



New York - New Jersey
Harbor Estuary
Program

Policy Committee
New York-New Jersey Harbor Estuary Program
Meeting Minutes - December 3, 2009

The Policy Committee meeting was convened at the offices of the Hudson River Foundation at 10:00. The meeting was chaired by Barbara Finazzo. The attendance list is attached. Introductions were made and several adjustments were made to the agenda to accommodate participant's schedules. It was noted that all presentations and handouts would be posted on the HEP website.

Robin Miller from HydroQual gave a presentation on the status of the nutrient TMDL and dissolved oxygen management (see Powerpoint slides). Some of the highlights were that there are very large cost implications for pollutant load reduction in some areas of the harbor and final standard selection by the states is necessary. A number of next steps were outlined including refinement of the sub regional runs, further analysis of non-attainment in terms of timing and frequency, and continued coordination with efforts in Long Island Sound and Jamaica Bay. It was requested that a "current conditions" map be added for comparison. Also, Chuck Warren asked that HEP ensures that the NGOs have the opportunity to provide input to the TMDL effort. It is projected that the TMDL effort will be completed in 2010.

Felix Locicero gave the pathogens TMDL update (see Powerpoint slides). He pointed out that the states had been considering two of the options for averaging period offered under the Beach Act (30 day and seasonal). At the oversight group level, both states chose to go with the seasonal average which means most of the open waters meet standards, except for the Passaic River. There was some discussion by the PC about how far we should go, considering the increased recreational use as well as the costs.

Sven Hoeger and Ann-Marie Mitroff gave a status presentation on the Saw Mill River day lighting project. (See Power Point slides) HEP provided a \$75k planning grant to enhance habitat value at the site as the City of Yonkers moves ahead with day lighting.

Eel passage is anticipated to be a part of the project as well as small scale oyster and SAV work at the mouth of the river. It was pointed out that due to several CSO connections to the flume, the ratio of tidal to non-tidal restoration may be reduced. Tom Creamer from the Corps had been involved with the permits for the project. He said it was a multi-purpose project and was very supportive. He made it clear that the flume was originally installed to control flooding and that it would continue to do so, even when the day-lighting project is constructed.

Lisa Baron discussed the Comprehensive Restoration Plan outreach efforts. She provided a handout of the completed and planned meetings and presentations and pointed out that local level support was very important. Mr. Creamer added that it is an important part of the Corps business process and it can benefit the overall effort. Jim Tierney proposed that HEP adopt the CRP plan to assist in its implementation, even if it is not yet final. After some discussion, the following resolution was agreed to by the PC.

Resolved: That the New York-New Jersey Harbor Estuary Program endorses and adopts the Hudson-Raritan Estuary Comprehensive Restoration Plan of March 2009 as a path forward subject to the respective jurisdictions, plans and priorities of the federal, state and municipal governments.

Bob Nyman then presented a recommended charge and structure for a new CRP Work Group. Under the recommendation, the Habitat Work Group and its functions would be absorbed into the structure. Two annual conferences would provide the opportunity for public input. The HEP Habitat Coordinator will provide support for the new group. It was suggested that implementation, including finance, should be on their agenda. The PC generally liked the recommendation and asked that the CRP Work Group be convened on an interim basis until additional details are worked out. The group will also look at institutional framework and provide recommendations to the PC at their next meeting. The PC then discussed funding and suggested that it would be good to get an update from Jim Tripp and Rick Larabee on the Harbor Roundtable.

Jim Tierney then reiterated that it would be useful the New York State lead Hudson River Estuary Program's Action Agenda to receive an endorsement from HEP. After some discussion, the following language was approved by the Policy Committee:

Resolved: That the New York-New Jersey Harbor Estuary Program endorses the Hudson River Action Agenda (2010 – 2014) as a path forward subject to the respective jurisdictions, plans and priorities of the federal, state and municipal governments.

Jim Lodge and Dennis Suszkowski gave a presentation (see Power Point slides) on the status of oyster restoration in the harbor. They noted that there have been substantial investments related to oysters for stewardship, education, planning, and research. The focus now is to construct, monitor and conduct research at experimental sites throughout the harbor. There was then discussion about how to find the estimated \$250-\$300k shortfall for reef construction.

Steve Romalewski provided an overview of the new OASIS site for managing information about habitat acquisition and restoration sites. He demonstrated some of the new features such as the photography from different time periods that can be used to review land use changes. PC members commented that it was a great tool.

Bob Nyman provided several administrative updates. He said that the program will initiate an update of the 2008 Action Plan in 2010. It is anticipated that this will not be as large of an effort as the initial document and will be accomplished through the Management Committee and work groups. In another update, it was noted that the annual budget for each of the NEPs under Section 320 will be \$800,000 for the coming year. PC members noted that this was good to get an increase, but were concerned that the program still does not receive the kind of funding that other programs like Puget Sound and Long Island Sound. Mr. Nyman pointed out that the Program Evaluation letter from EPA-HQ indicated that HEP had addressed all the challenges from the last review and that it had “passed”. The letter suggested that one challenge for the program is to “begin to consider updating or revising the CCMP.” The PC said we have some time to think about it, but would be supportive of using the Action Plan as the document to be revised. There was a comment about it being refreshing to get a good review letter, but others said it made it appear like there were no needs for the harbor – specifically funding. The PC agreed that there needs to be further discussion about funding at future meetings.

The discussion on the last three items: stewardship grants, state of the estuary, and public access RFP were tabled due to lack of time. A summary of the stewardship grants can be found at <http://www.harborestuary.org/managementcomm-reports.htm>.

The next Policy Committee meeting will be scheduled for April 2010.

The meeting was then adjourned.