

**NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENGINEERING DESIGN AND CONSTRUCTION  
CROTON FACILITY MONITORING COMMITTEE MEETING MINUTES  
WEDNESDAY, FEBRUARY 24, 2010 – 7:00PM**

The Croton Facility Monitoring Committee met on Wednesday, February 24, 2010 at the DEP Community Office, 3660 Jerome Avenue, Bronx, NY 10467.

Attending - CFMC representatives:

Damian McShane, Chairman, Community Board # 8; Paul Foster, Chairman, Community Board #7; Father Richard Gorman, Chairman, Community Board #12; Hector Aponte, Bronx Commissioner, Parks and Recreation Department; Jessica Noon and Wilhelm Ronda, Bronx Borough President's Office; Council Member G. Oliver Koppell; Mark Lanaghan, Department of Environmental Protection. Present were staff of DEP, Parks and Council Member Koppell's office, DEP's construction manager, members of the public and press. Attendees are listed on *Attachment 1*. A few individuals offered no contact information.

Welcome

Mr. McShane, CFMC Chairman, started the meeting at 7:15 PM. The meeting agenda was available - *Attachment 2*. Because DEP Commissioner Cas Holloway was briefly delayed, Mr. McShane asked the Parks Dept to give its update on Harris Ball Fields.

Harris Ball Fields Update

Frank McCue, Dept of Parks (DPR), presented slides and a fact sheet (*Attachments 3 & 4*) about the agency's plans to remove contaminated soil to a regulated disposal site. DPR has placed a layer of clean topsoil, on top of which will be placed geotextile fabric, and six additional inches of clean soil or clay on the fields, subsequently sodding the fields. DPR hired HDR (environmental consultant) to assist in formulating a plan, obtaining regulatory approval, removing the contaminated soils, and remediating the ball fields. Kevin McCarty, VP HDR, added to Mr. McCue's remarks. Mr. McCue said that the design consultant, Thomas Balsey Associates, is currently revising the construction documents to accommodate the change in elevation. Once the stockpiled material has been removed DPR will open the two synthetic fields and the play area. The four natural turf fields will be sodded this spring and will need time to knit.

In response to an inquiry from Bruce Rosenblum, area resident, about the source of contamination, Mr. McCarty explained the historic industrial uses of the property were typical of many such sites in NYC. In response to Mr. Koppell's question and comments about regulations, Mr. McCarty said that even though cleanup standards apply to remediation projects (not construction projects such as this), those standards are being employed as DPR's guide. Since some of the soils material exceeds the standard, DPR is exporting the material from the site. There was further discussion among Fr. Gorman, Michael Gary representing State Senator Espada, Helene Hartman-Kutnowsky, Community Board #7, Mr. Foster, and Mr. Aponte.

DEP Commissioner/Public Access to Jerome Park Reservoir (JPR)

Mr. McShane invited DEP Commissioner Cas Holloway to speak. Mr. Holloway said he is familiar with the Croton Filter Project and JPR. He talked about joining city government as staff for former Parks Commissioner Henry Stern. He praised the work of DEP and said he values the work of the Croton FMC. He said it is important to have the Croton Filter Plant operating in 2012.

Mr. Holloway explained the agency's work as a water utility, providing customer service, and managing the largest capital program among all city agencies. He said DEP is both a regulator and is itself regulated. He will ensure that the agency measures its efforts and is accountable. He said that at the CFMC's request he is attending the meeting to listen to the community.

Fr. Gorman said he hopes the Commissioner will have a good relationship with the FMC and that the FMC wants to be his partner. He requested of the Commissioner three things: no threats; treat the FMC and community well; and do not go to community groups or individuals, ignoring the FMC. The FMC should be the agency's first stop for input about the Croton Filter Project.

Mr. Koppell said that the community's opposition to construction of the facility was based on its being sited in parkland. He reviewed that \$200 million was earmarked for Bronx parks and a commitment was made to provide local jobs. Mitigation largely has been successful; as an example, Mr. Koppell cited his and the FMC's safety recommendation to build the Shaft and Meter Chamber. They requested and DEP agreed that for scheduling controlled blasting at JPR, any blast should occur after classes end. However, he said the jobs commitment has not been kept and that apprenticeships are important for local residents seeking to enter the construction trades. Mr. Holloway said he knows construction trades' procedures and will look into the situation.

