

Newtown Creek Community Advisory Group Operating Procedures and Mutual Commitments

Role, Mission Statement, and Goals

The Newtown Creek Community Advisory Group (CAG) was established by the U.S. Environmental Protection Agency (EPA) and stakeholders to represent the interests of the communities and stakeholders, to receive and share information, and to provide advice and input regarding the remediation of the Newtown Creek Superfund Site (the Site).

The CAG is designed to serve as an ongoing vehicle for information-sharing, discussion, and, where possible, consensus-building regarding decision-making related to the Site. Its members represent a diverse cross-section of key stakeholder interests, including affected property owners, concerned residents, local governments, community groups, environmental groups, health experts, the business community, and others as appropriate.

The CAG's role is advisory only. While the CAG is encouraged to make recommendations and/or requests, those recommendations are not binding. CAG meetings are intended to provide an opportunity for all relevant points of view to be discussed constructively and openly.

The CAG will invite agency staff and other individuals who can assist the CAG with information needs to serve as non-voting or ex-officio participants, as appropriate.

CAG Goals and Objectives

- To develop a thorough and objective understanding of the Site from the standpoint of environmental and health implications, remediation options, and overall community objectives.
- To offer EPA and New York State Department of Environmental Conservation (NYS DEC) informed realistic recommendations on short- and long-term actions to be taken regarding cleanup of the Site.
- As needed, the CAG will develop and modify the objectives, tasks, and schedules for accomplishing its goals. Either the agencies or the CAG may propose additional goals.

Steering Committee Role

The steering committee consists of individuals and organization representatives who are recognized as community leaders interested in remedial activities at the Site. The steering committee members' roles are as follows:

- Agree on and ratify the initial CAG operating procedures, including provisions for adding CAG members and future amendments to the operating procedures.
- Establish CAG leadership, including co-chairs, who will be ratified at a meeting of the full CAG.
- Perform outreach to attract and invite new members.
- Act as stewards for creating and maintaining a legitimate and successful CAG process.

- Manage the day-to-day activities of the CAG, manage the agenda for CAG meetings, and facilitate CAG meetings.

Steering Committee Membership

Participation in the Steering Committee will be a self-nominating process for those willing to share the tasks and responsibilities of managing the CAG process. Steering Committee membership will be ratified by a consensus vote of the full CAG membership. Removal of an individual from the Steering Committee for failure to meet Steering Committee responsibilities can be accomplished by recommendation of the other Steering Committee members and will be subject to consensus ratification of the full CAG. New Steering Committee members will be accepted on a rolling basis throughout the life of the CAG. **If more than 15 CAG members are interested in serving on the Steering Committee at any one time the Steering Committee will propose to the general CAG membership for ratification, an operating procedures amendment that establishes term limits, nominating procedures, voting procedures, and other rules as necessary to maintain a fair and representative Steering Committee that does not exceed 15 members.**

The TASC Facilitation Team Role

The TASC facilitation team will act as a neutral third party to help establish the CAG, organize and facilitate initial meetings, and coach emerging CAG leadership. The TASC facilitator's role is to help foster an independent and successful CAG that legitimately represents and communicates the interests of all segments of the community.

CAG Membership

Membership in the CAG will be a self-nominating process for all individuals who meet the requirements of CAG membership articulated below and who are willing to honor the responsibilities associated with CAG membership. CAG membership must be ratified by a consensus vote of the Steering Committee. Removal from the CAG of individuals for failure to meet the requirements or responsibilities of CAG membership will be accomplished by a consensus vote of the Steering Committee. New CAG members will be welcome to join at any point throughout the process.

CAG Requirements and Responsibilities

- Must have a legitimate connection to the community or issues affecting Newtown Creek.
- Must attend the majority of meetings, receive information, and complete homework assignments (if any).
- Review meeting summaries prior to the next CAG meeting.
- Seek first to understand, then to be understood.
- Work civilly and collaboratively with other CAG members and strive toward consensus agreements.
- Participate in work group activities (if any).
- Openly communicate CAG progress with people or groups with whom they are affiliated.
- Gather feedback from others in their organization or community to share with the CAG.
- Comply with these Operating Procedures.

CAG Co-Chairs

The Steering Committee will nominate and CAG members will ratify by consensus co-chairs to organize and lead the CAG's efforts throughout the term of the CAG's existence. The facilitator will provide guidance and coaching support to the co-chairs at the beginning of the CAG process. The co-chairs' responsibilities will include but are not limited to:

- Managing and facilitating all CAG meetings.
- Preparing and achieving consensus around meeting agendas.
- Building and maintaining consensus on CAG initiatives.
- Maintaining a level playing field for all participants.
- Keeping the group focused on the roles and purpose of the CAG.
- Encouraging active listening.
- Coordinating and building linkages/trust among participants.
- Managing the times and locations for meetings and making logistical arrangements if necessary.
- Distributing meeting notices and other information to members.

