



# 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:** In support of EPA's Administrative Order dated March 29, 2021

**TO:** Vincent Sapienza, Commissioner, NYC Department of Environmental Protection  
Marisa Lago, Director, NYC Department of City Planning

**DATE:** June 22, 2021

**Resolved,**

**In order for the Gowanus Canal Community Advisory Group (CAG) to consider any rezoning within the Gowanus canal watershed, the City of New York must be in full compliance of EPA's Administrative Order dated March 29, 2021, and fully meet the requirements set forth in the remedy selected in EPA's September 27, 2013, Record of Decision ("ROD") for the Gowanus Canal Superfund Site. As stated in the ROD, "The Portion of the Remedial Action ("RA") to be implemented pursuant to EPA's Administrative Order includes the construction and operation of two Combined Sewer Overflow ("CSO") retention tanks ("CSO Tanks") to control contaminated solid discharges and requests to assure compliance with the Clean Water Act." Without meeting these critical infrastructure requirements there will be an adverse impact on EPA's Superfund remedy, as well as the health and safety of current and future residents of the Gowanus Canal and neighboring areas.**

***Background:***

The Gowanus Canal CAG has been advocating for coordination between NYCDEP and NYCDCP as affirmed in the May 2019 resolution, [Gowanus-CAG-Resolution DEP-DCP-Coordination 5.31.2019.pdf](#) by stating, "As the proposed Gowanus neighborhood rezoning could impact the Superfund process and remedy through increased loading of contaminated CSO solids in the Canal, the Gowanus CAG hereby requests that the Department of City Planning (NYCDCP) and Department of Environmental Protection (NYCDEP) work closely together to coordinate mitigation of negative impacts. To ensure agency compliance, we further request regular updates on coordination efforts by providing written answers to questions unaddressed at the March 26, 2019 general CAG meeting." In addition the November 2020 resolution, [Gowanus-CAG-Resolution-Support-of-EPAs-Letter-Dated-11.9.2020.pdf](#) states "The Gowanus Canal Community Advisory Group (CAG) strongly supports the position EPA states in its October 27th letter to the NYCDEP and NYCDCP regarding the proposed rezoning of the land surrounding the banks of Gowanus Canal, that any rezoning impacting the Canal must proceed in a manner that is protective of human health and the environment, as envisioned in EPA's Canal remedy and affirmed in the 2013 Gowanus Canal Record of Decision ("ROD")."

**Since the City of New York has been in noncompliance with EPA's Administrative Order, the Clean Water Act, and the agreed upon Gowanus Canal Record of Decision ("ROD") and has not responded to the above mentioned CAG resolutions, the CAG cannot support any rezoning that would have an adverse impact on EPA's Superfund work, as well as the health and safety of the area's residents.**



# GOWANUS CANAL COMMUNITY ADVISORY GROUP (CAG)

*your local voice for Superfund*

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

**Cc:**

The Honorable Charles Schumer, U.S. Senator for New York State  
The Honorable Nydia Velazquez, Congresswoman, NY 7th District  
The Honorable Jerry Nadler, Congressman, NY 10<sup>th</sup> District  
The Honorable Jo Anne Simon, Assemblymember, Assembly District 52  
The Honorable Jabari Brisport, Senator, Senate District 25  
The Honorable Eric Adams, Brooklyn Borough President  
The Honorable Brad Lander, Council Member, District 39  
The Honorable Stephen Levin, Council Member, District 33  
The Honorable Carlos Menchaca, Council Member, District 38  
Jumaane Williams, Public Advocate of the City of New York  
Michael Regan, Administrator of the United States Environmental Protection Agency  
Walter Mugdan, Acting Regional Administrator, USEPA Region 2  
Javier Laureano, Division Director Clean Water Division, Region 2 New York City  
Pat Evangelista, Director of Superfund & Emergency Mgmt Division, USEPA Region 2  
Christos Tsiamis, Senior Project Manager, USEPA Region 2  
Brian Carr, Legal Council, EPA Region 2  
Natalie Loney, Gowanus Canal CIC, USEPA Region 2

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