



New York - New Jersey
Harbor Estuary Program

CITIZENS ADVISORY COMMITTEE

of the New York – New Jersey
Harbor Estuary Program

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DRAFT Minutes from the Joint Meeting HEP Citizens Advisory Committee & Habitat Work Group

January 27, 2005

Metropolitan Waterfront Alliance
New York, NY

Present: Bob Alpern, Nanci Auletto (NYSDEC), Joel Banslaben (HEP), Laura Bartovics (NY Sea Grant/HEP), Alice Belling (NYCDEP), Alex Brash (National Parks Conservation Association), David Burg (WildMetro), Anne Carpenter (NYCSWCD), Ari Chase (NRDC), Carter Craft (MWA), Teresa Crimmens (Bronx River Alliance), Kerry Dawson (Hudson River Park Trust), Joel Farber (ReHo), Bill Fink (Battery Park City Parks Conservancy), Porter-Ann Gaines (MWA), Yigal Gelb (NYC Audubon), Catherine Greene-Manzi (CSBPPP), Lisa Goldfarb (Matrix New World), Cindy Goulder, Ellen K. Hartig (Great Eastern Ecology, Inc.), Len Houston (USACE), Jane Jackson (NY Restoration Project), Steven Jandoli (NJDEP), Andrew Kasus (NY/NJ COAST), Neal Kronley (NYC Council), Steve Lang (CUNY), Jim Lodge (HRF) Paul Mankiewicz (Gaia Institute), Debbie Mans (NY/NJ Baykeeper), Susan Maresca (NYSDEC), Bill Marinaccio (Freeport/Nassau Fishermens Alliance), Anthony Marraccini (Turnaround Friends), Michelle Doran McBean (Future City, Inc.), E.J. McAdams (NYC Audubon), Bob Nyman (EPA/HEP), Mario Paula (USEPA), Greg Remaud (NY/NJ Baykeeper) Steve Romalewski (NYPIRG CMAP), Manuel Russ (NYCDEP CAC on Pollution), Clay Sherman (NJDEP), Bill Shore (Nature Network), Rosalie Siegel (PANYNJ), Jane Sokolow (OASIS), Christy Spielman (NYPIRG CMAP), Bill Tai (NYCDPR, NRG), Nancy Welsh (NYSDOS), Cathy Yuhas (NJ Sea Grant/HEP), Steve Zahn (NYSDEC), Christopher Zeppie (PANYNJ), Kate Zidar (Lower East Side Ecology Center)

Agenda:

- 1) *Welcome & Introductions (Craft, Mans, Brash, & Welsh - 10 min.)*
- 2) *Harbor Roundtable update (Lodge - 20 min.)*
- 3) *HEP FY 2005 Budget process (Bartovics and/or Nyman - 15 min.)*
- 4) *Discussion of possible joint CAC & HWG efforts, including:*
 - a. *Projects proposed by individual CAC & HWG members*
 - b. *Promotion of HEP Priority Acquisition and Restoration Sites through advocacy efforts*
 - c. *Creation of HEP Priority Public Access Development Sites*
 - d. *Other possible joint projects*
- 5) *Set future meeting dates*

Citizens Advisory Committee Co-chairs

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JOINT CAC/HWG SESSION (10 AM -12 PM)

Introductions and Welcome lead by C. Craft (MWA)

B. Nyman mentioned that by the end of June, EPA needs balanced budget requests. The overall budget is \$24.5 million with \$500,000 going to each of the 28 programs.

Discussion of Habitat Work Group Priorities:

N. Welsh stated that there is a lot of overlap between the CAC and HWG in what they want to promote. Additionally, more and more sites are not clearly habitat sites, but rather, they have elements of habitat and public access. She suggested that the groups pool their resources and try to understand what both groups are working on and how to advocate together.

B. Alpern suggested that we look to the stewardship group of the Long Island Sound Study as an example of how to do this. *N. Welsh* suggested that Alpern invite them the next meeting. *C. Craft* pointed out that this is a good next step in advancing the CAC's agenda to become more educational and informative about other projects.

