



**Minutes
Quarterly Meeting**

Wednesday, June 7th, 2023

**IEC
BioBAT
140 58th Street
Building A, 2nd Floor
Brooklyn, New York 11220**

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners present: John Atkin (CT, Chair), John Scagnelli (NJ, Vice-Chair), Philip DeGaetano (NY, Vice-Chair), Jeffrey Myers (NY, Treasurer), Judith Baron (NY), Selvin Southwell (NYSDEC), Patricia Bisacky (CTDPH), Robert Schuster (NJDEP), Rose Trentman (NY), Virginia Wheatley (NJDOH), Loel Muetter (NJDOH), Michael Lynch (CT AGO), Nisha Patel (CTDEEP)

A quorum was present.

Also in attendance: Evelyn Powers (IEC), Michael Flood (EPA Region 2), Laura Wilton (NJ GAU) Frank Klapinski (NJDEP), Biswarup (Roop) Guha (NJDEP)

2. Approval of minutes from the March 1st, 2023 Annual Meeting (Appendix A)*

A motion was duly made by Commissioner Baron and seconded by Vice-Chair Scagnelli to approve the minutes of the March 1st, 2023 annual meeting. With no one opposed, the minutes were unanimously approved.

- a. April 5th Executive Meeting Summary (Appendix B)
- b. May 3rd Executive Meeting Summary (Appendix C)

The summaries of the monthly Executive Committee meetings were presented. Commissioner made a suggestion to amend the April 5th Executive Committee Meeting summary to clarify that the effort to increase the NYS appropriation to the Commission for the SFY23-24 was not successful. The request was to increase the appropriation from \$41,600 to \$96,323. The enacted budget kept the appropriation at \$41,600.

3. IEC Finances and Current Grant Funds Update

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

Evelyn Powers and Commissioner Myers, Treasurer, reviewed the Statement of Financial Activity (Appendix D) and Balance Sheet (Appendix D and E). Commissioner Scagnelli asked about the large negative income (deficit) of \$257K. Evelyn explained that income lags behind expenses, especially when it comes to the federal grants and indirect costs, which need to be drawn down cautiously to not exceed the final indirect rate. IEC also needs to invoice NJDEP for year two of

the harbor monitoring network, which is approximately \$200,000. There are also state appropriations pending including \$41,600 from NYS, \$15,000 from NJ and an additional \$8000 from Connecticut. Evelyn is confident that the income deficit will reduce dramatically in the next quarter and level by the end of the fiscal year. Evelyn will be focusing on invoicing, following up on appropriations, and requesting the return of the tenant improvement construction deposit from BioBAT and EDC once we get the letter of substantial completion from Linearscape, the architect. This will help our income deficit and cash reserves.

b. Funding and Grants Update

Evelyn reviewed the current and pending funding awards:

- CWA §106 FFY23 Grant status (\$764,000 pending)
- LISS FFY22-23 Base Program Budget Request (\$598,361 MC approved)
- LISS FFY22-23 Enhancement/Supplemental Budget Request (\$1,101,695 MC approved)
- NJDEP Harbor Monitoring Project (Year 2 \$213,006; Year 3 \$506,921)
- CWA §106 FFY 22 Status (\$751,000 remaining)
- CWA §106 FFY 21 Status (\$231,161 remaining)
- LISS Remaining Funding (\$652,308 remaining)
- Save the Sound Funding (\$42,474)
- Brooklyn College (CUNY) and NYCDEP Alley Creek/Bergen Basin Project (\$51,456)
- Total \$4,699,376 in awarded or pending grant funds as of May 31st, 2023.

Most notable is the increase in IEC's Long Island Sound Study (LISS) FY23 budget requests, for both IEC's base monitoring program (WLIS monitoring) and supplemental budget request. The supplemental request of \$1,101,695, approved by the Long Island Sound Study Management Committee, funds two years of a regional fecal indicator bacteria monitoring network. This award is pending and should be awarded by September 30, 2023 (available October 1, 2023). The NJDEP-funded Harbor Monitoring Network Year 3 includes approximately \$179,000 of continuous monitoring supplies and equipment to set up 4 continuous monitoring stations in the Hackensack River, Passaic River, and Arthur Kill. Remaining funding is sufficient, with \$231,161 remaining in the CWA §106 FFY21 award (for which the project and budget period closes September 30, 2023) and the entire allocation for the FY22 CWA §106 (\$751,000) available. IEC's workplan for the CWA FY23 §106 assistance agreement has been approved by EPA and the award (\$764,000) should be awarded by September 30, 2023.

