

**MINUTES OF THE JANUARY 19, 2022 MEETING OF THE ENVIRONMENT AND SANITATION COMMITTEE OF
BRONX COMMUNITY BOARD 8**

Committee members present: K. Argenti, C. Dastis-Galvin, R. Fanuzzi, R. Spalter, D. Travis

Also in attendance: M. Enoch, E. Ardizzzone, and K. Ellis (DEP); F. Klein (AM Dinowitz's office) T. Wong (SS Biaggi's office) L Spalter, D. Gellman, O. Jiminez (CB8), D. Peters, D. Burke, E. Barbanel, M. Claude, I. C. Levenberg, J. Colon, J. Engel, D. Jessum, J. White, A. Konli

January 19, 2022/Zoom

The meeting was called to order at 7:03 pm

I. Approval of Minutes of December 15, 2021

Committee members approved the minutes of the December 15, 2021 joint meeting of the Parks and Recreation and Environment and Sanitation Committee.

II. Chair's Report

A. DEP has repair sinkhole on Edsall Avenue, previously reported to committee and 311.

III. DEP Unified Stormwater Rules

Melissa Enoch, DEP

DEP is preparing to announce new Unified Stormwater Rules. These rules will combine standards for construction permits for combined sewer and separate sewer areas. They will also unite water management goals for construction permits with post-construction sewer connection requirements. Previous stormwater construction permit rules from 2012 and 2019 applied only to buildings disturbing 1 acre or more, with no consideration of impact of additional impervious surface. New rules will require buildings that disturb over 20000 square feet of soil and add 5000 square feet of impervious surface to increase effectiveness of stormwater construction management on building sites, managing 1.5 inch of rainfall. In addition, new rules seek to maintain sewer capacity during and after new construction by requiring new stormwater management design and building features. Through the Unified Stormwater Rules, DEP will have an enhanced role in approving stormwater construction permits and building plans.

DEP has issued a stormwater management manual for developers, modeled on the City of Los Angeles's building guidelines, and is responsible for approval and enforcement. The goal of post-construction stormwater management is to introduce green infrastructure into buildings, recognizing national models, local environmental priorities, and scientific proof of impact. Green infrastructure practices/installations must be engineer-certified and maintained via successive certifications.

Developers will have a range of stormwater management practices/installations to both filter/treat water on site and reduce the volume of water that leaves the site. For separate sewer system, primary goal is to capture water on site and improve its quality through infiltration; for combined sewer system, primary goal is to restrict volume. DEP itemizes and prioritizes GI treatments but developers can combine methods and options to reach water reduction/treatment goals, such as retention tanks, detention reservoirs, and “green roofs.” Developers will get credits towards building and design compliance with stormwater management rules.

Answers to questions raised in discussion:

New rules are expected to be in effect in February. Rules are mandated by NYC Council legislation in 2020 to expand stormwater construction permitting program. DOB will review and DEP will approve site connection permits. Unified Stormwater Rules approve to Brownfield areas being redeveloped. Existing buildings are not impacted by new rules; stormwater retrofits to existing buildings are voluntary but incentivized. Sites that are currently in construction comply with existing, not new rules. New rules do not impact mass or footprint of building. Green roofs may be the most popular option for developers because of increased lot size and reduced setbacks. After DEP rules are announced, any development that does not have a DEP approval for stormwater management will be subject to new rules.

Chair stressed need for stormwater reduction caused by increased construction in vulnerable areas in the district.

IV. Champlain Hudson Power Express Renewable Energy Project

Donald Jessum, CEO Transmission Developers, Inc. with Jenn White and Ayokunli Konli

NYS passed the Community Leadership and Community Protection Act in 2019, requiring new clean energy standards and 70% adoption of renewable energy generation by 2030. In 2021, NYSERDA awarded one of two contracts to Champlain Hudson Power Express, a project that will build renewable energy generation facilities and lay transmission cables from the border of Quebec to Queens. The project will bring Quebec hydropower to NYC, producing 1250 megawatts per year and providing 3.4 terawatt hours to customers per year (half of the renewable energy Indian Point used to produce), reaching 17% of 2030 goal. 339 miles of cables will be laid under Lake Champlain, along railroad rights of way, and under the riverbed of the Hudson River (with a detour in Rockland County) before making landfall in Harlem River Yards in Bronx Community District 1, Randalls Island, and Queens. NYSERDA will award more contracts to reach 70% goal by 2030, with focus on reducing 90% fossil-fuel adoption in NYC. CHPE project will be resilient (underground) and yield 20 percent reduction in local pollutants.

CHPE will contribute 40 million for environmental trust fund to study impacts on waterbodies, funds to provide job training and workforce development, and benefits to disadvantaged communities.

CHPE cable will make a left from the Hudson River into the Harlem River at Spuyten Duyvil. Construction will be visible to Hudson River, Spuyten Duyvil, and Harlem River communities. Water quality testing will take place continually, in real time.

Answers to questions from committee and community:

CHPE project is not scalable, which means that the newly laid cables cannot deliver the additional renewable energy required by CLCPA targets. Cables will be buried 6 feet in the riverbed, allowing for different depths, with a "jet plow." Fiber optic cables will report on condition of generation cables, with warranties to be determined but which have typical lifespans of 50-80 years. CHPE will be providing additional energy while fossil fuel plants continue to operate, with reductions arriving in market shifts toward CLCPA 2030 target (70%) and 2040 (100%). EMFs generated by DC power generation is said to be lower than the earth's magnetic fields. Construction will begin in 2025, with community stakeholders notified in advance.

V. Old Business

A. Yonkers Ludlow Pollution Control Plant Odor

In response to Skyview resident complaints of downwind odor from Ludlow Pollution treatment plant presented at December 17 2021 meeting of Environment and Sanitation committee, Chair shared issue with AM Dinowitz to ask for assistance and inquire into NYS DEC permit process for pollution control facility. F. Klein of AM Dinowitz's office reported that DEC has not conducted new external review previous to repermitting of Ludlow plant, but AM Dinowitz' office is seeking to delay permit until review is conducted. Committee will support.

Chair reported on efforts of CM Bowman's, Yonkers Mayor Spano's, Westchester County Executive Spano's efforts to obtain federal funding for odor mitigation with Skyview residents in advance of meeting and reported on their efforts at the meeting. Skyview residents were advised to contact officials' offices to add complaints and support for their efforts. Chair also shared Westchester County environmental complaint form and urged Skyview residents to submit complaints. Skyview residents were urged to organize complaints for submission to Westchester County and calls to elected officials.

VI. Adjournment

The meeting was adjourned at 9:25 pm.

Respectfully submitted,

R. Fanuzzi
Chair, Environment and Sanitation Committee