



Technical Assistance Services for Communities
Contract No.: EP-W-07-059
TASC WA No.: TASC-4-HQ-OSRTI
Technical Directive No.: 2.02 TD #2 Newtown Creek

Newtown Creek CAG Meeting Notes
February 13, 2012
6:00-8:00 PM

The Anoroc Club Democratic Building
45-23 47th Street, Sunnyside, NY 11377

Attendees

Leah Archibald, EWVIDCO
Diane Ballek, Office of NYS Assemblywoman Carolyn Nolan
Tanya Bley, Resident
Sarah Durand, LaGuardia-CUNY
Jack Friedman, Queens Chamber of Commerce
Lisa Garrison, Hudson River Foundation/NYCEF Newtown Creek Fund
Lillit Genovesi, CUNY
Kara Grippen, Newtown Creek Group
Ted Gruber, LIC Boathouse
Katie Hart, Newtown Creek Group
Laura Hofmann, Barge Park Pals/NCA/NCMC
Christine Holowacz, GWAPP/NCMC
Ed Kelly, Maritime Association of the Port of NY/NJ
Joe Kenton, Office of Councilman Jimmy Van Bramer
Louis Kleinman, Metropolitan Waterfront Alliance
Steve Lang, LaGuardia-CUNY
Marc Lavaia, Attorney
Michael Leete, Resident
James Maleady, Greenpoint Business Alliance
Rich Mazur, NBDC/GWAPP/Greenpoint Business Alliance
Tyler McLeete, Resident
Deb Mesloh, LIC Partnership
Dorothy Morehead, CB 2 Env. Comm. Chair
Rick Muller, NYC DEP
Phillip Musegaas, Riverkeeper
Leif Percifield, Don'tFlushMe
Paul Pullo, Metro Terminals
Vicki Shiah, Attorney, Sive, Paget and Reisel
Jean Tanler, Queens Business Outreach Center/Maspeth/B2
Dewey Thompson, GWAPP/North Brooklyn Boat Club
Teresa Toro, Resident
Mitch Waxman, Newtown Creek Alliance

Hugh Weinberg, Office of the President, Borough of Queens
Michael Wood, Resident/Queensbuzz.com
Kate Zidar, Newtown Creek Alliance
Walker Holmes, Skeo Solutions
Mike Hancox, Skeo Solutions

Announcements

The Newtown Creek CAG website/blog address is:

www.newtowncreekcag.wordpress.com. Attendees and other interested people should sign up through the blog to be a “follower.” Wordpress will send an email to you after you sign up that includes a confirmation link. If you do not get that email, check your email program’s spam filter and then click on the confirmation link. The blog has a translation feature for Spanish, Portuguese, and Polish. If other languages are needed, contact Kate Zidar and/or Skeo Solutions.

Introductions and CAG Explanation

- Background: The facilitator explained the role of Skeo Solutions and described the process of interviewing stakeholders and creating the summary report (posted on CAG website, “Key Interview Findings”), and summarized the CAG formation meeting on January 19, 2012 (notes from this meeting are posted on the CAG website).
- Explanation of the CAG, based on the group’s stated preferences during the CAG formation meeting: CAGs are typically 20-30 people who represent specific organizations. The Newtown Creek CAG is an open and inclusive process with “rolling admission,” because the group recognizes that the Superfund process will take a long time, new people may want to get involved in the CAG in future years.
- Operating Procedures: The CAG’s DRAFT operating procedures are posted on the blog. CAG members should offer comments for adjusting these operating procedures. At next CAG meeting, the group will ratify these operating procedures. Please give comments to Skeo Solutions (contact information below).
- Purpose of CAG: The CAG is an advisory group, not a decision making body. It serves as a communications conduit.
- Structure of the CAG: Involvement in the CAG is a three tier process: 1) CAG members meet the conditions of membership listed in the operating procedures. The CAG Steering Committee must ratify CAG membership. 2) The Steering Committee is self-nominated, due to the time and commitment required to serve on the Steering Committee. The Steering Committee currently has 13 proposed members with room for two additional members. The CAG members must ratify the steering committee members (The group acknowledges that this ratification process is problematic at first). During the first Steering Committee meeting, the group selected two co-chairs: Kate Zidar and Ryan Kuonen.
- Ratification timeline: The February 13 meeting discussed individuals’ willingness to be CAG members. The Steering Committee will subsequently ratify members. At the March CAG meeting, the CAG will ratify the Steering Committee and co-chairs.

