



The Greenest, Cleanest

Depot Possible

Rebuilding the Mother Clara Hale Depot



EXECUTIVE SUMMARY

Since 1988, WE ACT has conducted a grassroots campaign to improve transit operations, particularly focusing on bus services. The campaign aims to achieve cleaner fuels and fuel technologies; air pollution controls to reduce the impact of vehicle and depot exhausts on air quality; safer, less toxic chemical alternatives for bus maintenance activities; and the establishment of a transit-specific worker training program on environmental and health impacts of depot operations, especially bus idling. Continuing its legacy of campaigning against transit related injustices, WE ACT in 2007 responded to the MTA's plans to expand the Mother Clara Hale depot by empowering the Harlem residents to voice their concerns.

As a result, in September 2008, WE ACT for Environmental Justice, the Mother Clara Hale Community Task Force (MCHCTF) and the Metropolitan Transit Authority (MTA) joined together in a historic process in order to create a cooperative vision for the rebuilding of the Mother Clara Hale Bus Depot. This groundbreaking collaboration transformed a former pollution source and burden of the quiet Central Harlem neighborhood into a shining example of green transit infrastructure. In addition to incorporating sustainable technology, as part of this "makeover," the MTA included an artwork installation that would honor the local community and the depot's namesake Mother Clara Hale, and incorporated an employment agreement, that would encourage involving local training, hiring and contracting. This was all accomplished from the hard work of WE ACT, the MCHCTF and local elected officials.

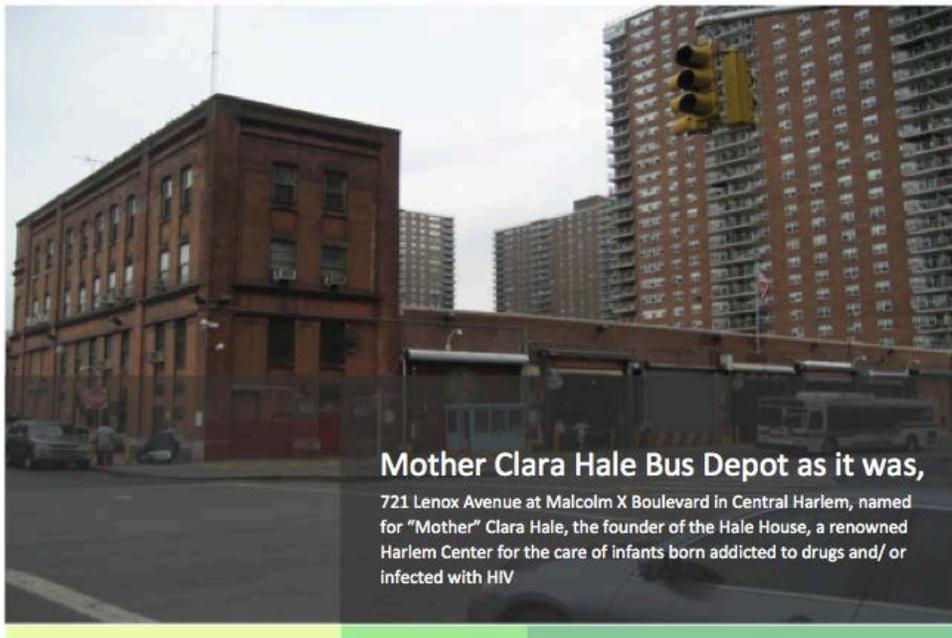
After extensively discussing the issues concerning the new MCH Depot, WE ACT, the MCHCTF, elected officials, and NYCT's representatives aligned their concerns and agreed upon the main topics to be considered throughout the design and construction of the new building. The demands below represent the priorities presented by WE ACT and the Task Force to the community and MTA. For additional information, these demands are explained in detail in the appendix.

