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**NY-NJ Harbor & Estuary Program  
Public Access Work Group  
Conference Call notes**

Tuesday, April 24, 2012

- I. **Thoughts on the future format of the Work Group:** recently, the Public Access Work Group (PAWG) and Citizens Advisory Committee (CAC) have had joint meetings, due to significant overlapping material and an effort to leverage resources and engage the largest number of partners in continuing dialog. However, due to the amount of material to be covered by both groups in one meeting we often do not have the time to address all issues fully . While joint meetings allow us to bring the Public Access issues before a larger group this format has not been successful in working through the items or keeping the group engaged. The ideas discussed during the conference call included continuing joint meetings, or having the PAWG meeting more frequently (even if this means more conference calls and webinar for some meetings), an additional option might be to have joint CAC/PAWG meetings more frequently (or maintain quarterly joint meetings and add more frequent conference calls and webinars) so the in-person meetings share both CAC and PAWG issues more equally in a shorter amount of time Alternatively, the PAWG could consider becoming a Subgroup of the CAC (would enable the PAWG could have voting rights and get statements out more efficiently).
- A. Some members expressed strong support for holding separate meetings from the Citizens Advisory Committee, though it was seen as critical that the communication channel between the two groups be maintained.
  - B. Other members expressed concern that though the PAWG has many ambitious goals, if more meetings are held, the group needs to ensure that there is substance and commitment to action and deliverables. This could be accomplished through a work plan. It was suggested that developing a Work Plan and assigning members to specific tasks would help to ensure action.
  - C. It was noted that regardless of whether or not the group was considered a separate Work Group or Subcommittee of the CAC, that if there are issues that the group would like to raise in the Management Committee or Policy Committee, that they will maintain the same ability to do so.
  - D. The possibility of electing a New York Co-chair (mimicking the format of the CAC) was raised again

**Action items:**

- Dorina Frizzera suggested that the PAWG commit to developing a Work Plan and **meet separately more frequently, for six months as a trial**, followed by a group discussion of effectiveness.
- Kate Boicourt will set up a **doodle poll to determine availability** of the group for the next meeting which will occur in approximately one month. All who participated in this conference call will be invited to participate.
- HEP will come up with a **draft proposal for group structure** and level of commitment for group members and chair(s) to edit/comment on prior to the next meeting.

II. **Public Access Statement:** the statement, drafted and edited by Rob Buchanan and others over the past year, was re-circulated for review and its final content, intent, and destination was discussed. As the CAC is the only HEP group that can take an advocacy position, it was reiterated that the letter would need to be reviewed, adopted, and then sent by the CAC.

- A. **When to send? Who to send to?** Members noted that it would be timely to send the statement to the New Jersey Department of Environmental Protection in response to the final comment period on its proposed amendments to the State's Public Access Rules which will be closing on May 18. Other noted milestones – it is the 40<sup>th</sup> anniversary of the Coastal Zone Management Act and the 25<sup>th</sup> anniversary of the Hudson River Walkway. In addition it was noted that NYS is also proposing revisions to its policies in the Proposed Tidal Wetlands Guidance Document available for public review and comment. Target audiences for sending the statement were discussed at this meeting and during previous meetings included – NJDEP, NYCDEP, NYDEC, NYDOS (Coastal Management Program), EPA, counties, towns, Port Authority...
- B. **Additions:** members suggested that Environmental Justice and the Public Trust Doctrine could be more explicitly mentioned or alluded to in the letter.
- C. A clear message of **“what we are asking for”** was suggested. Some recommendations for an “ask” included:
- Asking that the relevant agencies develop metrics for public access (and track these metrics over time).
  - Consider public access in acquisition and conservation goals
  - Maintain existing sites – keeping them safe, clean, and accessible to all.

**Action items:**

- Rob and HEP will **circulate the letter** for one more round of edits and a plan for the final destination/use of the letter, to be discussed/commented on via e-mail by **May 1**.
- The final draft and plan will then be **sent to the CAC for a vote** to be completed by **May 14**.

III. **Public Access “user’s guide:”** a mock-up/outline draft of what a user’s guide produced by the PAWG could look like was discussed. The mock-up that was sent out is a placeholder for text and pictures that will be written and/or provided by volunteers from the PAWG. The document could be used as information for those interested in increasing or enhancing public access to

the estuary. The group was generally interested in producing the document together, and will follow up with identifying the topics that should be covered and volunteering for specific sections at the next meeting. There was discussion of the purpose of the document – to whom will it be directed, what content should be covered, etc. . See discussion below:

