

**NY-NJ Harbor Estuary Program
Citizens Advisory Committee
& Public Access Work Group joint meeting
Minutes**

October 24, 2012
10:00 am – 1:00 pm

MINUTES

1. Introductions

2. New Members

Existing members voted and accepted three new CAC members:

Dana Patterson, Edison Wetlands Association

Marc Matsil, The Trust for Public Land

Merryl Kafka, NY State Marine Education Association (NYSMEA)

Action Item: Any new requests for CAC membership, as well as questions, can be sent to gabriela@harborestuary.org and will be voted during the next CAC meeting.

Update: Gabriela updated the list of members and voting rights, which are now posted at <http://www.harborestuary.org/citadvcomm.htm> along with the bylaws describing details on CAC membership and process.

3. Harbor Coalition Update

Lilo Stainton provided an update on the latest activities by this group. The Harbor Coalition is a bi-state campaign advocating to increase federal funding for this region. It started with 11 members, has now grown to 35 and is seeking to increase this number. There is no membership fee and there is flexibility in the degree of involvement, from participating in meetings to helping draft communications. Individuals can also sign the petition online.

The long-term goal is to create a federal program that consolidates all agencies and provides funds to implement the Comprehensive Restoration Plan and other projects in the region, similar to the Great Lakes or Chesapeake Bay models. The Harbor Coalition is also working in other ways; for example it has sent letters to members of the Committee On Appropriations, the President, and others. The Harbor Coalition has received press coverage, including TV and an op-ed in the Star Ledger. The Coalition is continually looking for volunteers to help with its activities and events, such as the recent New Jersey Day of Action in cooperation with NY/NJ Baykeeper and Ironbound Community Corporation. The Harbor Coalition has held meetings with elected leaders and many more meetings are planned.

The Harbor Coalition has been working with Senator Gillibrand's office on legislation (the "Harbor Act") to bring funds for restoration. One option being considered is to have a single program extending up the Hudson River, including the Mohawk River, and potentially having the The Port Authority of NY & NJ heading a commission to distribute the funds; however this has not yet been formally endorsed.

In response to a question by Rob Buchanan, Lilo clarified that, although the Harbor Coalition's goals are broad, it is not advocating funding for dredging but rather for green projects. Rob also asked whether the draft Harbor Act could be shared with the CAC. Lilo indicated that a new bill would be drafted shortly.

There were questions as to whether the Harbor Coalition's meetings were open to the public. Currently, the Steering Committee meets approximately every other month and the meetings have not been open, but this could change. It was suggested that the CAC could send a representative to the meetings, or that these could be made open to observers.

Click here for a copy of the October 2012 Campaign Update that was handed out at the meeting: <http://bit.ly/PENYcg>. The Coalition's Statement of Principles is available here: <http://bit.ly/TwG2lh>. For additional information, visit www.harborcoalition.org. Any group interested in joining the Harbor Coalition may contact Lilo at lilo@harborcoalition.org.

Action Item: Lilo will find out whether Steering Committee meetings could be made open to a wider audience.

Update: After the meeting, Lilo shared the following documents:

- An overview of the Harbor Act (<http://bit.ly/TwG5nu>)
- Two letters sent by the Harbor Coalition that illustrate the types of federal programs they are looking to expand:
 - Letter to the Committee on Appropriations (<http://bit.ly/VEMKJT>).
 - Letter to members of the New York and New Jersey Congressional Delegations (<http://bit.ly/PY3Wjd>).
- The latest draft of the Resolution the Coalition is working on with Sen. Gillibrand's office (<http://bit.ly/ToDhbf>). Lilo noted that this draft is expected to change.

4. Presentations on North Shore of Staten Island

Linda Eskenas, from The North Shore Waterfront Greenway of Staten Island (NSWGS), showed pictures of the north shore and gave an overview of this stretch of the waterfront and plans for a greenway that her group would like to implement. The North Shore is a historic district that was later re-zoned as industrial. As a result, most of the shore is inaccessible to the public. The historic buildings, sacred Native American sites (in West Brighton), parks, and proximity to many attractions, make this an attractive site for a greenway, which is proposed on an unused MTA railroad right of way. More information about the NSWGS (also known as Lenape Waterfront Park) is available from <http://www.waterfrontalliance.org/partners/north-shore-waterfront-greenway-staten-island-aka-lenape-waterfront-park> and <http://www.thenorthshoregreenway.com>

