

July 8, 2004

Harry Szarpanski
Assistant Commissioner
Department of Sanitation
44 Beaver Street
New York, NY 10004

Re: Draft Scoping Document for the New Comprehensive Solid Waste Management Plan Draft Environmental Impact Statement (DEIS) (CEQR No. 03-DOS-004Y.)

Dear Assistant Commissioner Szarpanski:

At its meeting on July 7, 2004, Manhattan Community Board No. 4 approved the following comments on the Draft Scoping Document for the New Comprehensive Solid Waste Management Plan Draft Environmental Impact Statement. These comments are with respect to the West 59th Street Converted Marine Transfer Station in Manhattan.

Community Board No. 4 (CB4) shares the Department of Sanitation's (DSNY) concern about the large quantities of solid waste generated throughout the city, and the need for a cost-effective, environmentally responsible long-term management plan.

We also support in principle the use of Pier 99 as a marine transfer station, and understand its importance to this community and beyond.

However, we are most concerned about the perception the department has about this neighborhood as reflected in the DEIS to date. One statement in particular is completely outdated and false: "The West Side Highway creates a buffer between the heavy industrial uses associated with the Hudson River in this section of Manhattan." In fact, Pier 99 is part of the Hudson River Park, and it shares a boundary with Riverside Park South immediately to the north. The impacts of this expanded facility are sure to be felt by residents, commercial tenants and park users, and we are discouraged to see this first document make little effort to identify or acknowledge any of those stakeholders.

In summary, before we go into the details of the project, we anticipate that this expansion would have two major impacts on the neighborhood and the park surrounding the site: the impact of traffic, noise and pollution from the trucks that will use the facility on pedestrian access to the parks and on the users of the parks; and the impact on the Hudson River Park of the displacement of the recycling facility, should it have to relocate to Gansevoort Peninsula. For both of these impacts, the department must plan for mitigation through enhanced pedestrian access at Clinton Cove and through park development at Gansevoort.

Also, we urge that the DEIS include study of several alternative locations for an MTS other than the Harlem location. While we are not opposed to expanding the facility at Pier 99, we feel strongly that should the department pursue the marine transfer alternative, Pier 99 cannot be the only location for all of Manhattan. There must be a minimum of three sites. Should the Harlem location fail due to strong community opposition, the department must study alternative locations in this EIS.

And finally, we ask that the Department study, as part of the solid waste management plan, the impact of increased recycling and waste reduction programs on the borough's quantity of garbage.

General Considerations

Traffic

CB4 urges DSNY to perform a large-scale traffic analysis in this area that takes into consideration current and future uses in proximity to the 59th Street MTS. New developments in the area of the Pier 99 MTS have already had significant impacts on local and through traffic (See Detailed comments below, 2.1.6). This area is booming with new residential developments, including but not limited to Trump's Riverside South and the Durst Organization's two towers between 57th and 58th streets, 11 and 12th avenues, which include 500 residential units.

Planned large-scale developments to the south of the Pier 99 will also have significant impacts on traffic on Route 9A as well as local streets. The Hudson Yards rezoning seeks to attract an additional 40 million square feet of residential and commercial development south of 43rd Street – just 16 blocks to the south of Pier 99. The City and State also have proposals to double the size of the Javits Convention Center and to build a 75,000-seat West Side stadium.

The Time Warner Center at Columbus Circle has increased commercial traffic in the area as will the new Hearst headquarters at 57th Street and Eighth Avenue.

Route 9A provides a major route in and out of the city for commuters, visitors, and residents. For midtown destinations, 56th Street provides the main route east – particularly with the closure of the 72nd Street off-ramp for 9A.

In addition, traffic ebbs and flows with activities on the waterfront, including cruise ship arrivals and departures at the Passenger Ship Terminals (Piers 88, 90 and 92); trade shows at the UnConvention Center (Pier 94); construction of the new sanitation garage; and construction of new residential/commercial developments. All of these activities and projects must be considered as part of the Pier 99 EIS. Traffic studies must take in to consideration the traffic issues occurring throughout various times, days, and seasons.

Most importantly, the traffic patterns must be studied at the frequent peak periods, including any weekend hours at which the MTS may be in operation.

