

LAWS OF 20 03

SENATE BILL _____

ASSEMBLY BILL A 8069C

8069--C

2003-2004 Regular Sessions

IN ASSEMBLY

April 14, 2003

Introduced by COMMITTEE ON RULES -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to discontinue the use of certain lands as park lands

S. 4791-C Rules

DATE RECEIVED BY GOVERNOR:

JUL 10 2003

ACTION MUST BE TAKEN BY:

JUL 22 2003

DATE GOVERNOR'S ACTION TAKEN:

JUL 22 2003

[REDACTED]

SENATE VOTE ____ Y ____ N

HOME RULE MESSAGE ____ Y ____ N

DATE _____

ASSEMBLY VOTE ____ Y ____ N

DATE _____



JEFFREY DINOWITZ
Assemblyman 81ST District
Bronx County

DISTRICT OFFICE
3107 Kingsbridge Avenue
Bronx, New York 10463
(718) 796-5345
FAX (718) 796-0694

Room 627
Legislative Office Building
Albany, New York 12248
(518) 455-5965
FAX (518) 455-4437

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Alcoholism
and Drug Abuse

CHAIR
Subcommittee on Protecting the
Elderly Consumer

COMMITTEES
Judiciary
Environmental Conservation
Health
Consumer Affairs and Protection
Mental Health, Mental Retardation and
Developmental Disabilities
Governmental Operations
Election Law
Oversight, Analysis and Investigation

MEMBER
Puerto Rican/Hispanic Task Force

June 24, 2003

Honorable George E. Pataki
Governor of New York
Executive Chamber
Albany, New York 12224

Dear Governor Pataki:

I am writing to urge you to veto A.8069c, a bill to alienate 48 acres of Van Cortlandt Park in my district in the Bronx for purposes of building a chemical water filtration plant. This would perhaps be the largest alienation we've done in memory; usually such bills alienate an area much less than one acre. It would be an environmental disaster for the northwest Bronx.

The issue with regard to this bill is whether to take away parkland, paving the way for the City of New York to build a gigantic filtration plant on parkland in a densely populated, poor community. The issue is not whether to provide clean water, rather it is where to actually build the plant. I would like to let you know the following:

1. The area of parkland to be alienated is 48 acres (43 acres permanently), which is **4 to 5 times the size of Yankee Stadium, 3 times the size of the World Trade Center site, or the equivalent of 38 football fields.**
2. There are actually 3 sites currently under consideration by the City. The other two are the Harlem River site in the Bronx and the Eastview site in Westchester. While the Van Cortlandt Park site is the only one in a park and the worst of the three sites, the other two sites are undesirable as well. The Harlem River location is also close to a residential community. The Westchester site is opposed by New York City unions concerned about jobs for their locals.
3. Van Cortlandt Park is not only the worst site because it's on parkland, it's bad because it is literally right across the street from a densely populated residential community; it opens us to the charge of environmental racism because the community affected is a mostly minority, low to moderate income community.
4. There is a fourth choice. Community leaders have put forth another site, under the Major Deegan Expressway. It's in the Bronx (jobs stay in the City) and it's in my

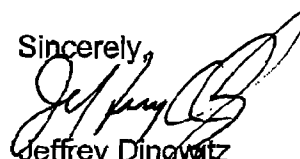
district (I'm not trying to dump this into someone else's district.) It doesn't border any residential area. It's not on parkland and it's very close to the third water tunnel and the New Croton Aqueduct. It would take a few months for the City to do an engineering study and an EIS, but the City needs to take time to do the EIS's on the other sites anyway.

5. A.8069c does not require the City to go through the ULURP process (Uniform Land Use Review Process.) No one in the Legislature has seen a map of the area to be alienated in the bill. No one has seen a cost estimate. In fact, no one has seen any real documentation on this proposal. It was irresponsible for any legislator to vote on a project that would cost a billion to two billion dollars without this information. No one should have voted blindfolded. Yet they did. In the Assembly, the bill barely passed at 3 o'clock in the morning by a vote of 78-68. The opposition was almost evenly divided between Republicans and Democrats.
6. Numerous environmental organizations oppose this legislation, including:
 - Environmental Advocates of New York
 - Sierra Club, Atlantic Chapter
 - New Yorkers for Parks
 - Arbor Hill Environmental Justice Corporation
 - Audubon New York
 - New York Parks and Conservation Association
 - Open Space Institute
 - Riverkeeper, Inc.
 - Scenic Hudson
 - The Nature Conservancy of New York
 - Trust for Public Lands
 - Waterfront Park Coalition
 - West Harlem Environmental Action
 - Friends of Van Cortlandt Park

The Legislature passed this bill in the middle of the night on the last day of session. Governor, I hope you will rectify a terrible mistake made by the Legislature. We should insist the City do an engineering study on the fourth possible site. This won't happen if you sign A.8069c. You are known for having a strong environmental record. This bill would create an environmental disaster. Don't sign into law a bill that would destroy an area of Van Cortlandt Park four to five times the size of Yankee Stadium when there may be a better choice. Let's complete the EIS's on the other sites. This will take several months. We still can vote on this issue later after an open and transparent process.

Thank you.

Sincerely,



Jeffrey Dinowitz
Member of Assembly

Fax from

Assemblyman Jeffrey Dinowitz

3107 Kingsbridge Avenue ★ Bronx, New York 10463

Phone: (718) 796-5345 ★ Fax: (718) 796-0694

To: Jim Walsh

From: Jeffrey Dinowitz

Fax Number: _____

Number of Pages: 3
(including cover sheet)



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

JEFFREY DINOWITZ
Assemblyman 81ST District
Bronx County

DISTRICT OFFICE
3107 Kingsbridge Avenue
Bronx, New York 10463
(718) 796-5345
FAX (718) 796-0694

Room 627
Legislative Office Building
Albany, New York 12248
(518) 455-5965
FAX (518) 455-4437

CHAIR
Committee on Alcoholism
and Drug Abuse

CHAIR
Subcommittee on Protecting the
Elderly Consumer

COMMITTEES
Judiciary
Environmental Conservation
Health
Consumer Affairs and Protection
Mental Health, Mental Retardation and
Developmental Disabilities
Governmental Operations
Election Law
Oversight, Analysis and Investigation

MEMBER
Puerto Rican/Hispanic Task Force

July 3, 2003

Honorable George E. Pataki
Governor of New York
Executive Chamber
Albany, New York 12224

Dear Governor Pataki:

I would like to invite you to join me and several community leaders on a walking tour of the southeast section of Van Cortlandt Park, the site the New York City Department of Environmental Protection proposes to build a giant water filtration plant.

Legislation passed both houses (A.8069c/S.4791c) which would alienate 48 acres of Van Cortlandt Park in my district in the Bronx for purposes of building this chemical water filtration plant. I have urged you to veto this legislation because I believe it would be an environmental disaster for the northwest Bronx.

The area of parkland to be alienated is 4 to 5 times the size of Yankee Stadium, 3 times the size of the World Trade Center site, or the equivalent of 38 football fields. Van Cortlandt Park is the third largest park in New York City and certainly among its most beautiful. The particular part of the park where the DEP wants to build borders the poorest of the neighborhoods that surround the park. The mostly minority community of Norwood is a low to moderate income community that is already heavily impacted by the many large institutions in the neighborhood. This section of the park is among the few green areas available to the people of this community.

Please take this opportunity to see for yourself the terrible impact the construction of the water filtration plant would have on this beautiful and historic park as well as the Norwood community. I have no doubt that once you see the area for yourself by joining us for this tour you will veto this legislation. Thank you.

Sincerely,

Jeffrey Dinowitz
Member of Assembly

000006

07/03/03 THU 14:20 [TX/RX NO 84671]

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(e)**

BILL NUMBER: A8069C

SPONSOR: Rules

TITLE OF BILL: An act authorizing the city of New York to discontinue the use of certain lands as park lands

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this bill is to provide for the alienation of parkland in Van Cortlandt Park.

SUMMARY OF SPECIFIC PROVISIONS:

Section one of this bill provides for the alienation of parkland in Van Cortlandt Park located in the borough of the Bronx, for the purpose of constructing and operating a water treatment facility capable of treating up to 290 millions gallons of water per day (MGD) from the Croton watershed. Section two contains conditions on the alienation authorization, including the following requirements: New York City must set-aside of the fair market value of lands being alienated for 'acquisition of new parklands or capital improvements to existing parklands; New York City must enter into a memorandum of understanding (MOU) to identify park improvement and/or acquisition projects and the City Council must ratify such MOU; and, New York City must consider dedicating Jerome Park Reservoir as parkland. Section three contains the metes and bounds of the lands proposed for permanent alienation. Section four contains the metes and bounds of the lands proposed for temporary alienation, to be restored as parkland after construction of the facility is completed. Section five is the effective date.

JUSTIFICATION:

Pursuant to a Consent Decree entered into by the United States, the New York State Department of Health (NYSDOH) and the City of New York, the City is under an obligation to filter water provided from the Croton watershed, the smallest of the three surface water systems that together supply drinking water to the City and to approximately one million residents outside of the City. The Croton watershed comprises 375 square miles, located primarily in Westchester and Putnam counties, with smaller portions in Dutchess County and Fairfield County, Connecticut. Surface water in the watershed is impounded in a series of twelve reservoirs and three controlled lakes on the Croton River and its tributaries and branches. The impounded water is transmitted to the City via the New Croton Aqueduct. The Croton watershed provides approximately 10 percent of the City's average daily demand during periods of normal rainfall, and up to 30 percent of the City's average daily demand when rainfall is below normal.

PRIOR LEGISLATIVE HISTORY: This is a new bill.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS: None to the State.

EFFECTIVE DATE: Immediately.

JW

A8089

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

Attorney General

ELIOT SPITZER

Legislative Bureau

TO: COUNSEL TO THE GOVERNOR

Re: SENATE

ASSEMBLY 8069

Inasmuch as this bill does not appear to relate to the functions of the Department of Law, I am not commenting thereon. However, if there is a particular aspect of the bill upon which you wish comment, please advise me.

ELIOT SPITZER
ATTORNEY GENERAL

Date: **July 14, 2003**

000009



THOMAS G. GRIFFEN
EXECUTIVE DIRECTOR

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF REAL PROPERTY SERVICES
16 SHERIDAN AVENUE
ALBANY, NEW YORK 12210-2714

RICHARD J. SINNOTT
Counsel

TEL. (518) 474-8821
FAX (518) 474-3657
Website: <http://www.orps.state.ny.us>

July 11, 2003

The Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
Room 225
State Capitol
Albany, New York 12224

Dear Mr. Platkin:

Re: Assembly Bill No. 8069-C
By: Committee on Rules

This bill would authorize the City of New York to discontinue the use of a portion of Van Cortlandt Park as parkland in order to build a water filtration facility. The City would be required to enter into a Memorandum of Understanding with the President of the Senate and the Speaker of the Assembly concerning the purchase of replacement parkland. The bill is intended to help the City comply with a consent decree entered into by the City, the New York State Department of Health and the Federal Environmental Protection Agency to improve the purity of the City's water.

This type of bill is necessary because of the doctrine that land held for park purposes is a public trust and that the alienation of such land, or dedication to another use, requires an act of the Legislature. See, Friends of Van Cortlandt Park v. City of New York, 95 N.Y.2d 623, 727 N.Y.S.2d 2, 750 N.E.2d 1050 (2001). Indeed, the case cited involved the same area and the same planned facility. This bill is the attempt by the City to comply with the doctrine.

000010

The Honorable Richard Platkin
Page 2
July 11, 2003

The subject matter of this bill falls outside the purview of this agency. The only possible impact the bill could have on the administration of the real property tax would be the possible diminution of the City's tax base if land currently taxable is purchased and used as parkland. Accordingly, we take no position with respect to possible Executive action.

Very truly yours,

/s/

Richard J. Sinnott

000011

JW

Empire State Development

A 8069

July 16, 2003

The Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

Re: A.8069
Recommendation: No Objection

Dear Mr. Platkin:

At your request, Empire State Development (ESD) has reviewed the bill referenced above. The bill would authorize the City of New York to discontinue the use of certain lands as parklands.

The purpose of this bill is to provide for the alienation of parkland in Van Cortlandt Park in the Bronx for the construction/operation of a water filtration plant from the Croton watershed. This watershed provides ten percent of the City's average daily freshwater demand in periods of normal rainfall and up to thirty percent when rainfall is below normal.

The bill recognizes the importance of parkland and has put in place conditions on the alienation authorization. For example, New York City must set-aside of the fair market value of lands being alienated for acquisition of new parklands or capital improvements to existing parklands and must consider dedicating Jerome Park reservoir as parkland. New York City is also required to enter a Memorandum of Understanding, that must be ratified by the City Council, in which the City must identify park improvements and/or acquisition projects. The metes and bounds are also specified in the bill of the land to be used for the filtration plant.

ESD does not object to this bill since it creates no financial obligations to the State, requires the City of New York to replace the alienated parkland and the water treatment plant is a need for the City of New York.

Sincerely,

George M. Kazanjian
Legislative Counsel

New York State Department of Economic Development
30 South Pearl Street Albany New York 12245 Tel 518 292 5100
Web Site: www.empire.state.ny.us

000012



NEW YORK STATE COUNCIL
Of
SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION

A 8069

Local Union 137 (NYC)
Local Union 71 (Buffalo)
Local Union 28 (NYC and Long Island)
Local Union 38 (Hudson Valley)
Local Union 46 (Rochester)
Local Union 58 (Syracuse)
Local Union 83 (Albany)
Local Union 112 (Elmira)
Local Union 527 (Syracuse)

Paul N. D'Onofrio
Legislative Counsel
94 Third Avenue
Rensselaer, NY 12144

67 Chesnut Street
Albany, NY 12210
Tel: (518) 432-7393
Fax: (518) 434-2502

MEMORANDUM IN SUPPORT

A.8069-A (Rules) / S.4791-A (Rules)

The undersigned, on behalf of the above-noted local unions of the Sheet Metal Workers Association, supports the passage of A.8069-A/S.4791-A.

The instant legislation would permit the City of New York to construct the Croton Water Filtration Plant in the Bronx.

This facility is essential to NYC's water supply and has been mandated by the EPA for health and safety concerns with regard to the purity of the City's potable water.

Failure to enact this bill will only lead to a continued deterioration of a water source that was once the envy of urban America.

The Sheet Metal Workers Association requests passage of this legislation.

Respectfully submitted

Paul N. D'Onofrio
Legislative Counsel

PND/gw

TRADE SHOW CRANE 8

000013



C 175

A 8069

NEW YORK STATE COUNCIL

OF

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION

Local Union 137 (NYC)
Local Union 71 (Buffalo)
Local Union 28 (NYC and Long Island)
Local Union 38 (Hudson Valley)
Local Union 46 (Rochester)
Local Union 58 (Syracuse)
Local Union 83 (Albany)
Local Union 112 (Elmira)
Local Union 527 (Syracuse)

Paul N. D'Onofrio
Legislative Counsel
94 Third Avenue
Rensselaer, NY 12144

67 Chesnut Street
Albany, NY 12210
Tel: (518) 432-7393
Fax: (518) 434-2502

MEMORANDUM IN SUPPORT

A.8069-A (Rules) / S.4791-A (Rules)

The undersigned, on behalf of the above-noted local unions of the Sheet Metal Workers Association, supports the passage of A.8069-A/S.4791-A.

The instant legislation would permit the City of New York to construct the Croton Water Filtration Plant in the Bronx.

This facility is essential to NYC's water supply and has been mandated by the EPA for health and safety concerns with regard to the purity of the City's potable water.

Failure to enact this bill will only lead to a continued deterioration of a water source that was once the envy of urban America.

The Sheet Metal Workers Association requests passage of this legislation.

Respectfully submitted

Paul N. D'Onofrio
Legislative Counsel

PND/gw



DENIS M. HUGHES
President

PAUL F. COLE
Secretary-Treasurer

ED DONNELLY
Legislative Director

June 26, 2003

Honorable George Pataki
Governor of the State of New York
State Capitol
Albany, New York 12224

ATT: Richard Platkin, Counsel

RE: A 8609-C/S 4791-C

Dear Governor Pataki:

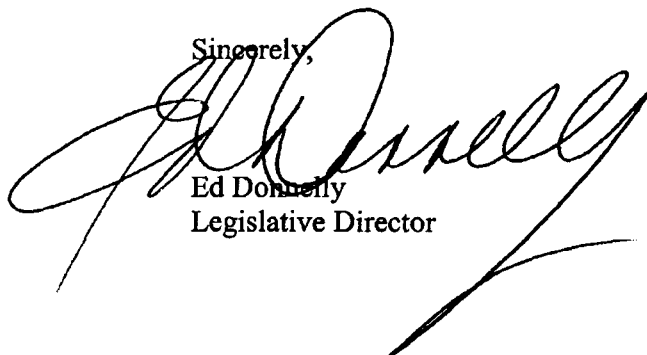
The New York State AFL-CIO representing 2.5 million workers and our families supports construction of the Croton Water Filtration Plant at Van Cortlandt Park in the Bronx.

The economic impact of the project on the New York City economy, particularly as it relates to Bronx County is desperately needed now. The need to implement the Croton project is pressing.

Therefore, this Federation urges the above legislation be signed into law forthwith.

For further information contact Ed Donnelly, Legislative Director at 518-436-8470.

Sincerely,

A large, stylized handwritten signature of Ed Donnelly in black ink.

Ed Donnelly
Legislative Director

ED:eb
opeiu-153

No. 1



C175



NEW YORK STATE CONFERENCE
International Union of Operating Engineers

100 SOUTH SWAN STREET • ALBANY, NEW YORK 12210 • (518) 463-7551 • FAX (518) 463-7556

Affiliated with the
AFL-CIO

July 1, 2003

The Honorable George E. Pataki
Governor, State of New York
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Pataki:

On behalf of the 35,000 members of the fifteen local unions affiliated with our organization, I am writing to urge your approval of A.8069-C (Rules). This bill allows the EPA-mandated Croton water-filtration facility to be built beneath the Mosholu driving range in the Bronx.

Since the City of New York a decade ago was ordered by the federal government to filter the water supplied through the Croton watershed, its Department of Environmental Protection has identified the Mosholu site as the most feasible and cost-effective location for the necessary facility. Locating it at an alternative location in Westchester County would increase the cost of the \$1.3 billion plant by hundreds of millions of dollars, and would deprive the residents of the borough of the Bronx, and the City as a whole, of the benefits of the anticipated construction payroll of \$500 million as well as the permanent jobs and vast ancillary economic benefits its construction will generate.

The ongoing opposition to this project is not grounded in reality or common sense. The plant must be built. The cash-strapped City government continues paying fines of \$15,000 a day to the federal government for every day that designating a location for the plant is delayed. Construction of infrastructure projects beneath City parks has successfully been done before. The size of the facility has been significantly scaled down from its original design so as to minimize disruption to Van Cortland Park; in fact, the driving range will be improved from its current condition during construction. \$200 million of the



000016

savings the City will realize by locating the plant at Mosholu will be designated for park improvements throughout the Bronx. Most important, the bill will ensure that the job opportunities to be created by this project will be available to City residents – especially Bronx residents – and not exported to the suburbs.

In 2001, in regard to this project, the Court of Appeals ruled that any action having a significant effect upon parkland requires the approval of the Legislature in order to go forward. The Legislature has given its approval, and your signing of the bill is now necessary for the benefits of this project to become reality. The narrow parochial interests of the bill's opponents should not be allowed to derail a project of such importance to New York City's economy and the health of its residents. Accordingly, our organization joins with the City administration, the construction industry, the Building Trades, conservation groups, editorial boards and other supporters of this crucial legislation to strongly urge your approval. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Thomas P. Maguire". The signature is written in a cursive, flowing style with a prominent initial 'T'.

Thomas P. Maguire
President

C 175



LOCAL UNION 147, L.I.U.N.A.

COMPRESSED AIR and FREE AIR • SHAFT • TUNNEL • FOUNDATION
CAISSON • SUBWAY • COFFERDAM • SEWER CONSTRUCTION WORKERS
of New York and New Jersey States and Vicinity

New York State AFL-CIO
rfitz@liuna147.org
RICHARD T. FITZSIMMONS
Business Manager/Secretary-Treasurer

4332 Katonah Avenue
Bronx, NY 10470
www.liuna147.org

(718) 994-6664-5
FAX (718) 994-5717
jryan@liuna147.org
JAMES RYAN
President

July 2, 2003

Honorable George Pataki
Governor, State of New York
State Capitol
Albany, New York 12224
Re: A8069-C/S4791-C

Dear Governor,

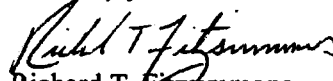
We are doing something that we normally never do, but the importance of the issue requires that we respectfully request that you sign legislation which will enable the city of New York to build the water filtration plant of the Croton Water Aqueduct in the borough of the Bronx.

New York's Sandhogs and Miners Union Local 147 LIUNA has built every major infrastructure facility in New York from the foundation of the Brooklyn Bridge, all of the subway tunnels as well as all of the water and sewer tunnels. We urge you to give us the opportunity to continue that tradition by locating the filtration plant of the Croton Aqueduct in Van Cortland Park in the Bronx.

A number of our members live in the community. We also maintain our union hall in the same community. We are now experiencing 80% unemployment, which means we have the sandhogs available to begin this important project.

We look forward to your favorable reply.

Sincerely yours,


Richard T. Fitzsimmons
Business Mgr./Secty. Treas.

C 175

Bricklayers & Allied Craftworkers Local Union No. 1

Santo Lanza fame - President
Jeremiah Sullivan - Secretary-Treasurer

4 Court Square
Long Island City, NY 11101
718-392-0525 Fax: 718-392-1068

Field Representatives

Jack Argila
Michael Barbera
Robert Cianfrone
Lawrence Crovatto
Anthony LaCava, Jr.



Field Representatives

Nunzio Mazzarone
Robert Van Fechtmann
Forest Willis
Zack Winbush

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, New York 1224

RE: Assembly bill #8609-C/Senate bill #4791-C

Dear Honorable Pataki:

As President of Bricklayers & Allied Craftworkers Local 1 NY I respectfully request that you act favorably on the proposed construction of the Croton water filtration plant. Clean water is an essential health benefit for the people of New York City.

When under construction, 5000 new jobs will be added generating over (500,000,000) five hundred million dollars in payroll, which in turn increases the tax revenue for or State and City Governments.

Jobs stimulate consumer confidence and spending which most economists agree is the key ingredient to insure an economical and sustained recovery in our States.

Sincerely,

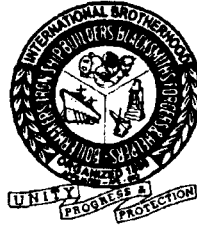
Santo Lanza fame
President

SL:bs

000019

C 175

International Brotherhood of
BOILERMAKERS • IRON SHIP BUILDERS



BLACKSMITHS • FORGERS & HELPERS

BOILERMAKERS LOCAL LODGE No. 5

JERRY CONNOLLY
Business Manager
Secretary-Treasurer

TOM COOK
Assistant Business Manager
President

TOM KLEIN
Assistant Business Manager
Vice President

July 3, 2003

The Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki,

I am writing to you as the Business Manager, Secretary-Treasurer for Boilermakers Local Lodge No. 5 with offices located at 24 Van Siclen Avenue, Floral Park, NY.

As you are aware, Mayor Michael Bloomberg is asking for your approval to build a \$1.3 billion water filtration plant under the Mosholu Golf Course in the Bronx.

The State Assembly has passed bill #8069-C and the Senate has passed bill #4791-C which would authorize the use of this site. At this point we need your support and strongly urge you to sign this legislation into law.

If you refuse to sign this legislation it will result in additional delays and most probably result in the building of the facility outside of New York City, most likely in Westchester County. This would result in the loss of thousands of jobs for New York City. New York City water rate payers would foot the bill and Westchester County would reap the benefits.

The Mosholu Golf Course site is the best site for this project in terms of cost, safety and ease of engineering. If this site is approved by you signing the legislation into law, the City will commit \$200 million for improvements to Van Cortland Park and other parks and open spaces in the Bronx. This is a win-win situation for everyone. If the plant is built outside of the City there will be few jobs for New York City residents and no new money for parks in the Bronx.

The U.S. Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton Reservoir. Environmental officials are convinced that the water must be treated to ensure the health and safety of the millions of New Yorkers

who drink water that flows through the Croton system. Over thirty (30%) percent of the Bronx relies exclusively on the Croton drinking water, as do many residents in Manhattan.

By building this plant in the Bronx, the employment opportunities and economic investment would benefit the borough and city as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and other boroughs.

The construction jobs that will be created will be well paying positions that can support a family. Construction workers who are paid prevailing wages on this project are the backbone of many middle class neighborhoods in New York City. A more prosperous New York City results in increased revenues for the State. New York City is the economic engine that drives New York. We all know the effects of 9/11 have rippled through the state economy, this project would help revive a depressed economy.

Boilermakers Local Lodge No. 5 has over 300 members, the majority of whom are New York City residents. On behalf of the membership of Local 5 I respectfully request that you sign this legislation into law **immediately**.

Thank you in advance for your time concerning this important matter.

Sincerely,



Jerry Connolly
Business Manager/
Secretary-Treasurer

C 175

ARCHITECTURAL AND ORNAMENTAL IRON WORKERS

LOCAL UNION No. 580

**THE INTERNATIONAL ASSOCIATION
of Bridge, Structural, Ornamental and Reinforcing Iron Workers**

HEADQUARTERS
501 WEST 42nd STREET
NEW YORK, N.Y. 10036



PHONE: 594-1662-1665
FAX: 564-2748

July 3, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, N.Y. 12224

In Support Of: A 8069-C/S 4791-C

Dear Governor Pataki:

The City of New York is requesting the approval of the State Legislature to construct the Croton Water Filtration Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx, I am writing on behalf of my members to ask you to support building the facility at the Bronx location.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection has concluded that building at the Mosholu site would best protect our water supply from contamination at the least cost to taxpayers and with substantial benefits to the city.

Over 30 percent of the Bronx, relies exclusively on Croton drinking water as do residents of many parts of Manhattan. In the past, the building and construction trades have supported efforts made by Bronx elected officials and environmental groups to avoid filtering the water. No one wants to spend our hard earned wages on a facility that is not absolutely critical. But the U.S. Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton reservoirs. Environmental officials are convinced that the water must be treated to protect the health and safety of the millions of New Yorkers who drink Croton water.

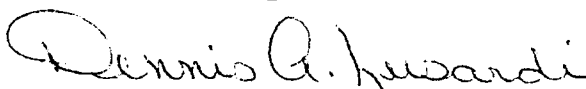
000022

It would cost up to \$500 million more to construct this facility outside of the City. Our understanding is that some of the money that is saved by building in the Bronx will be invested in parks and community amenities. If building in the Westchester town of Mount Pleasant would bring City tax payments to support improvements in local schools, parks and services, building in the Bronx, should bring the same benefits to the borough.

If this facility is built in the Bronx, the employment opportunities and economic investment will greatly benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and other boroughs. The construction jobs that will be created will be prevailing wage jobs that can support a family. New York City construction workers who are paid prevailing wage on this project will spend money on local stores and businesses. We're particularly proud of the support that Bronx construction workers bring to the Bronx stores and the Bronx doctors and hospitals. Bronx healthcare finances are so much better when the union welfare funds are flourishing because union construction workers are working.

My union represents more than 1500 working men and women, over half live in the City of New York. We need you to support building this important project in the Bronx. We look forward to hearing your views.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis A. Lusardi". The signature is fluid and cursive, with the first name "Dennis" being more prominent.

Dennis A. Lusardi
Business Manager-FST

DAL/nd

000023

Tel: (718) 597-3004
Fax: (718) 792-5652

PLASTERERS FOR GLAZING AND DRY WALL TAPING

Operative Plasterers' and Cement Masons' International Association

LOCAL 530

3250 Westchester Avenue, Suite 210
Bronx, NY 10461

CARMINE MINGOIA

*PRESIDENT
BUSINESS MANAGER*

GEORGE NICKOLETOS

*VICE PRESIDENT
SECRETARY-TREASURER*

MEMBORANDUM IN SUPPORT

TO: Governor George Pataki
FR: George Nickoletos, Vice President/Secretary-Treasurer, Local 530
RE: Croton Filter Plant in the Bronx –
Senate Bill # 4791c/Assembly Bill # 8069c

I urge you to sign the above referenced legislation into law. You must act now to build the water filtration plant under the Mosholu Driving Range in the Bronx's Van Cortlandt Park. Your signature on this bill will allow this construction project to move forward.

My union's headquarters is in the north Bronx, not far from the site of this proposed facility. I know that people in the borough complain about the quality of the drinking water. Furthermore, my members often tell me about the terrible conditions in so many of the parks in their neighborhoods. If you sign this bill, the Bronx gets the benefits of clean water, parks investment and jobs.

A recent New York Times editorial pointed out that Mayor Bloomberg "is offering Bronx residents \$200 million for improvements to Van Cortlandt Park and other open spaces in the Bronx. This strikes us as a win-win deal for all concerned, worthy of Albany's support...The Environmental Protection Agency ordered the city to build a filtration plant in 1992 and has been waiting with diminishing patience ever since...Mr. Bloomberg has settled on Van Cortlandt as the cheapest, safest and most practical location. The new, smaller plant would be constructed underground and would only disturb the driving range, which would be restored after construction...The \$200 million in new money that Mr. Bloomberg has promised the Bronx park system as a whole will yield benefits for years to come"

If you veto this bill, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs. We need these jobs now more than ever in a time of economic hardship.

Please support construction at this site in the Bronx.

American Federation of State, County & Municipal Employees, AFL-CIO

125 BARCLAY STREET • NEW YORK, NY 10007-2179

Telephone: 212-815- 1511

Fax: 212-815- 1516

District Council

37

July 8, 2003

LILLIAN ROBERTS

Executive Director

VERONICA MONTGOMERY-COSTA

President

EDWARD W. HYSYK

Secretary

MARK ROSENTHAL

Treasurer

Honorable George E. Pataki
Governor of New York
Executive Chamber
State Capitol
Albany, NY 12224

RE: Croton Watershed Treatment
A.8069-C/Rules – S.4791-C

Vice Presidents:

Gloria E. Acevedo
Donald Afflick
Leonard Allen
Patrick J. Bahnken
Melvin Bentley
Mario A. Braga
Carmen Charles
Santos Crespo
Charles Ensley
Claude Fort
Carolyn Harper
Michael Hood
Barry Jamison
Clifford Koppelman
Raymond Markey
Alex Parker
Walthene Primus
Joan Reed
Eddie Rodriguez
Robert Schirmer
John Socha
James J. Tucciarelli
Esther (Sandy) Tucker
Maf Misbah Uddin
Edna M. Williams

Dear Governor Pataki:

I am writing to urge you to approve A.8069-C/Rules -- S.4791-C/Rules. This legislation provides for both the temporary and permanent alienation of land in Van Cortlandt Park, located in the Borough of the Bronx, for the purpose of constructing and operating a water treatment facility capable of treating up to 290 million gallons of water per day (MGD) from the Croton watershed.

Pursuant to a Consent Decree entered into by the United States, the New York State Department of Health (NYSDOH) and the City of New York, the city is under obligation to filter water provided from the Croton watershed, the smallest of three surface water systems that together supply drinking water to the City and to approximately one million residents outside of the City. The Croton watershed provides approximately 10 percent of the City's average daily demand during periods of normal rainfall and up to 30 percent when rainfall is below normal.

In addition, this project will create additional jobs. On behalf of the 125,000 members we represent, I respectfully urge you to approve this measure.

