



# GOWANUS CANAL COMMUNITY ADVISORY GROUP (CAG)

*your local voice for Superfund*

For more information: [www.GowanusCAG.org](http://www.GowanusCAG.org)

***The following CAG resolution requests formal consideration by the indicated parties to conduct activities related to the Gowanus Canal Cleanup with regard to the concerns and interests of the Gowanus community.***

**TITLE: Reclassification of the Gowanus Canal waterway**

TO: Walter Mugdan, Acting Regional Administrator, USEPA Region 2  
Javier Laureano, Division Director Clean Water Division, Region 2 New York City

**DATE:** January 26, 2021

**Resolved:**

The CAG formally requests EPA's direct assistance in requiring the NYSDEC and NYCDEP to reclassify the Gowanus Canal's waterway classification in response to the CAG's "Reclass Petition" dated 2/4/2020."

**Background:**

The Gowanus Canal Community has been advocating for the reclassification of the Gowanus Canal waterway since the NYCDEP 2002 communities participation in the DEP Use Standards and Attainment study. After the formation of the EPA Gowanus Canal Community Advisory Group (CAG), the CAG passed its first resolution, formally requesting reclassification of the Gowanus Canal Water Quality Standard. In 2012, the CAG asked the EPA to take similar action as EPA's Region 5 did when it mandated that the State of Illinois reclassify the Chicago River. The current industrial Class-SD classification for the Gowanus Canal is not consistent with the goals of the Clean Water Act.

In addition, to insure that EPA's remedy of the Gowanus Canal will not be impacted by New York City's push to rezone the Gowanus area for an additional 20,000 residents and that the health and safety of current and future residents are not impacted, it is vital that the Gowanus Canal be reclassified in order to require more stringent regulatory oversight and enforcement for improved water quality.

In light of the fact that the two sewage treatment facilities that service the Gowanus neighborhoods may already be at capacity in "dry" weather conditions and the proposed CSO retention tanks are still being designed and built to only handle the "current" load in heavy weather events, this request for reclassification is of the utmost importance to ensure that City of New York meets its obligations under the Clean Water Act.



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As stated in the CAG's September 24, 2019 Petition to DEC, "In March 2012, the Gowanus CAG passed its first resolution, by unanimous vote, to reclassify the surface waters of the Gowanus Canal from Class-SD to a water classification protective of recreational uses. In 2015, the CAG submitted formal public comments to DEC and NYCDEP on the Gowanus Long-Term Control Plan (LTCP) further urging both agencies to adopt a water quality standard consistent with use before LTCP approval. Most recently (November 2018) in response to a proposed rezoning, the CAG urged NYCDCP to submit a reclassification petition to support proposed future land use on the waterfront. **To date, these actions have not yielded acceptable results and further action by the CAG is required to initiate a reclassification of the Gowanus Canal.**"

As noted in the attached, the request for the reclassification of the Gowanus Canal has the support of the following elected officials, Congresswomen Nydia Velazquez, NYS Assemblymember Jo Anne Simon, NYC Councilmen Brad Lander and Stephen Levin, and Brooklyn Community Board 6.

Since all previous requests have not yielded any acceptable results, the Gowanus Canal CAG ask that the EPA mandate both the NYSDEC and NYCDEP to fast track the approval of this reclassification request.

**Cc:** Christos Tsiamis, Senior Project Manager, USEPA Region 2  
Brian Carr, Legal Council, EPA Region 2  
Natalie Loney, Gowanus Canal CIC, USEPA Region 2  
Basil Seggos, Commissioner, NYSDEC  
Vincent Sapienza, Commissioner, NYCDEP  
Congresswomen Nydia Velazquez  
Assemblymember Jo Anne Simon  
Councilmember Brad Lander  
Councilmember Stephen Levin

**Please direct responses and inquiries to both [gowanuscag@gmail.com](mailto:gowanuscag@gmail.com) and [doug@forumfg.com](mailto:doug@forumfg.com)**