

## BCEQ Doctrine of Low Impact Development

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Whereas, BCEQ is being asked to review many new development and re-development projects, we hereby adopt the following as our guideline:

### **BCEQ Doctrine of Low Impact Development**

*Every development project should make at least one environmental condition in its vicinity better and make none worse.* In addition, new or re-development in the Bronx should prove:

1. Required and/or allowable **parking** incorporates the least number of off-street spaces.
2. **No parking should be free**, except for deliveries.
3. For **redevelopment projects**, no new parking spaces allowed, unless developer meets the “BCEQ Mitigation Trading Criteria.”
4. **Parking should be in a structure that is multi-level**, enclosed with a natural green growth cover to capture rainfall, with scrubbers inside that will clean the air from the car exhaust.
5. **Parking should not be sprawled over blacktop**, or in an area that allows fumes to concentrate and impact the public.
6. **Mass transit should be encouraged** and, as an incentive, should be provided FREE to any and all who purchase tickets and/or use the facility.
7. The city should provide tax incentives to those who provide FREE mass transit as part of the ticket cost (including express buses).
8. **Brownfields should not be capped**, but cleaned to the highest, not just best use. Exception to this includes proposals with natural attenuation and scientifically documented biogeochemical processes with a proven record for cleaning and/or neutralizing the pollutant of concern.
9. Projects promoted by the City should adopt the model professed by the City of New York to the world in its Olympic 2012 proposals, proving the City’s ability to deliver, and thereby promote its ability to attain future Olympic Games. That Model included:
  - a. Sports activities should encourage mass transit use within the city and the metropolitan area by arranging for EXPRESS service on rail, ferry, subway and bus to the stadium (Yankee, Shea or Giant).
  - b. Choose Stormwater Management practices at the highest level, not just determining adequate capacity in the sewers. The city’s policy must be to capture and treat all rainfall prior to discharge into a waterbody, and meet all Phase II Stormwater Regulations. Anything less will never diminish the CSO problem and all of its health implications.

**10. Stormwater Criteria** should include methods to attenuate, convey, pre-treat, treat & polish stormwater runoff, paid for by the developer, (as adopted from the NYS DOT Route 120 project):

- a. No untreated discharges to the waterbody within the limits of the project.
- b. Multi-barrier watershed approach reduces pollutant loads from existing conditions.
- c. Practices are arranged in “series” providing a “treatment train” prior to discharge from the project site.
- d. Design provides oil spill/containment treatment.
- e. Design includes both structural and nonstructural components compatible with the natural and constructed features of project site.
- f. No net increase of impervious surfaces from project within the watershed basin.
- g. Natural water capture vegetated landscape and street cleaning are on the treatment train.
- h. The Soil Erosion & Sediment Control Plan (SESCP) is limiting and confining the extent of disturbance to protect natural vegetation.
- i. Annual stormwater facilities maintenance contract will be used to maintain the stormwater facilities.
- j. Mitigated wetlands must be in the same watershed basin. Mitigated wetland impacts will be monitored for 10 years.

**11. BCEQ Mitigation Trading Criteria** includes:

- a. Replacement should be by Tree Diameter – inch for inch. It does not matter if the tree is currently not alive, as long as the diameter is measured and included in the analysis.
- b. It is not equivalent to replace older and larger trees with multiples of smaller one’s. So if the exact size is not available then the exchange should be “wood for wood” – that is the area of the new tree would be equal to the area of the old tree, or  $\pi R^2$  times the height.
- c. Exception to the inch for inch tree replacement scenario would be an upgrade to a higher level of tree, that is, one that cleans the air, is drought and pollutant resistant, is long living, or a multiple of five to one, using trees  $\frac{3}{4}$  of the replacement diameter.
- d. New housing development projects are required to include street tree plantings as part of the builder’s paving plan. This should be strictly enforced and notice should be provided to the local community board.
- e. If turf must be used on green areas (and particularly in sports areas), it should be replaced by credits toward green open space or roof top gardens within a 500 foot radius.

This shall be posted on our web site. Approved, Board of Directors on May 10, 2006.

Revised parts were added on June 10, 2006 after comments from members.

[EPA Memo on Green Infrastructure March 2007](#) (PDF) – This is a great memo that explains the benefits of Green Infrastructure. A must read.