

Money Point Corridor Revitalization Assessment



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Background

The Elizabeth River and contamination at Money Point - Serving as one of the busiest military and commercial ports in the world, the Elizabeth River in metropolitan Hampton Roads is identified as a toxic Region of Concern by the multi-state Chesapeake Bay Program. Money Point is a local term for an approximately 330-acre bend on the Southern Branch of the River. Two wood treatment facilities operated until the 1970s on the site. A fire and a later creosote spill at one of these facilities, Eppinger and Russell, has been linked to off-shore contamination in the river. Studies have shown high concentrations of polycyclic aromatic hydrocarbons (PAH), low biodiversity, and high rates of liver cancer, lesions, deformity and cataracts in bottom-dwelling fish in this area of the River. On-shore testing also indicates the presence of creosote in sediment and ground water.

Remediation and prevention of further contamination - The Elizabeth River Project, a community-based collaborative group, has been working with local, state, and federal agencies since 1996 to enlist community partners in voluntary action to address contamination in the offshore sediments at Money Point and to prevent re-contamination from uplands. The Virginia Department of Conservation and Recreation (DCR) submitted an application for a brownfields assessment grant to the U. S. Environmental Protection Agency on behalf of the Elizabeth River Project and its partners. If this grant is received, testing will be performed to determine the extent and nature of the land-based contamination at and adjacent to the former Eppinger and Russell site.

In addition, the grant proposes to engage industrial landowners, residents, the City of Chesapeake, state and federal interests, civic groups and others in setting a vision and goals for the environmental restoration and sustainable redevelopment of Money Point. This effort is intended to address offshore contamination and any potential sources of re-contamination from the uplands. The planning process would “identify community priorities for restoring and conserving green space; for reducing risks to human health, as well as risks to the environment, recreation and economic prosperity; and for improving economic and ecological viability of Money Point through sustainable development practices.”

Preliminary plans identified in the grant application include reducing environmental problems in the offshore sediments through a combination of capping and removal, with removal

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to be considered for any areas where there are combined navigation and environmental restoration needs. The proposed project planning would be conducted over a two-year period, from July 2004 to June 2006. Long-term goals include reduced risks to human and ecological health, enhanced conservation and recreation opportunities, and improved marketability for shoreline properties of Money Point.

The brownfields assessment grant, if funded, would be used for upland assessment and community planning. In addition, a sister organization of the Elizabeth River Project, known as the Elizabeth River Restoration Trust, has received a commitment of \$5 million in mitigation funds from Maersk, Inc. for implementation of a major sediment remediation project. The Trust has identified off-shore contamination at Money Point as its preferred site for use of the funds, pending further investigation and approvals by the U. S. Army Corps of Engineers and the Virginia Department of Environmental Quality.

Findings

Current conditions

Money Point has been a site of heavy industrial uses for many decades. Current shoreline facilities include oil and gas storage facilities, salvage operations, and concrete plants. Farther away from the shore is a blend of industrial and commercial use, with several residences and a community church as well. The area has a mix of apparently prosperous, well-maintained properties along with those that appear run-down with abandoned facilities. Some interviewees suggested a high rate of property turnover; one property, Bay Bridge Enterprises, reportedly sold part of its property soon after we interviewed the owner, and the Exxon/Mobil property is changing to Charter Triad Terminaling.

The roads are heavily traveled by tankers and other trucks and are in rough condition, with potholes and standing water after rainfall. In some areas it is unclear where public roads end and private property begins. Some property owners expressed concerns about bad roads, broken or insufficient lighting, and unkempt properties, as well as a sense that the City of Chesapeake ignores the area. Several mentioned specific incidents of illegal or inappropriate behavior, such as spills, un-permitted discharges, or drug use, and expressed a need for greater security.

Environmental Concerns

There appears to be significant awareness of environmental problems at Money Point. Almost all interviewees, with the exception of some community members, knew of the creosote contamination in the Elizabeth River from the old Eppinger and Russell plant. There was less widespread awareness of any specific contamination on land.

Many people indicated a healthy respect for the challenges in cleaning the river and the potentially contaminated on-shore properties. They were aware of the impact of onshore activities on the River and described a need to locate environmentally friendly businesses at

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Money Point. A number of people indicated that the clarity of the River has increased in recent years, and some interviewees said that they could see fish in the River currently where they were not found 8-10 years ago.

When asked about a preference for how the sediment contamination should be addressed, most interviewees indicated a “wait and see” attitude. This question generated significant interest, but little controversy, at least at this point, as interviewees described their hope and expectation that careful studies would be completed prior to any actions. Several people described the issue as important, and some people were concerned about where contaminated sediment might go, but a preference before studies were done was seen as premature.

