



Minutes

Interstate Environmental Commission Quarterly Meeting

Wednesday, September 4th, 2024

10:00am-12:00pm

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners in attendance:

John Scagnelli (Chair-NJ), Phil DeGaetano (Vice-Chair, NY), John Atkin (Vice-Chair, CT), Robert Schuster (NJDEP), Selvin Southwell (NYSDEC), Patricia Bisacky (CTDPH), Nisha Patel (CTDEEP-joined at approximately 11:00am) Virginia Wheatley (NJDOH), Alan Talarsky (NJDOH).

Others in attendance: Laura Wilton (NJ GAU), Michael Flood (EPA Region 2), Bill Storm (EPA Region 2), Elizabeth Tanzi (EPA Region 2)

A quorum was present. Evelyn introduced Elizabeth Tanzi, with EPA Region 2, who serves as IEC's Project Officer for Long Island Sound projects and Bill Storm, with EPA Region 2's Monitoring and Assessment branch.

2. Approval of minutes from the June 5th, 2024 Annual Meeting (Appendix A)*

The approval of minutes from the June 5th, 2024 was delayed until a quorum was reached at 11:00am. A motion, duly made and seconded to approve the minutes from the June 5th, 2024 Commission meeting, was unanimously approved. Evelyn also reviewed the summaries from the following Executive Committee meetings which took place since the June 2024 quarterly meeting. Summaries were distributed prior to the meeting. Executive Committee meetings were largely focused on moving the LIS Septic system replacement contract with NYSDEC forward, including retaining a contract attorney, discussing the contract, and approving the execution of the contract.

- a. June 12th Executive Committee Meeting Summary (Appendix B)
- b. July 3rd Executive Committee Meeting Summary (Appendix C)
- c. August 13th Executive Committee Meeting Summary (Appendix D)

3. Director's Report

- a. Project Highlights and Updates:
 - Strategic Planning RFP

Evelyn updated the Commission on the strategic planning effort, which is included in IEC's FFY23 106 workplan. Evelyn has begun reviewing and soliciting RFPs and strategic planning documents from similar organizations and will draft and circulate a draft RFP for comment.

- NJDEP Harbor Monitoring Project

The Year 4 (May 1, 2024-April 30, 2024) spending plan for the NJDEP Harbor Monitoring Project has been approved and the first quarter of monitoring work has been completed and invoiced.

- Coordinated Volunteer Water Quality Monitoring

The eighth season of the Coordinated Volunteer Water Quality Monitoring program is nearing completion, with eight groups participating. Sampling and analyses continue into October for some groups. The Gowanus Canal conservancy samples weekly into December. Evelyn has had preliminary discussion regarding possible expansion of the program with in conjunction with a regional monitoring collaborative being developed by Riverkeeper and Hudson River Foundation/NY-NJ Harbor and Estuary Program.

- Sampling and Analyses in support of +Pool Pilot

IEC staff is performing daily monitoring in support of a filtration system being piloted by Friends of +Pool. The pilot, funded through New York State and New York City, is part of the NYSWIMS initiative, one of the goals of which is to bring a water-filtering, floating pool to the waters of New York Harbor. The pilot filtration plant is located on a barge along the East River Esplanade, just north of the Manhattan Bridge. IEC staff performs daily sampling at up to 6 monitoring locations within the filtration system. Samples are analyzed at IEC's laboratory as well as subcontracted labs for a suite of microbiological and chemical parameters to assess the effectiveness of the filtration system pilot. Sampling began August 7th and is scheduled to continue for 90 days, ending in November.

- Long Island Sound Monitoring

Weekly monitoring in western Long Island Sound is continuing, with weekly monitoring scheduled through September 11th.

- Unified Water Study

IEC's participation in the Unified Water Study, which includes monitoring in Little Neck Bays and Manhasset Bays twice per month, continues and is scheduled to continue through October. Save the Sound, which coordinates the study, will be releasing its bi-annual Long Island Sound Report Card in October, which is developed through data collected by IEC and other partners.