Mr. McShane said that JPR is within CB #8 boundaries. JPR should be an asset to the community but by the DEP limiting public access, it has become a burden. He and Mr. Koppell described Community Board #8's NYC Charter Sec. 197-a Plan, which features the importance of parkland to the community. Mr. Holloway said he is getting agency input as well as public input before DEP completes its public access report. Mr. Holloway introduced DEP Deputy Commissioner Kevin McBride whose responsibilities include overseeing the DEP Police, ensuring public safety and infrastructure security. Mr. Holloway reiterated that a decision is not yet made on whether public access will be allowed at JPR. Mr. McBride spoke briefly about site security risk management, a critical part of his job.

Anne Marie Garti, Jerome Park Conservancy, spoke of the historic nature of the JPR and her work since 1993 on both the Croton Filter Plant and the plan for JPR's future. She said these plans involved former DEP Commissioner Marilyn Gelber and former Parks Commissioner Stern. She handed Mr. Holloway the Conservancy's Master Plan and other documents. She said she is confident that differences between DEP and the

community can be resolved and that DEP's concerns can be satisfactorily addressed. The community expects to have access to JPR.

Mr. Gary asked about the study of chlorine monitors around JPR.

Ed Yaker, Amalgamated Houses, said he's frustrated that no decision has been made to allow the community onto JPR.

Richard Barr, Bronx High School of Science Parents Association, spoke about the importance of student safety if chlorine gas is brought back to JPR. He added that the Old Croton Aqueduct Trail is significant, a pedestrian bridge over Major Deegan Expressway to connect both sides of Van Cortlandt Park (VCP) is needed, and the Parks Dept should provide an improved VCP map. A resident added that she tried to follow signage to reach the trail but could not. Mr. Aponte said that trails and signage are in design, and the design documents are currently between 80% - 90% complete.

Gary Axelbank, resident, said the Croton Filter Plant should have been constructed in Westchester County. Public safety and other considerations such as cost, modern filtration technology and other conditions would be more favorable at the Westchester site.

Jane Sokolow, BCEQ, read prepared remarks (*Attachment 5*) about the need for a pedestrian bridge and provided prepared remarks from Karen Argenti who was not at the meeting but wanted her comments in the record (*Attachment 6*).

Ms. Noon requested that DEP quickly fund another training program for construction workers. Mr. Lanaghan responded that, with Mr. Holloway's support, the training by Carpenter's Union/City Tech could proceed.

Mr. Holloway thanked the FMC and the public for its comments.

#### Construction Update

Bernard Daly, Croton Executive Project Manager, gave a construction report (*see Attachment 7*), using a chart with construction status through mid-May. The handout was pursuant to Mr. McShane's request for a 90 day look ahead. Mr. Daly repeated that the project is a Wicks Law job, requiring multiple separate contracts.

The CRO-312 contractors are continuing activities at the VCP site. Concrete placement is now more than 80% in place. Utility work and retaining wall construction at the plant's entrance are underway. Installation of masonry walls, precast concrete planks, platforms, tanks, piping and switchgear are underway. Electrical, HVAC and plumbing work are proceeding.

The CRO-313 contractor is installing nine foot diameter pipe in the Treated Water Tunnels. This contract is expected to be completed ahead of schedule.

The Contract CRO-315 work includes installation of the chlorine scrubber system in Gate House No. 5, which is nearing completion. The steel frame of the Demonstration Filter building has been dismantled. Removal of the foundation was deferred to a later time. The site may be temporarily used for construction staging and no final use has been determined.

The CRO-312 OS contractors are working behind the 20' high noise wall around the JPR Shaft and Meter Chamber site. A date for commencement of controlled blasting will be set soon and the CFMC will be notified. There have been no recent noise complaints from Bronx HS of Science; DEP has been coordinating with the High School administration and others. Work is being performed within Gate Houses 1, 2, and 3.

Mr. Daly repeated that no water is expected to be introduced into the basins for the foreseeable future and no chlorine is on site. He added that filling the basins depends upon the status of the New Croton Aqueduct and work taking place under contract CRO-334 and in other upstate areas of the Croton system. He said that the CRO 334 contractor is mobilizing to work on the dividing wall at JPR and also at 135<sup>th</sup> Street and Convent Ave. in Manhattan. To put the JPR work in visual perspective, Mr. Daly pointed to a recent aerial photo of the Shaft and Meter Chamber area (*Attachment 8*).