The Community's Sustainability and Health Protection Priorities

- Best available technologies on all emission sources
- Prioritized assignment of hybrid electric buses to the MCH Depot
- Sufficient indoor parking to house the entire bus fleet
- Safe and sustainable depot lighting
- Leadership in Energy and Environmental Design (LEED) designation
- Incorporated "green design" elements into the new structure, such as a green roof
- Landscaping and green spaces
- Rodent control and pesticide use
- Depot design by community charrette
- Safe practices on all demolition and construction activities
- Community outreach, communications, oversight committee and dedicated complaint line
- Independent third party monitor and monitoring reporting
- Prioritized local minority and women owned businesses for project's needs
- Local hire and training program

The MTA ultimately complied with the demands of Central Harlem stakeholders in ensuring a sustainable depot that would address community environmental and health concerns. WE ACT will work to hold the MTA accountable through monthly meetings with the MCHCTF assuring the sustainable maintenance and operation of its fleet.

This document discusses relevant background information on WE ACT and Northern Manhattan's history of issues with air quality, summarizes the project's visioning process, outlines the community's engagement on the issue and provides an overview of the rebuilding process and results.



Mother Clara Hale Bus Depot as it was,

721 Lenox Avenue at Malcolm X Boulevard in Central Harlem, named for "Mother" Clara Hale, the founder of the Hale House, a renowned Harlem Center for the care of infants born addicted to drugs and/or infected with HIV

In Manhattan, the MTA operates a 1,264-vehicle fleet⁵ that serves some of the busiest routes in the city.⁶ Despite the fleet's far and wide travels with service that spans Manhattan's 23.7 square miles, the overwhelming majority of the Authority's Manhattan fleet is maintained and serviced in Northern Manhattan.⁷ In fact, five out of seven MTA Manhattan bus depots are located north of 100th Street.⁸ A number of these depots service routes never travel to Northern Manhattan, while others service routes that travel to boroughs such as Queens, Brooklyn and the Bronx – sometimes exclusively so.

INTRODUCTION

The Metropolitan Transportation Authority ("MTA" or the "Authority") is the largest public transportation agency in the United States. Chartered in New York State as a public benefit corporation,¹ the MTA is mandated to provide public transportation services to all five boroughs of New York City ("NYC"), and it does so with the highest ridership rate in the country.² In 2013, the MTA's bus division transported nearly 812 million riders,³ with an average weekday ridership of 2,605,000 people.⁴

The Trouble with Bus Depots and Diesel

Bus service provides a public benefit to riders across NYC and contributes to the economic health of the entire New York Metropolitan Area. The depots that store the buses, however, produce toxic emissions and other pollution that endanger the physical health and lowers quality of life for people who must live around them. The combination of bus maintenance functions⁹ cleaning produces toxic emissions that create an unhealthy environment, degrading the environmental quality and health of surrounding communities.¹⁰ This results from the industrial nature of depots that, like a typical factory, emit diesel pollution such as particulate matter and toxic chemicals,¹¹ use industrial solvents and cleaners, and store large quantities of diesel fuel and industrial waste in leaky underground tanks.

