



Minutes
Interstate Environmental Commission
Annual Meeting
Wednesday, March 2nd, 2022

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners present: Philip DeGaetano (Chair, NY), Selvin Southwell (NYSDEC), Judith Baron (NY), John Scagnelli (Vice-Chair, NJ), Bruce Friedman (NJDEP), Virginia Wheatley (NJDOH), Loel Muetter (NJDOH), Patricia Sesto (Vice-Chair, CT), Christopher Bellucci (CTDEEP), Nisha Patel (CTDEEP), David Wrinn (CT AGO)

A quorum was present.

Also present: Evelyn Powers (IEC), Michael Flood (EPA Region 2), Jeffrey Nielson (NJ G

2. Approval of minutes from the December 1st, 2021 Meeting (Appendix A)*

a. Executive Committee Meeting summaries (Appendix B)

The minutes from the December 1st, 2021 quarterly meeting were presented. With no comments or edits, a motion to approve the minutes was duly made by Commissioner Sesto and seconded by Commissioner Baron. With no one opposed, the minutes of the December 1st, 2021 quarterly meeting were unanimously approved. Summaries of the January 5th, 2022, February 2nd, February 9th, 2022, and February 16th, 2022 Executive Committee meetings were presented. Executive Committee meetings have been nearly weekly as the Commission is finalizing both the lease with BioBAT and the construction contract with H.M. Hughes.

3. Elections of Officers and Executive Committee

The election of Officers and Executive Committee members was discussed. Connecticut is next up in the rotation for Chair, as per the bylaws. However, due to recent and pending retirements in CTDEEP, CTDPH (the CTDPH representative position is vacant) and the CT AGO (CT AGO representative David Wrinn is scheduled to retire June 30th), a suggestion was made to table the elections until the June quarterly meeting. Evelyn requested a motion be made to table the elections. Commissioner Baron inquired whether tabling the elections until June was allowed under Robert's Rules. Commissioner Scagnelli replied that he does not believe there is anything in Robert's Rules that would prohibit moving the elections to June. Commissioner Sesto also noted that as the Commission is in the final stages of the A motion was duly made by Patricia Sesto and seconded by Commissioner Baron to move the elections to June. With no one opposed, the motion passed unanimously.

4. IEC Finances and Current Grant Funds Update

Evelyn reviewed the final financial statements for the first quarter FFY22, including the statement of financial activity (Profit and Loss statement) and statement of financial position (Balance Sheet), presented as Appendix C and D, respectively, in meeting materials. An amended Appendix C was distributed after the meeting which included the budget vs. actuals. The Commission expended 71% of its anticipated YTD budget (not total budget) in the first quarter of FY2022 (October 1, 2021 through December 31st, 2021). Total expenses were \$328,343. Q1 budget was \$459,387. There were no line items that were significantly over-budget. Evelyn is working with the accounting firm to add more detailed line-item descriptions for certain expense categories, such as Professional Service Expenses, which would assist with analyzing the budget. Evelyn reminded the Commission that, as the third and fourth quarters are IEC's most expensive quarters for operating expenses due to the monitoring season, it is good practice to be significantly under budget during the first half of the year.

Total bank accounts (operating account and cash reserves) totaled \$707,204 as of December 31st, 2021, with \$682,997 in reserves.

a. Funding and Grants Update

Evelyn reviewed the total current awarded grant funds and projected funding. IEC's CWA Section 106 FFY19 award has \$204,731 remaining. The majority of these remaining funds are earmarked for equipment purchases and supplies related to the new laboratory buildout. IEC's CWA Section 106 FFY20 award has \$519,455 remaining. The FFY20 award primarily supports IEC's 106 activities currently. The project and budget period for IEC's CWA Section 106 FFY18 award closed on September 30, 2021, funds were completely expended and Evelyn worked with Michael Flood (EPA Region 2) to complete the documentation necessary to close out that assistance agreement. IEC's FY2021 CWA Section 106 agreement is largely unexpended, with \$746,000 of the original \$748,000 award remaining.

IEC's FFY21 LISS Base Monitoring Program and Enhancement agreement has \$519,455 in funds remaining. IEC continues the NJDEP Harbor Monitoring Network work on a monthly schedule.

IEC has a healthy balance of over \$2,000,000 in open, awarded grant funds.

b. New (pending) sources of funding:

IEC submitted a FY22 base budget request to the Long Island Sound Study in the amount of \$421,672. In addition to continuing IEC's long-term monitoring program, this base request includes \$28,485 in additional funding to support a new long-term coastal acidification monitoring program. This program is in the process of being designed and implemented with LIS partners (CTDEEP, USGS, Save the Sound) with input from regional partners.