The CRO-312 Force Main construction will start in March when the contractor is scheduled to begin pre-construction test pit work. The FMC and community boards will receive further information based on the contractor's latest schedule. Mr. Daly said that the contractor is highly experienced in street work.

#### Jobs Report

Mr. Lanaghan very briefly updated the FMC because there will be a broader report on jobs and subcontracting at the next meeting. He said that using an average day, 946 workers are on site, 176 of whom (or 18%) are from the Bronx. He said that Skanska purchases about 1/3 of its goods and services from Bronx based companies.

Mr. Koppell asked Mr. Lanaghan to present the measures used by DEP and its contractors to verify that employees who report that they live in the Bronx actually do. This issue was responded to by Messrs. Lanaghan and Daly. Mr. Koppell requested for the March presentation, in addition to how many workers are from the Bronx, how many are from NYC.

#### Adoption of CFMC Meeting Minutes from January 21, 2010

Mr. McShane asked if the committee would approve the January Executive Committee meeting minutes. Upon a motion from Mr. Koppell, seconded by Fr. Gorman, the minutes were adopted.

#### CFMC Discussion

It was agreed by the CFMC to meet on March 18, 2010 with jobs and purchases the main topic.

Mr. McShane moved to adjourn, and the representatives unanimously agreed to adjourn at 9:20 PM.

<u>Name</u>	<u>Organization / Company</u>	<u>Address</u>	<u>Phone</u>	<u>Fax</u>	<u>E-Mail</u>
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Father Richard Gorman	Chair, Community Board #12	4101 White Plains Road Bronx NY 10466	(646) 284 4973		<a href="mailto:rgorman@cb.nyc.gov">rgorman@cb.nyc.gov</a>
Helene Hartman-Kutnowsky	Community Board #7		(718) 884-4740		<a href="mailto:helene.hartman-kutnowski@otda.state.ny.us">helene.hartman-kutnowski@otda.state.ny.us</a>
Greg Faulkner	Council Member Cabrera's Office	107 East Burnside Avenue Bronx NY 10453	(347) 590 2874	(347) 590 2878	<a href="mailto:ifaulkner@council.nyc.gov">ifaulkner@council.nyc.gov</a>

# NYC DEP - CROTON FCMC

Page 2 Continued.....

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Frank McCue	Dept of Parks & Recreation	Olmstead Center Flushing NY 11368	(718) 760 6676		<a href="mailto:frank.mccue@parks.nyc.gov">frank.mccue@parks.nyc.gov</a>
Angel Roman	DEP Dep Press Secretary	59-17 Junction Blvd. Corona NY 11368	(718) 595 6600		<a href="mailto:aroman@dep.nyc.gov">aroman@dep.nyc.gov</a>



**Agenda**  
**Croton Facility Monitoring Committee Meeting**  
Wednesday, February 24, 2010 – 7:00 PM  
DEP Community Office, 3660 Jerome Avenue, Bronx NY 10467

- |   |  |
|---|--|
| <b>I. Welcome, Introductions</b>  | Damian McShane, Chairman                 |
| <b>II. Remarks</b>  | Cas Holloway, Commissioner,<br>DEP       |
| <b>III. Questions and Comments for DEP<br/>About Public Access to JPR</b> | CFMC Principals<br>Members of the Public |
| <b>IV. Construction Update and Look-ahead</b>                             | Bernard Daly, DEP                        |
| <b>V. Update on Harris Park Ballfields</b>                                | Frank McCue, Parks                       |
| <b>VI. DEP Report on Jobs &amp; Hiring</b>                                | Mark Lanaghan,<br>Robert Barnes, DEP     |
| <b>VII. Consider, Adopt 1-21-10 Minutes</b>                               | CFMC Principals                          |
| <b>VIII. CFMC Discussion, Set Next Meeting</b>                            | CFMC Representatives                     |
| <b>IX. Adjourn</b>  |  |

*Upon recognition by the Chairman, the CFMC invites members of the public to raise questions and make comments throughout the meeting*



