

Newtown Creek CAG Steering Committee Meeting
Thursday, March 10, 2016
4:00 P.M. – 6:00 P.M.

Present

Mike Schade
Willis Elkins
Leah Archibald
Deb Mesloh
Paul Pullo
Mitch Waxman
Ryan Kuonen
Lillit Genovesi
Sean Dixon (by phone)
Kryisia Solheim

1. Introductions
2. CAG Leadership and Membership
 - a. Co-chair vacancy: Mike will be stepping down as CAG co-chair because of his other work projects, but will remain an active Steering Committee member. The Steering Committee believes the new co-chair should be very familiar with Newtown Creek and Superfund-related issues. Willis volunteered to be the new co-chair.
 - All Steering Committee members voted in favor of Willis as a new co-chair.
 - **Kryisia** will email the rest of the Steering Committee members to offer them an opportunity to vote on this position. She will report back by the next CAG meeting.
 - b. **Kryisia** will email Steering Committee members who are still not on Steering Committee Google Group to remind them to join.
 - c. Queens is not as well represented as Brooklyn is on the Steering Committee. The next open Steering Committee position should be filled by someone from Queens.
 - Current Steering Committee members and their affiliations are below.
 - Brooklyn members: Mike, Christine, Ryan, Jean, Willis, Rick, Lori
 - Queens members: Sarah, Lillit, Deb, Mitch
 - Business/other: Leah, Ed, Paul, Sean
 - Potential new Steering Committee members for consideration
 - Laura Hoffman – Brooklyn
 - Katie Ellman – Greenshores
 - Mark Christy – Hunter's Point Park Conservancy (Queens)
 - Brent O'leary – President of Hunters Point Civic Association (Queens)
 - Steering Committee members discussed reaching out to current members who have not been attending meetings to gauge their interest in remaining as Steering Committee members.

3. Upcoming CAG Meetings: Topics and Schedule

- a. The next CAG meeting is scheduled for Tuesday, March 22, 2016, at LaGuardia Community College. Agenda topics include:
 - Introduce Krysia and Terrie.
 - Vote on Willis. **Krysia** will tally the votes and report back to the Steering Committee.
 - The Committee also discussed setting up regular CAG Steering Committee meetings. **Krysia** will ask rest of the Steering Committee to vote on reoccurring dates for CAG meetings. **Krysia** will tally the votes and report back to the Steering Committee.
 - The EPA will be presenting on point sources. **Mike** will follow up with Wanda about the scope of the March 22 point sources presentation and if the EPA is willing to share the presentation ahead of time.
 - **Set a reoccurring date for CAG meetings: first Wednesday of every other month at 6:30 P.M.: May 4, July 6, September 7 and November 2. Can change for 2017. We will continue to rotate between Brooklyn and Queens.**
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- b. Can the EPA share their presentations ahead of time so the Steering Committee can look at them and get them to Terrie before they are presented to the group? It is difficult for the Steering Committee to respond to information on the spot. This way, Steering Committee members can be better prepared with relevant questions.
- c. May 4, 2016 CAG Meeting: New York State Department of Health (NYS DOH) Report. James Bowers from NYS DOH would like to coordinate the release of the Newtown Creek Area health outcomes review that has been approved by the Agency for Toxic Substances & Disease Registry (ATSDR) and NYS DOH.
 - Include discussion of CAG visioning process.
- d. Late spring or early summer 2016: human health and ecological risk assessment.

4. Submitting a Freedom of Information Law (FOIL) Request to Access Draft Risk Assessment Documents

- a. The Steering Committee decided to move forward in submitting a FOIL request for the draft risk assessment because the EPA has not shared the draft risk assessment documents yet. The Steering Committee is interested in reviewing a draft, even if it is not finalized.
- b. **Sean** and **Willis** will submit the FOIL paperwork.
 - Ask for fee waiver.
 - The request will be made as clearly as possible.
 - Go to the local EPA team and ask them to expedite it.
- c. Steering Committee members will review the draft risk assessment when received.
- d. The CAG must keep in mind that they are draft documents and can change significantly based on EPA's review.

