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NEW YORK'S GREEN APPLES, BAD APPLES: NRDC EARTH DAY PICKS 2005

NEW YORK CITY (April 22, 2005) – Thirty-five years ago this week, tens of thousands of New Yorkers poured onto the streets of New York to demand clean air, safe water and environmental protection in every sphere of city life. Similar events took place across the nation that day, as millions of Americans launched the modern environmental movement.

Things have improved dramatically since that first Earth Day. The air is cleaner and so are New York's waterways, thanks mostly to federal, state and local laws passed since the 1970s. But significant concerns involving these core concerns remain, and new challenges have emerged.

This year also marks the 35th birthday of NRDC (Natural Resources Defense Council), one of America's leading conservation organizations, which was founded in New York City in 1970. Today we have more than a million members and activists nationwide, but The Big Apple remains our home.

"New York City has some of America's greatest environmental gems, and some of its most difficult environmental challenges," said Eric Goldstein, Director of NRDC's Urban Program. "We need strong leadership to protect the good things, and fix the bad ones. We've had great successes over the years, but we have a ways to go before every New Yorker has the clean air and water they deserve."

To mark both occasions, we're looking at some of today's best environmental places in New York, and also some of the most environmentally worrisome locations. We've identified five "Green Apples" – New York City's best environmental sites – and five "Bad Apples" – the city's most worrisome environmental trouble spots.

Our aim is to focus on recent developments, so that, for better or worse, historic problem sites (e.g., power plant pollution) and historic bright spots (e.g. Central Park) have not been included. The lists are not a ranking of best and worst; the items appear in alphabetical order.

NRDC's NEW YORK CITY GREEN APPLES, 2005

NRDC identifies five of the most noteworthy and environmentally significant green spots for 2005 based on the importance to New York City's environment, the number of people utilizing the resource, or the example it sets, and developments that have or which could affect the green spot. The five Green Apples are listed in alphabetical order with a brief description:

Bronx River

The long-overlooked Bronx River has been rediscovered. This 23 mile water body flows from New York City's Kensico Reservoir, north of White Plains, traveling through both Westchester County

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and the length of the Bronx, before emptying into the upper portion of the East River. Although it is described in the Encyclopedia of New York City as "a meandering, scenic waterway," it had been a neglected dumping ground, ignored by government officials for years.

Things began to change over the past several decades, as local Bronx activists reconnected with and sought to reclaim their river. The restoration effort moved into high gear with the incorporation of the Bronx River Alliance in 2001, whose ambitious agenda includes river restoration projects, creation of a continuous Bronx River greenway, assistance to community-based efforts along the river, educational programs using the river as an outdoor classroom, and local water quality monitoring.

Over the past year, the Alliance and cooperating agencies and allies broke ground on initial segments of the Bronx River Greenway, which it is hoped will one day run along the full course of the river. Two sections – one at the southern end in Hunts Point, and one just north of the Bronx Botanical Garden in the Bronx River forest – have gone from the drawing board to reality.

Meanwhile, Greenway teams began design work on other sections. The Bronx River Crew continued restoration projects in conjunction with local community groups. Various scientific studies and monitoring work moved forward. And perhaps best of all, Bronx residents are increasingly returning to their River for education, recreation and community-building.

Of course, the Bronx River still faces challenges. In addition to securing additional funding for needed restoration and greenway projects, the River's supporters have identified the continuing sewage discharges from wet weather sewage overflows into the river as a pollution priority requiring governmental attention and assistance.

Hudson River Park

Before our eyes, New York City residents are experiencing the birth of a new urban recreational gem – the Hudson River Park. It could well be the most significant new park development in New York City since the creation of Central Park, nearly 150 years ago. In 1998, Governor George Pataki signed into law the Hudson River Park Act, which along with early work by Assembly Member Richard Gottfried and former State Senators Franz Leichter and Roy Goodman, set the stage for this new park initiative.