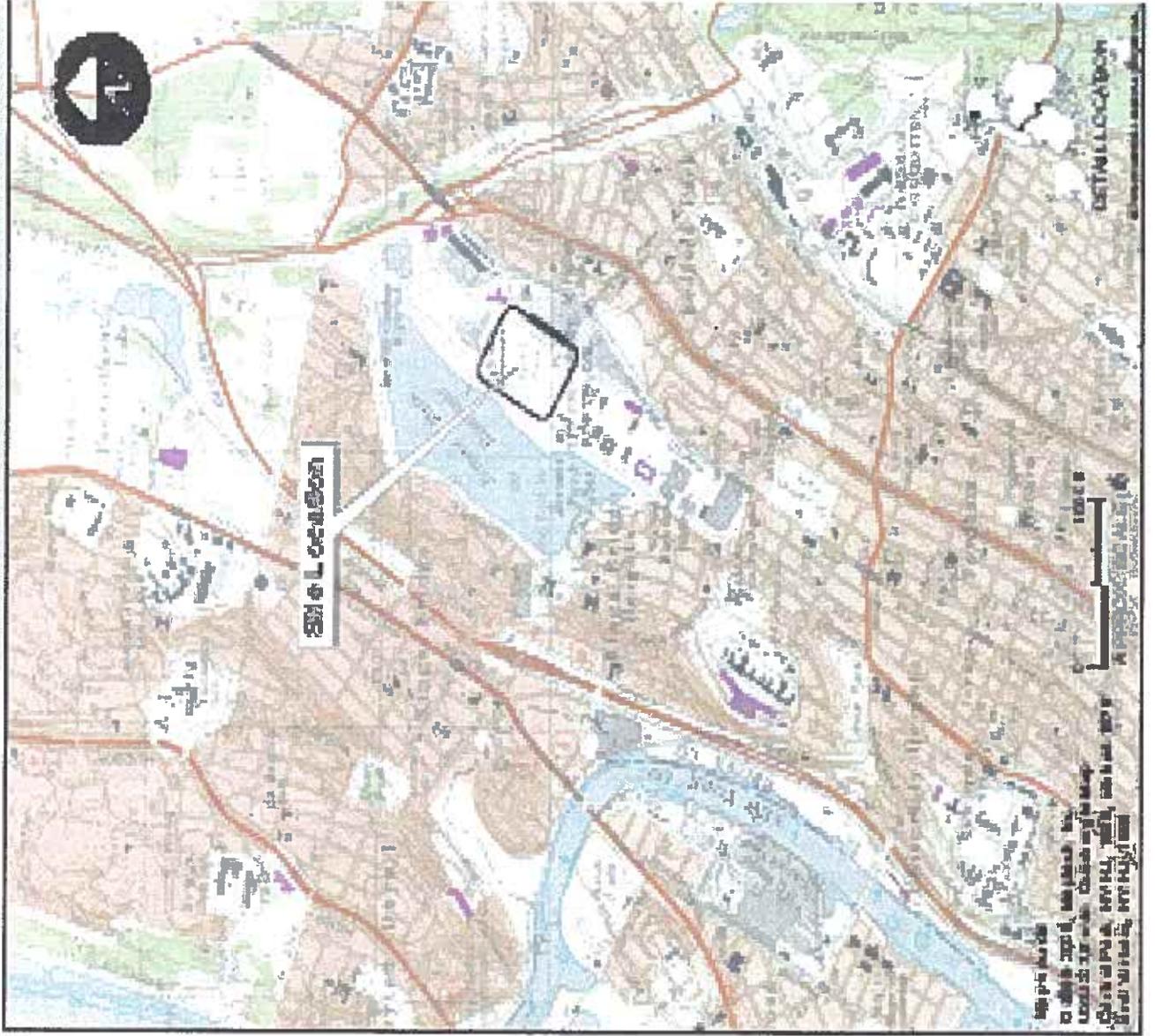
Attachment 3

New York City Department of Parks and Recreation

# Harris Park Ballfields

February 24, 2010

# Site Location : Goulden Avenue, Bronx





## Questions ?

Please Contact:

Frank McCue  
NYCDPR - Olmsted Center  
Flushing Meadows Corona Park  
Flushing, NY 11368

[Frank.McCue@parks.nyc.gov](mailto:Frank.McCue@parks.nyc.gov)

