



***Joint Meeting of the  
Board of Directors &  
Estuary Implementation Committee***

**Thursday, May 14, 2020 - 9:00 a.m. to 3:00 p.m.**  
**(Board Meeting 9:00 a.m. – Noon, EIC Meeting 12:30 p.m. – 3:00 p.m.)**  
**Zoom Link: <https://us02web.zoom.us/j/93023208084>**

**Draft EIC Meeting Minutes**

**Attendees:** Chris Anderson, PWD; Kelly Anderson, PWD; Emily Baumbach, PDE; Elizabeth Butler, EPA Region 2; Kimberly Cole, DNREC; Karen Forst, PDE; Kathy Klein; Danielle Kreeger, PDE; Megan Mackey, EPA Region 3; Catherin Magliochetti, EPA Region 3; Rhonda Manning, PADEP; Chad Pindar, DRBC; Irene Purdy, EPA Region 2; Kristin Regan, EPA Region 3\*; Kelly Somers, EPA Region 3; Jay Springer, NJDEP

*\*Kristin Regan joined the call at 2:00pm.*

***EIC BUSINESS***

**1) Reintroductions & Approval of Draft Feb 27, 2020 EIC Notes (attachment) 12:30 – 12:45**

- **Kathy Klein** welcomed meeting attendees and hoped everyone was doing well
- **K. Klein:** The minutes from the last meeting were circulated prior to the meeting
- **E. Baumbach:** If you have any edits to the February 27<sup>th</sup> meeting notes, please send them via email

**2) FY21 National Estuary Program (NEP) Draft Work Plan 12:45 – 1:15**

- **Irene Purdy:** The \$500 mentioned at the PDE Board meeting is not yet reflected in the draft FY21 NEP Work Plan
- **Karen Forst:** This change, along with any other edits that come in, will be made in the final version of the Work Plan that is sent to EPA and will include a total of \$662,500
- **K. Forst** provided an overview of the NEP FY21 Work Plan:
  - We are very grateful for the bump to the base funding for FY21 which will be an enormous help given the current situation and lots of uncertainty right now with COVID-19
  - A team of staff at PDE is worked to identify areas in the current Work Plan that might have some uncertainty in the future and we are still unsure when the office will open and when certain projects will start back up
  - We pulled back on travel to conferences and meetings as well as outreach events and any other activities that involve large gatherings since we are not sure what is going to happen after this summer
  - The 2021 Delaware Estuary Science and Environmental Summit is most likely not going to take place

- We included funding for several new laptop computers since everyone is working from home now, very few staff have dedicated PDE laptops, and many of the laptops we do have are very old
- **D. Kreeger:** The way society is moving, more workplaces are now allowing telecommuting
  - As an environmental organization, we should try to reduce our carbon footprint
  - Many staff at PDE have been traveling from New Jersey and Pennsylvania every day to get to the office in Wilmington, DE
  - There is going to be less face to face interactions in the future, so we need to improve our technology and be able to work efficiently from anywhere
  - We also need to think about improving video support, including webinars and virtual workshops, meetings, and even conferences (Science Summit)
- **K. Forst:** In 2021, we are looking at ways to reduce the cost and the amount budgeted for the *Estuary News* newsletter by either having one large printed newsletter, shorter e-newsletters, or having two shorter printed newsletters and two e-newsletters
  - We are going to work on getting some cost comparisons to see what those changes would look like financially for PDE
- **K. Klein:** PDE is rethinking how we communicate with the public in general, and we have been thinking more about this even more now because of the COVID-19 situation
  - We want to do a better job featuring people and their stories into newsletter articles and using these stories to drive more traffic to our website
  - We need to put more emphasis on having people take photos of what they are doing and submit content for newsletters to get people more connected with the Estuary
  - There are certain fixed costs that we cannot really change (design, postage), but we can look into changing the way that we print materials
- **Kim Cole:** At DNREC, we are also looking into new ways of getting our information out to our readers
  - Outdoor Delaware is going virtual and including more videos and online stories rather than sending out a large number of printed materials
- **K. Klein:** Our spring newsletter was an e-newsletter and we related articles back to the CCMP strategies with callout boxes
  - We're trying to talk more about how the CCMP ties into work being done and the work our partners do
  - This ties back into the public participation discussion and thinking of new and different ways to make everything more connected
- **K. Forst:** We are also looking at reducing the number of public events staff participate in and choosing events that where we will have meaningful engagement and that are more impactful
- **K. Forst:** Oyster shell recycling was taken out of this budget (was about \$4,000 in the last Work Plan)
- **D. Kreeger:** We've struggled to have the shell recycling program pay for itself since the demand for shell decreased after Hurricane Sandy
  - PDE has worked hard to get the program started, and we want to keep it going since it is important for restoration projects
  - Because of the constraints in our budget right now, we decided to make this cut for the coming year and hope to resume in the near future when it can be more self-sustaining
- **K. Forst:** We also have a PA Growing Greener grant pending right now for the shell recycling program

