

Salem Harbor Task Force: Subcommittee on Redevelopment: Draft Minutes

Tuesday December 18, 2012
Third Floor Conference Room
120 Washington St., Salem, MA

Attendees:

Lynn Duncan	City of Salem
Kathy Winn	City of Salem
Paul Stakutis	Attorney General's Office
Lee Smith	MassDevelopment
Undersecretary Barbara Kates-Garnick	Energy and Environmental Affairs
John Beling	Attorney General's Office
James Simpson	IBEW Local 326
Steve Johnson	Department of Environmental Protection
Chris Eicher	Committee on Telecomm, Utilities and Energy
Liam Holland	Committee on Telecomm, Utilities and Energy
Gary Davis	Energy and Environmental Affairs
George Chapman	Committee on Telecomm, Utilities and Energy
Dan Dolan	New England Power Generators Association
Becky Smith	Clean Water Action
Cindy Luppi	Clean Water Action
Jeff Bar-Snell	S.A.F.E.

Lynn Duncan called the meeting to order at 11:30 am.

Welcome from Lynn Duncan

Lynn Duncan welcomed the attendees and apologized that Mayor Driscoll was unable to attend as she had a conflicting meeting. She noted that this was one of three subcommittees and that Mayor Driscoll had given a presentation regarding redevelopment to the whole Task Force at an earlier meeting. She indicated that this meeting would be an opportunity to discuss issues and timeframes for the subcommittee and asked the members to introduce themselves.

After the introductions Lynn Duncan noted that the proposed natural gas plant would leave much of the site available for redevelopment. Kathy Winn from the City of Salem commented that they had already been in contact with Footprint to coordinate the Salem wharf project, including the pier and parking lot. Lynn Duncan asked the members to discuss goals and timing for the subcommittee.

Overview of Task Force Discussion

Paul Stakutis from the Attorney General's office indicated much of the group had met the day before at the Remediation and Demolition subcommittee and that any redevelopment would be related to cleanup and that the level of remediation might depend on how things went with Footprint. He asked if any subcommittee members or other attendees had additional ideas.

Chris Eicher from Chairman Keenan's staff noted that the subcommittee could ask what goals Salem had for the waterfront and what steps were needed to take to meet those goals, including appropriate levels

of remediation, required permits, and the impact of the designated port area status. He also indicated that the subcommittee could look at community impacts, including outreach to impacted communities.

John Beling from the Attorney General's office noted that there is usually an identified goal in brownfields actions, and that there were different standards for different types of uses. He further stated that these different levels had different cleanup costs, and that there might be pieces beyond Footprint to consider. Lynn Duncan noted that Salem does not own the site and therefore does not get to decide what happens on it, but pointed to the Sasaki re-use study as an attempt to identify potential futures for the site.

Paul Stakutis asked if there had been community outreach and meetings as part of that study and Lynn Duncan replied that a number of neighborhood associations had been involved in a public meeting process, including extensive feedback on the Sasaki study. She noted that the study found a lack of a strong road system in the area, and thus the focus had remained on waterfront uses. She also stated that any potential residential use would require significantly higher levels of remediation, if Footprint was willing, and asked what options might be available to encourage that.

John Beling said they would be talking to Footprint in the next meeting, and that they had committed to remediate, but to what level. Dan Dolan from NEPGA asked if the group could hear from Footprint about their development options, and asked if they had a plan in place. He also noted that a lot depends on the environmental report.

Kathy Winn noted that the site had limited designated port use, and as the second deepest port in Massachusetts it was desirable that it maintain industrial use. She also indicated that a potential cruise terminal had been discussed for a long time and progress was being made there and that tourism is the number one industry in Salem. She stated that it could potentially be a great port but that there were no major roadways or railways nearby so they would have to be creative.

Lynn Duncan indicated that the Sasaki study had searched for potential niche use for the port but did not find any obvious niches as the site was not ready. Paul Stakutis stated that the infrastructure did not allow for major trucking and seemed to be focused on the port and Lynn Duncan agreed that there was no major trucking in the area. James Simpson from IBEW indicated that in order to connect the port with major highways a much bigger infrastructure project would have to take place that would rely on state, local and federal funding.

Undersecretary Barbara Kates-Garnick asked what role MassDevelopment could play, and if they had some potential creative financing. Lynn Duncan indicated that the City was looking to work with state agencies and MassDevelopment for expertise. She also wondered if Footprint had other plans and how they could help shape those plans.

James Simpson noted that Footprint was in the same position as everyone else, a holding pattern awaiting the environmental results. Paul Stakutis and James Simpson also noted that Footprint has many balls in the air with the EFSB proceeding and a DPU docket as well. Lynn Duncan stated that Salem was dedicated to early involvement to get a plan vetted early on. John Beling noted that a joint meeting with Footprint was necessary because they could not do anything if Footprint was not on board, and that they needed a sense of what they were looking at.