M. Russ asked if storm surges and flood potential was an issue that the CAC should look into; examine the flood zones and determine if "we" are protected or not.

Harbor Roundtable Presentation:

Jim Lodge (HRF) presented on the Harbor Roundtable. This group was convened by Environmental Defense (ED) and the Port Authority (PANYNJ) in August 2004 to discuss how to move the environmental agenda of the port forward, including getting funding for projects. Over the next 14 years, \$2.6 billion will be spent on the Harbor Deepening Project. Over the next 10 years, \$200 million each year will be spent on port projects but only \$2 million/year on environmental. Harbor Roundtable is looking at how can we find the balance between the port and environmental agendas? The group (federal, stakeholders, community supporters, etc.) are compiling a list of project that encompass these ideals which will be finalized by the end of Feb. 2005 to be given to the USACE to present to Congress for their budget. The idea of a "World Class Estuary" relies upon 4 main themes: protecting existing habitat; air quality improvements (which they don't feel the need to address now); habitat restoration; and improving sediment quality.

C. Zeppie (PANYNJ) acknowledged that on the environmental side funding at the federal level is clearly lacking. They are struggling to come up with metrics on the environmental side to measure environmental projects success/benefits and that tell the story. Additionally, they have to really push the environmental projects in order to get them done. Also, they must demonstrate some follow-through on projects that are already primed "to go" even if they're not our favorite projects (ex: Liberty State Park USACE project)

S. Zahn (NYSDEC) gave Jamaica Bay as one of these potential projects: there is a demonstrable need to fill in the pits.

L. Houston (USACE) stated that organizations need to have a uniformed message on the port's environmental agenda that goes to legislators as the stakeholders advocating for the port's budget are all on the same page. The Hudson-Raritan Comprehensive Restoration Improvement Plan (CRIP) will take years to implement due to reduced funding, and so we need to get some interim

projects done and the Harbor Roundtable is an excellent first step towards this end. Also, local support for projects goes a long way.

B. Tai (NYCDPR) mentioned that, at times, Parks has stepped up as a municipal partner/sponsor; collaboration is key!

B. Alpern wondered if we couldn't go ahead and present Congress with has been accomplished with the CRIP, since there has been some good progress? Matching funds by state/local governments are limited by the federal monies going towards a project.

L. Houston (USACE) thought that local sponsors were NOT limited, instead it's a matter of them just not offering to give more than their share; it all depends on the agencies that are participating. In regards to the status of the CRIP, it's creeping but hoping for an update in Spring 2005.

D. Mans (NYNJ Baykeeper) requested that the HEP CAC be kept updated as to the progress on the CRIP and Harbor Roundtable so that CAC members can contact legislators to advocate for the projects.

D. Berg (Metro Wild) stated that protecting sites should be a priority, not just restoration. *P. Mankiewicz* (Gaia Institute) stated that we have to look programmatically at what the shoreline/landscape can provide to us. Restoration efforts should *always* be coupled with ecological and biodiversity projects.

C. Craft (MWA) pointed out that there is a large-scale lack of knowledge/awareness in Congress in reference to the Association of National Estuary Programs (ANEP), Harbor Roundtable, etc.

J. Lodge (HRF) subcommittee meetings are in March so we need an agenda before then

Agenda Item 4) Discussion of possible joint CAC & HWG efforts, including:

a. Projects proposed by individual CAC & HWG members

b. Promotion of HEP Priority Acquisition and Restoration Sites

B. Alpern suggested looking to the CPIP – Green Port Element and the Health of the Harbor Report. He also suggested a revival of a working group for new indicators for the harbor.

C. Craft thinks that the CPIP train has left the station; the outreach and follow-up by consultants was never really done in a genuine manner. Instead, we should concentrate on the Harbor Roundtable.