Notable new sources of funding include a project in collaboration with Brooklyn College and the Research Foundation of CUNY (funding comes from NYCDEP through RFCUNY). IEC is analyzing fecal indicator bacteria (FIB) in water and sediment samples, as well as total suspended solids and nutrients in water samples collected from channels in a constructed wetland in Alley Creek, adjacent to Little Neck Bay. The project also involves analyzing water samples for FIB from a ribbed mussel installation in Bergen Basin, adjacent to Jamaica Bay. Funding for the pilot season (May-June 2023) is approximately \$50,000. The project is scheduled to span 3 years, with total funding directed toward IEC approximately \$273,000.

4. Laboratory/Office Update

a. Update on Staffing and Current Laboratory Operations

Staffing and laboratory operations are going well. IEC onboarded four seasonal interns (see below) who will be working full time through October (with some working reduced hours from September due to academic schedules). The laboratory buildout is substantially complete, with some final punchlist items (primarily cosmetic) to be completed June 12th.

5. IEC FY23-24 Budget (Appendix F)*

Evelyn reviewed the proposed IEC FY23-24 budget, \$2,554,262, which includes a substantial increase, due to increased funding. The proposed FY24 Commission budget is derived from current grant budgets and projected grant award balances as of 10/1/2023. Federal funding sources include FY22 106 award in amount of \$751,000. Projected remaining LIS FY21 project and grant balance on 10/1/2023 of \$292,977, Projected LIS FY22 remaining grant balance on 10/1/2023 of \$0. Projected FY23 LIS base monitoring budget of \$598,361 (approved by LIS Management Committee), Projected LIS enhancement funding of \$401,695 (approved by LIS Management Committee) . Other sources: NJDEP monitoring funds estimated at \$349,923 (year 3 funding of \$506,921 spans two IEC fiscal years) FY23-24 costs expected to be \$349,923), Save the Sound funds in amount of \$43,323, NPS funds in the amount of \$5000 and Research Foundation of CUNY (Brooklyn College) in amount of \$116,000.

Total Grant funds \$2,558,279

Total net income includes state appropriations (\$68,600) and amortized reimbursement of laboratory buildout (\$41,775)

Budget supports 12.5 full-time equivalents (FTEs), 11.5 FTEs supported directly through grant funds; 1 FTE (administrative professional) through indirect (overhead).

A motion, duly made and seconded, to approve the Interstate Environmental Commission's SFY23-24 budget, was made. With no objections, the budget was unanimously approved.

6. Director's Report (See EPA Progress Reports, Appendix G)

a. Project Highlights and Updates:

- NJDEP Harbor Monitoring Project
- Coordinated Volunteer Pathogen Monitoring
- Long Island Sound Monitoring
- Unified Water Study
- Harlem River Urban Waters Federal Partnership
- National Park Service Beach sample analyses
- NYCDEP/Brooklyn College Alley Creek Project
- Compliance Monitoring Inspections
- Laboratory Proficiency studies

Evelyn reviewed key projects, some of which were discussed during the grants and funding update (item 3). In addition to those discussed, IEC continues its partnership with USGS and the Federal Urban Waters Partnership, analyzing samples collected by USGS adjacent to Roberto Clemente State Park in the Bronx, along the Harlem River. Samples are collected weekly and include fecal indicator bacteria and TSS. Part of the objective of the project is to validate the use of a Fluidion® in-situ microbiology analyzer, which is installed adjacent to a floating dock at Roberto Clemente State Park. IEC is also continuing its participation in the Unified Water Study (Tier 1 only) in Little Neck Bay and Manhasset Bay, which will continue through October. IEC is also accepting samples from the National Park Service weekly to monitor recreational water quality at Gateway National Recreation areas in Staten Island and Queens. IEC's Coordinated Water Quality Monitoring Project, in its 7th year, continues and includes seven groups, which collect water samples weekly, to be analyzed by IEC's laboratory. Compliance inspections will pick up again in the fall, and NYSDOH chemistry proficiencies will be analyzed in July. Evelyn also referred Commissioners to Appendix G, which includes EPA progress reports with more detail on IEC's CWA §106-funded projects. Evelyn asked Commissioners who would like to receive the Long Island Sound progress reports, which are in an Excel spreadsheet format and more difficult to package into distribution materials, to reach out to Evelyn.

