

COMMUNITY BOARD NO. 8 BRONX

**MINUTES OF THE ENVIRONMENT & SANITATION COMMITTEE MEETING
HELD ON OCTOBER 23, 2008
AT THE BOARD OFFICE, 5676 RIVERDALE AVENUE**

Board Members of the Committee present:

Saul Scheinbach, Committee Chairman
Bradford Trebach, Committee Vice Chairman
Laura Spalter
Thomas Giallorenzi
Bert Feinberg

Other Board Members present:

none

Community Members of the Committee present:

Robert Spalter

Also in attendance:

Anne Marie Garti (from Jerome Park Conservancy)

The Committee met at 7:34 p.m. – S. Scheinbach in the Chair.

1. It was agreed that the Minutes of the Committee's meeting of May 21, 2008 be adopted.
2. Update on the Facility Monitoring Committee for the Croton Water Filter Plant project.

The Chairman reported on the October 16, 2008 meeting of the Facility Monitoring Committee (FMC). He said that in response to a request by the FMC to investigate the filtration plant cost overruns, George Sweeting, Deputy Director of the Independent Budget Office (IBO) presented its findings. The IBO has calculated the current cost at \$3.08 billion, a 240% increase over the \$1.3 billion estimate presented by the DEP in its 2003 EIS. While Mr. Sweeting agreed with the DEP that construction costs have doubled since 2003, he could only account for 45% of the increased costs from that cause. He assumed the remaining increase was due, in part, to changes in conceptual design for the plant since 2003, and his agency saw no bias in the DEP estimate. He also said other possible sites for the plant would have shown similar increases. The Chairman reminded the E&S committee that only the Mosholu site required excavating a huge hole 90 feet down, and that it surly added cost over the other sites. The Chairman said that even after excluding the design and construction management costs as the DEP did, there

was still approximately \$0.5 billion in unexplained costs. He said he still believed the DEP “lowballed” the original costs to have the plant built at the Mosholu site, and he was awaiting reports from the city and state comptrollers requested by the FMC.

The Chairman also reported that the DEP Deputy Commissioner, Anne Canty briefed the FMC on the chlorine gas leak at Jerome Park Reservoir Gatehouse No. 5, which occurred the night of October 15. She said the leak occurred when DEP workers were changing gas cylinders, and the “empty” cylinder leaked. She said the gas was retained in the building and that no one was injured because workers were wearing personal protection equipment and emergency response units were quickly on the scene, according to procedures put in place by the DEP. When the Chairman reminded her that the DEP assured the public this would never happen again after the last leak occurred in June 2007, Ms. Canty said the earlier leak was different. It occurred when workers at the Croton reservoir added too much chlorine to the water, and it gassed out when it hit Jerome Park. The Chairman told the E&S committee that he hoped for the sake of the community, the DEP had properly trained all its workers.

The Chairman also reported that, at his request Assistant Commissioner of the Bureau of Water Supply, Dave Warne presented an update on DEP’s efforts to protect the Croton watershed from pollution. Mr. Warne described the upgrading of waste water treatment plants in Westchester towns and amendments to DEP regulations concerning storm water treatment and stricter enforcement, in line with stricter state and federal regulations. The Chairman said these measures have been inadequate, and presented a “Riverkeeper” article, which stated the DEP had only provided \$30M for land acquisition in the watershed, and had now run out of money even though there still were willing buyers. He also showed photos taken in early August, 2008 of alga-choked water in the Titicus reservoir and other photos of houses in the drainage basins of the Titicus and Amawalk reservoirs. He presented these and the Riverkeeper article to the committee. He faulted the DEP for not buying more land now and in past decades, when the population in the watershed rapidly increased, and for not requiring more stringent regulations on pesticide and fertilizer application by these homeowners who live on the shore of our drinking water. Mr. Warne responded that he would continue to get the most out of his limited funding by addressing waste water treatment upgrades in the county. The Chairman told the E&S committee that the DEP has failed in its stewardship of the Croton water supply. He said the agency should be leading in protecting the water supply instead of just following the federal and state mandates for clean water. He said the agency was too large and should be broken up to yield an independent agency that is only concerned with environmental issues in the watershed rather than huge construction projects.

