



**NY/ NJ Harbor Estuary Program
Management Committee Meeting
September 17, 1998
Hudson River Foundation**

Major Points:

- HEP Program Office: *Consensus was reached on the need for a program office, but not on the details.*
- Reviewing the Work groups: *EPA will be the lead.*

For Next Meeting:

- EPA will provide copies of the Air Deposition Meeting Slides to All Management Committee Members.
- Next Meeting: Tuesday December 15th, 1998.

Summary of Issues:

1. Approval of 6/18/98 MC minutes and addition of comments to 12/11/97:

The minutes from the previous meeting of December 11, 1997 were discussed, and members should get back to Bob Nyman with final reviews.

2. FY 98 Work Plans and Grant Status:

Bob Nyman (EPA) reported that grant packages have been received, and are being processed. The expected award date for the grants is September 30, 1998.

3. Implementation Focus Item: HEP Office:

There was lengthy discussion regarding a need for and location of a HEP program office. A background was given regarding the issue. Under Objective S-3 of the CCMP, HEP will establish a program office and EPA must provide a full-time project officer. At the time the CCMP was adopted, several alternatives regarding this topic were discussed including: someone offering space, or EPA provide space and support services. At the September 17th meeting these and other possibilities were discussed. The Clean Ocean and Shore Trust (COAST) offered free space, but no personnel. EPA offered to house the office in their building, and provide a director, but they do not have the budget for a support staff.

The Long Island Sound (LIS) Program was mentioned as an example of how another Estuary Program funded their office. The LIS Program funds their office through EPA Region 1 and Region II, and has allocated LIS funds for staff expenditures. In addition, a RFQ was developed for the staff positions. An RFP can be sent out for staff for HEP staff positions, along with a budget request, in order to determine more options. However, before money can be spent, there needs to be consensus on spending HEP moneys. HEP moneys can be used for funding an office, but only with the agreement of the two states. The states endorse continued HEP funding to support their implementation and coordination activities. Therefore, a recommendation went forth to the Policy Committee meeting that the HEP office be discussed there.

Conclusions:

- There was consensus reached about having an office.
- There was no consensus reached regarding plans for funding of the office and support staff. An RFP was discussed.
- EPA was asked to proceed with their offer of a director and an office, and to later identify funds for support staff.

4. Implementation Focus Item: Update on CARP:

There was be a July 23-24 workshop

- Dennis Suszkowski (STAC) reported that both states are working together on CARP.
- There was an emphasis on a need for an agreement on a modeling approach.
- Manhattan College wants to modify the model to include carbon and some parts of the SWEM model.
- There will be a meeting with the states on September 25 on loadings to discuss the number of samples, where and when the samples need to be taken, what base loadings and monitoring data needs to be obtained, and the temporal issue.
- Dennis Suszkowski was concerned that both the states be able to begin monitoring this Fall.
- EPA's intention is to coordinate with both states on the toxics issue.
- Progress is being made on the bi-state work plans, and both states are working well together.
- A comment was made to remember why we are working on this issue, that CARP was initialized because of the need to dredge the Harbor. It appears that technical issues are dominating discussion, and that the big picture is being lost. Eugenia Flatow (CAC) wanted to go "on record" as voicing this point, and to make sure that we don't lose sight of the objective, and issue that began this effort. EPA responded that there has been a great deal of effort geared toward identifying sources, even before PA funds were available. There needs to be additional sorting out of issues to determine the role of various programs and state work plans to reach final decisions.

Overview of July SCRWG Modeling Workshop:

- A summary of the workshop was distributed at the MC meeting.
- Tom Wakeman proposed a 1999 deadline for information from the Port Authority, in order to make that information useful.
- It was mentioned that the purpose of the CARP is presently to obtain loadings and ambient data.
- A modeling approach needs to be assessed and decided upon.
- An organic carbon component needs to be added to the sediment transport model.

5. Implementation Focus Item: Habitat Initiatives:

Marc Matsil, the chair of the Habitat Work Group, summarized the important points of the last meeting. He provided a lengthier summary to members at the meeting.

The Habitat Workgroup agreed to:

- Encourage watershed planning and protection of critical watersheds through watershed based issues maps, landfill restoration symposium, flood incident reporting and presentation of the GEM Model.
- Identify acquisition and restoration priorities. Identify the watershed-based priorities and funding sources for acquisition and restoration.
- Strengthen wetlands permitting coordination and protection
- Establish monitoring protocols and criteria for habitat restoration and acquisition.

Marc also reported that Jeanne Fox, Administrator of EPA Region II, has agreed to the New Jersey Priority sites with caveats, due to regulatory issues. Bob Nyman sent a copy of this letter out to all Management Committee members following the September 17 meeting.