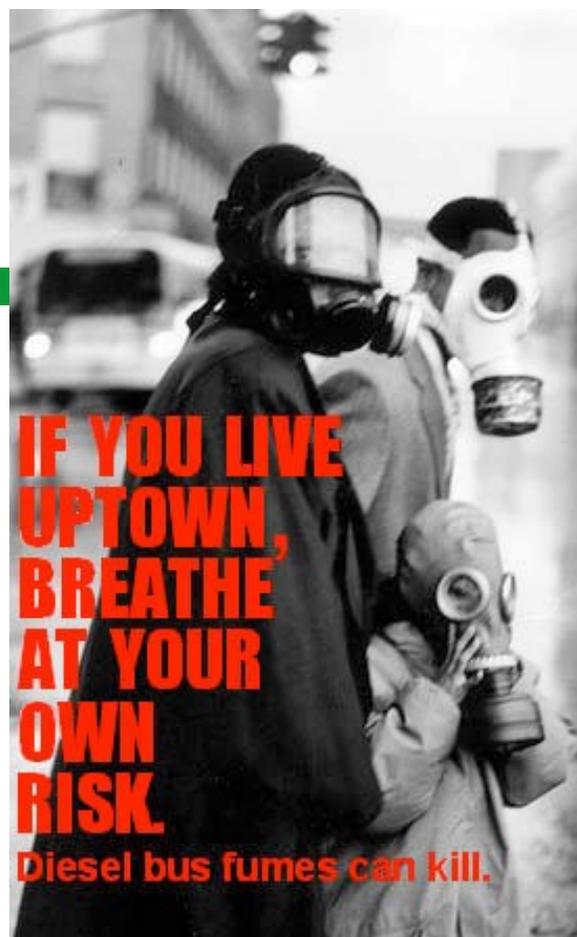


WE ACT organized a ROC around each of the uptown bus depots

Depot emissions negatively impact the health of their neighbors, who report high incidences of asthma and other respiratory diseases.¹³ Children from these neighborhoods have some of the highest childhood asthma hospitalization rates in the country, six times the national average.¹⁴ Residents also have unusually high rates of cardiovascular disease and cancer.¹⁵

The most dangerous pollutant created by diesel combustion is particulate matter (“PM”). PM comes in a range of sizes from less than 1 micron in diameter (called ultrafine) to greater than 10 microns (soot and black carbon). PM can damage health on its own or combined with other pollutants such as benzene or even mold spores to deliver a potent dose of toxicity directly to the bloodstream via air exchange in the lungs (fine PM is small enough to cross the alveolar membranes in The lungs).¹⁶ In addition to PM pollution, bus depots emit greenhouse gases, air pollutants that contribute to smog and ground-level ozone (which triggers asthma)¹⁷, and toxic chemicals including the carcinogen, benzene. The United States Environmental Protection Agency

(“EPA”) classifies benzene, along with 40 other compounds, as hazardous air pollutants (“HAPs”), because of its toxicity to human health and life.¹⁸ HAPs have been linked with cancer, cardiovascular and respiratory diseases, and birth defects. Exacerbating the impacts of the toxic chemical cocktail that is stored in and emitted from bus depots, depot operators also carry out environmentally unsafe practices for the sake of convenience. These practices include idling bus engines throughout the day and exhausting emissions without any filtration. Often, the idling is done simply to keep the bus’ systems operating – during summer to maintain air conditioning service and during winter to maintain heating and to prevent fuel from “gumming” up and the engine from requiring reignition.¹⁹ Other times, bus engines are run as part of the maintenance process, and the emissions are simply released into the ambient air without any containment or filtering.



The Health Costs of Diesel Air Pollution

Diesel combustion generates black carbon (or soot) along with other pollutants such as particulate matter, sulfur oxides, nitrogen oxides, ozone, carbon monoxide, carbon dioxide and 40 additional HAPs.²⁰ A large part of urban air pollution comes from traffic, especially stop and go traffic when vehicles sit idling for some time at any given location before moving.²¹ Heavy-duty vehicles such as trucks and buses are the most threatening polluters because they use diesel fuel rather than gasoline. Trucks and buses without new emission control technologies can emit 50 times more pollution into the air than comparable vehicles using gasoline.²²

Diesel pollution is particularly unhealthy, as the nose, throat, and lungs cannot filter out black carbon particles because these particles are too small. These particles penetrate the lungs and can make breathing difficult, often contributing to the development of

allergies and asthma.²³ According to a study conducted by the Harlem Children’s Zone and Columbia University, Harlem children are three times more likely to suffer from asthma than the national average – 25% of children in Central Harlem have asthma, compared to a national average of 8.3%.²⁴ Northern Manhattan’s asthma hospitalization rates are **two to three** times the NYC average, and **five to six** times the national average.²⁵