Stretching for five miles along Manhattan's Hudson River from the Battery to 59th street, the park will provide New Yorkers with broad access to the waterfront and the River and help revitalize the borough's entire west side. The first section of the Park in Greenwich Village opened in May 2003 to rave reviews and huge and diverse crowds.

Over the past year, the Hudson River park has continued to blossom. Work is now underway on parts of the Clinton section, while the Chelsea Waterside Playground is scheduled to open on April 29. In February, Governor Pataki committed an additional \$15 million in state funding for the park, which will be matched by \$15 million from the city. The money will be used for the Chelsea section, including the rebuilding of Pier 64 and the creation of five new acres of park open space at Pier 63.

Still, \$150 million in additional funds are needed to complete the dream of the Hudson River Park. Friends of Hudson River Park and other advocates are hoping the Lower Manhattan Development Corporation will come through with a long-sought \$70 million contribution to advance construction

in the Tribeca section, from Houston to Chambers Streets (the only part of the park for which no funding has yet been received).

New York City's Smoke-Free Bars and Restaurants

Even by New York City standards, tobacco smoke is a big-time pollutant. It contains more than 4,700 chemical compounds, including arsenic, benzene, carbon monoxide, carcinogenic tars, formaldehyde, nicotine, nitrogen oxides, sulfur dioxide and vinyl chloride, to name a few. It is the leading cause of lung cancer, more than doubles the risk of heart attacks and strokes. According to the City's Department of Health and Mental Hygiene, roughly 10,000 New York City residents a year die from tobacco-related disease, and 1,000 die from exposure to second-hand smoke.

In a major public health offensive, Mayor Michael Bloomberg proposed legislation in 2002 to strengthen New York City laws restricting indoor smoking. By year's end, and with the support of Council Speaker Gifford Miller, one of the nation's toughest clean indoor air laws had been enacted. The new law prohibited smoking in essentially all city bars and in bar sections of city restaurants. It is estimated that the law covered more than 12,000 bars and restaurant bar areas.

Since the new law took effect in 2003, New York's indoor air has gotten cleaner. City agencies report that, despite initial grumbling by some bar and restaurant owners, there has been widespread compliance with its provisions. Press reports, including a major feature in the *New York Times*, suggest that owners who feared the new restrictions would mean a loss of business have been pleasantly surprised. And the city law has become a model for other localities around the country, and for New York State, which enacted its own statute in 2003.

It is easy to overlook the benefits of spending time in a bar or restaurant and not having to inhale tobacco smoke, just as most of us take for granted the smoke-free air we breathe in movie theaters or airplanes. Nevertheless, the passage and successful implementation of Mayor Bloomberg's clean indoor air law has been welcome news.

The Solaire Building

For New Yorkers looking for healthy living, the best place to start is in their homes and apartments. For residents who own their own homes, there is much they can do to "green" their houses (installing energy-efficient lighting, improving insulation, buying Energy Star-certified appliances etc, www.energystar.gov). But for most people who rent such choices are usually made by the developers and landlords.

The Solaire is a 29-story apartment tower located at 20 River Terrace in Battery Park City. It is also one of the most sophisticated "green" residential buildings in all of New York City. Its exciting energy-saving design is 35 percent more energy-efficient than the building code requires, and is complete with all Energy Star appliances, specially coated windows to preserve air conditioning in summer and heat in winter, floor-to-ceiling windows to maximize sunlight, and solar panels to convert sunlight into electricity.

The Solaire has a central water-filtration system allowing for water reuse throughout the building, low-flow water fixtures, and devices to capture rainwater to irrigate the building's rooftop garden. The building also includes custom wood cabinets from sustainable forests (certified by the Forest Stewardship Council, www.fscus.org), building materials and paints that release little or no harmful vapors, and pesticide-free landscaping.