- National Park Service Beach sample analyses

IEC continues to support the National Park Service in the analyses of weekly samples for recreational water quality (Enterococcus) collected from Gateway National Recreation area beaches in Staten Island and Queens. Sampling and analyses wrapped up just prior to Labor Day. Evelyn received an email from Patricia Rafferty, Resource Stewardship Division Manager, expressing appreciation for IEC's assistance in keeping their visitors safe

- NYCDEP/Brooklyn College Alley Creek Project

IEC is in the midst of its second full year of participation in two, related projects supported through funds provided to the Research Foundation of CUNY from the New York City Department of Environmental Protection. One project, led by researchers from Brooklyn College and Queens College is assessing the effectiveness of a constructed wetland in Alley Creek in reducing pathogen concentrations in sediment and water, and reducing nutrient concentrations in water. A second project is looking at the effectiveness of a ribbed mussel installation in reducing pathogens in Bergen Basin, a tributary to Jamaica Bay. Both waterbodies are impacted by CSO's, and the work is part of Long-Term Control Plans included in consent orders with the New York State Department of Environmental Conservation.

- Compliance Monitoring Inspections

Compliance monitoring inspections have been largely on hold over the summer, as other seasonal monitoring projects demand increased staff time. IEC and CTDEEP are working toward the inclusion of stormwater inspections, both as a part of our established program of on-site inspections at Connecticut water resource recovery facilities, as well as separate inspections at other public works and privately-owned facilities that have stormwater permits. These inspections would be tailored toward assessing compliance of facilities with stormwater permits. There was consensus that this is an area that could be of value to New Jersey and New York as well. IEC has had preliminary discussions with NJDEP. Michael Flood (EPA) also commented that stormwater is a CWA Section 106 eligible activity.

- NYSDEC Long Island Sound Septic Replacement Project

Evelyn Powers and Chair Scagnelli gave an update on the NYSDEC Long Island Sound Septic Replacement Project. As reported in the Executive Committee summaries, the contract was signed by IEC and returned, with the supporting documentation in August. Once the contract with NYSDEC is fully executed, IEC will be working with its contract attorney to draft contracts with Nassau and Suffolk counties. The project will pass through approximately \$2,000,000 a year to support a reimbursement program for homeowners to install innovated and advanced onsite wastewater treatment systems in portions of Nassau and Suffolk counties within the Long Island Sound watershed.

4. IEC Finances and Current Grant Funds Update

- a. Statement of Financial Activity and Balance Sheet (Appendices E and F)

Evelyn reviewed the Statements of Financial Activity and Financial Position (appendices E and F) that were distributed with the meeting materials. Year-to-date expense were \$1,304,976, or 68% of total year-to-date budget of \$1,915,697.

- b. Updates to Financial Statement Format

Jeffrey Myers (Treasurer) and Evelyn Powers presented and discussed possible changes to the format of the financials. Evelyn will be distributing the format to Commissioners to solicit feedback.

- c. Funding and Grants Update:

Evelyn reviewed the current and pending funding and grant sources.

- CWA §106 FFY 22 Status (\$87,216 remaining, project and budget period closes 9/30/2024)

The project and budget periods for IEC's FFY22 CWA §106 award closes on September 30th, 2024. IEC is on target to complete the work of the workplan and expend the remaining funds (\$87,216) on schedule. Final progress report for the award will be submitted by October 31st, 2024, and Evelyn will work with

Michael Flood and the EPA Region 2 grants office to submit the final financial documents to close out the award once the FFY2024 financials are finalized.

- CWA §106 FFY23 (\$764,000 remaining, not yet drawn upon)

IEC has \$764,000 in funding available in its FFY23 award. Funding from this award was not drawn upon at the time of the meeting, but it is anticipated that this funding will begin to be drawn down by the end of September 2024.

- CWA §106 FFY24 (\$727,000); workplan approved, award pending

IEC's FFY24 award, in the amount of \$727,000 was pending at the time of the meeting. The workplan was approved in July. The award was received subsequent to the meeting, on September 10th, 2024.

- Long Island Sound Study (LISS) FFY24 Base Program Award

LISS FFY24 Base Program application package was submitted to grants.gov on June 7th (\$714,135), award pending at time of September 2024 quarterly meeting. Award was still pending as of November 2024.

- NJDEP Harbor Monitoring Project (Year 4, Spending Plan approved, \$364,090 budget)

As discussed in the Director's report, the spending plan for Year 4 of the NJDEP-funded Harbor monitoring project, in the amount of \$364,090 was approved. MOA is being finalized and additional work with continuous monitoring is being implemented.

