



NEW YORK STATE SENATOR

Brian Kavanagh

Kavanagh, Niou, Nadler Call on State to Extend Public Comment Period for Lower Manhattan Cleanup Project

BRIAN KAVANAGH July 12, 2021

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On July 12, 2021, Senator Kavanagh joined his colleagues, Assemblymember Yuh Line Niou and Congressperson Jerold Nadler in asking the New York State Department of Environmental Conservation for an extension to the public comment period for the Draft Remedial Action Work Plan that was released on June 23, 2021 for the 250 Water Street Brownfield Cleanup Program. The legislators cited summer vacation from school and covid-19 transitions as reasons why the public should have additional time to consider this important decision. The full text of the letter is below; the original can be viewed via the link above.

July 12, 2021

Michael J. Komoroske, P.E.
Chief, Section A/Remedial Bureau B
Division of Environmental Remediation,
New York State Department of Environmental Conservation
625 Broadway, Albany, NY 12233-7016

Rafi Alam
Project Manager
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, Albany, NY 12233-7016

Dear Mr. Komoroske and Mr. Alam:

We write today to request an extension to the public comment period for the Draft Remedial Action Work Plan (RAWP) released on June 23, 2021 for the 250 Water Street Brownfield Cleanup Program (BCP Site No. C231127).

Based on the fact sheet released on June 23, 2021, the public comment period is currently slated for 45 days, which began on June 25, 2021 and will end on August 11, 2021. We strongly discourage placing a deadline on the comment submission that will fall mid-way through August. August is the only month during which Manhattan Community Board 1 (CB1) will be on break throughout the year. In addition, many families will be away due to summer vacation from schools. The members of Community Board 1 and the public have dedicated

countless hours to this process and have continued to work on protecting their neighborhood despite the challenges of the pandemic. With New York City reopening and many members of the Board and public expected to be away for the month of August, the community will have insufficient time and opportunity to weigh in on the RAWP, one of the most critical parts of the Brownfield Cleanup Process.

With the announcement on June 24, 2021 declaring the end to the State of Emergency in New York, our Community Boards have been thrown into a last minute effort to secure in-person meeting venues. Each board must quickly transition back to fully in-person meetings while adhering to the parameters set by the Open Meetings Law and Center for Disease Control and Prevention's Coronavirus Guidelines. We are extremely concerned about the participation rates and opportunity for public engagement as this transition is coming quickly while 44.5% of New York City residents of all ages are still unvaccinated (as of data published by New York City Department of Health and Mental Hygiene on June 28, 2021). Our community members, particularly seniors and individuals who are unable to vaccinate due to underlying health conditions, will be unable to attend in-person meetings as the Delta variant continues to spread at an alarming rate.

We request that the New York State Department of Environmental Conservation extend the public comment period so that CBI is able to meet, vote, and pass a resolution to formally opine on the RAWP.

Should you wish to discuss this matter, please feel free to reach out to any of us directly or via Assemblymember Niou's office at niouy@nyassembly.gov or 212-312-1420.

Thank you for your time and consideration.

Sincerely,

Yuh-Line Niou

New York State Assemblymember

District 65

Jerrold Nadler

Member of Congress

NY-10

Brian Kavanagh

New York State Senator

District 26