

ESCR CAG Meeting -- January 7, 2021

4:00 - 5:00 or 5:15 DDC Updates¹

1. Pre-construction and Construction Phase Updates

- Overview of Contracts
 - PA1 bid opening extended to November
 - Bicycle and pedestrian path extended west of Solar One building as a detour while main path is under construction. (note: all detours subject to change)
- Q&A
 - Tony: will access through Spring 2021 mean complete access through June 2021? (context: Little league season highly dependent on field access)
 - Jeffrey: Expect late Spring (early June/end of May). Will have more specifics as we get closer. Won't be closed overnight.
 - Q: Parks has similar inquiries about their permits, so there is already an ongoing communication process with them in place.
 - Charles: If PA1 is delayed, will that delay the whole project?
 - Q: Always look for time-saving throughout the process -- will keep you updated once contractors are acquired.
 - Chris Collins (Solar One): Shared detour of Solar One Site -- how long will detour be in place?
 - Desiree: Should be in place through end of January
 - Desiree: First phase is wall; park side will be next phase.
 - Can you share the contractor questions driving the delay?
 - Short answer: no. There are a lot of small things, pretty standard.
 - Q: no, no overriding issues. Mostly clarifications in order to generate cost estimates.

2. Construction Mitigation / Environmental Monitoring

- Q&A
 - Charles: Will the monitoring data be made public on a daily basis?
 - Desiree: Quarterly summary reports, as agreed on with the City
 - Charles: is the soil going to be covered with new soil or totally removed from site?
 - Desiree: Depends on the part of the site we are on. In some cases, there will be excavated soil; in other cases, the soil will remain, and new soil will be placed on top.
 - Mike: The bulk of the work is new soil being brought in and being placed on top.
 - Charles: Will the environmental specialists' reports (air quality and sound) be made available to the CAG?

¹ Please see the meeting presentation for more detailed information about these updates.

- Desiree: We are actively coordinating with the environmental specialist -- want to make sure reports are digestible to the community. This conversation is ongoing -- how the data will be released. At a minimum, it will be released quarterly.
 - Desiree: We can work on setting up individual meetings with the environmental specialist and CAG members.
- Charles: Will CAG receive the alerts?
 - Jeff: Alerts will be made for situations that are out of the norm and adversely affect the community.
- Dianne: Is this saying that the public only receives information after DDC concludes an investigation of an alert?
 - Jeff: Yes, essentially. If there is an exceedance of any sort, DDC has to stop the job by law, and will then report to the community.
- Can you define "inconsistencies" with the soil sampling? Is it in regard to possible toxic soil?
 - Mike: we have experts on the ground who will identify any inconsistencies and carry out appropriate procedures.
- Jasmine: May I ask who are the environmental specialists / what company are you referring to?
 - Desiree: Contractor has not been fully brought on yet. DDC will check back and get back to you.
 - Jeff: There is no active environmental specialist that is measuring the soil currently, as there is no construction right now.
- Tony: Is it possible to conduct a pre-screening of competencies or qualifications for environmental monitoring specialists, with the idea of ensuring a specialist is hired who has duty of care to the community and not just the contractor?
 - Desiree: there are different layers and separations of specialists to ensure that they are not just working for the contractor and are working for the community and the overall project.
 - Ophelia: DDC and DEP have their own oversight/inspection teams that make random site visits.
- Tony: The budgetary pressure being mentioned throughout these answers is a cause of concern for cutting corners
 - Jeffrey: any environmental issues won't be ignored; engineers and specialists don't want to lose their licenses
 - Tony: higher transparency is better, would trust a monitor in my own apartment more than readings reported from the work site.
- Daniel Wiley: Any hot spots of PAHs and VOCs etc. in question?
 - Q: Hot spots were identified during EIS period. Design engineers have this under their scope, especially in regard to manufactured gas plants, to make sure there is no contamination.
- Jasmin: Section 3 has several flaws, have there been any discussions to bolster these shortcomings beyond the bare minimum requirements? And is it possible to increase the 30% Section 3 requirement to closer to AOC's 90% plan?

- Trang: changing language and enforcement is a larger conversation. Would be helpful to have requests/proposals in writing to read and respond more in depth.
- Chantel: it was said at the city council hearing that the compost yard would stay in the park as long as it is feasible, how long is feasible at this point?
 - Ben: cannot move to a new site until an alternate site has been identified, we have been working with Parks to try and find one

5:00/5:15 pm – 6:25 pm CAG-only discussion

Paula begins with a short statement about recent developments.