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CITY OF NEW YORK  
DEPARTMENT OF PARKS AND  
RECREATION

Harris Ball Field Project  
Goulden Avenue  
Bronx, New York

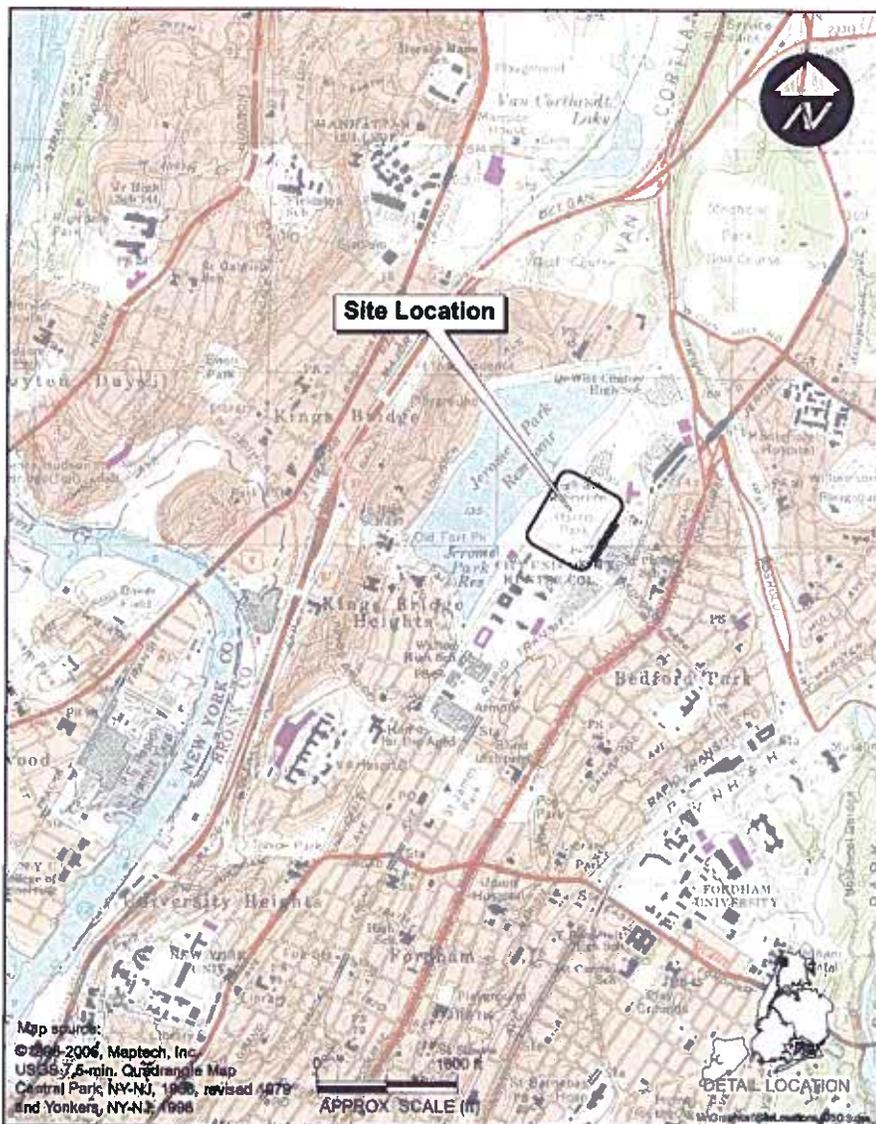
## Public Information

February 2010

Dear Community Members,

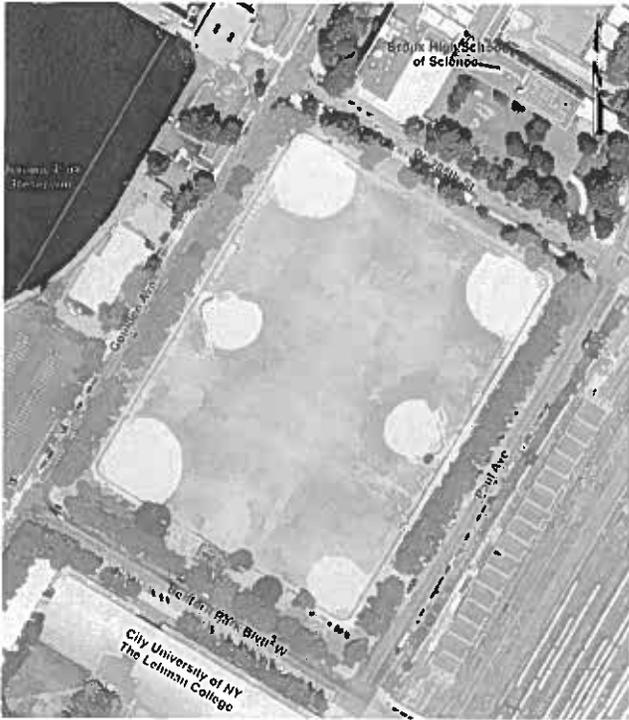
This Fact Sheet is to inform you about the next phase of work taking place at the Harris Ball Field Project Site. The New York City Department of Parks and Recreation (DPR) has proposed a draft schedule to provide the public with tentative project phase completion dates.