The Solaire opened in 2003 with little fanfare, but during the past year, it has begun to receive the recognition it deserves. It has recently received an award for Excellence in Design from *Environmental Design and Construction* magazine. The Solaire is 100 percent occupied and green building advocates are advancing its features as a model to be used other new construction in New York City, such as the planned commercial and residential development on the far west side.

Staten Island Greenbelt

Mayor Michael Bloomberg had this to say about the Staten Island Greenbelt: "You would think you were in the heart of the Adirondacks, not the city." The Greenbelt – 2,800 rugged acres of woods, wetlands, meadows, streams, and lakes – lies in the center of the borough and offers residents and visitors alike a unique chance to reconnect with New York's natural history.

Officially designated in 1982, it is the largest city park under municipal jurisdiction, and it offers more than 28 miles of trails. For Staten Islanders faced with vanishing open space, the Greenbelt is truly an oasis.

This remarkable resource – not all of which is fully protected – remains vulnerable to development pressures. With a population influx of roughly 20 percent since 1990, Staten Island is experiencing a continuing surge in new construction. Forty-two acres of nearby woods, near Clay Pit Ponds State Park Preserve, were recently cleared for yet another large shopping center.

And recently, despite ongoing advocacy by Protectors of Pine Oak Woods and other advocates, the Parks Department shelved a fully funded \$1.2 million Staten Island greenway that would have provided a recreational corridor between the waterfront and the Greenbelt; apparently the Borough President is holding up the project, due to fears it would limit future road-building options.

But while buffeted by political and economic forces, the Staten Island Greenbelt has thrived in the past year. The long-awaited Greenbelt Nature Center opened to the public, providing events and workshops for all ages in a beautiful new Frank Lloyd Wright-inspired building. Visitors are flocking to the new facility and to the unique natural resources the Greenbelt offers.

To safeguard the Greenbelt and combat Staten Island's growing pains, representatives from more than 20 neighborhood and environmental groups recently came together as the Coalition to Save Staten Island, forming a united and determined front for protection of local natural treasures, starting with the Staten Island Greenbelt.

NRDC's NEW YORK CITY BAD APPLES, 2005

The five Bad Apples are listed in alphabetical order with a brief description:

The Belleaire Resort Development and the Catskill Casinos

New York City's environmental quality is inextricably linked with the fate of the State's Catskill mountain region. The City receives 90 percent of its water supply – over one *billion* gallons a day – from six huge reservoirs that are located as far as 125 miles northwest of Manhattan, in the land area known as the Catskill and Delaware watersheds.

Drinking water from these areas is so clean that it does not presently require filtration to meet federal tap water standards. Protecting land in these watersheds is even more critical for the city because if the quality of this drinking water declines, New York City could be ordered to construct mammoth filtration facilities, at a cost to city ratepayers of \$6 billion or more in capital costs alone. Much of this landscape falls within the majestic New York State Catskill Park and Catskill Forest Preserve, whose world-class trout streams and other recreational opportunities are economic cornerstones.

Unfortunately, the Catskill region is increasingly jeopardized by ill-advised development that threatens to overwhelm the area and permanently alter the rural character of the region.

One example is the proposed **Belleayre Resort development**: two 18-hole golf courses, and nearly 100 new buildings - including two large hotels, and hundreds of time-share unit. All this would be built on 570 acres flanking the state-owned Belleayre Ski Center in the heart of the Catskill Park.

Another is the proposal to build as **five Las Vegas-style casinos in Sullivan County**. According to the state, these casinos are expected to attract more than 30 million visitors to the area every year. Even though the casinos themselves would be located just outside the watershed, the growth consequences that would be set in motion by massive-scale development would permanently transform the landscape and lead to sprawl on Catskill/Delaware watershed lands.

Both projects have been advancing in Albany, although the fate of both plans remains uncertain. The State Department of Environmental Conservation is expected to decide in coming weeks whether the Belleayre development proposal must first undergo state adjudicatory hearings before the project's pollution discharge permits and environmental impact statement are approved. Although the Pataki Administration recently withdrew legislation needed to build all five casinos, plans for the first casino are moving forward and as many as three Catskill casinos are already authorized under current law.

