

Van Cortlandt Park And The Filtration Plant

by Anne Schwartz

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In a close early-morning vote just before the end of the legislative session, New York State lawmakers approved the use of a section of Van Cortlandt Park for a controversial water filtration plant. In doing so, they broke a long tradition of going against the wishes of the legislator representing an area -- in this case, Assemblymember Jeffrey Dinowitz -- in turning parkland over for a non-park use. If Governor George Pataki signs the bill, it will put in motion a deal worked out between the Bloomberg administration and Bronx politicians to build the \$1 to 2 billion facility underneath the park's Mosholu Golf Course in exchange for \$243 million of park improvements in the Bronx.

The bill the legislature passed will not permit construction of the plant until the city completes a supplemental environmental impact statement on siting and running the facility in the park, which is like closing the barn door after the horses have escaped. The review is highly unlikely to conclude that two possible alternative sites would be preferable, although it may lead to better mitigation at the Van Cortlandt site. It would not consider a fourth site Assemblymember Dinowitz recently proposed, under the Major Deegan Highway in his district.

The law also requires the city to issue a Memorandum of Understanding, ratified by the City Council, identifying how much money will be dedicated by the city to "acquire and/or improve" Bronx parks and providing a list of eligible projects.

The city is under a court order to filter the part of its water supply coming from the Croton Reservoir to assure the safety of the drinking water. The city's first attempt to build a filtration plant partly underground in the park, proposed during the Giuliani administration, was derailed when the State Court of Appeals ruled that removing parkland from the public, even temporarily, amounted to a taking of parkland that required state legislative approval.

Under the revised [plan](#) by the Department of Environmental Protection, the filtration plant would be smaller and completely underground. As in the original plan, the golf course driving range would close during construction and be rebuilt on top of the plant, although plant opponents question whether this would be possible given the security concerns that have arisen since 9/11. The golf course would continue to operate during construction, but would displace the open space used by the nearby community.

Parks Commissioner Adrian Benepe said that the plan would provide "the greatest

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renaissance in Bronx parks since the WPA in the 1930s." He said that the parks department has a long list of projects that could be funded, including ballfields, playgrounds, and greenways, and will be seeking ideas from Bronx communities.

Organized labor has vigorously supported the siting of the facility in the park, although only about 5 to 15 percent of the various union members live in the Bronx and the legislation does not mandate that construction jobs go to city residents.

People who live in the neighborhood near the site, a low-income, ethnically mixed community, are still vehemently opposed to the plan because of the traffic, noise, and pollution that would be generated during construction and the years-long loss of parkland and of a popular after-school golf program. They are also concerned about additional truck traffic and the transport of chemicals to the plant when it is in operation. The communities near the park have had greatly increasing asthma rates in recent years.

Park advocates are concerned about the precedent of taking parkland for an industrial facility, and say that the environmental "review" as well as a city land use review - should have been conducted first to determine whether the park is truly the best site, and not just the easiest and least expensive one. "Parks are always the cheapest sites if you think of them as free land," said Elizabeth Cooke Levy, president of the non-profit Friends of Van Cortlandt Park.

The advocates are also leery because the city has not yet released detailed plans for the facility and has made no written guarantees about the amount of money promised for Bronx parks and what projects would be included. Cooke said that she thought the parks department is "naive in believing they're going to control how the \$200 million is spent."

Groups concerned about development in the Croton watershed question the necessity of building the plant at all, saying that the city should focus on watershed protection or look at newer technologies. They predict that filtering the Croton water would undermine efforts to protect the water at its source. Three major environmental groups had independent experts review the Department of Environmental Protection studies, and concluded that both filtration and watershed were necessary to safeguard the city's water supply.



Anne Schwartz is a freelance writer specializing in environmental issues. Previously, she was the editor of the Audubon Activist, a news journal for environmental action published by the

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