Then Beryl Thurman, from the North Shore Waterfront Conservancy of Staten Island (NSWCSI), talked about some of the communities' characteristics. Beryl presented a series of maps prepared for an Environmental Justice Profile for the North Shore of Staten Island (see <http://bit.ly/Z1wE2M>). The maps showed that the north shore is where contaminated sites are most densely packed as a result of industrial activities, and also where the largest communities of color are located. More information about the EJ Profile is available at <http://northshoreprofile.commons.gc.cuny.edu/>. Also some of the remaining marshes are threatened. For example, Arlington Marsh is the largest surviving tidal marsh in Staten Island and plans to expand the port would have encroached it. Beryl summarized the story of several contaminated sites in the area, their impact on the communities, and attempts at remediation. Some of the pictures shown can be viewed at <http://www.nswcsi.org>

Bob Alpern suggested forming a CAC subcommittee to try to engage city planning and the NY State Department of State, Coastal Zone Management in a discussion about long term strategies for that stretch of shoreline. Bob Alpern, Rob Buchanan, and Linda Eskenas expressed interest in participating in such subcommittee.

Merryl Kafka suggested organizing a walking tour of the North Shore of Staten Island and the group expressed general interest in the idea.

Erik Baard asked whether dry docking was an alternative, given that it requires a two-year waiting period. Beryl indicated that these facilities operate under best management practices and typically use numerous chemical compounds prompting odor complaints in the surrounding communities—an indication of exposure. Erik suggested that maybe an expansion of the port could be allowed as long as it is made in a “green” way and becomes a model.

Follow Up / Action Items:

- As per CAC bylaws ([http://harboestuary.org/pdf/CAC Bylaws-Revision-Jun-03-11-F.pdf](http://harborestuary.org/pdf/CAC%20Bylaws-Revision-Jun-03-11-F.pdf)), CAC members will need to first vote on the formation of the proposed subcommittee.
- The HEP office will contact subcommittee volunteers and help them coordinate a conference call. Others interested in participating, please contact gabriela@harboestuary.org. The expectation is that the volunteers will better define the tasks of the proposed subcommittee and present this to the CAC for vote.
- The HEP office and CAC co-chairs will be in touch with Linda and Beryl to try to arrange a tour of the North Shore.

5. State of the Estuary Report

Gabriela briefed the group about the recently published State of the Estuary report. This report shows data and trends on the environmental condition of the estuary and is also intended as an education and outreach tool. The report establishes connections between the health of the estuary and resident’s everyday lives and provides information on ongoing efforts to improve conditions as well as examples of what all of us can do to help. Gabriela encouraged all attendees to continue helping distribute the report to a broad audience and to request additional copies if needed. HEP is also working on a press release to announce the report, which is expected to be issued shortly. Gabriela also encouraged the CAC to provide feedback on the report, for consideration in a future edition.

Rob Buchanan and Adina Taylor praised the report as a very useful communication tool.

Harvey Morginstin commented that the "public access" section did not clearly talk about access for transient boaters to access the shoreline from the water. He indicated that having many convenient locations equipped with floating docks with access gangways to supplement the very few expensive marinas will make the islands of NY and NJ rivers attractive destinations. High usage locations could even be equipped with parking meters and offer possible summer jobs for boat dock attendants. There are many places suitable for these floating docks along the green ways on both sides of the Hudson River.

Bob Alpern criticized the lack of a comprehensive report on all the environmental indicators (including information on data availability to track these indicators) identified by a group of scientists convened by the Science and Technical Advisory Committee (STAC) many years ago. Bob Nyman indicated that HEP will work with the STAC to identify data gaps and make recommendations to address these gaps.

Jody Jamieson suggested updating the report online.

6. Stewardship & Public Access Grants Update

Gabriela provided an update on HEP grants. This year there were \$65,000 available, of which \$57,500 were awarded and the balance will be rolled over to next cycle. This year the process involved a pre-proposal followed by a full proposal, and a shorter application for small projects (\$5,000 or less). Of 27 pre-proposals, 13 were invited to develop a full proposal; 10 full proposals were received and eight projects were selected for funding. For seven of these, contracts are in place and summaries of the projects have been added to HEP’s website. For the eighth project there are some timing issues; once these are resolved this project will also be added to the website.