N. Welsh discussed the nexus between the acquisition and restoration list created by the HWG and a public access list. Currently, there are about 100 restoration and 60 acquisition sites on the bi-state, estuary-wide list. (For a list of sites go to www.harborestuary.org and click the image called “Interactive Habitat Site Map” or go to NYC OASIS at www.oasisnyc.net/hep_map.htm.) Right now, the majority of nominated sites get approved which may or may not be a good thing. She suggested that there be one list containing the suite of values that we want. She asked what we wanted as the scoring criteria for the public access sites. A joint list of all the HEP's lists should be compiled, although this would not be possible in time for this year.

S. Jandoli (NJDEP) stated that there should be a different grading for public access sites.

D. Mans asked why people want to get on the Habitat WG and list? If we understand this motivation, then perhaps it will be easier to express what this list is about.

D. Berg asked how does HEP effectively translate this list into a true protection piece?

N. Welsh expressed surprise/confusion that these sites and list weren't incorporated into annual lobbying trips on behalf of the NY/NJ HEP.

C. Zeppie explained that the obstacles to preserving these sites included being bound to make purchases at commercial appraised value (which can be high) and both an over-willingness and unwilling to sell. The Port Authority has entered into a Memorandum of Agreement with the New Jersey Meadowlands Commission for acquisitions in the Meadowlands up to \$10 million total. The Port Authority's goal is to spend the money on priority HWG sites.

A. Maraccini wondered if we shouldn't also focus on local funding sources; while federal money is good, there are local opportunities as well.

A. Brash said that the habitat list breaks down into two parts for him: half of the discussion is land-use issues: what should be restored, acquired, accessed, etc. and the other half is that we're not getting the list done!

J. Bansleben agreed with *A. Maraccini*'s points as local initiatives was one of the main foci of the Stewardship database; now we just need to figure out how to quantify these sites.

C. Goulder asked if there was a place where people could go for the overall picture, including what types of funding are needed for access sites, form letters that could be faxed or mailed to individual's federal representatives. *S. Romalewski* pointed to the New Yorkers For Parks online platform as an example.

E.J. McAdams (NYC Audubon) stated that there is a need for an advocacy leadership role for the "world class estuary." *C. Zeppie* stated that we need the rest of the story to say what a "world-class estuary" is.

G. Remaud (Baykeeper) pointed out that it's hard to speak universally about many of these issues because we're dealing with 2 states with different needs, requests, ideas, etc.

A. Maraccini asked about big projects like the NASCAR site on Staten Island; how do we stop projects like this before the land gets purchased? Do we need to advocate for zoning changes, where applicable, for sites on the acquisition and restoration list? Perhaps as open space?

D. Mans articulated that zoning changes is really a last resort; instead, we need to determine what HEP can do for all the different groups out there that would be working on behalf of sites like the NASCAR one. It was also noted that there isn't always the opportunity to purchase sites, even if they're on the HEP list. It was also suggested that a list and map of the existing wetland site be created for the Department of City Planning as building on wetlands is not supposed to occur unless they accommodated in the development.

S. Jandoli asked how we define public access because in the NJ acquisition plans, access and acquisition are one and the same.

C. Craft and *D. Mans* articulated that first and foremost, it's access to the *water*; access means public property that's open for use but doesn't necessarily have to be a facility there.

D. Berg asked how the HEP could really, truly protect these sites? Should we be doing more with education, preservation, and advocacy agendas development? HEP needs to be a meaningful player in acquisition and restoration efforts. It was pointed out that HEP is a coordinating body, it is the individual member groups that acquire and restore the priority sites.

J. Jackson asked what the criteria are for determining if a site gets added to the HEP list. *N. Welsh* replied with the three sections: 1) Ecological benefits: species, size, quality of habitat; 2)

Public/economic benefits; and 3) Logistical Considerations. It was commented from *S. Jandoli* that this is a great set of criteria.

C. Craft asked if a congressional representative wanted to submit money to the ANEP for a line-item budget item, could he or she do that? *B. Nyman* answered that it was unlikely. A better way to go about it would be to give the money to a specific organization or agency (ex: National Fish and Wildlife Service, etc.)

