

Hudson River Estuary Advisory Committee Meeting
Minutes – Approved November 18, 2009
Date: June 8, 2009
Hotel Thayer, West Point, Highland Falls, NY

Attendance: (total 45)

HREMAC Members: (16)

--Beers, Allen	Rockland County Environmental Resources
--Bicking, Andy	Scenic Hudson
--Connors, Bill	Federation of Dutchess County fish and game clubs
--D'Agrosa, Gina	Westchester County
--Dolan, Katie	the Nature Conservancy
--Dorritie, John	Hudson Valley Marine Trades Association
--Emslie, Bill	Coastal Conservation
--Findlay, Stuart	Cary Institute of Ecosystem Studies
--Lake, Tom	Naturalist, educator
--Matthiessen, Alex	Riverkeeper
--Molloy, Barney	Historic Hudson River Towns
--Mylod, John	M. T. Net Co.
--Rumpf, Jeff	Clearwater
--Schoeberl, Karl	Central Hudson Gas and Electric
--Suszkowski, Dennis	Hudson River Foundation
--Van Schaack, Rene	Green County IDA

Ex-Officios: (6)

--Castiglione, Mark	Hudson River Valley Greenway
--DelVicario, Mario	US Environmental Protection Agency
--Elliott, Bob	NYS DOS
--Holochuck, Nordica	NY Sea Grant
--Keller, Scott	Hudson River Valley Greenway
--Mitchell, Brian	Interstate Env. Commission

Guests: (6)

--Ewald, Bob	Orange County angler
--Hiles, Clay	Hudson River Foundation
--Notchee, Dan	DSNGA & CAC
--Rueter, Bob	Orange County angler
--Ukeritis, Betsy	Hudson River Greenway
--Wilson, Stephen	Hudson River Environmental Society

DEC:(17)

--Ballantyne, Chris	DEC, Division Legal Affairs
--Beard, Nancy	Estuary Program - Citizen Participation
--Cuppert, Scott	Estuary Program - watersheds
--Dunwell, Fran	Estuary Program – Coordinator
--Grannis, Pete	DEC, Commissioner
--Harrison, Ann (Gkeeper)	Public Affairs
--Hattala, Kathy	Hudson River Fisheries Unit
--Higgs, Amanda	Hudson River Fisheries Unit
--Janeway, Willie	DEC Region 3, Regional Director
--Kahnle, Andy	Hudson River Fisheries Unit
--Ladd, John	Estuary Program/ HRNERR – aquatic habitat
--Litten, Simon	Division of Water
--Parker, John	Region 3, Legal Affairs
--Roessler, Beth	Estuary Program – web support and publications
--Stanne, Steve	Estuary Program – education
--Tierney, James	DEC, Division of Water
--Wilson, Larry	Region 3, Fish, Wildlife, Marine Resources

The meeting opened at 9:10 AM by D. Suszkowski and F. Dunwell. Introductions were made around the room. The minutes from the March 25, 2009 meeting were approved, unchanged. (Motion made by B. Molloy, seconded by A. Bicking)

1) Update Reports

- State of the Hudson Report (SOH): F. Dunwell announced the release of the State of the Hudson report, recognizing this as the first report of its kind for the River. She thanked Ann Harrison, Steve Stanne, and Beth Roessler for their hard work.

- Fran also announced the release of the Discussion Draft Action Agenda 2010-2014. Comments are welcome until July 31, 2009. The Draft Action Agenda will be release for public review in the fall 2009 and a more formal SEQR public comment process will be conducted. The Final Action Agenda is targeted to be released in early 2010. This schedule will allow the Action Agenda to be responsive to any issues that may arise from the many events and conferences being planned for the fall 2009.

- The Summit to follow the HREMAC meeting will begin a dialogue aimed towards shaping the next Action Agenda. 230 people are registered to attend, including Congressmen Hinchey and Hall.

2) Committee conversation with Jim Tierney and Commissioner Pete Grannis: D.

Suszkowski introduced Jim Tierney, Deputy Commissioner Division of Water, and Pete Grannis, DEC Commissioner to the committee and thanked them for meeting with the committee and attending the Summit.

J. Tierney thanked the Committee for the invitation and outlined the key goals of the Division of Water's core mission to implement the Clean Water Act, address the growing infrastructure needs of Hudson Valley communities, and his interest in building similar watershed programs across the state using the Estuary Program as the model to emulate.

Commissioner Grannis remarked on the progress that has been made on improving the environmental condition of the estuary, noting the value of the region's many groups and organizations coming together to work on common goals. He commended committee members on their individual commitment to working towards making the Hudson a swimmable river.

A variety of issues and questions were then discussed. The following is a summary of this dialogue.

Comments:

- K Dolan stated that the Estuary Program has been instrumental in working with partners such as the Nature Conservancy and others to raise awareness of the issue of climate change in the valley. Essential to this effort will be the development of LIDAR river bottom mapping; about \$1 million is needed to complete this project. She asked how HREMAC can help to make sure this project happens.

- Andy Bicking stated that to prepare for climate change impacts in the Hudson Valley, that area will need an adaptive strategy to provide habitat migration corridors for species that will need to either move landward, northward, or up gradient to survive. This will require the preservation of the lands that are most important for these future habitat needs. LIDAR data is essential to understand where these areas are. Scenic Hudson will continue to focus on land acquisition in the Valley, targeting the highest priority "lands that matter most", a total of 65,000 acres that mirror the State's priorities in the Open Space Plan. He proposed that the state's activities be enhanced by the designation of an additional staff position dedicated to the achievement of this 65,000 acre goal.

