

## **March 7, 2024 Minutes**

Hudson River Estuary Advisory Committee Meeting

Minutes: March 7, 2024

Meeting held online via WebEx

Approximately 105 people attended the meeting, including 25 HREMAC members and Ex-Officios.

### **Welcome**

The meeting began at 9:00 a.m. Stuart Findley asked for a motion to approve the minutes from November 2, 2023. Steve Stanne made a motion to approve the minutes. The motion was seconded by Shino Tanikawa. The minutes were unanimously approved without revision.

### **1. Announcements and Updates**

Stuart announced that Andy Bicking, Scenic Hudson, has accepted a new job out-of-state and has resigned from HREMAC. Jim Tierney, Deputy Commissioner for Water, is retiring from DEC at the end of April. Scott Keller, Executive Director of Hudson Valley Greenway, is also retiring.

### **Champlain Hudson Power Express (CHPE)**

Jonathon Kramer, Hudson River Foundation, and Angela Schimizzi, Marine Biologist, DEC

Jon Kramer gave a brief overview of the Hudson River Trust and Tier 1 priority projects focused on restoration and research activities throughout the entire underwater route of the Champlain Hudson cable. Funding from CHPE comes in annual increments of roughly \$3 million/year. The 5-year project plan includes aquatic invasive species prevention and management at Lake Champlain, examining the relationship of migratory and resident fish and habitat in the Hudson River, and restoration projects in the Hudson and Harlem Rivers. Data is being collected before the laying of the cable and will be collected after the cable is in place.

Angela Schimizzi explained that CHPE is a transmission project bringing hydropower from Canada to NYC through two, high voltage, direct current cables. The three major cable-placement activities in the Hudson are: horizontal directional drilling; pre-lay of the articulated concrete mattresses over existing co-located utility infrastructure at the bottom of the river; and cable burial and post-lay of articulated concrete mattresses over the cable. Work will be taking place this year in the Hudson River.

CHPE contact information:

Website: <https://chpexpress.com/contact/>

Email: [publicoutreach@chpexpress.com](mailto:publicoutreach@chpexpress.com)

Documents:

[NYSDPS-DMM: Matter Master](#)

PowerPoint presentation available.

## **Canals Update**

Stuart Findlay, HREMAC Chair

Following last month's presentation by the New York Power Authority and New York State Canal Corporation on the facility plan to deter the spread of round goby within the Champlain Canal and into Lake Champlain, a HREMAC working group drafted a comment letter on the facility plan. This was sent it around to all members. There will be another presentation on the facility plan at next week's Mohawk Symposium.

## **Hudson River Program Updates**

### Grant Awards- Susan Pepe

The 2023 Hudson River Estuary grants were announced Feb. 20, 2024. \$1.8 million in was awarded for 26 projects from Albany to New York City for Local Stewardship Planning, River Education, River Access, and Tributary Restoration and Resiliency. [Read the Governor's press release](#). Susan Pepe announced that the State was transitioning from the NY Grants Gateway to the Statewide Financial System (SFS) for grants management.

### Staffing Updates –Heather Gierloff

Heather Gierloff introduced new staff members, Jim Katz, environmental analyst, Road-Stream Crossing Implementation Specialist; watershed technicians Dylan Di Luccio (Trees for Tribs) and Hana Wood (water monitoring). New Student Conservation members are Rebecca Turner, Ella Agoos, Emma Kelly, and Sam Yakbowski. She also announced that Lindsay Charlop is moving on to a new job but will continue work part time to help with the Aquatic Invasive Species Task Force.

Requests for Proposals (RFPs): NEIWPC/DEC Funding - Jim Katz; Dan Miller

**Community Waterfront Resiliency Engineering Design:** Approximately \$400,000 is available for qualified consultants to partner with eligible municipalities to use existing community supported, preliminary shoreline resiliency designs to prepare “shovel ready” plans and permitting materials.

### **Tributary Restoration for Culverts and Road-Stream Crossings**

Approximately \$200,000 is available for projects that will help communities restore aquatic organism passage and habitat connectivity, reduce localized flood risks, and improve water quality in and along Hudson River Estuary tributaries. The road-stream crossing must be at a location that is a barrier to habitat for river herring or American eel. The deadline for these opportunities is April 12, 2024.

PowerPoint presentations available

## Mapping Source Watersheds that Serve Disadvantaged Communities (DACs) in the Hudson River Estuary – Anna Palmer, Source Watershed Specialist

Anna Palmer explained the background for her research is that all New York State Agencies are working towards the goals of the Clean Water, Clean Air, and Green Jobs Environmental Bond Act. The Bond Act directs that at least 35% (with a goal of 40%) of total funding goes towards disadvantaged communities that are most often impacted by pollution and climate change. A definition for disadvantaged communities was determined during a robust public comment process for the 2022 Climate Leadership and Community Protection Act, which has the same funding percentage for DACs. Anna combined data from several sources including the Department of Health (DOH), and began mapping all source watersheds within the Hudson River estuary watershed boundaries. She then mapped DACs within these boundaries and combined the two maps. She emphasized that these are draft maps and are still being refined. The goal of the project is for people to know where their drinking water is coming from, so we can work together to protect it.

