

**MEETING OF THE
CITIZENS ADVISORY COMMITTEE
OF THE
NEW YORK/NEW JERSEY HARBOR ESTUARY PROGRAM**

November 15, 1999
Hudson River Foundation
40 West 20th Street, 9th Floor
New York, NY

[Note: list of meeting attendees is not available]

Introductory Announcements

Gene Flatow stated that the November Management Committee has been postponed and will be rescheduled [NOTE: the next MC meeting is now scheduled for February 17, 2000]. Nancy Steinberg announced that the HEP office has hired a staff person (on assignment from NJ DEP), Zoey Kelman, who will be working on a variety of technical issues for the HEP.

Presentation on NJDEP Outreach Activities

NJ DEP personnel presented information on some of the HEP-related outreach activities they have been conducting. Tara Paxton, the outreach and education coordinator for the Harbor and Raritan watersheds, gave an overview of their outreach efforts (her overheads are attached). The programs currently being conducted include professional development workshops for educators, the NEMO program (Non-point source Education for Municipal Officials), a summer marine science day camp being run in conjunction with the New Jersey Marine Sciences Consortium, a series of harbor festivals, an educational day program for families, and a minigrant program that provides funds for small environmental projects to non-profit organizations. Some of these programs are described in more detail below.

The NEMO program uses a municipality's existing zoning code to predict what the municipality will look like in the future. These projections can then be used by municipal officials to better plan their communities, determine how policies will affect their local watershed, and identify restoration and redevelopment projects.

Kerry Kirk-Pflugh, also with the NJDEP, has been conducting an educational fishing program with school groups in partnership with the Hackensack Riverkeeper and New Jersey Sea Grant. The curriculum for this program includes four days of programming for each group during which they learn about the ecology and conservation of Raritan Bay and the rest of the Harbor Estuary and about land use and water quality, they participate in a cleanup project on a beach and stormdrain stenciling, they collect and analyze water samples, and they learn to fish (and go fishing). So far, this program has reached about 800 students.

The program has encountered a variety of problems, including gaining enough time in the classroom with the students and insurance for field trips.

A discussion ensued among meeting attendees about the problem of educating subsistence anglers in the region. A study is being conducted by the Mt. Sinai School of Medicine looking at PCB levels in anglers' blood and hair to begin to construct a risk assessment of the health risks of consuming Harbor fish.

Colleen Gould wrapped up NJDEP's presentation by discussing the Project WET and Stewardship programs she has been coordinating using money from a HEP minigrant. Project WET is a national environmental education curriculum that has been implemented with some schools and classrooms (and non-traditional educational settings as well) in New Jersey for a number of years. Workshops have been held in the Harbor watershed to introduce this highly effective curriculum to more urban school districts. The end goal of this program is to reach 30,000 students through the training of 3000 educators.

NJDEP has also been sponsoring weekend workshops for students and teachers to train them to implement action projects in their communities. This program includes training participants in how to raise funds, how to get volunteers, how to run a meeting, and other organizing skills.

Use and Standards Attainment Study Presentation

John St. John of HydroQual, a contractor to NYC DEP, made a presentation on the important Use and Standards Attainment Study for New York City's water bodies. The purpose of this study is to better evaluate and recommend actions to be taken to bring about improved water quality and overall environmental quality in the Harbor and related water bodies in a cost-effective manner. Until now, NYC's CSO control program has only dissolved oxygen goals, rather than more comprehensive environmental goals, and some analyses indicate that not much benefit will be derived from some of the expensive actions that have been contemplated.

The questions to be addressed by the study include:

Will CSO control actions achieve water quality standards?

What benefits of these projects will there be to habitats (how else will they improve the environment aside from water quality measures)?

What are the causes of non-attainment of standards other than CSOs?

Will the benefits be worth the costs?

Because the water quality standards in effect in NYC state that dissolved oxygen levels should be "*never less than*" a given level, much of the Harbor complex is in violation. Many areas of the harbor are not in compliance with the Clean Water Act "fishable/swimmable" designation. The classifications of water bodies as fishable, acceptable for secondary contact, etc., should be reevaluated every three years but have not been for the harbor in some time. New York State is delaying their evaluation until the process under which the federal DO guidelines are being revised is completed.

Other criteria, in addition to DO, that the USA study is considering include benthic habitat quality and integrity of benthic communities, riparian and wetlands habitat quality, visual and odor conditions, and riparian uses and shoreline access.

Paerdegat Basin in Jamaica Bay is being used as a test case for this approach. The Basin is a narrow inlet that houses marinas and is used for boating and other secondary contact activities; there are a number of CSOs that drain into it. Sludge mounds have developed at the head of it near the CSO outfalls, and DO plunges in the Basin in the summertime to zero (with the accompanying offensive odor). Floatables and coliform bacteria are also problematic in the basin. A 30 million gallon CSO retention tank (along with 20 million gallons of in-line storage capacity) has been suggested for the Basin to remedy these problems, which would cost approximately \$200 million. According to water quality models, under very heavy rainfall conditions, this proposed tank system would still allow DO to fall below the standard for very short periods of time. To construct a system which would prevent violations at all times under all conditions would cost an additional \$4-\$5 million. The question to be addressed, therefore, is, is this additional cost a reasonable investment to prevent short-term excursions below the DO standard? Will the Basin be significantly impacted by these short hypoxic events?

Ms. Flatow noted that some people have proposed using natural means to mitigate stormwater and CSO flow in the area, such as creating more green spaces, parks, and wetlands to absorb the extra flow during rainfall periods.

The USA project aims to integrate the results and efforts of a number of studies and initiatives (floatables plans, sewage treatment plant and CSO upgrades, etc.) into 23 individual watershed plans and from there into one integrated watershed program for NYC. The goals of the project are:

- To review the beneficial uses of tributaries and the Harbor through existing public processes
- To examine water quality criteria for consistency with beneficial uses
- To tailor water quality standards to the highest reasonably attainable use (consistent with laws and regulations) for any given area. Achieving this goal might entail designating “mixed use” zones, special use designations, and developing site-specific criteria.
- To serve as the basis for potential Use Attainability Analysis
- To maximize the environmental benefit of facility plans, considering water quality and all resource factors.

The structure of the program will be overseen by a stakeholder steering committee with the input of a Technical Advisory Committee. Individual waterbody/watershed assessments will be conducted for 9 open water areas and 14 urban tributaries, for which criteria and priorities will be developed through a workshop process. These assessments will be used to feed a harbor-wide planning process, leading to a harbor-wide strategic plan to achieve goals for the harbor. Two “pilot” watershed have been selected: Paerdegat Basin and the Bronx River, and the assessment for these two areas has been ongoing since September of 1999.

Other Business

Marc Matsil, the Chair of the Habitat Work Group, reported that enough money has almost been identified to print the Habitat Work Group Annual Report; he urged others to contribute to this effort.