



**New York-New Jersey Harbor Estuary Program
Management Committee Meeting Minutes of June 21, 2002
Location: USEPA Offices**

(Draft July 2, 2002)

The Management Committee meeting was convened at 10:00 at the USEPA Offices. Kevin Bricke chaired the meeting.

The minutes of the May 16, 2002 Management Committee meetings were approved as written.

Bob Nyman then presented the status of the FY 02 budget. He stated that at the last meeting, two budget scenarios were agreed to, and the selection of one of them hinged on whether HEP would provide funding for the pathogens modeling effort. At that meeting, it was agreed that NY, NJ and EPA would discuss the need for the pathogen modeling. Bob Nyman then asked Dick Draper what NY's position was on the funding. Mr. Draper said that NY had reconsidered its position and that it would support funding of the pathogens work. He added that NY was not convinced that pathogens were a major problem, however. Ms. Hammond was then asked what NJ's position was. She responded that NJ was OK with HEP providing funding for the modeling. Mr. Bricke added that Jim Olander would work with the states to ensure that the model was adequate for the intended task of possible TMDL development. **The Plan A budget described in the previous MC minutes was then approved by the Management Committee.** The work plan would include a section that described unmet needs from list of proposed budget items.

Bob Nyman agreed to ask Dennis Suszkowski, who was not present at the meeting, if the allocated \$50,000 for data management, would be matched with adequate funding to complete the work. He also agreed to distribute the NJDEP crab consumption proposal to the MC. Dick Draper said that NY may have a companion piece, as the current proposal only covers NJ.

Bob Nyman then presented the proposal that was developed by Laura Bartovics for an Education and Outreach Work Group. **The Management Committee agreed that the group should be formed.** Several names were given by MC members as designees: Terry Ippolito (EPA), Pete Sattler (IEC), Cathy Yuhás (NJ Sea Grant), and Kerry Kirk-Pflugh (NJDEP). USFWS and the

Port Authority, would also supply a staff. Al Fuchs will be the contact for NYSDEC, but the amount of staff time is limited. Additional names were to be given directly to Ms. Bartovics.

Genie Flatow said that agencies need to compile what they have accomplished so that it can be reported out in October.

Bob Nyman handed out the Remediation Materials Work Group white paper and reminded the MC that comments are due to Pat Pechko. Ms. Flatow said that she me require more time to review the document. She would get back to Ms. Pechko with here request.

Mike Weinstein noted that there was a draft National Habitat Restoration Strategy out for review and that there would be a conference in Baltimore in 2003 to kick off the national effort. Nancy Niedowski said comments on the document were requested.

The next agenda item was the targets and goals document. There had been word that the two governors may be developing a new bi-state initiative for the harbor. Debra Hammond was asked to describe what she knew about it, as it appeared that Commissioner Campbell was the lead. She said that July was being considered for a possible event, but she did not know what kind of issues would be included. It was suggested that a portion of the HEP targets and goals could be completed for the governors. Tom Wakeman said that it would be nice if the governors could announce their \$60 million habitat work. It was noted that Commissioner Crotty was being asked by the Oceans Commission for a statement in July. CARP could also be a bi-state focus, as could HEP's development of the targets and goals. Fran Dunwell suggested that perhaps it could all be tied together as a "greenport initiative." The governors could define what greenport means to the harbor and what they are doing to achieve it, or charge a task force with defining it. Manny Russ asked about invasive species, and Mr. Matuszeski replied that governors don't like negatives. Tom Wakeman said that the PA was developing a greenports document. Mr. Weinstein suggested sustainability could be included. Debbie Mans said that there needs to be a public meeting on progress. Bob Nyman responded that had been the plan all along. **It was agreed that HEP would provide information as appropriate to the governors initiative.**

Mr. Bricke said that there were letters to the Policy Committee on the Regional Administrators desk awaiting to be signed. The letters requested continued participation and would seek to set up the next Policy Committee meeting.

Bob Nyman then handed out a draft list of criteria that he had developed that could be used to evaluate the fate of individual items in the Targets and Goals document. Mr. Bricke suggested that the criteria be used only as guidance.

Ms. Hammond noted that NJDEP had developed a database for their Performance Partnership Agreement with EPA. She added that it may be useful for the multi year work plan. **Mr. Nyman said he would follow up with her on it.**

Bill Matuszeski then took over the last session as facilitator. The MC reviewed the first two sections: Fishing and Swimming, and Habitat. Modifications to the document were noted by Mr. Matuszeski. Cathy Yuhas explained the status of beach closures and shellfish areas based on the work she had done for the Pathogens Work Group. **A fairly major change was made to the approach to the Fishing and Swimming section. Rather than saying an overall goal is to have X number of beaches open, the goal should focus more on having the waters of the harbor meeting swimmable standards.** Perhaps this could be portrayed as the % of area meeting the standard. **It was agreed that the Pathogens Work Group would tee up a recommendation on the number of new beaches that could be opened in each state.**

Ms. Mans noted that the acreage of the harbor open to hard clam harvest in New Jersey is an economically driven decision, not a water quality one. Due to the limited number of officers available to patrol the area, certain areas are closed. Mr. DeQuillfeldt said that in NY, it was very unlikely that additional waters would be opened.

Jim Mueller was concerned about setting reduction targets for loadings without knowing what that means. Ms. Hammond said it would be desirable to know what kinds of actions are necessary to meet the targets. **It was decided that the approach needed to be set up for the Policy Committee - The choice would be, should HEP set a target based on limited knowledge so that we have something to shoot for, or should we set up the process to determine the number.**

There was a discussion of the TRI data and there was a general feeling that all toxics should be looked at, not just the ones on the HEP list of concern.

Another point that needs to be teed up for the Policy Committee is: what is the level of commitment needed before an item is included? Should it be included if resources are already identified, or could it be included if resources are not yet identified, but they are desired?

Mr. Weinstein stated that the “dose-response” aspect is not incorporated in the document. In other words, if a certain level of effort is expended, what can be the expected environmental improvement? The Human Health Indicator report measurements need to be integrated.

Another decision for the Policy Committee is: What level of detail should we include in the document?

The same issues on setting targets without knowing the needed reductions came up in the nutrients discussion.

The Habitat section was also reviewed and changes were noted by Mr. Matuszeski.

The next facilitated Management Committee meeting was scheduled for July 16th.

The meeting was adjourned at 3:30.