PowerPoint presentation available.

## **Hudson River Biological Monitoring Program (HRBMP)** – Amanda Higgs, Fisheries Biologist

The Hudson River Foundation released an RFP for lower Hudson River estuary food web sampling, which will continue this monitoring for a second year. At the recent New York Chapter of the American Fisheries Society conference, a symposium on the Hudson River Biological Monitoring Program included several presentations that demonstrated the value of the historical data and promoted the use of the data to interested researchers and educators. All of the data is available on request through the Stony Brook University website.

## **Eel Project Update** – Chris Bowser

Chris Bowser announced that the Hudson River American Eel Project community science standardized annual glass eel count data 2010 – 2022, was accepted for management use by the Atlantic States Marine Fisheries Commission for the American Eel Benchmark Stock Assessment Peer Reviewed Report. The data shows that there has been a steady increase in glass eel population in the Hudson.

## **EPA's Role in the Hudson River** – Gary Klawinski, Hudson River Project Director

Gary Klawinski explained that the EPA PCBs removal action in the upper Hudson is ongoing. EPA is currently overseeing the deconstruction of the Powerhouse and Allen Mill at the former GE Hudson Falls Facility, to ensure that there are no PCB releases that could impact the Upper Hudson remedy. This work will continue through 2026. The 40-mile upper Hudson dredging project is now in the monitoring of the recovery phase,

and EPA is doing a remedial investigation feasibility study of 6,000 acres of the 100-year floodplain around the dredge site. There is also ongoing, extensive monitoring of fish, sediment, and water in the upper Hudson and of fish and water in the lower Hudson below the Troy dam. DEC also collects fish and sediment data in the lower Hudson and the two data sets are merged together.

In September 2022, EPA reached a legal agreement with GE for extensive fish, water, and sediment sampling in the lower Hudson, and approved the workplan in March 2023. Field work began in the Spring of 2023 and will continue through 2025. Initial sampling results will inform future sampling. Although the focus is on PCBs, other contaminants will also be evaluated. The five primary data collecting programs are water columns; fish tissue and crab; recently deposited sediment; supplemental sediment coring; and high-resolution sediment coring (historical trends). All of the data will be shared with DEC and the public.

Gary Klawinski described the purpose and scope of each of the five programs including the location of the sampling stations in the lower Hudson and tributaries, the type of data was being collected, and the sampling and investigations schedule.

Gary then explained the status of the third, five-year review specific to the Upper Hudson River and remnant deposits. EPA deferred making a protectiveness determination after the last 5-year review until more data had been collected. The report is currently in internal review at EPA. EPA anticipates releasing the third, five-year review soon. The report is about 800 pages and contains 11 appendices. There will be a public comment period following the release of the report. The lower Hudson River and floodplain are under investigation but are not part of this review.

[PowerPoint presentation available.](#)

### **Draft Hudson River Estuary Action Agenda 2026-2030 - Heather Gierloff**

Heather Gierloff presented an overview of the Draft Action Agenda, including what has been updated, the changes in key trends, challenges, and opportunities, measures of success, and strategies, as well as the Action Agenda timeline from March 2024 through the public comment period in the spring of 2025, to the final 2026 – 2030 Action Agenda in the early winter of 2025. The Action Agenda was shared with HREMAC members in digital format for review and comment, and there will be an opportunity at the June 6, 2024, HREMAC meeting for in-person discussion. Office hours webinars will be held on April 16 and May 9. A Microsoft comment form is also available for comments. Heather urged members to share the draft with their constituents and advisory groups to get their feedback as well.

[PowerPoint presentation available](#)

### **HREMAC Members – What do you want to hear about? - Stuart Findlay**

HREMAC members were invited to provide suggestions for what they would like to hear about—such as briefings from DEC and other agencies, or to speak up if they had a topic or an initiative about which they would like to present. Several members had suggestions.

Mark Castiglione: Mark or a colleague would like to do a presentation about the Beaver Creek Clean River Project, which will treat 300-million gallons of CSOs, reducing by 85% the amount of flow going into the Hudson from the Capital District to NYS.

David Decker: David is interested in sea-level rise predictions for the next decade and whether we'll hit the high end, low end, or somewhere in the middle, as well as management actions to mitigate this.

Althea Mullarkey: She and Tracy Brown would like to hear from a member of the tribal nations about what their interests are and how we can best support what they're doing in the Hudson River. Perhaps a tribal representative could be added to the HREMAC membership.

