

## **A Neighborhood Fights Back**

Building the North River Wastewater Treatment Plant in West Harlem

### **INTRODUCTION**

Between 1900 and 1950, New York City's population doubles to nearly 8 million. The population boom strains city agencies and infrastructure.

To cope, city officials plan expansive public works projects that are funded under the New Deal. City power brokers, supported by federal dollars, routinely push through these enormous projects.

Soaring towers and imposing highways soon replace historic buildings and sidewalks. The city's master plan also includes open parks and recreational spaces.

While these investments seem to benefit everyone, a closer look reveals deep-rooted injustices.

Planning decisions rip out vibrant neighborhoods, producing population displacement unlike any in New York City's history. Enforced slum clearance and relocation segregates New Yorkers by race and income, and creates new slums to replace the old.

### **SITE SELECTION**

Gallons of raw sewage and wastewater from Manhattan's West Side drain into New York City's waterways.

Beginning in 1914, the Metropolitan Sewer Commission acknowledges the related hazards are too great to ignore. The commission proposes dozens of small sewage treatment plants for all of Manhattan, including seven plants along the Hudson River for West Side residents.

By 1938, the Department of Public Works considers channeling all waste from Manhattan's West Side to one treatment plant on Wards Island in the East River. However, the estimated construction costs are too high and so the agency searches for another location. The DPW settles on some unused land between West 70th-72nd Streets along the Hudson.

This site poses new challenges for the DPW. To build a plant large enough to keep up with the growing population, the agency will need a two-story structure or more land.

Robert Moses, then New York City's parks commissioner, denies the DPW's requests for more land. He notes that the proposed treatment plant clashes with the city's development plans for the Upper West Side.

The city's Planning Commission (of which Moses is a member) then suggests a different Hudson River location for the plant, between West 137th-145th Streets in West Harlem.

It's an odd choice. Earlier reports found this higher-elevated area impractical for sewage treatment.

To accommodate the West Harlem site, raw sewage from one million West Side residents and businesses will need to be piped upward, against the flow of gravity.

## **DECISION-MAKING PROCESS**

The New York City Planning commission decides to put the proposed treatment plant at West 137th-145th Streets during a closed meeting, in 1955. At this time, there are no laws requiring open meetings during city and state decision-making.

After this planning commission meeting, the city moves quickly to fulfill requirements for building the site in West Harlem. During the several-year process, West Harlem residents are never informed, and health and environmental experts are never consulted.

Members of a newly established community planning board finally meet with a DPW representative in 1964—long after city plans are in place. The city official is firm; the North River Sewage Treatment Plant will be a good neighbor, posing no hazards for nearby West Harlem residents.

With little information in hand, the planning board agrees with the construction of the plant.

## **PUBLIC HEARINGS**

Beginning in 1968, New York State's new "Sunshine Laws", require all state and municipal agencies to open their meetings to the public. These open meetings become especially important when the city distributes funds for new projects.

Mayor John Lindsay's administration hosts three community meetings about the proposed North River plant in West Harlem. At these meetings—which take place thirteen years after the proposal's approval—most Harlem residents learn of the city's plans for the first time.

Borough president Percy Sutton, Democratic District Leader David Dinkins, and Congressman William Ryan begin campaigning against the plant. Drawing on medical experts and independent site studies, the officials appear before the media as well as local, state, and federal legislators. They voice their uniform objection to the construction of the North River plant in West Harlem.

Despite ongoing conflict with residents, the Board of Estimate, New York City's principal governing body, allocates funds to begin plant construction. The North River plant will eventually cost \$1.1 billion to build, making it the largest non-military, public works project in the country, in decades.

To placate community members and leaders, the city and state of New York agree to build a park on top of the plant. Mayor Lindsay hires a celebrated architect to design an attractive

park.

Residents categorically reject early designs that feature a series of decorative water fountains as the major draw and over the next two years, they are motivated to take part in planning and designing the park. During this time, many residents are still concerned and angry over the proposed North River plant, and they continue to protest and organize against it.

## **CONSTRUCTION**

Plant construction begins in 1972.

Several court decisions about the plant's environmental impact on aquatic life in the Hudson River eventually force changes that lower the plant's treatment capacity. These decisions eventually prove shortsighted, given the city's booming population and sewage management needs. The finalized designs call for the construction of a six story, half mile wide sewage treatment plant that sits on 28 acres. The plant will treat 180 million gallons of sewage and wastewater daily.

Plant construction drags on for years and New York City regularly dumps raw sewage into the Hudson River, causing the EPA to sue the city in 1979 for clear violations of the 1972 Clean Water Act.

The lawsuit puts pressure on the New York City Department of Environmental Protection (DEP) to fend off millions of dollars in federal fines by protecting the river (while fast-tracking the North River Plant's construction and retrofitting).

The EPA is satisfied, finding the site has no significant impact on Hudson River water quality. The DEP speeds up construction of the plant, having been relieved of responsibility for assessing the plant's impact on air quality.

