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## Testimony of Congresswoman Carolyn B. Maloney

### On the ULURP Process

### Concerning the Proposed East 91<sup>st</sup> Street Marine Transfer Station

January 12, 2004

I am U.S. Representative Carolyn Maloney, and I represent New York's 14<sup>th</sup> Congressional District. I am here tonight to ask this community board to resoundingly reject the Department of Sanitation and the Department of Citywide Services' land use application for the proposed East 91<sup>st</sup> Street Marine Transfer Station. I believe the process for picking this site has been flawed from the very beginning. It has lacked both honesty and transparency. This Administration has lent heavy deference to political rather than policy concerns. Nowhere is this more evident than in the Draft Environmental Impact Statement which in no way reflects the realities of operating a Marine Transfer Station in a densely populated residential community.

This DEIS fails to examine many factors that would have a major impact on the surrounding community. Most significant, the proposed facility will be built to process 4,290 tons of garbage per day. The DEIS, however, only considers the environmental impact of 1700-1800 tons of garbage per day, thereby violating the State Environmental Quality Review Act, which mandates analysis at full capacity. It strains credibility to assume the City will really use less than half of its capacity.

The DEIS also ignores the possible negative impacts on air quality and vehicular traffic caused by the proposed demolition and construction of the current MTS. Similarly, it fails to address specifically how the siting of this massive new facility would affect public usage of the

Asphalt Green recreational facilities. To suggest that there would be no effect on activities taking place at Asphalt Green while construction is underway is either disingenuous or naive. In addition, the DEIS fails to analyze possible odor pollution inflicted by the proposed MTS on recreational facilities and vital open space such as Asphalt Green, Carl Schurz Park and the John Finley Walk on the East River Esplanade, all of which abut the proposed site. The DEIS presents only vague descriptions of the dimensions and appearance of the new MTS and goes so far as to suggest that, although it is projected to be twice the height of its predecessor facility, it will exert no visual impact on the community. The blithe ignorance of these factors lends itself to the conclusion that the DEIS was drafted to fit a preordained conclusion in a manner reminiscent of the trial court in *Alice in Wonderland*.

It seems the Administration has blindly chosen the 91<sup>st</sup> Street site, because a marine transfer station was formerly located there. This is not a valid reason. When the original marine transfer station located at this site was first built in 1940 this was still a manufacturing district. Since that time, the residential population has increased exponentially, manufacturing has ended and Asphalt Green became a park. Indeed, under the current Department of Sanitation siting rules, a private transfer station would not be permitted within 400 feet of a park. It is wrong to set aside those rules to allow a massive public marine transfer station at the East 91<sup>st</sup> Street location adjacent to the Asphalt Green building and playing fields.

Please remember that reopening the MTS at the East 91<sup>st</sup> Street site is not a question of merely flipping a switch and starting up the previous MTS, or even simply retrofitting it. The City wants to completely demolish the current MTS and create a new facility that would handle more than four times the solid waste that could be managed by the station's current capacity. The Department of Sanitation has given no justification for why this site is suitable for a massive, brand-new Marine Transfer Station. If the City intends to proceed with building a completely new MTS, it should erect such a facility at a waterfront site in non-residential neighborhood.