Sincerely,

Lillian Roberts

Lillian Roberts
Executive Director

Associate Director

Oliver Gray

Retirees Association

Stuart Leibowitz

cc: Richard Platkin
John Cahill
William Howard



000025

United Brotherhood of Carpenters and Joiners OF AMERICA

505 EIGHTH AVENUE
NEW YORK, N.Y. 10018

INSTITUTED AUGUST 12, 1881

PHONE: (212) 643-1070
FAX: (212) 643-2974



ALWAYS DEMAND THE LABEL

JOHN E. GREANEY
President
and Business Manager

THOMAS J. McKEON
Financial Secretary

LOCAL UNION No. 608

June 30, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

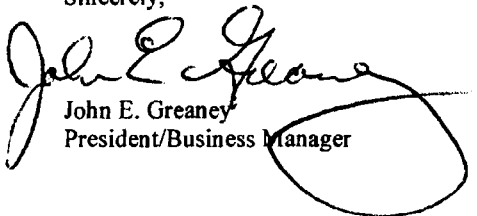
Dear Governor Pataki:

I write to you with a deep sense of urgency concerning the building of the Croton Water Filtration Plant. As you know, New York City is under a federal court order to build a plant to filter water from the Croton Reservoir which supplies much of New York City's drinking water. Legislation that will allow the city to build the Croton filtration plant under the Moshulu driving range in Van Cortlandt Park in the Bronx has been or will soon be sent to your office for approval. (See Assembly Bill #8609-C/Senate Bill #4791-C).

The building of this essential facility for New Yorkers is long overdue. Residents of Bronx County and New York City as a whole deserve clean and drinkable water. The construction of this facility also will provide funding for other city facilities and our troubled park system. The Mosholu golf course in Van Cortlandt will also be rebuilt. The site chosen for construction is also the most practical and most cost effective solution for this long overdue project.

Governor Pataki, the carpenters in New York City and all of New York State have been your friends and have helped you when needed to do so. Please review this legislation and strongly consider signing it for the good of all New Yorkers. If we can be of any help in the future, please do not hesitate to call on us.

Sincerely,


John E. Greaney
President/Business Manager

CC: Michael J. Ford



000026
00000

Affiliations

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL,
ORNAMENTAL AND REINFORCING IRON WORKERS
AFL-CIO
BUILDING TRADES DEPARTMENT OF AFL-CIO
THE IRONWORKERS DISTRICT COUNCIL
OF GREATER NEW YORK
THE BUILDING AND CONSTRUCTION TRADES COUNCIL
OF GREATER NEW YORK
THE NEW YORK CITY CENTRAL LABOR COUNCIL
THE NASSAU AND SUFFOLK COUNTY
BUILDING TRADES COUNCIL
THE WESTCHESTER COUNTY BUILDING
TRADES COUNCIL
THE MANHATTAN BOARD OF BUSINESS AGENTS
THE BRONX BOARD OF BUSINESS AGENTS
THE BROOKLYN BOARD OF BUSINESS AGENTS
THE QUEENS BOARD OF BUSINESS AGENTS
THE STATEN ISLAND BOARD OF BUSINESS AGENTS
THE CONCRETE TRADES ALLIANCE

C 175
LOCAL No. 46
METALLIC LATHERS UNION
AND
REINFORCING IRON WORKERS

New York and Vicinity

1322 THIRD AVENUE

NEW YORK, N.Y. 10021

Telephone: (212) 737-0500-0501-0502 • Fax: (212) 249-1226

Metal Lathers Trust, Pension & Vacation Funds

Telephone: (212) 535-2323 • Fax: (212) 535-3203

web page: www.ml46.org

JAMES LANGAN, *President*
ROBERT A. LEDWITH, *Business Manager &*
Financial Sec'y-Treas.

Business Agents
TERRENCE MOORE, KEN ALLEN
FRED LEMOINE, KEVIN KELLY

Regular Meeting Second Tuesday

Special Meeting Fourth Tuesday
of Each Month

Executive Board Meetings
First and Third Friday
of Each Month



"The Injury of One is the Concern of All"

July 1, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask you to sign Assembly Bill # 8069-C, and Senate Bill # 4791-C. This legislation will allow the city to build the Croton Water Filtration Plant under the Driving Range at Van Cortlandt in the Bronx. I am a Business Agent of Local 46 the Metallic Lathers and Reinforcing Ironworkers of New York, which is a 1200 member branch of the Ironworkers International. Our Local, strongly supports the construction of this facility at this location in the Bronx.

For the record my Union Members and I are first and foremost citizens of New York. We care how our tax dollars are used and would not want to see our city's resources wasted on any project that was not absolutely necessary, especially now during these difficult economic times. Having said that let me state that the majority of information that I have read pertaining to our drinking water, and the proposed plant has led me to the conclusion that we are past the point of determining if it should be built. We need to site it, and build it as soon as possible.

000027


The United States Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton Reservoirs. A site for the plant must be selected. The EPA is convinced that in order to ensure the health and safety of the millions of New Yorkers who drink Croton water it must be filtered.

After studying locations in Westchester and the Bronx, the New York City Department of Environmental Protection (DEP) concluded that building the plant at the Bronx site would best protect our drinking water from contamination at the least cost. Building the plant in Westchester County would cost \$500 million more in construction expenses, and would mean thousands of fewer jobs for New York City workers.

Building in the Bronx will create employment opportunities and act as an economic catalyst that will benefit the borough, and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx, and the other boroughs. The construction jobs that will be created on this project will be Prevailing Wage jobs, decent paying jobs that our citizens need to support their families. Construction workers who are paid prevailing wages are the backbone of many middle class neighborhoods in our city. The medical benefits earned by these workers provide healthcare services for their families, and support the New York City health care system.

I have attended many hearings, and written many letters in recent months expressing my organizations concerns, and support of this project. I was there at City Hall when the City Council's approval was obtained. I was thrilled to learn that the New York State Senate, and the Assembly passed the necessary legislation needed to allow the City of New York to build it in the Bronx.

We now need and would very much appreciate your support on this essential project.

Sincerely,

Fred LeMoine
Business Agent, Local 46

C175

Building, Concrete, Excavating & Common Laborers Union

Local No. 731, of Greater New York

JOSEPH D'AMATO, Business Manager
FRANK P. OMBRES, Secretary-Treasurer



*Affiliated with the Laborers, International Union
of North America, AFL-CIO*



Office: 34-11/19 35th Ave., Astoria, NY 11106
Telephone No. (718) 706-0720
Fax No. (718) 706-1734

June 30, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

In Support of: A8609-C/S 4791-C

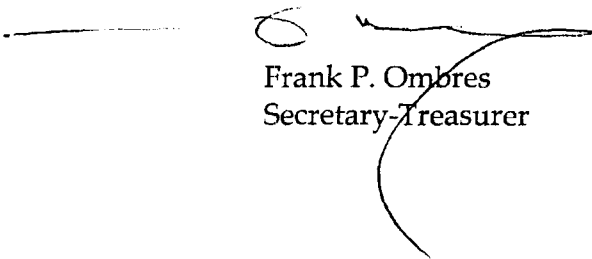
To the Honorable George Pataki:

We urge you to support the signing of the Croton Filtration Plant bill. To hesitate would create hardship for the families who rely on the income generated by construction projects like this.

Approximately 1,000 jobs will be generated by this project along with a boost to the community's economy, and would also generate countless revenue needed by our city and state. This project will insure clean water for future generations and have a healthy impact for all New Yorkers.

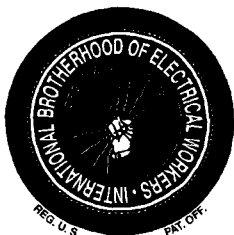
It's time we look to our future now...

Sincerely,


Frank P. Ombres
Secretary-Treasurer

FPO/gs

000029



I.B.E.W.

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

ORGANIZED JUNE 26, 1915

Affiliated with
 NEW YORK STATE A.F.L.-C.I.O.
 NEW YORK STATE BUILDING TRADES COUNCIL

Local 3 (New York City;
 Westchester-Fairfield)
 Local 236 (Schenectady, Troy, Albany)
 Local 910 (Watertown)
 Local 43 (Syracuse)
 Local 86 (Rochester)
 Local 41 (Buffalo)
 Local 237 (Niagara Falls)
 Local 25 (Nassau/Suffolk)

Paul N. D'Onofrio
 Legislative Counsel
 67 Chestnut Street
 Albany, NY 12210
(518) 432-7393
Fax: (518) 434-2502

Local 1049 (Hauppauge)
 Local 363 (Rockland, Orange,
 Dutchess, Sullivan, Ulster)
 Local 139 (Elmira)
 Local 325 (Binghamton)
 Local 241 (Ithaca)
 Local 1249 (East Syracuse)
 Local 106 (Jamestown)

MEMORANDUM IN SUPPORT

A.8069-A (Rules) / S.4791-A (Rules)

The undersigned, on behalf of the above-noted local construction unions of the International Brotherhood of Electrical Workers, and Local Union No. 3 in particular, supports the passage of A.8069-A/S.4791-A.

The instant legislation would permit the City of New York to construct the Croton Water Filtration Plant in the Bronx.

This facility is essential to NYC's water supply and has been mandated by the EPA for health and safety concerns with regard to the purity of the City's potable water.

Failure to enact this bill will only lead to a continued deterioration of a water source that was once the envy of urban America.

The IBEW requests passage of this legislation.

Respectfully submitted

Paul N. D'Onofrio
 Legislative Counsel

PND/gw

000030



MICHAEL R. BLOOMBERG

Mayor

City of New York

City Hall

New York, N.Y. 10007

July 22, 2003

By Telecopy

The Honorable George E. Pataki
Governor of the State of New York
State Capitol
Albany NY 12224

Re: A.8069-C/S.4791-C

Dear Governor Pataki:

As per our discussion, I am writing in support of the above referenced bill, which would authorize the City's use of portions of Van Cortlandt Park in the Borough of the Bronx for the construction and operation of a water filtration plant and related facilities for the Croton water supply system. I recognize and appreciate that you have legitimate concerns regarding the scope and content of the environmental review required by the bill, and the manner in which funds will be distributed in accordance with the bill for the acquisition and/or improvement of parkland and recreational facilities in the Bronx. While I support the chapter amendment that you have proposed to the Legislature and continue to urge the State Assembly to join the State Senate in supporting your amendments, I believe that the City can address your concerns even in the absence of a commitment by the Assembly to pass a chapter amendment.

The final environmental impact statement ("EIS") issued in 1998 for the Croton water treatment plant project evaluated eight alternative sites for the water treatment project and one additional site for related facilities only. One of the sites evaluated was the Mosholu Golf Course site in Van Cortlandt Park, which was identified in the final EIS as the preferred site for the project. This past April, in accordance with the federal Consent Decree governing construction of this facility, the City issued a draft EIS that evaluated two new sites for the Croton water treatment plant: the Harlem River site in the Bronx, and the Eastview site in Westchester County. The City is now in the process of preparing a supplemental EIS that will evaluate the Mosholu Golf Course site in its current configuration, which has been reduced in size since the 1998 final EIS was issued. On behalf of the City, I commit that the supplemental EIS also will include a comparative assessment of the Mosholu, Eastview and Harlem River sites, and result in, among other things, the identification of a preferred site for the water treatment plant.

000031

The Honorable George E. Pataki
Governor of the State of New York
Page No. 2

With respect to the amount of parkland to be alienated and/or improved, the City commits to spending at least \$200 million to acquire additional parkland and/or perform capital improvements to existing park and recreational facilities. The City's commitment to spend these funds, and the list of eligible projects on which these funds can be spent, will have to be approved by the City Council. However, I pledge to include you in the process by which eligible projects are identified, and commit that the City will not execute a memorandum of understanding (MOU) until you and I are in full agreement on eligible projects. I understand from our discussions that you intend to consult with Bronx Borough President Adolfo Carrión, Jr. as part of this process.

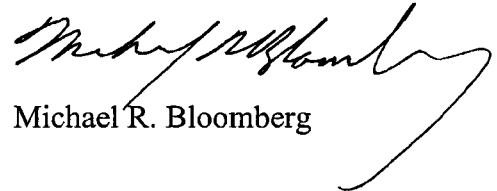
In addition, I can assure you that the City's intentions with respect to how these funds should be distributed are entirely consistent with the specific selection criteria set forth in your proposed chapter amendment. As a result, I am confident that these funds will be spent on worthwhile projects that will benefit affected Bronx residents, local communities and the environment. To reiterate:

1. The Supplemental EIS will include a comparative assessment of all three relevant sites, including an updated assessment of the Mosholu site in its current configuration.

2. I commit to work with you to identify eligible projects subject to the bill and assure you that the City will not execute the MOU until you and I are in full agreement on eligible projects. I understand that you intend to consult with Bronx Borough President Adolfo Carrión, Jr. as part of this process.

On behalf of the City of New York, I thank you for your longstanding commitment to protecting New York City's water supply and ensuring that City residents have access to clean and safe drinking water.

Sincerely,



Michael R. Bloomberg



GIFFORD MILLER
SPEAKER

THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

TELEPHONE
212-788-7210

July 9, 2003

The Honorable George E. Pataki
Governor of the State of New York
The Executive Chamber, Capitol
Albany, NY 12224

Dear Governor Pataki:

I am writing to urge you to support S.4791-C and A.8069-C, which would authorize the City of New York to alienate parcels of land in Van Cortlandt Park for the purpose of building the federally mandated water filtration plant for the Croton water supply.

Over the course of the past few months, the New York City Council conducted three extensive public hearings on the issue of building a water filtration plant for the Croton water supply at the Van Cortlandt site. During that time, the Council heard testimony from over 60 witnesses and thoroughly examined the proposed state legislation authorizing alienation, as well as the city's proposal to build the plant on the Van Cortlandt site. During the public hearings, it became clear that many environmental and parks advocates felt that a Supplemental Environmental Impact Statement (SEIS) should be conducted before building the plant at the Van Cortlandt site. Therefore, before it would pass a home rule message, the Council insisted that the state legislation require a SEIS, and the state legislation was amended accordingly. On June 12, 2003, the New York City Council, by an overwhelming majority, passed a home rule message authorizing the state to pass S.4791-C and A.8069-C.

As you know, pursuant to a Federal Consent Decree, New York City is required to build a water filtration plant for the Croton watershed. Because the city has not met a number of deadlines set forth in the Consent Decree—such as identifying a preferred site by April 30, 2003 and obtaining legislative authorization to use the Van Cortlandt site by April 15, 2003—the city is incurring fines of approximately \$7,500 per day. The failure to sign the above-referenced legislation will result in continued violation of the Consent Decree and the imposition of additional fines.

In addition to satisfying the deadlines pursuant to the Federal Consent Decree, the alienation legislation is an essential step in ensuring that New York City residents are provided with safe drinking water that meets all United States Environmental Protection Agency (EPA) drinking water standards. While Croton water has historically met all existing health-based water quality regulations, on June 25, 2003, the EPA announced that the Croton system had violated a national health standard for drinking water. The city and state must ensure that the Croton water system, which provides water to largely low-income communities of color, is as safe as the city's other water sources.

(Continued)

000033

The benefits to Bronx parks resulting from the city's proposal to build the plant at the Van Cortlandt site are impressive. In exchange for use of the Van Cortlandt site for the water filtration plant, the city has committed \$243 million dollars for the acquisition and improvement of parks in the Bronx. These funds represent the largest capital grant for parks use ever contemplated in the Borough of the Bronx. The state legislation requires that these funds be allocated pursuant to a Memorandum of Understanding that would ensure continued public input with respect to such funding allocation.

Finally, the construction of the filtration plant at the Mosholu site will assure that the Bronx receives the maximum possible economic benefit from the Croton filtration project. The DEP predicts that approximately 650 workers will be employed at the construction site during peak construction periods, and that the economic ripple effect of such activity is expected to generate over 3,000 jobs in the Bronx.

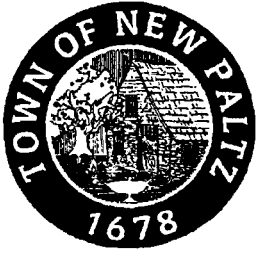
Given the importance of clean drinking water for all New York City residents; the provisions in the legislation that would safeguard residents against an environmentally unsound project, such as the required SEIS; the mandates of the Federal Consent Decree; the commitment of \$243 million dollars for Bronx parks; and the economic benefits generated by building the plant at the Van Cortlandt site, I respectfully urge you to sign S.4791-C and A.8069-C into law.

Thank you for supporting this important piece of legislation.

Sincerely,



GIFFORD MILLER
Speaker



P.O. Box 550
New Paltz, NY 12561
Fax 845/255.4084

SUPERVISOR
Donald Wilen
845/255.0604

DEPUTY SUPERVISOR
Steve Ruelke
845/255.0620

TOWN COUNCIL
James Bacon
Kristin Cole Brown
Marion DuBois
845/255.0620

TOWN CLERK
Marian Cappillino
845/255.0100

HIGHWAY SUPERINTENDENT
Phil Johnson
845/255.5050

TOWN JUSTICES
Jonathan Katz
845/255.0043

Bartlett Wagner
845/255.0041



www.townofnewpaltz.com



Governor George Pataki
Executive Chamber
State Capitol
Albany, New York 12224

27 June 2003

Dear Governor,

We urge you to veto bills A.8069 and S.4791 as we oppose New York City's proposal to alienate over 40 acres of Van Cortlandt Park in the Bronx for the purpose of siting a \$1.3 billion dollar chemical filtration plant for Croton water.

NYC's proposal is direct contravention of the purposes of parkland use. The appropriation of parkland for industrial purposes sets a dangerous precedent for all New York State communities.

Further, NYC's failure to adequately protect the Croton watershed over the last 40 years should not now justify its plan to use parkland for industrial purposes. Indeed, we believe NYC should seek technological alternatives to filtration and institute a comprehensive and vigorous campaign to protect its watershed and prevent suburban sprawl.

Curbing residential development in the watershed would not only result in cleaner water but serves the dual purpose of decreasing upstate ratepayers costs which are scheduled to increase by 11.66% on July 1, 2003. As you may know, New Paltz uses NYC water and the City increases the water rates to pay property taxes on NYC-owned land in Northern Westchester and Putnam where unprecedented residential development continues to cause property taxes to skyrocket due to the resulting increased burden on community services.

Consequently, we ask you to veto NYC's ill-considered plan as alternatives should be explored to reduce sprawl, protect parkland and reduce upstate water rates.

Thank you for your attention to this matter.

Sincerely,

Donald Wilen
Supervisor

CC: Mayor Jason West, Village of New Paltz
New Paltz Chamber of Commerce

DW/gtk

Friends of Jerome Park Reservoir
c/o Tina Argenti, Chairperson, 3446 Giles Place, Bronx, NY 10463
July 10, 2003

3

VIA Facsimile (518) 486-9749 and US Mail
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

RE: Van Cortlandt Park Alienation

Dear Governor Pataki:

The purpose of this letter is to urge you to veto the C version of A8069 and S4791 passed on June 20, 2003 by the Legislature. This bill authorizes the City of New York to alienate parkland in Van Cortlandt Park.

We represent the Friends of Jerome Park Reservoir, a community group consisting of neighborhood organizations around the reservoir – the home of 50,000 people and 25,000 students. We have been involved in encouraging community participation for the Croton Water Treatment Plant, and its many components. Since the mid 1980's, we have been involved in monitoring the work of the New York City Department of Environmental Protection in and around Jerome Park Reservoir and the Croton Watershed. We witnessed the construction noise, pollution and destruction during the building of the dividing wall in the reservoir, including the midnight work schedule to allow teaching in the local schools during the day.

But we were foolish and gullible. In the 1990's, we were appeased by the then DEP Commissioner into thinking he was working toward placing the project in Westchester, only to find that he signed a stipulation to build the plant IN our reservoir. Nine months after they signed the papers, the agency came to our community and discovered they mistakenly awoke a sleeping giant.

It was then that our community came to define public participation. We rallied. We wrote. We called. We went to meetings. We read PDEIS, DEIS, EIS, etc. We re-wrote PDEIS, DEIS, EIS, etc. We learned a lot. The DEP staff even thought we were all one big family (signing in as part of the CAC), and the consultants showcased us by inviting in visitors to see us in action. We advocated for the watershed – and met many of your staff.

However, the recent City administration has been the most difficult as they have resorted to a new fashioned public participation campaign – in the media. While the fourth estate is an admirable profession, it is a private enterprise and does not qualify as participatory government. Despite assertions that DEP have been open and public about their project, it is an excuse. They have been secretive (we FOIL'd for the April 16, 2003 Mayoral Override Memo), and withdrawn (no public meetings between the agency and the communities involved, no citizens advisory committee, no documents explaining the proposal). This would not be so serious a violation of the public trust if there were no alternatives, if this was truly the last resort.

But no one knows that for sure. No agency in the City of New York has voted to alienate parkland. No land use process has been completed – or even started to alienate parkland. There has been no public review, or environmental impact statement comparing the other alternatives. Since the DEP use carrots to gain favor with stakeholders, it is difficult to ascertain legislative intent.

Finally, don't let them trick you into thinking this is a matter of fines. Ask your own agency representative (New York State Department of Health) for the truth of the fines. They only have to choose a site (from two available now) and they have plenty of time to do this right (if they think the park is the only site).

Be strong. We will stand with you, if you will stand for us.

Sincerely,

Tina Argenti
Tina Argenti

000036



July 17, 2003

The Honorable George E. Pataki
Executive Chamber
New York State Capitol
Albany, NY 12224

Re: S.4791-C/A. 8069-C and proposed chapter amendments.

Dear Governor Pataki:

We appreciate the opportunity to provide input as you make a decision regarding the legislation authorizing the alienation of 47 acres of Van Cortlandt Park. We thank you for sharing chapter amendments proposed to address deficiencies in the legislation passed by the Senate and the Assembly. These amendments appear to recognize the serious flaws in the siting process used by New York City Department of Environmental Protection (DEP) in their rush to build a filtration plant in Van Cortlandt Park. The proposed amendments also recognize that there will be a significant impact on the communities adjacent to the site where the DEP wants to build the facility.

While the amendments to the bill you propose improve on the alienation process by requiring analysis of alternative sites, specifying the amount of money to be provided for mitigation, and by giving priority to mitigation projects in the affected community, the Sierra Club believes that amending the alienation authorization bill cannot fix the fundamental flaws with DEP's proposal.

To begin with, recent statements by Mayor Bloomberg demonstrate that the City is committed to the Van Cortlandt Park site and will undoubtedly choose this site if alienation is authorized regardless of the results of environmental reviews proposed in the chapter amendments. Nothing in the bill or proposed chapter amendments will mitigate the construction-related impacts on the communities living right next to the site. **If you do not veto this bill, these communities will be forced to breath air contaminated by diesel exhaust from trucks hauling excavated material from the site and from off road construction vehicles.** As you know, the construction period is slated to last for seven years. The residents next to this site will also be subjected to the increased dust; noise and other impacts of the blasting that will have to occur to accomplish the 100-foot excavation into bedrock required by construction plans.

In addition the Norwood community will lose a significant portion of parkland permanently. S. 4791-C/A.8069-C authorizes the alienation of 47 acres of parkland, but only requires that 5 of those acres be returned to park use. This parkland is currently used for passive recreation by Bronxites and other city residents. Since the lands in question will be maintained by the City for other uses, the communities will permanently lose this passive recreational use.

It would be one thing to ask low income minority communities that already have disproportionately high rates of asthma, to bear a significant reduction in air quality and quality of life if there was an immediate and pressing health threat faced by people drinking water from the Croton system, and if the Van Cortlandt Park site was the only option for constructing a

filtration plant. However, nothing could be further from the truth. The DEP has not shown that the Van Cortlandt Park site is the only feasible location for the plant or even the best location. In the case of water quality, the only potential threat to public health comes from elevated levels of haloacetic acids, and New York City is currently pursuing other means to address these substances.

Nothing short of your veto of S.4791-C/A.8069-C can prevent a significant and unnecessary environmental injustice from occurring. We appreciate the significant attention and serious consideration that you are giving this critical issue and thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Baer', with a stylized flourish at the end.

Ken Baer
Atlantic Chapter Chair

**ARBOR HILL ENVIRONMENTAL JUSTICE CORPORATION
ENVIRONMENTAL ADVOCATES OF NEW YORK
NEW YORKERS FOR PARKS
NEW YORK PARKS AND CONSERVATION ASSOCIATION
NEW YORK PUBLIC INTEREST RESEARCH GROUP
OPEN SPACE INSTITUTE
RIVERKEEPER, INC
SCENIC HUDSON
TRUST FOR PUBLIC LANDS
WATERFRONT PARK COALITION
WEST HARLEM ENVIRONMENTAL ACTION**

July 1, 2003

Governor George Pataki
State Capitol
Albany, New York 12224

Dear Governor Pataki:

We urge you to veto A8069 and S4791, legislation that would give the City permission to alienate important parkland in Van Cortlandt Park. The proposed legislation is premature, does not meet the normal standard for alienation legislation, and may be unconstitutional.

The New York City Department of Environmental Protection (DEP) is seeking legislation that would allow DEP to construct the Croton filtration plant at a site in Van Cortlandt Park. During the construction period and perhaps beyond, approximately 42 - 50 acres of the park would be an active construction site and closed to the public. This request is premature because the State Environmental Quality Review Act process (SEQRA) has not been completed and the preferred site has not yet been chosen.

Parkland in New York City is a scarce commodity. Of the 25 most densely populated cities in the United States, New York City ranks 21st in terms of parks and open space per 1000 residents. Our parks are very precious for all of our residents and should be protected for future generations. Parkland should not be alienated except under exceptional circumstances, only as a last resort, and only after full public review of the need for the alienation.

This request comes when the DEP has not produced a Environmental Impact Statement (EIS) or other documentation that describes the pros and cons of the new proposal for constructing and siting the filtration plant in Van Cortlandt Park and the alternative sites. Before the State considers use of Van Cortlandt Park for this purpose, there should be a full and open process that would allow all interested parties to compare alternative sites and to understand what the compelling reasons are, if any, to place it in the Park. In this context, we would expect that use of the Van Cortlandt Park would have financial benefits since the City would not have to buy the land (as required at the Harlem River site) or pay local taxes (as required at the Eastview site in Westchester). Financial advantage should not serve as the primary or sole justification for selection of this site; otherwise, use of a park site for a public facility of this sort would always be preferred.

We appreciate the requirements in the legislation that the City complete a supplemental EIS, but this work should be completed before the State considers alienation, not after. The City completed an EIS in 1999 on a materially different project proposal, but has been unwilling to complete a supplemental EIS on the Van Cortlandt site and to compare the site with the other sites currently under consideration under the SEQRA procedures. In addition, the City has refused to consider the new design of the filtration plant and the alienation of parkland through the City Uniform Land Use Review Process (ULURP). We urge you not to sign legislation that would alienate the parkland unless the siting decision is the result of a full EIS under SEQRA and unless the City allows for full community participation by considering the new proposal through ULURP.

DEP staff has talked of plans, which the public has not seen, intended to minimize and mitigate any adverse impacts stemming from construction of the filtration facility in the Park. They verbally state that the Park would be returned to its current use, topography and configuration with full access to the acreage on top of the facility once construction is complete (all in conflict with their own past practice and contemporary security concerns). We fear that new guidelines for the Office for Homeland Security, for example, might cause the City to restrict access to that part of the Park following construction.

The City says they plan to spend \$43 million restoring trees and other natural features of the Park and to provide at least \$200 million in mitigation funds for park improvements in The Bronx. These generous conditions are not in writing, and their enforcement is not assured. Legislation to alienate parkland in Van Cortlandt Park should explicitly require the City to make available the \$243 million in restoration and remediation funding.

Language should be added to the bill that sets priorities for the use of the funds and requires that the remediation take place in the community that will be damaged by the construction. The first priority should be the restoration of trees and other natural features in the Park. The second priority should be the creation of recreational facilities that would directly serve the community most affected by the construction. (The impacted community has proposed recreational improvements in the southeast corner of Van Cortlandt Park and would be directly served by the restoration of Williamsbridge Oval.) The third priority should be the improvements in the Jerome Park Reservoir that are required to make it usable as parkland. The fourth priority should be other park improvements in Van Cortlandt Park and other park improvements in the Bronx with priority for those improvements near the impacted community and Park.

If the MOU provision remains in the legislation, it should require that the MOU reflect the priorities and that the Governor be a party to the MOU.

The proposed legislation calls on the City to give due consideration to converting Jerome Park Reservoir to parkland. This vague commitment is in conflict with the State's established policy and tradition that alienation legislation specifies a land-for-land swap with a meet-and-bounds description for the new parkland as well as for the alienated

parkland. With the exception of minor parkland alienation, the normal procedure for the legislature is to require a specified land-for-land swap, not just a requirement that the City give "due consideration" to converting Jerome Park Reservoir to parkland. The swap should be automatic with the alienation. In its 1999 FEIS the City states that if the Croton Filtration Plant were located in Van Cortlandt Park, "Jerome Park Reservoir, once the filtration facilities are in operation, would no longer be used to store treated drinking water." Any legislation to alienate parkland in Van Cortlandt Park should incorporate the language of A3187, which requires the conversion of Jerome Park Reservoir to parkland – or should specify a swap of other land that is at least equivalent in parkland value as Jerome Park.

Beyond these environmental issues, we believe you should veto the legislation for two additional reasons:

- As written the legislation is unconstitutional because it grants executive functions to the Legislature through the MOU provision.
- The DEP has promised that after the filtration plant and the storage tank for treated water are built, the Park would be returned to its current use with full access to the acreage on top of the facility. We believe that locating the filtration plant in the middle of a public park with no restrictions on public access raises major security problems in the post 9/11 world and should be evaluated by State security experts.

We therefore urge you not to approve the request for alienation at this time because parkland is too important to all New Yorkers and especially in New York City. This issue should be carefully considered. Please make clear that you will not approve alienation unless the siting decision is the product of a complete SEQRA process and ULURP. You should also require a full security evaluation of all three alternatives. If you ultimately approve alienation legislation, it should be amended to resolve the constitutional question, provide for a land-for-land swap and legally enforceable guarantees that the mitigation funds will be invested in the community that is impacted by the construction. Thank you for considering our requests.

Signed by:

Aaron Mair, President, Arbor Hill Environmental Justice Corporation
Val Washington, Executive Director, Environmental Advocates of New York
Christian DiPalermo, Executive Director, New Yorkers for Parks
Robin Dropkin, Executive Director, New York Parks and Conservation Association
Chris Meyer, Executive Director, New York Public Interest Research Group
Joe Martens, President, Open Space Institute
Alex Matthiessen, Hudson Riverkeeper/Executive Director, Riverkeeper Inc.
Ned Sullivan, President, Scenic Hudson
Rose Harvey, Senior Vice President, Trust for Public Land
Paul Elston, Chair, Waterfront Park Coalition
Peggy Shepard, Executive Director, West Harlem Environmental Action

Cc:

Senator Joseph L. Bruno

Speaker Sheldon Silver

Speaker Gifford Miller

Attorney General Eliot Spitzer



Mosholu Woodlawn South Community Coalition

3092 Hull Avenue - Bronx, New York 10467 - 718 655 1054

A Proud Affiliate of the NWBCCC

MWSCC

Board of Directors

*Margaret Groarke
(President)

*Ora Holloway
(Vice President)

Pastor Paul Dordal
Marilyn Finchum
Myra Goggins
Ronn Jordan
Andrew Laiosa
Fay Muir

July 3, 2003

Dear Governor Pataki,

We write to urge you to VETO the Van Cortlandt Park alienation bill.

Your gubernatorial administration has been marked by respect for the environment, and acquisition of new parkland. Please continue in that tradition, and veto this bill.

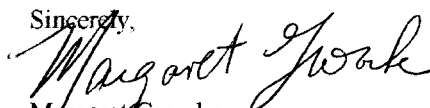
There are too many unanswered questions about this project. The DEP told legislators and the public that it would alienate 28 acres of parkland, but the bill on your desk gives them authority to alienate a total of 48 acres "without limitation."

This beautiful parkland should not be alienated until after the environmental review process has been completed, and then, only if no alternative site can be found. We have proposed a new site in the Bronx, which we believe would be less harmful to the community and to the park.

Please veto this bill.

Thank you.