- LISS Prior Year(s) Remaining Funding (\$1,730,641 remaining)

IEC has remaining finding of \$1,730,641 awarded from the Long Island Sound office. The majority of this funding (\$1,100,000) is the result of forward-funding for years 2 and 3 (FFY2024 and FFY2025) of the pathogen monitoring network project.

- Save the Sound Unified Water Study Funding (\$44,173)

Funding was awarded in May 2024. Funding supports monitoring in Little Neck and Manhasset Bays in support of the Unified Water Study, coordinated by Save the Sound, Inc. Monitoring continues through October 2024. This is IEC's seventh year participating in the study.

- Brooklyn College (CUNY) and NYCDEP Alley Creek/Bergen Basin Project
FY Year July 1, 2024-June 30, 2025 Estimated Budget \$104,917

This is the second year of a three-year project to assess the effectiveness of nature-based solutions to improve water quality related to pathogen indicators and nutrients in Alley Creek and Bergen Basin.

- NYSDEC 604(b) funding \$131,171 (Year 1 Contract)
- NYSDEC 604(b) funding \$131,925 (Year 2 Contract pending)

IEC was awarded the Year 1 contract for the 604b pass-through funding to perform targeted water quality monitoring in NY Harbor from NYSDEC in July 2024. The Year 2 workplan and budget was

submitted to NYSDEC on July 30th. IEC is awaiting approval of the workplan, budget and issuance of a draft Year 2 (August 1, 2024-July 31st, 2025) contract.

- NYSDEC Long Island Sound Septic Replacement Project (Federal EPA LISO Bipartisan Infrastructure Law pass-through funds) \$2,062,500 annual budget.

As reported in the Director's report, the contract with NYSDEC for IEC to administer this program was signed by IEC in August, after review and comments provided by IEC's contract attorney were incorporated. The contract awaiting execution by NYSDEC. The fully executed contract was received by IEC from NYSDEC subsequent to this meeting, on October 16th, 2024.

- Friends of +Pool (WQ Monitoring of Filtration Pilot Plant) \$132,762 estimated sampling and analytical services cost through October 2024.

Sampling and monitoring for this project began in August 2024. Costs incurred related to activities to support the project from July 2024-August 2024 (\$23,104) have been invoiced.

- Stormwater Inspections in Connecticut (\$18,072 increase in CT appropriation), see Appendix G, Proposed Resolution*

A motion to approve the proposed resolution was made by Commissioner Atkin and seconded by Robert Shuster. Patricia Bisacky noted that the letterhead used for the resolution should be updated to reflect the current Chairs and vice-chairs. With that correction, the motion to approve the proposed resolution was unanimously approved.

5. Laboratory/Office Update

- a. Update on Staffing and Current Laboratory Operations
- b. Update on BioBAT
- c. Staffing

IEC hired five full-time interns to support field and laboratory activities through October 2024. IEC is planning to post two Environmental Analyst positions. One position will back-fill the position vacated by Kimarie Yap in June 2024 (Samantha Wilder, assumed role of LIS monitoring coordinator). A new job description/position focusing on Communications (with some monitoring support) is being drafted. Additional positions to support the Septic System Replacement Program and Office Administrator are likely to be developed.

Environmental Analyst I:

Jasmine Ku, full time as of 6/24/2024

6. Old Business

Election of statutory Executive Committee member from Connecticut*.

The election of a statutory (state) Executive Committee member from Connecticut, which was tabled since the March annual meeting, was held. Nisha Patel volunteered to serve one more term. Commissioner Scagnelli nominated Nisha Patel, which was seconded by Commissioner DeGaetano. With no one opposed, Nisha Patel was elected to the Executive Committee. Evelyn will follow up on the schedule of Executive Committee elections.

7. New Business

8. Upcoming Meetings

Wednesday, December 4th, 2024 (in-person and Open House)

Wednesday, March 5th, 2025

Wednesday, June 4th, 2025 (in-person)

Wednesday, September 3rd, 2025

9. Adjourn

Commissioner Scagnelli concluded the meeting and made a motion to adjourn. With no one opposed, the meeting was adjourned at approximately 11:50 am.

APPENDICES:

A- June 5th, 2024 Annual Meeting Minutes

B- June 12th, 2024 Executive Committee Meeting Notes

C- July 3rd, 2024 Executive Committee Meeting Notes

D- August 13th, 2024 Executive Committee Meeting Notes

E- Statement of Financial Activity

F-Statement of Financial Position

G-Proposed Resolution re: CTDEEP Stormwater Inspections