Tracy Brown: Now that the NY Swims capital grants program is a reality, it's a good time to revisit public access, swimming, and recreation in the river. Riverkeeper has been talking to the Governor's staff about how to prioritize reopening closed beaches and opening new natural beaches before starting to build energy intensive pools. Riverkeeper talked to legislators about this, and nobody seems to know about swim access. This is a good window for us to promote river access and could get to some of our equity issues.

Suzette Lopane: I echo Tracy's comment and DOH has been having meetings on water quality issues and trying to come up with some standards. There are a lot of confusing laws about primary contact and secondary contact. What is a jet skier versus what is a kayaker in terms of water exposure? This is an interesting topic to talk about and discuss, as there is a lot of opportunity for waterfront parks. She also mentioned dam removal and the progress that is being made on this.

Emily Svenson: The different Action Agendas and various documents guiding the work in the estuary and used to develop the next Action Agenda is confusing. I would benefit from having a clearer understanding of the key ones, such as the comprehensive restoration plan and different planning efforts, and the structure of all of these together.

Steve Stanne: I'd like to hear more about HRECOS, the status of the system, its future development, utilization, and education.

Heather Gierloff indicated that Brittney Flaten, the new HRECOS Coordinator, could make a presentation and is available to answer questions in the meantime.

**HREMAC Committee Moving Forward - Stuart Findlay**

Stuart discussed the HREMAC guidance document that outlines how decisions are made, such as what will be on the agenda, what items are, or are not voted on, who reads and finalizes letters that are being circulated, and the like. HREMAC does not have bylaws or strict operating procedures. The guidance document has been through a couple of iterations and has been circulated to everyone. He urged all members to look at it and make any comments, provide input, or ask questions if something was confusing. It should be helpful both to longtime members and to new members. The guidance document describes an executive committee to identify the roles that are central to the functioning of HREMAC—chair, co-chair, and a secretary. The chair and co-chair work closely with program staff to set the agenda, sign letters, and so forth. The secretary would manage some of the record keeping for the minutes, which can be simplified since meetings are now recorded. The secretary would also share documents among members. We welcome expressions of interest in these roles and expect that there will be some recruiting.

Along with that, we need some new members. We hope to put names together in a package for review by the Commissioner, who by law, approves appointments to the committee. We plan to review membership every year.

Heather Gierloff explained that the public officers law requires that the list of members be publicly available, so a yearly review of the list is important. She added that the executive committee structure and guidance document is intended to provide HREMAC with the autonomy to be able to advise DEC, separate from the Department. Your role is to advise me and my staff on issues that involve your own constituents and who you represent.

Tracy Brown asked if there are currently any subcommittees.

Stuart Findlay responded that there were not, but that there had been in the past, but they were only sporadically active. There are opportunities for working groups that could form as needed around particular topics.

Tracy Brown mentioned her experience on the advisory committee for Long Island Sound, which was a federal Estuary Program, so a different model. Their citizen advisory council lobbied for funding, which was very effective. The council could lobby without conflicts around state of federal staff. An independent HREMAC could have a stronger presence in the budget cycle to advocate for the program and its priorities. She indicated an interest in forming a working group about this.

### **Old business, new business**

The next HREMAC meeting is June 6 at Norrie Point, and will continue into the afternoon, with lunch provided. The regular meeting will take place with a virtual option in the morning. The second part of the meeting is an opportunity to have informal conversations with staff about the Draft Action Agenda. If you cannot attend in person, we are still taking comments, and we will have future in-person opportunities.

The meeting was adjourned at 11:38 a.m.

**Meeting Recording:** [HREMAC 03/07/23-20240307 1404-1](#)

2:38 hours

**HREMAC Members in Attendance:**

Jim Bonesteel	Rensselaer Plateau Alliance
Carla Castillo	Hudson Valley Regional Council
Scott Croft	Hudson River Boat Yacht Club Association
David Decker	Constitution Marsh Audubon
Todd Erling	Hudson Valley Agri-business Development Corp.
Stuart Findlay	Cary Institute of Ecosystem Studies, HREMAC Chairperson
Suzette Lopane	Westchester County Water Agency
Oded Holzinger	Groundwork Hudson Valley
John Mylod	Commercial Fisherman
Peter Park	SUNY Farmingdale
Ed Skorupski	Recreational angler, environmental writer
Richard Slingerland	Historic Hudson River Towns
Steve Stanne	Hudson River Sloop Clearwater
Emily Svenson	Hudson 7
Shino Tanikawa	Lower Hudson Coalition of Conservation Districts

**Member Representatives:**

Tracy Brown	Riverkeeper
Althea Mullarkey	Scenic Hudson

**Ex-OFFICIOS:**

Peter Brandt	US EPA
Diana Carter	NYS OPRHP
Linda Cooper	NYS OPRHP, Taconic Region
Chris DeRoberts	NY Power Authority
Scott Keller	Hudson River Valley Greenway
Jessica Kuonen	NY Sea Grant
Rob Pirani	NY/NJ HEP
Audrey Van Genechten	NYS Dept. of Health
Peter Weppler	US Army Corps of Engineers