

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 933**

..Title

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 990237 PSX (L.U. No. 471), site selection of property located in Van Cortlandt Park (Mosholu Golf Course), west of Jerome and Bainbridge Avenues, the Bronx, for use as a water treatment facility.

..Body

By Council Member Sabini

WHEREAS, the City Planning Commission filed with the Council on June 1, 1999 its decision dated June 1, 1999 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services, for the site selection of property located in Van Cortlandt Park (Mosholu Golf Course), west of Jerome and Bainbridge Avenues (Block 5900/part of Lot 1), Borough of the Bronx (the "Site"), for use as a water treatment facility (ULURP No. C 990237 PSX) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 22, 1999;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (AFEIS \cong), for which a Notice of Completion was issued on May 20, 1999 (CEQR Number 98DEP027X); and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) the FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

- (2) consistent with social, economic and other essential considerations, from among the reasonable alternatives, the proposed action is the one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FEIS; and
- (3) consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the approval those mitigative measures which were identified as practicable; and

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.9(c)(3).

Pursuant to Section 197-d of the City Charter, on the basis of the Application and decision and in further mitigation of the impacts identified in the FEIS, the Council approves the Decision with the following Modifications:

- 1.) the Mosholu Golf Course shall be fully restored as an 18-hole, executive course and driving range; said restoration will commence as soon as possible and will be completed as soon as practicable after completion of the filtration plant roof;
- 2.) DEP shall transfer \$13.4 million to the Department of Parks and Recreation (DPR) which shall expend such amount on the Forestry Management Program at Van Cortlandt Park including, but not limited to, efforts to monitor and maintain wetlands, and restore old growth where feasible;
- 3.) DEP shall transfer \$1.0 million to DPR, which shall expend such amount on the renovation of the Shandler Recreation Area. Said renovation shall include, but not be limited to, the renovation of two (2) ball fields, and lighting;

- 4.) Within sixty (60) days of the approval of this Resolution by the Council, DEP shall transfer \$2.0 million to DPR, which shall expend such amount on the renovation of the Saturn Playground. Said renovation shall include, but not be limited to, landscaping, the upgrading of the playground equipment and pathways, and new lighting. DPR shall complete the sign for said Saturn Playground renovation by January 2001 and shall complete construction of said renovation by September 2002;
- 5.) DEP shall transfer \$3.0 million to DPR, which shall expend such amount on the upgrading and improvement of the Old Croton Aqueduct Trail. Said upgrading and improvement shall include, but not be limited to, drainage improvements, new plantings and grading, new culverts and other anti-erosion measures and the sealing of the abandoned gatehouse;
- 6.) DEP shall transfer \$50,000 to DPR, which shall expend such amount on signage describing and explaining the flora and fauna within the wetlands areas of Van Cortlandt Park adjacent to the filtration plant. Such signage shall be in plain language and shall be designed to assist park users in taking self-guided tours of the park;
- 7.) DEP shall transfer \$1.0 million to DPR, which shall expend such amount on the renovation of the entrance way area west of Dickensen Avenue, near Van Cortlandt Park South. Said renovation shall include, but not be limited to, new landscaping, fencing and drainage;
- 8.) DEP shall complete the Valve Chamber restoration work by November 30, 2000;
- 9.) DPR shall undertake a study and impact analysis (Athe study \cong) to determine whether or not a pedestrian footbridge, crossing the Major Deegan Expressway linking the heretofore and connected east and west portions of Van Cortlandt Park is technically, legally and financially feasible. Said study shall be completed by September 2002 and the results of such study shall be filed with the Speaker of the City Council and the Director of the Land Use Division of the City Council within the ten (10) days of completion. In the event that said study determines that the construction of such a pedestrian footbridge is technically, legally and financially feasible, a Budget Modification, transferring from DEP to DPR funds sufficient to design and build it shall be introduced in the Council by the Mayor within sixty (60) days of the completion of the study;

- 10.) There shall be a Facility Monitoring Committee (FMC) that shall consist of representatives of DEP, DPR, the Chairs of Bronx Community Boards 7, 8 and 12 or their designee(s), the Council Member in whose district the filtration plant is located or his/her designee, and the Bronx Borough President or his/her designee. The FMC shall meet at least quarterly and shall advise DEP on all aspects of the design and construction of the filtration plant and all mitigation measures set forth in the FEIS and this Resolution.

The approval of the Decision is conditioned upon these Modifications. Any change in the requirements of these Modifications shall require approval in advance by the Council.

Adopted.

Office of the City Clerk, }
The City of New York, }ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on July 21, 1999, on file in this office.

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City Clerk, Clerk of Council