

Community Advisory Group (CAG) Meeting
Hudson River PCBs Superfund Site
June 3, 2021 (Virtual)
Meeting Summary

MEETING IN BRIEF

The Community Advisory Group (CAG) for the Hudson River PCBs Superfund Site met virtually on Thursday, June 3, 2021. As requested by the CAG, EPA presented on a variety of topics including the Hudson River Fish Program, Floodplain Remedial Investigation/Feasibility Study, Habitat Restoration Program, Lower River Supplemental Studies and the Champlain Hudson Power Express project. There were follow up discussions with the CAG members and the public as questions/comments were raised to EPA. Additionally, updates were provided by the Natural Resource Damage Trustees on their Assessment, and the New York State Department of Health (DOH) regarding the Hudson River Fish Advisory Programs. Participants are listed on page 4.

Presentation slides and materials from previous meetings are available on the CAG's website:

<https://hudsoncag.wspis.com/documents.htm>

NEXT STEPS

- EPA to post presentation slides from June 2021 meeting and approved May 2020 meeting summary (update: completed)
- A volunteer subset of CAG members will meet with EPA and the facilitation team later in 2021 to discuss expanding CAG membership as the project focus expands to include the lower river (update: completed)

NEXT MEETING

- The next CAG meeting date has yet to be determined.
- Suggested future meeting topics: update on NRDA process as it relates to potential community projects, timeline and scope of work for the lower river work

DISCUSSION

Below is a summary of the key items discussed during the meeting.

Welcoming and Introductions

Ona Ferguson, Facilitator from the Consensus Building Institute (CBI), opened the meeting. CAG members approved the meeting summary from the previous CAG meeting (May 28, 2020).

Hudson River Fish Program Data Update

Gary Klawinski, Environmental Protection Agency (EPA), provided updates on long-term fish-monitoring data. Mr. Klawinski described the analysis process and noted that the spring 2021 data collection effort in the Hudson River is mostly complete for the large sport fish. In the fall, EPA will be collecting data on the small fish. He also noted that EPA continues to provide oversight of fish collection, processing, and data analyses. The NYS Department of Environmental Conservation (DEC) also collects some fish in select areas.

A CAG member reiterated the importance of transitioning from the dredging-phase monitoring program to long-term monitoring and how important it is to maintain primary focus on reducing exposure to humans. Another CAG member raised questions about the efficacy and coordination of the data being collected. EPA emphasized their collaboration with DEC and the Department of Health (DOH), speaking to the combined efforts and coordination between the agencies.

CAG members expressed interest in understanding species selection and sampling collection in the Lower River given its unique ecological complexity. EPA noted that they are focused on developing a robust sampling plan for the Lower River.

Department of Health Fish Advisory Program Update

Audrey Van Genechten, NYS Department of Health (DOH), gave an overview of the DOH Fish Advisory Program and related outreach activities. CAG member discussion focused on how, due to COVID, there appears to have been more people fishing, likely subsistence fishing in particular. DOH continues to work to get the word out about what fishing practices are safe and which should be avoided. Members expressed appreciation for the DOH program, including its materials and communications efforts. Members also made the following suggestions: including public fishing/access points on DOH fish advisory maps, avoiding promoting fish trophy photos and asking anglers how many times per year they are fishing to better characterize potential exposure to those populations.

Hudson River PCB Superfund Site Updates

EPA provided updates on the Floodplain Remedial Investigation/Feasibility Study, Habitat Restoration Program, Lower River Supplemental Studies, Champlain Hudson Power Express project, and Old Champlain Canal efforts. EPA also noted the addition of a new remedial project manager to the EPA Hudson Team, with the full team now including a director, three project managers, and a public affairs specialist.

Old Champlain Canal: A CAG member thanked EPA and NYSDEC for meeting with the town and village of Schuylerville to address their concerns (regarding the Old Canal). CAG members discussed their interest and continued focus on developing the Old Champlain Canal for recreation and economic development opportunities. CAG members noted that there is an urgency to address the Old Canal, understanding that a remedy decision for the floodplain is several years away. CAG members are looking for ways to clean up contaminated floodplain areas sooner rather than later.

A CAG member noted that Schuylerville recently put out a Request for Proposal (RFP) to do a reevaluation of Fort Hardy Park. They are willing to work cooperatively with all parties and have a general idea of how much it would cost to do a study. They would like to act quickly to get the canal to full use by removing sediment and stated that they may be able to use the sediment as beneficial use. EPA noted that the permit process for this work will need to follow the state process. DEC stated that they have worked with EPA and the municipalities to see which areas would meet the beneficial use criteria. EPA is committed to provide ongoing support and will coordinate with those involved.

