

RESTORATION WORK GROUP

Co-Chairs: Lisa Baron (US Army Corps of Engineers)
Rebecca Swadek (NYC Parks Department)



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Meeting, September 28, 2023
10:00 – 12:30 pm

I. Welcome, Attendance and Minutes

Attendance is at the end of this document.

Approved minutes over chat and from last meeting in June 2023.

II. Restoration Work Group Bylaws

Restoration work group bylaws were updated by Isabelle and the group Chairs. There are minimal edits to the original bylaws and the primary function for the restoration work group has not changed.

The edits are as follows:

- Restoration conference happens every two to three years instead of annually.
- Updated contact information for NY-NJ HEP restoration manager (istinnette@hudsonriver.org).
- Update OASIS's interactive habitat map info to the Restoration Activity Map.
- Update current list of RWG member organizations.
- Biggest text update in co-chair position; changing to three-year terms with staggered years and updating the job description to reflect current group goals and needs.

Voting bylaws were reviewed:

- Each agency has one vote; multiple people from one agency can attend the work group, but those members must come to a coordinated decision to represent the agency's vote.

Bylaws updates have been approved by the group. No objections have been stated. Updated bylaws will be brought to the management committee for final approval.

Lisa, Rebecca, and Isabelle Stinnette will be accepting nominations for future chair members of the Restoration Working Group. Email to either apply or nominate a group member. If needed, voting will occur prior to the next meeting.

III. WRDA Priorities

Lisa discusses priority items involving the Water Resources Development Act of 2024.

Lisa:

Congressional are starting to ask for requests for new projects that would require authorization. We received authority for feasibility spinoffs under Hudson-Raritan Estuary. In WRDA 2022, referring to 2020 authorization of the feasibility report, all of the CRP sites highlight the restoration projects that were identified at the snapshot of 2016 during version one of CRP. Two projects were highlighted: **Baisley Pond Park** (Jamaica, freshwater, stormwater initiative) and **Richmond Terrace Wetlands** (Staten Island, upland has already been restored), where Parks or NYCDEP would be the sponsor.

We have authority for all the CRP sites – just need to go through the corps process of budgeting. Though competing nationally, these CRP sites are less competitive since these projects are considered a new phase of feasibility (vs. a new start project). Though these two projects were named and will rise in priority for budgeting, congressionals will ask annually on what projects we'd like to see advance for a feasibility study spinoff. Robert Pirani has received calls from congressional staffers asking about these priorities for the year. For city agencies, these calls get diverted to public/legislative affair departments.

Nonetheless, if there is a project that you think should be a priority, communicate this across the group and other agencies for increased backing, directing congressionals towards a shared interest, as well as getting on the same page with budgeting cycles. In the next budget request, get all documents together to submit a site (either Baisley Pond Park or Richmond Terrace Wetlands) for competition, whichever one would advance our goals (i.e.: more ecosystem benefits). In addition, sites in disadvantaged communities will be prioritized. Rob notes there is interest in the Harlem River.

[Appendix K](#) is a snapshot of all the restoration projects that occurred in 2016. Lisa wants to compare this with the current CRP database, via the Restoration Activity Map (NY-NJ HEP). Lisa will confirm with the group if there are priority sites that are not currently on the CRP list, providing a loophole where these sites can be included on the CRP list. Lisa indicated the addition of the sites in the updated CRP may provide a loophole for their consideration since they were not included in Appendix K.

Rob states that after the new year, congressionals reach out for community-based projects; the process has been for new or current projects, start talking in December, have documents prepared in January and February so by March and April present when the budgets are being discussed.

Appendix K shows the sites eligible for feasibility spin-offs, which allows a new phase of feasibility, but must get congressional approval for construction. Investigate site, collect data, identify feasibility alternatives, determine the best plan for the site.

All feasibility projects are 3 million per study, \$1.5 million for the sponsor/ \$1.5 million Federal, to be completed in three years. We could combine sites; advance adjacent sites on the same watershed and get authorization for multiple sites.

Harlem river is in the house bill, with \$500,000 in the budget to initiative the feasibility study, awaiting budget approval. Following an appropriations bill, a Feasibility Cost Share Agreement would be executed with NYCDEP for \$3M (\$1.5 million from NYCDEP). The work that gets done in that year is the amount of money distributed (including the \$500,000 federal funds along with matching non-fed funds).

Judith Weis brings up the integration of ribbed mussels at these sites, asking if this can become integrated into the plan. Lisa indicated that mussels may be included in the design for the Marsh Islands. Longer discussion on mussel work is recommended for a future meeting.

IV. Resetting TEC Goals Discussion and Decision

Isabelle asked the group leaders of each TEC about the feasibility of redefining goals for their TEC.

Acquisition: 2020 goal of acquiring 1,000 acres of habitat for protection. 2050 goal is continuing to restore at a rate of 500 acres per year, with 7,000 acres between now and 2050. The team acknowledged that 7,000 acres may be hard to achieve, and it may be better to focus in on a particular area (i.e., wetland migration areas, buy out areas, residual flood risk areas, etc.). NYC, NYS, and NJ have been refining their acquisition lists, along with Trust for Public Land and Baykeeper regarding Land Trusts.

