana Da Silva, HRF/HEP; Graeme Birchall, Downtown Boathouse; Clay Sherman NJ DEP; Chris Boyd; Dan Shapley, Riverkeeper; Michelle Dupass, Future City, Inc; Adam Algarin, Bronx Childrens Museum; Tim Dillingham, American Littoral Society; Deanne Draeger, Urban SWIM; Lingard Knutson, EPA; Shino Tanikawa, NYCSWCD; Christina Carrero, HRF/HEP; Emma C, Hudson River Estuary Program; Karen Argenti, BCEQ; Michael Marrella, NYC Dept of City Planning; Jessica Sechrist, Hunters Point Parks Conservancy; Shawn Slevin, SwimStrong Foudation; Kara Meyer, +Pool; Karen Frillmann, Beacon Riverpool; Scott Dvorak, TPL; Jason Smith, NYRP; Noelle Thurlow, Resilience Paddle Sports.

1. Welcome and Agenda Review **12:00 - 12:15 PM**

2. Approval of Minutes from September 2022 Meeting **12:15 - 12:20 PM**

Minutes were approved, with Karen proposing and Hugh seconding. Hugh noted some typos which have been addressed.

3. Update on Uses Submitted to NYS DEC ANPRM Request **12:20 - 12:35 PM**

PA-A-2: Contact Recreation; Priority PA-C-1: Safety

Dan Shapley and Sara Eichner from Pratt reviewed the results of their work with Riverkeeper to document public use of the State's saline waters in response to NYS DEC's request for information.

Information was submitted. Thanks to all the committee members who submitted. See PPT maps here:

https://drive.google.com/drive/folders/1rcr_FX3kv747QybcKysOyxOJqLsggVIG?usp=share_link

Some data from Riverkeeper submission: In total, 493 waters users reported recreational uses on the wikimap. Some of those users were classified as "site managers," such as

boathouse operators, who reported on behalf of many users. Together the individuals reported more than 280,000 distinct uses of New York's saline waters. The most reported use was kayaking, accounting for roughly 150,000 uses. In addition, more than 41,000 swimming uses were reported. Many waterways were represented, some expected and some unexpected. Of these, we received reports of:

*76,100 uses in the Hudson River from Bear Mountain Bridge to the Bronx County line;
93,000 uses in the Hudson River on the west side of Manhattan;
83,600 uses in the Upper East River and Western Portion of Long Island Sound;
10,000 uses in Jamaica Bay; 3,200 uses in Gowanus Canal; 2,500 uses in Newtown Creek;
and 500 uses in Flushing Bay and Creek.*

In the discussion and chat people noted that some areas seemed low like Governors Island and Brooklyn Bridge Park seemed low while other areas like Gowanus swimming seemed high. Dan stated that they caveated the data and said they were places where DEC should look.

People discussed how to present the summary statistics and share the data going forward. Maggie suggested sharing the information with the Harbor Ops Committee as a way of conveying information to the enforcement agencies. There was interest in undertaking something similar for the NJ waters and up the Hudson. Rob and Sara mentioned that the data will be incorporated in the Hudson Access project. Dan mentioned interest in including Include non-recreational uses including religious information/educational events. RE Swimming there some discussion of the amount of people swimming and it was noted that Hudson River (5,000+) and NYC Triathlon (2000+) draw large number of users. People suggested a desire to publicize this data/Harbor use over the summer. There was some discussion about how best to portray crowd sourced data in terms of accuracy and the possibility of complementing it with sensors or anonymized cell phone data as well as its use in the forthcoming State of the Estuary reports.

4. Update on New Jersey Public Access Projects

12:35- 12:45 PM

Priority PA-A-1: Public Access

Hugh Carola provided a quick update on Hudson County's work to connect Lincoln Park West and Skyway Park along the Hackensack River in Jersey City and on the next phase of Riverfront Park along the Passaic River in Newark.

5. Clarifying Permitting of New Bathing Beaches

12:45 - 1:05 PM

Priority PA-A-2: Contact Recreation; Priority PA-C-1: Safety

As part HEP's FY 22/23 BIL Workplan, HEP and will be working with Chris Boyd to create a white paper that provides clear, consistent, and consensus-driven language on the process and key issues involved in permitting new bathing beaches in New York, focusing on the Upper Harbor and Hudson River. The focus is on permitting for non-traditional bathing areas where some of parameters are not met or would be challenging to meet. Rob Pirani provided a quick intro and Chris reviewed the draft scope of work, timeline, and possible next steps for the project. See powerpoint here:

https://drive.google.com/file/d/1Zd6yNMsjl3boulmGxHJRYVyJR4K5urYf/view?usp=share_link

The discussions started with questions about the scope of work.

Michael Marrella asked Chris to the temporal nature of the regulations – i.e. water quality may be impaired during (relatively) short periods of time after CSO events, for instance, but there's often an outright prohibition on permitted primary contact. Can regs be based on real-time WQ data? Chris noted that addressing this may involve understanding that not all discharge points are created equally. State sanitary code allows for flexibility but NYC addresses this as being a yes or no. Our goal is to provide some tools/evidence for folks to consider options. Worth noting that there is always a temporal nature of water quality for beaches/eg DOH sampling does not occur in real time. This could include consideration of wet weather standards. Process controls could expand this.

Graeme suggested that broader public health considerations – ie value of recreational activities would also be important.

Also discussed was possible initiatives / locations that we should know about in the region or elsewhere and experiences/contacts with local health departments. Some suggestions were +pool (Kara Meyer – see video from Mayor Adams below), Beacon River pool (Karen Frillman); Ossining and Cold Spring/Little Stony Point State Park/The Fjord trail (Dan Shapley), HRPT, (Graeme Buirchall); Philadelphia (Tim Dillingham); LA and LA River (Graeme - see link below. Rob has connection with Save the Bay), Other examples from + Pool network might also be a possibility.

https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-wp/s-lsh-wwd-wp-ewmp/s-lsh-wwd-wp-ewmp-wq/s-lsh-wwd-wp-ewmp-wq-larq?_afLoop=2439273918223836&_afWindowMode=0&_afWindowId=null&_adf.ctrl-state=ml5un3kkf_1#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D2439273918223836%26_afWindowMode%3D0%26_adf.ctrl-state%3Dml5un3kkf_5

[Mayor Adams Speaks in Support of Friends of + POOL, November 2022](#)



6. Agenda Topics for Future Public Access Work Group Meetings 1:05 - 1:15 PM

Rob asked the group for agenda items for future work group meetings. On possibility for March will be a focus on the Scenic Hudson Public Access Study and/or working with railroads.

Rob will ask members over email to suggest topics.

Partner Updates

1:15 – 1:30 PM

- *Beacon River Pool will hold their Cross Hudson Swim in August*
- *The USACE HATS study will have implications for access. Have them talk about their shoreline agenda. Great to have meeting before March 7th and during public comment period.*

New York-New Jersey Harbor & Estuary Program

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