Sincerely,


Margaret Groarke
Board Member

000043



Central Office
103 East 180th Street • Bronx, N.Y. 10458-3837
Tel. (718) 584-0515 • Fax (718) 733-8922

Erin Crotty
New York State DEC Commissioner
625 Broadway
Albany, NY

July 16, 2003

Dear Commissioner Crotty,

Thank you again for your time this morning. We have just finished reviewing the chapter amendment letter and suggested language. We still believe that the Governor should veto the bill.

Of course, since we explained to you in great detail how difficult we think the construction of this would be for our community, and what a terrible precedent it sets for theft of parkland, no bill that permits the alienation of parkland is acceptable.

It's probably a good thing that a specific amount has been included, instead of the vague language used before. We're assuming that the additional \$43 million has not been mentioned because it has already been specifically committed by the City Council. In total there should be \$243 million to be consistent with prior statements by the City.

Regarding the suggested amendments we have made some specific comments below.

Problems with the chapter amendment:

1. While requiring a comparison of alternative sites is a good idea, it will be meaningless if the governor signs this bill, therefore giving advance approval to the alienation of Van Cortlandt Park. If the DEP have permission to alienate Van Cortlandt Park, they will only go through the motions of the environmental review. The Chapter amendment does not change this.
2. In the section regarding priority for funding, the long list of priorities basically means no priorities. There is no conceivable park project in the Bronx that wouldn't meet one or more of these criteria. The first priority, "which directly benefit the local communities negatively impacted by this act," appears to be

000044

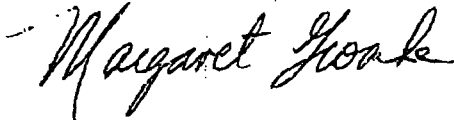
equal to the seven other priorities that are listed rather than a higher priority. Presumably if the goal is to help the most impacted communities – the potential park projects closest to the site would receive first priority. Parks in this area include: the Southeast Corner of Van Cortlandt Park, Shandler Field, Mosholu Parkway and Williamsbridge Oval. Furthermore as we discussed earlier today regardless of what this legislation does or does not say – it is not clear that water bond financing can be used for these purposes and it creates the potential for gross manipulation of the suggested intent.

3. The chapter amendment does not address a serious inconsistency between the DEP's presentations and the legislation. They CLAIM they will alienate 28 acres, and restore most of it to parkland; the bill allows them to alienate 42 acres permanently, "without limitation," and another 5 acres temporarily (with no time limit on temporary).

Questions:

1. On p. 3, why is "construction, installation, operation, and maintenance of" removed? What impact will this have?
2. On p. 2, "or public recreational facilities" is added. What is this intended to make possible? We are not necessarily opposed to this, but we aren't clear what it means.

Sincerely



Margaret Groarke
Board of Directors / Filtration Committee

June 26, 2003

The Honorable George E. Pataki
Governor, The State of New York
New York State Executive Chamber
State Capitol
Albany, NY 12224

Dear Governor Pataki,

I am writing to ask you to veto bills A 8069 and S 4791.

As a resident of New York City and a consumer of City water, I am convinced that there is no need to alienate over 40 acres of Van Cortlandt Park in the Bronx for the purpose of siting a chemical filtration plant for Croton water. Not only is it totally inappropriate to use scarce parkland for such a purpose – it seems to be completely unnecessary.

I urge you to veto these bills, and then to extend the strategy of watershed protection adopted in the NYC Watershed MOA to the Croton. This approach will be more effective and less expensive.

Please safeguard our parks and our water supply.

Sincerely,



Mirele B. Goldsmith
174 East 74th Street
New York, NY 10021

Marcia Allina
5255 Sycamore Avenue
Bronx, NY 10471

July 3, 2003

Hon. George E. Pataki
Governor's Office
State Capitol
Albany, NY 12224

Dear Governor Pataki,

I am writing to ask you, plead with you, to veto the Legislature's bill approving the taking of nearly 48 acres (42 permanently and without limitation) of Van Cortlandt Park to build a water filtration plant.

Process:

New York City has not done the environmental and land use assessments and reviews that are required to build such a facility. The City says it will do them now, but that is not the way the process should work. I could not get approval to build a house before submitting detailed plans to the appropriate building department and zoning authority. Why should the City get approval for a huge industrial plant before it shows plans and gets them approved? The City has only shown a six-page power point presentation and an old environmental assessment for a different project.

Substance:

Labor union support is the reason that many city officials favor building the plant in Van Cortlandt Park. Jobs are important for the economic health of the area, but union jobs will be created wherever the plant is located, and the location should not be determined by which local union has the ear of New York City politicians. All Bronx legislators (except those who represent the residents living adjacent to Van Cortlandt Park) were figuratively bribed with the promise of thousands of dollars for parks in their districts and the prospect of local union support for their political campaigns.

Construction will take a minimum of five years, more likely ten years. Construction time is almost always much longer than the planning estimates. And in this case, because there is no detailed plan, it is impossible to calculate the how long construction will take.

There is absolutely no neighborhood support for building the filtration plant here. The impact of construction on the adjacent community has been glossed over. The census track shows a struggling community made up of lower-middle class residential housing and scores of small businesses. Claims that construction workers will bring economic activity to the businesses are questionable. The union members are not neighborhood residents. At best, they will buy a soda or sandwich

in the area, if they don't bring their lunches. The construction traffic and dust will harm nearby hospitals and schools -- Montefiore and North Central Bronx Hospitals, Bronx Science and Dewitt Clinton High Schools, Lehman College, and various elementary schools.

Also

The Croton Water System serves thousands of Westchester residents, many fewer than in New York City, but still people who drink the water. This plant will not filter Westchester water. If filtration is necessary, it is necessary for everyone who drinks the Croton water. Westchester will need to build a separate plant for its residents.

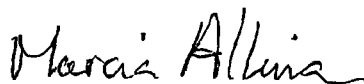
A New York City agreement with the federal government requires the city to filter its water. No similar agreement exists for Westchester. This is idiotic policy planning. We should be looking at a regional solution.

New York City says it would be more expensive to build in Westchester. If you look at the regional costs, that is questionable.

- New York City would be taxed by Westchester if it builds there, but water use fees from the Westchester consumers would offset this cost.
- New York City says that it would need to upgrade the tunnel from the Westchester site to the Bronx pumping station and this could cost up to a half billion dollars. But Westchester will have to build a filtration plant for its residents. What will be the cost of building two filtration plants?

Please veto this legislation.

Sincerely,



Marcia Allina

A.8009C

3875 Waldo Avenue #2D
Bronx, N.Y. 10463

Brian McMahon

June 27, 2003

Governor George Pataki
Albany, N.Y.

Dear Governor Pataki,

Please **veto** the legislation that permits the construction of a water filtration plant in **Van Cortlandt Park Public park** land is sacred. Suitable alternative building sites are available. Construction in the park is politically expedient but would deprive the community use of the park for years and forever change its genuine naturalness.

Sincerely,



Brian McMahon

000049

718/796-7160

July 11, 2003

Governor George Pataki
State Capitol
Albany, NY 12224

Dear Governor Pataki:

I urge you to veto A8069 and S4791. The City must not receive permission to alienate land in Van Cortland Park.

With so-called "mitigation funds," the bill would feather the nests of legislators who were persuaded to give it last-minute support.

The bill would damage north Bronx communities that have struggled for decades to recover from the rapacious programs and policies of Robert Moses. Apartment houses, medical and social service facilities, schools, good public transit, vital small businesses — hundreds of millions of dollars have been invested in the communities that would be harmed by the proposed filtration plant

The bill pre-approves the result of an environmental review process that has not yet been conducted; it denies the North Bronx the right to a transparent selection process. Approval of this monstrous industrial facility in Van Cortland Park without due process under SEQRA and the City Park-alienation procedures would violate the trust we have placed in our elected officials.

Please protect our rights. Please veto this bill. Please tell the DEP that it must conduct the SEORA process.

Sincerely,

Franz Allina

Franz Allina

Hon. George Pataki

July 9, 2003

2

Subject: In Support of Assembly #8069C/Senate #4791C

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction. .

The City must meet a court deadline for legislative approval to build at the Moshulu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Sincerely,



William V. McGuinness
Chief Operating Officer, Slattery Skanska Inc.
Treasurer, General Contractors Association of NY

WVM:icb

000051

Jane E.S. Sokolow
Two Spaulding Lane
Riverdale, New York 10471

(718) 548-8090
FAX: (718) 884-1226
jessokol@webspan.net

July 10, 2003

VIA Facsimile (518) 486-9749 & U.S Postal Service
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

RE: Croton Filtration Legislation

Dear Governor Pataki:

I urge you to veto A8069 and S4791, legislation that would give the City permission to alienate a large section of parkland in Van Cortlandt Park. The proposed legislation is premature and may be unconstitutional.

The New York City Department of Environmental Protection (DEP) is seeking legislation that would allow DEP to construct the Croton filtration plant at a site in Van Cortlandt Park. During the construction period and perhaps beyond, approximately 42 - 50 acres of the park would be an active construction site and off-limits to the public.

The legislation is premature because it pre-approves construction of a huge industrial facility in our park, *before* the City conducts the open site selection process that is supposed to be provided by the State Environmental Quality Review Act (SEQRA). Based on the City's undocumented assertion that the park is the least-expensive site, the bills also attempt to bypass public protections that should be provided through NYC's zoning laws.

Parkland in New York City is a scarce commodity. Our parks are precious for all of us and must be protected for future generations. Parkland should not be alienated except under very exceptional circumstances, only as a last resort, and then only after full public review of the need for the alienation.

The legislation requires that the City complete a supplemental EIS, but this work should be completed before the State considers alienation, not after the fact. The City completed an EIS in 1999 on a materially different project proposal, but has been unwilling to complete a supplemental EIS on the Van Cortlandt

000052

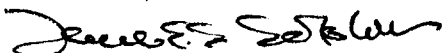
site, and unwilling to compare the site with others as required by SEQRA procedures. In addition, the City has refused to pass the new design of the filtration plant and the proposed alienation of parkland through the City Uniform Land Use Review Process (ULURP). We urge you not to sign legislation that would alienate the parkland unless the siting decision is the result of a full EIS under SEQRA, and unless the City allows for full community participation by passing the new proposal through ULURP.

The DEP has talked of plans (the public has not seen the plans) intended to minimize and mitigate any adverse impacts stemming from construction of this filtration facility in the Park. DEP verbally states that the Park would be returned to its current use, topography and configuration, with full access to the acreage on top of the facility once construction is complete. Each of these reassurances is in conflict with DEP's past practices, and with contemporary security concerns. We fear that new guidelines for the Office for Homeland Security, for example, might cause the City to restrict access to that part of the Park following construction.

In addition, as written the Memorandum of Understanding provision in the legislation raises constitutionality questions by giving executive powers to the legislature.

I strongly urge you not to approve the request for alienation now because parkland is too important to all New Yorkers, and especially to congested neighborhoods within New York City. The issues of alienation, due process, and separation of powers should each be carefully considered. I urge you to make it clear that alienation cannot be considered unless the siting decision is the product of a complete SEQRA process and is passed through ULURP. A full security evaluation of all three alternatives should be required. If for any reason alienation legislation must be approved, it should be amended to resolve the constitutional question, require the City to complete ULURP, and to make legally enforceable the guarantees that the mitigation funds will be invested in the community that is impacted by the construction.

Sincerely,



Jane E.S. Sokolow

FRANZ ALLINA

5255 SYCAMORE AVENUE
RIVERDALE, BRONX, N.Y. 10471
718/796-7160

July 11, 2003

Governor George Pataki
State Capitol
Albany, NY 12224

Dear Governor Pataki:

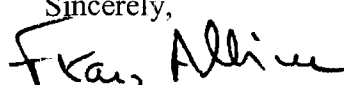
I urge you to veto A8069 and S4791. The City must not receive permission to alienate land in Van Cortland Park.

With so-called "mitigation funds," the bill would feather the nests of legislators who were persuaded to give it last-minute support.

The bill would damage north Bronx communities that have struggled for decades to recover from the rapacious programs and policies of Robert Moses. Apartment houses, medical and social service facilities, schools, good public transit, vital small businesses – hundreds of millions of dollars have been invested in the communities that would be harmed by the proposed filtration plant

The bill pre-approves the result of an environmental review process that has not yet been conducted; it denies the North Bronx the right to a transparent selection process. Approval of this monstrous industrial facility in Van Cortland Park without due process under SEQRA and the City Park-alienation procedures would violate the trust we have placed in our elected officials.

Please protect our rights. Please veto this bill. Please tell the DEP that it must conduct the SEQRA process.

Sincerely,

Franz Allina

000054

5440 Moshulu Ave
Bronx, N.Y. 10471

718-796-4815

Please do NOT
sign the bill that
would allow a filtration
plant in the Van Courtlandt
Park.

1) a thriving low-income population
would be unsettled.

2) Two hospitals abutt this
property - ... dangerous fumes
would be harmful.

3) Parks are precious

4) Most union-workers are NOT
from the Bronx - as union
leaders contend - Jaye W. Lerner

JW

(2)

A 8069

Date:

7/14/03

The Honorable George E. Pataki
Governor, The State of New York
New York State Executive Chamber
State Capitol
Albany, NY 12224

RE: Veto bills A.8069 and S.4791.

Dear Governor Pataki:

I am deeply disturbed by the proposal to alienate more than 40 acres of Van Cortlandt Park in the Bronx for the purpose of siting a huge chemical filtration ~~plant for Croton~~ water.

This is frighteningly inappropriate park use. I fear that if such an industrial facility were permitted, then no park in New York State would be safe from such "double" dealings.

I am a resident of Manhattan and we cherish our parks (give name). They provide us with much needed open space, beauty and recreation. We have no choice but to look to you to protect our parks and to continue to protect our open space as you have been doing so brilliantly.

Please veto bills A.8069 and S.4791. Please help us safeguard our parks and allow us to continue to have what we are all entitled to.

Thank you.

Name

LaQuita Henry

Address

2565 Broadway, PMB 163
New York, 10025



000056

(518)474-8390

A8069

Charles A. Cerussi
5635 Netherland Avenue
Riverdale, N. Y. 10471
July 14, 2003

WRITE: The Honorable George E. Pataki
Governor, The State of New York
New York State Executive Chamber
State Capitol
Albany, NY 12224

PHONE: 518 474-8390

Re: Asking Governor George E. Pataki to
VETO the park alienation bills A. 8069 and S. 8471

Dear Governor Pataki,

I am deeply disturbed by the proposal to alienate over 49 acres of Van Cortlandt Park in the Bronx for the purpose of siting a huge chemical filtration plant for Croton water.

This is totally inappropriate park use. I fear that if such an industrial facility were permitted, then no park in New York State would be safe.

I am a resident of.....and we cherish our parks (give name). They provide us with much needed open space, beauty and recreation. We look to you to protect our parks and to continue to protect our open space as you have been doing so brilliantly.

Further, whenever there is a rainfall the subject 49 acres (which is part of a large ecosystem), feeds: 1- A wet land and bird sanctuary in Van Cortland Golf course, 2-A small lake in Van Cortland golf course, 3- A second large wet land that goes many miles from Van Cortland Park South far into Westchester County, 4- The very large Van Cortland lake which is a fish and bird sanctuary.

The City and State have just spent millions of dollars to dredge Van Cortland Lake site and adjacent areas from sludge and mud accumulated over the years.

If a chemical plant was allowed on the 49 acres at the Moshulu site, present estimates are indicating a ten year construction period to complete. This will destroy the eco system, wet lands and lake areas mentioned in one (1) to four (4) above. All the construction mud run off, diesel, oil and other contaminants will be deposited in areas one (1) to four (4) above. In essence this will become an **ecocatastrophe**.

000057

There are may better areas in the Bronx that are just crying out for some economic stimulus that this project would provide.

Please veto bills A.8069 and S.4791. Please help us safeguard our parks.

Thank you.
Charles A. Cerussi

000058

ENVIRONMENTAL ADVOCATES OF NEW YORK
NEW YORK PUBLIC INTEREST RESEARCH GROUP
RIVERKEEPER

July 8, 2003

VIA Facsimile (518) 486-9749 & Federal Express
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

RE: Croton Filtration Legislation

Dear Governor Pataki:

We urge you to veto the alienation of parkland legislation (A.8069/S.4791), which ultimately would result in a \$1.3 billion dollar water filtration plant being built in Van Cortlandt Park in the Bronx. Knowing your dedication to water quality and open space issues, we expect that you share our concern for the deficiencies in the proposed action.

In a July 1, 2003 letter to you, we outlined several of the deficiencies in the legislation. First, the legislation fails to provide sufficient safeguards to ensure that any funds given in exchange for the parkland will be spent on protecting the communities most affected by the industrial plant. There is no specific level of funding required, despite assurances by New York City of more than \$200 million. Moreover, the legislation does not set priorities, such as restoring trees and other natural features, for the use of the funds. Second, the Memorandum of Understanding provision in the legislation raises constitutionality questions by giving executive powers to the legislature. Third, the legislation only requires that New York City give "due consideration" to converting Jerome Park Reservoir to parkland. In its 1999 FEIS, the City states that if the Croton Filtration Plant were located in Van Cortlandt Park, "Jerome Park Reservoir, once the filtration facilities are in operation, would no longer be used to store treated drinking water." As such, the legislation should require conversion of another source of parkland for Bronx residents.

In addition to those deficiencies, we believe that there are further compelling reasons for you to veto the legislation. For example, the legislation should include a long-term commitment to Croton watershed protection. Also, while we support the requirement for a supplemental environmental impact statement (SEIS) that will consider alternative sites for the proposed action, the SEIS should have been completed prior to the legislation. Furthermore, we suspect that New York City will not conduct a proper

000059

study of alternatives to the proposed action itself, as required in any EIS. An analysis of alternatives is a cornerstone of the State Environmental Quality Review Act (SEQRA). SEQRA and its implementing regulations require an EIS to include a discussion of reasonable alternatives to the proposed action. The range of alternatives include, among others, sites, technology, scale or magnitude, and types of action. The City's EIS must consider all reasonable alternatives that are "feasible, considering the objectives and capabilities of the project sponsor." DEP's objective is to protect its drinking water supply in order to provide clean drinking water to New Yorkers. Based on this objective and DEP's vast capabilities, a proper alternatives analysis would include filtration avoidance and alternative technologies. Such an analysis would fulfill the objectives of the Safe Drinking Water Act, the statute under which this action is being pursued. In the Massachusetts Water Resources Authority case, the First Circuit Court of Appeals stated that "the manifest purpose of the SDWA is safe drinking water, not filtration."

Given these deficiencies and lack of safeguards we urge you to veto the legislation. Because we have long supported a dual-track approach for the Croton watershed, we hope that we can count on you to support a dual-track approach whereby the decision-making process includes an ongoing examination of alternative treatment technologies coupled with a long-term commitment to watershed protection. Thank you for your continuing leadership on water quality issues.

Signed by:

Alex Matthiessen, Hudson Riverkeeper & Executive Director, Riverkeeper, Inc.

Chris Meyer, Executive Director, New York Public Interest Research Group

Val Washington, Executive Director, Environmental Advocates of New York

_ The City's Draft EIS for the Croton Treatment Plant examines primarily engineering alternatives at the proposed plant and in the system, but provides only a cursory review of non-filtration options. New York City Department of Environmental Protection, Croton Water Treatment Plant Draft EIS (Apr. 2003). In addition, the Croton consent decree contains a "Modifications" provision, under which the agreement may be modified (with all parties' consent and subject to court approval) based on, among other factors, science, technology, or public health.¹ Croton Consent Decree at ¶ XXI. Moreover, pursuant to the Safe Drinking Water Act (SDWA), EPA has the authority to approve alternative treatment technologies. See 40 C.F.R. §141.73(d).

_ See 6 NYCRR §617.9(b)(1). An EIS that lacks a proper alternatives analysis renders impossible the task of finding that the selected action minimizes or avoids adverse environmental impacts.

_ See *id.*

_ 6 NYCRR §617.9(b)(5)(v).

_ According to DEP reports, "[f]iltration of water from the Croton System is not necessary under today's standards or those anticipated in the near future." Because

Croton water meets all state and federal standards and the Croton Consent Decree has a modification clause, SEQRA requires DEP to analyze filtration alternatives and filtration avoidance as an alternative to constructing a filtration plant.

_ United States v. Massachusetts Water Resources Authority, 256 F.3d 36, 57 (1st Cir. 2001).

ENVIRONMENTAL DEFENSE
REGIONAL PLAN ASSOCIATION

July 14, 2003

Honorable George Pataki
Governor of New York State
State Capitol
Albany, NY 12224

Dear Governor Pataki:

We are writing respectfully to urge that you sign A8069-C, relating to Croton filtration, which is expected to reach your desk shortly.

This bill authorizes New York City to discontinue use of a portion of the Moshulu Golf Course in Van Cortlandt Park for the construction of a Croton water supply filtration plant, requires compliance with applicable environmental laws and rules, and mandates that the City restore the site following construction, so that the surface lands at issue will be returned to park uses.

We believe that enactment of A8069-C is necessary from a public health and environmental perspective.

As you know, in 1992, the New York State Department of Health and the U.S. Environmental Protection Agency determined that New York's Croton reservoir system must be filtered to assure that this drinking water supply has long-term protection from microbial contaminants and that it meets other requirements of the Safe Drinking Water Act and its implementing regulations. Since then, the level of density in the Croton watershed has significantly increased. The New York City Department of Environmental Protection, in a case statement prepared in May of this year, noted that Croton water consumers are sometimes receiving lower quality water -- with seasonal problems including color, odor and taste. The Natural Resources Defense Council asked nationally prominent drinking water specialists from around the country to review the DEP case statement; all eight experts who responded were unanimous in their conclusion that filtration (along with vigorous watershed protection) is necessary to protect those who drink Croton water. The recently reported Croton water exceedance of federal health-based standards for haloacetic acids (one of the harmful disinfection byproducts that are reduced by filtration) re-emphasizes the health imperative for filtration of this water supply. These are issues of critical importance for the 900,000 New Yorkers who rely on Croton for their daily drinking water needs.

Moreover, filtration of the Croton system is necessary so that this system can provide reliable, 12 month-a-year service for downstate water consumers. The Croton reservoirs can furnish up to 30% of the downstate supply during drought periods. But, as DEP reports, "over the past ten or fifteen years, the Croton system has been less reliable, with eutrophic conditions in many of its reservoirs and other problems necessitating that the system be shut down for months at a time, often during periods of peak water demand -- the summer and fall." Insuring a reliable, year-round Croton supply will also be essential in coming decades if the aging Catskill and Delaware system components must be repaired, making those waters unavailable to New Yorkers for perhaps months or years. Further delay in filtering Croton risks the City's long-term ability to manage drought conditions, threatens water supply redundancy and therefore the City's long-term security, and could end up

000062

costing downstate water consumers billions of extra dollars in the future (if the Croton supply is not available during a future water emergency).

For these and other reasons, while New York's Croton water remains drinkable, the need to filter Croton cannot be avoided. The time to have dealt with the issue of filtering or not filtering Croton was years ago, before the full-scale suburbanization of much of Westchester County. In terms of longstanding norms for drinking water quality which are a foundation of American public health, it is hard to identify recognized water experts in the broader national community who believe that not filtering a watershed with dense and multi-varied patterns of development and human uses is a defensible proposition.

We are aware that some opponents of filtering Croton argue that watershed protection alone can safeguard the Croton system. As strong proponents of watershed protection, we are sympathetic to that argument. But conditions in the Croton watershed have gone beyond the point where watershed protection by itself will suffice. And the continuing failure to resolve the Croton issue threatens to call into question New York City's and State's commitment to public health.

We believe that vetoing this legislation, in the hope that State and City legislative processes will work in harmony to produce better legislation at some uncertain point in the future, would present unnecessary and unreasonable risks. A veto would prolong the already-lengthy delay of filtration plant construction and fuel misguided efforts by well-intended opponents of any filtration for Croton. It would also be likely to permanently sweep the golf course site out of consideration from a practical and political standpoint, even before a supplemental environmental review of the three potential sites has been completed.

Our organizations are sympathetic to the concerns of some of our environmental colleagues regarding park alienation. The use of parkland for any non-park purpose should clearly be a last resort. But we believe that in view of the exceptional circumstances here -- legitimate public health concerns for a large number of city residents, the need for compliance with the Safe Drinking Water Act, a pending federal court order, and the non-permanent nature of the potential park alienation -- passage of this legislation is necessary.

Moreover, if this legislation is signed into law, our organizations fully intend to review the environmental impacts of the three proposed sites with great care and attention during the new environmental review process required by the legislation. And should the golf course site be finally selected, our groups will do everything in our power to insure that legally binding mitigation measures include: 1) a temporary alienation, limited to the time period necessary for filtration plant construction; 2) a commitment to rebuild the driving range and restoration of the landscape for park use; and 3) rapid commitment of the approximately \$243 million dollars pledged as mitigation to capital parks projects in the impacted neighborhood and throughout the Bronx. We also plan to closely monitor the allocation and expenditure of these funds to insure that they are spent on important capital parks projects that benefit Van Cortlandt Park and the surrounding community.

Finally, we note that, in view of the longstanding dedication of our organizations to watershed protection, we are committed to insuring that the Croton watershed will receive a vigorous program of watershed protection, designed to minimize the impacts of development, including stepped-up, willing-seller land acquisitions and easements, as well as stringent enforcement of environmental and public health laws -- even after a filtration site is selected and a filtration plant is built. For this reason, we were pleased that DEP has recently pledged to continue and enhance its ongoing programs to safeguard the Croton watershed from pollution and haphazard development, as required by the 1996 amendments to the Safe Drinking Water Act. We will be watching to insure that this in fact occurs, and we hope that the State will redouble its own programs in this area as well.

Accordingly, we urge you to sign A8069-C, which is expected to be before you shortly. We believe that with the continued good work of your office, combined with the work of our organizations and many others that care about protecting the urban environment, we can properly address all of the legitimate concerns that have been raised. And we are more convinced than ever that passage of this legislation is necessary to protect the nation's largest municipal water supply for future generations. In sum, this is an environmental protection measure of the utmost importance, one needed to insure that the New York City water supply remains one of the City's and State's premier environmental assets.

Sincerely,



James T. B. Tripp, General Counsel
Environmental Defense



Robert D. Yaro, President
Regional Plan Association

cc: John Cahill
Charlie Fox

000064

The Bronx Council for Environmental Quality

P.O.Box 265 The Bronx, New York 10464

visit our website @ www.bceq.org

July 9th 2003

Governor George Pataki

State Capitol

Albany, New York 12224

Dear Governor Pataki:

Seizing upon an unprecedented opportunity to control the distribution of \$240 million dollars in "mitigation" funds, Assemblyman Silver and Senator Bruno have enacted statutes that approve the placement of a 1.5 billion dollar water filtration plant in Van Cortlandt Park, in the Bronx.

On behalf of my organization, I urge you to veto the legislation – A8069 and S4791

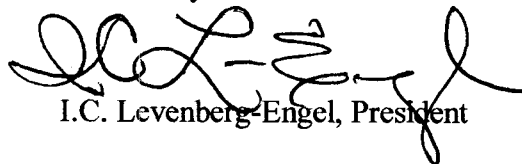
Approval of this enormous construction project in our park, without requiring that the City first complete the procedures required by the State Environmental Quality Review Act (SEQRA) will have a devastating impact on the park and the stable community contiguous to this site.

The Department of Environmental Protection of the City of New York (DEP) has yet to conduct the required public process to compare the three designated sites under consideration.

DEP has not released official documents on a series of critically important aspects of the plan. The City must be instructed to first conduct the SEQRA process. Only after those processes are completed and New York City's own park alienation and rezoning procedures are followed, should legislation be presented to you affecting the seizure of this historic park land.

We are asking you to protect our rights. **Please veto this bill.** The legislation is premature and would create a new procedure for alienating parkland; a procedure that circumvents city and state park protection laws and procedures.

Yours truly,



I.C. Levenberg-Engel, President

000065



c/o VAN CORTLANDT PARK
GOLF HOUSE
BRONX, NEW YORK 10471
TEL: 718-601-1460
FAX: 718-601-1574

WEBSITE:
WWW.VANCORTLANDT.ORG
EMAIL: FRIENDVCP@AOL.COM

VIA Facsimile (518) 486-9749 and US Mail
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224
Re: Van Cortlandt Park Alienation

Dear Governor Pataki:

In my capacity as the Chairman of the Friends of Van Cortlandt Park, I am writing to urge you to veto the C version of A8069 and S4791 passed on June 20, 2003 by the Legislature. This bill authorizes the City of New York to use parkland in Van Cortlandt Park for the building of a Water filtration plant.

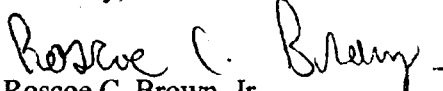
The Friends of Van Cortlandt Park (FVCP) is decade old an organization dedicated to the promotion, preservation and protection of Van Cortlandt Park. Our organization is comprised of volunteers, paid members, park user groups and students.

The disturbance of this parkland is not during a brief time period. The construction for the proposed plant could take over ten years to complete. This will eliminate the use of the park for local residents, especially children, for their entire childhood. The park will lose over 250 old growth trees and several acres of park wetland will be infringed upon during the construction.

The proposed filtration plant in this park will also set a precedent for the taking of parkland for throughout the New York City. Van Cortlandt Park has received promises from city agencies in the past regarding temporary use of the park. After projects were completed the city never held true to its commitment. We are afraid that this will once again be the case with this project.

We respectfully request take a leadership in protecting New York City parkland and its natural environment for future generations by denying the City the chance to move forward on this project in Van Cortlandt Park.

Sincerely,


Roscoe C. Brown, Jr.
Chairman

Cc: Jennifer Lumpt, Director of Legislative Affairs

CHAIR
ROSCOE C. BROWN, JR., PH.D.

VICE CHAIRS
FELICITY NITZ
JANE E. S. SOKOLOW

PRESIDENT
ELIZABETH COOKE LEVY

TREASURER
FRANCES BEINECKE

SECRETARY
ADRIAN HUNTE SMITH

COUNSEL
ERIC A. SEIFF

MARCIA ALLINA
HILARY BAUM
ROBERT J. BYRNES
BASHKIM DIBRA
LORANCE J. HOCKERT
RUSTY HOLZER
ORA HOLLOWAY
SUSAN MORGENTHAU
DART WESTPHAL

EX-OFFICIO
ADRIAN BENEPE
HON. ADOLFO CARRION, JR.
G. OLIVER KOPPELL
DOROTHY LEWANDOWSKI

EXECUTIVE DIRECTOR
PAUL P. SAWYER

000066



July 7, 2003

Governor George Pataki
State Capitol
Albany, New York 12224

Dear Governor Pataki:

We urge you to veto A8069 and S4791, legislation that would give the City permission to alienate land in Van Cortlandt Park.

These bills prematurely approve the placement of a 1.5 billion dollar water filtration plant in Van Cortlandt Park, on parkland that now provides the exercise space, picnic and play area, and lungs of a working class community.

The purpose of A8069 and S4791 is to pre-approve construction of a huge industrial facility in our park, *before* the City conducts the open site selection process that is supposed to be provided by the State Environmental Quality Review Act (SEQRA). Based on the City's undocumented assertion that the park is the least-expensive site, the bills also attempt to bypass public protections that should be provided through NYC's zoning laws.

Seizing upon an unprecedented opportunity to gain control of \$240 million dollars in 'mitigation' funds, Assemblyman Silver and Senator Bruno pushed these bills through in the final hours of the legislative session. Their actions are a flagrant violation of the public trust doctrine to protect parkland.

Mr. Governor, it would be entirely consistent with your exemplary environmental record for you to veto these bills. They run counter to the values you hold dear and they undermine the lawful open processes that New Yorkers have a right to expect in public decisions of this magnitude.

Please ask Mayor Bloomberg to tell DEP to conduct the SEQRA site selection process. If the park site is selected in a fair and open process, DEP should follow the City's law requiring that the park site be rezoned under city law and that mitigation of the impact on Van Cortlandt Park and affected populations is addressed and assured. Only if and when such processes are completed and documented, should the State be asked to pass legislation to approve alienation of affected parkland.