- G. D'Agrosa reflected that better coordination of state and federal regulations and enforcement along with improved local regulations and laws could go a long way to improving local land use decisions.

- K. Schoeberl noted the effectiveness of the SEQR process as a powerful tool to address climate change and asked how climate change will be incorporated into the SEQR regulations and guidance documents.

- D. Suszkowski reflected that the Advisory committee evolved from the Hudson River Fisheries Advisory Committee and has a long history of advocacy for protecting the signature fisheries of the river. With several species in decline, and American shad in particular, many of the impacts may be occurring off shore, outside the purview of New York State. If the shad population is to be saved, more information and data is needed. How can the agreements between the 5 governing states involved in the Atlantic States Marine Fisheries Commission (ASMFC) be used to achieve the restoration and protection of this and other species in decline?

Response:

Land Acquisition: These are difficult times. The State is currently working to meet its land acquisition obligations from prior years, estimated to be between \$240-250 million, in a balanced manner that balances limited cash flow with existing obligations, in an accountable and transparent way.

Climate change: The State's Climate Change Office, Sea Level Rise Task Force and the Ocean Great Lakes Commission are actively working with a wide variety of partners to develop this kind of information. DEC expects to release a climate change section to SEQR soon, which will be used to guide DEC decisions with the hope that this guidance will be used by other agencies as well.

Fisheries: The management of the coastal fisheries is a complicated issue and involves a quota system shared by the participating 5 mid-Atlantic states. To successfully implement the Shad recovery plan requires the cooperation of these other states, and is complicated by an imbalance in the state quotas.

Coordination: To improve government coordination will require all 3 levels of government to be in synch with one another. Through smart growth initiatives, DEC, DOS, DOT are working together to improve coordination at the state level, and through the development of land use plans, with local governments as well.

DEC will lose an estimated 250 staff through attrition in the next year. The agency will do what's needed to fulfill its mission, just not as quickly. Designated staff for targeted land acquisition in the Hudson Valley is not realistic at this time.

Comments:

- S. Findlay asked, how do we keep track of the lessons learned and the successes of the past while at the same time moving forward into the complicated problems facing us today and into tomorrow? The diversity of constituencies represented around the table represents the many stakeholders that are engaged and are making a difference and must be maintained through funding and education programs. The Estuary Grants program is essential, allowing people to do things. We must continue to care for the Program as we move forward.

- J. Rumpf noted that the Estuary Program has been referred to as a state and national model for its holistic approach to ecosystem management. He sees a shift away from our culture's previous 'waste-based' economy to something that must be sustainable both economically as well as environmentally. The Valley's cities have a desire to participate in what we are doing. There is great opportunity here to connect 'eco' and economy together. We need to make better linkages to businesses, the inner-city population and the 'green jobs pipeline'. With some help from the state, projects like rain gardens, green roofs could incubate and stimulate the green jobs industry. Consider taking stimulus funds and dividing the funding to stimulate and engage the not-for-profit sector to increase membership and activate the grass roots level, and well as give a portion to small businesses to create eco-humanism hubs. Can the Governor stimulate such a program to create a new paradigm in New York?

- Other funding opportunities were mentioned: M. DeVicario stated that 604B funds allow for some latitude and could be used for planning, monitoring or other things. K. Dolan stated that passing a Green Bond Act would be a 'heavy lift' but would address many of the needs identified above. A. Harrison noted that the Americorps Program is expected to dramatically increase in the coming years and could be utilized to engage EJ areas in environmental education/stewardship opportunities to elementary students.

Response:

- These ideas provide a good challenge for future actions. J. Rumpf's comments identify what's missing in our current way of operating. We need to use the stimulus funds to leverage other funds in creative ways to build a green-jobs economy. The administration has not bought into the Bond Act idea yet, but clearly, there is wide spread public support to spend money on a green approach to the future.

- Opportunities exist through the MS4 stormwater program where urban revitalization can meet required standards for problems such as flooding, and at the same time be creative to meet public desire to make their communities more aesthetically pleasing. By mixing and matching funds, 'gray' (infrastructure) monies can become 'green' infrastructure.

- B. Molloy stated that the Estuary Program presents the 'kinder' face of DEC to local governments that is greatly welcomed. The program is an excellent tool to break down the traditional silos of the more formal state agency regulatory roles and by providing valuable training and tools, connects to the local level in a unique way. Clean Water Collaborative infrastructure projects funded by federal stimulus funds are targeted to address problems that are often under a Consent order to be addressed. It has hard to get local governments to act proactively on these issues. Through programs such as the Estuary Program, the state can work with local government and engage them to do the right thing rather have to act through enforcement.

- J. Mylod stated that an essential part of the Estuary Program continues to be the needs of the fisheries. There needs to be a sense of urgency regarding the needs of shad and the other species that are in trouble. Funds need to move in a timely manner so as to not miss seasonal sampling windows, fix boats, and hire seasonal employees. These details lead to data over time that adds up to trends and the big picture of the status of the stock. He concluded by recognizing the passing of Bob Gabrielson, a long time commercial fisherman and long-time member of the committee.

F. Dunwell concluded the meeting by recapping that while resources will be less available in the future, the Estuary Program can continue to move forward and make progress. The program's budget has 3 parts, staff, estuary grants, and data development. Priority needs that will be advanced include the shad recovery plan, making sure that the scientific pieces are in place, keeping the Estuary Grants program in place and maintaining staff. Land acquisition efforts will continue with existing staff.

D. Suszkowski thanked Commissioner Grannis and Jim Tierney for their time.

The meeting adjourned at 10:00 am, to be followed by the 2009 Hudson River Summit.

Respectfully submitted, Nancy Beard, recorder