



**New York-New Jersey Harbor Estuary Program
Management Committee Meeting Minutes of February 17, 2000
Location: Hudson River Foundation**

(Final May 30, 2000)

1. Janice Rollwagen convened the meeting at 10:10 a.m. The agenda was modified to allow Jim Tripp to go earlier in the agenda.
2. The minutes of the August 19, 1999 MC meeting were accepted as written.
3. Jim Tripp continued the discussion that was initiated at the last Policy Committee meeting concerning the DMMIWG. He noted the letter that he sent to Jeanne Fox dated February 9, 2000 regarding the HARS/Criteria Work Group. It was suggested that the peer reviewer for the criteria work be reconvened to discuss the criteria in an open forum. In addition to technical issues, there was an interest in the overall policy choices. There was also discussion of setting up a transportation work group, perhaps within CPIP, that is modeled on HEP stakeholder input. The final issue brought up was the suggestion that Tom Wakeman co-chair the DMMIWG. As a result of the discussion, the following 3 actions were to take place:
 - a) The MC Work Group will check with their PC member and will get back to Bob Nyman within 2 weeks on the recommendation of Tom Wakeman as co-chair.
 - b) Comments were to be sent to Jim Tripp directly within two weeks on his suggestion for a Transportation Work Group.
 - c) The MC Work Group will check with their PC member concerning their request for a HARS work group. If necessary, a PC conference call will be set up to discuss the issue.

Dick Draper asked what EPA's plan was for review of the criteria. Janice Rollwagen said that it will be a public process.

Jim Tripp said that there were several issues that needed to be addressed - will the Region 2 criteria be regional or national, what are the long-term plans for HARS and what kind of physical material will be acceptable for aquatic disposal.

Gene Flatow said that there was a lot of misinformation being released by some groups about the dredging issue and that it would be important for the agencies to be open with their information to offer a balanced picture. She continued that vision was important, saying that HEP has it, but it is unclear if CPIP does. She said that the vision process for HEP is broad and includes a chapter on dredged material. She continued by saying that the HEP process is using working committees which has proved very effective and that CPIP should be merged with HEP to avoid duplication and overlap. Dennis Suszkowski added that HARS and criteria are very explosive issues. EPA appears to be acting on its own and will take the hit alone. He suggested that EPA use the HEP process to avoid conflicts during the public comment period. The Corp added that they would like to see a criteria work group.

Bob Hargrove then discussed the CPIP MOU. He said it was signed by the leads and that it was sent out for others to sign. The impetus for CPIP was the Harbor Navigation Study. That study allows for port expansion, but that expansion was not evaluated in the EIS. Now, an EIS will be conducted to study the additional increment of growth. The focus will be on port facilities expansion and transportation infrastructure, but the overall project has yet to be scoped out in detail. Committees will be established, including a transportation committee. Dennis Suszkowski asked who sets the CPIP vision. Mr. Hargrove responded that CPIP is the responsibility of a consortium consisting of the Port Authority, the states, Empire State Development Corporation, and NJ Maritime. It is not clear if CPIP or EIS will lead, but that will be worked out in the committee process. Mr. Hargrove added that there is no final decision about how HEP would be incorporated into CPIP or vice versa. Right now they are separate, but they won't necessarily remain that way.

Jim Tripp said that there was only one environmental group on the Steering Committee. Mr. Hargrove said that EPA was the lead on the MOU, but beyond that, no decisions have been made as to committee make-up.

Tom Wakeman said that Mr. Hargrove did a fair job of reporting on CPIP. He added that the CCMP is an estuary plan, not a port plan. Gene Flatow added that the vision process for the HEP CCMP was long.

There was a brief discussion of the HEP work plan. Bob Nyman asked that budget requests be submitted within two weeks and that those who received funds last year need to submit a write up of how those monies were spent.