Sincerely,


Elizabeth Cooke Levy, President

Phone: 718-601-2955 E-mail: ecooke.levy@verizon.net

c/o VAN CORTLANDT PARK
GOLF HOUSE
BRONX, NEW YORK 10471
TEL: 718-601-1460
FAX: 718-601-1574

WEBSITE:
WWW.VANCORTLANDT.ORG
EMAIL: FRIENDVCP@AOL.COM

CHAIR
ROSCOE C. BROWN, JR., PH.D.

VICE CHAIRS
FELICITY NITZ
JANE E. S. SOKOLOW

PRESIDENT
ELIZABETH COOKE LEVY

TREASURER
FRANCES BEINECKE

SECRETARY
ADRIAN HUNTE SMITH

COUNSEL
ERIC A. SEIFF

MARCIA ALLINA
HILARY BAUM
ROBERT J. BYRNES
BASHKIM DIBRA
LORANCE J. HOCKERT
RUSTY HOLZER
ORA HOLLOWAY
SUSAN MORGENTHAU
DART WESTPHAL

EX-OFFICIO
ADRIAN BENEPE
HON. ADOLFO CARRION, JR.
G. OLIVER KOPPELL
DOROTHY LEWANDOWSKI

EXECUTIVE DIRECTOR
PAUL P. SAWYER

000067

ENVIRONMENTAL DEFENSE
REGIONAL PLAN ASSOCIATION

July 14, 2003

Honorable George Pataki
Governor of New York State
State Capitol
Albany, NY 12224

Dear Governor Pataki:

We are writing respectfully to urge that you sign A8069-C, relating to Croton filtration, which is expected to reach your desk shortly.

This bill authorizes New York City to discontinue use of a portion of the Mosholu Golf Course in Van Cortlandt Park for the construction of a Croton water supply filtration plant, requires compliance with applicable environmental laws and rules, and mandates that the City restore the site following construction, so that the surface lands at issue will be returned to park uses.

We believe that enactment of A8069-C is necessary from a public health and environmental perspective.

As you know, in 1992, the New York State Department of Health and the U.S. Environmental Protection Agency determined that New York's Croton reservoir system must be filtered to assure that this drinking water supply has long-term protection from microbial contaminants and that it meets other requirements of the Safe Drinking Water Act and its implementing regulations. Since then, the level of density in the Croton watershed has significantly increased. The New York City Department of Environmental Protection, in a case statement prepared in May of this year, noted that Croton water consumers are sometimes receiving lower quality water -- with seasonal problems including color, odor and taste. The Natural Resources Defense Council asked nationally prominent drinking water specialists from around the country to review the DEP case statement; all eight experts who responded were unanimous in their conclusion that filtration (along with vigorous watershed protection) is necessary to protect those who drink Croton water. The recently reported Croton water exceedance of federal health-based standards for haloacetic acids (one of the harmful disinfection byproducts that are reduced by filtration) re-emphasizes the health imperative for filtration of this water supply. These are issues of critical importance for the 900,000 New Yorkers who rely on Croton for their daily drinking water needs.

Moreover, filtration of the Croton system is necessary so that this system can provide reliable, 12 month-a-year service for downstate water consumers. The Croton reservoirs can furnish up to 30% of the downstate supply during drought periods. But, as DEP reports, "over the past ten or fifteen years, the Croton system has been less reliable, with eutrophic conditions in many of its reservoirs and other problems necessitating that the system be shut down for months at a time, often during periods of peak water demand -- the summer and fall." Insuring a reliable, year-round Croton supply will also be essential in coming decades if the aging Catskill and Delaware system components must be repaired, making those waters unavailable to New Yorkers for perhaps months or years. Further delay in filtering Croton risks the City's long-term ability to manage drought conditions, threatens water supply redundancy and therefore the City's long-term security, and could end up

costing downstate water consumers billions of extra dollars in the future (if the Croton supply is not available during a future water emergency).

For these and other reasons, while New York's Croton water remains drinkable, the need to filter Croton cannot be avoided. The time to have dealt with the issue of filtering or not filtering Croton was years ago, before the full-scale suburbanization of much of Westchester County. In terms of longstanding norms for drinking water quality which are a foundation of American public health, it is hard to identify recognized water experts in the broader national community who believe that not filtering a watershed with dense and multi-varied patterns of development and human uses is a defensible proposition.

We are aware that some opponents of filtering Croton argue that watershed protection alone can safeguard the Croton system. As strong proponents of watershed protection, we are sympathetic to that argument. But conditions in the Croton watershed have gone beyond the point where watershed protection by itself will suffice. And the continuing failure to resolve the Croton issue threatens to call into question New York City's and State's commitment to public health.

We believe that vetoing this legislation, in the hope that State and City legislative processes will work in harmony to produce better legislation at some uncertain point in the future, would present unnecessary and unreasonable risks. A veto would prolong the already-lengthy delay of filtration plant construction and fuel-misguided efforts by well-intended opponents of any filtration for Croton. It would also be likely to permanently sweep the golf course site out of consideration from a practical and political standpoint, even before a supplemental environmental review of the three potential sites has been completed.

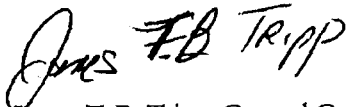
Our organizations are sympathetic to the concerns of some of our environmental colleagues regarding park alienation. The use of parkland for any non-park purpose should clearly be a last resort. But we believe that in view of the exceptional circumstances here -- legitimate public health concerns for a large number of city residents, the need for compliance with the Safe Drinking Water Act, a pending federal court order, and the non-permanent nature of the potential park alienation -- passage of this legislation is necessary.

Moreover, if this legislation is signed into law, our organizations fully intend to review the environmental impacts of the three proposed sites with great care and attention during the new environmental review process required by the legislation. And should the golf course site be finally selected, our groups will do everything in our power to insure that legally binding mitigation measures include: 1) a temporary alienation, limited to the time period necessary for filtration plant construction; 2) a commitment to rebuild the driving range and restoration of the landscape for park use; and 3) rapid commitment of the approximately \$243 million dollars pledged as mitigation to capital parks projects in the impacted neighborhood and throughout the Bronx. We also plan to closely monitor the allocation and expenditure of these funds to insure that they are spent on important capital parks projects that benefit Van Cortlandt Park and the surrounding community.

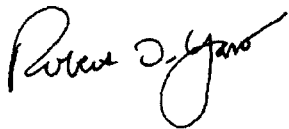
Finally, we note that, in view of the longstanding dedication of our organizations to watershed protection, we are committed to insuring that the Croton watershed will receive a vigorous program of watershed protection, designed to minimize the impacts of development, including stepped-up, willing-seller land acquisitions and easements, as well as stringent enforcement of environmental and public health laws -- even after a filtration site is selected and a filtration plant is built. For this reason, we were pleased that DEP has recently pledged to continue and enhance its ongoing programs to safeguard the Croton watershed from pollution and haphazard development, as required by the 1996 amendments to the Safe Drinking Water Act. We will be watching to insure that this in fact occurs, and we hope that the State will redouble its own programs in this area as well.

Accordingly, we urge you to sign A8069-C, which is expected to be before you shortly. We believe that with the continued good work of your office, combined with the work of our organizations and many others that care about protecting the urban environment, we can properly address all of the legitimate concerns that have been raised. And we are more convinced than ever that passage of this legislation is necessary to protect the nation's largest municipal water supply for future generations. In sum, this is an environmental protection measure of the utmost importance, one needed to insure that the New York City water supply remains one of the City's and State's premium environmental assets.

Sincerely,



James T. B. Tripp, General Counsel
Environmental Defense



Robert D. Yaro, President
Regional Plan Association

cc: John Cahill
Charlie Fox

000070



CROTON WATERSHED CLEAN WATER COALITION

Mission:

CWCWC is an alliance of organizations and individuals joining together for a common goal of preserving, protecting, and improving the quality of the waters in the Croton watershed and to providing alternatives to filtration.

9 Old Corner Road
Bedford, New York 10506
Ph: 914-234-3179
914-234-6470
Fax: 914-234-6139
E/mail:
marianr451@aol.com
crotonwshed@aol.com
Web site:
www.newyorkwater.org

Regional contacts:

Putnam County
Ann Fanizzi
Ph: 845-228-4265
E/mail: geesewatch@aol.com

Westchester County
Marian Rose, PhD
Ph: 914-234-3179
E/mail: marianr451@aol.com

Bronx Borough
Fay Muir
Ph: 718-944-4668
E/mail: fumir@aol.com

Manhattan Borough
David Ferguson
Ph: 212-989-0519

June 30, 2003

The Honorable George E. Pataki
Governor, The State of New York
New York State Executive Chamber
State Capitol
Albany, NY 12224

Dear Governor Pataki,

The Croton Watershed Clean Water Coalition, Inc. (CWCWC), a not-for-profit coalition of 55 groups throughout NYC, Westchester and Putnam Counties, is writing to urge you to veto Assembly bill A.8069 and Senate bill S.4791. Both bills would allow the siting and construction of a chemical treatment/filtration plant in Van Cortlandt Park to treat water from New York City's Croton System.

CWCWC opposes these bills because they would set a dangerous precedent for facilitating the alienation of parkland throughout New York State. Furthermore, we believe the procedure whereby New York City is attempting to gain the approval of some local politicians for this alienation may be illegal.

The filtration facility, a large industrial plant, would require the alienation of over 70 acres of parkland during the seven-year construction period, and approximately 40 acres thereafter. Since the plant is to be completely below grade, construction would involve the blasting of a hole over 60 feet deep into bedrock and would cover an area over twice that of the World Trade Center. The plant would house 460,000 gallons of chemicals all labeled "hazardous" by the US Environmental Protection Agency (EPA). There would be no electrical back-up system in case of power failure. Contaminated air would be allowed to escape through vents placed on the proposed golf driving range on top of the plant. All

Coalition members: Audubon Society: Bedford, Bronx River/S. Shore, Central Westchester, Saw Mill, Scarsdale, Yonkers • Bedford Barrow • Commerce Block Association • Bedford Garden Club • Catskill Heritage Alliance • Chelsea Reform Democratic Club • Citizens for Equal Environmental Protection (CEEP) • Clearwater • Coalition for the Preservation of Rolling Greens • Concerned Citizens for Open Space • Concerned Residents of Carmel-Mahopac • Concerned Residents of Kent • Concerned Residents of Southeast • Council of Chelsea Block Associations • Croton Heights Community Association • Dickerson Mountain Preservation Association • Diocesan Missionary & Church Extension Society • East Harlem Council for Community Improvement • East Harlem Restoration Project, Inc. • El Faro Beacon Community Center • Episcopal Diocese of New York • Federated Conservationists of Westchester County (FCWC) • Friends of the Great Swamp (FROGS) • Friends of the Clearwater - NYC • Friends of the Clearwater • George Nikitovich et al • Goldens Bridge Community Association • Grassroots • Hands Across the Border (HAB) • The HDCE Council • Hudson River Sloop Clearwater • Jr. League of Westchester-on-Hudson • Huntersville Association • Lake Dutchess Association, Inc. • Local Involvement for the Environment • Metropolitan Council on Housing • Movement Studies Institute • Neighborhood Housing Services of NYC • Putnam County Tree Advisory Commission • Putnam County Coalition to Preserve Open Space • Queens Civic Congress • Regional Review League - Bedford • Rusticus • Sierra Club, Atlantic: Lower Hudson, Mid Hudson, NYC, Ramapo-Catskill • Southern Yorktown Homeowners' Association • Trout Unlimited • Croton Watershed chapter • Westchester Land Trust • Westchester Trails • Yorktown Land Trust

000071

of this would endanger the health of the residents of the neighboring community which has among the highest asthma rates in the city. For them, this park is not merely an amenity, it is a necessity.

In our opinion, if such an assault on parkland were permitted, then no park anywhere in New York State would be safe. Given the precedent of Van Cortlandt Park, the taking of parkland having far less dire consequences would be extremely difficult to oppose. All of our constituent groups, whether the Queens Civic Congress in New York City, or Sierra Club, with environmental roots in the suburbs as well as the City, are devoted to preserving green space.

The NYC Department of Environmental Protection (DEP) favors using Van Cortlandt park for the chemical filtration site because it would cost \$1.3 billion compared to upwards of \$1.5 billion for the other two sites. The DEP is attempting to make Van Cortlandt Park acceptable to some Bronx politicians by offering the \$200 million in savings for park embellishments throughout the Bronx (see New York Times 5/8/03 story "Water Plant with a Spoon of Honey", and the New York Daily News 5/30/03 report that reads in part: "To sweeten the pot, the city has offered about \$200 million in capital funding for parks improvement projects on a one-time only, take-it-or-leave-it deal in return for their support in Albany for the golf course site.").

DEP Commissioner Ward stated that a future Memorandum of Understanding (MOU) to be agreed upon by NYC, the Speaker of the Assembly and Senate president pro tempore, "will specify the amount of funding at issue (\$200 million) and will direct DEP to include in its requests for financing by the NYC Municipal Water Finance Authority (Authority), and to make available out of proceeds of indebtedness issued by the Authority, up to \$200 million for the design and construction of Eligible Projects." (Comments before the NYC Council, May 30, 2003).

Local politicians and the Parks Commissioner himself are already divvying up this \$200 million windfall ("Water Plant with a Spoon of Honey" from a New York Times headline, 5/8/03) for parks embellishments. NYC Councilman Rivera has stated that "This money would allow us to do so much for our parks. We could repave and re-green everything. We could do practically everything imaginable, put in fountains, waterfalls, and courts." (Boroughwide News, June 12, 2003). Likewise, Parks Commissioner Benepe talks about "...a bandstand for Harris Field ...\$8 million for renovating baseball diamonds..." (Norwood News, May 8-21, 2003)

NYC's water and sewer ratepayers will have to foot the bill for funding these amenities for parks in the Bronx. However, NYC is prohibited from increasing water rates to finance non-water related projects. The Court of Appeals has ruled that,

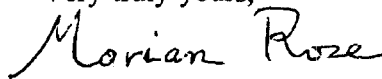
“the Legislature enacted the New York City Municipal Water Finance Authority Act...in order to insure the availability of ‘the capital necessary to maintain the city’s water and sewer system in adequate condition so that they continue to provide the city’s water and sewer services to the public’.” Giuliani v. Hevesi, 90 N.Y.2d 27 (1997).

In CWCWC’s opinion, funding embellishments in parks by means of water rates appears to be an illegal use of water ratepayers’ money.

Therefore, we respectfully urge you to veto these bills that would allow such an apparent misuse of public funds, as well as allowing a dangerous assault on the future integrity of our New York State parks.

We would like to take this opportunity to thank you for all your past work on the preservation of open space throughout our state. We are truly appreciative of your accomplishments and especially for your support in designating the East of Hudson Watershed as Critical Resource Waters.

Very truly yours,

A handwritten signature in cursive script that reads "Marian Rose". The signature is written in black ink and is positioned above the printed name and title.

Marian H. Rose, Ph.D.
President, CWCWC

C175

A8069



CROTON WATERSHED CLEAN WATER COALITION

July 18, 2003

Mission:

CWCWC is an alliance of organizations and individuals joining together for a common goal of preserving, protecting, and improving the quality of the waters in the Croton watershed and to providing alternatives to filtration.

9 Old Corner Road
Bedford, New York 10506
Ph: 914-234-3179
914-234-6470
Fax: 914-234-6139
E/mail:
marianr451@aol.com
crotonwshed@aol.com
Web site:
www.newyorkwater.org

Regional contacts:

Putnam County
Ann Fanizzi
Ph: 845-228-4265
E/mail: geesewatch@aol.com

Westchester County
Marian Rose, PhD
Ph: 914-234-3179
E/mail: marianr451@aol.com

Bronx Borough
Fay Muir
Ph: 718-944-4668
E/mail: fumir@aol.com

Manhattan Borough
David Ferguson
Ph: 212-989-0519

The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

Via Facsimile (518) 486-9749 & Federal Express

Dear Governor Pataki,

The Croton Watershed Clean Water Coalition, Inc. (CWCWC) once again wishes to express its support for your veto of A.8069-C and S.4791-C.

These bills would alienate parkland in Van Cortlandt Park for siting a chemical treatment/filtration plant without a proper environmental review of alternatives. If a huge industrial facility requiring the permanent alienation of 40 acres of parkland were permitted, then all parks within New York State would be in danger. New Yorkers value their parks and open spaces for their beauty and recreational values. We know that you share those values, and we are very appreciative of your active leadership in preserving and protecting them.

In addition to the improper alienation of parkland, we are distressed by the lack of commitment and specificity in the bills regarding what exactly will be done to mitigate the hardships endured by the neighboring community during the seven-year building phase and subsequent loss of parkland. We are also concerned that any remaining funds, raised from water and sewer ratepayers, will be spent on inappropriate projects that are unrelated to improving water quality.

Finally, we are critical of the way New York City is conducting the procedure for obtaining approval. The City waited until the last minute to try and get approval for Van Cortlandt Park and now complains that if it does not obtain immediate site approval it will be subjected to heavy fines. The City could have started the process many months ago.

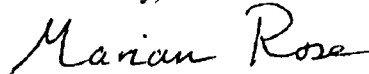
Coalition members: Audubon Society: Bedford, Bronx River/S. Shore, Central Westchester, Saw Mill, Scarsdale, Yonkers • Bedford Barrow • Commerce Block Association • Bedford Garden Club • Catskill Heritage Alliance • Chelsea Reform Democratic Club • Citizens for Equal Environmental Protection (CEEP) • Clearwater • Coalition for the Preservation of Rolling Greens • Concerned Citizens for Open Space • Concerned Residents of Carmel-Mahopac • Concerned Residents of Kent • Concerned Residents of Southeast • Council of Chelsea Block Associations • Croton Heights Community Association • Dickerson Mountain Preservation Association • Diocesan Missionary & Church Extension Society • East Harlem Council for Community Improvement • East Harlem Restoration Project, Inc. • El Faro Beacon Community Center • Episcopal Diocese of New York • Federated Conservationists of Westchester County (FCWC) • Friends of the Great Swamp (FROGS) • Friends of the Clearwater • NYC • Friends of the Clearwater • George Nikitovich et al. • Goldens Bridge Community Association • Grassroots • Hands Across the Border (HAB) • The HDPC Council • Hudson River Sloop Clearwater • Jr. League of Westchester-on-Hudson • Huntersville Association • Lake Dutchess Association, Inc. • Local Involvement for the Environment • Metropolitan Council on Housing • Movement Studies Institute • Neighborhood Housing Services of NYC • Putnam County Tree Advisory Commission • Putnam County Coalition to Preserve Open Space • Queens Civic Congress • Regional Review League • Bedford • Rusticus • Sierra Club, Atlantic • Lower Hudson, Mid Hudson, NYC, Ramapo-Catskill • Southern Yorktown Homeowners' Association • Trout Unlimited • Croton Watershed chapter • Westchester Land Trust • Westchester Trails • Yorktown Land Trust

000074

The City is also sounding the alarm about a recent incident whereby haloacetic acids, a disinfectant byproduct of chlorine, exceeded the federally approved limit in the Croton. The City is using this incident as a proof that filtration of the Croton is needed and must not be delayed. However, this situation can easily be remedied. The City has at its disposal very effective technologies such as ozone or chlorine dioxide (this latter could be installed within a matter of weeks) which are able to take care of the exceedance.

Again, we wish to thank you for your leadership in protecting New York State's environment. Your veto of these bills would send a clear message that the integrity of parkland is a value that merits state protection and that efforts to subvert that value shall not be tolerated.

Sincerely,

A handwritten signature in cursive script that reads "Marian Rose".

Marian H. Rose, Ph.D.
President, CWCWC



SIERRA CLUB • ATLANTIC CHAPTER

353 Hamilton Street Albany, NY 12210 Tel. (518) 426-9144 Fax (518) 427-0381

June 27, 2003

Governor George E. Pataki
State Capitol
Albany, NY 12224

Dear Governor Pataki,

Sierra Club – Atlantic Chapter is actively advocating for the protection of New York City's Croton Watershed. Over the years your administration has taken a number of positive steps to promote protection of this watershed. These actions, such as your nomination of the City's east of Hudson watershed as a critical resource water, will help ensure that this unique watershed continues to produce high quality drinking water.

Recently, the state legislature approved legislation (A.8069-c/S.4791-c) that would authorize New York City to build a filtration plant in Van Cortlandt Park. Sierra Club has a variety of concerns with this legislation. We request an opportunity to discuss this legislation with your staff.

We are currently forwarding a letter with a detailed discussion of our concerns and look forward discussing these concerns with your staff. We will be contacting your office shortly on this matter.

Thank you very much for your work to protect the New York City watershed.

Sincerely,

John Stouffer
Legislative Director



PRINTED ON RECYCLED PAPER

000076



June 27, 2003

Dear Governor Pataki:

On June 20th the New York State Legislature passed a bill to alienate 43 acres in Van Cortlandt Park in the Bronx for the purpose of constructing a water filtration plant there.

We urge you to veto this legislation, which would set a dangerous precedent for our parklands. This act would also unfairly burden a low-income and minority community, and significantly increase water rates, which hurt the poor the most.

This bill was passed against the wishes of Assemblymember Jeffrey Dinowitz within whose district the park lies. The custom is that bills affecting a member's district, are introduced by that member. To ignore that custom now sends a loud and clear message to every state legislator. Nobody's district is safe from incursion by opposing political forces. As a former Assemblymember and Senator, I am sure you would have railed if there had been a bill to alienate parkland in your district that you opposed.

If this parkland is alienated, New York State residents might feel that their favorite park might be open to this same kind of incursion. In New York City, our parklands are very limited, and it is unlikely that there will ever be more of them. New York City is one of the few cities whose fathers had the foresight to create oases of green for its citizens to enjoy through the years. This alienation bill is a present and future threat to that legacy.

Minority communities in the Bronx, have long been the targets of unpopular industrial projects that other boroughs do not want. This plant would be installed in a neighborhood where asthma rates are already unacceptably high, and the rock blasting, dust, and truck exhaust during eight to ten years of construction would impact the community tremendously. Civic, religious, and environmental groups have all testified strongly against siting a water filtration plant in Van Cortlandt Park.

The Bronx has long been a neglected borough, and has lobbied hard for park improvements. In order to win the support of certain Bronx politicians for this plan, the City has promised \$200 million for Bronx parks. This "deal sweetener" offers the Bronx nothing more than improvements that should have been made long ago – yet in the hastily written bill, that money is not guaranteed in escrow, it is not earmarked specifically for any type of project, and it could be doled out over decades.

Finally, the cost of this plant has grown astronomically – even while the City and the State face huge deficits. It is unfair to saddle water ratepayers with what would be, in effect, a highly regressive tax. We urge you to veto A8069/S4791, and prevent a chemical filtration plant from being sited in an urban park. The public interest of all of New York's residents will be affected by your decision.

Sincerely,

Ken Baer
Chapter Chair

W
Perini Corporation
73 Mt. Wayte Avenue
Framingham, Massachusetts 01701-9160
Tel. 508/628-2291 Fax: 508/628-2791

A8069
2 Skyline Drive
Hawthorne, New York 10532
Tel: 914/345-8100 Fax: 914/345-8211

Perini

Zohrab B. Marashlian
President
Civil Construction

100 years of excellence

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Executive Chamber
Capital
Albany, New York 12224

Re: Assembly # A8069c/Senate Bill 4791c

Subject: Croton Filter Plant in the Bronx

Dear Governor Pataki:

I am writing to urge you to approve the above referenced legislation regarding the siting of the Croton Water Filtration Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx. The Mosholu Golf Course is the best location for this project in terms of price, safety, and ease of engineering. New York City contractors have an outstanding record of success in building infrastructure projects similar to this one. Subways have been constructed under Central Park. Perini Corporation was one of the contractors that built the valve Chamber for City Water Tunnel #3 under Central Park. Staten Island's drinking water is stored in holding tanks built under Silver Lake Park. In each case, the park was restored to the condition that was there before.

This is a very important project for all of us in New York's construction industry. We believe that construction projects like this one will help revive the borough. In this time of economic hardship, the jobs and contract opportunities from these projects are needed more than ever. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, the Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. This filtration plant is critical to protect the health and safety of the millions of people who drink the Croton Water.

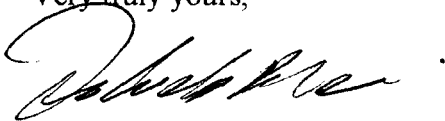
000078

Honorable George Pataki
Page -2-

July 7, 2003

Perini Corporation joins our colleagues in New York's business community in support of this critical project. The legislation is now before you. I urge you to sign this bill into law.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Zohrab B. Marashlian', with a large, stylized initial 'Z'.

Zohrab B. Marashlian

000079

International Association of Heat and Frost Insulators & Asbestos Workers

12 **NEW YORK CITY** **N.Y.**
Local No. _____ City _____ State _____
25-19 43RD AVENUE, LONG ISLAND CITY, NY 11101-4208
Address _____

June 30, 2003

In regards to: Croton Water Filtration Plant, In support of A 8609-C/S 4791-C

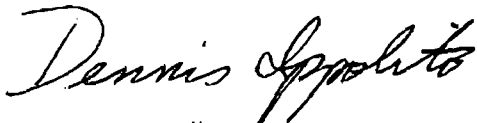
Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki,

By building the Filtration Plant in the Bronx, the employment opportunities and economic investment will benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be prevailing wages that can support a family. New York City construction workers who are paid prevailing wages on this job will spend money on local businesses and doctors for their families.

My union represents more than 900 working men and women over 700 live in the City of New York. We need you to support building this important project in the Bronx. We look forward to hearing your views.

Sincerely,



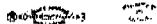
Dennis Ippolito

Business Manager

Affiliated with the AFL-CIO,
Building and Construction
Trades Department,
Metal Trades Department, and
Canadian Labour Congress

PHONE: 718-784-3456

FAX: 718-784-8357



000080

06/30/03 MON 11:26 [TX/RX NO 8403]



**BUILDING &
CONSTRUCTION
TRADES COUNCIL
OF GREATER NEW YORK**

EDWARD J. MALLOY
PRESIDENT

AFFILIATED WITH THE
BUILDING CONSTRUCTION TRADES DEPARTMENT
OF WASHINGTON D.C.
—
BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE
—
AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

June 26, 2003

Honorable George E. Pataki
Governor
State of New York
Executive Chamber, The Capitol
Albany, NY 12224

Dear Governor Pataki:

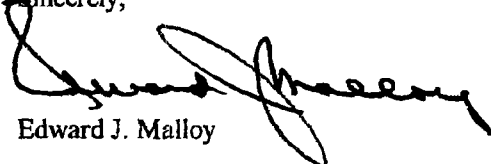
On behalf of the 100,000 working men and women represented by the affiliated unions of the Building and Construction Trades Council of Greater New York, we urge you to sign into law A8069-C (S4791-C) when it is sent to your office for action.

Respected environmental organizations like the Natural Resources Defense Council, the New York League of Conservation Voters and Environmental Defense agree that water from the Croton reservoir system must be filtered as a public health matter. The construction of a facility for this purpose is also a legal obligation of New York City under a binding federal consent decree.

The construction of this facility under the driving range at Moshulu Golf Course will assure that \$1.3 billion of economic activity – all paid for by New York City – will remain in New York City where it will create 2,000 construction jobs, generate millions of dollars in local sales and income tax revenue and allow for \$243 million of parkland improvements in the Bronx.

Our industry has worked with government officials, the local community and environmental and open space experts for more than a decade to resolve this issue. The legislation which will be sent to you for action is the result of this lengthy process. It represents the most responsible option available to address critical fiscal, economic and environmental concerns. We therefore again urge you to sign into law A8069-C (S4791-C) when you receive it. Thank you for your consideration.

Sincerely,


Edward J. Malloy

71 WEST 23rd STREET • SUITE 501-03 • NEW YORK, NEW YORK 10010
TEL. (212) 647-0700 • FAX (212) 647-0705

000081

06/30/03 MON 11:49 [TX/RX NO 8406]

United Brotherhood of Carpenters and Joiners OF AMERICA

505 EIGHTH AVENUE
NEW YORK, N.Y. 10018

INSTITUTED AUGUST 12, 1881



ALWAYS DEMAND THE LABEL

PHONE: (212) 643-1070
FAX: (212) 643-2974

JOHN E. GREANEY
President
and Business Manager

THOMAS J. McKEON
Financial Secretary

LOCAL UNION No. 608

June 30, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

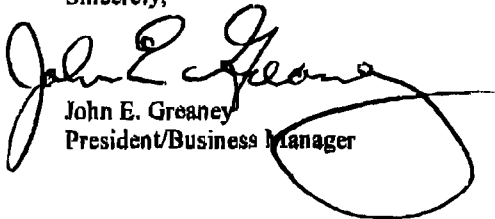
Dear Governor Pataki:

I write to you with a deep sense of urgency concerning the building of the Croton Water Filtration Plant. As you know, New York City is under a federal court order to build a plant to filter water from the Croton Reservoir which supplies much of New York City's drinking water. Legislation that will allow the city to build the Croton filtration plant under the Moshulu driving range in Van Cortlandt Park in the Bronx has been or will soon be sent to your office for approval. (See Assembly Bill #8609-C/Senate Bill #4791-C).

The building of this essential facility for New Yorkers is long overdue. Residents of Bronx County and New York City as a whole deserve clean and drinkable water. The construction of this facility also will provide funding for other city facilities and our troubled park system. The Mosholu golf course in Van Cortlandt will also be rebuilt. The site chosen for construction is also the most practical and most cost effective solution for this long overdue project.

Governor Pataki, the carpenters in New York City and all of New York State have been your friends and have helped you when needed to do so. Please review this legislation and strongly consider signing it for the good of all New Yorkers. If we can be of any help in the future, please do not hesitate to call on us.

Sincerely,


John E. Greaney
President/Business Manager

CC: Michael J. Ford



000092

06/30/03 MON 13:50 [TX/RX NO 8415]

Building, Concrete, Excavating & Common Laborers Union***Local No. 731, of Greater New York***

JOSEPH D'AMATO, Business Manager
FRANK P. OMBRES, Secretary-Treasurer



*Affiliated with the Laborers, International Union
of North America, AFL-CIO*

Office: 34-11/19 35th Ave., Astoria, NY 11106
Telephone No. (718) 706-0720
Fax No. (718) 706-1734



June 30, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

In Support of: A8609-C/S 4791-C

To the Honorable George Pataki:

We urge you to support the signing of the Croton Filtration Plant bill. To hesitate would create hardship for the families who rely on the income generated by construction projects like this.

Approximately 1,000 jobs will be generated by this project along with a boost to the community's economy, and would also generate countless revenue needed by our city and state. This project will insure clean water for future generations and have a healthy impact for all New Yorkers.

It's time we look to our future now...

Sincerely,

Joseph D'Amato
Business Manager

JD/gs

Affiliations

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL,
ORNAMENTAL AND REINFORCING IRON WORKERS
AFL-CIO
BUILDING TRADES DEPARTMENT OF AFL-CIO
THE IRONWORKERS DISTRICT COUNCIL
OF GREATER NEW YORK
THE BUILDING AND CONSTRUCTION TRADES COUNCIL
OF GREATER NEW YORK
THE NEW YORK CITY CENTRAL LABOR COUNCIL
THE NASSAU AND SUFFOLK COUNTY
BUILDING TRADES COUNCIL
THE WESTCHESTER COUNTY BUILDING
TRADES COUNCIL
THE MANHATTAN BOARD OF BUSINESS AGENTS
THE BRONX BOARD OF BUSINESS AGENTS
THE BROOKLYN BOARD OF BUSINESS AGENTS
THE QUEENS BOARD OF BUSINESS AGENTS
THE STATEN ISLAND BOARD OF BUSINESS AGENTS
THE CONCRETE TRADES ALLIANCE

LOCAL No. 46
METALLIC LATHERS UNION
AND
REINFORCING IRON WORKERS

New York and Vicinity

1322 THIRD AVENUE
NEW YORK, N.Y. 10021

Telephone: (212) 737-0500-0501-0502 • Fax: (212) 249-1226

Metal Lathers Trust, Pension & Vacation Funds
Telephone: (212) 535-2323 • Fax: (212) 535-3203

web page: www.ml46.org

JAMES LANGAN, President
ROBERT A. LEDWITH, Business Manager &
Financial Sec'y-Treas.