- **K. Forst:** The Technical Report for the Delaware Estuary and Basin (TREB) is also included in the FY21 Work Plan at \$30,000 for staff support to help write and oversee the process and also includes \$23,000 for contractual services
- **D. Kreeger:** We have not finalized the contractors that will be assisting with the TREB yet, except for DRBC (\$10,000) to help update several TREB chapters again
  - We are hoping to conduct a robust revision of the TREB for chapters where we have fresh new datasets and will be working on this project in FY21 and into FY22
- **K. Klein:** We considered pushing back the TREB and State of the Estuary report because of the pandemic and fiscal challenges, but we want to stay on track with the timing of this reporting schedule
- **D. Kreeger:** The State of the Estuary report is a National Estuary Program (NEP) requirement
  - TREB helps support the State of the Estuary since it is a technical document with fresh datasets
  - TREB is also used by other organizations in our watershed for other reports including DRBC's State of the Basin report
- **K. Forst:** We were happy to hear that we will be receiving additional funding for the Urban Waters Federal Partnership Ambassador for next year (Addendum Section G)
  - This includes PDE's work to coordinate with federal partners and local governments in Chester, Philadelphia, Wilmington, and Camden
- **K. Forst:** We included a highlights section in the Work Plan because it was recommended by EPA during the Program Evaluation
  - We pulled this information an internal reporting system where staff record activities throughout the year
- **K. Forst:** We are required to show where non-federal match comes from and hope that all partners will be able to provide some level of commitment before the Work Plan is due to EPA on June 1
- **K. Forst:** The match provided is a combination of items like state funding, current scientific studies, monitoring projects, and staff time
  - If there is anything else that your organization has that you think we could use for match, please let us know
- **Kelly Anderson:** As a result of the COVID-19 situation, we are not performing fieldwork right now and our match is tied to the work that takes place on our skimming vessel which did not go out in March
  - Kelly will work with her team at PWD to think of alternatives for match commitments since they will not be out on the river as much this year
- **K. Forst:** What we do this time of year is 1) confirm match partners proposed from last year and 2) collect anticipated match for the FY21 budget
- **K. Klein:** Has there been any discussion at EPA about NEPs and their Work Plans and match commitments based on how the pandemic has disrupted organizations?
- **Catherine Magliocchetti:** There has been some discussion and recognition at EPA, but there is nothing that we can share in terms of an official policy yet
- **K. Forst:** The first step is for us to get information from all the partners to see how much work has been impacted by COVID-19
- **K. Cole:** We will provide match for the current grant and have almost hit the total amount
  - We will send a letter for FY21
  - Do not know about the DelDOT commitments
- **K. Anderson:** Is the reporting period for match obligation the calendar year or the fiscal year?

- **K. Forst:** The actual agreement with EPA is October 1, 2019 through September 30, 2020
  - PDE uses the funding during the calendar year so we do not start using funds until January of 2020
- **R. Manning:** In the past, Lorestine Pittman at PDE told partners that the calendar year was recognized since sometimes it takes a while for grants to reach completion
- **K. Forst:** As long as we are consistent and there is no overlap, I think we can choose how we want to report
- **K. Klein:** We might want to start spending on the FY21 grant in October instead of waiting until January depending on where we are financially, but things are still in flux right now
- **Megan Mackey:** It is up to PDE to either function on the calendar year or the fiscal year, but the grant runs on the fiscal year
  - It is not unreasonable to raise the question of shifting this and can be up for discussion based on what is in the current EPA guidance
- **K. Forst:** We will continue to discuss this internally at PDE
- **C. Pindar:** Are you going to send out an email with dates for match commitments?
  - It's still not clear what the timeline is and we have to tell folks in payroll to run a report for specific dates to report on the match
- **K. Cole:** We report based on the state funding, so this is money between July 1<sup>st</sup> and June 30<sup>th</sup>
  - We need to know the timing so we can report on what is eligible for the grant and are providing appropriate match for the appropriate grant
- **J. Springer:** The end of June is the end of our fiscal year for NJDEP as well
  - We are still spending money on the same schedule, but it might make a difference for the time period we are assessing the match
- **K. Klein:** It seems like we have been getting match commitments sent to PDE on a few different timeframes
- **K. Forst:** I will work with Kathy at PDE and confirm the timing with EPA and send out the dates in a message to everyone