Attitudes towards Revitalization

Few individuals were aware of what is proposed in the brownfields grant application prior to their interviews. Attitudes towards revitalization were somewhat mixed. Almost every individual indicated support for an inclusive planning effort for environmentally friendly redevelopment of the Money Point area, with unanimous support for improving the River health. Some were very enthusiastic about the effort and noted that much of the area is underutilized and should be returned to productive reuse. However, only a handful of interviewees were able to envision anything other than cosmetic changes to the area. One property owner doubted that any planning effort would attract interest beyond what is required to clean the River and land.

There appear to be widely different expectations about demand for property of the sort that might be available at Money Point. Some people pointed to idle sites in the area. Others contended that viable space would be attractive to any number of businesses. There was some indication that the perception of general contamination was preventing productive use of much of the property. These individuals suggested that restoration and revitalization efforts would enhance the environmental and economic health of the entire area

Some interviewees expressed doubt about the City of Chesapeake’s interest in the area. However, City planning and economic development staff indicated high support for a revitalization planning effort. They agreed that other areas were receiving attention from the City and that the City would not lead such an effort, but they offered to participate actively in such an effort and provide technical resources as appropriate. They foresaw significant demand for industrial and commercial property and hoped that environmental restoration leading to renewal of that area. The Hampton Roads Planning District Commission also indicated strong support for revitalization planning.

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Interest in Future Uses

Virtually all interviewees foresaw continued industrial use at Money Point, with some opportunity for less intensive commercial development such as landscaping and other small businesses. Many mentioned the virtues of the location for industrial use, including the port access, rail access, and close access to I-464 (about one mile from the River).

Residents at Money Point and the nearby Portlock community (a primarily residential area mostly east of I-464) had mixed views about eventual uses. Most seemed resigned to or in favor of continued industrial and commercial use. A few indicated a desire for more residential development. Many interviewees reported fishing and crabbing in the river; nobody admitted to eating anything that was caught, and most people professed concern about the safety of ingesting anything caught in the area.

There was little interest expressed in increased access to the River for recreational uses, with a handful of exceptions who noted the general demand in the South Norfolk area. It is unclear whether this disinterest results from other access opportunities, such as the community park at Jordan Bridge off of Poindexter Street a few miles away, or from concern about contamination and safety. Several community members indicated an interest in maintaining and improving open space. Others mentioned an interest in increased waterfront access along the South Branch of the Elizabeth River as a means to revitalize the area of South Norfolk as a whole.

Nearly all business interests identified a strong interest in a deeper channel, with some qualifications. Shipping has changed during the past decade, with more ships requiring deeper channels, and the 35-foot channel that currently exists restricts the size of ships that can reach Money Point. As one interviewee observed, this situation increases expenses and the risk of spills or accidents as some material may be unloaded up-river into smaller barges before a second unloading to the shore. But some businesses suggested that deepening is unlikely due to the environmental conditions and high costs of dredging. Some people expressed concern about the placement of contaminated dredging material as an environmental challenge. Two interviewees mentioned an effort to deepen the channel from about a decade ago; they indicated that the effort faded away as challenges surfaced. One person mentioned the possibility that navigation dredging might be compatible with dredging for removal of contamination, which could conceivably make both tasks affordable.

Various agency staff expressed support for a collaborative revitalization effort, especially one that included the landowners at Money Point. Some staff indicated frustration over the inefficiency of approaching remediation on a piecemeal basis with individual landowners. In their view, a comprehensive remediation and revitalization effort would provide a forum for landowners to share resources, learn of one another's efforts, and increase the effectiveness of agency and landowner interaction.

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Resources for remediation and revitalization planning

A list of interviewees and their level of interest in revitalization participation is included in the Appendix. Many individuals who expressed support were willing to participate actively in a stakeholder and community consensus-building effort. Some individuals expressed support but indicated that time constraints would limit their ability to participate. Without exception, everyone expressed an interest in staying informed about the progress of the revitalization effort.

Most interviewees expressed a concern that funding for remediation and revitalization is limited, although some agencies indicated that financial support for such efforts is not impossible to find. However, many also pledged to make other types of resources available. The range of such resources is impressive, and includes Geographic Information System (GIS) and maps, planning expertise, social and cultural history, scientific knowledge, and volunteer time. A number of organizations also indicated a willingness to provide space for planning and community meetings.