Business Agents
TERRENCE MOORE, KEN ALLEN
FRED LEMOINE, KEVIN KELLY

Regular Meeting Second Tuesday

Special Meeting Fourth Tuesday
of Each Month

Executive Board Meetings
First and Third Friday
of Each Month



"The Injury of One is the Concern of All"

July 1, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask you to sign Assembly Bill # 8069-C, and Senate Bill # 4791-C. This legislation will allow the city to build the Croton Water Filtration Plant under the Driving Range at Van Cortlandt in the Bronx. I am a Business Agent of Local 46 the Metallic Lathers and Reinforcing Ironworkers of New York, which is a 1200 member branch of the Ironworkers International. Our Local, strongly supports the construction of this facility at this location in the Bronx.

For the record my Union Members and I are first and foremost citizens of New York. We care how our tax dollars are used and would not want to see our city's resources wasted on any project that was not absolutely necessary, especially now during these difficult economic times. Having said that let me state that the majority of information that I have read pertaining to our drinking water, and the proposed plant has led me to the conclusion that we are past the point of determining if it should be built. We need to site it, and build it as soon as possible.

The United States Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton Reservoirs. A site for the plant must be selected. The EPA is convinced that in order to ensure the health and safety of the millions of New Yorkers who drink Croton water it must be filtered.

After studying locations in Westchester and the Bronx, the New York City Department of Environmental Protection (DEP) concluded that building the plant at the Bronx site would best protect our drinking water from contamination at the least cost. Building the plant in Westchester County would cost \$500 million more in construction expenses, and would mean thousands of fewer jobs for New York City workers.

Building in the Bronx will create employment opportunities and act as an economic catalyst that will benefit the borough, and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx, and the other boroughs. The construction jobs that will be created on this project will be Prevailing Wage jobs, decent paying jobs that our citizens need to support their families. Construction workers who are paid prevailing wages are the backbone of many middle class neighborhoods in our city. The medical benefits earned by these workers provide healthcare services for their families, and support the New York City health care system.

I have attended many hearings, and written many letters in recent months expressing my organizations concerns, and support of this project. I was there at City Hall when the City Council's approval was obtained. I was thrilled to learn that the New York State Senate, and the Assembly passed the necessary legislation needed to allow the City of New York to build it in the Bronx.

We now need and would very much appreciate your support on this essential project.

Sincerely,



Fred LeMoine

Business Agent, Local 46

NEW YORK STATE CONFERENCE
International Union of Operating Engineers

100 SOUTH SWAN STREET • ALBANY, NEW YORK 12210 • (518) 463-7551 • FAX (518) 463-7556

Affiliated with the
AFL-CIO

July 1, 2003

The Honorable George E. Pataki
Governor, State of New York
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Pataki:

On behalf of the 35,000 members of the fifteen local unions affiliated with our organization, I am writing to urge your approval of A.8069-C (Rules). This bill allows the EPA-mandated Croton water-filtration facility to be built beneath the Mosholu driving range in the Bronx.

Since the City of New York a decade ago was ordered by the federal government to filter the water supplied through the Croton watershed, its Department of Environmental Protection has identified the Mosholu site as the most feasible and cost-effective location for the necessary facility. Locating it at an alternative location in Westchester County would increase the cost of the \$1.3 billion plant by hundreds of millions of dollars, and would deprive the residents of the borough of the Bronx, and the City as a whole, of the benefits of the anticipated construction payroll of \$500 million as well as the permanent jobs and vast ancillary economic benefits its construction will generate.

The ongoing opposition to this project is not grounded in reality or common sense. The plant must be built. The cash-strapped City government continues paying fines of \$15,000 a day to the federal government for every day that designating a location for the plant is delayed. Construction of infrastructure projects beneath City parks has successfully been done before. The size of the facility has been significantly scaled down from its original design so as to minimize disruption to Van Cortland Park; in fact, the driving range will be improved from its current condition during construction. \$200 million of the



000086

07/02/03 WED 11:35 [TX/RX NO 8447]

savings the City will realize by locating the plant at Mosholu will be designated for park improvements throughout the Bronx. Most important, the bill will ensure that the job opportunities to be created by this project will be available to City residents – especially Bronx residents – and not exported to the suburbs.

In 2001, in regard to this project, the Court of Appeals ruled that any action having a significant effect upon parkland requires the approval of the Legislature in order to go forward. The Legislature has given its approval, and your signing of the bill is now necessary for the benefits of this project to become reality. The narrow parochial interests of the bill's opponents should not be allowed to derail a project of such importance to New York City's economy and the health of its residents. Accordingly, our organization joins with the City administration, the construction industry, the Building Trades, conservation groups, editorial boards and other supporters of this crucial legislation to strongly urge your approval. Thank you for your consideration.

Sincerely,



Thomas P. Maguire
President



Operative Plasterers' and Cement Masons' International Association

LOCAL 530

3250 Westchester Avenue, Suite 210

Bronx, NY 10461

CARMINE MINGOLA

*PRESIDENT
BUSINESS MANAGER*

GEORGE NICKOLETOS

*VICE PRESIDENT
SECRETARY-TREASURER*

MEMBORANDUM IN SUPPORT

TO: Governor George Pataki

FR: George Nickoletos, Vice President/Secretary-Treasurer, Local 530

RE: Croton Filter Plant in the Bronx –
Senate Bill # 4791c/Assembly Bill # 8069c

I urge you to sign the above referenced legislation into law. You must act now to build the water filtration plant under the Mosholu Driving Range in the Bronx's Van Cortlandt Park. Your signature on this bill will allow this construction project to move forward.

My union's headquarters is in the north Bronx, not far from the site of this proposed facility. I know that people in the borough complain about the quality of the drinking water. Furthermore, my members often tell me about the terrible conditions in so many of the parks in their neighborhoods. If you sign this bill, the Bronx gets the benefits of clean water, parks investment and jobs.

A recent New York Times editorial pointed out that Mayor Bloomberg "is offering Bronx residents \$200 million for improvements to Van Cortlandt Park and other open spaces in the Bronx. This strikes us as a win-win deal for all concerned, worthy of Albany's support...The Environmental Protection Agency ordered the city to build a filtration plant in 1992 and has been waiting with diminishing patience ever since...Mr. Bloomberg has settled on Van Cortlandt as the cheapest, safest and most practical location. The new, smaller plant would be constructed underground and would only disturb the driving range, which would be restored after construction...The \$200 million in new money that Mr. Bloomberg has promised the Bronx park system as a whole will yield benefits for years to come"

If you veto this bill, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs. We need these jobs now more than ever in a time of economic hardship.

Please support construction at this site in the Bronx.

ARCHITECTURAL AND ORNAMENTAL IRON WORKERS**LOCAL UNION No. 580****THE INTERNATIONAL ASSOCIATION****of Bridge, Structural, Ornamental and Reinforcing Iron Workers**

HEADQUARTERS
501 WEST 42nd STREET
NEW YORK, N.Y. 10036



PHONE: 594-1882-1885
FAX: 564-2748

July 3, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, N.Y. 12224

In Support Of: A 8069-C/S 4791-C

Dear Governor Pataki:

The City of New York is requesting the approval of the State Legislature to construct the Croton Water Filtration Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx, I am writing on behalf of my members to ask you to support building the facility at the Bronx location.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection has concluded that building at the Mosholu site would best protect our water supply from contamination at the least cost to taxpayers and with substantial benefits to the city.

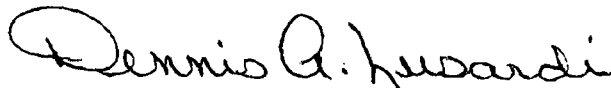
Over 30 percent of the Bronx, relies exclusively on Croton drinking water as do residents of many parts of Manhattan. In the past, the building and construction trades have supported efforts made by Bronx elected officials and environmental groups to avoid filtering the water. No one wants to spend our hard earned wages on a facility that is not absolutely critical. But the U.S. Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton reservoirs. Environmental officials are convinced that the water must be treated to protect the health and safety of the millions of New Yorkers who drink Croton water.

It would cost up to \$500 million more to construct this facility outside of the City. Our understanding is that some of the money that is saved by building in the Bronx will be invested in parks and community amenities. If building in the Westchester town of Mount Pleasant would bring City tax payments to support improvements in local schools, parks and services, building in the Bronx, should bring the same benefits to the borough.

If this facility is built in the Bronx, the employment opportunities and economic investment will greatly benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and other boroughs. The construction jobs that will be created will be prevailing wage jobs that can support a family. New York City construction workers who are paid prevailing wage on this project will spend money on local stores and businesses. We're particularly proud of the support that Bronx construction workers bring to the Bronx stores and the Bronx doctors and hospitals. Bronx healthcare finances are so much better when the union welfare funds are flourishing because union construction workers are working.

My union represents more than 1500 working men and women, over half live in the City of New York. We need you to support building this important project in the Bronx. We look forward to hearing your views.

Sincerely,



Dennis A. Lusardi
Business Manager-FST

DAL/nd

**SILVERITE CONSTRUCTION COMPANY, INC.**

C.S. 1818, 520 OLD COUNTRY ROAD WEST • HICKSVILLE, NEW YORK 11801-4112

TEL (516) 681-0562
TEL (718) 895-0563
TEL (914) 253-6411
FAX (516) 942-0802
EXECUTIVE
FAX (516) 681-0571
ENGINEERING

July 7, 2003

Honorable George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask that you sign Assembly Bill #8069c/Senate Bill #4791c into law. This legislation approves the siting of the Croton Filtration Plant in the Bronx.

Our City needs clean drinking water! The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. Because of this, the U.S. Environmental Protection Agency has gotten a court order forcing the City to filter water from the Croton reservoirs. Environmental officials say the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water. Over 30 percent of the Bronx relies exclusively on Croton water. So do residents of much of Manhattan.

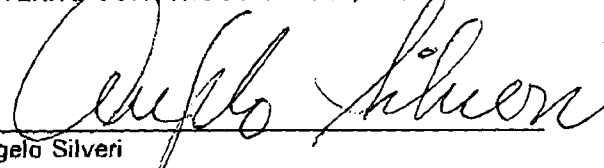
After studying locations in the Bronx and Westchester, the N.Y.C. Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. The Mosholu Golf Course is the best location for this project in terms of price, safety, and ease of engineering. Furthermore, the City has pledged \$243 Million for improvements to Van Cortlandt Park and other parks in the Bronx. This would be a huge price for the borough and all New York City residents.

It is important to New York City's construction industry that this project is located in the Bronx. By building in the Bronx, the economic investment and employment opportunities benefit the borough and the City as a whole.

If you reject this site, I believe you will have to contend with the angry residents of the Westchester town of Mount Pleasant who will likely oppose this construction. It will also cost the City \$500 Million more to construct in Westchester and cost New York City construction workers thousands of jobs.

I ask that you sign this bill into law.

Very truly yours,

SILVERITE CONSTRUCTION CO., INC.
Angelo Silveri
President

Enclosure

MEMBER OF: THE CEMENT LEAGUE • CONCRETE INDUSTRY BOARD • THE NEW YORK BUILDING CONGRESS • THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
LONG ISLAND CONTRACTOR'S ASSOCIATION INC. • THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK INC. • THE ASSOCIATION OF CONCRETE CONTRACTORS OF LONG ISLAND INC.
C:\msword\JEFF\GOVERNOR PATAKI - ASSEMBLY BILL 8069c.doc

07/07/03 MON 10:49 [TX/RX NO 84761]

000091



PLUMBERS AND GASFITTERS LOCAL UNION NO. 1

OF THE
UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING
AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
NEW YORK CITY

GEORGE W. REILLY
Business Manager

DAVID A. AGINSKY
Financial Secretary-Treasurer

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Business Agents

NICHOLAS ALOISI
KEVIN BRADY
DONALD T. DOHERTY
JOHN M. FEENEY, JR.
DUDLEY KINSLEY
CHRIS KUEHNE
DANIEL LUCARELLI
THOMAS MANGANO
JOHN J. MURPHY
THOMAS PARRELLA

Organizers

ROBERT CORBETT
ROBERT MURRAY

President

FREDERICK THIELE

Vice President

THOMAS KEMPF

Recording Secretary

RICHARD GARNER

Executive Board

JAMES FEENEY
JACK FLANNIGAN
TERRY SLOFKISS
ROBERT STEINER

Finance Committee

GERALD BRADLEY
ROGER CHIN
FRANK CONOLLY

Examining Board

DOMINICK BRUNO
JOHN FILOSA
MICHAEL LOBODY
WILLIAM MOORE
ALAN PAWELSKY
ANTHONY RUSSINI

Inside Sentry

MICHAEL ALOISI

RE: Assembly Bill #8069C/Senate Bill # 4791C
Siting of the Proposed Croton Filtration Plant

Legislation is pending before you to allow the City of New York to temporarily utilize land in Van Cortlandt Park in the Bronx for construction of the Croton Water Filtration Plant under the Mosholu Golf Course. We are writing to ask for your signature on this bill.

Our City needs clean drinking water! The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. Because of this, the U.S. Environmental Protection Agency has gotten a court order forcing the City to filter water from the Croton reservoirs. Environmental officials say the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water. Much of the Bronx and Manhattan relies exclusively on Croton water.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. The Mosholu Golf Course is the best location for this project in terms of price, safety, and ease of engineering. If this location is approved by the legislature, the City will commit \$243 million for improvements to Van Cortlandt Park and other parks and open spaces in the Bronx. This represents the largest investment in Bronx parkland ever proposed; it would be a huge prize for the borough and all New York City residents.

If you choose to veto this legislation, the plant will be built at a Westchester County location at a huge cost to New York city taxpayers, construction workers and the economy as a whole.

Our union has over 5,700 members, the majority of whom are New York City residents. We hope you will back this project and we look forward to hearing your position on this project.

Sincerely yours,
Bob Corbett
Bob Corbett - Organizer

000092



THE PLUMBING FOUNDATION CITY OF NEW YORK, INC.

44 WEST 28TH STREET, 12TH FLOOR, NEW YORK, NY 10001

PHONE: (212) 481-9740 FAX: (212) 481-7185

www.plumbingfoundation.org

July 7th, 2003

Chairman
RICHARD E. FARRELL

Vice Chairman
EUGENE S. BOCCIERI

Treasurer
ROBERT GREENBERG

Board of Directors
MICHAEL BLAU
ERIC BLEICH
EUGENE S. BOCCIERI
JOHN BOTTO
IRWIN BRENNER
LOUIS J. BUTTERMARK
VINCENT GAMBA
RICHARD E. FARRELL
ROBERT GREENBERG
MICHAEL KAUFMAN
LAWRENCE J. LEVINE
ROBERT A. RICCO

Executive Director/
Legal Counsel
STEWART D. O'BRIEN

Honorable George Pataki
Governor of the State of New York
The Capital
Albany NY 12224

RE: Croton Filtration Plant – A8069-C / S4791-C

Dear Governor Pataki:

I am writing on behalf of the Plumbing Foundation City of New York, a not-for-profit entity representing over 250 licensed plumbing contractors, to ask you to support building the Croton Water Filtration Plant in Van Courtlandt Park, in the Bronx.

After studying locations in Westchester and the Bronx, the New York City Department of Environmental Protection concluded that building at the Mosholu site would best protect our water supply from contamination at the least cost to taxpayers and with substantial benefits to the City. The legislature has agreed and passed two bills authorizing the use of parklands for this project.

Over 30 percent of the Bronx relies exclusively on Croton drinking water as do residents of many parts of Manhattan. In the past, the building and construction trades have supported efforts made by the Bronx elected officials and environmental groups to avoid filtering the water. No one wants to spend our hard earned wages on a facility that is not absolutely critical. However, the U.S. Environmental Protection Agency has obtained a court order compelling that the water must be treated to protect the health and safety of the millions of New Yorkers who drink Croton water.

It would cost up to \$500 million more to construct this facility outside of the City. Our understanding is that some of the money that is saved by building in the Bronx will be invested in parks and community amenities.

PLUMBING PROTECTS THE HEALTH OF THE NATION

*The Plumbing Foundation City of New York, Inc., represents Licensed Plumbing Contractors
and Plumbing Contractor Organizations throughout New York City*


07/07/03 MON 11:30 [TX/RX NO 8478]

000093

The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be prevailing wage jobs that can support a family. New York construction workers who are paid prevailing wage on this project will spend money on local stores and businesses.

We strongly urge you to sign the bills authorizing the use of parklands for this project.

Sincerely

A handwritten signature in black ink, appearing to read 'Stewart O'Brien', written over a horizontal line.

Stewart O'Brien
Executive Director

cc: John Cahill
Richard Platkin
James Walsh
Jeff Elmer

BRONX COMMUNITY COLLEGE

...OF THE CITY UNIVERSITY OF NEW YORK...

PROJECT H.I.R.E.

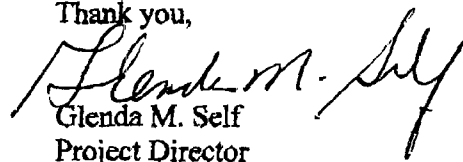
July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, New York 12224

Dear Governor Pataki,

I am writing this letter in support of A8069-C/S 4791C. The Crotona water filtration project is an economic development project sorely needed in the Bronx. At Project H.I.R.E. it will afford us the opportunity to continue to develop a labor force. We prepare men and women for careers in the Building Trades. Many of our graduates are now working members of Trade unions. Some of whom will work on this project. We want to and our students want to compete for the apprenticeship offerings this project will generate. By virtue of the apprenticeship offerings many of our former students are now journeymen/women. These jobs have enabled them to lift their families out of poverty. These jobs have aided them in contributing to the tax base. These jobs will enable them to build an economic foundation so that their children can prosper as the children of others have. Please support keeping the project and keeping it in the Bronx.

Thank you,



Glenda M. Self
Project Director

C: John Cahill, Secretary to the Governor
Richard Platkin, Counsel to the Governor
James Walsh, Asst. Counsel to the Governor
Jeff Elmer, GCA

UNIVERSITY AVENUE AND WEST 181ST STREET - BRONX, NEW YORK 10453
PROJECT H.I.R.E. - (718) 289-5589 - FAX (718) 365-1429
GLENDA M. SELF - PROJECT DIRECTOR



131-36A 20th Avenue, College Point, NY 11356 ■ Tel: (718) 460-5615 ■ Fax: (718) 460-6324

07/07/03

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

In Support of: Assembly #8069C/Senate#4791C

Dear Governor Pataki:

I am writing to urge your approval of the New York City Department of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Department of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

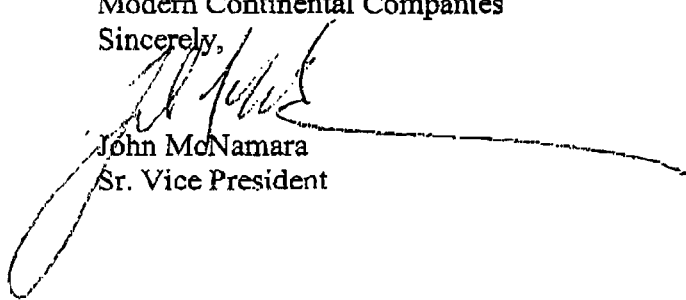
The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction.

The city must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Modern Continental Companies

Sincerely,



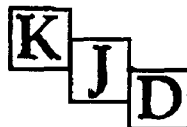
John McNamara
Sr. Vice President

MAIN OFFICE: 600 Memorial Drive, Cambridge, MA 02139 ■ Tel: (617) 864-6300 Fax: (617) 864-8766 www.moderncontinental.com

An Equal Opportunity Employer

07/07/03 MON 15:01 [TX/RX NO 8484]

000096



KENNETH J. DELANEY CONTRACTING CORP.

General Contractor

125-08 26th Avenue
Flushing, New York 11354

Tel. (718) 359-4300
Fax. (718) 886-1519

Hon. George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

RE: *Assembly Bill # 8069a/Senate Bill # 4791c*

I am writing to request your approval of the above referenced legislation regarding the siting of the Croton filtration plant.

By a margin of 44 to 4, the New York City Council approved a "home rule" message this month asking the State legislature to approve the construction of the \$1.2 billion Croton filter plant under the Mosholu driving range in Van Cortlandt Park in the Bronx. On June 20, the New York State Senate and Assembly passed the legislation needed to allow the City of New York to build Croton at this Bronx location. The bill includes an additional \$243 million of Bronx parks improvements as part of a community benefits package.

As you know, the City needs permission from the State legislature to build at this location. You may have received correspondence from representatives of a few advocacy groups requesting that you join them in opposing this project. It is very important that you understand that when the City Council approved an earlier and much larger version of this project at the same location, they did have the benefit of a comprehensive EIS that disclosed in great detail the impacts of the project and the mitigation measures available to minimize those impacts. In view of these impacts, the Council conditioned approval of this project on a \$43 million list of programs that would benefit Van Cortlandt Park and the surrounding neighborhoods. The proposal that is now before you is for a smaller filtration plant with fewer construction impacts and a much larger mitigation package, including \$243 million in Bronx parks projects. Furthermore, DEP has now agreed to develop a Supplemental EIS for the Mosholu site, in response to the concerns raised by the advocates and one member of the Bronx State Assembly.

Many projects have been successfully constructed under City parks before. Subways have been constructed under Central Park. City water tunnel # 3 built its valve chambers under Central Park. Staten Island's drinking water is stored in holding tanks built under Silver Lake Park.

The city must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs.

This legislation is now before you. We urge you to sign it into law.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth J. Delaney', written over a horizontal line.

07/08/03 TUE 08:25 [TX/RX NO 8492]

000097

**FRONTIER-KEMPER CONSTRUCTORS, INC.**

415 Fifth Avenue, Pelham, New York 10803
(914) 738-0280 Phone / (914) 738-0026 Fax
HEAVY CIVIL & MINING CONSTRUCTION

Northeast Division Office

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Re: Assembly Bill #8069-C/Senate Bill #4791-C

Dear Governor Pataki:

I am writing to urge your approval of the New York City Dept. of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Dept. of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Dept. of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction.

The City must meet a court deadline for the legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Sincerely,

Richard Raab
President of Northeast Division

MORETRENCH AMERICAN CORPORATION
467 Central Park Avenue
Yonkers, NY 10704
(914) 423-1331

MORETRENCH

....since 1931

July 8, 2003

Honorable George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask that you sign Assembly Bill #8069c/Senate Bill #4791c into law. This legislation approves the siting of the Croton filtration plant in the Bronx.

The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. Over 30 percent of the Bronx relies exclusively on Croton water as do residents of much of Manhattan. The U.S. Environmental Protection Agency has gotten a court order forcing the City to filter water from the Croton reservoirs. Environmental officials say the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protections (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. The Mosholu Golf Course is the best location for this project in terms of prices, safety, and ease of engineering. Furthermore, the City has pledged \$243 million for improvements to Van Cortlandt Park and other parks in the Bronx. This would be a huge prize for the borough and all New York City residents.

It is important to New York City's construction industry that this project is located in the Bronx. By building in the Bronx, the economic investment and employment opportunities benefit the borough and the City as a whole. It will cost the City \$500 million more to construct in Westchester and cost New York City construction workers thousands of jobs.

I ask that you sign this bill into law.

Sincerely,
MORETRENCH AMERICAN CORPORATION

Michael M. McHugh /sk

Michael M. McHugh
Vice President
MMcH:sk

MORETRENCH SERVICES.....

- BORED PILES & SHAFTS
- CUTOFF/CONTAINMENT WALLS
- DEWATERING
- GROUND FREEZING
- GROUNDWATER REMEDIATION
- INDUSTRIAL INFRASTRUCTURE
- LANDFILL GAS/LEACHATE SYSTEMS
- SOIL MODIFICATION/SOIL STABILIZATION



Iron Workers District Council of Greater New York and Vicinity

International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers

505 White Plains Road
Suite 200
Tarrytown, N.Y. 10591

Phone 914-332-4430
Fax 914-332-4431
Email: Ironworkdc@aol.com

Edward J. Walsh, July 8, 2003

President

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, New York 12224

Local No. 40
New York, NY

In Support of: A 8069-C/S 4791-C

Local No. 46
New York, NY

Dear Governor Pataki:

Local No. 197
New York, NY

On behalf of the District Council of Ironworkers, we are asking for your support to build the proposed **Croton Water Filtration Plan** under the Mosholu driving range in Van Cortlandt Park in the Bronx. **Our Union, representing over 10,000 workers in New York State, strongly supports construction of the Croton facility at this location.**

Local No. 361
Brooklyn, NY

After studying various locations, the NYC Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from contamination at the least cost and with benefits to the City.

Local No. 417
Newburgh, NY

The U.S. Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton reservoirs. Fines are accumulating against the City every day that this project is delayed. Environmental officials, including your own Department of Health, are convinced that the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water.

Local No. 455
New York, NY

Local No. 580
New York, NY

It would cost up to \$500 million more to construct this facility outside of New York City. The DEP has already committed more than half the savings for parks and community amenities in the Bronx when the Bronx location is approved. The Mosholu site is a great deal for water rate payers, Bronx residents and New York construction workers.

By building in the Bronx, the employment opportunities and economic investment will benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be well paying positions that can support a family. Construction workers who are paid prevailing wage on this project are the backbone of many middle class neighborhoods in New York City. The fringe benefits earned by these workers provide health care services for their families and support for the New York City health care system.

My union's headquarters is located in Westchester, and I can assure you there is no substantial support from the residents of Westchester.

We would appreciate your backing on this most important project.

Sincerely,

Edward J. Walsh
President

Slattery

SKANSKA

William V. McGuinness
Chief Operating Officer

July 9, 2003

Hon. George Pataki
Governor of the State of New York
The Executive Chamber
The Capital
Albany, NY 12224

Slattery Skanska Inc.
16-16 Whitestone Expressway
Whitestone, NY 11357
Phone 718 767 2600
Fax 718 767 0666
Web www.slattery-skanska.com

Subject: In Support of: Assembly #8069C/Senate#4791C

Dear Governor Pataki:

I am writing to you not only as the Chief Operating Officer of Slattery Skanska Inc., one of the largest contractors in New York State, but also as the Treasurer of the General Contractors Association of New York representing the heavy construction industry of our State.

I am writing to urge your approval of the New York City Department of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Department of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

Hon. George Pataki

July 9, 2003

2

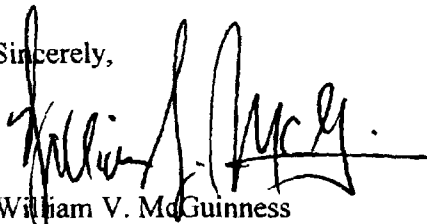
Subject: In Support of Assembly #8069C/Senate #4791C

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction. .

The City must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Sincerely,



William V. McGuinness
Chief Operating Officer, Slattery Skanska Inc.
Treasurer, General Contractors Association of NY

WVM:ich

000102

07/11/03 FRI 09:08 [TX/RX NO 8558]

Koch

SKANSKA

Koch Skanska, Inc.
400 Roosevelt Avenue
Carteret, NJ 07008
Phone 732-969-1700
Fax 732-969-0197
Web

July 7, 2003

Honorable George Pataki
Governor / State of New York
The Executive Chamber
Capital
Albany, NY 12224

Re: Assembly Bill #8069c/Senate Bill #4791 c
Siting of the Proposed Croton Filtration Plant

The above referenced legislation was recently passed by the State Senate and Assembly. It would allow the City of New York to utilize land under the Mosholu driving range, at the eastern edge of Van Cortlandt Park in the Bronx, for the underground construction of the long delayed Croton Water Filtration Plant.

I write to ask that you sign this legislation into law.

The U.S. Environmental Protection Agency has obtained a court order under the terms of the Clean Water Act that forces the City to filter water from the croton reservoirs. Federal law says the water must be treated to ensure the safety of the millions of New Yorkers who drink Croton water. Over 30 percent of the Bronx relies exclusively on Croton water. So do residents of many Manhattan neighborhoods.

After studying locations in the Bronx and Westchester, the New York City Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with substantial benefits to the City. The Mosholu driving range is the best location for this project in terms of price, safety, and ease of engineering. If you approve this legislation, the City will commit \$243 million for improvements to Van Cortlandt Park and other parks and open spaces in the Bronx. This represents the largest investment in Bronx parkland ever proposed; it would be a windfall for the borough and all New York City residents.

New York City contractors have an outstanding record of success in building infrastructure projects similar to this one. Subways have been constructed under Central Park; Staten Island's drinking water is stored in holding tanks build under Silver Lake Park, benefiting

000103

July 7, 2003

2

the borough's parks and residents. In each case, the park was restored to the condition that was there before.

If you do not enact this legislation, the plant will be built at a Westchester County location, at a huge additional cost to New York City water rate payers, and great harm to Bronx residents and the local construction industry.

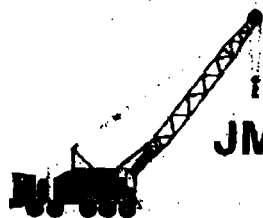
I hope you will join in support of the siting of this project at Mosholu. I look forward to working with you to make this a win for all New Yorkers.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Koch", written over the printed name.

Robert W. Koch
President

000104



JMA CONCRETE CONSTRUCTION CO., INC.
General Contractors



Heavy Construction • Asphalt and Concrete Paving

July 9, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

MEMORANDUM IN SUPPORT

RE: Assembly Bill #8069c / Senate Bill # 4791c
Proposed location of Croton Filter Plant in the Bronx

Dear Governor Pataki:

I write to urge you to sign Assembly Bill #8069c/Senate Bill 4791c into law. This legislation would approve the location of the Croton filtration plant under the Moshohu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who work in the Bronx believe that a construction project of this magnitude would not only help to revive the borough but would provide contract opportunities and many jobs to the Bronx in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents. Thus having a long lasting positive effect on the Bronx.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

We are a New York State certified minority owned and controlled construction company. We are 100% union company that has work experience on other water pollution facilities including the North River Water Pollution Control Plant on the Hudson River in Manhattan.

Our company joins our colleagues in New York's business community in support of this critical project.

Sincerely,

Joseph M. Argrette
President/CEO

213-08 99th Avenue • Queens Village, NY 11429

Tel: (718) 264-2688 • Fax: (718) 264-2183

e-mail address: jmargrette@aol

An Equal Opportunity Employer

000105

07/10/03 THU 17:27 [TX/RX NO 8552]

TULLY CONSTRUCTION Co. INC.
GENERAL CONTRACTORS

PHONE 446-7000
AREA CODE 718

127-50 NORTHERN BOULEVARD
FLUSHING, NEW YORK 11368

via Federal Express

July 10, 2003

Hon. George Pataki
Governor of the State of New York
The Executive Chamber
The Capital
Albany, New York 12224

Re: Assembly Bill #8069c/Senate Bill #4791c

Dear Governor Pataki,

I am writing to request your approval of the above referenced legislation concerning the siting of the Croton filtration plant.

By a margin of 44 to 4, the New York City Council approved a 'home rule' message this month asking the State legislature to approve the construction of the \$1.2 billion Croton filter plant under the Mosholu driving range in Van Cortlandt Park in the Bronx. On June 20, the New York State Senate and Assembly passed the legislation needed to allow the City of New York to build Croton at this Bronx location. The bill includes an additional \$243 million of Bronx parks improvements as part of a community benefits package.