### 3) 2020 Comprehensive Conservation & Management Plan (CCMP) Tracking

1:15 – 2:00

- **Emily Baumbach** reviewed results of the CCMP tracking survey that was distributed to NEP Directors. The presentation is available [HERE](#)
- **E. Baumbach:** We want to streamline the CCMP tracking process this year and use a system that is user-friendly and more accessible to a broader network of regional partners
  - We will ask partners to provide their top organizational accomplishments as it relates to goals of the CCMP
  - We want to ask partners to fill out a simple Google Form instead of a complicated Excel workbook
- **K. Cole:** The easier and simpler the system, the better for gathering the information from partners
- **M. Mackey:** We agree with Kim
  - We did not get anything to specifically to report from EPA last year
  - We discussed in EPA Region 2 and 3 a few different approaches to getting responses this year
  - Calling people directly to garner support will be helpful
- **I. Purdy:** You could send these survey results out to the other NEPs so that others know what has been working well for tracking CCMPs

- **K. Klein:** We can include CCMP-related stories from partners in the PDE newsletter too
- **Jay Springer:** I think the Delaware River Watershed Initiative is conducting some outreach or assembling a list of restoration projects across the watershed
  - Was contacted by Rutgers looking for NJDEP green infrastructure projects in the watershed to report for a William Penn Foundation project
- **K. Klein:** There is an initiative to review the investment of local, state and federal agencies in the watershed and to identify future projects by reviewing public investment and where current activities are taking place
- **K. Klein:** The Our Shared Waters campaign being led by DRBC working with the William Penn Foundation is collecting information from across the Basin
- **K. Klein:** It would be helpful to have an intern help review partner websites periodically to see what projects are taking place across our region

#### 4) Science & Technical Advisory Committee (STAC) Update

2:00 – 2:20

- **D. Kreeger** provided updates from the last STAC meeting:
  - Kristin Regan is the new STAC chair as of January and just presided over the last STAC meeting on April 29<sup>th</sup>
  - This was the first STAC meeting where all participants attended virtually
  - This meeting was originally intended to be with the MACC, but there were some constraints with the COVID-19 situation
  - We decided to shift the joint STAC-MACC annual meeting in November or December of 2020 after the September/October joint STAC-EIC meeting
  - The STAC meeting had robust roundtable sharing with COVID updates
  - Emily provided an update on the CCMP Monitoring Approach which will include a priority list in the final monitoring report
    - A draft will be shared with the STAC and MACC over the summer and will be completed before the end of this year
  - We are still discussing plans for the Science Summit and if we want to have a virtual meeting or push the event out to a later date to have the in-person retreat
  - There was some discussion about the next TREB report
- **D. Kreeger** provided updates on the STAC Charter:
  - The STAC Charter was revised about 11 years ago
  - We now have a new chair and new directions
  - We are also looking to expand the cap on membership from 21 to 25
    - 7 of 21 seats are standing members by Delaware Estuary Program organizations and the remaining members are elected
  - We try to maintain diversity of expertise (water quality, flow, fish, wetlands) and want to have multiple sectors covered on this committee
  - Having only 21 members can be constraining and we want to increase expertise and flexibility of the committee
  - There are two versions of the revised STAC Charter that was sent out ahead of the meeting (one version with accepted changes and one with markups and track changes)
  - The two major items updated in this revised STAC Charter are to 1) increase membership from 21 to 25 members and 2) to add a Vice Chair position (alternate for the Chair)
  - The Charter requires EIC approval since the STAC exists to serve functions of the Estuary Program and the EIC can charge STAC with peer reviews and briefs on topics of interest