Traffic analysis must include increased traffic anticipated with DSNY collection trucks, stated as 124 during peak collection. With 124 trucks, CB4 is particularly concerned about queuing and routing of trucks through our neighborhoods. The study must include operational controls and design modifications that consider the traffic and queuing during these peak hours with respect to other

traffic and sensitive areas must be protected from excessive traffic. We request that the following points be added to the scoping document for analysis:

- Provisions for queuing on-site, as required by the DEC. Although this facility will accommodate 10 trucks for onsite queuing, the estimated number of trucks during peak hour for this site is 21 trucks. How will this be addressed?
- Possibility for an elevated “flyway” that would take trucks directly into the second floor and avoid interruption of the bikeway/walkway along the river.
- Operational controls to stagger arrivals of collection vehicles to minimize queuing.
- Controls regarding turn-around, staging, breakdowns in and around the facility, etc.
- Consideration of the possible relocation of elevated Miller Highway to the north
- Routes for trucks serving the pier with least impact to residential areas must be identified and enforcement measures must be developed to ensure safe streets, healthy neighborhoods and quality of life.

Parkland

CB4 is very concerned that the Draft Scoping Document makes no mention of Pier 99’s location within the boundaries of Hudson River Park, nor does it recognize that the bikeway/walkway runs immediately to the east of the pier and crosses into Riverside Park South, whose property extends to the pier line and includes the water area immediately north of the edge of the pier. The scope of work for the EIS must include impacts on both parks, their users and interruptions of the bikeway/walkway.

The MTS is an allowable use of Pier 99 according to the 1998 Hudson River Park Act. However, the Act also placed restrictions on uses within the park, which includes the water area designated as an estuarine sanctuary. Any expansion of the footprint of Pier 99 must not be charged to the park in the Army Corps of Engineers permit – it should be treated as part of the project, since it is not a park use. Any enlargement would impinge on Park property and would require State Legislative approval.

In addition, impacts to DeWitt Clinton Park, especially due to traffic, must be studied as part of this EIS. The park, between 53rd and 55th streets, between 11th and 12th avenues, could be a critical link to Clinton Cove part of the Hudson River Park. The community board has long advocated for a bridge connecting the two parks at 54th Street and it was intended in the review of the Route 9A project and studied in the environmental review. Expansion of Pier 99 might make that a greater priority. Provision of this bridge as mitigation for any impacts to pedestrian access into the Hudson River Park should be considered.

Air Quality & Noise

The Scope for the DEIS designates a very small area (54th to 58th Streets, 10th to 12th Avenues) as a potential Environmental Justice Area. Although this limited area does include several public housing developments, it must also include Amsterdam Houses to the north. The presentation at the hearing only identified one receptor. Many more must be identified and at greater distances from the facility.

The MTS is a possible stationary source of air pollution. CB4 asks DSNY to study the effect this facility will have on air quality in the area. At least, the studies should consider:

- Emissions from collection trucks – including use of vehicles with ultra-low emissions.
- Compactor/operating emissions
- Dust emissions
- Tugboat and other watercraft emissions
- Odor from waste materials. The Draft Scoping identifies exhaust fans that create negative air pressure; what are the contingency plans when systems breakdown? How will this affect surrounding park users, residents, etc.?
- Odor and air quality must consider the prevailing winds, which come from the west.
- Noise levels affecting nearby residents, park users and businesses must be studied, especially for occupants and users of future development immediately east of Route 9A.

Volume

All of the above factors of traffic, air quality and noise must be considered in relation to commercial waste and private waste haulers. The following questions/issues must be addressed:

- Will the 59th Street site be used for commercial waste?
- What is the maximum tonnage to be considered for the 59th Street site? What percentage might be considered for commercial waste and how will the impact of this additional waste be studied?
- The air quality of private waste hauling vehicles must be included in the analysis in relation to truck noise, emissions, etc.
- What is the worst-case scenario regarding use of 59th Street site, in relation to other sites considered? How will the disqualification of other sites affect the volume, truck routes, overall tonnage at this site?
- What is the city's plan for recyclables – including paper, which is currently brought through the 59th Street site?

Design and Visual Resources

DSNY took great care and effort with the design of the current pier, both by investing in good architecture and public art as well. We encourage the department to again uphold high standards of urban design and architecture when studying and planning this enlarged facility. DSNY must disclose design plans and drawings, including increased height and footprint for public review.

DSNY must consider the neighborhood environment and character in developing a design for this working pier – looking to the natural, economic, and social environments surrounding this facility. In particular, DSNY must consider the existence of this MTS within and connecting two significant parks, and the visual impact of a changed design and greater size.