Asthma is a chronic, sometimes debilitating, condition that has no known cure. Children with asthma have increased school absentee rates²⁶ and become sidelined from physical activity – which not only affects their socialization with other children but also has implications for their development of other health problems such as obesity and diabetes. Annually, asthma is also responsible for nearly 2 million emergency room visits, most of which are by low-income children.²⁷ Overall, childhood asthma treatment costs the U.S. roughly \$6.7 billion annually.²⁸ The Natural Resources Defense Council (“NRDC”) estimates that about 30% of childhood asthma is due to environmental exposures, and the portion attributable to diesel pollution is \$2 billion a year. In addition to its contribution to medical costs and to the children’s capabilities, employers lose 12 million workdays every year when asthma keeps adults out of the workplace.²⁹

Evidence that air pollution from vehicles, factories and power plants is a major cause of asthma attacks continues to arise.³⁰ Furthermore, increasing evidence shows that it may actually contribute to the development of asthma in previously healthy people.³¹ Therefore, there is particular concern that monitoring reveals that more than 159 million Americans – over half the U.S. population – live in areas with substandard air quality.³²

Columbia Center for Children’s Environmental Health (“CCCEH”) researchers’ monitoring studies have shown that black carbon from street traffic also impacts indoor air quality. Alarming, they found that dwellings near bus depots or roadways might trap more particles containing polycyclic aromatic hydrocarbons (“PAH’s”) than outdoor environments.³³ PAH’s can be very dangerous to children’s health because they increase the risk of developing asthma and cancer, and some PAH’s are known to *cause* cancer.³⁴ CCCEH’s longitudinal studies of cohort of mothers and newborns show that *in utero* exposure to higher levels of PAH’s results in infants born

with cell damage that could also increase their risk of cancer.³⁵ More recently, CCCEH researchers have found that *in utero* exposure to other diesel-related air pollutants could additionally cause developmental and cognitive delays as well as learning deficiencies in newborn and young children.³⁶

Annually, asthma is also responsible for nearly 2 million emergency room visits, most of which are by low-income children. Asthma treatment cost \$6.7 billion annually, \$2 billion of which is due to diesel pollution



The particulate matter emitted as a result of bus depot operations not only degrades local air quality and causes disease, but it also deposits thick layers of toxic dust and grease on neighboring homes, businesses, and community uses such schools, daycare centers, and senior centers. The pollution load detracts from quality of life by generally by making the outdoor environment uninviting for social and physical activity, thereby contributing to increased risk of being over-weight, obese, and diabetic.³⁷ Moreover, depot structures are generally decrepit and/or industrial eyesores that diminish the aesthetic appeal and economic viability of nearby land.

WE ACT’s Ongoing Campaign Against Diesel Pollution and the Formation of a Resident Oversight Council

As a result of outcry from community members and our own research into the disproportionate impact of diesel pollution in Northern Manhattan,³⁸ WE ACT launched the Dump Dirty Diesel Campaign (with the slogan “If You Live Uptown, Breathe at Your Own Risk”) in 1997. The purpose of the campaign was to hold the MTA accountable, as a public benefit corporation, chartered and partially funded publicly to ensure justice and fairness in the distribution of the benefits and burdens of its legislatively mandated functions.³⁹ The campaign explicitly called for the MTA to switch to “Clean Fuels” and take steps to maintain “Clean Air” around the bus depots. After a long struggle, the MTA converted a substantial part of its NYC bus fleet to use alternative

fuels and operationally cleaner vehicles.



WE ACT, the ROC, and local elected officials, like State Senator Perkins and Councilmember Dickens, stood together, under the leadership of assembly member H. Denny Farrell, to form the Mother Clara Hale Community Task Force

Following WE ACT's Dump Dirty Diesel campaign, Governor Pataki and key state legislators promised that the MTA would replace hundreds of diesel fuel buses with alternative fuel vehicles using ultra-low sulfur diesel ("ULSD") and compressed natural gas ("CNG").⁴⁰ In 2002, the MTA in fact made the switch to ULSD (well ahead of the federally mandated switch effective in 2007), purchased hundreds of CNG and hybrid electric vehicles, and invested in pollution control retrofits for its entire bus fleet.