Of course, City water officials, as well as conservation groups both upstate and downstate, recognize the need to insure economic vitality for Catskill residents. They (and we) support appropriately scaled "smart growth" in such areas as forestry, farming, tourism and the arts. But huge new development proposals are the wrong answer.

Jamaica Bay Wildlife Refuge

Jamaica Bay is the crown jewel of New York City's ecological resources. It is the only wildlife refuge in the National Park system, and only National Park unit that can be reached by subway – providing thousands of urban dwellers with what is often their first opportunity to experience the beauty of nature. In terms of bird life alone, the Bay is home to more than 300 species, including several dozen of which are rare, threatened or endangered. According to U.S. Fish and Wildlife Service estimates, nearly 20 percent of North America's bird species migrate through or breed in the Bay each year.

But Jamaica Bay's health is rapidly deteriorating. For reasons not yet fully understood, its salt marshes are disappearing at an alarming rate. Since 1986, water clarity in Jamaica Bay has declined by almost one-third. And, over the last several years, dissolved oxygen levels in much of the Bay have decreased and the occurrence of harmful algal blooms has increased. Many scientists predict that, unless a solution is found, the Bay's marshes will completely vanish within two decades.

Loss of shoreline wetlands to development, including the expansion of JFK airport, has also altered historic water flows. Extensive dredging and filling have changed the Bay's natural tidal flushing and circulation patterns. Pollution from nearby sewage treatment plants, sewage overflows, airport runoff and other sources are all stressing the Bay's resources.

The government response to Jamaica Bay's plight has been inadequate. The National Park Service and Army Corps of Engineers have been conducting pilot restoration projects, but critical larger efforts such as preservation of remaining wetlands and a solution to the water pollution problem are grossly under funded and/or behind schedule.

In September 2004, the Bay's restoration took another blow when the City and State agreed to a weak and drawn-out plan to stop billions of gallons of sewage flowing into the Bay annually. The federal government has left a series of restoration projects around the Bay unfunded. Without more involvement and a greater sense of urgency, one of New York's most exceptional and unique natural resources could be doomed.

Diesel Pollution Hotspots: Northern Manhattan Bus Depots & Major Construction Sites

While much progress has been made in reducing air pollution in New York City since Earth Day 1970, diesel soot remains a persistent problem. Tiny particles, released from the incomplete combustion of diesel fuel, carry dozens of toxic chemicals. In dozens of studies, diesel emissions have been linked to increased asthma attacks, cancer and premature death. According to one analysis, roughly 1,800 New Yorkers die prematurely every year as a result of exposure to diesel pollution.

Impacts on people of color and lower-income communities are especially acute. **Harlem and other uptown communities** are home to some of the highest childhood asthma rates in the nation – and to five of the MTA's six currently operating Manhattan bus depots. Hundreds of buses are housed at these depots, where their fumes add to the disproportionate environmental burden.

New Yorkers who live near major construction sites - such as the large water filtration plant to be built under the **Mosholu Golf Course in the Bronx** or at the many construction projects in lower Manhattan – are also subject to high levels of diesel exhaust. Bulldozers, tractors, cranes and other machines use a type of diesel fuel that typically has 100 times as much sulfur as the fuel used in MTA buses – and much of this equipment lacks even the most basic pollution control devices.

The MTA's New York City Transit – which had delayed for eight years converting the Manhattanville depot to accommodate cleaner natural gas buses - entered into negotiations with the group West Harlem Environmental Action in an effort to resolve the Northern Manhattan bus depot problems. But last month, the MTA unilaterally broke off talks and announced that no more natural gas buses would be purchased.

Similarly, a ground-breaking city law requiring construction equipment operators to use the same low sulfur fuel as the MTA and to install the best available pollution control equipment passed in 2003. But City rules needed to implement the law are months overdue, and the draft proposal recently released by the Department of Environmental Protection has come up woefully short.