There was then a brief discussion about ANEP and their request for dues from each of the NEPs. Mr. Wakeman said that ANEP is involved with legislative efforts to assist the NEPs and that the Port Authority was willing to put up \$500 if someone else could come up with the other \$500. Joe Olha asked what ANEP has done. Bob Nyman said that they are involved with legislation for the NEPs and also promote interaction among the NEPs. Janice Rollwagen responded that they also have assisted in keeping the NEP budget from being cut. MC members were asked to go back and see if they could contribute the other \$500.

Bob Nyman distributed a copy of the Biennial Review comment letter from Suzanne Schwartz. Mr. Nyman said he did not agree with all the comments and that he would prepare a response letter. Dr. Suszkowski said he thought the comments were fairly accurate. Lyngard Knutson said that the dredging chapter was mentioned in the letter and is still needed.

Zoe Kelman discussed the work she is doing to track CCMP implementation. Ms. Kelman said she wanted to meet with the work groups to discuss actions and how they set priorities. She said she wanted to separate out actions and set critical paths for completion. Joe Olha suggested that we utilize more of a goal/objective oriented approach. Tom Belton suggested a Gantt chart approach. Ms. Kelman said she would continue to update the tracking modules and work with the work groups.

Tom Belton of NJDEP gave an overview of the air monitoring work being carried out by Rutgers and also the activities of the HEP Atmospheric Deposition work group. Copies of his overheads were made available.

Mike Weinstein announced the air deposition workshop to be held at Monmouth University on April 13th. He also mentioned a \$600K air emission from dredged material study that was being conducted and that NJ Sea Grant was hiring a new outreach staff person. He went on to mention the December 3 - 6 dredging conference to be held at MIT in Boston and requested funding to help support it.

Bob Nyman gave an update on HEP toxic work group activities. He said that the focus has been on reassessing VOCs in surface waters to determine if they should remain on the list of toxics of concern for the harbor. Sampling is scheduled for February and May 2000 in a collaborative effort between EPA, NYCDEP, and PVSC. Mr. Nyman discussed the trackdown work that was being conducted and said there was to be a meeting of the toxics trackdown work group in the near future. Finally, he said that a proposal from NJDEP is being considered by EPA for funding that would jumpstart a land based trackdown effort using GIS, site remediation data and other sources of information.

Surangi Punyasena of NYC Parks represented Marc Matsil and said that the wetlands Agreement of Coordination was completed and that all parties agreed that it did not need to be signed. Jim Gilmore said that NYS would like to see revised process for setting priorities for habitat sites. A draft process had been developed and the MC asked that NYS work with those necessary to refine the proposal.

Bernie Blum mentioned his desire for mosquito control.

Jennifer DiLorenzo said that NJDEP would be committing \$5 million per year for three years to acquire sites off the HEP Habitat map. Jim Gilmore said that NYS needs a process for setting priorities. Dick Draper said that there was no news yet to report for NYS Bond Act selections for the harbor.

Mr. Draper went on to give an update on the Nutrient Work Group. It was suggested that there needs to be state acceptance of SWEM. Dr. Suszkowski said that the Corps model also could do nutrients, but not as well as SWEM.

Bob Nyman distributed an update on the Pathogens Work Group that was prepared by Jim Olander.

Nancy Steinberg introduced Julie Way, an intern working on the Human Health Indicator report. She handed out a draft of the PCB levels in striped bass section of the report as well as tables of the data sets that have been collected for all the human health indicator work.

Dennis Suszkowski described the Statement of Principles that was developed for CARP and said it was signed on November 4, 1999.. He said the document was important to make sure that everyone involved with CARP has a common understanding of what is being done. He went on to give an update on the field work and noted that there had been problems with mercury sampling and with TOPS. He said that contract language was being ironed out concerning the QA, model, and CARP coordinator. He also said that there was a need to look at toxicity and that they will be asking the contractor to do some evaluation.

The meeting was adjourned at 1:50.