B. Shore (Nature Network) suggested finding some money within the HEP budget to hire a lobbyist to go to Washington DC. *D. Mans* pointed out that since the HEP budget is federal money, it can't be used for lobbying the federal government but we should find it elsewhere.

Next Steps:

- Develop public access criteria and look at ways to synthesize the HEP Acquisition and Restoration List with public access sites
- Determine where CAC and HWG overlap and prioritize collaborations
- Link CAC and HWG agendas

CAC BUDGET BREAKOUT SESSION (12 PM – 1 PM)

D. Mans explained that the CAC has been given the opportunity to recommend HEP budget items to the Management Committee (MC). *L. Bartovics* pointed out that her position as Outreach Coordinator is funded through the HEP budget, so this process is an excellent way to guide her work plan to reflect the priorities of the CAC. The CAC received 8 proposals for budget items, although there is still time to make linkages/collaborations between projects where it applies. Members were asked to articulate what they thought the CAC budget recommendations should look like/which projects seemed worthwhile.

D. Berg pointed out that most everyone making decisions about the money is also asking for money, which is a problem. What aspects of HEP does the CAC cover that nowhere else does? The CAC needs to be restructured and increase citizens' participation; doesn't see anything in the current budget proposals that would really do this.

S. Lang suggested perhaps submitting just one big proposal to the MC

A. Carpenter likes the Mini-Grants program because it's a good way of getting people involved; likes the American Littoral Society beach clean-ups

T. Crimmens supported the Mini-Grants and CSOs proposal because it facilitates communities taking ownership over an issue/problem

J. Jackson thinks that all the projects need to have an educational and hands-on component as isn't public education one of the main functions of the CAC?

J. Farber thought that stewardship was the main purpose of the CAC

J. Sokolow OASIS is a great tool which people can be trained in how to use and in turn they learn how to become an advocate

E.J. McAdams agrees with *J. Sokolow*. Stewardship is key and the 2 main components to this are education and restoration of citizens groups. Also, CAC projects need to be estuary-wide ones that effect/influence the widest group of people. Like the Mini-Grants and the "Charting the Course" proposals.

C. Sherman agrees with a holistic approach to the entire NY/NJ Estuary. Supports harbor exploration field trips and proposals that facilitate a reciprocal relationship between the public and HEP

A. Maraccini thinks emphasis should be on utilizing *local* people to address their own problems/issues on a local level

J. Bansleben believes business stewardship is something we should really focus on; currently, businesses that are aware and support the NY/NJ HEP goals are non-existent

L. Bartovics stated that she thought many of the proposals were not appropriate for CAC-recommended funding from the HEP budget process. Proposals that seek funding for one group working on a specific project in a small portion of the estuary do not benefit the CAC as a whole. However, the proposals that do take a regional approach should be considered. *L. Bartovics* took the opportunity to express her reservations about the Mini-Grants program, which she has administered for the past 3 years. She pointed out that a major drawback is that the Mini-grants force groups to compete against each other for small amounts of funding. This discourages groups from working together on larger projects that have an estuary-wide focus, which is what she believes HEP and the CAC really need.

A. Carpenter asked if we could just revise the Mini-Grants program, which *L. Bartovics* thought was a good idea. They could be reworked to focus on education, advocacy and hands-on action; the three main points of the CAC.

Overall, members felt that the guidelines for the mini-grant program should change or that there should be a specific request for projects that implement CAC focus areas (even just a placeholder in the budget submitted to the MC for the Mini-Grants program but stipulate that it's going to incorporate many changes.) It was decided that a working group should be formed to develop grant guidelines and put together one CAC-recommended budget item to fund the CAC's priority areas. The working group decided to meet on Thurs. Feb. 3 in the afternoon with C. Craft, L. Bartovics, J. Sokolow, A. Carpenter, D. Berg and P. Gaines.