As you know, the City needs permission from the State legislature to build at this location. You may have received correspondence from representatives of a few advocacy groups requesting that you join them in opposing this project. It is very important that you understand that when the City Council approved an earlier and much larger version of this project at the same location, they did have the benefit of a comprehensive EIS that disclosed in great detail the impacts of the project and the mitigation measures available to minimize those impacts. In view of these impacts, the Council conditioned approval of this project on a \$43 million list of programs that would benefit Van Cortlandt Park and the surrounding neighborhoods. The proposal that is now before you is for a smaller filtration plant with fewer construction impacts and a much larger mitigation package, including \$243 million in Bronx parks projects. Furthermore, DEP has now agreed to develop a Supplemental EIS for the Mosholu site, in response to the concerns raised by the advocates and one member of the Bronx State Assembly.

000106

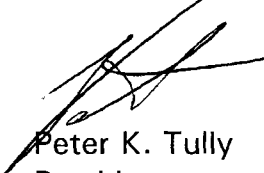
Many projects have been successfully constructed under City parks before. Subways have been constructed under Central Park. City water tunnel # 3 built its valve chambers under Central Park. Staten Island's drinking water is stored in holding tanks built under Silver Lake Park.

The City must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing New York City workers thousands of jobs.

This legislation is now before you. We urge you to sign it into law.

Sincerely,

TULLY CONSTRUCTION CO. INC.



Peter K. Tully
President

PKT:cg

cc: John Cahill, Secretary to the Governor..... via fax 518-474-1513
Richard Platkin, Counsel to the Governor..... via fax 518-474-8099
James Walsh, Asst. Counsel to the Governor... via fax 518-474-8099

JUL-03-2003 16:36



THE
Regional Alliance
FOR Small Contractors
Building Tomorrow's Partnerships Today!

KURT A. GODDARD
Vice President & General Manager
Washington Infrastructure Services
Chairman - Regional Alliance

EARLE J. WALKER
Executive Director

BOARD OF DIRECTORS

Leon Eastmond
President - A.L. Eastmond & Sons, Inc./EASCO

John Cavanagh
Vice Chairman - AMEC Construction Mgmt. Inc.

Peter Marchetto
President - Davis Land Lease, LMB, Inc.

Sandra Wilkin
President - Bradford Construction

James Frankel, Esq.
Partner - Buchanan Ingersoll

Francisco Sales
President - CSA Construction Corp.

Thomas Murphy
Executive Director - Dormitory Authority of the State of NY

Charles Sargano
Chairman & CEO - Empire State Development Corp.

Tony Singh
President - Fine Painting Inc.

Frank McArdle
Managing Director - General Contractors Association of NY

Jin S. Hirani
President - Hirani Engineering & Land Surveying, P.C.

Frank Ross, Sr.
Chairman - FRH Construction Corporation

Bill Howell
President - Howell Petroleum

Tony Wiro
V.P. Construction - Hugh L. Carney Battery Park City Auth.

Luis Fernandez
President - Imperial Construction

Milo Rivera, PhD, P.E.
President - J.A. Jones Construction

Eric Eichler
Chairman & President - LCOB, Inc.

Peter S. Kalkow
Chairman - Metropolitan Transportation Authority

James P. Fox
Commissioner - NJ Dept. of Transportation

Z. Wayne Johnson III
Asst. Exec., Human Resources - NJ Transit

Richard Anderson
President - NY Building Congress, Inc.

Robert W. Walsh
Commissioner - NYC Dept. of Business Svcs.

Earle Andronys, Jr.
Commissioner - NYC Housing Authority

Ronald A. Gottlieb, P.E.
CEO & President - NYC School Construction Authority

Joseph J. Seymour
Executive Director - Port Authority of NY & NJ

Kenneth Desai
President - TAK Construction, Inc.

Joseph Ross
Executive Vice President - Tishman Realty & Const., Co., Inc.

Steve Lampert
Sr. Engineer - NY Turner Construction Company

Bennie Hadnick
Partner - Watson Rice LLP

July 10, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki:

As Executive Director of the Regional Alliance for Small Contractor, an industry partnership led by major corporations in construction, key public agencies and many small businesses, I support Assembly bill #8069-C/Senate bill #4791-C.

The reason for my support is that small, minority and women-owned contracting companies with whom I work in New York City will benefit greatly from the jobs and opportunities that the Croton Water Treatment Project presents. These same firms will have little chance of winning contracts and subcontracts if the plant is built in Westchester. Attached is a copy of my testimony supporting the project which was presented to the NYC Council.

In these times we need to invest in the future of New York City, we urge you to support the construction of this plant in the Bronx.

Best Regards,

Earle J. Walker
Executive Director

Att.

Port Authority Bus Terminal, 625 Eighth Avenue, 2nd Floor - North Wing - New York, NY 10018
Voice: 212-268-2991 • Fax: 212-268-7509
150 West State Street, Suite 310 • Trenton, NJ 08608 • Voice: (609) 392-5600 • Fax: (609) 392-7092
Website: <http://www.panynj.gov>

TOTAL P.02

07/10/03 THU 16:40 [TX/RX NO 8547]

000108

**Yonkers Contracting Company, Inc.***Building Quality for Over 50 Years*

969 Midland Avenue Yonkers, NY 10704 Tel 914.965.1500 Fax 914.378.8841

VIA UPS NEXT DAY AIR

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Re: A8069c/S4791c
Croton Filter Plant in the Bronx

Dear Governor Pataki:

I write in support of the City of New York's request to build the proposed Croton Water Treatment Plant in the Moshulu Golf Course in Van Cortlandt Park in the Bronx.

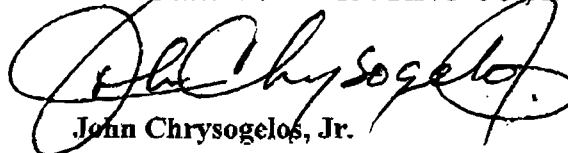
Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

Our company joins our colleagues in New York's business community in support of this critical project.

Very truly yours,

YONKERS CONTRACTING CO., INC.


John Chrysogelos, Jr.

cc: Via Facsimile to:
John Cahill, Sec'y. to Gov. - # 518-474-1513
Richard Platkin, Counsel to the Gov. - # 518474-8099
James Walsh, Asst. Counsel to the Gov. - 518-474-8099 ✓
Jeff Elmer, GCA - # 212-808-5267

000109

07/07/03 MON 15:44 [TX/RX NO 8486]

International Brotherhood of
BOILERMAKERS • IRON SHIP BUILDERS



BLACKSMITHS • FORGERS & HELPERS

BOILERMAKERS LOCAL LODGE No. 5

JERRY CONNOLLY
 Business Manager
 Secretary-Treasurer

TOM COOK
 Assistant Business Manager
 President

TOM KLEIN
 Assistant Business Manager
 Vice President

July 3, 2003

The Honorable George Pataki
 Governor of the State of New York
 The Capital
 Albany, NY 12224

Dear Governor Pataki,

I am writing to you as the Business Manager, Secretary-Treasurer for Boilermakers Local Lodge No. 5 with offices located at 24 Van Siclen Avenue, Floral Park, NY.

As you are aware, Mayor Michael Bloomberg is asking for your approval to build a \$1.3 billion water filtration plant under the Mosholu Golf Course in the Bronx.

The State Assembly has passed bill #8069-C and the Senate has passed bill #4791-C which would authorize the use of this site. At this point we need your support and strongly urge you to sign this legislation into law.

If you refuse to sign this legislation it will result in additional delays and most probably result in the building of the facility outside of New York City, most likely in Westchester County. This would result in the loss of thousands of jobs for New York City. New York City water rate payers would foot the bill and Westchester County would reap the benefits.

The Mosholu Golf Course site is the best site for this project in terms of cost, safety and ease of engineering. If this site is approved by you signing the legislation into law, the City will commit \$200 million for improvements to Van Cortland Park and other parks and open spaces in the Bronx. This is a win-win situation for everyone. If the plant is built outside of the City there will be few jobs for New York City residents and no new money for parks in the Bronx.

The U.S. Environmental Protection Agency has obtained a court order compelling the City to filter water from the Croton Reservoir. Environmental officials are convinced that the water must be treated to ensure the health and safety of the millions of New Yorkers

24 Van Siclen Avenue • Floral Park, NY 11001 • 516-326-2500 • 718-895-7722 • 516-326-3435 Fax

© 54

000110

07/03/03 THU 12:10 [TX/RX NO 8464]

BOILERMAKERS LOCAL LODGE No. 5

who drink water that flows through the Croton system. Over thirty (30%) percent of the Bronx relies exclusively on the Croton drinking water, as do many residents in Manhattan.


By building this plant in the Bronx, the employment opportunities and economic investment would benefit the borough and city as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and other boroughs.

The construction jobs that will be created will be well paying positions that can support a family. Construction workers who are paid prevailing wages on this project are the backbone of many middle class neighborhoods in New York City. A more prosperous New York City results in increased revenues for the State. New York City is the economic engine that drives New York. We all know the effects of 9/11 have rippled through the state economy, this project would help revive a depressed economy.

Boilermakers Local Lodge No. 5 has over 300 members, the majority of whom are New York City residents. On behalf of the membership of Local 5 I respectfully request that you sign this legislation into law **immediately**.

Thank you in advance for your time concerning this important matter.

Sincerely,


Jerry Connolly
Business Manager/
Secretary-Treasurer

**THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.**60 East 42nd Street • New York, NY 10165 • Tel: (212) 687-3131 • Fax: (212) 808-5267 • Email: GCAMail@gca.gcany.net

July 17, 2003

Hon. George E. Pataki
Governor
State of New York
Albany, NY

In support of A.8069-C/S.4791-C

Dear Governor Pataki:

We are writing on behalf of our organizations and our members to urge you to sign this legislation, which would authorize New York City to construct a water treatment facility underneath the Mosholu Golf Course in Van Cortlandt Park. It is our understanding this legislation was delivered to your office on July 10, 2003. Although each of the signatories to this letter has written to you individually, we are writing to you again collectively, and with a greater sense of urgency, now that the legislation is on your desk for consideration.

Prominent environmental groups have agreed with the City, the State of New York, and the United States Environmental Protection Agency, that the Croton supply should be filtered as soon as possible. Filtration will solve the Croton system's chronic odor, taste and color problems. More importantly, filtration will eliminate the long-term public health concerns caused by disinfectant byproducts. Croton consumers live in some of the poorest areas of the Bronx and Manhattan. They have a right to a potable water supply that is not afflicted with either aesthetic or public health concerns.

We recognize that this legislation does not explicitly provide a role for the Governor in the Memorandum of Understanding ("MOU"). However, Mayor Bloomberg has committed in writing to ensuring your participation and input in the public process created in the MOU to identify \$200 million worth of parks and recreation projects in the Bronx. Furthermore, it is clear that the Legislature will not entertain further amendments to this bill at this time.

Your approval of this legislation in its current form is necessary, or the City will end all further consideration of the Mosholu site. If the Mosholu site is removed from further consideration the remaining two choices are the Harlem River site in the Bronx, and the Eastview site in Westchester County. If the Mosholu site is not available, the City has clearly stated that it will build the Croton treatment facility at the Eastview site in Westchester County. For a variety of reasons, including security, site ownership, constructability, permitting and community impacts, the City believes the Eastview site is preferable, if Mosholu is unavailable.

Your approval of this legislation will not, by itself, ensure that the Croton water treatment plant will be built at the Mosholu Golf Course. That decision will not come until the completion of the MOU and the Supplemental Environmental Impact Statement. Your approval of this legislation will only ensure that the Mosholu site remains a viable option.

000112

07/17/03 THU 10:48 [TX/RX NO 8626]

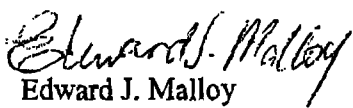
However, your veto of this legislation will, in effect, assure that the treatment plant will not be built at Mosholu. Given the siting options, vetoing this legislation means that the City will seek to build its Croton treatment facility at Eastview. Not only will building at the Eastview site cost the City \$500 million more than building at Mosholu, it will also cost New York City workers thousands of jobs. Forcing this construction project into Westchester County would be a devastating blow to our organizations and their members.

Building the Croton treatment plant in Eastview would also be a devastating blow to the residents of the Bronx, who would lose the benefits of the \$200 million worth of parkland funding that the City would make available pursuant to the MOU. In addition, when the City Council first approved this site in 1999, the City promised \$43 million worth of improvements in and around Van Cortlandt Park if the plant were constructed at the Mosholu site. Your veto of this legislation means that \$243 million worth of parks and recreational projects in the Bronx will never get built.

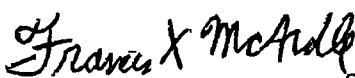
In 1999, the New York City Council approved DEP's application to site the plant at the Mosholu Golf Course. In 2003, the City Council approved a Home Rule Message, affirming its support for the Mosholu site. If you veto this legislation, you will also be removing from further consideration a site that has twice been endorsed by local elected officials, customarily accorded some discretion over local siting decisions.

We believe vetoing this legislation is contrary to your interest in promoting environmental compliance and in improving open space and parklands. A veto would also be contrary to the interests of our members, contrary to the interests of Bronx residents, and contrary to the interests of the City as a whole. We respectfully urge you to approve this legislation.

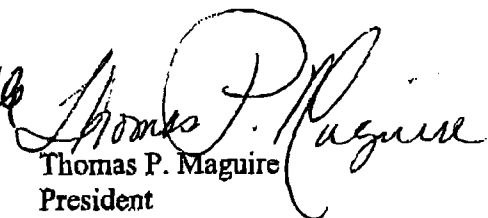
Sincerely,



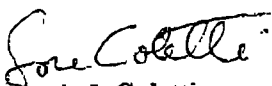
Edward J. Malloy
President
Building & Construction
Trades Council of Greater NY



Francis X. McArdle
Managing Director
The General Contractors
Association of NY



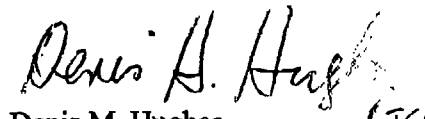
Thomas P. Maguire
President
NYS Conference of
Operating Engineers



Louis J. Coletti
President and CEO
Building Trades
Employers Association



Richard T. Anderson
President
NY Building Congress



Denis M. Hughes
President
NYS AFL-CIO

000113

**The Steel Institute of New York
The Ornamental Metal Institute of New York**

211 East 43 Street
New York City, N.Y. 10017
212 697 5553, 4 * 122 818 0976 (fax)

July 1, 2003

The Honorable George Pataki
Governor of the State of New York
The Capital
Albany, N.Y. 12224

RE: *Assembly Bill # 8069c/Senate Bill # 4791c*
Siting of the Proposed Croton Filtration Plant

Dear Governor Pataki:

The Steel and Ornamental Metal Institutes of New York are organizations consisting of approximately 500 contractors engaged in the erection of structural steel, architectural, ornamental and miscellaneous metal products used in both heavy and building construction projects located in the five boroughs of New York City as well as Nassau, Suffolk and Westchester Counties.

Legislation is pending before you to allow the City of New York to temporarily utilize land in Van Cortlandt Park in the Bronx for construction of the Croton Water Filtration Plant under the Mosholu driving range. We are writing on behalf of our members to ask your approval of this important project.

Our City needs clean drinking water! The quality of the water from the Croton reservoirs is endangered because the population has grown in that area of the State. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms.

There is precedent for locating infrastructure projects under City parks. For instance, the City water tunnel # 3 valve chambers are under Central Park. Holding tanks built under Silver Lake Park in Staten Island store drinking water for the borough.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. Mosholu is the best location for this project in terms of price, safety, and ease of engineering. If you sign off on this legislation, the City will commit \$243 million for improvements to Bronx parks. This would be a huge boost for the borough and all New York City residents.

000114

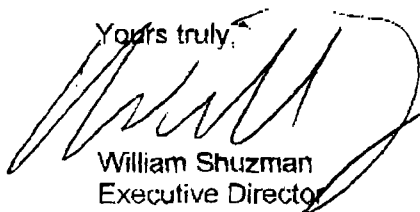
07/01/03 TUE 15:32 [TX/RX NO 8439]

If you veto this important legislation, the plant will be built at a Westchester location at a huge cost to New York City water rate payers, construction workers and the economy as a whole.

We hope you will support this project & we look forward to hearing from you.

Thank you.

Yours truly,

A handwritten signature in black ink, appearing to read 'William Shuzman', is written over the typed name and title. A long, thin horizontal line extends from the right side of the signature across the page.

William Shuzman
Executive Director

000115

07/01/03 TUE 15:32 [TX/RX NO 8439]



July 7, 2003

To: Governor George Pataki

From: Juan A. Gutierrez

Re: A8069c/S4791c
Croton Filter Plant in the Bronx

I write in support of the City of New York's request to build the proposed Croton Water Treatment Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

Our company joins our colleagues in New York's business community in support of this critical project.

100 Highway 70
Lakewood NJ 08701
Tel 732 • 364 • 8200
Fax 732 • 370 • 1926

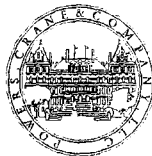
AN EQUAL OPPORTUNITY EMPLOYER

000116

JW

S. 4791-A

A8069



POWERS, CRANE & COMPANY, LLC

July 14, 2003

Honorable George E. Pataki
Governor of New York State
Executive Chamber
State Capitol
Albany, New York 12224

RE: Croton Water Filtration Plant
S. 4791-A. (Rules) / A. 8069-A (Rules)

Dear Governor Pataki:

On behalf of my client the New York State Laborers' Political Action Committee, we are asking for your support to build the proposed Croton Water Filtration Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx. This union, representing over 35,000 workers in New York, strongly supports construction of the Croton facility at this location.

By building this facility in the Bronx, the employment opportunities and economic investment will benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be well paid positions that could support a family. Local construction workers who would work on this project are the backbone of many middle class neighborhoods in New York City.

The New York State Laborers' strongly urge you to sign S.4791/A.8069. If you have any questions or concerns with our position, please contact me at (518) 431-0720.

Sincerely,

POWERS, CRANE & COMPANY

CC: Richard Platkin
Brooks Debow
Jim Walsh


Constance K. Crane

90 STATE STREET, SUITE 1422, ALBANY, NEW YORK 12207 TEL 518.431.0720 FAX 518.431.0721
www.powerscraneandcompany.com

000117



GATEWAY INDUSTRIES, INC.

390 North Broadway – Suite 140, Jericho New York 11753 Tel. (516) 933-7400 Fax. (516) 933-7441

Main E-Mail: Contact us for Address

An Equal Opportunity Employer

July 9, 2003

MEMORANDUM IN SUPPORT

TO: Governor George Pataki

FR: Mark Albicocco – Gateway Industries, Inc.

RE: A8069c/S4791c
Croton Filter Plant in the Bronx

I write in support of the City of New York's request to build the proposed Croton Water Treatment Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

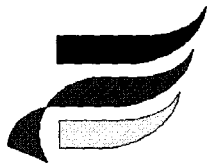
Our company joins our colleagues in New York's business community in support of this critical project.

Very truly yours,

GATEWAY INDUSTRIES, INC.

Mark Albicocco – President

000118



GATEWAY INDUSTRIES, INC.

390 North Broadway – Suite 140, Jericho New York 11753 Tel. (516) 933-7400 Fax. (516) 933-7441
Main E-Mail: Contact us for Address

An Equal Opportunity Employer

July 9, 2003

Hon. George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask that you sign Assembly Bill #8069c/Senate Bill # 4791c into law. This legislation approves the siting of the Croton filtration plant in the Bronx.

Our City needs clean drinking water! The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. Because of this, the U.S. Environmental Protection Agency has gotten a court order forcing the City to filter water from the Croton reservoirs. Environmental officials say the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water. Over 30 percent of the Bronx relies exclusively on Croton water. So do residents of much of Manhattan.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. The Mosholu Golf Course is the best location for this project in terms of price, safety, and ease of engineering. Furthermore, the City has pledged \$243 million for improvements to Van Cortlandt Park and other parks in the Bronx. This would be a huge prize for the borough and all New York City residents.

It is important to New York City's construction industry that this project is located in the Bronx. By building in the Bronx, the economic investment and employment opportunities benefit the borough and the City as a whole.

If you reject this site, I believe you will have to contend with the angry residents of the Westchester town of Mount Pleasant who will likely oppose this construction. It will also cost the City \$500 million more to construct in Westchester and cost New York City construction workers thousands of jobs.

I ask that you sign this bill into law.

Sincerely,

Gateway Industries, Inc.

Mark Albicocco - President

000119

A.8069

RECEIVED

JUL 02 2003

NEW YORK STATE
EXECUTIVE CHAMBER
COUNSEL

Partnership for New York City

June 26, 2002

Re: A.08069/S.4791-C

Honorable George E. Pataki
Governor
Executive Chamber
Albany, New York 1212124

Dear Governor Pataki:

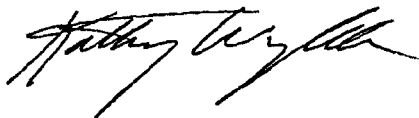
The Partnership urges you to sign into law A.08069/S.4791-C, a bill that would authorize New York City to use parkland in a section of the Van Cortland Park in the Bronx to build a drinking water filtration plant. We regard this facility as a critical city infrastructure priority that is appropriate for the designated site.

The City of New York is currently in violation of the State Public Health Law, the Safe Drinking Water Act, and the Surface Water Treatment rules. To remedy this violation, the City agreed in a federal decree that it would construct and operate a filtration plant for its Croton water supply system. The City's Department of Environmental Protection has investigated several potential sites for the filtration plant and concluded that a section in Van Cortland Park is the optimal site based on cost, security, engineering feasibility, and other factors. The filtration plant would be built underground so as not to intrude on park space. Most important, it would be the most secure of the available sites.

This is an important priority for New York City's business community and we would be grateful for your support. A safe, clean, and affordable water supply is part of the infrastructure needed to support any community, including New York's City residents and businesses.

Thank you for your consideration.

Sincerely,



Kathryn S. Wylde
President and Chief Executive Officer

cc. Richard Platkin, Esq.

Co-Chairmen
Henry R. Kravis
Jerry I. Speyer

President and CEO
Kathryn S. Wylde

Directors
Richard I. Beattie
Candace K. Beinecke
Alain J. P. Belda
David A. Bell

Stephen Berger
Russell L. Carson
Paul R. Charron
Kenneth I. Chenault
Jill M. Considine
John P. Costas
Samuel A. DiPiazza, Jr.
Jane T. Eilers
Peter L. Faber
Alan J. Fishman
Richard S. Fuld, Jr.
Victor F. Ganz

Barry M. Gosin
Richard A. Grasso
Jonathan N. Grayer
Jeffrey W. Greenberg
William B. Harrison, Jr.
David W. Heleniak
Robert M. Johnson
John A. Kanas
Gershon Kekst
Klaus Kleinfeld
Kay Koplovitz

William P. Lauder
Rochelle B. Lazarus
Edward Lewis
Martin Lipton
Terry J. Lundgren
John J. Mack
Eugene R. McGrath
Harold McGraw, III
Henry A. McKinnell, Ph.D.
Katsuto Momii
Lachlan Murdoch
Youssef A. Nasr

Eugene D. O'Kelly
E. Stanley O'Neal
Michael Patsalos-Fox
Lionel I. Pincus
Peter J. Powers
Michael I. Roth
William C. Rudin
Linda S. Sanford
Stephen A. Schwarzman
Sy Sternberg
John A. Thain

James S. Tisch
Alair A. Townsend
Seth Waugh
Sanford I. Weill
Christopher J. Williams
Fred Wilpon
Deborah C. Wright
Tim Zagat
Mortimer B. Zuckerman

Founding Chairman
David Rockefeller

Chairmen Emeriti
Robert B. Catell
Richard A. Jalkut
Richard D. Parsons
James D. Robinson, III
Preston Robert Tisch

000120

June 30, 2003

Steven Spinola
President

Governor George E. Pataki
The Executive Chamber
The Capitol
Albany, NY 12224

RE: A8069C
S4791C

Dear Governor Pataki,

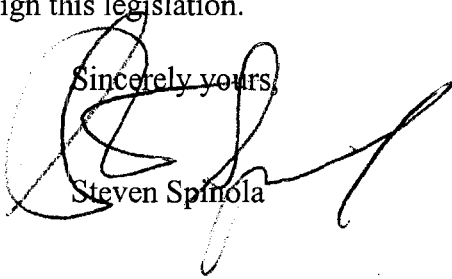
On behalf of the over 6000 members of the Real Estate Board of New York, I strongly urge you to sign the legislation to provide for the alienation of parkland in Van Cortlandt Park for the purposes of constructing and operating a water treatment plant in the Bronx. It is essential that New York City move forward with the mandated filtration plant for the Croton system in compliance with the EPA order.

The US EPA underscored the critical nature of this legislation in its release last week calling for action on the part of the City to build a filtration plant. It noted that the plant has been required for ten years. Croton drinking water violates EPA and NYS Dept. of Health standards because chemical levels exceed federal health standards. Under the Safe Drinking Water Act the City was required to filter the system by 1993, a deadline that it did not meet. Further delay will not only result in huge fines but the City is required to notify New Yorkers in their water bills and through the mass media of the contamination beginning this month.

The legislation before you has been carefully crafted to balance the needs and interests of a great many parties who have been concerned about this process. It provides for construction of the plant in part of Van Cortlandt Park at a cost savings of hundreds of millions of dollars compared to any alternative locations. The City has agreed to use these savings on much needed park improvements which will benefit us all.

We must act now. We strongly urge that you sign this legislation.

Sincerely yours,


Steven Spinola

000121

Slattery

SKANSKA

William V. McGuinness
Chief Operating Officer

July 9, 2003

Hon. George Pataki
Governor of the State of New York
The Executive Chamber
The Capital
Albany, NY 12224

Slattery Skanska Inc.
16-16 Whitestone Expressway
Whitestone, NY 11357
Phone 718 767 2600
Fax 718 767 0666
Web www.slattery.skanska.com

Subject: In Support of: Assembly #8069C/Senate#4791C

Dear Governor Pataki:

I am writing to you not only as the Chief Operating Officer of Slattery Skanska Inc., one of the largest contractors in New York State, but also as the Treasurer of the General Contractors Association of New York representing the heavy construction industry of our State.

I am writing to urge your approval of the New York City Department of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Department of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

Hon. George Pataki

July 9, 2003

2

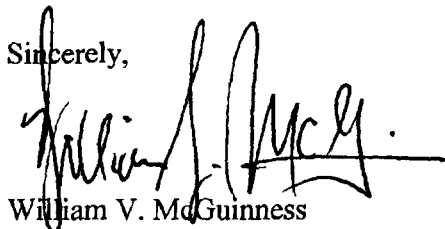
Subject: In Support of Assembly #8069C/Senate #4791C

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction. .

The City must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Sincerely,



William V. McGuinness
Chief Operating Officer, Slattery Skanska Inc.
Treasurer, General Contractors Association of NY

WVM:icb

BRONX COMMUNITY COLLEGE

___ OF THE CITY UNIVERSITY OF NEW YORK ___

PROJECT H.I.R.E.

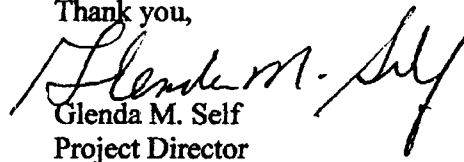
July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, New York 12224

Dear Governor Pataki,

I am writing this letter in support of A8069-C/S 4791C. The Crotona water filtration project is an economic development project sorely needed in the Bronx. At Project H.I.R.E. it will afford us the opportunity to continue to develop a labor force. We prepare men and women for careers in the Building Trades. Many of our graduates are now working members of Trade unions. Some of whom will work on this project. We want to and our students want to compete for the apprenticeship offerings this project will generate. By virtue of the apprenticeship offerings many of our former students are now journeymen/women. These jobs have enabled them to lift their families out of poverty. These jobs have aided them in contributing to the tax base. These jobs will enable them to build an economic foundation so that their children can prosper as the children of others have. Please support keeping the project and keeping it in the Bronx.

Thank you,


Glenda M. Self
Project Director

C: John Cahill, Secretary to the Governor
Richard Platkin, Counsel to the Governor
James Walsh, Asst. Counsel to the Governor
Jeff Elmer, GCA

UNIVERSITY AVENUE AND WEST 181ST STREET - BRONX, NEW YORK 10453
PROJECT H.I.R.E. - (718) 289-5589 - FAX (718) 365-1429
GLENDA M. SELF - PROJECT DIRECTOR



New York State Laborers'
Political Action Committee

July 15, 2003

Honorable George E. Pataki
Governor
State of New York
Executive Chamber, State Capitol Building
Albany, New York 12224

RE: A.8069-C (Rules)/S.4791-C (Rules)

Dear Governor Pataki:

The New York State Laborers' representing over 35,000 workers strongly urge you to sign A.8069-C/S.4791-C into law. This legislation allow New York City to discontinue the use of parklands temporarily in the Van Cortlandt Park in Bronx, NY to allow the construction of a water treatment facility to enhance the quality of the drinking water to New York City and Bronx residents. If this legislation were enacted, thousands of construction jobs would be created to complete the project over five years.

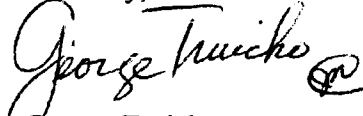
New York City is under court decree to filter water from the Croton Watershed because of contamination of the water, which ultimately leads to heavy chemical treatment of the water with chlorine before it reaches consumers. This practice is unsafe and costly.

Other sites have been discussed to build the filtration plant. However, due to the laborious siting requirements to determine a proper location where the facility should be constructed, it is cost effective to build under Van Cortlandt Park in the Bronx as this legislation intended. The Croton Watershed provides 10-30% of the drinking water to New York City (depending on rainfall) and parts of the Bronx. If this legislation is approved and after the filtration plant has been completed, it will deliver high-quality water to millions of faucets and showerheads throughout New York City and parts of the Bronx.

The New York State Laborers' Union strongly urges your support of A.8069-C/S.4791-C.

New York State Laborers'
Political Action Committee
100 West 122nd St.
New York, NY 10027-1211
Tel: (212) 410-1715
Fax: (212) 410-5931
Toll Free: (800) 442-1621
www.nyslpa.org

Sincerely,


George Truicko
Chairman

000125



POWERS, CRANE & COMPANY, LLC

July 14, 2003

Honorable George E. Pataki
Governor of New York State
Executive Chamber
State Capitol
Albany, New York 12224

RE: Croton Water Filtration Plant
S. 4791-A. (Rules) / A. 8069-A (Rules)

Dear Governor Pataki:

On behalf of my client the New York State Laborers' Political Action Committee, we are asking for your support to build the proposed Croton Water Filtration Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx. This union, representing over 35,000 workers in New York, strongly supports construction of the Croton facility at this location.

By building this facility in the Bronx, the employment opportunities and economic investment will benefit the borough and the City as a whole. The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be well paid positions that could support a family. Local construction workers who would work on this project are the backbone of many middle class neighborhoods in New York City.

The New York State Laborers' strongly urge you to sign S.4791/A.8069. If you have any questions or concerns with our position, please contact me at (518) 431-0720.

Sincerely,

POWERS, CRANE & COMPANY

CC: Richard Platkin
Brooks Debow
Jim Walsh


Constance K. Crane

90 STATE STREET, SUITE 1422, ALBANY, NEW YORK 12207 TEL 518.431.0720 FAX 518.431.0721
www.powerscraneandcompany.com



000126



**THE
Regional Alliance
FOR Small Contractors**
Building Tomorrow's Partnerships Today!

KURT A. GODDARD
Vice President & General Manager
Washington Infrastructure Services
Chairman - Regional Alliance

EARLE J. WALKER
Executive Director

BOARD OF DIRECTORS

Leon Eastmond
President - A.L. Eastmond & Sons, Inc./EASCO

John Cavanagh
Vice Chairman - AMEC Construction Mgmt. Inc.

Peter Marchetto
President - Bows Lend Lease, LMB, Inc.

Sandra Wilkin
President - Bradford Construction

James Frankel, Esq.
Partner - Buchanan Ingersoll

Francisco Salas
President - CSRI Construction Corp.

Thomas Murphy
Executive Director - Dormitory Authority of the State of NY

Charles Gargano
Chairman & CEO - Empire State Development Corp.