CAG Co-Chairs will serve a one-year term and will be eligible to serve an unlimited number of terms. The initial one-year term will commence on the date that these operating procedures are ratified. Prior to the end of each one-year term, the Steering Committee will nominate, by consensus, the following year's CAG co-chairs. The co-chairs must be approved by a consensus vote of the general CAG membership.

Mutual Commitments

The members of the CAG, in order to guarantee shared success, make the following commitments to each other:

- EPA and NYS DEC agree to assist the CAG by providing information that the CAG needs in order to develop and offer informed input; EPA and NYS DEC agree to consider CAG input along with public comments while making decisions about the Site.
- CAG members agree to consider thoughtfully all information and the needs of the community and its key stakeholders, and to provide constructive advice, suggestions, and input to the agencies.
- The success of the CAG will depend largely on the consistent engagement of CAG members. CAG members commit to make a concerted effort to attend all meetings of the CAG.
- CAG members agree to consider the needs of the entire community and its key stakeholders thoughtfully and to work constructively together to meet all stakeholders needs.
- CAG members commit to understand, respect, and when possible support the goals and objectives of all segments of the community.

Meeting Attendance and Alternates

The success of the CAG will depend largely on consistent attendance by the CAG members and ex-officio members. CAG members are expected to make a concerted effort to attend all

meetings of the CAG. Unless the CAG informs the ex-officio members that their attendance is not requested at a meeting, their concerted effort to be present is also expected.

Members who fail to attend half of the scheduled meetings in a calendar year may be removed from the CAG by consensus of the CAG members present at the first scheduled meeting of each calendar year.

Right to Resign

Any CAG member may resign from the CAG at any time.

CAG Meetings

Meetings of the CAG will be open to the public. As needed, meetings will be held according to the following schedule:

Fill in Schedule once established.

At any meeting of the CAG, the presence of 50 percent plus one of the members then serving shall be necessary to constitute a quorum. Meetings will be held at convenient location(s) determined with input from the CAG and rotating throughout the Two County area. Work group meetings will be held as needed (in-person or by conference call) and may be closed to the public at the discretion of the members. A brief summary of the deliberations of any closed session must be prepared and made available within a reasonable time.

Conduct at Meetings

Participants agree to follow the facilitator's guidance regarding conduct at meetings and agree to adhere to the following guidelines:

- Be on time.
- Listen as an ally, not as an adversary. Listen with an open mind and heart.
- Speak one at a time; interruptions and side conversations are distracting and disrespectful.
- Be concise. Speak only once on a particular issue unless you have new or different information to share.
- Ask for clarification; do not assume you know what someone means.
- Disagree respectfully and openly, not in private.
- Focus on the issue, not the speaker.
- Treat each other with respect, as you would like to be treated.
- Allow all members to participate equally; avoid dominating.
- Honor time limits.
- Turn off all cell phones and beepers; take or make all calls outside the room.

CAG Decision Process

The CAG will endeavor to make substantive decisions or recommendations by consensus (agreement) of all members (or alternates if representing members) that are present at the meeting. If the CAG is unable to reach consensus on its comments or recommendations, the CAG may report its findings in majority and minority reports.

Committees and Work Groups

This section to be added later if needed.

Amendments to CAG Operating Procedures

After adoption, these Operating Procedures may be amended only by consensus of all members present at the meeting in which the amendments are presented for adoption. Members shall be given reasonable advance notice of proposed amendments.

Observers

All persons attending meetings who are not CAG members are considered observers. Observers may speak only at times designated for observer comments on the meeting agenda. Members of the public may also offer written comments to the CAG by submitting comments to the co-chairs. The CAG may schedule special meetings for extended interaction with interested members of the public.

Media Relations

No CAG member will speak for the CAG to the media without the consensus of the CAG. Any CAG member who chooses to speak to the media without approval of the CAG must specify that he or she is not speaking on behalf of the CAG. CAG members may develop a specific plan for interacting with media representatives.

Meeting Summaries

The facilitator team will initially prepare draft summaries of the CAG meetings. After a few meetings, the CAG will assign note-taking responsibility internally. Whenever possible, summaries will be made available to all CAG members at least two weeks prior to the next regular CAG meeting and sent to all individuals on a mailing or electronic distribution list developed by the CAG. The meeting summaries will be submitted in draft form to the CAG members, who will then review and propose any changes.

Agendas

CAG meeting agendas will be drafted by the Co-Chairs. The agenda will be reviewed at the beginning of each meeting and will be revised, if agreed by the CAG. Committee and work group meeting agendas will be developed by their leadership in consultation with committee and work group membership.