Another and less tangible resource is the good will developed by the many individuals, businesses, and agencies involved in restoring the Elizabeth River. Again and again we heard from people about how much good work has been done and the commitment so many entities have demonstrated in the past several years. While concern exists about some issues as described above, newly formed trust and growing social capital goes a long way towards offering legitimacy as revitalization and remediation planning proceeds. A strong ethic of inclusive planning appears to pervade past and ongoing restoration efforts, and that precedent should help establish a productive norm at Money Point.

A final potential resource is faculty and students from the University of Virginia. Several faculty from the Center for Expertise in Superfund Site Recycling (soon to be renamed to indicate a broader interest than Superfund sites) have expressed interest in studying the site and any planning processes. In the past, when coordinated with participants, such efforts have garnered praise by officials and citizens involved in planning.

Recommendations

The interviewees as a whole expressed overwhelming support for a stakeholder consensus building and community involvement effort to address these issues. Several specific recommendations for conducting such an effort follow:

- Many remediation and reclamation/reuse efforts fail or incur significant extra costs and delays when stakeholders are not involved early and in meaningful ways. Investing some time and effort before site planning is underway and reclamation and reuse determined may prevent unanticipated opposition and extra costs later. Other sites have benefited significantly from stakeholder involvement and consensus building activities, by identifying ideas that had not been considered, by providing resources that reduce costs, and by adding legitimacy and therefore reducing conflict over reclamation/reuse.

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- The question of using funds generated as penalties or mitigation fees for environmental impacts at one site to mitigate environmental harm at another site needs careful attention. Some people indicated that this question had broad implications for other efforts, particularly the proposed expansion of Craney Island. A closely related question is how remediation might be conducted in the River. Resolution of these and other potentially controversial questions should involve processes that are transparent, that rely on independent scientific and other expertise, that offer broad and frequent opportunity for involvement and comment, that weigh costs and benefits, and that consider the long-term precedent that such a decision might have on future situations of a similar nature. As one interviewee declared, deliberate attention to process is needed by all participants so that people will listen to and learn from one another.
- Similar attention would need to be paid to any initiative to increase channel depth. Such a proposal would likely engender opposition from individuals concerned about further harmful impacts to the River bottom.
- The Money Point River bottom (sediment) and on-shore investigations and remediation are closely linked, as are land and water uses. The planning processes will need to occur concurrently and will necessarily involve some combined planning. If the brownfields assessment grant sought by the Virginia Department of Conservation and Recreation is funded, the revitalization planning effort will be linked closely to the requirements of that grant as well. Clarity of purpose, well-defined roles, and continual communication will be required to ensure that the issues involved are addressed directly and fully and with legitimacy in stakeholder and public eyes.
- The Money Point area currently has fewer drivers motivating participation in a revitalization effort than might occur in other similar situations. Land-use planning is typically a responsibility of landowners and local government, and a locality-sponsored effort has an inherent legitimacy even when controversial. A community-based collaborative organization such as the Elizabeth River Project, however effective it may be, does not have the same resources, authority, responsibilities, and accountability as does a local government. Many interviewees are busy with planning efforts in other areas. A significant education effort likely will be required to ensure continued interest and active participation in this effort.
- Given the widely different views reported about demand for commercial, industrial, and recreational space, such effort likely will need to include demand analyses to determine the extent of demand for industrial, commercial, recreational and any other uses identified for the area.
- One option to assist with community participation would be to secure funding to allow compensated participation for citizen groups. Such funding is common in other countries but much less so in the United States.

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- Environmental justice issues appeared in a few interviews. The immediate residential community, while small, has been in the area for many years and is heavily impacted by the area's industrial activities. The larger community of Portlock will undoubtedly be affected by revitalization efforts as well. The planning effort needs to address community concerns and interests in a forthright and open manner and take particular care to involve traditionally ignored community members.

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Appendix

This assessment was prepared under the Superfund Dispute Prevention and Resolution EPA Contract 68-W-99-010, Task Order #0098.

Interviews were conducted by E. F. Dukes and Christine Gyovai, Institute for Environmental Negotiation, and Amanda Burbage and Cheena Singh, Community Mediation Center of Southeastern Virginia.

Assessments of this sort are commonly used in situations involving multiple parties, complex issues, public visibility, and a potential for or actual conflict, as a way of developing a shared understanding of the needs, interests and concerns of stakeholders prior to the investment of significant funds and effort. An assessment:

- Is a low-cost way to identify unanticipated needs, interests and concerns that may need to be addressed.
- Allows the sponsors to be proactive in determining appropriate processes rather than reactive to competing stakeholder interests.
- Can enhance project and process legitimacy in the eyes of stakeholders.