3. Update on the issue of public access to the Jerome Park Reservoir (JPR).

The Chairman reported that as a result of a resolution at the June FMC meeting, a letter was sent to the DEP Commissioner asking that a representative from each of the three Community Boards on the FMC be part of the working group designated by the DEP to consider public access at the JPR. The DEP agreed to reconsider public access, but formed a working group only of DEP staff. He said the current Commissioner, Emily

Lloyd, was resigning, which could delay a decision. He said that DEP's concerns about security at JPR was a smoke screen used to keep the public out.

3. Presentation on natural gas drilling in the Catskill-Delaware watershed – Anne Marie Garti.

The Chairman said that New York State Department of Environmental Conservation (NYSDEC) was considering a proposal to allow drilling for natural gas in the Marcellus shale formation, an area extending from Tennessee into western and central New York, by a process that uses immense quantities of water and is highly polluting. He introduced Ms. Garti who is the president of the Jerome Park Conservancy, and is an expert on this issue. Ms. Garti told the committee that the New York state legislature quietly passed a law making it easier to permit gas companies to lease public and private land in the state for drilling. She said Governor Patterson signed the bill, but mandated that NYDEC complete an environmental impact study (EIS) on this type of drilling. She provided an in-depth presentation on the process along with a handout (on file at the Board office). She said many millions of gallons of potable water are used to cool the bit during drilling deep shafts, and that this water becomes polluted with sand, mud, salts, heavy metals, radioactivity and hydrocarbons. Only about 60% of the heavily polluted water is recovered and stored in surface evaporating pools where volatile hydrocarbons like benzene cause local air pollution. Other major concerns: contaminants may leach out from the pools into surrounding soil; the pit may overflow (as often happens in pig farming), contaminating ground water supplies; source water for the process will be taken from drinking water supplies; the unrecovered, contaminated water will seep over time into watersheds just as mine tailings have done in other parts of the country. Robert Spalter likened it to "modern-day strip mining". The committee debated whether or not this was an issue that could be impacted by any action of the Community Board. The committee noted the lack of public awareness on an issue that has the potential to pollute our water supply, and would certainly affect residents in Community District 8. Therefore, the committee decided to begin by writing a letter to state officials highlighting its concerns. Ms. Garti also agreed to write an Op Ed in the Riverdale Press.

4. Graffiti vandalism

The Vice Chair reported he has seen an upsurge in vandalized mailboxes and traffic signs, especially north of W. 254th. He noted that the Verizon building wall at W. 230th street had been badly spray-painted. Robert Spalter pointed out that the W. 235th street pedestrian overpass has been especially hit. Laura Spalter reported that the Riverdale Community Association was obtaining a quote from AAC Restoration to remove graffiti in north Riverdale and along Broadway.

5. Any other business

The Vice Chair noted the proliferation of illegal signs attached to public property and said he was asking the Department of Sanitation (DOS) to remove them.

The Chairman reported that the Board office spoke with Deputy Chief Eliseo Vergara Jr., of the DOS who told the Board that starting November 10, sanitation pick-up hours in Riverdale are going to change for the winter months to 12 midnight - 6 am. He said there are 3 sections in CB8 and that it is the Riverdale section's turn (each district takes turns) to have the midnight shift. He was insistent that this is the way it is. The schedule begins November 10th and goes thru April. He explained that the night shift is rotated between the 3 sections so no area has to suffer only night pickups. He said DOS does this rotation to have the manpower available for possible snow emergencies.

At 9:02 p.m., the Committee was adjourned until its next meeting on November 13, 2008.

Respectfully submitted,

Saul Scheinbach
Chairman
Environment and Sanitation Committee