



# CITIZENS ADVISORY COMMITTEE

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of the New York – New Jersey  
Harbor & Estuary Program  
[www.HarborEstuary.org](http://www.HarborEstuary.org)

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## NY-NJ Harbor & Estuary Program Citizens Advisory Committee Meeting

January 16, 2015  
North Jersey Transportation Planning Authority  
Newark, NJ

### MINUTES

#### 1. Introductions

CAC co-chairs Rob Buchanan and Meredith Comi and alternates Shino Tanikawa and Nellie Tsipoura welcomed participants and all attendees introduced themselves.

#### 2. CAC Election Results

**Gabriela Munoz** announced election results. Meredith Comi was re-elected for a second two-year term as the New Jersey Co-Chair of the Harbor & Estuary Program Citizens Advisory Committee. A total of eight votes were received (all in favor) and a quorum was reached (6 votes).

#### 3. Round table on NYSDEC's proposed rule for NY marine waters to meet the "swimmable" goal of the Clean Water Act

**Selvin Southwell** of the NY State Department of Environmental Conservation gave a presentation on the proposed rule. Briefly, the rule proposes changing the designated use of saline waters classified as I and SD to include primary contact. These are the only classes not currently meeting the Clean Water Act "swimmable" goal. The proposed rule also involves setting total and fecal coliform standards for these two classes. NYSDEC expects that these changes will not result in costs to NYC and Suffolk County beyond those already required, though this is only focusing on waste water treatment plant discharges. See the slides posted on the [CAC page](#) for more details.

There was extensive discussion. Some of the questions raised included:

- Implications to NYC in terms of their CSO Long-Term Control Plans and potential for additional costs (if combined sewer overflows are causing the impairment)
- Why enterococcus standards, the newer standards required by EPA, were not used instead of total and fecal coliform.
- Why the rules include language to the effect that factors other than water quality (e.g., sharp rocks, strong currents) may limit recreation uses.
- If this rule leads to a Use Attainability Analysis, will it make any difference to change the water uses?
- Whether there will be any change in the way waters are surveyed to account for the wide range of water quality conditions in the same water body (e.g., mid-channel vs. near shore).

Selvin suggested that all comments and questions are submitted as part of the public comment period. There will be a public hearing on January 27 and comments will be received until February 2<sup>nd</sup>. NY City Department of Environmental Protection and Riverkeeper will be submitting comments.

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#### Citizens Advisory Committee Co-Chairs

Meredith Comi, NY/NJ Baykeeper ✧ [meredith@nynjbaykeeper.org](mailto:meredith@nynjbaykeeper.org) ✧ 732-888-9870  
Rob Buchanan, Village Community Boathouse ✧ [avironvoile@gmail.com](mailto:avironvoile@gmail.com) ✧ 917-656-7285

### **3. Brief Updates**

#### **a. NJDEP LTCP**

**Clay Sherman** provided an update of NJ Department of Environmental Protection's Long-Term Control Plan. The Department is now issuing NJ Pollution Discharge Elimination System (NJPDES) permits in all CSO municipalities in the state. Municipalities will have 3 years to comply, unless they work jointly with other municipalities and utilities in their watershed, in which case they have 5 years. The permits encourage a holistic approach that includes both green and grey infrastructure. There was discussion about the challenges and opportunities to implement green infrastructure.

More information about the permits can be found at [www.nj.gov/dep/dwq/cso.htm](http://www.nj.gov/dep/dwq/cso.htm), including presentations from the January 8, 2015 CSO workshop.

#### **b. HEP Updates**

**Rob Pirani** indicated that the Strategic Plan for HEP was adopted by the Management Committee at the last meeting on December 8<sup>th</sup>. This document identifies a number of priority projects and will guide HEP for the next two years. One project of particular interest to the CAC is that starting in October 2105 (FY 15) HEP will start revising its Action Plan, which will include citizen engagement listening sessions.

#### **c. HEP/CAC Updates**

**Gabriela** provided a summary of the Citizen Science project (slides available on the [CAC page](#)). It started in 2012 when HEP received EPA funds. The goal was to provide resources and training to participating citizen scientists so they could be in charge of whole process (sampling, lab analyses, data management, data analyses, and sharing) and acquire skills they could go on applying.

HEP partnered with EPA, NJDEP and NYSDEC to provide equipment, analytical supplies, training, a QA/QC plan, and other technical support. A two-day training session was provided in May 2014 covering quality assurance procedures, equipment use, lab analyses, and data management. The field season took place June through August. HEP and HRF funded separately an [interactive map](#) to display all data, which will be completed soon. The project in the Bronx River attracted interest by many researchers studying the river and it led to a field day and press event to showcase work by professional and citizen scientists. The event attracted local media, elected officials, agencies and community groups. Additional training was provided after the field season on data presentation and analyses (by Danielle Donkersloot, NJDEP) and on data quality control (EPA). All groups presented their work and results at a public event on Nov 21. It was a very successful event that attracted over 100 attendees among community members, citizen scientists, and agencies. Presentations and webinar recording are posted on the [citizen science website](#). After the event, a final training session was offered on data upload to public database WQX (aka STORET).