Odors and related health issues appear soon after the plant opens in 1986 and they get worse when the plant shifts to full capacity in 1991. Enveloped by the stench of sewage, West Harlem residents, in 1986, form a community coalition that challenges the city and state to recognize and address air quality problems. Despite the pervasive smells, the DEP and Mayor Koch deny that any odors are coming from the North River plant, and they mock the community's objections as the loud outbursts of "a bunch of screaming Mimis."

## **OPERATION**

During the first four years of the North River plant's operations, West Harlem residents must leave their neighborhood to breathe relatively clean air but they inevitably come home to air foul enough to choke them.

The rising number of deaths related to respiratory diseases is so alarming that some families arrange for their children to live elsewhere.

Again, focusing on the Hudson River without considering the air quality around the plant, the EPA issues a second Finding of No Significant Impact on the Hudson River. At the same time, however, the EPA awards the city \$19 million to improve coastal zone management.

New York State sees things differently from the federal government. In 1992, the New York State's environmental agency recognizes the air quality problems and responds to violations at the North River plant by issuing a control order. The order requires city government to commit \$1 million to an environmental benefits fund and \$55 million to correct odors coming from the plant.

## **COMMUNITY ORGANIZING**

In 1988, a small group of community leaders breaks off from the larger community coalition to form West Harlem Environmental Action (We ACT). In 1992, after four years of persistent community outrage and organizing about the plant's ongoing odor problems, We ACT, in partnership with the Natural Resources Defense Council, a local day care center and seven individuals, sues the city's environmental protection agency and New York City. The lawsuit calls for more stringent odor control as well as improvements in the plant's design and capacity, and compensation for injuries and property losses.

We ACT's sister organization, West Harlem Independent Democrats, works tirelessly to elect David Dinkins, the city's first African-American mayor. Ironically, Mayor Dinkins is named a plaintiff in We ACT's lawsuit, 21 years after he helped lead an unsuccessful campaign to prevent the North River facility's construction in West Harlem.

The parties reach a settlement on the lawsuit in December 1993. On Mayor Dinkins' last day in office, his administration agrees to pay \$1.1 million to We ACT in settlement funds. Mayor Dinkins also gives community and environmental groups legal ammunition to make sure the incoming mayor upholds arrangements for monitoring and curbing odors coming from the plant.

## **RIVERBANK PARK**

Over Memorial Day weekend in 1993, the New York State Department of Parks and Historic Preservation opens the 28-acre Riverbank State Park on top of the "North River Water Pollution Control Plant."

The completed park boasts a state-of-the-art recreational space that features an impressive range of sports facilities, including indoor and outdoor Olympic-sized swimming pools and an ice rink. The space also invites community members to garden in community plots and dine at an onsite restaurant.

Sixty thousand people visit the park during opening weekend.

The ribbon cutting takes place with great fanfare, but it's a bittersweet victory for Mayor

Dinkins. We ACT and NRDC do not attend the celebrations. They ask, “how safe is Riverbank State Park, with two huge smoke stacks within the park itself, one of which flares up regularly because of excess methane gas released from the sewage treatment plant underneath?”

By 1996, the Department of Environmental Protection decides that all settlement agreement terms have been met, after an evaluation by “independent” contractors—the same engineers who renovated and retrofitted the plant.

We ACT and NRDC successfully advocate for another, truly independent evaluator who will be given access to observe and assess the entire plant. Investigators hired by both the DEP and We ACT are unable to agree on the status of the plant.

## **CONCLUSION**

The North River plant remains open, minus the pervasive odors. While it has greatly improved the water quality of the lower Hudson River, the decision to build the plant in West Harlem has had long-lasting implications that continue to shape Manhattan.

When the NYC Planning Commission unanimously decides to locate the sewage treatment plant in West Harlem, it also determines that the initial West 70th-72nd street site should be protected from any use that could discourage future residential and cultural development projects. Any future use of the site should not interfere with traffic to and from the Lincoln Square Development, the Italian Line piers, and the New York Central Railroad Yards.

This decision paves the way for a massive West Side Improvement project, which features additional miles of highway, construction of the Lincoln Center complex (which includes the Metropolitan Opera House, the New York City Ballet, Avery Fischer Concert Hall, and the new campus of the Julliard School of Music), as well as the creation of Riverside Park.

Thirty years later, the West 70th-72nd Street site is part of a huge parcel of waterfront land that is home to Trump Place (Riverside South), a massive \$3 billion luxury development between West 59th and 72nd Streets south of Riverside Park. The development is owned and spearheaded by mega-developer Donald Trump.

In the early 1990s, while West Harlem residents are tangled in a bitter fight over foul odors coming from the North River plant, Donald Trump’s plans for Trump Place/Riverside South move quietly through the various stages of the city approval process.

West Harlem residents fear the new development will strain the North River plant’s wastewater treatment capacity and further degrade West Harlem’s air quality.