Steve Johnson from MassDEP indicated that they were looking at all contaminants and at a December briefing he had been told that nothing unexpected had been found so far, unlike some older sites, and that no immediate response was necessary so far. Gary Davis from EEA stated that at an earlier meeting

DEP had laid out timelines and the Mayor had given a presentation. He also indicated that the EFSB proceeding was an opportunity to see some of Footprints thinking and what they were prepared to do. He also noted that some issues could be resolved in the next year while others might take two to three years. He indicated that the subcommittee should identify development needs and ask the right questions to get the Mayor and Salem where they wanted to get. He opined that possibly the whole Task Force should have a joint meeting to hear about the site characterization study. Chris Eicher indicated that a joint meeting with the Redevelopment and Remediation/Demolition subcommittee on that issue made sense and that he could reach out to Sen. Knapik to see if the Decommissioning subcommittee would also be interested.

Cindy Luppi from Clean Water Action asked that the subcommittee consider cleantech options for the site, noted that Governor Patrick has been supportive of cleantech, and noted that such projects could provide a solid tax base for communities as well as environmental benefits. Lynn Duncan noted that such projects could open up additional funding options, and that the City was talking to Footprint and looking at zoning, and that their local zoning rules encouraged mixed use development. She also noted that there was no residential use under the DPA but that parts of the site near Derby St. might not be part of the DPA. Lee Smith from MassDevelopment noted that they had many tools, but they needed to know more about the proposed projects to see which, if any, tools fit the proposed development.

Jeff Bar-Snell from S.A.F.E. indicated that they supported the redevelopment with reservations. He was not surprised by the lack of contaminants, as they have tried to clean the site for years, but they should also examine the substation, which will remain, for contamination. He also called into question the deepwater port designation and asked what the natural gas plant was proposing as its designated water use as required by the DPA. Gary Davis noted that this concern had been flagged and would be fleshed out. He also indicated that the substation is owned by National Grid and is not part of the site.

Jeff Bar-Snell asked if they had taken samples from the substation or near the substation border. Steve Johnson answered that the substation was not part of the site but he believed they would probably take samples near the boundary with the substation but he would have to check. James Simpson stated that they could ask National Grid about their plans for the substation, and that he represented workers on that site. He also noted that National Grid had discussed possibly moving the substation but he was not sure how serious those talks were. He also stated that he was not surprised that the site had not shown high contamination levels as he had worked there for a long time and knew it had a good track record. He also noted that the substation might have more issues because it did not have as good a record.

Lynn Duncan noted that the Sasaki study assumed the substation would stay in place. She also noted that the subcommittee should look at timelines and figure out what legislative, legal and financial options should be pursued.

Discussion of Future Meetings

Chris Eicher indicated that subcommittees initially planned to meet twice monthly, but that it might be best to hold the next meeting until the environmental study was completed. Paul Stakutis noted that the subcommittees would not have much to discuss until that study was complete, and that it would provide an opportunity to ask questions, including questions for National Grid about their plans for the substation and transmission.

James Simpson asked if Dominion was still liable for cleanup and John Beling answered that as a former owner they would be. Gary Davis noted that the Secretary had made it clear that no one was going to get off the hook for cleanup.

Undersecretary Barbara Kates-Garnick asked if scheduling the next meeting should be contingent on the study, and Steve Johnson commented that there was always a chance the study could be delayed. Paul Stakutis asked if there was a new target date for the study, and that future meetings would be contingent on the findings of the study. Steve Johnson said he would check to see if the study, or at least the findings, would be finished soon. Chris Eicher noted that even if the study was not finished it might be good to speak with Footprint to get a sense of their plans. Lee Smith asked if the findings from the study could be provided to members prior to the meeting so they could prepare questions in advance. Steve Johnson answered that he would look into that as well.

John Beling noted that the stacks, tanks and buildings were not necessarily part of the environmental cleanup and that remediation of the land was already provided for through the regulatory process, but not the demolition of the structures. Lynn Duncan indicated that this was a red flag because the Sasaki study showed that the biggest cost was tearing down the structures, and asked what could be done to require that they be taken down. Gary Davis answered that Footprint had committed to take down the buildings in their EFSB filing, and they should see what happens under the EFSB and that might memorialize those commitments.

Paul Stakutis noted that if Footprint does not succeed with their proposed natural gas plant there would be a need for another vehicle to ensure the tear-down. Chris Eicher indicated that the Decommissioning subcommittee was looking at those issues. Lynn Duncan stated that the Sasaki study included scenarios where the buildings were to come down after other remediation had started, and James Simpson noted that the existing buildings needed to be in place until 2014 when the plant closed, but that the non-plant portion could be remediated earlier.

Lynn Duncan summarized the meeting by stating that there should be a joint subcommittee or whole Task Force meeting with Footprint, that there should be closer examination of the deepwater port area designation issue and that they should identify technical consultants who could be brought in to help Salem identify redevelopment opportunities and challenges.

The meeting concluded at 12:40 pm.