Thanks to the efforts of WE ACT and other environmental justice advocates, today, the MTA can boast the largest fleet of hybrid-electric buses and one of the cleanest transit fleets in the country. Although WE ACT made great strides with improving the bus fleet, the MTA's uptown bus depot operations still affect the health and environment of Northern Manhattan residents. Therefore, WE ACT continues to press the MTA for a more sustainable depot operation. In 2003, WE ACT began an initiative to organize the Bus Depot Residents Oversight Council ("ROC"), a community group comprised of residents who neighbor the bus depots. As part of the campaign, WE ACT developed a ROC around each of the uptown depots.

ROC members and their families are directly, and sometimes tragically, impacted by the depots' negative impacts. These residents are affected daily by depots' maintenance machine noise, the safety hazards posed by bus traffic traveling in areas where children, seniors and pets gather, the dirt and soot fallout that consequently settles in their dwelling places, and worst of all, the emission of toxic pollution such as PM and nauseating fumes that contribute to their poor health status. ROC members monitor activities around depots and report infractions such as excessive idling, threats to public safety such as buses driving onto sidewalks to make turns

in narrow streets and buses parked illegally on City street parking intended for local residents. ROC members have successfully contributed to improving the MTA's environmental practices. Additionally, WE ACT has implemented campaigns to report illegal idling to the New York State Attorney General and partnered with City officials to hold MTA accountable for its contributions to Northern Manhattan disproportional burden of the City's pollution load. One such effort culminated in the City Council Transportation Committee Hearing on Health Impacts of MTA Bus Operations, held in October 2006. The event was co-sponsored by WE ACT and the former City Council Transportation Committee Chairperson John Liu. Through the years, ROC members have stood with WE ACT to call for the MTA to improve depot operations and engage local communities in developing a plan for ensuring health and sustainability of surrounding neighborhoods.⁴¹ In 2007, WE ACT and the ROC members were charged with a new project when, after four years of dialogue, the MTA notified WE ACT and the Harlem community that it would be rebuilding the MCH Depot, one of the oldest in the Manhattan system.



Original MCH Bus Depot

The Mother Clara Hale Depot Reconstruction

The Mother Clara Hale Depot is located at 721 Lenox Avenue and Malcolm X Boulevard in Central Harlem. The depot was originally known as the 146th Street Depot but was later renamed for “Mother” Clara Hale in homage to the founder of the Hale House, a renowned Harlem Center for the care of infants born addicted to drugs and/or infected with HIV. The MCH Depot was originally constructed as a two-story trolley barn in the 1890’s for the Metropolitan Street Railway, which operated streetcars along Lenox Avenue. In 1939, the NYC Omnibus Corporation modified the building for use as a bus garage after it replaced trolleys with buses. Since then MCH Depot has operated as a bus depot dedicating one story for bus storage and maintenance and the rest of the facility for administrative operations. Prior to the recent expansion, the depot serviced 123 buses – 60 diesel-electric hybrid and 63 standard diesel buses.⁴²

Recognizing that the depot structure has suffered significant deterioration with age, the New York City Transit (“NYCT”), a division of the MTA, had for many years planned to demolish the existing structure and replace it. Subsequently, the MTA planned to rebuild and expand the depot to service 150 buses (roughly 25% more than its current capacity). Because of pressure from civic groups such as WE ACT and the Natural Resources Defense Council to update the depot, the MTA finally agreed upon a date and committed to building a state-of-the-art facility. In response to the decision to expand, the ROC voiced the community’s concerns about diesel and other noxious and toxic pollution that contribute to the neighbor-hood’s poor air quality and translate into poor health status for many residents who live near the depot.⁴³ Esplanade Gardens resident and MCHCTF Chair Merle Carrol explained the concern that the demolition of the nineteenth century structure would poison the neighborhood with asbestos. In addition, she also conveyed local residents’ frustration over the ongoing competition between NYCT employees and local residents over access to the area’s very limited on-street parking. Ms. Carrol explained that the bus depot had in fact destroyed the business of local bowling alley, Lenox Lanes, which described as “the place to be” for the Harlem community, due to its interference with traffic and on street parking.