Regarding the 2011 grant cycle, of nine projects, six have been completed and the final reports are posted online. Three projects have been extended and are expected to be completed in 2013.

HEP has received approximately \$66,200 for the next grants cycle. HEP intends to start working on the request for proposals as soon as possible to allow applicants to start their projects earlier in the season. The HEP office will work with the CAC and Public Access Work Group to establish the process and develop the request for proposals. Meredith Comi, Adina Taylor, and James Cataldi volunteered to help in the process. It was reminded that HEP co-chairs and those volunteering to help would be precluded from applying for funds.

Several CAC members noted that HEP grants are on a reimbursement basis, which is a burden for small organizations and asked whether at least part of the funds could be provided up-front. Erik Baard suggested exploring whether some local banks could help by loaning the funds.

Follow up: All HEP programs, including the Stewardship and Public Access small grants, are currently funded by an EPA grant. EPA funds are received and managed by New England Interstate Water Pollution Control Commission (NEIWPCC) on a reimbursement basis. Therefore, NEIWPCC is unable to provide funds up-front for any of HEP's grants programs.

Action items:

- Please contact [gabriela@harboestuary.org](mailto:gabriela@harborestuary.org) if you would like to help in this year's request for proposals or reviewing grants.
- The HEP office will contact volunteers and others shortly

7. Fish Advisories Project

Michelle Doran-McBean provided a summary on this topic. HEP 2011 budget had allocated \$10,000 to conduct a series of meetings and activities to help and encourage New York and New Jersey to work towards a common bi-state message to communicate fish advisories to the public. Because this funding was less than requested, Going Coastal realized the project was not viable. The CAC discussed the topic in several occasions and NY and NJ updated the CAC on their efforts to come to a consistent advisory, as well as the states' efforts to educate the public.

The NJ Department of Environmental Protection suggested providing \$5,000 to a local group in New Jersey to help disseminate materials or posting signs in areas that have not been previously addressed by NJDEP. NJDEP would make available all currently available signs and outreach materials to the group, and it was suggested that NY took a similar approach. Gabriela noted that if this approach was favored, the group would have to be selected via a request for proposals, which could be combined with the stewardship & public access RFP. In the event that a suitable proposal was not received, the funds could be used for other types of projects. The CAC favored this approach.

Action items:

- The HEP office will contact NY State Department of Health (NYSDOH) to find out if they could play a similar role as NJDEP in providing outreach materials and helping determine geographic areas that have not previously been reached.
- Pending previous action item, the HEP office will work with NJDEP and NYSDOH to incorporate this into the 2013 Stewardship & Public Access Grants cycle.

Follow up: NYSDOH has expressed interest in this approach. However, due to the impacts of Hurricane Sandy and NYSDOH's involvement in recovery efforts, any substantial discussion has been deferred to a later time.

8. East River Blueway

Chad Travieso from WXY Architecture + Urban Design, gave a presentation on the East River Blueway. This is a community-based visioning effort to increase waterfront access opportunities to and from the water and environmental quality along the east coast of Manhattan between the Brooklyn Bridge and 38th Street. WXY held several community meetings and workshops to come up with a design that includes environmental quality, habitat, stormwater management, tree canopy, air quality, and noise reduction elements. More information about this plan is available at <http://www.eastriverblueway.org/>, including slides on the draft concept design similar to those presented at the meeting: <http://www.eastriverblueway.org/category/follow-our-progress/draft-concept-design/>.

9. Water Quality Workshop

Rob Buchanan gave a brief overview on this topic. HEP's budget for 2012 includes approximately \$5,500 to carry out a Water Quality Monitoring Workshop, as described on page 25 of the Work Plan (<http://bit.ly/OFkURv>). The specific focus and contents of the workshop are to be decided by the Citizens Advisory Committee, Public Access Work Group, and the HEP office. Possible topics include enforcement of New York State's Sewage Right To Know Act, supporting citizen science, training on techniques or policy, and using available water quality data, among others.

Action items:

- The HEP office and CAC co-chairs will coordinate a conference call with interested CAC and PAWG members to discuss the options prior to the next CAC meeting.
- If you have a suggestion or would like to participate in this call, please contact Gabriela: gabriela@harborestuary.org.