- Contingent on EIC blessing of the STAC Charter, the elections will take place and will expand to a larger number of available seats
- There would be 7 empty seats on this committee if the group expands to 25 seats
- Dave Bushek, Jerry Kauffman and Jeff Fischer have elected to step down from the STAC, and Greg Breese retired last year
- **K. Cole:** Brian Marsh is the Coastal Programs staff person for the Delaware Bay with USFWS and is taking over Greg's role and is located at Bombay Hook
- **D. Kreeger:** We are also going to reach out to Mike Slattery and Bart Wilson at USFWS
  - Jeff Fischer recommended we reach out to Dave Smith who conducts horseshoe crab work
- **D. Kreeger:** We have at least 5 confirmed individuals who are interested in running for STAC seats
- **Kristin Regan:** Another item discussed at the meeting was a refresh of the STAC and the short window of opportunity between the CCMP and TREB cycles to focus on some other STAC efforts
  - STAC will be developing a list of science needs and priorities for the group to address
  - The first step is to use the TREB-CCMP matrix that Emily developed that pulls out CCMP and TREB actions
  - Emily also solicited feedback from and provided a presentation on the prioritization efforts and how it will be tied to the final CCMP Monitoring Report at the MACC meeting on May 12<sup>th</sup>
  - Based on the results, the STAC can select one or more of the priority areas identified and create a subcommittee or workgroup to focus on those needs
- **D. Kreeger:** We want to see if the STAC can do more to support the Estuary Program
  - There are gaps in the CCMP that no one is spearheading, and the STAC might be able to assist with some of these efforts
  - If we create another top 10 list, maybe the STAC could start writing some proposals
    - STAC could take on some CCMP implementation that we would not make progress on otherwise, such as developing nutrients and salinity endpoints for tidal and freshwater organisms, etc.
- **K. Klein:** Are there any concerns or questions about the STAC charter?
  - Motion was accepted to approve the revised STAC Charter with current edits

## 5) Other Updates

2:20 – 3:00

- **K. Klein** provided PDE updates:
  - PDE is still conducting some fieldwork this summer
  - We are pivoting on programs and deliverables that we are committed to producing
  - A big focus right now is on looking at PDE's finances and planning for the coming months to see where there might be some significant shortfalls
  - PDE applied for a Paycheck Protection Program (PPP) loan, which provides some short-term relief to small businesses
    - If you spend the money within the allotted time period and follow certain parameters, the loan is forgivable
  - PDE recently hired two new staff members
    - We have a few other open positions that we are hoping to fill in the fall
  - The grants we are applying for are becoming more competitive since organizations that did not go after funding in previous years are going after funding now

- The Delaware River Conservation Fund grants last year did not get enough proposals for the \$7 million, but this year they received a total request of over \$15 million
- **C. Magliocchetti:** The Restore America's Estuaries (RAE) RFP recently came out
  - This is a new grant program focusing on coastal and estuary projects
  - The LOI deadline is August 7<sup>th</sup> and the application process starts with a letter of intent
- **K. Klein:** I did not receive an email directly about the RAE RFP
- **M. Mackey:** Nancy Laurson sent the email out and may have an outdated NEP Director list
- **K. Klein:** There is a webinar coming up in June that is posted on RAE's website
- **C. Magliocchetti:** If you have any concerns with grant match, EPA is trying to be responsive and work with our partners
- **Liz Butler:** EPA Headquarters is hosting an internal EPA 'town hall' meeting on the NEPs
  - If there are any questions or issues, we can bring this information and pass it along at that forum
- **K. Cole** provided DNREC updates:
  - DNREC employees are all still working remotely and the Governor extended the stay-at-home order to the end of May
  - Kim's section has limited research taking place right now and lots of programming has been completely cancelled (engagement with citizen scientists and volunteers)
  - We are waiting for the budget to come through and will go from there once we hear updates
- **J. Springer** provided NJDEP updates:
  - NJDEP is looking into virtual methods of conducting stewardship projects as well as education and outreach
  - The AmeriCorps Watershed Ambassadors are conducting some virtual sessions on curriculum on watershed education for teachers in New Jersey
  - The coastal monitoring program started this week
  - The Governor says beaches will open Memorial Day weekend
  - Daily Beach Flights going down the coast will start next week
  - NJDEP is still monitoring for harmful algal blooms
- **R. Manning** provided PADEP updates
  - Rhonda is living in a yellow phase county but working in a red phase county right now
  - PADEP is still under a hiring and travel freeze
  - We are waiting on the budget to move forward on a lot of activities
  - We are starting to feel the economic impact and the Governor's office has put parameters on certain invoices for being paid right now
  - PA Growing Greener is still in the process of finalizing this year and they still need to get the approval for Executive staff
- **C. Pindar** provided DRBC updates:
  - Staff are still working remotely
  - Advisory committee meetings are taking place online (Regulated Flow Advisory Committee and Water Quality Advisory Committee meetings)
  - DRBC held the first public hearing online this week
  - All state budgets impact DRBC, so we are waiting to hear about those updates
- **K. Anderson** provided PWD updates:
  - Staff are still working remotely through at least June 4<sup>th</sup> and this will most likely be extended