This fact sheet includes information on soil testing results, next steps for removal of material, revisions to the design plan for the ball fields to deal with onsite historic fill material and input from other agencies on DPR's plans for the site.



## Removal of Excess Historic Fill Material

The City of New York Parks and Recreation (DPR) is presenting a plan for management of contaminated historic fill material that was identified during the construction of the ball fields and drainage at the Harris Park Site located in the Bronx, New York. This project plan includes the removal and appropriate disposal of excess fill material currently stockpiled or in place, and engineering controls for ongoing site management to prevent exposure to recreational users of the fields. The components and procedures of the project have been submitted and reviewed by New York City Department of Environmental Protection (NYCDEP) and NYC Department Health and Mental Hygiene (DOHMH).



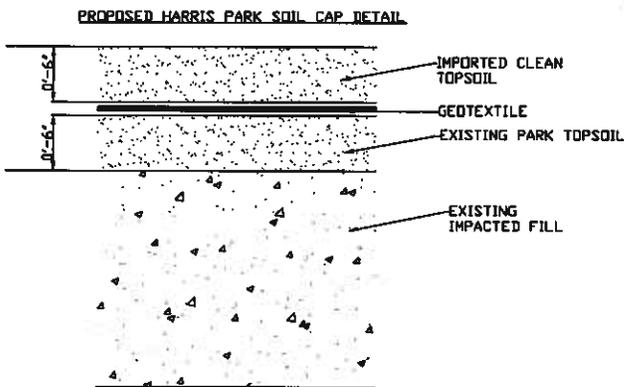
**The Proposed Action:** The proposed development includes the reconstruction of ball fields at Harris Park to continue its use as an active recreation area. The recreational areas include: natural and artificial turf playing fields; a walking path; and landscaped play areas. The fields remain at the same elevation, however, installation of underground infrastructure generated approximately 12,000 cubic yards of excess material.

Under current New York State Solid Waste Regulations, all excess material from construction projects must be properly handled and discarded. DPR has performed initial testing of the material and is currently soliciting information from disposal or reuse facilities to accept it based on the preliminary data. After properly permitted disposal or reuse facilities are identified, and their permits are reviewed, all of the stockpiled material will be fully tested and classified according to specific disposal facility permits.

The area of Harris Park was filled in the early 1900s with what appeared to be a mixture of coal ash, cinders, and other incinerated material mixed with debris and soil. This is consistent with fill material dating from the early 1900s found elsewhere in NYC. Laboratory testing of the soil revealed that some samples contained more than 400 parts per million (ppm) of lead, which is the regulatory standard for bare soil in children's play areas. This includes samples from the excess fill material which will be discarded off-site as well as soil below the clean top soil already put in place.

Following removal of the excess fill, the ball fields will be completed using engineering controls designed to protect people from exposure to the historic fill. These engineering controls will include: leaving the existing 6-inch layer of clean topsoil and infield material in place; placing a geotextile fabric or layer on top; adding an additional 6-inches of clean topsoil or infield clay; and then sod will be placed on the topsoil. The topsoil, sod and geotextile fabric will provide full coverage of underlying historic material remaining at the site.

Harris Park will operate under a Site Management Plan, which requires replacement of the geotextile barrier and topsoils each time work is performed. The site management plan is similar to others that have been approved for open space recreation projects by New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Health (NYSDOH).



Above: Cross Section for Cover

**Statement of Jane E.S. Sokolow to the Croton Filtration Monitoring Committee  
February 24, 2010 – 7:00 p.m. DEP Community Office**

In 1999, the City Council passed Resolution No. 933 which approved with modifications the City Planning ULURP No. C 990237 PSX (L.U. No. 471): site selection of property located in Van Cortlandt Park (Mosholu Golf Course)...for use as a water treatment facility.

One of the modifications (#9) stated that the DPR (not DEP) "shall undertake a study and impact analysis to determine whether or not a pedestrian footbridge, crossing the Major Deegan Expressway linking the heretofore and connected east and west portions of Van Cortlandt Park is technically, legally and financially feasible. Said study shall be completed by September 2002 and the results of such study shall be filed with the Speaker of the City Council and the Director of the Land Use Division of the City Council within ten (10) days of completion. In the event that said study determines that the construction of such a pedestrian footbridge is technically, legally and financially feasible, a Budget Modification, transferring from DEP to DPR funds sufficient to design and build it shall be introduced in the Council by the Mayor within sixty (60) days of the completion of the study;..."