- A. Other Resources:** other guides and papers have been produced prior. The group needs to discuss – what is the intention of this document? What can the PAWG add to existing resources that are already out there? The group should take a look at some of the existing work/resources that have been done for reference:
- *Public Access in New Jersey: the Public Trust Doctrine and Practical Steps to Enhance Public Access.* NJDEP : [http://www.nj.gov/dep/cmp/access/public\\_access\\_handbook.pdf](http://www.nj.gov/dep/cmp/access/public_access_handbook.pdf)
  - New Jersey SeaGrant website: <http://www.njseagrant.org/njcoastalaccess/index.html>
  - Taking back what is rightfully yours: an owner's manual for the Hudson-Raritan Estuary and Guide. New York-New Jersey Baykeeper (document to be re-posted online soon by Baykeeper)
  - Maine SeaGrant Website: [http://www.accessingthemainecoast.com/coastal\\_access\\_toolkit/resources.shtml](http://www.accessingthemainecoast.com/coastal_access_toolkit/resources.shtml)
- B. Additional items that should be included** (mentioned during the meeting) were: both positive and negative case studies, water quality (and public health) concerns, and environmental justice.

**Action items:**

- Kate Boicourt will send out a **draft table of contents** for the group to edit/add to and come prepared to brainstorm about at the next meeting.
- In recognition of everyone's busy schedule it was suggested that PAWG members **think about the document (purpose, audience) and be prepared to have a discussion at the next meeting as to how we might proceed and their potential level of commitment to preparing the document.** It is suggested that, if time allows, PAWG members also **review other resources** and guides that are out there (**listed in resources, above**).

**Developing a work plan for public access:** one of the primary goals of the PAWG was to develop a work plan of actionable items to help the HEP meet the public access goals and metrics established within the Action Plan. The PAWG has had some success in advancing these goals. The Public Access Statement, the procedures for nominating a site to the HEP Management Committee, and mapping initiatives are examples. However, the work plan needs to be flexible and achievable. There also needs to be a commitment on the part of PAWG members to ensuring that the work plan items are completed.

Ideas of what could be included in the work plan were circulated prior to the meeting. The group made some initial suggestions of tasks that the group could take on – identifying places where there is currently little to no access (e.g. Harlem River and Staten Island's north shore); identifying a strategy to move the estuary toward public access for all; improving access to and from the river (i.e. increasing the number of areas where boats can tie up easily), and others.

**Action Item:**

- The PAWG will **review the draft list** of items to be included in a Work Plan, will **make recommendations or additions**, and will identify key tasks and draft milestones or timeline at the next meeting.

**IV. Other updates:**

- A. Events:** A few events are coming up in the estuary that PAWG members may be interested in attending and potentially helping to represent the Harbor Estuary. Mentioned specifically were: the Sacred Waters Honor Journey (June 8), the Coney Island Mermaid Parade (June 23), and City of Water Day (July 14). For more information about these or to add to them, please check out our calendar at: <http://www.harborestuary.org/events.htm>, or fill out our community events request form at: <http://www.harborestuary.org/contactus-events.php>. You can also e-mail us at [habitat@harborestuary.org](mailto:habitat@harborestuary.org) if you are interested in having your event featured in our e-news list.
- B. Public Comment period closing** – Dan Mundy (of the Jamaica Bay EcoWatchers) mentioned to the group that the comment period for the Proposed Tidal Wetlands Guidance Document for Installing Catwalks and Docks will be closing on **May 9**. Dan mentioned that anyone interested should find out more should contact Lisa King at (518) 402-8000. Alternatively, information about the Guidance is located at: <http://www.dec.ny.gov/lands/4940.html>

**Attendees:**

Ludger Balan, Urban Divers Estuary Conservancy  
Kate Boicourt, NY-NJ Harbor Estuary Program  
Rob Buchanan, Citizens Advisory Committee co-chair and Village Community Boathouse  
Alan Cohn, NYC Dept. of Environmental Protection  
Michelle Doran-McBean, Future City, Inc.  
Linda Eskinas, North Shore Waterfront Greenway  
Maggie Flanagan, Marine Educator  
Dorina Frizzera, Public Access Work Group chair and NJ Dept. of Environmental Protection  
Merryl Kafka, NY State Marine Educators Assn.  
Harvey Morginstin, Passaic River Boat Club  
Dan Mundy, Jamaica Bay Eco-Watchers  
Gabriela Munoz, NY-NJ Harbor Estuary Program  
Denise Nickel, Middlesex County Improvement Authority  
Chris Mazauskas, Edison Township  
Bob Nyman, NY-NJ Harbor Estuary Program  
Dana Patterson, Edison Wetlands Assn.  
Manuel Russ, Concerned Citizens of Bensonhurst  
Bill Schultz, Raritan Riverkeeper  
Judy Shaw, Rutgers & Sustainable Raritan River  
Adina Taylor, Floating the Apple