Both problems can be fixed. Governor George Pataki, the MTA and transit bus operators could invite northern Manhattan community leaders back to the negotiating table to develop a comprehensive

plan for cleaning up the MTA depots. As for construction sites like the Bronx filtration plant and lower Manhattan, the Department of Environmental Protection could fix their proposed regulations to insure that the cleanest fuels and emission control technologies are used at construction sites around the city.

Hazardous Waste at Radiac Research Corporation

The Radiac Research Corporation is a hazardous waste transfer and storage facility, located next to a radioactive waste transfer station in the booming Williamsburg section of Brooklyn. These facilities receive hazardous and radioactive waste from all around the United States before shipping it to permanent disposal sites. Radiac's permit from the New York State Department of Environmental Conservation expired in 1994.

Allowing both the hazardous radioactive waste facilities to operate side-by-side in a mixed-use neighborhood is one of the most jarring and potentially dangerous land uses in the city of New York. The block on which Radiac is located is increasingly residential, and many more neighborhood apartment buildings are being built or converted. One block away is Public School 84, with more than 1,000 students.

A fire safety consultant working for Radiac has found that if a single 55-gallon drum of the chemical heptane bursts (the facility is licensed to hold 88 such drums) and if a spark is present, the resulting fire could easily overtake the facility's antiquated sprinkler system. If this were to happen, the fire could jump into the radioactive waste facility. The resulting plume of toxic and radioactive gases could pose a major threat to the Williamsburg community.

Since Radiac applied for a renewed permit before the old permit expired, it has been able to stay in operation. After more than a decade's delay, the State DEC has finally scheduled a public hearing for a renewed permit for May 23, 2005.

Proposed Westside Stadium

The proposed Jets stadium on Manhattan's far west side has for the past year been New York City's most contentious and visible land use dispute. Proponents claim it will bring jobs, boost the city's economy and help anchor far west side development. Community opponents respond that the adverse impacts on Manhattan's west side would be enormous and that jobs and development will come in any event as a result of the recently enacted far west side rezoning.

A review of the draft Environmental Impact Statement for the proposed Jets Stadium demonstrates that regardless of the project's potential merits, the current stadium plan involves significant environmental downsides. First, there are adverse consequences for the City's public transit network. The proposed sale of the MTA's rail yard site calls into question whether the Authority is receiving maximum value for selling this location; the accelerated bidding process that the MTA conducted could mean less money for the transit system and ultimately greater financial burdens for bus and subway riders.

The promise to expand the Number 7 subway line as part of the project has also left questions unanswered. Such expansions should only occur with assurances that the MTA has sufficient finances to meet its top capital priority – which is keeping the *existing* system in good repair.

Second, as the draft EIS itself shows, the Westside stadium is expected to have major adverse traffic congestion and pollution impacts, clogging already congested city streets on game days. Third, among other concerns, siting the stadium at the proposed location, would constitute an inappropriate waterfront land use; it would place a hulking structure along the Hudson, which would be deserted for most of the year and overwhelmed with people and traffic during its occasional use as a stadium.

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This assessment was prepared by Eric A. Goldstein, with contributions from Mark Izeman, Richard Kassel and Brad Sewell. The document was edited by Jon Coifman. Felice Segura assisted in developing the accompanying map. The authors thank Michael Gerrard, Albert Butzel and Linda Cox for their cooperation, and gratefully acknowledge the foundations that support NRDC's New York Urban Program and NRDC's members and contributors for making this assessment possible.

The Natural Resources Defense Council is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has more than 1 million members and online activists nationwide, served from offices in New York, Washington, Los Angeles and San Francisco.

New York's Green Apples, Bad Apples: NRDC's 2005 Earth Day Picks



Here are some of the most significant environmental trouble spots and best environmental gems on the New York City landscape.