There was some discussion about PFAs/PFOAs and IEC's plan to develop analytical capability for these compounds. There was support by New York, New Jersey and Connecticut for the development of this capability. Patricia Bisacky indicated that the CTDPH and UConn have developed PFAS analytical capability and could be a resource as IEC develops this capability.

b. Other meetings and project/grant updates

- NYSDEC 604b application
- NYSDEC Septic System Replacement Program

Evelyn reported that she submitted a proposal to the NYSDEC 604b program in May. The proposal focuses on NY-NJ Harbor water quality monitoring, modeled on the NJDEP-funded monitoring that IEC is performing in the Harbor. The proposed monitoring project, if selected for funding, would focus on the NY side of the Harbor (East River, Harlem River, Lower Bay and tributaries) and would be designed in collaboration with NYSDEC, perhaps focusing on assessing the attainment of recently-approved and recently-proposed wet-weather and secondary recreation criteria.

IEC is also in discussions with NYSDEC regarding the potential administration of federal bipartisan infrastructure law (BIL) funds, awarded to NYSDEC by the Long Island Sound Office of the EPA. The NYSDEC would pass through funds to IEC to administer a septic system replacement reimbursement program. The program would involve Nassau and Suffolk counties, specifically watersheds within those counties that drain to Long Island Sound.

c. Staffing

Seasonal Interns:

Gabrielle Belaya, City College

Jasmine Ku, SUNY Binghamton

Kyra Lin, Northwestern University
Jovan Snyder, Rutgers University

Environmental Analyst I:

Valeria Izeppi, Rutgers University

Valeria Izeppi joined IEC as a full-time Environmental Analyst on June 5th, 2023. Valeria's primary responsibility will be coordinating IEC's involvement with the Alley Creek and Bergen Basin (Brooklyn College project) and performing analyses and data entry related to that project. Valeria will also be assisting with overall Quality Assurance/Quality Control review. Valeria has been an IEC intern for one year, joining initially in May 2022 working on the Long Island Sound monitoring program. Valeria graduated from Rutgers University in May 2023 with a bachelor's in Environmental Science.

8. Old Business

a. Commissioner vacancies

Evelyn reviewed the Commission member vacancies, which include two vacant citizen commissioner positions in New Jersey and one citizen commissioner vacancy in Connecticut. Evelyn will work with New Jersey and Connecticut to fill these vacancies.

9. New Business

No new business was raised for discussion

10. Executive Session

A motion, duly made by Commissioner Scagnelli and seconded by Commissioner Baron, was made to enter into Executive Session for the purpose of reviewing the Performance evaluation of Evelyn Powers, Executive Director. With no one opposed, the motion was approved and the Commission entered Executive Session at approximately 12:00 pm, with Chair Atkin asking all non-Commissioners to leave the room and placing remote non-Commissioner attendees in the waiting room. The Commission returned from Executive Session at approximately 12:20pm.

11. Upcoming Meetings

Wednesday, September 6th, 2023

Wednesday, December 6th, 2023

Wednesday, March 6th, 2024

Wednesday, June 5th, 2024

12. Adjourn

A motion, duly made and seconded, was made to adjourn the meeting. The meeting was adjourned at approximately 12:25pm.

Lunch and Tour of Lab and BioBAT Art Space

APPENDICES:

- A- March 1st, 2023 Annual Meeting Minutes
- B- April 5th, 2023 Executive Committee Meeting Notes
- C-May 3rd, 2023 Executive Committee Meeting Notes
- D- Statement of Financial Activity
- E-Statement of Financial Position
- F-Proposed IEC FY2023-24 Budget*
- G- EPA Awards Progress Reports