

Minutes of the Environment & Sanitation Committee, January 17, 2018
Community Board 8 Office, 5676 Riverdale Avenue, suite 100
(Pending committee approval)

Attendees:

Committee: Laura Spalter, chair, Bob Fanuzzi, vice chair, Bob Bender, Steve Froot,
(community committee members Karen Argenti and Rob Spalter
Absent: Martin Gluck

Guests and Community: Farrah Rubin, representing Senator Klein, Lisa Herndon, Riverdale Press, I.C. Levenberg-Engel, Bronx Council on Environmental Quality, Mark Hugel, Jennifer Serpica, Margarita Eremeyev, Debra Travis, Suzanne Corber

Agenda:

The meeting was called to order at 7: 35 PM.
The minutes of November 1017 were unanimously approved.

Water Working Group Report:

Karen Argenti, chair of the E and S Water Working group, gave the committee a quarterly report on the following meetings and activities:

Storm Water Infrastructure Matters (SWIM) meeting at Pratt University, June 21, 2017, tour of Amalgamated Houses conducted September 25, 2017 with NYC Soil and Water Conservation District and Riverkeeper to explore Green Infrastructure to absorb storm water runoff, tour of Philadelphia Green Infrastructure Projects, held October 18, 2017, annual NYC DEP Long Term Control Plan meeting in Queens, NYC Council DEP oversight hearing: " The City's Wastewater Infrastructure Current Condition and Future Plans," December 13, 2017. Chair Laura Spalter and Karen Argenti testified.

See attachments and links below:

<http://www.bceg.org/wp-content/uploads/2018/01/Long-term-control-plan-for-the-Bronx-Harlem-Hudson-River-Jan-2018-FINAL.pdf>

https://www.epa.gov/sites/production/files/2015-10/documents/greeninfrastructure_h2oprograms_07.pdf

Karen stressed the importance of attending the DEP's kick-off meeting on the Open Waters Long Term Control Plan (LTCP) on January 31st at Manhattan College Leo Engineering building at 6:30 pm. The Open Waters Plan includes the East, Hudson, and Harlem Rivers and will greatly impact our community.

Resolution: After discussion the committee unanimously passed a resolution that frames our goals for the DEP's Long Term Control Plan.

Long Term Control Plan Resolution
Environment and Sanitation Committee
January 17, 2018

Context: New York City is in violation of the Clean Water Act of 1972. As a result, the Department of Environmental Protection (DEP) is mandated by the state and federal government to devise a Long Term Control Plan for its Open Waters, which include the Harlem, Hudson, and East Rivers. The DEP will hold a kick off meeting on its Long Term Control Plan at Manhattan College on January 31, 2018 at 6:30 PM. This is the beginning of a long awaited public process for Manhattan and the Bronx that gives Bronx Community Board 8 the opportunity to provide DEP and the City Council our input and goals for the upcoming Long Term Control Plan.

Whereas, according to the DEP when there are heavy rains and the sewer system is at full capacity, a mixture of rainwater and raw, untreated sewerage is released into our local waterways in a process known as Combined Sewer Overflow (CSO); and

Whereas, according to DEP another pollution problem occurs when its Municipal Separate Storm Sewer System (MS4), a network of drains, pipes, and ditches, deposits storm water runoff along with toxins from roads and streets directly into water bodies without treatment at one of NYC's 14 treatment plants; and

Whereas, under the Clean Water Act of 1972, DEP is mandated by the U.S. Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (DEC) to reduce CSO and MS4 pollution, as it can adversely affect people, fish, plants and animals; and

Whereas, the purpose of DEP's Long Term Control Plan is to evaluate, mitigate, and provide a unique blue print for the DEC, City, and public regarding its strategy to reduce the amount of storm water causing combined and separate discharges into the Harlem, Hudson, and East Rivers; and

5. Whereas, the Environment and Sanitation Committee of Bronx Community Board 8 formed the Water Working Group in 2015 that has identified flooding prone areas of Community Board 8, and long advocated for capturing storm water produced by 100-year storms through implementing Green Infrastructure projects (GI) such as rain gardens, enhanced tree pits, green roofs, and enhancement of wetlands to mitigate CSO events and flooding on our streets, sidewalks, public and private spaces by absorbing storm water to stop it from entering and overwhelming our sewer system; and