Tony Singh
President - Fine Painting Inc.

Frank McArdle
Managing Director - General Contractors Association of NY

Jim S. Hirani
President - Hirani Engineering & Land Surveying, P.C.

Frank Ross, Sr.
Chairman - HPH Construction Corporation

Bill Howell
President - Howell Petroleum

Tony Woo
V.P. Construction - Hugh L. Carey Battery Park City Auth.

Luis Fernandez
President - Imperial Construction

Milo Riverso, PhD, P.E.
President - J.A. Jones Construction

Eric Elchler
Chairman & President - LOOR, Inc.

Peter S. Kalikow
Chairman - Metropolitan Transportation Authority

James P. Fox
Commissioner - NJ Dept. of Transportation

Z. Wayne Johnson III
Asst. Exec., Dir. Human Resources - NJ Transit

Richard Anderson
President - NY Building Congress, Inc.

Robert W. Walsh
Commissioner - NYC Dept. of Business Svcs.

Earle Andrews, Jr.
Commissioner - NYC Housing Authority

Ronald A. Gottlieb, P.E.
CEO & President - NYC School Construction Authority

Joseph J. Seymour
Executive Director - Port Authority of NY & NJ

Kenneth Desai
President - TAK Construction, Inc.

Joseph Ross
Executive Vice President - Tishman Realty & Const. Co., Inc.

Steve Lampert
Sr. Engineer - NY-Turner Construction Company

Bennie Hadnott
Partner - Watson Rice LLP

July 10, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki:

As Executive Director of the Regional Alliance for Small Contractor, an industry partnership led by major corporations in construction, key public agencies and many small businesses, I support Assembly bill #8069-C/Senate bill #4791-C.

The reason for my support is that small, minority and women-owned contracting companies with whom I work in New York City will benefit greatly from the jobs and opportunities that the Croton Water Treatment Project presents. These same firms will have little chance of winning contracts and subcontracts if the plant is built in Westchester. Attached is a copy of my testimony supporting the project which was presented to the NYC Council.

In these times we need to invest in the future of New York City, we urge you to support the construction of this plant in the Bronx.

Best Regards,

Earle J. Walker
Executive Director

Att.

Port Authority Bus Terminal, 625 Eighth Avenue, 2nd Floor - North Wing - New York, NY 10018
Voice: 212-268-2991 • Fax: 212-268-7509
150 West State Street, Suite 310 • Trenton, NJ 08608 • Voice: (609) 392-5600 • Fax: (609) 392-7092
Website: <http://www.regional-alliance.org>

000127

The Regional Alliance for Small Contractors
Testimony in Favor of Croton Water Treatment Plant

My name is Earle J. Walker and I am the Executive Director of the Regional Alliance for Small Contractors. The Regional Alliance is an industry partnership led by major corporations in construction, several public agencies and many small businesses. Our mission is to help small, minority, and women-owned businesses compete openly and perform effectively on public and private sector contracts. We work to enable these companies to grow in the construction industry. We help them win and successfully execute contracts with many city and state agencies, including the Port Authority, the New York City Housing Authority, the State Department of Transportation and the NYC School Construction Authority.

So why am I here today? I'm here to give you a reason for placing the Croton project in the Bronx.

The reason is simple. It is that the small and minority and women-owned contracting companies with whom I work in New York City benefit greatly from the jobs and opportunities that this project represents.

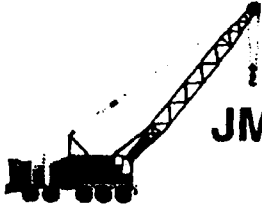
If this water treatment plant is built in Westchester, the New York City based firms with whom I work will have little chance of winning the contracts and subcontracts that will be available. In fact, they may not even have an opportunity to compete for these opportunities.

On the other hand, if the Croton plant is built in the Bronx, our local businesses will be able to compete on a level playing field for the opportunities to do work as a contractor, subcontractor or a supplier of materials and services. They will not only work on the filtration plant, but will also work on the \$200 million park redevelopment program that will accompany it.

When DEP Commissioner Chris Ward was an official at the Port Authority, we worked closely together to ensure that smaller and minority-owned businesses got major jobs with that agency. On the JFK AirTrain project, for instance, we developed a comprehensive Minority and Women Enterprise Program that was integrated into the entire procurement operation. Over \$85 million in AirTrain construction contracts went to minority- and women-owned-owned businesses, and about the same amount of construction contracts went to Queens-based companies. That amount far exceeded all goals for this project. So when Commissioner Ward says DEP Means Business for Minority Contractors, I know he means Business!

DEP has established MBE goals that range from 17% to 23% for their construction projects. I know he will deliver on this. But the opportunities for New York City-based firms will be lost if this \$1 billion project goes north to Westchester. We want to promote the advancement of minorities and women as owners, managers and employees in the local construction industry. We want to expand the capacity of our small businesses to undertake contracts of increasing size. But we can only do this if there is work available to be bid and secured here, in New York City. In this declining economy, New York City simply can't afford to let these kind of opportunities slip out of town to a much more affluent area of the State where these jobs and contracts are less critically needed.

Let's invest in the future of the Bronx, our communities, and our City. This proposal deserves the Assembly's enthusiastic support and we urge you to give it every possible consideration. I want to thank you Assemblyman Stringer and your colleagues for organizing this important public hearing and giving my organization the opportunity to present our views.



JMA CONCRETE CONSTRUCTION CO., INC.
General Contractors



Heavy Construction • Asphalt and Concrete Paving

July 9, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

MEMORANDUM IN SUPPORT

RE: Assembly Bill #8069c / Senate Bill # 4791c
Proposed location of Croton Filter Plant in the Bronx

Dear Governor Pataki:

I write to urge you to sign Assembly Bill #8069c/Senate Bill 4791c into law. This legislation would approve the location of the Croton filtration plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who work in the Bronx believe that a construction project of this magnitude would not only help to revive the borough but would provide contract opportunities and many jobs to the Bronx in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents. Thus having a long lasting positive effect on the Bronx.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

We are a New York State certified minority owned and controlled construction company. We are 100% union company that has work experience on other water pollution facilities including the North River Water Pollution Control Plant on the Hudson River in Manhattan.

Our company joins our colleagues in New York's business community in support of this critical project.

Sincerely,

Joseph M. Argrette
President/CEO

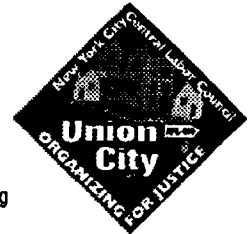
213-08 99th Avenue • Queens Village, NY 11429
Tel: (718) 264-2688 • Fax: (718) 264-2183
e-mail address: jmarginette@aol
An Equal Opportunity Employer

000130



NEW YORK CITY CENTRAL LABOR COUNCIL

AFL-CIO



31 West 15th Street, New York, NY 10011 • Tel: (212) 604-9552 • Fax: (212) 604-9550 • E-mail: nycclcio@aol.com • www.nycclc.org

President
BRIAN M. McLAUGHLIN
IBEW Local 3

Secretary
TED H. JACOBSEN
AFT Local 2

Treasurer
IDA INES TORRES
RWDSU Local 3

Vice Presidents
RICHARD ABONDOLO
UFCW Local 342
STUART APPELBAUM
RWDSU
GEORGE BONCORAGLIO
CSEA/AFSCME Local 1000
JOHN M. BOWERS, JR.
ILA
JAMES CONIGLIARO
IAM District 15
JOHN DURSO
RWDSU Local 338
MICHAEL FISHMAN
SEIU Local 32BJ
JOHN GILLIS
UNITED NY JOINT BOARD
MICHAEL GOODWIN
OPEIU
CARL HAYNES
IBT Local 237
EMANUEL 'MANNY' HELLEN
Utility Workers Local 1-2
THOMAS P. MAGUIRE
Operating Engineers Local 15, 15A-D
PETER MAHER
CWA District 1
EDWARD J. MALLOY
Bldg. & Construction Trades Council
NARCISO MARTAS
BCTGM Local 3
ANGELO MARTIN
IBT Local 210
EDWARD 'ED' MCCONWAY
IATSE Local 1
DENNIS McSPEDON
IBEW Local 3
FRANK MEEHAN
UFCW Local 1500
LILLIAN ROBERTS
AFSCME DC 37
EDGAR ROMNEY
UNITED Local 305
ANTHONY M. RUMORE
IBT Joint Council 16
JACK RYAN
SEIU Local 74
WILLIAM 'BILL' SMITH
APWU NY METRO
JOSEPH SPEZIALE
LIUNA Mason Tenders DC
JOHN TORPEY
Steamfitters Local 638
ROGER TOUSSAINT
TWU Local 100
SANDY S. VAGELATOS
IUPAT Painters DC 9
PETER WARD
NY Hotel & Motel Trades Council
RANDI WEINGARTEN
AFT Local 2
PHIL WHEELER
UAW Region 9A

Ex Officio
DENIS HUGHES
NYS AFL-CIO

Emeritus
GEORGE E. McDONALD
Allied Printing Trades

Trustees
STEPHEN CASSIDY
Fire Fighters Local 94
DAN INGRAM
AFTRA New York Local
ANNIE B. MARTIN
PACE
WAYNE MITCHELL
Allied Printing Trades Council
THOMAS V. MURPHY
AFT Local 2

Public Relations Director
KATE FERRANTI
Mobilization & Organizing Director
ED LYNCH
Labor in the Pulpits Director
ANNIE B. MARTIN
Community Services Unit Director
PEGGY ORTEGA-CAMACHO
Public Policy & Worker Education Director
ED OTT
Commission on the Dignity of Immigrants
JOSE PERALTA
Community Services Administrator
Employment & Training Director
HOWARD A. VAN JONES
Attorney
DOUGLAS D. MENAGH

July 14, 2003

Governor George E. Pataki
The State Capitol
The Executive Chamber
Albany, NY 12224

Dear Governor Pataki:

The New York City Central Labor Council, Council President Brian McLaughlin, Treasurer Ida Torres, our Executive Board Vice Presidents and our more than 1.5 million members represented by nearly 400 affiliated local unions reaffirmed its commitment to build the much needed Croton water filtration plant under the Mosholu driving range in Van Cortlandt Park back in May of this year. It is our understanding that original objections by various groups were addressed in the newly passed legislation.

Mr. Governor, we urge you to sign Assembly Bill # 8069C, so that work on the project can commence as soon as possible.

We all know that a project of this magnitude will not only help the trades and expand job opportunities, but it most definitely will also help to revitalize The Bronx and our city's economic base. In addition, the \$243 million promised to build and rehabilitate Bronx parks in exchange for approval of the project will also benefit neighborhood residents for many years to come.

This new filtration plant is critical in protecting the health and well being of the millions of our citizens who drink Croton Reservoir water.

Again, Mr. Governor, we urge you to sign the legislation into law.

We would appreciate hearing your views.

Sincerely,

Ted H. Jacobsen
Secretary of the Council

THJ:fd
IBT815

**THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.**60 East 42nd Street • New York, NY 10165 • Tel: (212) 687-3131 • Fax: (212) 808-5287 • Email: GCAMail@nyc.gcany.net

July 17, 2003

Hon. George E. Pataki
Governor
State of New York
Albany, NY

In support of A.8069-C/S.4791-C

Dear Governor Pataki:

We are writing on behalf of our organizations and our members to urge you to sign this legislation, which would authorize New York City to construct a water treatment facility underneath the Mosholu Golf Course in Van Cortlandt Park. It is our understanding this legislation was delivered to your office on July 10, 2003. Although each of the signatories to this letter has written to you individually, we are writing to you again collectively, and with a greater sense of urgency, now that the legislation is on your desk for consideration.

Prominent environmental groups have agreed with the City, the State of New York, and the United States Environmental Protection Agency, that the Croton supply should be filtered as soon as possible. Filtration will solve the Croton system's chronic odor, taste and color problems. More importantly, filtration will eliminate the long-term public health concerns caused by disinfectant byproducts. Croton consumers live in some of the poorest areas of the Bronx and Manhattan. They have a right to a potable water supply that is not afflicted with either aesthetic or public health concerns.

We recognize that this legislation does not explicitly provide a role for the Governor in the Memorandum of Understanding ("MOU"). However, Mayor Bloomberg has committed in writing to ensuring your participation and input in the public process created in the MOU to identify \$200 million worth of parks and recreation projects in the Bronx. Furthermore, it is clear that the Legislature will not entertain further amendments to this bill at this time.

Your approval of this legislation in its current form is necessary, or the City will end all further consideration of the Mosholu site. If the Mosholu site is removed from further consideration the remaining two choices are the Harlem River site in the Bronx, and the Eastview site in Westchester County. If the Mosholu site is not available, the City has clearly stated that it will build the Croton treatment facility at the Eastview site in Westchester County. For a variety of reasons, including security, site ownership, constructability, permitting and community impacts, the City believes the Eastview site is preferable, if Mosholu is unavailable.

Your approval of this legislation will not, by itself, ensure that the Croton water treatment plant will be built at the Mosholu Golf Course. That decision will not come until the completion of the MOU and the Supplemental Environmental Impact Statement. Your approval of this legislation will only ensure that the Mosholu site remains a viable option.

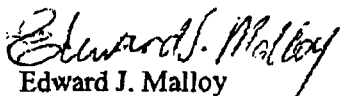
However, your veto of this legislation will, in effect, assure that the treatment plant will not be built at Mosholu. Given the siting options, vetoing this legislation means that the City will seek to build its Croton treatment facility at Eastview. Not only will building at the Eastview site cost the City \$500 million more than building at Mosholu, it will also cost New York City workers thousands of jobs. Forcing this construction project into Westchester County would be a devastating blow to our organizations and their members.

Building the Croton treatment plant in Eastview would also be a devastating blow to the residents of the Bronx, who would lose the benefits of the \$200 million worth of parkland funding that the City would make available pursuant to the MOU. In addition, when the City Council first approved this site in 1999, the City promised \$43 million worth of improvements in and around Van Cortlandt Park if the plant were constructed at the Mosholu site. Your veto of this legislation means that \$243 million worth of parks and recreational projects in the Bronx will never get built.

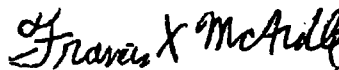
In 1999, the New York City Council approved DEP's application to site the plant at the Mosholu Golf Course. In 2003, the City Council approved a Home Rule Message, affirming its support for the Mosholu site. If you veto this legislation, you will also be removing from further consideration a site that has twice been endorsed by local elected officials, customarily accorded some discretion over local siting decisions.

We believe vetoing this legislation is contrary to your interest in promoting environmental compliance and in improving open space and parklands. A veto would also be contrary to the interests of our members, contrary to the interests of Bronx residents, and contrary to the interests of the City as a whole. We respectfully urge you to approve this legislation.

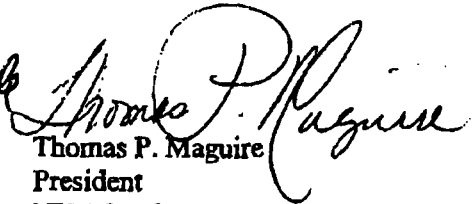
Sincerely,



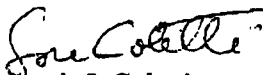
Edward J. Malloy
President
Building & Construction
Trades Council of Greater NY



Francis X. McArdle
Managing Director
The General Contractors
Association of NY



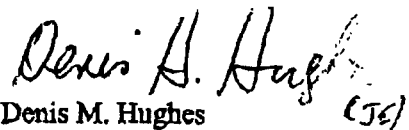
Thomas P. Maguire
President
NYS Conference of
Operating Engineers



Louis J. Coletti
President and CEO
Building Trades
Employers Association



Richard T. Anderson
President
NY Building Congress



Denis M. Hughes
President
NYS AFL-CIO

C 175

Enterprise Association of Steamfitters Local Union 638 U.A.

OF

STEAM, HOT WATER, HYDRAULIC, SPRINKLER, PNEUMATIC TUBE, COMPRESSED AIR, ICE MACHINE, AIR CONDITIONING
AND GENERAL PIPE FITTERS OF NEW YORK AND LONG ISLAND, A.F.L.-C.I.O.

STEAMFITTERS LOCAL UNION 638 OF THE UNITED ASSOCIATION



John J. Torpey
President

Phones: Office (718) 392-3420
Finances: (718) 392-4074
FAX: (718) 784-7285

July 1, 2003


Hon. George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to urge you to sign the Croton Bill, A8069-C, S4791-C.

This filtration plant should be built under the Mosholu driving range in Van Cortlandt Park. Opposition to this project is all about people being temporarily inconvenienced. Please sign the bill.

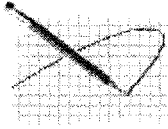
Sincerely,


JOHN J. TORPEY
President

JJT:js

000134

C 175



Gloria Galea/NYEC
07/07/2003 12:35 PM

To Legislative Secretary/NYEC@NYEC
cc
bcc
Subject 1312012 - Executive Chamber

*** Please Do Not Reply to this e-mail Message.***

*** Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. ***

Charles Azzaretti
62 Enoch Crosby Rd.
Brewster, NY 10509
azzaretti@rcn.com
County Putnam
Addressed to: Governor

Issue 1

Correspondence Number 1312012
Date Of Correspondence 07/07/2003
Date Received 07/07/2003
Date Entered 07/07/2003
Referred To Legislative Secretary
Date Referred

Routing History

07/07/2003 12:34 PM (Routed By --> Gloria Galea) (Routed Via Internal Email to --> Legislative Secretary)

Dear Governor Pataki:

I am very concerned regarding the proposal to alienate 40 acres of land in Van Courtland Park to provide a huge water filtration facility. I believe this is a mistake for the people of New York State for two reasons:

1. The parklands in New York State are spaces of peace and beauty, and provide a respite from the pressures life. The social life of the average citizen is enhanced by the sports, picnicking and general camaraderie that is natural in these sylvan areas. This is especially true in crowded urban areas such as the Bronx and more acutely felt by people of limited means. To "alienate" a large section of Van Courtland Park for an industrial type filtration plant will have a significant negative impact on public life in the Bronx and by extension New York State. This would also establish an insidious precedent whereby the parklands we cherish and in truth borrow from our children are seen instead as expendable resources to be whittled down and bargained away.

000135

2. Whatever its location the need for this filtration plant is NOT certain. The Croton Watershed is under pressure due to rampant development in recent years. The Watershed Agreement between upstate communities and New York City is a huge step in the right direction. The sensible, conservative, frugal path to follow is to protect the watershed and render a multibillion dollar filtration plant a moot point. Why let something as precious as water become polluted in the first place when we know it will have to be cleansed in an expensive and socially disruptive manner. We can vigorously enforce the existing laws regarding protection of wetlands and buffer zones that drain into the watershed. Just as importantly the funds to acquire land in the Croton Watershed to limit development should be greatly increased - along the lines of reservoir systems further upstate. If we follow such a path we will save money, we will save the land from overdevelopment, and we will enhance the lives of the people of New York State.

Please Governor Pataki the right thing to do for the people of New York State is to veto bills A.8069 and S.4791.

Sincerely,

Charles Azzaretti

C 175

July 2, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

In support of: A 8069-C/S 4791-C

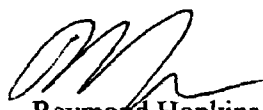
Dear Governor Pataki:

I am writing on behalf of the Mechanical Contractors Association of New York to urge your approval of A 8069C/S 4791C, which allows the New York City Department of Environmental Protection (DEP) to build the Croton Water Filtration Plant under the Mosholu driving range in the Bronx. The City's business community, labor unions and Bronx legislators support this project.

The mechanical contracting industry in New York is comprised of over 300 companies and employs over 3,000 members of Steamfitters' Local Union 638. A Croton plant built in the Bronx would mean many jobs for New York City workers in construction and related areas.

Thank you for your time and consideration. Your signature on these bills will help New York City prosper.

Sincerely,



Raymond Hopkins
Executive Vice President

OFFICERS

Edward English
President

Anthony Florez
Senior Vice President

Salvatore Barbera
Secretary-Treasurer

Raymond W. Hopkins
Executive Vice President

BOARD OF DIRECTORS

Salvatore Barbera

James Botto

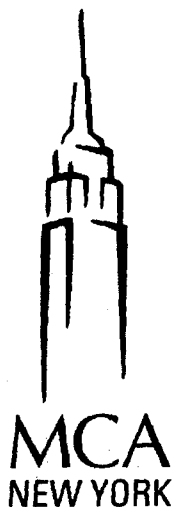
Kenneth Durr

Edward English

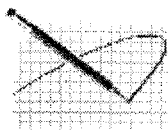
Anthony Florez

David Israeli

Jeffrey Porrello



C 175



Gloria Galea/NYEC
07/11/2003 11:13 AM

To Legislative Secretary/NYEC@NYEC
cc
bcc
Subject 1312680 - Executive Chamber

*** Please Do Not Reply to this e-mail Message.***

*** Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. ***

Sue Dunham
5 Oakland Lane
East Quogue, NY 11942
slk1998@yahoo.com
County Suffolk
Addressed to: Governor

Issue 1

Correspondence Number 1312680
Date Of Correspondence 07/11/2003
Date Received 07/11/2003
Date Entered 07/11/2003
Referred To Legislative Secretary
Date Referred

Routing History

07/11/2003 11:12 AM (Routed By --> Gloria Galea) (Routed Via Internal Email to --> Legislative Secretary)

Hi Governor Pataki,

I know you have reservations about Bill A8069c/S4791, the one that threatens to alienate 43 acres of Van Cortlandt Park in the Bronx, so that an unneeded chemical filtration plant can be built.

Please VETO this bill and take a stand for the environment!

000138

C 175

**The Steel Institute of New York
The Ornamental Metal Institute of New York**

211 East 43 Street
New York City, N.Y. 10017
212 697 5553, 4 * 122 818 0976 (fax)

July 1, 2003

The Honorable George Pataki
Governor of the State of New York
The Capital
Albany, N.Y. 12224

RE: *Assembly Bill # 8069c/Senate Bill # 4791c*
Siting of the Proposed Croton Filtration Plant

Dear Governor Pataki:

The Steel and Ornamental Metal Institutes of New York are organizations consisting of approximately 500 contractors engaged in the erection of structural steel, architectural, ornamental and miscellaneous metal products used in both heavy and building construction projects located in the five boroughs of New York City as well as Nassau, Suffolk and Westchester Counties.

Legislation is pending before you to allow the City of New York to temporarily utilize land in Van Cortlandt Park in the Bronx for construction of the Croton Water Filtration Plant under the Mosholu driving range. We are writing on behalf of our members to ask your approval of this important project.

Our City needs clean drinking water! The quality of the water from the Croton reservoirs is endangered because the population has grown in that area of the State. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms.

There is precedent for locating infrastructure projects under City parks. For instance, the City water tunnel # 3 valve chambers are under Central Park. Holding tanks built under Silver Lake Park in Staten Island store drinking water for the borough.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protection (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. Mosholu is the best location for this project in terms of price, safety, and ease of engineering. If you sign off on this legislation, the City will commit \$243 million for improvements to Bronx parks. This would be a huge boost for the borough and all New York City residents.

000139



1430 BROADWAY, 8TH FLOOR
 NEW YORK, NY 10018
 TEL: 212 704 9745
 FAX: 212 704 4367
 WEB: WWW.BTEANY.COM

Louis J. Coletti
 President and CEO

July 2, 2003

Honorable George E. Pataki
 Governor
 State of New York
 The Capitol
 Albany, New York 12224

RE: *Assembly Bill # 8069c/Senate Bill # 4791c*

Dear Governor Pataki:

I am writing to you on behalf of the 1,500 general contractors, subcontractors and specialty contractors that comprise the Building Trades Employers' Association to urge you to support the legislation that would allow the City of New York to temporarily utilize the land under the Mosholu driving range in Van Cortlandt Park in the Bronx for construction of the Croton Water Filtration Plant. The *New York Times*, the *New York Post*, *Crain's New York* and the *New York Observer* have all endorsed this siting proposal. They realize that this project is a win-win situation. It means clean water for the residents of Manhattan, the Bronx and Westchester County as well as jobs, economic development and new parks in the Bronx.

This is a very important project for all of us in New York's construction industry. That is why other organizations such as the *Real Estate Board of New York*, the *Partnership for New York City*, the *New York Building Congress*, and the *Regional Alliance of Small Contractors* have all gone on record in favor of building at Mosholu. Organized Labor also supports this siting proposal – including the *Central Labor Council*, *Local 1199/SEIU*, the *United Federation of Teachers*, the *New York City Building & Construction Trades Council*, the *New York State AFL-CIO*, the *Operating Engineers*, the *District Council of Carpenters*, the *District Council of Ironworkers*, the *Mason Tenders*, the *Teamsters*, *Plumbers*, and *Local 3 Electrical Workers*.

Several conservation groups recently stated that filtration is necessary to protect the health of the people who drink Croton Water. Croton Water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increase risk of contamination from disease causing organisms.

The Mosholu driving range is the best location for this project in terms of price, safety, and ease of engineering. The bills that passed the legislature also commit \$243 million for park projects in the Bronx, including restoration and improvements in Van Cortlandt Park. This is a good deal for the Bronx and for all residents of New York.

Your support of this legislation will add to your legacy of environmental conservation. We hope you will support this project & we look forward to hearing your views on this issue.

Sincerely,

A handwritten signature in black ink, reading "Louis J. Coletti". The signature is written in a cursive style with a prominent "L" and "C".

Louis J. Coletti
President & CEO

LJC:cvm

C 175



131-36A 20th Avenue, College Point, NY 11356 ■ Tel: (718) 460-5615 ■ Fax: (718) 460-6324

07/07/03
Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

In Support of: Assembly #8069C/Senate#4791C

Dear Governor Pataki:

I am writing to urge your approval of the New York City Department of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Department of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Department of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction. .

The city must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

Modern Continental Companies

Sincerely,

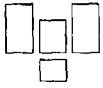


John McNamara
Sr. Vice President

MAIN OFFICE: 600 Memorial Drive, Cambridge, MA 02139 ■ Tel: (617) 864-6300 Fax: (617) 864-8766 www.moderncontinental.com

An Equal Opportunity Employer

000142



Yonkers Contracting Company, Inc.

Building Quality for Over 50 Years

969 Midland Avenue Yonkers, NY 10704 Tel 914.965.1500 Fax 914.378.8841

VIA UPS NEXT DAY AIR

July 7, 2003

**Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224**

**Re: A8069c/S4791c
Croton Filter Plant in the Bronx**

Dear Governor Pataki:

I write in support of the City of New York's request to build the proposed Croton Water Treatment Plant in the Mosholu Golf Course in Van Cortlandt Park in the Bronx.

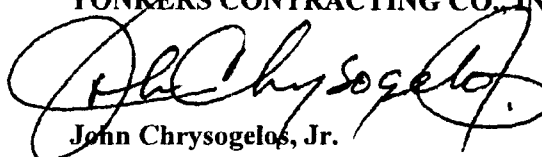
Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

Our company joins our colleagues in New York's business community in support of this critical project.

Very truly yours,

YONKERS CONTRACTING CO., INC.


John Chrysogelos, Jr.

**cc: Via Facsimile to:
John Cahill, Sec'y. to Gov. - # 518-474-1513
Richard Platkin, Counsel to the Gov. - # 518474-8099
James Walsh, Asst. Counsel to the Gov. - 518-474-8099
Jeff Elmer, GCA - # 212-808-5267**

000143



60 VAN CORTLANDT PARK
GOLF HOUSE
BRONX, NEW YORK 10471
TEL: 718-601-1463
FAX: 718-601-1174

WEBSITE:
WWW.VANCORTLANDTPARK.ORG
EMAIL: FRIENDS@VCPA.NY.COM

VIA Facsimile (518) 486-9749 and US Mail
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224
Re: Van Cortlandt Park Alienation

Dear Governor Pataki:

In my capacity as the Chairman of the Friends of Van Cortlandt Park, I am writing to urge you to veto the C version of A8069 and S4791 passed on June 20, 2003 by the Legislature. This bill authorizes the city of New York to use parkland in Van Cortlandt Park for the building of a Water filtration plant.

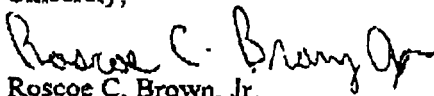
The Friends of Van Cortlandt Park (FVCP) is decade old an organization dedicated to the promotion, preservation and protection of Van Cortlandt Park. Our organization is comprised of volunteers, paid members, park user groups and students.

The disturbance of this parkland is not during a brief time period. The construction for the proposed plant could take over ten years to complete. This will eliminate the use of the park for local residents, especially children, for their entire childhood. The park will lose over 250 old growth trees and several acres of park wetland will be infringed upon during the construction.

The proposed filtration plant in this park will also set a precedent for the taking of parkland for throughout the New York City. Van Cortlandt Park has received promises from city agencies in the past regarding temporary use of the park. After projects were completed the city never held true to its commitment. We are afraid that this will once again be the case with this project.

We respectfully request take a leadership in protecting New York City parkland and its natural environment for future generations by denying the City the chance to move forward on this project in Van Cortlandt Park.

Sincerely,


Roscoe C. Brown, Jr.
Chairman

Cc: Jennifer Lumpt, Director of Legislative Affairs

CHAIR
ROSCHCE C. BROWN, JR., PH.D.

VIC CHAIRS
JUDITH NITZ
JANET S. SCHULMAN

PRESIDENT
ALEXANDER COOKER, ESQ.

TREASURER
FRANCIS BENNETT

SECRETARY
ADRIAN HUNTER SMITH

COUNSEL
ERIC A. SEIFF

MARGA ALJUNA
HILARY BAUM
ROBERT J. BYRNES
BASHKIM DIARRA
LORANCE J. HICKERT
RUSTY HUNTER
ORA HOLLOWAY
SUSAN MORGENTHAU
DART WESTVHAL

EX OFFICIO
ADRIAN BENEFY
HON. ALDO CARBON, JR.
C. OLIVER KOPPELL
DOROTHY LEWANTOWSKI

EXECUTIVE DIRECTOR
PAUL F. SAWYER



GIFFORD MILLER
SPEAKER

THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

TELEPHONE
212-788-7210

July 9, 2003

The Honorable George E. Pataki
Governor of the State of New York
The Executive Chamber, Capitol
Albany, NY 12224

Dear Governor Pataki:

I am writing to urge you to support S.4791-C and A.8069-C, which would authorize the City of New York to alienate parcels of land in Van Cortlandt Park for the purpose of building the federally mandated water filtration plant for the Croton water supply.

Over the course of the past few months, the New York City Council conducted three extensive public hearings on the issue of building a water filtration plant for the Croton water supply at the Van Cortlandt site. During that time, the Council heard testimony from over 60 witnesses and thoroughly examined the proposed state legislation authorizing alienation, as well as the city's proposal to build the plant on the Van Cortlandt site. During the public hearings, it became clear that many environmental and parks advocates felt that a Supplemental Environmental Impact Statement (SEIS) should be conducted before building the plant at the Van Cortlandt site. Therefore, before it would pass a home rule message, the Council insisted that the state legislation require a SEIS, and the state legislation was amended accordingly. On June 12, 2003, the New York City Council, by an overwhelming majority, passed a home rule message authorizing the state to pass S.4791-C and A.8069-C.

As you know, pursuant to a Federal Consent Decree, New York City is required to build a water filtration plant for the Croton watershed. Because the city has not met a number of deadlines set forth in the Consent Decree—such as identifying a preferred site by April 30, 2003 and obtaining legislative authorization to use the Van Cortlandt site by April 15, 2003—the city is incurring fines of approximately \$7,500 per day. The failure to sign the above-referenced legislation will result in continued violation of the Consent Decree and the imposition of additional fines.

In addition to satisfying the deadlines pursuant to the Federal Consent Decree, the alienation legislation is an essential step in ensuring that New York City residents are provided with safe drinking water that meets all United States Environmental Protection Agency (EPA) drinking water standards. While Croton water has historically met all existing health-based water quality regulations, on June 25, 2003, the EPA announced that the Croton system had violated a national health standard for drinking water. The city and state must ensure that the Croton water system, which provides water to largely low-income communities of color, is as safe as the city's other water sources.

