



New York - New Jersey
Harbor Estuary
Program

**New York-New Jersey Harbor Estuary Program
Management Committee Conference Call Minutes (Draft)
December 17, 2009**

The call was convened at 10:00. Members participating included: Bob Nyman (chair), Kerry Pflugh, Stephanie Wojtowicz, Roland Lewis, Ashley Pengitore, Judith Weis, Dennis Suszkowski, Walter Berry, Joe Monaco, Jeff Myers, Michelle Doran-McBean. HEP Office staff participants included: Gabriela Munoz and Kevin Reilly. Other participants included: Jim Lodge, Charlie DeQuillfeldt, and Rosalie Siegel.

Bob Nyman reviewed the draft minutes of the December 2, 2009 Policy Committee to identify action items in need of follow up. Those included: 1. Ensuring NGO stakeholders have the opportunity to input into the TMDL process (meeting set up for January 7th); 2. Begin formation of CRP Work Group (discussed later on agenda); 3. Follow up on oyster project (discussed later on agenda); 4. Initiate revisions to Action Plan (discussed later on agenda); 5. Chuck Warren to form group to discuss funding (He is working on it); and 6. Schedule next PC meeting for April (scheduling is underway).

The revised 2010 budget process was reviewed and approved. It was pointed out that the amount available is \$800,000 this year, which is \$200,000 more than last year.

The attached Action Plan Revision Process was approved and it was clarified that the work group chairs will need to engage their members as appropriate to provide information.

The attached CRP Work Group charge was discussed at the last Policy Committee meeting. A small group was identified to meet on January 11th to work out additional details for the formation of the group, including membership. Initially, the ad hoc group includes: Nyman/Reilly, Baron/Tavolaro, Kirk Pflugh, Zahn, Suszkowski, Siegel.

The MC then discussed how to address the oyster restoration work that was discussed at the PC meeting. The MC agreed that it was a worth-while project to pursue. NEIWPCC can not sole source funds to the project and that the funding was intended for design, not construction or demonstration. It was agreed that the new CRP work group would revise the RFP to include the additional \$70k of HEP funds that can be used for demonstration projects. Portions of the oyster project would then be eligible to compete for these funds. The CRP work group will recommend the focus of the RFP. The RFP will make it clear that a Quality Assurance Project Plan may be necessary and that the time and expense for it should be taken into consideration.

The call was then concluded.

**Action Plan Revision Process
(December 2009)**

Facilitator Bill Logue will assist the MC and PC at meetings to revise Action Plan.

It is anticipated that the MC and work group/advisory committee chairs can provide all the needed information for the revisions.

HEP Office will take first shot at revising “Challenges” and “Accomplishments” sections.

“Responsible Entities” listed for each priority action will be asked to consider whether the action:

- has been completed and can be shifted to the “accomplishments” section
- needs to be updated/modified
- is no longer relevant and can be removed

An initial meeting will be scheduled for February or March with the MC and facilitator.

Progress will be presented to the Policy Committee at their April 2010 meeting.

Revisions to be completed by summer 2010.

Proposed Structure/Charge for Implementing the CRP within the HEP Framework.
Draft Recommendation to the HEP Policy Committee
(Draft November 23, 2009)

The New York-New Jersey Harbor Estuary Program (HEP) addresses many different environmental issues facing the harbor. In the 2008 Action Plan, these issues are organized around the following goal areas: Pollution in the Estuary; Public Access; Economically/Ecologically Viable Port; Public Education/Community Involvement; and Habitat and Ecological Health. The recently completed draft Comprehensive Restoration Plan (CRP) has been adopted by the New York-New Jersey Harbor Estuary Program (HEP) as the habitat restoration plan and will address that goal of the Action Plan.

While primarily funded and developed under the leadership of the Corps of Engineers and the Port Authority, the CRP was envisioned to be a plan and mechanism for all those interested in restoration of the harbor. Continued coordination for planning and implementation is needed for the CRP. In September 2009, the HEP Management Committee recommended that the structure for the CRP implementation be assessed.

While other options may exist, HEP currently has a federally authorized and functioning Management and Policy Committee structure and could provide a legitimate home for CRP implementation. It is recommended that a CRP Work Group be formed as one of the technical work groups under the Management Committee, incorporating all of the functions of the existing Habitat Workgroup, which will sun set.

CRP Work Group

A CRP Work Group would be formed and comprised of a core group of 8-10 members or advisors. The advisors would be from the Corps, Port Authority, State of New York, State of New Jersey, HEP Office, National Park Service, and other key groups involved with restoration and protection of the harbor. The Corps and two states would be good choices to co-chair this group.

The CRP is organized around 11 Target Ecosystem Characteristics (TECs) that include both traditional habitats such as wetlands and maritime forests, as well as non-traditional areas such as sediments and public access. To some extent, HEP is already addressing some of the TECs via existing work groups. Some other TECs are being addressed under a less formal umbrella. In addition, the Habitat Work Group has played a central role in identifying potential acquisition and restoration sites. The CRP Work Group would have the ability to form ad hoc subgroups as it sees fit. These ad hoc subgroups may be made up only a handful of technical experts and/or practitioners. The opportunity for public input could be provided at the periodic gathering of all involved groups described below under CRP Workshops.

Charge to the CRP Work Group: The CRP Work Group is charged with providing overall long-term direction for implementation of the CRP as well as ensuring that short-term projects and objectives are appropriately addressed. While the Corps has an internal team to address its agency programmatic needs, the CRP Work Group will augment that team by working with all interested entities to ensure coordination and foster implementation.

The CRP work Group will oversee coordination of certain key CRP activities including addressing technical, monitoring, data, and other issues identified by themselves or their subgroups. Like the other HEP work groups, the CRP Work Group will also be charged with identifying challenges (e.g. fill policies, attractive nuisance, and habitat exchange), regulatory streamlining, and implementation strategies (funding and authorization). The Work Group will also be charged with identifying and developing discrete projects, and working with the Harbor Roundtable and other groups to seek funding to implement them.

The CRP Work Group will report to the Management Committee. It will have the ability to bring in outside experts or form ad hoc subgroups necessary to address issues not covered by existing work groups. The Work Group will meet quarterly or as necessary.

CRP Workshops or Conferences

All of the groups associated with CRP would gather 2 times per year to report out on their efforts and coordinate/communicate with other groups. The workshops would be organized by the CRP Work Group. The HEP Habitat Coordinator would assist the CRP Work Group with logistics, agenda development, recording outcomes, etc. The coordinator would attend as many of the work group meetings as possible to help maintain consistency.

Some of the activities envisioned for these workshops include:

- Presentation on progress on individual TECs.
- New site nominations for acquisition and restoration for habitat and public access.
- Updates on data management/mapping of sites using OASIS.
- Opportunity for the interested public to get updates on CRP implementation and to provide their insight.

Legislation and Funding

The Harbor Roundtable, through its advocacy efforts, would be tasked with addressing Federal legislation/funding issues for implementing the CRP. The CRP Work Group would provide specific project information to the Roundtable as necessary. Some federal agencies such as the Corps also have a role in determining the authorization and federal appropriations process for their participation in the CRP.

Funding for projects at the state, local, and academic projects would need to be handled at the appropriate level.