

Gowanus Canal Community Advisory Group  
Water Quality Committee  
July 19, 2011 – Meeting Summary

Attending: Jerry Armer, Victoria Vele, Cynthia Simmons, Elizabeth Velikonja, Steven Miller, Josh Verleun, Diane Buxbaum, Maryanne Young, Marlene Donnelly

The Water Quality Committee has 14 active members; with 6 members and 1 alternate present at the beginning of the meeting, the group did not have quorum when the meeting opened. Later, 7 members and 1 alternate were in attendance and able to vote on motions. It was suggested that the Administrative Committee will need to clarify several details regarding quorum for the CAG, such as when it will be measured in the course of a meeting.

*Water Quality Mission Statement*

All in the group agreed that the mission statement needs to be broad and holistic, to reach for the highest possible water quality level for the canal. There was some discussion about whether the language of the mission statement should refer to the reclassification of the waterway or future land or waterway uses. Jeff asked the group to consider what the WQ Committee would like to accomplish in the next 12 months, i.e. what outcomes can the group hope to see, and also to consider why the CAG needs a Water Quality Committee. There was strong interest in pursuing reclassification and in identifying water quality goals for the community.

One member clarified that the purpose of the mission statement is to set boundaries for the committees; to determine what the committees will tackle; to prevent overlap amongst the committee responsibilities; and to help people understand what each committee does. Another function of the committee is to discuss technical water quality issues and make them digestible for the larger CAG.

DEP has petitioned the DEC to have the existing CSO consent order reduced and something may be announced to that end in the next few weeks. In light of this, the group discussed the real power of the CAG – that of discussion and advocacy. Reclassification of the waterway is a goal that all agreed must be included in the mission statement.

The following mission statement was unanimously approved:

To identify the community's goals for improving the water quality in the canal and to develop and implement strategies, such as education, advocacy, research, reclassification, and other measures, to achieve those goals.

*Reclassification of the Waterway*

At this time the Gowanus Canal and Newtown Creek are the last two remaining waterways in NYS that still have the SD classification. Additionally, DEC no longer uses this designation and DEP has recommended a new one (Urban Tributary) in its Long Term Control Plan processes. Any action by NYS cannot happen in a timely manner, as the state agency has cut staff and has prioritized other waterways for reclassification. Jeff told the committee that the NYS DEC has a new form available that can be completed online, and he will resend the link to the group.

There was some discussion about a recent precedent set by EPA Region 5, in which the agency required the State of Illinois to reclassify the Chicago River. There are many similarities between the Chicago River and the Gowanus, including uses along the waterway, the surrounding industrial and residential neighborhoods, and environmental justice. However, at an earlier meeting Natalie Loney from EPA described the IL example as a special circumstance.

Riverkeeper offered to do a FOIA request related to the Chicago River. The WQ Committee voted, with a quorum present, to send the following request to EPA Region 2:

“The Water Quality Committee is aware of recent EPA action requiring the water quality reclassification of the Chicago River by the State of Illinois. The committee believes that this action may be relevant to its own work with regards to the Gowanus Canal. In accordance with EPA Region 2’s previous offers to connect the CAG with appropriate EPA staff for issues of interest to the CAG, the Water Quality Committee formally requests that EPA Region 2 facilitate the setting up of a meeting or teleconference with representatives from EPA Region 5, EPA Region 2 and our Water Quality Committee members in order to help the CAG better understand this issue.”

There was some debate regarding when to introduce the issue of reclassification – to a class with limits on pathogen levels – to the full CAG. It was decided that the WQ Committee needed time for more fact-finding in order to build support – from the community, local electeds and all agencies involved – for the future motion or resolution.

#### *Operating Procedures, Committee Membership and Transparency*

There was much debate about operating procedures such as:

- Voting by alternates
- Quorum
- Representation on/by committee
- Public nature of CAG membership and committee membership

#### *Gowanus Canal Fact Sheet Proposal*

The group determined that there was a need for a simple fact sheet to identify some Gowanus Canal basic data that may help build support for reclassification in conjunction with the SF activities. Though this may be a task for the Outreach Committee, the WQ group determined there is a need to determine what technical data should be included.

The group is interested in creating a document that makes the technical data digestible and describes outcomes and risks associated with the cleanup in layman's terms. The types of questions/facts that came up include: How many boaters are on the canal each year? What pathogens are currently in the water? What does a figure, like the known percentage of dissolved oxygen mean? What does the SD classification mean?

### *DEP Meeting*

The WQ Committee is interested in following up on the DEP offer to meet with the CAG again. Because of the anticipated release of the ATSDR report, as well as the fast-approaching FS release, Jeff recommended that the group invite DEP to the September meeting of the full CAG. Many on the committee are interested in a meeting that is less dependent on a presentation by the DEP, and allows for more open dialogue with agency representatives. The group would like to invite Cas Holloway and also technicians or engineers that can speak specifically about the Gowanus Canal CSOs and Flushing Tunnel. The group would ask that the DEP provides a presentation that addresses what is new in Gowanus, including the revised consent order, but that the presentation take no more than ten minutes of the meeting. Additionally, the group would like to invite NYS DEC Region 2 Director Venetia Lannon to the meeting.

### Next steps:

Jeff will email the DEC reclassification link to the WQ Committee. Also, Jeff will email the full committee regarding the development of the fact sheet to ask for ideas or suggestions.