



**NY-NJ Harbor Estuary Program
Citizens Advisory Committee
& Public Access Work Group joint meeting
Minutes**

Friday, March 23, 2011
9:30 am – 1:00 pm

MINUTES

1. Introductions.
2. A presentation was then given by Kerry Kirk-Pflugh (New Jersey Department of Environmental Protection) and Cali Alexander (New Jersey Department of Health and Senior Services, Seafood/Shellfish Project Coordinator), about the history of contamination in New Jersey and the efforts to advise the public on the safety risks surrounding eating fish caught in the harbor estuary and its tributaries. Kerry and Cali highlighted ongoing efforts to reach out to fishermen and their families, including: direct outreach (conversations with fisherman on the shoreline), public service announcements, online presence, tailored signage and messaging, working with other locally-based environmental groups to aid in outreach, and a 4-day workshop focusing on local issues affecting environmental and human health and wellbeing (particularly on combined sewer overflows, fish contamination, and the Public Trust Doctrine). They emphasized the importance of providing a tailored (one size does not fit all), balanced (there are other health benefits to eating fish) message. The need for additional partners to work with DEP and Dept. of Health & Senior Services on this effort was stressed. "Getting the word out" was emphasized as the primary need for this issue. Those who are interested in hearing more or getting involved should contact Cali: Calliope.Alexander@doh.state.nj.us.
 - Group members raised questions about outreach to commercial fisherman, recreational tour operators, and via education through licensing. It was indicated that the commercial audience is very hard to reach, and that efforts have been shown to be better placed by working with local fishing clubs. Tour operators were not seen as having the same risk level as the target audiences.
 - New York and New Jersey State differ primarily in their approach to fish and blue crab safety levels, as each state has advisories tailored to their needs. Both states have worked together many times and have bridged some of the differences; however, the advisories are not likely to become the same. However, New Jersey and Delaware have agreed to adopt the most stringent requirements in border areas when advice differs. This could be a potential approach to resolve differences between New Jersey and New York. .
 - Bill Sheehan suggested that a bi-state conference could be very useful to bring attention to the issue.
 - Harvey Morginstin recommended painting advisories or information on walls adjacent to sites as a low-cost, difficult target for vandalism (when compared to signage).

Action item:

- Gabriela and Kate will follow up with the group to hold a conference call for those interested to discuss HEP's potential future involvement in this issue.
3. Rob Buchanan was welcomed as the newly elected New York Co-Chair and Roland Lewis was recognized as the departing NY Co-Chair for his leadership.
- As a departing note, Roland emphasized the need to push the CAC report further up in the agenda at the Policy Committee meetings, and expressed the need to further consider representation on the Policy Committee and HEP's housing within the EPA.
 - Michelle suggested that every other Policy and Management Committee should be held in New Jersey. Additional potential locations were mentioned, such as the Elks Club in New Brunswick (Middlesex County).

Action item:

- HEP will work to hold more meetings in New Jersey for the Management and Policy Committees.
4. Potential new CAC members were reviewed and accepted. :
- Nancy Brous, NYC Water Trail Association
 - Brenda Torres-Barreto, El Puente
 - Nicholas Tufaro, Middlesex County Planning Dept.
 - Tiffany Smythe, NY Harbor Foundation and Urban Assembly NY Harbor School

Action item:

- Gabriela and Kate will send a revised list of CAC members along with their voting rights and will notify the Management Committee of the changes.
5. Doug Pabst presented the new geographic scope for HEP, its draft interpretation, and HEP 2.0. The new map was discussed, in addition to an effort to review HEP's Work Group membership and representation and strategy.
- Concerns about funding were discussed (e.g. who would be making decisions, stretching funding too thin, disparity between the need for attention in the core area and those upstream). The way the interpretation is currently written, funding will not be spent outside of the core area (for restoration, stewardship and public access), with the potential exception of an upstream project which would affect the core area (such as with sediment management or tributary connectivity).
 - Concerns were also voiced that the expansion may necessitate a CCMP revision to include these larger areas, which will further delay any concrete actions.
 - In response to HEP 2.0, members suggested a closer look at the monitoring of PCB contaminant movement, the impacts of dredging and deepening projects, among other challenges. Dorina Frizzera suggested that a list of these challenges be created.
6. Doug Pabst also presented the new EPA Region 2 "no fill" policy for section 320 funds. Section 320 are the funds that support the Estuary Programs, and therefore all Region 2 Estuary Programs are subject to this restriction. Doug explained that the direction, which came from the Region 2 Administrator, was seen as a way to focus funding for these programs on water quality improvements.
- The Committee expressed concern over the new rules. In particular, the guidance suggests that public access and living shorelines projects, among others, might be off-limits for the