Most solid waste facilities are designed to promote efficiency with ordinary design meant to conceal the facility and separate it from the public. CB4 urges DSNY to consider design that is not only efficient and environmentally responsible, but one which promotes public interest and involvement. Pier 99 can be used to invite public understanding of recycling and solid waste disposal issues.

Through careful consideration of building infrastructure, landscaping, water habitat, and natural resources, this pier can provide innovative methods of education and be a lasting example of how well-designed, functional systems can co-exist in an urban environment. This can be done through: plants and natural growth along outside walls and roof area; public walkways along the north side of

the pier with views (windows) inside the pier to view operations; public viewing areas for educational purposes; consideration of various rooftop uses for public usage.

These ideas not only promote interest, education, and provide a more palatable design for the surrounding community, they promote public understanding of recycling, energy efficiency, and environmentally friendly design.

Detailed Comments

Site Specific Assessments of Converted MTSs

2.1.6 Converted MTS Site Descriptions - West 59th Street Converted MTS, Manhattan

The description of the surrounding area in the document to date is startlingly inaccurate. Page 36 reads, "Land uses to the west of West Side Highway are dominated by transportation and utility uses, which utilize piers to the south of West 59th Street MTS," when in fact the dominant use of land to the west of the West Side Highway is as parkland, with the Hudson River Park developing the land immediately south of the site continuing to Pier 94, and Riverside South Planning Corporation developing the park immediately north of the site, continuing north to 72nd Street. Both park entities control the water between the piers as well.

Consideration must be given in the EIS and the planning of the facility for the above mentioned fact, since DSNY does not control nor have a right to access to the water immediately north of the pier itself.

In addition, the site-specific assessment must include impacts to:

- The bikeway/walkway, which exists to the immediate east of the facility. This heavily used pathway connects the new Hudson River Park with Riverside Park South to the immediate north of the site.
- General impacts on the nearby portions of Riverside South Park and Hudson River Park, and in particular the two areas immediately adjacent:
- Pier 97, which is now occupied by DSNY in violation of the Hudson River Park Act, for vehicle parking and various storage operations. This pier is already designed as parkland and will be heavily used for children's play areas and active recreation once construction can begin.
- The upland area between 55th and 58th Streets which represents Segment 7 (Clinton Cove) of the Hudson River Park, currently under construction to be completed in spring 2005.
- The "UnConvention Center," located on Pier 94 south of the MTS, which creates large amounts of traffic, both vehicular and pedestrian, during trade shows.
- The 59th Street Recreation Center, located between 10th and 11th avenues on the north side of 59th Street. The center, part of the city Parks Department, serves low-income New Yorkers from the area as well as workers in the area.
- John Jay College between 58th and 59th Street, 10th to 11th avenues
- Residential uses, including:
 - Trump's Riverside South development north of 59th Street
 - Two residential towers located on 59th Street between 10th and 11th Avenues.
 - Durst Organization's residential and office towers being constructed on 11th to 12th Avenues between 57th and 58th Streets.

- Several low-rise residential buildings that exist between 10th and 11th Avenues between 56th and 60th Streets.
- The Westport at 56th Street and 10th Avenue
- The Nicole at 55th Street and 9th Avenue

2.2.2 Socioeconomic Conditions

“Demographic conditions in the study areas (roughly based on census tracts within ¼ mile of the site) will be compared to demographic conditions in the appropriate borough and the city.”

CB4 is concerned that Census data collected in 1999 will be grossly out-of-date and will not reflect the demographic characteristics of the area, which is rapidly changing. Please note the list of new residential and commercial developments above. In total, these projects will represent thousands of additional local residents with diverse socio-economic backgrounds. Similar development activity north of 59th Street within the boundaries of CB7 will contribute to local population characteristics.

2.2.3 Community Facilities and Services

“Adverse impacts could result if a project either: 1 alters a community facility (e.g. disrupts existing activity patterns within communities near an element ...or on its access/egress routes); or 2 causes a change in population that could affect the types and/or levels of service appropriate for the community.”

CB4 ask DSNY to study the impacts both during construction and during facility operations on the 59th Street Recreation Center located on 59th Street east of 11th Avenue. How will additional truck traffic, queuing collection vehicles, air quality, and noise affect this Center? The center is about to undergo a major reconstruction project, which could include the rehabilitation of the outdoor pool. Short-term and long-term noise and pollution impacts to this center must be studied.