- Proposal of a new Steering Committee member: Christine Holowacz self-nominated.
- Financial considerations: CAGs traditionally do not come with funding (facilitation support, technical assistance, staff support). The Steering Committee can discuss what costs may be involved with CAG activities.
- CAG support: Duration of facilitation support depends on when the Steering Committee feels it can function independently.
- Timeline: As discussed earlier, CAG membership is a “rolling admission” process. Investigation process will take 5 years; cleanup will follow and will also take multiple years. The CAG needs to pace its process. In order to make this pacing easier, the CAG is, by design, not bureaucratic.
- CAG representation and diversity: EPA wants to ensure that the CAG is representative of the community; the CAG leadership should redouble efforts to reach out to the entire community. Based on introductions, approximately 75% of attendees are community members. How can the CAG reach out to groups that are not present? We need to document that the CAG has made a concerted effort.
- Limitations on membership: Elected officials and their representatives are not CAG members due to conflicts of interest. The Steering Committee needs to discuss how this limitation plays out with Community Board members. Community Board positions are volunteer positions; the group seems to think that there will not be conflicts of interest. Responsible parties and regulators are generally considered to be visitors or ex-officio CAG members. The Steering Committee will discuss these issues further.
- CAG meeting locations: CAG meetings will, to the extent possible, alternate locations between Queens and Brooklyn. The next meeting will be held approximately one month from now, depending on availability of EPA for presenting information at that meeting. The Steering Committee will make a recommendation regarding pace of meetings. This CAG may not need to meet monthly due to the length of the Superfund process.
- CAG meeting notes: All meeting notes will be made available on the CAG website. The onus will be on new members to do background reading. The notes for each meeting will include a list of attendees at that meeting.

CAG Information Needs and Concerns

The group discussed their goals for what the CAG should accomplish. The discussion focused on the group’s primary concerns and the topics about which the group wants more information. The group’s ideas were recorded on flip charts and are summarized below:

Concerns:

- Combined Sewer Overflows (CSOs): characterizing the quantity and quality (Newtown Creek Alliance recently wrote a letter to EPA regarding CSOs).
- Characterizing human health impacts (brain disease, lupus, respiratory illnesses, etc.).
- Job retention.

- Superfund stigma: local businesses have difficulty securing financing and insurance.
- Business continuity.
- Maintaining/improving maritime traffic.
- Public access and recreation (safe boating).
- Effect of dredging.
- Impact on long-term planning.
- Wetland habitat – collaboration, bulkhead use.
- Bulkheads: habitat restoration if bulkheads are not needed; rebuilding bulkheads if they are needed.
- Fishing in Newtown Creek (eating and selling fish, lack of physical enforcement).
- Water quality decline during dredging.
- Air quality.
- Administrative costs for the CAG: ongoing funding for the CAG process.

Information needs:

- Extent/scope of investigation.
- Mechanics of cleanup: Where? Transportation? Destination?
- In-depth health studies: what studies have been performed, are they available, what others are planned?
- Timeline of cleanup.
- Draft plan for cleanup.
- Superfund process and bulkheads:
 - What other regulatory agencies have oversight of bulkheads (is this outside of CAG's scope? Should the CAG have a bulkhead subcommittee? The Steering Committee will discuss).
 - Precedent for remediation work around bulkheads (Seattle? Others?).
- Resources to help with fish advisory education (DEC/DOH): Steering Committee will discuss community outreach re: fish in Newtown Creek.
- Fish studies: when was the last study conducted? Presentation needed on fish and water quality.
- Wildlife impact presentation.
- Air quality presentation
- Technical Assistance Grants
- TASC vs. TAG

Next Steps

- The Steering Committee will meet via conference call to discuss ratification of CAG members and the issues flagged for steering committee discussion during the CAG meeting.
- The Steering Committee will work with Skeo Solutions staff to refine the list of information requests for EPA and submit to EPA with a request for a presentation at the next CAG meeting.
- The next CAG meeting will be scheduled in coordination with EPA. Information about meeting date and location will be posted on the CAG website.

Skeo Solutions Contact Information

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