The Institute for Environmental Negotiation, University of Virginia, received a grant from the U. S. EPA's Office of Conflict Prevention and Resolution to conduct this assessment. Stakeholders and community members are sometimes more willing to talk candidly to an independent party who has no decision authority. IEN has a reputation for independence and impartiality, and has no prior connection with the Money Point area or Elizabeth River issues. The protocol for the assessment is included below.

IEN's director Frank Dukes, the lead on this assessment, has considerable experience working as mediator, facilitator, and analyst at local, state and federal levels. He is familiar with revitalizing contaminated sites through participation in U. Va.'s Center for Expertise in Superfund Site Recycling and prior brownfields work. He has worked on contaminated sites in Illinois, Washington, South Dakota, Maryland, and Virginia.

Description of Interviews

This assessment is intended to ascertain and understand values, goals, and concerns of interested and affected community members and stakeholders concerning the Money Point Corridor. IEN developed a protocol for the assessment in consultation with the Elizabeth River Project (ERP). Interviews began with the stakeholders most directly involved in the site as identified by the ERP. Interviewees were invited to speak of their goals, needs, interests, and concerns. These individuals were asked to identify others who may have an interest in the site or who may have resources that would be helpful.

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Particular attention was paid to community members who might have interests in or be affected by the project. Because of the scope of this planned project and other advantages of having a local partner, IEN engaged the Community Mediation Center of Southeast Virginia to conduct many of the community interviews.

The report is being shared with all interviewees and other interested parties and will be available at www.virginia.edu/ien/.

Interview Protocol

NOTE: These questions served as the basis for interviews. However, each interview was conducted according to what was appropriate for a particular interviewee.

1. Introduction:

- Interviewer name and affiliation.
- Why we are doing this (remediation and redevelopment project);
- Product: a written assessment and recommendations for a process intended to develop authentic community involvement and legitimacy for remediation and revitalization of the area.
- Offer of confidentiality:

1. What do you know about Money Point? What has been your relationship to the area?
2. What are its worst problems and biggest challenges?
3. What are its greatest assets and opportunities?
4. Do you already have a vision for revitalizing Money Point – how you would you like it to look in 2020?
5. What sort of resources would be helpful in any environmental improvement and revitalization of the area? Do you know where any such resources might be found? Who are its strongest proponents? Who can help it move forward the most?
6. Are there any opportunities for partnerships, “win-win” solutions, or ways of combining projects to fulfill needs of others? (Example: Navigation dredging needs may be compatible with dredging for removal of contamination; a combined benefit of this sort may make both projects affordable)
7. Are there any concerns or potential areas of opposition? Would a combination of capping and removal of off-shore sediments concern you? If so, what would need to happen to

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resolve the area of concern? What might cause this project to de-rail? Who might cause it to de-rail? Why?

8. How might you be affected by river cleanup and site redevelopment (positive or negative?)
9. What potential conflicts might you see arising between competing interests?
10. How can we learn more about the history of Money Point – the people, historic land uses, pictures, maps, knowledge of pollution problems (anecdotal or printed reports)?
11. Are you aware of any potential concerns regarding human health and/or environmental health? Do you know of anyone who swims, fishes, wades or conducts any other activities in this area?
12. Are you aware of off-shore contamination or pollution in this area? If so, how does off-shore contamination at Money Point affect you (economically? Quality of life?)
13. How would you like to be involved in a redevelopment effort? Note possible ways: Interest – high, medium, low – for being involved in:
 - a) Steering Committee to help guide the project and resolve roadblocks;
 - b) Industrial stewardship through cleanup and/or “River Star” voluntary participation;
 - c) Providing additional resources;
 - d) Expertise – planning? Technical?
 - e) In-kind services such as mapping, contamination sampling and analysis, disposal, equipment (such as dump truck for removal and material for capping), community meeting place and/or refreshments, and land and/or reforestation resources for conservation and restoration.