According to the DEP's attorney Mark Lanaghan the feasibility study was recently completed by DEP (not DPR) and it was reported at the December 2009 FMC Meeting that the cost for such a pedestrian bridge would be \$6.5 million. A copy of the study in a written document was handed to Van Cortlandt Park Administrator Margot Perron. The minutes of the December meeting state "The study and the costs will now be reviewed by the Parks Department and discussed again with DEP. Until after these discussions, the report won't be publicly shared." When City Council Representative G. Oliver Koppell asked to see the report, Mr. Lanaghan shook his head no.

Since the request for such study was made as part of a City Law/Resolution and the report was to be filed with City Council within ten days of completion, it is not clear to me what law Mr. Lanaghan is following. Resolution 933 clearly states that DPR is to file the results of the study with the City Council within 10 days of completion (the fact that the study is 8 years late and was done by the DEP notwithstanding). Since it was DPR who was supposed to do the study to begin with, it does not state that DEP and DPR should have private discussions before filing with the City Council. City laws are public and therefore the study should be made available to the public immediately.

Commissioner Calloway, this is what my kids would call a "no-brainer". Follow the law. File the study as required with the City Council and make it available to the community and the public. If the City Council is not satisfied with the study or the fact that it was DEP not DPR who conducted the study, that is an issue between you and the City Council, and I am sure they will deal with that.

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 933**

..Title

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 990237 PSX (L.U. No. 471), site selection of property located in Van Cortlandt Park (Mosholu Golf Course), west of Jerome and Bainbridge Avenues, the Bronx, for use as a water treatment facility.**

..Body

**By Council Member Sabini**

WHEREAS, the City Planning Commission filed with the Council on June 1, 1999 its decision dated June 1, 1999 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the Department of Environmental Protection (ADEP≅) and the Department of Citywide Administrative Services, for the site selection of property located in Van Cortlandt Park (Mosholu Golf Course), west of Jerome and Bainbridge Avenues (Block 5900/part of Lot 1), Borough of the Bronx (the "Site"), for use as a water treatment facility (ULURP No. C 990237 PSX) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 22, 1999;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (AFEIS≅), for which a Notice of Completion was issued on May 20, 1999 (CEQR Number 98DEP027X); and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

**RESOLVED:**

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) the FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

- (2) consistent with social, economic and other essential considerations, from among the reasonable alternatives, the proposed action is the one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FEIS; and
- (3) consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the approval those mitigative measures which were identified as practicable; and

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.9(c)(3).

Pursuant to Section 197-d of the City Charter, on the basis of the Application and decision and in further mitigation of the impacts identified in the FEIS, the Council approves the Decision with the following Modifications:

- 1.) the Mosholu Golf Course shall be fully restored as an 18-hole, executive course and driving range; said restoration will commence as soon as possible and will be completed as soon as practicable after completion of the filtration plant roof;
- 2.) DEP shall transfer \$13.4 million to the Department of Parks and Recreation (ADPR) which shall expend such amount on the Forestry Management Program at Van Cortlandt Park including, but not limited to, efforts to monitor and maintain wetlands, and restore Aold growth where feasible;
- 3.) DEP shall transfer \$1.0 million to DPR, which shall expend such amount on the renovation of the Shandler Recreation Area. Said renovation shall include, but not be limited to, the renovation of two (2) ball fields, and lighting;