- Pat Arnow will no longer serve on the CAG, and Jasmin Sanchez will be representing East River Park Action in her place. To be clear, she decided to leave on her own, and we didn't engage with her behind the scenes.
- At the December meeting It was clear that people wanted to express how they felt about the social media post that many found offensive, so we allowed the time for that.
 - Now it seems that there is an appetite to move forward, and since our job is to guide the group process in monitoring the ESCR construction process, that's what we intend to do.
 - To be clear, we're facilitators of your role in ESCR, but we're not arbiters. We're not here to judge or chide people's behavior.
- As a reminder, there are CAG guidelines, and these aren't set in stone. The CAG can revisit them and make amendments to them.
- Another reminder: the CAG is a group outside of this room, too – I encourage you to talk to each other in between meetings

CAG member roll call (bold = present)

Anthony (Tony) Rivera Ayo Harrington Camille Napoleon Charles Krezell Chris Collins Christine Bookin Christine Datz-Romero Damaris Reyes Daphne Williams Dereese Huff	Dianne Lake Michael Marino Dov Goldman Felicia Cruickshank Francine Jean Frank Avila Goldman Freddina Fulton Jasmin Sanchez Jeff Gillers Martin Barrett Mercedes Harvell	Mike Arnon Kyle Athayde Nancy Ortiz Peter Davis Richard Heitler Rick Hayduk Sam Moskowitz Seth Coren Susan Steinberg Trever Holland
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CAG discussion:

What are our own goals for the CAG? What's most important to us, and how do we hold the city accountable?

Some issues that have already been raised:

- More detail on the budget and guarantees that project funding won't be cut midway. Do we want to request the budget and track it?
 - Michael: think it's best to not nitpick, but maybe identify some targets and monitor those
 - Frank: agree with Michael, bigger picture to monitor that potential PA1 overruns wouldn't cannibalize PA2 budget
 - Ayo: Information on any part of the project that has been delayed, or any allocation in the budget that is at risk - I would ask that that would be added.
 - Tony: Do we know the source of the funds in order to meet that budget? If this is determined, can it be shared again? If less than 50% of the budget is allocated to PA1 (given that it is the largest), that would be concerning. A high-level budget breakdown would be helpful!
 - Michael: We need a ratio proportion of federal and city funding that is being allocated. Happy to work with both Tara and Paula on this individually.
 - Dianne: What are the terms of this "guarantee of funding"? We are about to change mayors; we have a large budget crisis looming -- we need to secure this information.
 - Ayo: want to ensure if funds are allocated to a particular section, they don't get reprogrammed. Happy to elect Michael to tackle budget framework
 - Michael: happy to work with Pratt Center to iron that out.
 - Tara: will send out an email to offer/solicit all members to be point or involved with budget monitoring.
- Clarity on tracking hiring
 - Dianne: re-visits Ayo's questions on hiring from last meeting, whether they remain unanswered
 - Ayo: yes, they remain mostly unanswered, waiting for new personnel to come on
 - Ayo, Damaris, Jasmin, Frank, Michael interested in working on hiring with PC
- What is the safety/recovery plan if a serious storm happens mid-construction (especially without interim flood protection)?
 - Tara: this will definitely require more coordination outside of DDC, but still should require questions.
 - Michael: Based on presentations they've given to the community board, Parks has conveyed that this is not possible in this district. But what is the plan if another storm hits us when construction is going on? How would this affect the project?
 - Ayo: Answers to most of the above (Michael) is unknowable.

- Charles: There should be something in place
 - Dianne: East River Alliance sent questions to the city about their plans in regards to this -- not much clarity or updates have been given by the city. We should go back to the city and ask more specific questions
 - Ayo: request to Pratt Center to find out if this is the only plan across the city without IFPM
 - Cross talk/discussion about different IFPM measures being deployed across city and proposed plans
 - Ayo asks if anyone disagrees with asking for more IFPM; no one disagrees
 - Michael says he does not oppose, but thinks it's unlikely to win, and there could be other priorities
 - Trevor: Let's make sure we circle back with our respective organizations/groups before we vote or make resolutions.
 - Ayo: we should make demands even if they seem unlikely
 - Frank: there are also TA/NYCHA meetings, just concerned that CAG should align with those discussions and any plans made
 - Ayo: throughout the process DDC has been having separate meetings with NYCHA, so second Frank's point to bridge that
- Tara: Any other areas of concern?
 - Dov: Include quality of life throughout the process for affected communities, e.g., nobody wants trucks parked outside their house making excessive noise.
- Tara: What open issues do organizations and residents have with the proposed new park design? (Location of barbecue areas, return of compost yard to the park, possible preservation and renovation of the existing track and tennis Houses have all been mentioned so far)
 - Tony: Baseball league perspective: appropriate storage space -- lots of equipment is stored at the park, they should be utilitarian and aesthetically pleasing.
 - Tara: Do we need a presentation from Parks about updated and proposed design and amenities?
 - Tony: I would approve
 - Trever: The design is mostly finished. At our next CB3 meeting we will discuss signage. We have seen this presentation, but the finer points are worth discussing.
 - Tara: Also, the interim/temporary park areas and amenities might be worth discussing further.
 - Ayo: Right now, the only work going on is Solar One?
 - Dianne: They're getting ready to make adjustments and preliminary work to Pier 41.
 - Charles: CAG should be involved in the hiring of the environmental specialist more frequently than quarterly

- Frank: hesitant about a “CAG-approved” environmental specialist, because we are not experts, but do support some more involvement
- Tony: I have experience in analyzing reports; don’t think that CAG should cut corners. Focused on the “independent” aspect of the specialist
- Tara: Need more conversations and information with regard to environmental protection, such as the communication protocol, mitigation measures/processes, and the specific consultant selection and CAG input/vote.