

## DEC Region 2: Environment and Natural Resources Status/Trends

### Current Major Issues – Economy & Environment

- **Harbor Dredge Management**: The shipping industry is changing, using deeper draft vessels that require more dredging. At the same time, New Jersey's capacity to absorb dredged material from the harbor is becoming more limited. The pressure is on for New York City to find options for dredged materials management. A step toward solutions:
  - o *DEC Region 2 recently negotiated an agreement to allow dredged materials at the GATX site on Staten Island with specific testing protocols and construction standards, coupled with protection of adjacent wetland areas. This could be a model for other opportunities.*
- **New York Shipping Industry**: In keeping with the trend toward deeper draft vessels, the New York Container Terminal is seeking to expand so that it can better compete with New Jersey terminals for shipping business. *Although the currently drafted proposal would "take" 17 acres of wetlands, the company is considering alternative designs to reduce that acreage impact in light of feedback from both the Army Corps of Engineers and DEC.*
- **Coastal Erosion Hazards and In-water Development**: Two factors – (a) the high cost of land in New York City and (b) the real estate value and public attraction of waterfront features – are generating great pressure to build over water or in coastal erosion hazard areas. In one case, several units of a condominium built illegally in a coastal erosion hazard area became uninhabitable because a portion of the bluff beneath it subsided after a nor'easter.
  - o *Active, early communication between developers and regulators can identify design alternatives that achieve the development goal and address erosion/resource concerns.*
  - o *DEC contributed advice and input on the City's new Waterfront Management Plan.*
- **Permits Decision-making**: Two factors – (a) limited staff and (b) the failure of consultants to follow guidelines in permit application submissions – have made it difficult for DEC to keep up with its permit load. Staffing is not likely to increase in the near future. Steps toward solutions:
  - o *DEC Region 2 is developing a general permit that will give broad coverage for repair and replacement activities that need less individual scrutiny, to reduce the number of permit applications needing to be processed by up to 20%;*
  - o *DEC has invited the NYC Economic Development Corporation to collaborate on training for consultants, to improve the quality of permit submissions and speed review.*

### General Environmental Trends in Development as noted by DEC staff in recent years:

- Proposals for small scale facilities to manage specific sectors of waste, such as yellow grease facilities, anaerobic digestion facilities and gasification plants are on the rise. Many of these are preliminary proposals, not yet resulting in permit applications, but it is a trend of interest.
- Developers are becoming more experienced and comfortable with site remediation. Several major site remediation/development projects – such as the JETRO/Oak Point Properties and Queens West projects – have been successfully negotiated recently.
- While a steady stream of permit applications continues to arrive, the scale is trending away from very large projects toward more moderately sized projects.

## **Setting: Resource Features**

DEC Region 2 covers the five boroughs of New York City, and the New York State-jurisdiction areas within the adjacent saltwater features – New York Harbor, the lower Hudson River and the East River.

Air Quality – New York City’s air quality has improved over the years but still has compliance problems with the standards for ozone (photochemical smog) and inhalable particulates. Some air pollution is transported here from states to the west of New York, but some is generated here. While power plants and other larger sources of pollution have been brought under permit controls through the Title V air permit program, building boilers and traffic cumulatively remain important culprits.

Drinking Water Quality – New York City’s drinking water, with the exception of a small area in southeastern Queens, comes from upstate reservoirs, not from groundwater. So drinking water quality is mostly dependent upon the measures taken upstate to protect that watershed.

Wetlands: Historically, much of the City’s freshwater and tidal wetland areas were filled with coal ash and other waste to create more land. They were seen by many as a nuisance. Today their value is better understood. About 1,600 to 2,000 acres of freshwater wetlands are left in New York City (a 99% loss), and roughly 4,070 acres of tidal wetlands. Precise numbers for historic tidal wetland acreages in New York City are not readily available, but the entire Hudson Raritan Estuary contains roughly 14 square miles of tidal wetland area out of the original 86 to 100 square miles – an 83% to 86% loss.

## **Setting: NYC Demographics and Existing DEC Region 2 Environmental Responsibilities**

Environmental Justice Considerations: New York City has a diverse population (about 170 languages spoken) with a density of 26,403 people per square mile. DEC’s Environmental Justice and Permitting Policy (CP-29) seeks to increase the effectiveness of public participation in environmental decision-making and to consider cumulative impacts on over-burdened and low income communities. At least half of New York City would qualify as an “environmental justice” area.

Existing Development & Matters that Requires Environmental Monitoring: Region 2 carries a significant permit, inspection, and complaint response workload. The regional office regulates:

- Over 40% of the state's solid waste capacity as collected in transfer stations;
- Over 40% of the hazardous waste generated in the State;
- 14 large sewage treatment plants and 8 sewage sludge dewatering plants;
- Over 65% of the petroleum bulk storage tanks in New York.
- A third of the State’s Title V air permitted facilities;
- Roughly 3,000-3,400 petroleum spill reports per year;
- Final closure of one of the largest landfills, the Fresh Kills Landfill, slated to become a park.

Note: DEC also assists in disaster/emergency response in the City, especially providing guidance on management of spills, stormwater, and debris. Recent examples: The 2007 42d Street steam pipe explosion, the 2009 Plane-in-the-Hudson incident, and the double-tornado of 2010.