- 4.) Within sixty (60) days of the approval of this Resolution by the Council, DEP shall transfer \$2.0 million to DPR, which shall expend such amount on the renovation of the Saturn Playground. Said renovation shall include, but not be limited to, landscaping, the upgrading of the playground equipment and pathways, and new lighting. DPR shall complete the sign for said Saturn Playground renovation by January 2001 and shall complete construction of said renovation by September 2002;
- 5.) DEP shall transfer \$3.0 million to DPR, which shall expend such amount on the upgrading and improvement of the Old Croton Aqueduct Trail. Said upgrading and improvement shall include, but not be limited to, drainage improvements, new plantings and grading, new culverts and other anti-erosion measures and the sealing of the abandoned gatehouse;
- 6.) DEP shall transfer \$50,000 to DPR, which shall expend such amount on signage describing and explaining the flora and fauna within the wetlands areas of Van Cortlandt Park adjacent to the filtration plant. Such signage shall be in plain language and shall be designed to assist park users in taking self-guided tours of the park;
- 7.) DEP shall transfer \$1.0 million to DPR, which shall expend such amount on the renovation of the entrance way area west of Dickensen Avenue, near Van Cortlandt Park South. Said renovation shall include, but not be limited to, new landscaping, fencing and drainage;
- 8.) DEP shall complete the Valve Chamber restoration work by November 30, 2000;
- 9.) DPR shall undertake a study and impact analysis (Athe study≡) to determine whether or not a pedestrian footbridge, crossing the Major Deegan Expressway linking the heretofore and connected east and west portions of Van Cortlandt Park is technically, legally and financially feasible. Said study shall be completed by September 2002 and the results of such study shall be filed with the Speaker of the City Council and the Director of the Land Use Division of the City Council within the ten (10) days of completion. In the event that said study determines that the construction of such a pedestrian footbridge is technically, legally and financially feasible, a Budget Modification, transferring from DEP to DPR funds sufficient to design and build it shall be introduced in the Council by the Mayor within sixty (60) days of the completion of the study;

- 10.) There shall be a Facility Monitoring Committee (AFMC≅) that shall consist of representatives of DEP, DPR, the Chairs of Bronx Community Boards 7, 8 and 12 or their designee(s), the Council Member in whose district the filtration plant is located or his/her designee, and the Bronx Borough President or his/her designee. The FMC shall meet at least quarterly and shall advise DEP on all aspects of the design and construction of the filtration plant and all mitigation measures set forth in the FEIS and this Resolution.

The approval of the Decision is conditioned upon these Modifications. Any change in the requirements of these Modifications shall require approval in advance by the Council.

Adopted.

Office of the City Clerk, }  
The City of New York, }ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on July 21, 1999, on file in this office.

.....  
City Clerk, Clerk of Council

Comments to DEP Commissioner Cas Holloway  
Croton Water Treatment Plant (CWTP) Facilities Monitoring Committee (FMC)  
February 24, 2010

To Commissioner Holloway:

Many of us are very concerned about increasing transparency in government. While we may differ on our opinions, we can not differ over facts. But those facts need to be shared.

Over the years, the DEP signed off on major cost over runs in the Croton Water Treatment Plant, which increased inexplicably from \$1 billion to over \$3 billion. At the same time, the DEP did not provide prevailing wages nor maintain fair labor practices for its employees.<sup>1</sup> Furthermore, promises that were made to our community are not being kept.

1. The **Outdoor Urban Ecology Lab**, the "OUEL," was promised to our community in the 1990's. Many attended meetings to design the OUEL along with staff from the local schools, the Parks Department and the DEP indicating that the City of New York was clear partners in this exercise.<sup>2</sup> As stated in the 2004 EIS: "*The demonstration plant will be removed and this land will be made available for public uses. . . . . However, in the past, and in the future, NYCDEP will require temporary access to this area for the maintenance of the City's infrastructure.*" (Response to Comments, 132)
2. **Removal of the Demonstration Water Treatment Plant**, a project funded in the 1980s along with the construction of the Dividing Wall, was promised to our community. This facility has been projected to be removed for some time, and now can not proceed because it is too expensive to remove the asbestos.
3. A feasibility study to determine whether a Van Cortlandt Park **Pedestrian Bridge crossing the Major Deegan** was promised in 1999. The purpose of the bridge would be to join Van Cortlandt Park East to West along the Croton Trail.

Although many of us have asked, we have never been given adequate answers to why these three projects have never been fulfilled. There are many others, too numerous to mention at this time.

Those are the facts.

As former Chief of Staff to a Deputy Mayor of Operations Ed Skyler, you were in charge of this agency, and as such, accountable for these issues. Now that you have been appointed Commissioner, can we expect a change?

Karen Argenti  
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646-462-4132

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<sup>1</sup> DC37's Public Employee Press at [http://www.dc37.net/news/pep/2\\_2010/DEP\\_OTpay.html](http://www.dc37.net/news/pep/2_2010/DEP_OTpay.html), and [http://www.dc37.net/news/pep/2\\_2010/1320wages.html](http://www.dc37.net/news/pep/2_2010/1320wages.html)).

<sup>2</sup> <http://www.waterblogged.org/wp-content/uploads/2008/06/outdoorurbanecologylab-jpc-2008.pdf>