Floodplain Remedial Investigation/Feasibility Study: EPA provided a summary of ongoing activities and next steps, and provided an overview of the response actions in the floodplain where higher concentration sediments (above 10ppm) are addressed by temporary actions.

CAG members discussed with EPA the potential for a Superfund response to PCBs in the Old Champlain Canal. EPA noted that a decision on the floodplain has not been made yet and the remedial investigation is ongoing. Concentrations of PCBs found in the Old Champlain Canal to date have been low. Once a decision on the floodplains is proposed that decision will be presented to the public for comment.

Habitat Restoration Program: EPA shared updates on work accomplished in 2020 and the continued expanded efforts for 2021, noting that certain areas of the program have underperformed potentially due to natural variability (flows were higher than normal in 2021 – impacting plant growth). EPA is working with its contractor, NYS, and GE to initiate pilot studies, implement habitat response actions, and considering other approaches. EPA has had GE implement the suggested changes in approach provided by NYSDEC. During the follow up discussion it was noted that EPA's restoration efforts do not include stocking or enhancement of wildlife. CAG members expressed interest in learning more about impacts to mussels and other organisms in sediment. CAG members also asked to review the plans and reports related to habitat reconstruction.

Lower River Supplemental Studies: Lower Hudson River PCB contamination data is being gathered to inform potential scopes of work. A CAG member reiterated their belief that these sampling and planning efforts should be taking place as part of a full Remedial Investigation/Feasibility Study (RIFS). EPA indicated that the agency's goal is to collect the information and data as soon as possible that is needed to inform the need for an RI/FS. EPA plans to do sampling and investigation in the Lower River in 2022 and 2023. CAG members asked for greater clarity on EPA's plan and timeline for collecting this data. EPA stated that they are developing that plan and will share it as soon as they are able. Workplans will also be developed and shared with the CAG. As EPA moves downriver, CAG members are interested in expanding membership, and four CAG members offered to coordinate with CBI to begin CAG expansion planning.

Champlain Hudson Power Express Project: EPA shared that the Champlain Hudson Power Express Project is proposing to install a hydroelectric transmission cable from Canada to Queens, NY, which would include burying some of the cable in portions of the Lower Hudson River. EPA noted that this project and its potential impacts will be evaluated through the Army Corps of Engineers' permitting process. EPA also shared that they will incorporate data collected by this project into Lower River datasets. EPA continues to coordinate with the involved parties and could provide an update at future CAG meetings.

Other Information:

Dave Tromp, NYS Department of Environmental Conservation (DEC), gave an update on the ongoing sampling and restoration work at Ft. Edward and Hudson Falls sites.

Natural Resource Damage Assessment - Trustees Update

Margaret Byrne, US Fish and Wildlife Service, and Sean Madden, NYS DEC, provided updates on recent studies under the Natural Resource Damage Assessment. In November 2020, the Trustees released two reports on freshwater mussels and released "Determination of Injury to Natural Resources From Remedial Activities on the Hudson River: Riverine Fringing Wetlands, Aquatic Vegetation Beds, Shoreline Trees, And Native Freshwater Mussels" in February 2021 (previously shared with the CAG and available [here](#)). CAG members asked whether there are plans for another round of discussion regarding NRDA related community project.

MEETING PARTICIPANTS

CAG Members & Alternates

Chris Bellovary, *Riverkeeper*
Richard Elder, *Rensselaer County Public Health Department*
Emily Flores, *Schuylerville Schools*
Peter Goutos, *Saratoga County Chamber of Commerce*
Gil Hawkins, *Hudson River Fisherman's Association*
Tim Holmes, *Schuylerville Area Chamber of Commerce*
Pamela Landi, *Washington County*
Dan Lundquist, *Resident*
David Mathis, *Recreational Boating Representative*
Althea Mullarkey, *Scenic Hudson*
Julie Stokes, *Schuylerville Area Chamber of Commerce*
Linda von der Heide, *Rensselaer County Economic Development and Planning*

CAG Liaisons & Facilitators

Danielle Adams, *WSP, Inc.*
Sarah Asselstine, *WSP, Inc.*
Michael Cheplowitz, *USEPA – Region 2*
John Fazzolari, *WSP, Inc.*
Ona Ferguson, *Consensus Building Institute*
Gary Klawinski, *USEPA – Region 2*
Maggie Osthues, *Consensus Building Institute*
Larisa Romanowski, *USEPA – Region 2*
Daniel Wiener, *USEPA – Region 2*

Others

Joe Battipaglia, *USEPA*
Margaret Byrne, *US Fish and Wildlife Service*
Sean Madden, *NYS Department of Environmental Conservation*
David Tromp, *NYS Department of Environmental Conservation*
Audrey Van Genechten, *NYS Department of Health*