

Estuary Implementation Committee Monthly Call

Thursday, October 14, 2021

Virtual Meeting via Zoom

10am-12pm

Meeting Minutes

Meeting Attendees: Kelly Anderson (PWD), Haley Burns (PDE), Elizabeth Butler (EPA2), Kimberly Cole (DNREC), Dorina Frizzera (STAC Chair), Kathy Klein (PDE), Danielle Kreeger (PDE), Lynette Lurig (NJDEP), Megan Mackey (EPA3), Catherine Magliocchetti (EPA3), Kristina Peacock-Jones (PADEP), Irene Purdy (EPA2), Kelly Somers (EPA3)

Welcome

- The meeting began at 10 a.m. with Kathy welcoming everyone to the call and advising that the call's agenda is full.
- The previous week, Haley had sent out an email with drafts of the Steering Committee (SC) materials, and an updated version of the Draft DELEP Agreement when it was determined that a few comments were missing.
- Kathy and Haley met with Kim Cole earlier in the week to go over the agenda. Changes made were reflected in the revised draft agenda.
- Kathy let everyone know that we need to reschedule the November EIC call. Haley will send out a Doodle Poll.

NEPORT Update (Kathy Klein and Haley Burns)

- The deadline for responding to comments on submission "redo's," is Friday Oct. 15.
- PDE is doing its best to address comments received from EPA but is waiting for partners to provide answers to questions and this has proven to be challenging.
- PDE will get as much entered by the end of the week as possible, but may not get answers to all of the questions.
 - Irene confirmed that things need to be in by Friday the 15th and even though she is not working, she will be available to do whatever is needed to help cycle the submissions through.
 - Megan noted that for NEPORT, it's important for all the Habitat Projects being captured to have been completed (or a phase clearly completed) in the fiscal year. The project can't be counted if it is not clear that the project was completed.

DELEP Draft Agreement (Kathy Klein)

- Reviewing the feedback that had been received on the draft DELEP Agreement was the primary focus for the meeting. The Agreement was brought up on the screen and reviewed comment by comment.
 - Kathy called to attention each suggested edit or added comment. In another copy of the document, Haley accepted or rejected the revisions as agreed upon by the group.
 - Most suggested edits were a matter of wordsmithing and were quickly/easily accepted. Some required discussion to be clear on the intent or implications of the change.
 - Revisions or comments that were not accepted were highlighted and marked with a comment identifying the reason why.

- It was determined that some items should be discussed in greater detail at the SC meeting to decide whether or not the revision should be accepted. These were also highlighted and noted with comments identifying the EIC's comments or questions.
 - (I.1); (I.4); (II.2); (II.7); (IV); (VII)
- An updated version of the draft Agreement including all of the accepted revisions, new comments, and matters for SC discussion, will be sent out with the final SC meeting packet.

Steering Committee Meeting Agenda and Materials (Kathy Klein)

- Kathy thanked Kim for meeting with her and Haley earlier in the week to help rethink the agenda, along with everyone else who submitted suggestions.
- With the latest version of the agenda shared onscreen, each section was reviewed.
- The attachments were listed in the order that they will be discussed.
 - EPA Region 3 has not yet submitted their update for the DELEP Partner Priorities Update document. Since we have to send the packet out tomorrow, Cathy M. said to send it out with the information that was previously provided by R3.
 - The final attachment was the Delaware Watershed Conservation Fund Project List. We were not sure if all of the Steering Committee members had seen this and thought it might be helpful; Kathy asked if it should remain listed and be provided and the EIC said 'Yes.'
- Steering Committee member names were listed next at the suggestion of EPA.
 - Cathy M. noted that Cathy Libertz will be attending the SC meeting as the delegate for Diana Esher from EPA Region 3. 'Delegate' will be noted after her name.
 - Lynette questioned why Vince Mazzei was listed for NJ because Jay's notes indicated Bruce Friedman would attend. Kathy and Haley confirmed that Jay told them Vince would serve in this roll. Lynette did not think that Vince had any knowledge of this. She said that as of last week they now have a director in the Division of Watershed Protection and Restoration, Anika Andrews - Lynette will reach out to see if she will be the SC member and attend the meeting. For now, Anika will be listed as a delegate on the agenda.
- Agenda Item #2, Delaware Estuary Program Status of Activities: Intended to provide an update to the SC on major activities that the Partnership is working on for DELEP. There will be one or two slides for each activity.
 - Kathy suggested removing the PDE Internal DEIJ Workgroup Update; this was something we were asked to include but it is an internal group dealing primarily with PDE matters.
 - Water Table Project: DVRPC took the lead on the first project phase, and the plan is for PDE to take the lead on the next phase.
- Agenda Item #3, New Business Discussion Items
 - Steering Committee Membership: Kathy proposed recommending that U.S. Fish and Wildlife Service be a new SC member based on the research conducted.
 - Haley reached out and collected information about how USGS, NOAA, and USFWS have been involved in the Estuary and interface with DELEP.
 - USFWS coordinates the Delaware River Basin Restoration Program, so it would be beneficial for them to be more engaged with DELEP.
 - Dorina said that she thinks USFWS makes sense- they are a large landowner, coordinating restoration efforts, closely interact with state programs, and historically had representation on the STAC.

- Danielle added that USFWS covers the headwaters of the river and tribs to the mouth of the Bay, whereas NOAA tends to be more saltwater-focused and USGS more freshwater-focused. As for current SC membership, EPA, DRBC, PWD are very focused on water-resources; USFWS would be a good choice to cover living resources and habitat because they work across the entire watershed. Danielle also emphasized that PDE works with USFWS on many projects.
- Megan said that having decision-based items before the Steering Committee is ideal, and refining it to one proposal with a targeted recommendation will be beneficial. She said we should try to figure out what next steps would be based on SC's decision.
- Kim suggested that we might not need the discussion questions listed on the latest agenda if we have narrowed it down and are moving forward with the recommendation of inviting USFWS to join the SC.
- Delaware Estuary Program Draft Agreement: Identified discussion points that will be addressed and hopefully resolved.
- Funding Opportunities and Needs: This is where Kathy can touch base on the Infrastructure Bill and provide an update. She would also like to ask program partners if there are opportunities for PDE to apply for infrastructure funding that states are and will be receiving over the next 5 years.

Closing Comments

- Danielle mentioned the need to schedule the annual STAC-EIC meeting, and that December 2nd had been discussed internally. December 2nd from 10-Noon is already held for the regularly scheduled EIC meeting, so it was proposed to make that the joint meeting.
 - The EIC agreed to this, and it was decided that December 2nd from 10 a.m. to 2 p.m. will be reserved in case the meeting needs to be extended.
 - Haley and Leah will coordinate sending the calendar invitations and drafting the agenda.

EIC Member Updates

- Cathy M. shared that EPA Region 3 has a newly appointed Regional Administrator: Adam Ortiz.

ACTION ITEMS:

- Haley will send out a Doodle Poll to assist in the rescheduling of November's EIC call. (sent via email 10/18/21)
- The Agreement will be cleaned up and updated to include all EIC accepted edits and comments. The changes discussed will be made to the SC agenda. New versions of these documents will be sent out along with other materials as part of the final SC packet. (email sent by Kathy 10/15/21)

Important Dates:

- First CCMP Tracking Subcommittee Meeting: Monday, October 25th, 10am-12pm
- November EIC call: November 18th, 10am-12pm
- Annual EIC-STAC Meeting: Thursday, December 2nd, 10am-2pm