(Continued)

000145

The benefits to Bronx parks resulting from the city's proposal to build the plant at the Van Cortlandt site are impressive. In exchange for use of the Van Cortlandt site for the water filtration plant, the city has committed \$243 million dollars for the acquisition and improvement of parks in the Bronx. These funds represent the largest capital grant for parks use ever contemplated in the Borough of the Bronx. The state legislation requires that these funds be allocated pursuant to a Memorandum of Understanding that would ensure continued public input with respect to such funding allocation.

Finally, the construction of the filtration plant at the Mosholu site will assure that the Bronx receives the maximum possible economic benefit from the Croton filtration project. The DEP predicts that approximately 650 workers will be employed at the construction site during peak construction periods, and that the economic ripple effect of such activity is expected to generate over 3,000 jobs in the Bronx.

Given the importance of clean drinking water for all New York City residents; the provisions in the legislation that would safeguard residents against an environmentally unsound project, such as the required SEIS; the mandates of the Federal Consent Decree; the commitment of \$243 million dollars for Bronx parks; and the economic benefits generated by building the plant at the Van Cortlandt site, I respectfully urge you to sign S.4791-C and A.8069-C into law.

Thank you for supporting this important piece of legislation.

Sincerely,



GIFFORD MILLER
Speaker

Jane E.S. Sokolow
Two Spaulding Lane
Riverdale, New York 10471

(718) 548-8090
FAX: (718) 884-1226
jessokol@webspan.net

July 10, 2003

VIA Facsimile (518) 486-9749 & U.S Postal Service
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

RE: Croton Filtration Legislation

Dear Governor Pataki:

I urge you to veto A8069 and S4791, legislation that would give the City permission to alienate a large section of parkland in Van Cortlandt Park. The proposed legislation is premature and may be unconstitutional.

The New York City Department of Environmental Protection (DEP) is seeking legislation that would allow DEP to construct the Croton filtration plant at a site in Van Cortlandt Park. During the construction period and perhaps beyond, approximately 42 - 50 acres of the park would be an active construction site and off-limits to the public.

The legislation is premature because it pre-approves construction of a huge industrial facility in our park, before the City conducts the open site selection process that is supposed to be provided by the State Environmental Quality Review Act (SEQRA). Based on the City's undocumented assertion that the park is the least-expensive site, the bills also attempt to bypass public protections that should be provided through NYC's zoning laws.

Parkland in New York City is a scarce commodity. Our parks are precious for all of us and must be protected for future generations. Parkland should not be alienated except under very exceptional circumstances, only as a last resort, and then only after full public review of the need for the alienation.

The legislation requires that the City complete a supplemental EIS, but this work should be completed before the State considers alienation, not after the fact. The City completed an EIS in 1999 on a materially different project proposal, but has been unwilling to complete a supplemental EIS on the Van Cortlandt

GCO
CC: Miller Fox, Wellner

000147

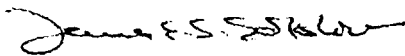
site, and unwilling to compare the site with others as required by SEQRA procedures. In addition, the City has refused to pass the new design of the filtration plant and the proposed alienation of parkland through the City Uniform Land Use Review Process (ULURP). We urge you not to sign legislation that would alienate the parkland unless the siting decision is the result of a full EIS under SEQRA, and unless the City allows for full community participation by passing the new proposal through ULURP.

The DEP has talked of plans (the public has not seen the plans) intended to minimize and mitigate any adverse impacts stemming from construction of this filtration facility in the Park. DEP verbally states that the Park would be returned to its current use, topography and configuration, with full access to the acreage on top of the facility once construction is complete. Each of these reassurances is in conflict with DEP's past practices, and with contemporary security concerns. We fear that new guidelines for the Office for Homeland Security, for example, might cause the City to restrict access to that part of the Park following construction.

In addition, as written the Memorandum of Understanding provision in the legislation raises constitutionality questions by giving executive powers to the legislature.

I strongly urge you not to approve the request for alienation now because parkland is too important to all New Yorkers, and especially to congested neighborhoods within New York City. The issues of alienation, due process, and separation of powers should each be carefully considered. I urge you to make it clear that alienation cannot be considered unless the siting decision is the product of a complete SEQRA process and is passed through ULURP. A full security evaluation of all three alternatives should be required. If for any reason alienation legislation must be approved, it should be amended to resolve the constitutional question, require the City to complete ULURP, and to make legally enforceable the guarantees that the mitigation funds will be invested in the community that is impacted by the construction.

Sincerely,



Jane E.S. Sokolow

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, New York 12224

Re: In Support of: A 8069-C/S 4791-C
Croton Filter Plant in the Bronx

Dear Governor Pataki:

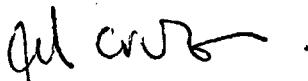
I am writing in support of the building of the Croton Water Treatment Plant in Van Cortlandt Park in the Bronx.

The mandated filtration plant is critical to the health and well being of the millions of people who drink Croton water and the Bronx location is the logical and most efficient place to construct it.

As a company that has done work in the Bronx we believe that construction projects like this one will help the borough. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents far into the future.

Our company joins our colleagues in New York's business community in support of this critical project.

Very truly yours,
E.E. Cruz & Company, Inc.



Edward Cruz, P.E.
President

MORETRENCH AMERICAN CORPORATION
467 Central Park Avenue
Yonkers, NY 10704
(914) 423-1331

MORETRENCH

....since 1931

July 8, 2003

Honorable George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

Dear Governor Pataki:

I am writing to ask that you sign Assembly Bill #8069c/Senate Bill #4791c into law. This legislation approves the siting of the Croton filtration plant in the Bronx.

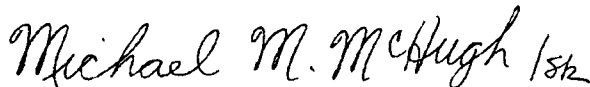
The quality of the water from the Croton reservoirs is endangered because of development pressures. At times, Croton water contains high levels of disinfection by-products and insect larvae. Because the system is not yet filtered, there is an increased risk of contamination from disease causing organisms. Over 30 percent of the Bronx relies exclusively on Croton water as do residents of much of Manhattan. The U.S. Environmental Protection Agency has gotten a court order forcing the City to filter water from the Croton reservoirs. Environmental officials say the water must be treated to ensure the health and safety of the millions of New Yorkers who drink Croton water.

After studying locations in the Bronx and Westchester, the NYC Department of Environmental Protections (DEP) concluded that building at the Mosholu site would best protect our drinking water from pollution at the least cost and with potentially huge benefits to the City. The Mosholu Golf Course is the best location for this project in terms of prices, safety, and ease of engineering. Furthermore, the City has pledged \$243 million for improvements to Van Cortlandt Park and other parks in the Bronx. This would be a huge prize for the borough and all New York City residents.

It is important to New York City's construction industry that this project is located in the Bronx. By building in the Bronx, the economic investment and employment opportunities benefit the borough and the City as a whole. It will cost the City \$500 million more to construct in Westchester and cost New York City construction workers thousands of jobs.

I ask that you sign this bill into law.

Sincerely,
MORETRENCH AMERICAN CORPORATION



Michael M. McHugh
Vice President
MMcH:sk

MORETRENCH SERVICES.....

- BORED PILES & SHAFTS
- CUTOFF/CONTAINMENT WALLS
- DEWATERING
- GROUND FREEZING
- GROUNDWATER REMEDIATION
- INDUSTRIAL INFRASTRUCTURE
- LANDFILL GAS/LEACHATE SYSTEMS
- SOIL MODIFICATION/SOIL STABILIZATION

000150



KENNETH J. DELANEY CONTRACTING CORP.

General Contractor

125-08 26th Avenue
Flushing, New York 11354

Tel. (718) 359-4300
Fax. (718) 886-1519

Hon. George Pataki
Governor/State of New York
The Executive Chamber
Capital
Albany, NY 12224

RE: *Assembly Bill # 8069c/Senate Bill # 4791c*

I am writing to request your approval of the above referenced legislation regarding the siting of the Croton filtration plant.

By a margin of 44 to 4, the New York City Council approved a "home rule" message this month asking the State legislature to approve the construction of the \$1.2 billion Croton filter plant under the Mosholu driving range in Van Cortlandt Park in the Bronx. On June 20, the New York State Senate and Assembly passed the legislation needed to allow the City of New York to build Croton at this Bronx location. The bill includes an additional \$243 million of Bronx parks improvements as part of a community benefits package.

As you know, the City needs permission from the State legislature to build at this location. You may have received correspondence from representatives of a few advocacy groups requesting that you join them in opposing this project. It is very important that you understand that when the City Council approved an earlier and much larger version of this project at the same location, they did have the benefit of a comprehensive EIS that disclosed in great detail the impacts of the project and the mitigation measures available to minimize those impacts. In view of these impacts, the Council conditioned approval of this project on a \$43 million list of programs that would benefit Van Cortlandt Park and the surrounding neighborhoods. The proposal that is now before you is for a smaller filtration plant with fewer construction impacts and a much larger mitigation package, including \$243 million in Bronx parks projects. Furthermore, DEP has now agreed to develop a Supplemental EIS for the Mosholu site, in response to the concerns raised by the advocates and one member of the Bronx State Assembly.

Many projects have been successfully constructed under City parks before. Subways have been constructed under Central Park. City water tunnel # 3 built its valve chambers under Central Park. Staten Island's drinking water is stored in holding tanks built under Silver Lake Park.

The city must meet a court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs.

This legislation is now before you. We urge you to sign it into law.

Sincerely,

000151

**ENVIRONMENTAL ADVOCATES OF NEW YORK
NEW YORK PUBLIC INTEREST RESEARCH GROUP
RIVERKEEPER**

July 8, 2003

VIA Facsimile (518) 486-9749 & Federal Express
The Honorable George Pataki, Governor
The State of New York
The Executive Chamber
Albany, New York 12224

RE: Croton Filtration Legislation

Dear Governor Pataki:

We urge you to veto the alienation of parkland legislation (A.8069/S.4791), which ultimately would result in a \$1.3 billion dollar water filtration plant being built in Van Cortlandt Park in the Bronx. Knowing your dedication to water quality and open space issues, we expect that you share our concern for the deficiencies in the proposed action.

In a July 1, 2003 letter to you, we outlined several of the deficiencies in the legislation. First, the legislation fails to provide sufficient safeguards to ensure that any funds given in exchange for the parkland will be spent on protecting the communities most affected by the industrial plant. There is no specific level of funding required, despite assurances by New York City of more than \$200 million. Moreover, the legislation does not set priorities, such as restoring trees and other natural features, for the use of the funds. Second, the Memorandum of Understanding provision in the legislation raises constitutionality questions by giving executive powers to the legislature. Third, the legislation only requires that New York City give "due consideration" to converting Jerome Park Reservoir to parkland. In its 1999 FEIS, the City states that if the Croton Filtration Plant were located in Van Cortlandt Park, "Jerome Park Reservoir, once the filtration facilities are in operation, would no longer be used to store treated drinking water." As such, the legislation should require conversion of another source of parkland for Bronx residents.

In addition to those deficiencies, we believe that there are further compelling reasons for you to veto the legislation. For example, the legislation should include a long-term commitment to Croton watershed protection. Also, while we support the requirement for a supplemental environmental impact statement (SEIS) that will consider alternative sites for the proposed action, the SEIS should have been completed prior to the legislation. Furthermore, we suspect that New York City will not conduct a proper

000152

study of alternatives to the proposed action itself, as required in any EIS.¹ An analysis of alternatives is a cornerstone of the State Environmental Quality Review Act (SEQRA). SEQRA and its implementing regulations require an EIS to include a discussion of reasonable alternatives to the proposed action.² The range of alternatives include, among others, sites, technology, scale or magnitude, and types of action.³ The City's EIS must consider all reasonable alternatives that are "feasible, considering the objectives and capabilities of the project sponsor."⁴ DEP's objective is to protect its drinking water supply in order to provide clean drinking water to New Yorkers. Based on this objective and DEP's vast capabilities, a proper alternatives analysis would include filtration avoidance and alternative technologies.⁵ Such an analysis would fulfill the objectives of the Safe Drinking Water Act, the statute under which this action is being pursued. In the *Massachusetts Water Resources Authority* case, the First Circuit Court of Appeals stated that "the manifest purpose of the SDWA is safe drinking water, not filtration."⁶

Given these deficiencies and lack of safeguards we urge you to veto the legislation. Because we have long supported a dual-track approach for the Croton watershed, we hope that we can count on you to support a dual-track approach whereby the decision-making process includes an ongoing examination of alternative treatment technologies coupled with a long-term commitment to watershed protection. Thank you for your continuing leadership on water quality issues.

Signed by:

Alex Matthiessen, Hudson Riverkeeper & Executive Director, Riverkeeper, Inc.
Chris Meyer, Executive Director, New York Public Interest Research Group
Val Washington, Executive Director, Environmental Advocates of New York

¹ The City's Draft EIS for the Croton Treatment Plant examines primarily engineering alternatives at the proposed plant and in the system, but provides only a cursory review of non-filtration options. NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, CROTON WATER TREATMENT PLANT DRAFT EIS (Apr. 2003). In addition, the Croton consent decree contains a 'Modifications' provision, under which the agreement may be modified (with all parties' consent and subject to court approval) "based on, among other factors, science, technology, or public health." Croton Consent Decree at ¶ XXI. Moreover, pursuant to the Safe Drinking Water Act (SDWA), EPA has the authority to approve alternative treatment technologies. See 40 C.F.R. §141.73(d).

² See 6 NYCRR §617.9(b)(1). An EIS that lacks a proper alternatives analysis renders impossible the task of finding that the selected action minimizes or avoids adverse environmental impacts.

³ See *id.*

⁴ 6 NYCRR §617.9(b)(5)(v).

⁵ According to DEP reports, "[f]iltration of water from the Croton System is not necessary under today's standards or those anticipated in the near future." Because Croton water meets all state and federal standards and the Croton Consent Decree has a modification clause, SEQRA requires DEP to analyze filtration alternatives and filtration avoidance as an alternative to constructing a filtration plant.

⁶ *United States v. Massachusetts Water Resources Authority*, 256 F.3d 36, 57 (1st Cir. 2001).



July 7, 2003

To: Governor George Pataki

From: Juan A. Gutierrez

Re: A8068c/S4791c
Croton Filter Plant in the Bronx

I write in support of the City of New York's request to build the proposed Croton Water Treatment Plant under the Mosholu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

Our company joins our colleagues in New York's business community in support of this critical project.

100 Highway 70
Lakewood NJ 08701
Tel 732 • 364 • 8200
Fax 732 • 370 • 1926

AN EQUAL OPPORTUNITY EMPLOYER

000154



THE PLUMBING FOUNDATION CITY OF NEW YORK, INC.

44 WEST 28TH STREET, 12TH FLOOR, NEW YORK, NY 10001

PHONE: (212) 481-9740 FAX: (212) 481-7185

www.plumbingfoundation.org

July 7th, 2003

Chairman
RICHARD E. FARRELL

Vice Chairman
EUGENE S. BOCCIERI

Treasurer
ROBERT GREENBERG

Board of Directors
MICHAEL BLAU
ERIC BLEICH
EUGENE S. BOCCIERI
JOHN BOTTO
IRWIN BRENNER
LOUIS J. BUTTERMARK
VINCENT GAMBA
RICHARD E. FARRELL
ROBERT GREENBERG
MICHAEL KAUFMAN
LAWRENCE J. LEVINE
ROBERT A. RICCO

Executive Director/
Legal Counsel
STEWART D. O'BRIEN

Honorable George Pataki
Governor of the State of New York
The Capital
Albany NY 12224

RE: Croton Filtration Plant – A8069-C / S4791-C

Dear Governor Pataki:

I am writing on behalf of the Plumbing Foundation City of New York, a not-for-profit entity representing over 250 licensed plumbing contractors, to ask you to support building the Croton Water Filtration Plant in Van Courtlandt Park, in the Bronx.

After studying locations in Westchester and the Bronx, the New York City Department of Environmental Protection concluded that building at the Mosholu site would best protect our water supply from contamination at the least cost to taxpayers and with substantial benefits to the City. The legislature has agreed and passed two bills authorizing the use of parklands for this project.

Over 30 percent of the Bronx relies exclusively on Croton drinking water as do residents of many parts of Manhattan. In the past, the building and construction trades have supported efforts made by the Bronx elected officials and environmental groups to avoid filtering the water. No one wants to spend our hard earned wages on a facility that is not absolutely critical. However, the U.S. Environmental Protection Agency has obtained a court order compelling that the water must be treated to protect the health and safety of the millions of New Yorkers who drink Croton water.

It would cost up to \$500 million more to construct this facility outside of the City. Our understanding is that some of the money that is saved by building in the Bronx will be invested in parks and community amenities.

PLUMBING PROTECTS THE HEALTH OF THE NATION

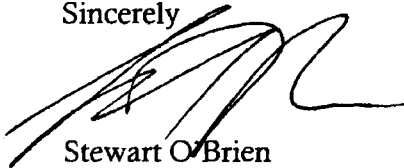
The Plumbing Foundation City of New York, Inc., represents Licensed Plumbing Contractors and Plumbing Contractor Organizations throughout New York City

000155

The construction of this plant will create thousands of new union jobs in the area, many of which will be filled by residents of the Bronx and the other boroughs. The construction jobs that will be created will be prevailing wage jobs that can support a family. New York construction workers who are paid prevailing wage on this project will spend money on local stores and businesses.

We strongly urge you to sign the bills authorizing the use of parklands for this project.

Sincerely

A handwritten signature in black ink, appearing to read 'Stewart O'Brien', written over the word 'Sincerely'.

Stewart O'Brien
Executive Director

cc: John Cahill
Richard Platkin
James Walsh
Jeff Elmer

000156

C 175



FRONTIER-KEMPER CONSTRUCTORS, INC.

415 Fifth Avenue, Pelham, New York 10803
(914) 738-0280 Phone / (914) 738-0026 Fax
HEAVY CIVIL & MINING CONSTRUCTION

Northeast Division Office

July 7, 2003

Honorable George Pataki
Governor of the State of New York
The Capital
Albany, NY 12224

Re: Assembly Bill #8069-C/Senate Bill #4791-C

Dear Governor Pataki:

I am writing to urge your approval of the New York City Dept. of Environmental Protection (DEP) proposal to build the **Croton Water Filtration Plant** under the Mosholu driving range in the Bronx.

The New York State Dept. of Health, the U.S. Environmental Protection Agency and three of the state's leading environmental organizations all agree that filtration is necessary to protect our drinking water from contamination.

We know your commitment to the environment is strong. By signing this bill into law, you have an opportunity to reaffirm that commitment and give the Bronx clean water, jobs, and quality green space.

After studying locations in Westchester and the Bronx, the NYC Dept. of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with substantial benefits to the City.

The City must have your approval to build at this location. The proposal that is now before you is for a smaller filtration plant than the one proposed in 1999, with fewer construction impacts and a substantial mitigation package, including \$243 million in Bronx parks projects. There will be a full environmental study of this siting before it moves forward with construction.

The City must meet a court deadline for the legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs and costing Bronx residents the best opportunity in many generations to add parks and open space to the borough.

This is also a very important project for all of us in New York's construction industry. The New York Times, the New York Post and Crain's New York Business have all asked you to approve this site. I urge you to join us in support.

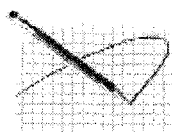
Sincerely,

Richard Raab
President of Northeast Division

000157

C 175

A 8069



Gloria Galea/NYEC
06/30/2003 03:03 PM

To Legislative Secretary/NYEC@NYEC
cc
bcc
Subject 1311392 - Executive Chamber

*** Please Do Not Reply to this e-mail Message. ***

*** Any questions regarding this correspondence should be directed to the staff person listed below as the 'Please Respond To' contact. ***

Dennis Ippolito
55 Tulip Ave.
Floral Park, NY 11001
dji12@optonline.net
County Nassau
Addressed to: Governor

Issue 1

Correspondence Number 1311392
Date Of Correspondence 06/30/2003
Date Received 06/30/2003
Date Entered 06/30/2003
Referred To Legislative Secretary
Date Referred

Routing History

06/30/2003 03:03 PM (Routed By --> Gloria Galea) (Routed Via Internal Email to --> Legislative Secretary)

Governor Pataki,

I'm emailing you to ask you to please sign into law A8068-C and S4791-C into law. This is very important for my union and also the NYC Building Trades. It will generate a lot of jobs for our members, it will also help the economy of NYC and the tax base of the City and State. These are all prevailing wage jobs this will help our health and pension funds which also helps the city and state. Governor this is just the right thing to do for the Bronx and the City. Jobs in NYC is something we all desperately need right now.

Sincerely
Dennis Ippolito

Business Manager
Local 12 Insulators

000158

William A. Gross Construction Associates, Inc.

116 South Second Street
New Hyde Park, NY 11040
(516) 437-0909
Fax: (516) 437-7768
www.wagross.com

TO: Governor George Pataki
FROM: William A. Gross Construction Associates, Inc.
RE: A8069c/S4791c
Croton Filter Plant in the Bronx

We write in support of the City of New York's request to build the proposed Croton Water Treatment Plant under the Moshulu Golf Course in Van Cortlandt Park in the Bronx.

Those of us who do work in the Bronx believe that construction projects like this one will help revive the borough. We need the jobs and contract opportunities from these projects now more than ever in this time of economic hardship. The \$243 million that has been promised to build and rehabilitate Bronx parks in exchange for approval of this project will benefit neighborhood residents for many years to come.

The filtration plant is critical to protect the health and well being of the millions of people who drink Croton water.

Our company joins our colleagues in New York's business community in support of this critical project.

WAGROSS ASSOCIATES, INC.
116 SOUTH SECOND STREET
NEW HYDE PARK, NY 11040
(516) 437-0909
FAX: (516) 437-7768
WWW.WAGROSS.COM



THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.

June 27, 2003

OFFICERS:

PRESIDENT:

John E. Pegno
A.J. PEGNO CONSTRUCTION CORP.

FIRST VICE PRESIDENT:

Louis D'Amico
PERINI CORPORATION

SECOND VICE PRESIDENT:

Thomas Iovino
JUDLAU CONTRACTING, INC.

TREASURER:

William McGuinness
SLATTERY SKANSKA, INC.

SECRETARY-MANAGING DIRECTOR:

Francis X. McArdle
THE GENERAL CONTRACTORS
ASSOCIATION OF NEW YORK, INC.

EMERITUS MEMBERS:

Gerard Tully
Theodore Civetta

EXECUTIVE COMMITTEE:

A.F.C. ENTERPRISES, INC.
Andrew Catapano
BEAVER CONCRETE CONSTRUCTION/
GATEWAY INDUSTRIES, LLP
Anthony Albicocco
BI-COUNTY PAVING CORP.
Robert P. Polito
E.E. CRUZ & CO., INC.
Edward Cruz
KENNETH J. DELANEY CONTRACTING CORP.
Kenneth J. Delaney
EL SOL CONTRACTING & CONSTRUCTION
Paul Pomponio
FRONTIER-KEMPER CONSTRUCTORS, INC.
Richard Raab
GRANITE HALMAR CONSTRUCTION CO., INC.
Christopher Larsen
JMA CONCRETE CONSTRUCTION CO.
Joseph Argrette
JUDLAU CONTRACTING, INC.
Thomas Iovino
KIEWIT CONSTRUCTORS, INC.
Hank Adams
KOCH SKANSKA, INC.
John Daly
Robert Koch
LAND-SITE CONTRACTING CORP.
Adriano Lott
MODERN-CONTINENTAL CO.
John McNamara
MORETRENCH AMERICAN CORP.
John Donohue
T. MORIARTY & SON, INC.
James P. Moriarty
NAB CONSTRUCTION CORP.
Edward Simpson
Gary Simpson
NORTHEAST CONSTRUCTION, INC.
Juan Gutierrez
A.J. PEGNO CONSTRUCTION CORP.
John E. Pegno
PERINI CORPORATION
Louis D'Amico
Zohrab Marashlian
PETRACCA & SONS, INC.
Eugene Petracca, Jr.
JOHN P. PICONE, INC.
John P. Picone
Robert Wessels
RWKS TRANSIT INC.
William Kelly
William Madden
SCHIAVONE CONSTRUCTION CO., INC.
Thomas King
SILVERITE CONSTRUCTION CO., INC.
Angelo Silveri
SLATTERY SKANSKA, INC.
Sal Mancini
William McGuinness
SPEARIN, PRESTON & BURROWS, INC.
Gerard A. Neumann, Jr.
TULLY CONSTRUCTION CO., INC.
Kenneth Tully
Peter Tully
UNDERPINNING & FOUNDATION CONSTR.
Peter MacKenna
URBAN FOUNDATION/ENGINEERING LLC
Leon Levy
Ben DiGiorgio
YONKERS CONTRACTING CO., INC.
Carl Petrillo
John Chrysogelos, Jr.

The Honorable George E. Pataki
Governor
State of New York
The Capitol
Albany, NY 12224

In Support of: Assembly #8069C/Senate #4791C

Dear Governor Pataki:

I am writing to urge your approval of A8069C/S4791C, which allows the New York City Department of Environmental Protection (DEP) to build the Croton Water Filtration Plant under the Mosholu driving range in the Bronx. We join with our colleagues in the New York business community, the City's leading labor unions and nearly all the Bronx legislators in support of this legislation and this project.

The U.S. Environmental Protection Agency (EPA) has obtained a court order compelling the City to filter the water from the Croton reservoirs. Three of the largest and most respected conservation groups in the State – the Natural Resources Defense Council, Environmental Defense and NY League of Conservation Voters – recently went on record in favor of the filtering the Croton water, along with stronger watershed protection measures. They agree with the EPA, the DEP and the New York State Department of Health that filtration is necessary to protect our drinking water from contamination.

After studying locations in Westchester and the Bronx, the New York City Department of Environmental Protection (DEP) again concluded, as it did in 1999, that building at the Mosholu site would best safeguard our drinking water at the least cost and with the most benefits to the City.

The City must have the approval of the State of New York to build at this location. When the City Council voted in favor of an earlier and much larger version of this project at the same location, they did have before them the benefit of a comprehensive Environmental Impact Statement (EIS) that detailed the impacts of

the project and the mitigation measures available to minimize those impacts. In view of these impacts, the Council conditioned approval of this project on a \$43 million list of programs that would benefit Van Cortlandt Park and the surrounding neighborhoods.

The proposal that is now before you is for a smaller filtration plant with fewer construction impacts, many fewer long-term impacts, and a much larger mitigation package, including \$243 million in Bronx parks projects. Further, the DEP has now agreed to develop a Supplemental EIS for the Mosholu site, in response to the concerns raised by The Bronx elected officials.

Infrastructure projects have been successfully constructed under City parks before. Subways have been constructed under Central Park. City water tunnel #3 built its valve chambers under Central Park. Staten Island's drinking water is stored in holding tanks built under Silver Lake Park, benefiting the borough's residents and parks. In each of these cases the park areas were restored to the point that few people know or can detect today what is going on underground.

The City must meet a federal court deadline for legislative approval to build at the Mosholu site. Otherwise, the project will go to a location in Westchester County, costing the City \$500 million more to construct and costing New York City workers thousands of jobs.

Moving the project to any other site than Mosholu will cost Bronx residents the best opportunity in many generations to renovate the neighborhood parks and open space of the borough. The filtered water from the Croton system will better protect the Bronx residents that, along with many Manhattanites, use Croton water. The investment in the neighborhood parks and open spaces will better protect and enhance Bronx neighborhoods. The "lungs of a city", as urban parks are often called, will become cleaner and healthier in the Bronx when you sign this legislation.

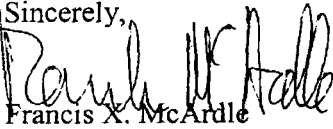
Your commitment to positive environmental action is well known. The legislation before you represents positive environmental action. It allows the New York City Department of Environmental Protection to consider the Moshulu site, where the construction disturbances will be the least, the cost of the project will be least, and the positive benefits will be greatest for the Bronx and all New Yorkers.

This is also important project for all of us in New York City's construction industry. The New York Times, the New York Post and Crain's New York Business have urged you to approve this site. I urge you to join us and our colleagues in organized labor – including the **Central Labor Council**, **Local 1199/SEIU**, the **United Federation of Teachers**, the **New York City Building & Construction Trades Council**, the **New York State AFL-CIO**, the **Operating Engineers**, the **District Council of Carpenters**, the **Mason**

Tenders, District Council 9 of the Painters, Laborers Local 731, 29 & 147, the Cement Masons, the Concrete Laborers, Teamster Local 282, Plumbers Local 1, Local 3 Electrical Workers, the Boilermakers and the Ironworkers – in supporting this project. The Real Estate Board of New York, the **Partnership for New York City**, the **New York Building Congress**, the **Regional Alliance of Small Contractors** and the **Building Trades Employers Association** have all gone on record in favor of building at Mosholu.

Your signature will make our hopes a reality.

Sincerely,

A handwritten signature in dark ink, appearing to read "Francis X. McArdle". The signature is written in a cursive, flowing style with some capital letters.

Francis X. McArdle
Managing Director

C 175



**BUILDING &
CONSTRUCTION
TRADES COUNCIL
OF GREATER NEW YORK**

EDWARD J. MALLOY
PRESIDENT

AFFILIATED WITH THE
BUILDING CONSTRUCTION TRADES DEPARTMENT
OF WASHINGTON D.C.

—
BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE

—
AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

June 26, 2003

Honorable George E. Pataki
Governor
State of New York
Executive Chamber, The Capitol
Albany, NY 12224

Dear Governor Pataki:

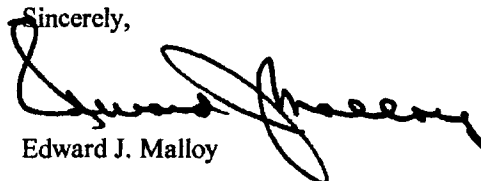
On behalf of the 100,000 working men and women represented by the affiliated unions of the Building and Construction Trades Council of Greater New York, we urge you to sign into law A8069-C (S4791-C) when it is sent to your office for action.

Respected environmental organizations like the Natural Resources Defense Council, the New York League of Conservation Voters and Environmental Defense agree that water from the Croton reservoir system must be filtered as a public health matter. The construction of a facility for this purpose is also a legal obligation of New York City under a binding federal consent decree.

The construction of this facility under the driving range at Mosholu Golf Course will assure that \$1.3 billion of economic activity – all paid for by New York City – will remain in New York City where it will create 2,000 construction jobs, generate millions of dollars in local sales and income tax revenue and allow for \$243 million of parkland improvements in the Bronx.

Our industry has worked with government officials, the local community and environmental and open space experts for more than a decade to resolve this issue. The legislation which will be sent to you for action is the result of this lengthy process. It represents the most responsible option available to address critical fiscal, economic and environmental concerns. We therefore again urge you to sign into law A8069-C (S4791-C) when you receive it. Thank you for your consideration.

Sincerely,



Edward J. Malloy

71 WEST 23rd STREET • SUITE 501-03 • NEW YORK, NEW YORK 10010
TEL. (212) 647-0700 • FAX (212) 647-0705



000163

A. 8069C
70 Forest B 602
New Rochelle NY
10801

6/27/03

Dear Gov. Pataki:

I am writing to ask you to
Veto the assembly and Senate
Bills which would allocate a
portion of Van Cortlandt Park for
the site of a huge water filtration
plant.

First, the disruption to the park
and the neighborhood is unacceptable.

Second, filtration of the Craton
watershed water is unnecessary.
IF the city and state would enforce
the agreement to purchase property
and enforce conservation easements.

If treatment becomes necessary,
there are more modern, less

000164

castly, and equally effective
methods which will suffice.

Please, don't commit New York
City to a huge undertaking which
will be very expensive to run
on a yearly basis.

Sincerely,

Stephen D Hopkins

000165