There was consensual approval of the New Jersey Priority Habitat Site List.

The Friends of Rockaway, represented by Bernie Blum, indicated that the Habitat summary made no mention of mosquito control, and that it should be included in the CCMP. Bernie elaborated on the issue, saying that there is a need for open water marsh management, that spraying only abates the problem in the short term and that the habitat workgroup should address this issue. Additionally, he cited a helpful report: Strategic Policy Statement, Borough of Queens, 1998: the city's streamlined wastewater program. Marc responded that mosquito control was added to the Jamaica Bay Plan.

6. HEP Status Reports (Biennial Review/ Annual Report):

A questionnaire/ report on progress being made to the CCMP will be sent to EPA headquarters. A comment was made that the OWOW report is a bean counting set-up and therefore, it is very difficult to answer questions on it.

Clarification was made between the biennial review and the annual report. The biennial review document is not a public document and shows how resources are being used and what the public is getting. The annual report will stem from this and will be a user-friendly document that will be available to the public.

The NYDEP Bureau of Waste Water Pollution Control, marine sciences section has an example of an annual report and offered it up, so as not to reinvent the process. EPA indicated that NY's report was very good, but they did not envision producing something as detailed.

There is also a tracking report that needs to be completed on CCMP progress.

All reports (Biennial, Annual, and State of the Estuary) will be due around April 1.

Comments for the Tracking report will be due October 31st, and it will be completed by the end of December. Bob Nyman will contact the Policy Committee Representatives for this.

7. Other follow-up Items:

Designation of New York Coordinator

Dick Draper, who reports to Phil DeGaetano (Chief of the Great Lakes Estuary Program), was approved as the New York Coordinator.

Development of State of the Estuary Report

(See HEP Status Reports above)

Status of Committees:

Mario Del Vicario (EPA) discussed the need to reevaluate the HEP work groups. He indicated that some of these workgroups might need to be reinvigorated and determine appropriate membership. A HEP member recommended the creation of a stormwater management committee.

EPA is meeting with the states to discuss coordination of various issues, including CSO abatement, TMDLs for fecal coliform, nutrients and toxics. EPA recommended that the Nutrients workgroup be combined with the LIS Nutrient workgroup, and that Mark Tedesco (LIS Director) be the chair.

- *Pathogens work group:*

A discussion took place about the use of models. EPA said that there are deficiencies in every model, so a committee should address the positive aspects of certain models. Bob Gaffaglio asked that the committee look at the SWM model. EPA said that would be agreeable.

- *Citizen's Advisory Group:*
Eugenia Flatow (CAC) indicated that the CAC is working on a progress report on the habitat, toxics and nutrients, and would like information from the chairs of the workgroups.

The CAC asked that there be a funding source for printing their material. EPA said that the ability to print would be made available to the CAC.

Overview of Atmospheric Deposition Meeting:

There was no write-up of the meeting. In lieu of a write-up, the committee wants copies of the overheads and the items listed in the flip charts. Jean indicated that it was a good meeting and the importance to all East Coast Estuaries needed to be considered.

Overview of Dredged Material chapter of the CCMP:

EPA is in the process of producing a chapter on dredge material.

Need for Legislative Briefing

It was decided that there is a need for a legislative briefing, so the HEP can gain more public support through higher level coverage. Two suggestions were made about the level at which these briefings should be held. One individual suggested a countywide briefing, and another suggested a briefing by program.

8. Review Draft Agenda for September 24th Policy Committee Meeting

The Policy Committee agenda was discussed and amended.

Discussion ensued regarding air deposition. People felt that this needed to be discussed at the Policy Committee level. A recommendation was made that if the interest was there on the part of NJDEP, that they invest additional funds in air deposition studies. Also discussed was the relevance of air deposition to the HEP program. Finally, it was resolved that a separate discussion concerning the facts of the air deposition meeting should occur in the future.

Available Handouts:

1. Discussion Document regarding the HEP office.
2. COAST offer for HEP office space.
3. Various handouts from the Friends of the Rockaway regarding mosquito abatement.
4. 1999 Guidance on Biennial Review of Post-CCMP NEPs.
5. Wetland Permitting Coordination and Protection document.
6. HEP Habitat Workgroup 1998 Initiatives.
7. Guidelines for Monitoring Low Salt Marsh Restoration Projects
8. Forest Monitoring Protocol.
9. Copy of letter from Marc Matsil to the Corps of Engineers regarding nationwide permits.
10. Policy Committee Meeting Agenda
11. New York/ New Jersey Estuary Modeling Workshop Summary (July 23-24, 1998).
12. Letter from EPA regarding the approval of the HEP habitat priority sites list.

List of Attendees

(Attached)