Understanding their targets would be helpful. NYS is working on their open space land conservation plan, where some of us are a part of the region 2 committee and have coordinated with the region 3 committee. HEP will be meeting with DCP and the

Mayor's office to understand the buyout areas as it relates to conservation purposes, as well as contacting NJDEP's Blue Acres for the same purpose.

Coastal and Maritime Forests: 2020 goal of establishing one maritime forest of at least 50 acres and restore at least 200 additional acres among several coastal forest and upland habitat types. 2050 goal is establishing 500 acres of maritime forest community among at least three sites and 500 additional acres of restored coastal forest/upland habitat. The group leader for this TEC was not in attendance, will follow up on progress later (however doing very well so far).

Eelgrass beds: 2020 goal was to create one eelgrass bed in at least three HRE regions. 2050 goal is to create three eelgrass beds in each suitable HRE region, totaling 9 beds. Bart Chezar is no longer working with eelgrass beds and is now working with blue mussels. From talking with Cornell Cooperative Extension (CCE), the current priorities in eelgrass restoration are increasing genetic diversity and working with seeds from other parts of the coast to be better prepared for climate change/warming waters. Though the 2020 goal was not achieved, CCE believes that the eelgrass restoration TEC goals are okay, using pilot projects to determine the best applicability. Judith mentioned that Cornell Cooperatives was supposed to plant eelgrass beds this summer near the living breakwaters project; however, this didn't occur due to this area being an active construction site and was pushed back to fall and spring. George Jackman noted potential concerns about eelgrass waste disease; however, there isn't a large enough quantity in these waterbodies for it to be a pressing concern.

Enclosed and Confined Waterways: 2020 goal was to improve the water quality of eight enclosed waterways, 2050 goal is to improve water quality of all enclosed waterways. Rosana Pedre Nobre will follow up on this work in a separate meeting.

Habitat for Fish, Crabs, and Lobsters: 2020 goal was to create a set of two functionally related habitats in each region, 2050 goal is to complete four sets of at least two related habitats in each HRE region. The group decided to remove the Lobster portion of the TEC, as it is no longer relevant. To advance this TEC, there inherently is some double counting; however, no counting has occurred yet, as this definition of the metric is vague, based on the site level. The group wants to look back at monitoring data for restored sites to confirm that there is use of crabs at all sites to meet the target. This TEC needs to be evaluated in saltmarshes, rocky shallows, Norton Basin, oyster projects, tributary connections, eelgrass, and other shallow water habitats. Judith questioned the intent of this TEC, for fish and crabs have different habitats; however, this TEC works as a network to support the other TECs. Nonetheless, this TEC's goals, objectives,

connections, and activities should be refined from a holistic, ecosystem standpoint, or should be removed altogether.

Habitat for Waterbirds: 2020 goal to enhance at least one island without an existing waterbird population in HRE regions containing islands and create or enhance at least one foraging habitat, 2050 goal is all suitable islands provide roosting and nesting sites and have nearby foraging habitat. This TEC needs a lot of work; the 2050 goal is not reachable, needs to be edited to represent protection to reduce losses over restoration. Not a lot of evidence on if a waterbird habitat is lost, can be regained in this harbor. In the description, make breeding, foraging, and roosting habitats more clearly defined (i.e., major differences in roosting vs. nesting). Make the NJ meadowlands a 5th area, as a large part of the foraging habitat resides in this ecosystem. Working on mapping foraging habitat, which coincides with other TECs. Productivity is too disruptive to track. Need to assess what new species are arriving because of climate change, in order to project for our 2050 goals.

Oyster Reefs: 2020 goal for 20 acres of oyster reef habitat across several sites, 2050 goal of 2,000 acres of establish oyster reef habitat. Oyster reef habitat restoration needs to be more clearly defined, does not articulate both blank and set (seeded and unseeded) structures. For metrics, acres are only two-dimensional, whereas oyster beds occupy three-dimensional space. As forest restoration considers acres and canopy, oyster bed restoration is missing the canopy component. Population is also an important metric separate from acres that should be included. Discussed if ribbed mussels should be included under this TEC, which the group's consensus was no since the two organisms' function differently. Need more of a multi-habitat approach between tidal and intertidal restoration projects to represent comprehensively and increase success of restoration projects. Potential acres of restoration in the city are around 1000-2500, where the more realistic acres of potential restoration, determined by Baykeeper, BOP, and NJCU, are around 200-500 acres. This research investigates capacity as well as potential acreage. Danielle voices that the design process needs to be collaborative across TEC groups; if a shoreline is restored, but the oyster habitat does not thrive at this site, it should still be seen as a success comprehensively.

