

Estuary Implementation Committee Monthly Call

Wednesday, July 14, 2021

Virtual Meeting via Zoom

2-4pm

Meeting Minutes

Meeting Attendees: Kelly Anderson (PWD), Haley Burns (PDE), Elizabeth Butler (EPA2), Kathy Klein (PDE), Danielle Kreeger (PDE), Megan Mackey (EPA3), Catherine Magliocchetti (EPA3), Leah Morgan (PDE), Kristina Peacock-Jones (PADEP), Chad Pindar (DRBC), Irene Purdy (EPA2), Kelly Somers (EPA3), Jay Springer (NJDEP)

Welcome and Introductions

- Kathy Klein began the meeting at 2pm; she welcomed those in attendance and introduced PDE's new Program Specialist, Haley Burns, who will be coordinating a variety of DELEP activities and committees. Brief Introductions by attendees followed.
- Kathy said that today's meeting would mostly cover updates but would involve some decision-making with the draft DELEP Agreement.

NEPORT (Kathy Klein)

- The request for NEPORT data from DELEP partners i was sent out in mid-June; PADEP has already submitted theirs.
- There was discussion around who the information request goes to, since DRBC did not receive notification. This request goes to a small, specific group of partners, including PADEP, DNREC, NJDEP, PWD, NFWF and the Schuylkill River Restoration Fund.
 - Danielle clarified that NEPORT is about acreage, so it includes any group that has historically provided acreage data- if DRBC has anything with a nexus to acreage we would love to get that data.
 - Megan confirmed that for something like land trust work it would have to be in coordination with/somehow connected to Estuary Program work.
 - Irene said she and Megan reached out to Headquarters to see if, since the revised CCMP includes the entire watershed, if that should area should be included in NEPORT. , The response was that they would like us to focus entries only on the NEP study area.
- The deadline for submitting data to PDE is August 6th
- Last year there was a linkage between CCMP tracking and NEPORT; after discussions with Irene and Megan regarding the value of the input being received for CCMP tracking, we decided not to do it this year. It is not an NEP requirement, so instead will rethink the process.
 - Over the past two years we did not get a lot of information submitted so we want to think about how to engage people in a different way to provide information about their work that's helping to implement the CCMP.
 - We need to do a better job educating people about what the CCMP is and the importance of them working with us to provide information.

- Irene added that she thinks we always knew some refinement would be needed; it's a living document, and the first step before refining how we ask the questions is to be clear about what we are asking people and why.

Monitoring Inventory and Needs Assessment Report (MINA) and TREB (Leah Morgan and Danielle Kreeger)

- Leah shared slides to provide updates, starting with TREB.
 - TREB is a report that is updated every 5 years. The 2022 TREB will be looking at the 2017 report and updating about 70%% of those indicators.
 - All chapters will be getting updates, with the most/major revisions being applied to the Restoration chapter.
 - There will be the addition of a DEIJ audit; the EJ lens will be applied when looking across all chapters. (Led by LeeAnn Haaf, PDE, and Beth Watson and Lin Perez, Academy of Natural Sciences)
 - Leah, Danielle, and LeeAnn (PDE) will be the main contacts for the TREB process.(The actual authors of the chapters are varied, many internal staff)
 - Still working on contracts with some University partners, contract with DRBC has been executed. Work has already begun even though some contracts are still in process.
 - Leah said they are currently in the data gathering and analysis phase. In the fall they will begin with draft narrative sharing, reviews, editing, and commenting. They hope to have the final draft prepared by June of 2022, then in early Fall 2022 they can start to translate information from TREB to State of the Estuary Report.
 - Danielle noted that the contracts mentioned are really not very much money for a lot of work - this is why TREB is seen in DELEP budgets - a lot of outcome for a very little bit of funding.
- The Monitoring Inventory and Needs Assessment needs to be reported on every 5 years.
 - The report is important as it inventories monitoring happening in the Delaware Estuary Program's focus area; it lists monitoring priorities but also identifies needs or gaps in the region and helps us keep up with CCMP tracking.
 - Currently in the process of combining comments/edits received back from STAC and MAC. The next step is to provide the updated document to EIC. There will be multiple opportunities for EIC to review and provide input.
 - The MINA report needs to be completed by end of this year.
 - A question was raised regarding whether the MINA should be sent to EIC for edits 2 or 3 times, and whether or not it should be completed and ready for approval at the October 28th Steering Committee meeting.
 - Danielle noted that there may be one too many rounds of review scheduled, but it depends how many revisions everyone has for them. The timeline was built to allow for multiple revisions if needed. It may be able to be polished and ready for ceremonial approval at fall SC meeting.

The consensus was to let the EIC see the report so that they can determine how many rounds of edits are needed before deciding on a final deadline.