10. HEP 2.0 Update

Irene Boland Nielson called in to provide an update on "HEP 2.0". This is an effort to evaluate and improve HEP's structure and approach that was prompted by the geographic scope expansion. Back in August, Irene interviewed many HEP partners to compile their thoughts on HEP's strengths, weaknesses, challenges, and opportunities. Responses from this interview were discussed during the first HEP 2.0 meeting on September 12 and a subset of ideas was brainstormed. A second HEP 2.0 meeting took place on October 23 to develop specific proposals to present to the Policy Committee early in 2013. During this meeting, attendees worked on developing proposals to be presented to the Management Committee at the upcoming December 12 meeting.

The types of projects discussed were:

- Increase involvement I HEP by holding a HEP Summit
- Develop flagship projects to be supported by HEP
- Renew guidance and bylaws for HEP, especially for the Policy Committee
- Develop a finance plan to increase funding for HEP

11. Open Forum

Nick Tufaro reminded the group about an upcoming update on New Jersey plans for combined sewer overflows (CSOs) on November 2nd and a workshop on CSOs by the Meadowlands Commission on October 29. **Update:** these meetings have been cancelled or postponed due to hurricane Sandy.

Merryl Kafka asked everybody to learn about the possible closure of the NOAA facility in Sandy Hook, one of the most productive NOAA labs in the Eastern seaboard. This lab contributes research (on fisheries, impacts of pollution and climate change, and many other topics), education, conservation and much more. The facility was to be closed because of perceived high rental paid to the state of New Jersey. Meredith Comi is working

on a project with NOAA and indicated that the situation looks promising to resolve this issue and avoid closing the lab. Meredith will provide further updates as they become available.

Other updates post-meeting:

Dana Patterson was on the phone and because of technical difficulties was not able to share the following during the meeting: Edison Wetlands Association (EWA) is supporting EPA's selected remedy to clean up the Raritan Bay Slag Superfund site and has an active petition:

www.change.org/petitions/usepa-remove-all-of-the-leaking-toxic-lead-slag-from-raritan-bay.

Update: The comment period for the proposed cleanup has been extended until November 27, 2012 — see www.epa.gov/region2/superfund/npl/raritanbayslag/ for more details.

12. Next CAC Meeting

The next CAC meeting will be held early in 2013 in New Jersey, likely in January or February.

ATTENDEES

Robert Alpern
Helena Andreyko, Hudson River Foundation
Erik Baard, Harbor LAB/Long Island City Community Boathouse
Alyson Beha, New Yorkers for Parks
Kate Boicourt, NY-NJ Harbor & Estuary Program
Irene Boland Nielson, US EPA Region 2 (by phone)
Nancy Brous, NYC Water Trail Association
Rob Buchanan, Village Community Boathouse
James Cataldi, NYCWetlands
Don Chesley, Stevens Institute of Technology
Bart Chezar, Gowanus Dredgers Canoe Club
Meredith Comi, NY/NJ Baykeeper
Emilio DeLia, Hackensack Riverkeeper
Michelle Doran McBean, Future City, Inc.
Linda Eskenas, North Shore Waterfront Greenway, SI
Anthony Feliciano, Partnerships for Parks
Ann Fraioli, Urban Assembly Harbor School
Edgar Freud, Sierra Club
Meghan Gosselink, NJDEP
Damian Griffin, Bronx River Alliance
Melanie Griffin, Human Impacts Institute
Jodie Jamieson, Hackensack Riverkeeper
Merryl Kafka, NY State Marine Education Association
Bernice Malione, Port Authority of NY & NJ
Harvey Morginstin, Passaic River Boat Club
Gabriela Munoz, NY-NJ Harbor & Estuary Program
Robert Nyman, NY-NJ Harbor & Estuary Program
Dana Patterson, Edison Wetlands Association (by phone)
Bryan Quinn, Gowanus Canal Conservancy
Gene Ritter, Research Divers
Manuel Russ, Concerned Citizens of Bensonhurst
Clay Sherman, NJDEP
Rosalie Siegel, Port Authority of NY & NJ
Lilo Stainton, NY-NJ Harbor Coalition
Daniel Tainow, Lower East Side Ecology Center

Shino Tanikawa, NY Soil & Water Conservation District
Adina Taylor, Floating the Apple, Inc.
Beryl A. Thurman, N. Shore Waterfront Conservancy of Staten Is, Inc.
Brenda Torres-Barreto, Caribbean Sustainable Response
Chad Travieso, WXY Architecture + Urban Design
Nick Tufaro, Middlesex County, NJ Planning Department
Nina Zain, The River Project