



**Policy Committee Meeting Minutes
New York-New Jersey Harbor Estuary Program
October 1, 2002
Meeting Location: 290 Broadway, NY, NY**

(Draft October 28, 2002)

Bill Muszynski convened the meeting at 10:05 am.

Introductions were made. It was noted that three of the seven Policy Committee (PC) members were new. Chris Bollwage, Mayor of Elizabeth, is the new New Jersey Local Governments member. He was represented at the meeting by Felice Vazquez. Chris Ward, Commissioner of New York City Department of Environmental Protection, is the new New York Local Governments member. Brad Campbell, Commissioner of New Jersey Department of Environmental Protection, is the new New Jersey state member. Commissioner Campbell was not able to make it to the meeting, but was tied in via speaker phone for a portion of the meeting.

Minutes from the December 2001 Policy Committee meeting were distributed. Comments were requested in two weeks.

Bob Nyman then gave an overview presentation on HEP, primarily for the new PC members. The presentation included a brief history of the program, structure, key areas of the CCMP, a few major accomplishments, and focus areas for the future. Tom Creamer said this was a very useful presentation and requested a copy of it so that he could use it to inform others. Mr. Nyman also agreed to provide him with the backup material regarding the funding leveraged from participant agencies.

Bill Matuszeski then led the discussion on Targets and Goals. A one page summary of issues that needed to be addressed by the PC was distributed. They included a suggestion that the document be revised in six months, the Management Committee (MC) would continue to develop the indicators, HEP would pursue getting an "Agreement" signed by the Governors and EPA Administrator, and that there would be an annual public review of progress. Mr. Matuszeski noted that the NYC Harbor Survey showed great progress in some areas of water quality and it would be difficult to make a priority of making additional progress in some of the areas. Chuck Warren said that he was concerned about things getting stretched out too far. He said we still need to move faster and try to move areas forward. Mr. Muszynski said we should be able to make some decisions in

six months. Genie Flatow said she wanted annual reports. Further discussion would be held until after related presentations were made by John St. John and Dennis Suszkowski.

John St. John then made a overview presentation of the Harbor Survey. He first presented data on dissolved oxygen and fecal coliform for 1970 and 2000. He noted that some of the New Jersey tributaries and the portion of Raritan Bay on the New Jersey side were not included because data in those areas is not collected by NYC. Some data is now being collected by the Passaic Valley Sewerage Commissioners in a couple of the tributaries, but it is unclear if sufficient data is being collected in the other areas. Mr. St. John noted that much of the improvement in water quality is due to upgrades at the treatment plants, improved maintenance, and increased flow of CSOs to the plants. He pointed out the annual variability, which he noted were likely due to variable weather conditions. This should be kept in mind when setting targets. He noted that there was not as much data for toxics, but showed the contours for the REMAP data. He said loads could be tracked, especially for metals from treatment plants. For floatables, it may be possible to track the number of slicks, or some other parameter.

Chuck Warren asked how you layer additional water quality benefits on to ongoing benefits. Mr. St. John said additional model calculations would be able to do that. Mr. Muszynski said that success may also be seen in smaller geographic areas, such as Jamaica Bay.

Dennis Suszkowski then gave a presentation on the Human Health Indicator report that the Hudson River Foundation prepared for HEP. The effort began in 1995 with a monitoring workshop that developed the list of potential indicators. The report has been completed and they are now working on a State of the Estuary report that is scheduled to be completed in December. He gave several examples of indicators, including PCBs in striped bass and sediment cores. He noted that progress in report preparation in some areas is being hindered by data availability. Tom Creamer asked what data was needed. Dr. Suszkowski responded bioassay, bioaccumulation, dredging applicant data, and HARS data..

Mr. Matuszeski then returned to the basic questions on the summary sheet. **The Policy Committee agreed that the five subject areas were OK.**

The PC requested that a range of targets be developed for future PC consideration. Chuck Warren said that it would be a good exercise to show the capital expenditures to date for the current water quality improvements. Commissioner Ward said he had a little anxiety about setting targets that may end up as mandates. He added that we should show what kind of environmental improvement could be bought. Mr. Matuszeski said we must have goals that can be understood, that is how Chesapeake got additional funds. Ms. Flatow said there was no process to triage unfunded mandates. Mr. Creamer suggested that there be a middle management reality check to select a reasonable range with the right people involved. Commissioner Ward said tangible projects must be identified and be able to show that particular results will come from particular dollars.

Marc Matsil said that heightened enforcement is Commissioner Campbell's priority. Mr. Matuszeski said that enforcement falls under mandates. Susan Taluto asked how many choices of indicators the PC would be asked to choose from. Mr. Matuszeski said it would be a winnowing process.

The PC charged the MC with developing a range of targets for the indicators. They also asked that the work be completed in six months. Kevin Bricke noted that six months would be a preliminary time frame and that the MC would report back then. He added that it would not be a TMDL level of analysis. NYC suggested that a cost-benefit analysis would be useful. Ms. Flatow suggested that the non-water quality sections needed to move faster. Mr. St. John said that there was insufficient data for toxics and floatables to make significant progress in the next six months.

The PC also agreed that we were working towards an agreement for the Governors and EPA Administrator to sign and that there would be an annual public review.

Dr. Suszkowski gave a status report on the Contaminant Assessment Reduction Project (CARP). He said that 99% of the field work was completed and 95% of the analytical work was done. Modeling is underway. A new website is coming soon that will be used to make data available. He said that there were some issues to watch: data availability, relationship to other programs, future funding, and dissemination of results to the public. Mr. Muszynski requested an indication of the results before they were released to the public.

Ron Borsellino discussed the Remediation Materials Work Group white paper. He said that comments were received and that a meeting will be held with policy members of the RMW to review the comments. These members include EPA, Corps, HRF, NRDC, Port Authority, and states. He added that the white paper was to present options as to where discussions would be held. He said he would provide comments to those interested.

Tom Wakeman gave an overview report on the Dredged Material Management Work Group, as Mr. Tripp had to leave the meeting early. He referred to the DMMIWG as a port of entry to get information on a consistent basis and to give feedback. He said the group discusses hot topics, such as erosion control. A handout was provided.

Mr. Muszynski then provided some information on the proposed rule regarding PCBs. He said that it would be going to the federal register in 4 - 10 days. Comments would be solicited and then the rule will be finalized. The permit decision has not been issued.

Ms. Flatow requested a legislative presentation based on Mr. Nyman's presentation.

The PC requested that their next meeting be held in April. Mr. Muszynski suggested that perhaps it be a full day retreat format. Mr. Warren requested some interim communication. It was agreed that there would be a conference call in three months to update the PC on the status of the targets and goals.

The meeting was adjourned at 1:00 pm.