6. Whereas, resolutions passed in April, 2016 and April 2017 by Bronx Community Board 8 advocated for the daylighting of Tibbetts Brook both inside and outside Van Cortlandt Park along the proposed Putnam South greenway (the property the City is negotiating with CSX), in order to prevent billions of gallons of water from entering and overwhelming our sewer system causing CSO pollution to the Harlem River; and

Whereas, DEP testified at a New York City Council hearing held December 13, 2017 that it has embarked on the design and construction of large Green Infrastructure projects at 54 sites with partner agencies such as the Department of Parks and Recreation (DPR) and Department of Transportation (DOT) to reduce impervious areas and manage storm water runoff; and

Whereas, DEP's Green Infrastructure Grant Program for private home owners and institutions severely limits its use and effectiveness by placing onerous rules on the private sector such as placing a 20 year Lien on the property by DEP; and

Whereas, in developing a Long Term Control Plan for the East, Harlem and Hudson Rivers, DEP is holding combined meetings for Bronx and Manhattan stakeholders;

Therefore Be It Resolved, that DEP collaborate with DPR, DOT and other relevant agencies to plan, expedite, fund, and adequately maintain Green Infrastructure projects as identified by the committee, as the primary focus of our Long Term Control Plan to reduce CSO and MS 4.; and

Be It Resolved, that DEP collaborate with the Department of Parks and Recreation (DPR) to treat the daylighting of Tibbetts Brook inside and outside of Van Cortlandt Park as a critical Green Infrastructure project; and

Be It Resolved, that DEP modify its GI Program for Homeowners and Institutions in order to increase participation, and consider offering incentives such as credit on water bills for participation; and

4. Be It Resolved, that to meet the myriad needs of Bronx and Manhattan stakeholders, DEP hold separate Long Term Control Plan meetings for the Bronx side of the Hudson and Harlem River watersheds.

In Favor: Laura Spalter, Bob Fanuzzi, Bob Bender, Steve Froot, community committee members Karen Argenti, Rob Spalter.

Opposed: None

Abstentions: None

Chair's Report:

- The chair reported on a meeting held on January 17th with Councilman Cohen, Karen Argenti, Christina Taylor, Dart Westphal and Rob Spalter regarding BCEQ's and Community Board 8's goals for the Long Term Control Plan. The focus was on the need for Green Infrastructure to absorb storm water, daylighting of Tibbetts Brook, and the need for substantive changes in DEP's Green Infrastructure Grant Program for private homeowners and institutions. Councilman Cohen and DEP representatives will attend our next Environment and Sanitation committee meeting scheduled for February 21st to discuss these topics plus any questions arising from the January 31st LTCP meeting.
- The chair reported on 5 missing trash baskets in the vicinity of West 238th Street. Without any clear explanation, four trash baskets have been removed by the Department of Sanitation, and one was stolen within the last month. The chair has toured the area with new Sanitation Supervisor Chris Agazzi, who does not know when or if they will be replaced. The chair has written to complain to DSNY commissioners and will follow up.

- A new noise resolution was passed by the City Council (Intro No. 1653-B). Frustrated residents attended our November meeting with DEP to express their angst over construction noise generated by Stagg at 3482 Independence Street. The new law requires the Commissioner of the DEP to set rules for specific time frames for inspections in response to certain types of noise complaints. It would also require DEP to submit annual reports on inspections in response to noise complaints, and that all noise mitigation plans be filed electronically. This bill would also create new violations for noise, which exceeds certain decibel levels, and authorize DEP to issue stop work orders in response to certain noise violations. It will go into effect in six months.
- The chair thanked Senator Klein for his letter of support for the Board's resolution passed in November banning plastic bags. The NYS Plastics Bag Task force has just issued a report with their recommendations.

Press Release: New York State Plastic Bag Task Force:

Press release: https://apps.cio.ny.gov/apps/mediaContact/public/view.cfm?parm=6B08CBAD-D2F8-5E77-489E0D45FC045D7B_%7bcontact_uid%7d

New York State Plastic Bag Task Force Report:

The pdf report dated 1/30/2018:

http://www.dec.ny.gov/docs/materials_minerals_pdf/dplasticbagreport2017.pdf

- The Rain Barrel Giveaway, coordinated by the E and S committee and Friends of Van Cortlandt Park with the DEP, will take place on Saturday, April 28th in Van Cortlandt Park. Details to follow.

New Business: Resident Mark Hugel raised the issue that during the snow storm a sanitation vehicle plowed into his yard. The chair will look into this.

The meeting was adjourned at 9:00 PM.

Submitted by,
Laura Spalter, chair
Environment and Sanitation Committee