- program.
- Roland Lewis proposed writing a letter about the new guidance to the new administrator.
- Maggie Flanagan suggested the importance of the provision of public access that minimizes impacts on water quality – such as raised platforms or other strategies to keep the public off of critical areas such as wetlands.
- Bill Sheehan suggested this might be an opportunity to ask for more clarification, and discuss options for considering “no **net** fill” rather than outright “no fill” policy.

Action item:

Rob Buchanan and Roland Lewis will follow up with the group to determine if the CAC is interested in drafting and voting on a letter to be sent to the administrator about the policy. The draft letter will be sent around to everyone on the Committee for any comments and, per CAC bylaws, will require a third of the voting members to weigh in on whether or not it should be sent.

7. Other Updates:

- **Budget process:** the proposed budget items for the next year were explained and discussed. The primary requests for the Public Access and Stewardship group include the small grants (\$130,000), City of Water Day (\$30,000). In addition, there is a request from HEP for outreach that includes a citizen science workshop.
- **HEP stewardship & public access grants:** HEP has begun the RFP-drafting process and will release it soon for these available funds (\$65,000).
- **Climate-Ready Estuaries project:** Kate Boicourt gave an update to the group about the climate-ready public access case studies project that will be focusing primarily on sites in Middlesex County.
- **Public Access Statement:** the Committee should review the latest statement and provide any comments to Rob. Voting members should choose whether or not to adopt/send the statement.
- **Public Access WG meeting in April:** Kate Boicourt will be sending around a separate email to schedule a conference call with the PAWG to discuss:
 - Thoughts on the future format of the Work Group - are joint meetings with the CAC the best format? Is the PAWG most useful as a completely separate group or complementary/advisory subgroup?
 - Draft Work Plan for Public Access
 - Public Access Guidance document
- **“Save the Date” for the June 8th, 2012 Sacred Waters Honor Journey,** a voyage from rivers to sea to promote stewardship of waters across the world. Dorina suggested that this could be a good opportunity for our Public Access/boating partners to join in. More information can be found online at: <http://honorjourney.org/>
- **Other save the dates:**
 - **April 21** - Earth Day
 - **June 8th** – National Ocean Day
 - **June 23** – Mermaid Festival
 - **July 14** – City of Water Day
- **Transmitter Park** – Louis Kleinman brought the groups attention to a lack of access to/from the water planned for this park.

8. Meeting was adjourned

ATTENDEES

Calliope Alexander, NJ Dept. of Health & Senior Services
Kate Boicourt, NY-NJ Harbor & Estuary Program
Nancy Brous, NYC Water Trail Association
Rob Buchanan, Village Community Boathouse
Michelle Doran McBean, Future City, Inc.
John Dobosiewicz, Kean University
Vince Elias, US Army Corps
Bill Fidurski
Maggie Flanagan, Marine Educator
Dorina Frizzera, NJDEP Coastal Management Program
Melisa Hart, NJCU
Cecilia Huamani, NJCU Student Graduate
Kerry Kirk-Pflugh, NJDEP
Louis Kleinman, Metropolitan Waterfront Alliance
Glenn Lautenberg, Future City Inc./Kean University
Roland Lewis, Metropolitan Waterfront Alliance
Caroline McLaughlin, NJ Sea Grant Consortium
Bhavin Mistry, Future City, Inc./NJCU
Harvey Morginstin, Passaic River Boat Club
Gabriela Munoz, NY-NJ Harbor & Estuary Program
Doug Pabst, USEPA Region 2
Richard Palumbo, The Trust for Public Land
Manuel Russ, Concerned Citizens of Bensonhurst
Captain Bill Sheehan, Hackensack Riverkeeper
Renee Skelton, Unaffiliated/Perth Amboy
Tiffany Smythe, NY Harbor Foundation
Nellie Tsipoura, NJ Audubon
Nick Tufaro, Middlesex County, NJ Planning Department
Audrey Van Genechten, NYS Department of Health, Center for Environmental Health
Nina Zain, The River Project