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Money Point Revitalization Initiative Interview List

First Name	Last Name	Affiliation	Expressed Level of Interest
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Interviews conducted by the Institute for Environmental Negotiation

State Agencies

Frank	Daniel	Virginia Department of Environmental Quality	Actively participating in ongoing effort
Milt	Johnson	Virginia Department of Environmental Quality	Actively participating in ongoing effort
Traycie	West	VA Marine Resources Commission	Interested; keep informed of effort
Michael	Crist	Moffit & Nichol Engineers (met w. VA Port Authority)	
Jeffrey	Florin	VA Port Authority - Chief Engineer	Actively participating in ongoing effort
Heather	Wood	VA Port Authority	Actively participating in ongoing effort
Ernie	Brown	VA Dept of Conservation & Recreation	Actively participating in ongoing effort
John	Carlock	Hampton Roads Planning District Commission	Actively participating in ongoing effort
Eric	Whalberg	Hampton Roads Planning District Commission	Actively participating in ongoing effort

Federal Agencies

Simeon	Hahn	NOAA - in Philly	Very interested; available on an as-needed basis
Hank	Sokolowski	EPA	Very interested; may appoint representative
Kim	Marbain	USFWS	Interested; keep informed of effort
Craig L.	Seltzer	US Army Corps of Engineers	Actively participating in ongoing effort
Robert	Pretlow	US Army Corps of Engineers	Actively participating in ongoing effort

City of Chesapeake

Joan	Fowler	Chesapeake Development Services	Interested; keep informed of effort
Ben	White	Chesapeake Economic Development Authority	Actively participating in ongoing effort
Brent	Nielson	City of Chesapeake Planning Dept. - Planning Director	Interested; keep informed of effort
Karen	Schaffer	City of Chesapeake Planning Dept. - Planning Director	Interested; keep informed of effort
Jaleh	Pett	City of Chesapeake Planning Dept.	Interested; keep informed of effort

Industrial Interests

Mario	Mazza	Bay Bridge Enterprises	Interested; keep informed of effort
Mike	Dunavant	Bay Bridge Enterprises	Interested; keep informed of effort
Bob	Alvis	CITGO Petroleum Corporation	Very interested; available on an as-needed basis
Knox	Shelton	EXXON Mobil Refining and Supply	(Exxon is changing hands to Charter Triad Terminaling)
Peter	Schmidt	Southern Aggregates, LLC; Elizabeth River Project Board	Interested; keep informed of effort
Nate	Tyler	Holland & Rotterdam Investment	Interested; keep informed of effort
Al	Falk	Ber Lem Co. Inc.	N/A
Christopher	Colman	Hess	Very interested; available on an as-needed basis
Dawn	Caughlin	Amerada Hess - Environmental Specialist	
Bob	Wolfe	Amerada Hess Oil	Very interested; available on an as-needed basis

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Valerie	Walker	Navy: St. Julian Creek Annex	Low interest
Glenn P.	Markwith	Commander, Navy Mid-Atlantic Region	Interested; keep informed of effort

Community Groups

Rob	Brumbaugh	Chesapeake Bay Foundation	Interested; keep informed of effort
John	Blandin	Wetlands Watch	Interested; keep informed of effort
Jay	Taylor	Wetlands Watch	Interested; keep informed of effort
Ray	Harper	Chesapeake Revitalization Committee - Chesapeake Museum and Historical Center	Actively participating in ongoing effort
Emma	Harper	Chesapeake Revitalization Committee - Chesapeake Museum and Historical Center	Actively participating in ongoing effort
Gerald and Brenda	Johnson	Planning Advisory Committee - Portlock residents	Very interested; available on an as-needed basis

Academic

Dr. Rebecca	Dickhut	VIMS	Interested; keep informed of effort
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Interviews conducted by the Community Mediation Center of Southeastern Virginia

Community Members

Evelyn	Wilson	Resident on Money Point	Keep informed, will not leave home
Bernard	Wilson	Evelyn Wilson's son, associated with First Baptist Church at Money Point	Keep informed, potential meeting space at church
Larry	Airline	Resident on Money Point	Keep informed, no committee involvement
Caroline	Moran	Domestic Industries	Keep informed, newsletter is best
Sean	Clarke	Recreation Specialist II at Portlock Community Center	No interest, potential meeting spot at community center
Chris	Temple	Temple Trucking	Would possibly attend meetings/discussions
Larry	Duhamie	Griffin De-Watering	Keep informed
Darrell	Dumpson	Resident on Money Point	Keep informed
Sandra J.	Cain	Resident on Money Point	Interested in attending meetings/discussions, wants no level of responsibility
Steve	Byears	Chesapeake Mosquito Control Commission	Keep informed, might attend discussion/meeting
Jim	Byears	Chesapeake Mosquito Control Commission	Keep informed, might attend discussion/meeting
Burnie	Mansfield	South Norfolk Civic League- President	Very interested for anything, just ask
Gloria	Sternad	President Niners Senior Club	Very busy with Niners Senior Club, keep informed
Phillip	Steadfast	Employee of Elizabeth River Terminal & Kinder Morgan Bulk Terminals-	Potentially would get involved but unclear on level, it depends on time availability