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The City of New York
Manhattan Community Board 8

*Mailed out
5/11/11*

August 12, 2011

Ms. Naomi Handell
Department of the Army Corps of Engineers, New York District
26 Federal Plaza, Room 1937
New York, N.Y. 10278-0098

Dear Ms. Handell:

This letter, along with the Manhattan Community Board 8 resolution, below, is intended as comment on the city's building permit application for a new dock per the proposed East 91st Street Marine Transfer Station (MTS) in Manhattan.

The permit application is lacking because it does not address mitigation in the context of the significant flood hazard and earthquake risk (please see resolution, below) that may exacerbate impacts on marine life, and on the waterway including its boat and other waterway traffic.

Since the dock would be located in a Hurricane Flood Zone A, making it susceptible to damage from a major storm and associated flooding, this fact needs to be considered. Damage to the dock from such an incident could result in the release of hundreds of tons of raw garbage into the East River waterway if the proposed MTS and dock are constructed. Likewise, the dock is susceptible to earth movement due to its close proximity to the 125th Street Fault Line, and consideration of this risk also needs to be fully considered and addressed in the mitigation plan.

At the September 10, 2008 Land Use Committee Meeting of Community Board 8M, the following resolution was adopted by a vote of 41 in favor, 0 opposed, 0 abstention, and 1 no vote for cause;

WHEREAS, the U.S. Army Corp of Engineers (USACE) is a federal agency that supports the United States' Department of Homeland Security and the Federal Emergency Management Agency (FEMA) through its security planning, research and development, disaster preparedness efforts, and quick response to emergencies and disasters;

WHEREAS, the USACE responds to Presidential disaster declarations, state and local emergencies;

WHEREAS, the USACE carries out a wide array of projects that provide coastal protection, flood protection, hydropower, navigable waters and ports, recreational opportunities, and water supply;

WHEREAS, the City of New York has proposed to locate a Marine Transfer Station (MTS) jutting out into the East River at East 91st St and York Avenue within Manhattan Community District 8; and

WHEREAS, the proposed site is located in the midst of the densely populated Yorkville residential neighborhood projected by the NYC Dept of City Planning to grow by more than 4,000 people from 2000 to 2010 and in conjunction with an increase of nearly 5,000 apartment units on the Upper East Side between 2000 and 2007, and is within 300 feet of two public housing projects, in close proximity to many schools, daycare facilities, senior citizen centers and housing for the elderly, adjacent to the Murphy Center historical landmark, and with an access ramp that would cut directly through the Asphalt Green sports and fitness complex and abut the outdoor sports field that serves thousands of children;

WHEREAS, the MTS would have a capacity of 4,290 – 5,280 tons of unscreened municipal solid waste per day containing substantial and dangerous quantities of hazardous materials found in residential, institutional and commercial solid waste including highly flammable, corrosive and toxic materials and received 24-hours per day, six days per week;

WHEREAS, fires and emergency evacuations have occurred as a result of the operation of solid waste transfer stations at other locations throughout the country that are not nearly as densely populated as Manhattan's Upper East Side;

WHEREAS, the NYC Office of Emergency Management identifies the proposed site as located in a hurricane flood Zone A (i.e., defined by FEMA as an area with a 1% annual chance of flooding), where a significant storm that reaches the MTS could spread water-borne diseases and bacteria through the densely-populated surrounding neighborhood;

WHEREAS, the proposed site is located in close proximity to the 125th Street fault line, making it susceptible to an earthquake even beyond the two tremors that struck the Upper East Side in 2001 (2.4 Richter scale magnitude in Jan 2001 and 2.6 magnitude in Oct 2001), since a significant earthquake (magnitude 5.0 or greater) is likely to hit NYC every 100 years according to Columbia's Lamont-Doherty Earth Observatory and seismology research center, with prior quakes of 5.0 magnitude or higher striking the NYC area in 1737, 1783, and 1884;

WHEREAS, the MTS would pose an unacceptable emergency response risk from fire, flood, earthquake, release of hazardous materials and other factors that threaten to result in the forced emergency evacuation of thousands of area residents;

WHEREAS, the barges from the MTS would pose safety concerns in the treacherous, already highly trafficked waters of the East River;


WHEREAS, Manhattan Community Board 8 (CB8) passed a resolution in opposition to the MTS on January 12, 2005 (attached);

THEREFORE BE IT RESOLVED that CB8 re-affirms its attached resolution of January 12, 2005 and further resolves that the USACE reject the siting of the MTS at the proposed location within Community District 8, and to advise the City of New York to identify alternative methods or alternative sites in an industrial or otherwise isolated area where it would not present an unmitigatable emergency evacuation situation and unacceptable public safety risk from flooding, earthquake or other factors that undermine the viability of the proposed facility location.

Please advise this office of any action taken regarding this matter.

Sincerely,


Jacqueline Ludorf
Chair


Dave Kleckner & Debbie Teitelbaum
Co-Chairs, Environment and Sanitation Committee

Cc: Hon. Michael Bloomberg, Mayor of the City of New York
Hon. Christine C. Quinn, Speaker of the New York City Council
Hon. Scott Stringer, Manhattan Borough President
Senator Elizabeth Krueger, NYS Senator
Hon. Micah Z. Kellner, NYS Assemblyman
Hon. Jonathon Bing, NYS Assemblyman
Hon. Jessica Lappin, NY City Council Member
Commissioner John J. Doherty, Department of Sanitation
Mr. Harry Szarpanski, Department of Sanitation
Ms. Maria Termini, Office of Community Affairs