2.2.4 Open Space

Conversion and increased usage of the MTS at 59th Street will greatly impact the open spaces directly to the east, north and south of the Pier.

CB4 urges DSNY to study the traffic flow of pedestrians/bicyclists along the pathway to the immediate east – crossing the entrance to the site. Studies of the bikeway/walkway should include usage at both peak, regular, and lowest usage during various times/seasons of the year, in conjunction with usage in relation to peak and non-peak truck traffic for the MTS.

This bikeway/walkway serves as not only a source of recreation, exercise, and leisure, but as a primary source of transportation for individuals who commute to and from work daily via bicycle, roller blading, walking, etc. In addition, open spaces to the north and south include play areas for small children, passive recreation, and active recreation planned for Pier 97.

Although the MTS is not likely to employ the minimum 500 employees required by CEQR for quantitative assessment, other new facilities in the area will increase the use of open spaces and therefore further the impact of the converted MTS. The residential and commercial towers currently under construction will increase the number of individuals utilizing the Clinton Cove Park section of

Hudson River Park, and increase bike/pedestrian usage of the bikeway/walkway. In addition, renovation of Pier 94 for use as the UnConvention Center will increase usage of both the park and bikeway/walkway.

Special attention should be given to the traffic, air, noise and shadow impacts upon the open spaces adjacent and in the vicinity of the MTS site. This should include a study of possible uses of the north side of the pier for park uses. Riverside Park South directly abuts the pier and includes the water area out to the pier head line.

2.2.5 Cultural Resources

DSNY must consider any impacts to the bulkhead in the conversion, as it is eligible for the State and National Registers of Historic Places and is therefore subject to restrictions.

The possible impact of pollution from increased traffic on the Con Ed generating plant, which is eligible for the State and National Register of Historic Places should also be evaluated.

2.2.6 Urban design, Visual Resources, and Shadows

CB4 is concerned about the visual impact and shadows this facility will have for park users, particularly in Riverside Park South. DSNY should study the views east and views looking north from the western end of Pier 97. How will this affect views looking north up the Hudson toward the George Washington Bridge?

2.2.7 Neighborhood Character

CB4 is concerned about the impact on the neighborhood character in relation to increased collection truck traffic, noise, and air quality. The DEIS should address how will this impact the neighborhood and how will it affect new development.

2.2.8 Natural Resources

The DEIS must include an analysis of how construction and operations will affect Hudson River habitat, particularly in the water area designated as an estuarine sanctuary.

2.2.11 Waterfront Revitalization Program

What criteria were used in determining which of the Local Waterfront Revitalization policies and sub-policies were applicable? These policies should be considered based on site-specific analysis of each site.

2.2.13 Traffic and Transportation

CB4 is very concerned that the Draft Scoping Document does not include sufficient traffic analysis of the area. This includes studies of queuing and traffic mentioned above, in addition to detailed study of the facility operations interfacing with pedestrian traffic along the bikeway/walkway. The document states that there will be no weekend traffic analysis because Saturday traffic is lower than weekday traffic. Although fewer collection vehicles may be entering the facility, the weekends pose

the most risk for accidents with pedestrian traffic on the bikeway/walkway. This location must be considered as a “high accident-prone location” and should be studied in detail.

The DEIS must include additional traffic analysis at the following intersections:

- 56th Street and Route 9A – This area will be a major route for departing collection vehicles, and includes traffic from commuters, visitors, UnConvention Center visitors (both vehicular and pedestrian traffic), rebuilt sanitation garage, Passenger Ship Terminal cruise ship departures and arrivals (vehicular and pedestrian).
- 57th Street and 11th Avenue – This area is subject to increased traffic due to development and is along the route of collection trucks.
- 59th Street and 10th Avenue – This area is along the route of the collection trucks and includes St. Luke’s Roosevelt Hospital, John Jay College, the 59th Street Recreation Center, two residential towers, and parking facilities.

Thank you for your attention to our comments. We hope to see many of them reflected in the DEIS and following documents.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



John Doswell
Co-Chair
Waterfront & Parks Committee

Pam Frederick
Co-Chair
Waterfront & Parks Committee

cc: Hon. Michael Bloomberg, Mayor
Hon. C. Virginia Fields, Manhattan Borough President
Local elected officials
Dept. of Parks and Recreation
Hudson River Park Trust
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John Jay College
Manhattan Community Board Nos. 7, 8 & 9