- The Mayor recently submitted the new budget, so we are still waiting on final approval
- The plan is to continue to move forward with planning and programming unless there were specific cuts
- Estuary work and aquatic life uses continue to be a priority
- We were involved with a recent presentation on April 30<sup>th</sup> for the Water Quality Advisory Committee on bacteria data collection in 2019 in nearshore areas of Philadelphia
- There was another presentation at the Regulated Flow Advisory Committee meeting on validation of a salinity model, work on a dissolved oxygen partnership of 12 largest dischargers in the region to achieve early action on designated use on aquatic life in the Delaware Estuary
- **I. Purdy:** Wanted to follow up on the request discussed on the last Steering Committee call
  - Javier Laureano suggested that the Steering Committee provide more input and decision making where needed for the Estuary Program
  - There have not been any decisions for the Steering Committee to weigh in on during the past few Steering Committee meetings
  - There was much more involvement during the CCMP revision process
  - Even though we recognize that PDE is not a regulatory body, there are other partners at the table who are regulatory agencies like DRBC
  - We need to take advantage of having high-level managers that get together on a periodic basis
  - Javier's suggestion was to set up an ad hoc committee to explore this more and look into ways that the Estuary Program partners can be more involved in the program going forward
  - PDE is working on a new Strategic Plan and this is something that the Steering Committee will need to sign off on
- **D. Kreeger:** During the last few Steering Committee meetings, we have touched on CCMP implementation constraints, including funding and capacity
  - At the fall meeting, we also talked about the funding gap and the need for a Trust for the Delaware Estuary
  - We are not only looking for additional funding, but also looking to explore other potential mechanisms for funding through grants, RFPs, etc.
  - It would be great if agencies could include CCMP criteria in their proposals
  - PDE is structured as a nonprofit and is ineligible to apply for certain grants right now, and the only way to make those changes would be at the Steering Committee level
  - If the Steering Committee wants to see us tackle CCMP strategies that are funding limited, we need to see whether CCMP priorities can be included into existing grants
  - Funding is always a major bottleneck, and PDE does not always have the match or is ineligible to apply for certain funding opportunities
  - We talk to the Steering Committee about this, but never really get this idea acknowledged or confirmed in any way and there are policy restrictions on some of the existing funding
  - How can the Steering Committee tweak existing funding for those that do not have the nexus to CCMP?
    - Structure the proposal so that you need to explain how your project addresses CCMP strategies
- **K. Klein:** We can work with EPA to help create an ad hoc committee to look at some of the needs and opportunities for the Steering Committee to consider how they can be more engaged
- **I. Purdy:** Don't you think PDE would be better at putting this group together and coordinate with the agencies than EPA?



- **K. Klein:** Let us keep talking about this idea and come up with a plan
  - We really do not want to create another planning group because we already have so many planning committees right now (strategic planning committee calls, Urban Waters committee calls, DEIJ consultant calls, monthly EIC meetings, other ad hoc committees that already exist)
- **I. Purdy:** Javier loves the Estuary Program and thinks PDE is doing a great job, but he would just like to see more involvement from the Steering Committee
  - One example the Steering Committee could be more involved is through the review the Estuary Program Work Plan each year
- **D. Kreeger:** We could use help from the Steering Committee to help sign off on letters of support for program development grants to consider eligibility requirements
- **I. Purdy:** We want to see how the Steering Committee can assist the Estuary Program more without getting in the lane of the PDE Board of Directors
- **K. Klein:** We can tee something up related to establishing the Estuary Program as a priority for Steering Committee involvement and come back to this at the next meeting
- **D. Kreeger:** Can the Steering Committee help other organizations listed in the CCMP to address some of the items in the CCMP?
  - There are some areas in the plan for other agencies to lead and it could be really helpful to have CCMP references made when looking for funding for projects

***Meeting adjourn at 3:00 pm.***