Public Access: 2020 goal was to create one access and upgrade one existing access per year, with the 2050 goal for water access across the entire HRE. The public access working group discussed how to refine the 2050 goal, specifically on how and where we define access. The 2016 HEP study focused on lack of public access, especially in disadvantaged communities. The Hudson Access Project has refined the list of paddling, swimming, and fishing sites around the Estuary. DCP and NJDEP have also contributed

data to where public access is located. Not only does the term access need to be further refined, but also emphasizing the priority of direct access over indirect access to the waterfront. Judith highlighted [Waterfront Alliance's waterfront access report](#) as a blueprint for priority sites. Transit access/buffers to the waterfront was removed from this TEC definition since it is hard to track and monitor over time, and ultimately the main goal of this TEC is to support direct public access specifically for disadvantaged communities.

Sediment Contamination: 2020 goal was to isolate/remove at least 25 acres of contaminated sediment, the 2050 goal is to isolate/remove at least 25 acres of contaminated sediment every two years. When this TEC was written 20 years ago, the intent was to target capping or remediation operations, tied to cleaning up sediments. These removal/isolation projects would be outside the state or federal superfund. Today, the point sources of contamination have largely been addressed; therefore, there isn't much funding capacity to support contamination reduction in these areas outside of the superfund processes. Since no new projects are being done, the group questioned the intent of continuing to track this TEC. Targets that encourage more rapid processes, larger projects, and additional projects were considered for readapting this TEC. Judith notes that places that were once hotspots are no longer due to new sediment, also known as natural attenuation, which was seen in Berry's Creek (a historic heavy mercury site). This group is trying to understand its role; whether to remove the TEC altogether or continue documenting for the purposes of tracking large, complex projects that support more expedient remediation efforts. Lisa states that this TEC should stay, as this issue is interconnected with other issues in the urban estuary and all remediation progress should continue to be tracked.

Shorelines and Shallows: 2020 goal was to develop new shoreline sites in two HRE regions, the 2050 goal is to restore available shoreline habitat in three HRE regions. There is a lot of overlap between other TECS; however, a need for shallow shorelines for fish habitat has been expressed, especially in the urban estuary. Need to define and state limitations for the restoration application in shallow waters. Judith notes that we need to define places where bulkheads can be removed that will not cause immediate flooding of the neighborhood behind them. Places with preferred typology and currents need to be defined for this TEC. Lingard notes that we also need to understand how much shallow shoreline has been lost to define our restoration goals. Jessie highlighted the role of winter flounder in this ecosystem.

Tributary Connections: 2020 goal was to restore connectivity or habitat within one tributary reach per year, 2050 goal is to continue rate of restoring and reconnecting

areas. The group talked about whether this TEC should stay within the CRP boundary, or if this concern should be addressed further up the watershed, especially considering NJ. Some ideas included adding species of greatest conservation need, adding another scalar to remove primary barriers for migrating fish, and considering outreach as a part of the TEC goal. Looking for a simple metric that can apply to a functional score. Cannot ignore limiting factors, which is usually funding. Stopping new barriers is also an important goal of this TEC.

Wetlands: 2020 goal is to create a total of 1,000 acres of freshwater and coastal wetlands, the 2050 goal is to continue creating an average of 125 acres per year for a total system gain of 5,000 acres. This goal is ambitious and should be rightsized; there were questions regarding metrics, creation, restoration, and enhancement should all be considered. The group decided to make three goal categories: optimistic, pessimistic, and realistic to come to a consensus around rightsizing the metric. Meadowlands was a serious consideration for this TEC; however, since this is now a superfund site, must reevaluate how to consider it in the raw metrics. Mitigation was not supposed to be counted, but to meet that goal, the group considered counting above the 1:1; if the state/federal agencies require a 2:1 ratio for mitigation, the TEC would half this requirement. The group questioned the role of protection in the metric, as well as defining enhancement and remediation. Rebecca noted both the role of Sea Level Rise and the incorporation of the Saltmarsh Sparrow into this TEC. Lisa notes on the minutes that mitigation acreage, net gain, *was* supposed to be counted.

- Isabelle is looking for suggestions on next steps; TEC group leaders will prepare a document with 10 bullet points from each session as well as next steps.
- Jim Lodge has asked for habitat, oyster, wetland, and shoreline folks to collaborate on revising the TECs.
- Frame updated TECs with a preservation/protection lens.

VIII. Attendance

in-person

Lisa Baron (chair), USACE
Rebecca Swadek (chair), NYC Parks
Judith Weis, STAC
Jim Lodge, HRF
Rupu Gupta, HRF
Isabelle Stinnette, NY-NJ HEP
Robert Pirani, NY-NJ HEP

zoom

Terry Doss, NJSEA
Lingard Knutson, EPA
Susan Maresca, NYSDEC
Jessie Murray, NOAA
Bill Shadel, TNC
Dustin Partridge, NYC Audubon
Danielle Bissett, BOP
George Jackman, Hudson Riverkeeper
Allison Fitzgerald, NJCU
John McLaughlin, NYCDEP
Rosana Pedra Nobre, NY-NJ HEP