IEC is also planning to submit an enhancement proposal to the Long Island Sound Study to coordinate a fecal indicator monitoring network in Long Island Sound embayments and tributaries. This proposal is being prepared in conjunction with CTDEEP and Harborwatch (Norwalk, CT).

IEC's EPA Section 106 FY22 workplan will be distributed to the Technical Advisory Committee and Commissioners for comments and submitted to EPA for review and approval.

IEC anticipates continuing its participation in the Unified Water Study in 2022, with approximately \$46,000 in funding to perform semi-monthly monitoring surveys in Little Neck Bay and Manhasset Bay from May through October.

IEC also anticipates continuing its partnership with the USGS and the Urban Waters Federal Partnership, assisting with pathogen and total suspended solids monitoring and analyses along the Harlem River, in order to promote public access adjacent to Roberto Clemente State Park. This effort, which has in the past been supported entirely through Urban Waters Federal Partnership funds, will likely leverage Section 106 funding as well moving forward, as it has been added as a component of IEC's FY21 and FY22 workplans. IEC is preparing a QAPP covering this work for submission to EPA Region 2 for approval.

IEC also anticipates continuing to provide analytical support during the recreational bathing season to National Parks Service (NPS), Gateway National Recreation Area (GNRA). IEC will be performing enterococcus analyses on beach samples collected by NPS personnel in the Gateway National Recreation Area in Staten Island. This project is supported by NPS funding.

IEC continues the NJDEP Harbor Monitoring Network work on a monthly schedule and anticipates continuing this work in 2022-2023.

In terms of new projects, IEC is continuing to discuss with NYCDEP and Brooklyn College (CUNY) a pilot monitoring project to assess the effectiveness of constructed wetlands adjacent to Alley Creek and Little Neck Bay in Queens. The project would involve monitoring for pathogens and nutrients. As the

project is dependent on NYCDEP funding that would be released with the new city fiscal year in July, the project is likely to be launched as a two-month pilot in August-September 2022.

5. Laboratory/Office Space Update

Evelyn updated the Commission on the status of the lease and construction contract for the BioBAT space. The lease and construction contract are very close to being finalized. Evelyn, Chair DeGaetano, and Commissioner Scagnelli have been working diligently over the past several months, in conjunction with IEC's lease attorney, Jennifer Schecter, as well as the Executive Committee to finalize the legal review of the lease and contract documents. Recent progress, and issues related to the negotiations are detailed in the Executive Committee meeting summaries. Chair DeGaetano, and Commissioner Scagnelli reiterated that it has taken a great deal of effort to get to this point, but a year after the term sheet was signed, we are very close to a good, fair, long-term lease to house the Commission's laboratory and administrative operations as well as a construction contract for the Commission's portion of the buildout. Construction is slated to be complete in September 2022, with operations beginning in late fall 2022.

6. Ongoing Projects/Current activities update:

a. Compliance Monitoring Inspections

IEC's compliance monitoring inspections are ongoing, with the municipal water treatment plant inspections planned for FY22 completed. Industrial facility inspections will continue through the spring. Municipal and industrial facility inspections are primarily performed in Connecticut at the request of CTDEEP.

IEC's Long Island Sound monitoring and Harbor network monitoring is continuing, on a monthly schedule. The Long Island Sound monitoring is scheduled to switch to weekly in June, with the Harbor monitoring scheduled to switch to a weekly schedule in May.

7. Old Business

a. Commissioner vacancies

Two Commissioner vacancies remain in New Jersey. Evelyn will work with the New Jersey Governor's Authorities Unit to seek to fill these vacancies.

8. New Business

a. Staffing

Evelyn has posted internship opportunities on the Commission's website and distributed to regional partners and networks and educational institutions. IEC anticipates hiring three seasonal interns to assist with IEC's peak monitoring period from May through October.

9. Upcoming Meetings

Wednesday June 1st, 2022

Wednesday September 7th, 2022

Wednesday, December 7th, 2022

10. Adjourn

With no additional business, a motion to adjourn the meeting was duly made and seconded. The meeting was adjourned at approximately 11:11 am.

APPENDICES:

- A- December 1, 2021 Quarterly Meeting Minutes
- B- Executive Committee Meeting Summaries
- C- FY22 YTD Statement of Financial Activity (Profit and Loss)
- D- Balance Sheet
- E- BioBAT Lease
- F-Construction Contract