Draft DELEP Agreement (Kathy Klein)

- Kathy sent an email to everyone on July 9th, incorporating the feedback that was received after the June submission deadline. Only DNREC and PADEP submitted comments. Several outstanding questions need to be resolved so an updated draft can be sent out for legal review.
- Discussion on the first question: *“In the second paragraph of the agreement it specifically calls out the MAC and the TAC but it does not follow suit in describing these committees in the subsequent sections. DNREC asked if there should be sections added describing these committees, and their roles and responsibilities as they pertain to DELEP.”*
 - Chad said that he wouldn’t strike mention of TAC and MAC from the paragraph as they are meeting the needs of the CCMP.
 - Danielle questioned why these committees are called out specifically while other committees that we interact with similarly are not; it was suggested that the TAC and MAC serve DRBC and the Estuary Program while others may not have similar language.
 - It was noted that the DRBC resolution approving the TAC mentions the PDE Steering Committee, which doesn’t exist. Consensus was reached that this should say DELEP instead of PDE. Kathy noted that the resolution language shouldn’t be included on agreement since they say PDE.
 - The group came up with two options for addressing the inconsistency of how the TAC and MAC are covered in the Agreement:
 1. Add new sections for both TAC and MAC with a brief description and link to committees’ websites.
 2. Add TAC under Roles and Responsibilities of the DELEP Steering Committee, and MAC under Roles and Responsibilities of PDE, Staff and Board.
 - Meeting attendees prefer the option to list the two under the existing DELEP and PDE Roles and Responsibilities. Kathy will email Kim laying out the two options.
- Discussion on the second matter: *“DNREC asked under Section IV. under PDE's Board responsibilities who from PDE's Board is on the EIC, and if no one is, should this be changed to take out the EIC or do we need to add a PDE Board member to the EIC.”*
 - Kathy suggested taking out the reference to EIC Board representation.
 - The EIC and Board are complementary and have different functions; at one point members were sitting in on each other’s meetings, which were held back to back in an effort to strengthen cross talk and collaboration.
 - The point was made and agreed upon that even without representation, the Board can and should still be invited to attend EIC meetings, especially those meetings with agenda items that are directly relevant to PDE.
 - Consensus: take the line out of the agreement but encourage attendance.
- Discussion on the third matter: *“PADEP noted that the DELEP Agreement conflicts with the bylaws. Article 4, Section 2 of PDE's bylaws that state the Governors of DE, NJ, and PA shall each appoint one Director, who shall be a “Gubernatorial appointee” on the Board. They are recommending that PDE revise their bylaws to take this out since it is not required by EPA.”*
 - Kathy said that we tried for 4 or 5 years to get gubernatorial appointees but were never successful. Kathy is working with the Board to explore updating the bylaws.

- Irene said she sent Kathy a 2008 version, and they think one from 2010 exists as well, though there do not seem to be any noticeable changes.
 - This does not necessitate any change to the draft Agreement, but the bylaws will be addressed with PDE's Executive Committee.
 - Discussion on the fourth matter: *"PADEP recommends changing the title of Section IV in the DELEP Agreement. They think that this title would be more accurate: "Roles and Responsibilities of the Partnership for the Delaware Estuary, Inc. Staff and Board of Directors".*
 - This change was agreed upon.
 - Irene brought up #3 under second the part of the PDE's Roles and Responsibilities: *"As the fiduciary governing body of PDE under law, PDE's Board of Directors' roles and responsibilities with respect to the Delaware Estuary Program include but are not limited to: 3. Convening quarterly meetings, some of which will overlap with EIC meetings."* She asked if we still wanted to have that in there, especially the 'overlap' language since that is not really what is happening.
 - The idea of one truly joint Board and EIC meeting a year was brought up, and Kathy said she would take that to the Board.
 - Chad suggested adding an aspirational element to include, in addition to convening quarterly meetings, a goal of trying to have a joint meeting once per year.

Geographic Program Funding (Kathy Klein)

- Kathy said that she has continued to work on this effort and has had conversations with Steve Tambini at DRBC since they were also submitting some draft language for a bill to get additional funding. They reached an agreement that it would be better to work together to try to get additional funding.
 - They communicated this to Senator Carper's Office and Environment and Public Works Committee and have not heard anything back from them. We probably will not be successful this year, but at least they know we are interested in doing something together.

Urban Waters Federal Partnership Ambassador Staffing (Kathy Klein)

- Funding for this position was approved by EPA for FY22. Erica Rossetti (PDE) will be transitioning into the Ambassador position. She has already participated on the planning committee and had done a lot of work around DEIJ.
- UWFP will be doing a session at the Coalition for the Delaware River Watershed's Forum on September 30 from 10-11:30 am. The Forum will involve virtual sessions and an in-person reception/dinner in Philadelphia also on September 30, and field trips on October 1.
 - For Friday's field trips, PDE will be leading an oyster shell recycling activity.
- We will also be involved in the Shad Fest event in Wilmington on July 30th. It is not clear what this event will look like, but many important partners are involved and there will be an UWFP presence.
- There will be a Fall webinar series focused on housing and transportation – currently in the process of lining up speakers
- A work plan will be developed this year so we have a better idea of what we are doing next year.

Experience the Estuary Celebration (Kathy Klein)

- Kathy shared that the Experience the Estuary Celebration will be taking place in Philadelphia on October 7th.
- Sponsorship letters have been sent out and the response is slow. It is down about 40% from this point two years ago (the last time the event was held in person). Kathy said it was expected for sponsorship and attendance to be down, but since it is the 25th Anniversary, we still wanted to do something.
- The catering company we are working with is being flexible and is willing to work with us regarding the minimum number of guests (originally that number was 300).
- The Board has been asked to provide assistance in areas such as the basket auction to help reduce costs related to staff time. The goal is essentially to break even and not lose any money on this event.

Delaware River Basin Conservation Collaborative (Kathy Klein)

- U.S. Fish and Wildlife has funded the National Wildlife Federation to manage the creation of restoration conservation blueprint. They will be putting out request for qualifications for a science provider.
 - Kathy said this process has been challenging and not as transparent as she would like.
 - Danielle added that we have a CCMP, many plans have been developed in addition to that... there is concern that CCMP strategies and Estuary Program priorities might not be reflected in this new blueprint
 - Kathy will continue to update everyone on this initiative.