The final reports will be posted shortly online. HEP is currently evaluating the project and analyzing options for a future round of grants working closely with the agencies. HEP is seeking input from citizen science groups so we can take their needs into account. It is anticipated that funds will be available for a second cycle but not in time for the 2015 field season.

#### **Action item:**

- Provide feedback on citizen science needs via this [questionnaire](http://goo.gl/forms/vZP9234s3b) <http://goo.gl/forms/vZP9234s3b>, and share with others that may be interested.

#### 4. HEP Public Access inventory update

**Kate Boicourt** gave a presentation on the Public Access inventory update. An intern provided by the U.S. Forest service is now working on this project at the HEP office. The goal is to have a better sense of the quality of waterfront spaces and their capacity for stewardship in the context of population, density, and other characteristics. We will be using the [Stew-MAP](#) protocol focused on waterfront areas. The data will be used to identify areas most in need of technical assistance or resources to improve the quality of access and programming. HEP is looking to promote the survey and share it widely.

There was some discussion as to what type of information would be collected via the survey. Kate encouraged all to contact her with questions or suggestions at [stewardship@harborestuary.org](mailto:stewardship@harborestuary.org).

#### 5. Other Topics

**Phillip Musegaas** from Riverkeeper provided a summary of the project to build a new pier in Hudson River Park. For additional info see the [Hudson River Park Trust's press release](#) and [NY Times article](#). The pier would replace a decaying structure but would be built in an undisturbed area of the park rather than within the existing pier footprint, going against provisions in the [Hudson River Park Act](#) to preserve pristine areas. The pier would be larger than the existing one because it is purportedly designed to cast less shadow on the river. It would house performing spaces (while piers should support water-related uses) and would not always be open to the public. Another major concern was regarding the public comment process: timing was poor as this was announced shortly before the holidays and very little time was provided (deadline is January 23). The proposal claims that there will be little impact and thus a full Environmental Impact Assessment is not needed. Riverkeeper will be submitting comments.

**Rob Buchanan** suggested a number of potential topics for upcoming CAC meetings, including:

- Estuarium
- Brooklyn Greenway Initiative's Stormwater Management Plan
- Bart Chezar's project in Sunset Park
- Port Ambrose & Liquid Natural Gas
- Coney Island Creek neighborhood engagement.

**Bob Alpern** complained that his topical suggestions were not taken into account, including the Climate Risk and Resiliency Act, the offshore wind project, and Mid-Atlantic Regional Planning Body. He also questioned whether the Strategic Plan addressed Bight issues.

There was some discussion on whether it is feasible for HEP and the CAC to get involved in these issues given the limited staff and time resources, and whether CAC should seek new member organizations that are currently dealing with these issues. Rob Pirani indicated that HEP is required to conduct a Climate Change vulnerability analysis of the Comprehensive Conservation and Management Plan.

#### Action item:

- Rob Buchanan will be meeting with Bob Alpern to discuss possible next steps.

The meeting was adjourned at around 12:30 PM.

**ATTENDEES**

Doug Adams, Metropolitan Waterfront Alliance  
Robert Alpern (by phone)  
Kate Anderson, US EPA Region 2  
Kate Boicourt, NY-NJ Harbor & Estuary Program  
Peter Brandt, US EPA Region 2 (by phone)  
Rob Buchanan, Village Community Boathouse  
Meredith Comi, NY/NJ Baykeeper  
Willis Elkins, Newtown Creek Alliance  
Heather Fenyk, Lower Raritan Watershed Partnership  
Wayne Jackson, US EPA Region 2 (by phone)  
Sheldon Lipke, Passaic Valley Sewerage Commission  
Mark Lucas, Riverkeeper, Inc. (by phone)  
Keith Mahoney, NYC DEP  
Debbie Mans, NY/NJ Baykeeper  
Gabriela Munoz, NY-NJ Harbor & Estuary Program  
Philip Musegaas, Riverkeeper, Inc.  
Robert Pirani, NY-NJ Harbor & Estuary Program  
Manuel Russ, Concerned Citizens of Bensonhurst  
Clay Sherman, NJ DEP DWM  
Selvin Southwell, NYC DEP  
Shino Tanikawa, NY Soil & Water Conservation District  
Noelle Thurlow, Resilience Paddle Sports  
Nellie Tsipoura, NJ Audubon Society  
Nick Tufaro, Middlesex County, NJ Planning Department