

Bronx Community Board No. 8
Minutes of the Environment and Sanitation Committee
Held on November 16, 2016 at Manhattan College, 3825 Corlear Avenue

Present

Dan Padernacht, Chair, Community Board No. 8

E and S Committee members: Laura Spalter, Chair, R. Fanuzzi, Vice Chair, B. Bender, Steven Froot, Amy Joy Robateau,

Community Committee members: Karen Argenti, Robert Spalter

Absent Committee member: David Kornbluh

Presenters

DEP representatives Deputy Commissioner Eric Landau, Alicia West, Anthony Brown, Effie Ardizzzone

John Butler, Ecological Project Manager, Friends of Van Cortlandt Park (FVCP)

Community Guests

Joshua Stephenson representing Councilman Andrew Cohen, Christina Taylor, Friends of Van Cortlandt Park, Anne Marie Garti, Jerome Park Conservancy, Kristin Hart, Fort Independence Park Neighborhood Association, Anna Dolgov, Riverdale Press, Matthew Turov, Debbi Dolan, John Young, Catherine O'Brien, Suzanne Corber, Jo Frabetti

AGENDA

Item # 1. The meeting was called to order at 7:35 PM. The minutes of September 21, 2016 were approved (the committee did not meet in October).

Item # 2. Van Cortland Park: John Butler, Ecological Project Manager, Friends of Van Cortlandt Park (FVCP), presented on the Tibbetts Brook Water Monitoring Program. Since December 2015, FVCP has collaborated weekly with the Environmental Engineering Program at Manhattan College to test and analyze six sites in Van Cortlandt Park, including the lake and wetlands. Mr. Butler reported that excessive algae growth in the lake and environs is the result of excessive nitrogen and phosphorus. Mr. Butler noted the project's success in identifying pollution flowing into Van Cortlandt Lake caused by a leaky sanitary sewer pipe in Yonkers polluting Tibbetts Brook. After notification to the city of Yonkers, DEC, DEP, and DPR the issue was resolved. Other issues include highway contaminants that flow into the lake via a pipe, runoff from the Parade Grounds, and invasive plants.

Committee Actions Taken:

- The committee unanimously voted to send a letter to the Friends of Van Cortlandt Park in support of their efforts to continue its Water Monitoring Program.
- The committee unanimously voted to send a letter to the New York State Department of Environmental Conservation (DEC) requesting that the agency undertake a Hydrology Study of Van Cortlandt Lake. The lake is the only water body in the Bronx on the 303(d) Total Maximum Daily Load (TMDL) list of Impaired Waterbodies due to Phosphorous.

Item # 3. Jerome Park Reservoir (JPR)

Alicia West Presented Phase II of the Department of Environmental Protection's "**Jerome Park Reservoir and Aqueduct Rehabilitation**" project to repair and upgrade the infrastructure of the Croton Water Supply system.

The Jerome Park Reservoir is roughly 93-acres in size and has the capacity to hold up to 773 million gallons of water. It receives water from the City's Croton Watershed, located in Westchester and Putnam Counties. It is the last stop for the water before it enters the Croton Water Filtration Plant and goes into the City's distribution system.

The DEP plans to deconstruct the superstructures of gatehouses 2, 3 and 6, rehabilitate gatehouses 5 and 7, and repair the eastern retaining wall. Work will begin in the fall of 2017 and end in the fall of 2021. The DEP plans to present their plan to the Public Design Commission (PDC) at the end of January.

The E and S committee will continue its discussion at its December meeting and vote on a resolution to send to the Public Design Commission.

Issues Raised by Committee and Community:

- **Construction:** The heavily trafficked site is situated near Harris Park Annex, many residential buildings, and a number of schools including Bronx High School of Science, Lehman College, and High School of American Studies. Concerns were expressed about traffic, staging, parking, construction noise, and the number of concrete pouring trucks and construction vehicles over the projected 4-year period.

The DEP responded that they will stop work on school testing days, but did not give details on work schedules or a traffic plan at this juncture. Staging will take place on DEP property. They said that they also have an agreement with Lehman College to use their parking lot. They will notify the community regarding any street closures.

- **Bird deterrent overhead wire system:** DEP will install bird deterrent wire 16-feet above the reservoir. The wire will be attached to poles spaced 25 feet apart around the roughly two-mile reservoir. DEP said that this installation, similar to what has been installed at Hillview Reservoir in Yonkers, would protect the water by minimizing pollutants from migratory and resident water birds.

Objections focused on whether this installation was needed or required. Hillview Reservoir is not in a residential neighborhood, and the water is not filtered. JPR is filtered at the Croton Filtration Plant. The visual impact of another fence-like structure on the character of the surrounding community was raised. It was noted that because of its architectural and historical significance, Jerome Park is listed with the New York State Office of Parks, Recreation and Historic Preservation. The Reservoir was placed on the National Register of Historic Places in 2000.

- **Public Access:** DEP will replace the existing interior 10-foot fence inside the reservoir with a 4-foot fence. When Phase I of this plan was presented in 2014, DEP stated that the shorter fence would preclude public access due to safety and security concerns. The Environment and Sanitation Committee opposed this design element in its resolution passed on October 29, 2014 and sent to the PDC. However, Deputy Commissioner Landau stated that the lower fence would not be

an issue with regard to future public access. He will provide this assurance in writing ASAP.

Maintenance. Complaints were raised about lack of maintenance on DEP property outside of the perimeter of the fence. Deputy Commissioner Landau said that the Parks Department has that responsibility. However, he expressed his willingness to participate in future interagency maintenance discussions as per the Leventhal Memorandum. He was also interested in attending a joint Environment and Sanitation/Parks committee meeting in the spring. He will also look at the possibility of continuing the pathway along the outside fence, and restoring previously alienated parkland located on the eastern wall where the aqueduct rehabilitation project will take place.

Committee Action Taken:

The committee decided that further information was necessary prior to our motion at our December meeting. The chair will request the following information from DEP:

1. Letter stating that the inner 4-foot fence will not preclude public access.
2. Source material regarding federal or state regulations/mandates necessitating installation of the Bird Deterrent System. What impact will the poles holding the wires have on the earthen berm on the western side? Has SHIPO approved the design?
3. Staging: Can DEP provide the MOU or agreement between Lehman and the DEP on the easement? Are there any other MOUs or agreements or permits from other landowners?
4. The NYS Office of Parks, Recreation and Historic Preservation has approved Phase 1. Is there a letter of approval regarding phase 2?
5. Clarification/agreements with other agencies regarding which agency, DEP, Parks, Sanitation, or DOT is responsible for the grounds, paths and sidewalks around the perimeter of the JPR.

Item # 4. The November Chair's Report will be given at the December meeting.

Item # 5. No old business or new business was brought up.

The meeting was adjourned at 9:20 pm.

Respectfully submitted by,
Laura Spalter, chair
Environment and Sanitation Committee