5. Technical and Administrative Plans (plan for the next year for the consultants)

- a. Updating website:

- More regular updates – specifically around what’s happening with meetings, releases of reports, links to partners pages.
 - What is the role of the CAG website? Fact-based resource about the CAG, not opinion based.
 - **Kryisia** will look into a template that can include photos and videos. **Mitch** and **Sean** can help. **Kryisia** will review the website and provide the Steering Committee with suggestions on the way information is presented on the website and how to possibly improve it, the overall website structure and making its layout more concise, and providing visitors with a visual understanding of Newtown Creek.
- b. Review and technical comments of risk assessment.
- **Kryisia** will find out if **Terrie** Boguski (Technical Advisor) has started her review.
 - Factsheets for CAG being prepared by Terrie:
 - Summarize remedial investigation to date in fact sheets.
 - What is a reasonable timeframe to create those fact sheets? **Kryisia** will check with **Terrie**.
 - Also factsheets for specific issues: surface sediment contamination, point sources, combined sewer overflows (CSOs), water quality testing, fish consumption and toxicity, upland groundwater contamination and migration.
 - What other topics does the Steering Committee want covered?
- c. After the risk assessment, the Record of Decision (ROD) will be developed. Steering Committee members will use the factsheets to get people to care about the ROD. Factsheets will ensure everyone is well informed when discussing the ROD. EPA will develop their list of alternatives with price tags based on the risk assessments and the community vision, so it is important that the Steering Committee do everything possible to educate more community stakeholders on the scope of contamination and what is at stake.
6. Visioning Plan: Next Steps for Developing Visioning Document
- a. Steering Committee is finalizing a cohesive vision for the future of Newtown Creek. This will be presented at a full CAG meeting to receive additional feedback.
- b. Summary of February 2015 visioning meeting at LaGuardia Community College. **Willis** will allow everyone access to this Google Document so that Steering Committee members can review it.
1. Remove as much Toxic Sediment as Possible.
 2. Preserve Industrial Core.
 3. Allow for Navigational Channels.
 4. Address CSOs and Stormwater Discharge.
 5. Continued Mixed Use of Waterway.
 6. Bring Back Ecosystem that Was Destroyed.
 7. Shoreline Restoration Where Possible.
 8. Increased Public Access for Education + Recreation.
 9. Improve Water Quality to Swimmable Levels.

10. Make Safe for Fish Consumption.
 - c. What about environmental justice/public participation? This may need to be added if not adequately addressed in the document.
 - d. What are the requests of the business community regarding the creek?
 - Permits to improve bulkhead are challenging, making waterborne transport a long process. This is important because if businesses cannot transport goods by water, they have to transport it by land.
 - **Deb** and **Leah** will follow up.
 - e. Should make it visionary because the EPA will look to this document for key issues. If the CAG wants to have different visions for different sections of the creek, that is also fine.
 - f. The Coast Guard will not likely dredge the creek deeper because it would be a challenging regulatory process.
 - g. The U.S. Army Corps of Engineers has not been maintaining the creek because it is contaminated. Once capped, it will renew its maintenance regime.
 - h. *Note:* It is unlikely that Newtown Creek will ever be cleaner than the East River because the East River flows into the creek. Both have the same fish consumption advisories. New York State says this is because fish swim between the creek and river. They have not tested the fish to prove this.
 - i. **Kryisia** will send out a doodle poll for first week of April Steering Committee meeting to review the vision. The Steering Committee will present it to the CAG on May 4 to get initial input, and finalize it at the public meeting in July.
7. Steering Committee Resolution (calling on the EPA, the New York State Department of Environmental Protection and Newtown Creek Group to present updates to the CAG each meeting on activities in the intervening months)
 - a. The Steering Committee will request written updates from all three agencies/organizations to present to the full CAG on a regular basis.
 - b. **Mike** will invite the PRP's - NYC Department of Environmental Protection and Newtown Creek Group to give a brief 5-10 minute presentation at the March 22 meeting.
8. Scheduling Next Steering Committee Meeting and Miscellaneous
 - a. **Kryisia** will make a doodle poll for regular Steering Committee meetings.
 - b. Discuss Sarah's email when she is present – some of the issues have been covered previously.
 - c. Sean updates on EPA meetings: the City has budgeted \$2 billion for the next 25 years for all sites, so it is unlikely that Newtown Creek will be getting \$1 billion. Gowanus and Newtown Creek CSO tanks are listed together. NYC will start construction on the Gowanus tanks in one to two years and will complete construction in five to six years (early 2020s). For Newtown Creek, the timeline is 2036 to 2041. The EPA is ensuring the City commits to building CSO tanks in Gowanus. The EPA's leadership will be needed if Newtown Creek wants to build CSO tanks.