

NY-NJ Harbor TMDL Oversight Meeting  
290 Broadway, NY, NY  
August 3, 2006  
Minutes  
(Draft August 22, 2006)

Participants included: Kevin Bricke, Bob Nyman, Rosella O'Connor, Jim Olander, Mark Reiss, Susan Schulz, Jeff Myers, Phil DeGaetano, Narinder Ahuja, Debra Hammond, Marco Al-Ebus, Shadab Ahmad, Jeff Reading, Kerry Kirk-Pflugh, John St. John, Robin Miller, and Charlie Dujardin.

1. Minutes from the December 21, 2005 meeting were approved as written.
2. Robin Miller provided a PowerPoint presentation update on the "What it would take" management questions outputs that HydroQual had developed. The results had been previously presented to the Nutrients Work Group (NWG) on July 25, 2006. Phil DeGaetano asked if impacts on biota could be related to conditions such as larval transport. This and other options would be assembled for consideration of future steps at the next oversight group meeting. Jeff Reading asked if the Bergen County Municipal Utilities Authority model better than SWEM for the Hackensack. Ms. Miller responded that SWEM is better on the larger scale, but the other may have advantages.
3. Bob Nyman provided an update on the cost analysis work that was to be undertaken by NYCDEP and the NJHDG. Both entities expressed their willingness to work together at the last NWG meeting and are collaborating on the NJHDG request for proposals to do the work on the NJ side.
4. Robin Miller gave a PowerPoint presentation update on the status of CARP. Copies of the presentation are available.
5. Rosella O'Connor handed out a copy of the most recent toxics TMDL schedule. She said that the toxics TMDL work group is awaiting the conclusion of CARP and the release of the model before they can start the TMDL work. The draft toxics TMDL schedule was circulated to the work group members and no comments were received. She said that there was to be a CARP Management Committee meeting on August 10<sup>th</sup>. A request was made for a presentation on the Passaic Superfund effort by the appropriate party.
6. Charlie Dujardin gave a PowerPoint presentation on the pathogens management questions that HydroQual had been working on. A copy is available. After the presentation, HydroQual departed and the agencies had a discussion about various approaches.

There was agreement that one of the goals is that all of the open waters of the harbor would meet the swimmable standard and that any exceptions, would meet the requirements of a Use Attainability Analysis. The states also agreed to identify all

bathing beaches, both public and private, including any that may be grandfathered and not be covered by current water quality regulations.

With regard to shellfish, the states also agreed to map all areas with shellfish resources; this would allow an analysis to identify potential direct harvest areas, depuration areas and relay areas.

Regarding criteria and application of criteria for swimming, the basic standard is 35 MPN Enterococci/ml. Two options for measuring compliance are still under consideration: seasonal geometric mean and 30 day rolling geometric mean. Also, the single sample maximum at designated bathing beaches is still under consideration (104 at some frequency).

The issue of which baseline period to use (1988 (average) or 2003 (wet)) was not resolved. There was also discussion, but no decision on, the option of analyzing the entire multi-year period.

It was agreed that statistical plots would be desirable for further analysis. These plots exist for bathing beaches, but need to be developed for representative open water areas, such as the Hudson River and Upper New York Bay. Plots should be developed for the day it rains, the day after it rains, and two days after it rains.

The oversight group would also like to have more information about the impact on the 30 day rolling geometric mean of including the 30 days prior to the bathing season (April Showers affect).

Phil DeGaetano requested that some assessment be made of the spikiness of the data, or, how good the model is at predicting the 104 number. Finally, the group wanted to know if a month to month geometric mean plot existed.

The meeting was then adjourned.