In response to these concerns, WE ACT for Environmental Justice and local elected officials

formulated a list of demands to be incorporated with the depot project and stood together, under the leadership of New York Assemblyman H. Denny Farrell, to form the Mother Clara Hale Community Task Force.⁴⁴ The MCHCTF served as an extension of the ROC in order to ensure NYCT’s demolition and reconstruction of the MCH Depot proceeded in compliance with environmental and health regulations. The Task Force demanded NYCT’s accountability to the community and advocated for the consideration of residents’ concerns throughout the process.



Assemblyman Farrell with MTA and Stakeholders⁴⁵

Due in large part to WE ACT and the Task Force’s leadership and organizing, NYCT attended monthly meetings with the community to discuss the rebuilding process’ negative environmental impacts and the potential strategies to minimize them. Assemblyman Farrell’s representative, Earnestine Temple, organized the venue and structure of these meetings and was impressed by their frequency and effectiveness in incorporating the Task Force’s input in the MTA’s decision-making. Key among the strategies discussed were actions that would mitigate the negative impacts of construction-related activities on nearby residents and neighboring uses – including day care center, senior center, and businesses.

The MCH Taskforce comprised of approximately 20 members including, community leaders, representatives of community-based organizations and local elected officials, such as Ms. Temple, who share common concerns and vision regarding the reconstruction of the

Century-old bus depot. The majority of the Task Force

members reside at Esplanade Gardens Cooperative, a 1,870-unit high-rise Mitchell-Lama complex located across the street from the depot. The complex houses a large population of aging Harlem residents, many of whom have been living in their units since it was built in the 1960's. Other members frequently use the A. Philip Randolph Senior Center, a Central Harlem neighborhood "safe space" for older adults,⁴⁶ or live within a 10-block radius of the depot. Regardless, all Task Force members are directly impacted by depot operations.

Over one year of our engagement with the MTA, WE ACT and the MCH Task Force mastered the details of the depot reconstruction process. Originally, Carrol explained, "they weren't taking us very seriously as a group." In response, the MCHCTF formed bylaws and voted Carrol as president, to demonstrate their commitment to the depot's environmental safety. WE ACT and the Task Force called on MTA to engage the Harlem community in the design, construction, and operation of the depot in order to ensure that a health-protective and sustainable depot was built. The request for collaboration was originally denied, explained Task Force secretary Fred Wilson. Nevertheless, "We wanted a seat at the table because it's affecting this community," Wilson said.

The MTA continuously delayed meetings with the Task Force and agreed to meet only after they had finalized and signed a contract with Silverite Construction. At the meeting, Wilson along with Farrell and representatives from both the MTA and Silverite discussed the project's plans. According to Wilson, the Silverite CEO responded to the request for community involvement by asserting, "Well, it's too late now. The contract has already been signed. In other words, what y'all want is not what you're gonna get." This statement proved false when the persistence of the Task Force led to a community charrette⁴⁷ where Harlem residents met to plan the new depot, and the MTA- Harlem community partnership came to fruition.

With a unified voice, we called on MTA to engage the Harlem community in the design, construction, and operation of the rebuilt depot



WE ACT Staff

As a result, the MTA's unilateral decision-making paradigm shifted under Elliott Sander's leadership. On September 20, 2008, the charrette engaged 200 members of the Harlem community, including community leaders, community residents, community-based organizations and elected officials, who gathered at the A. Philip Randolph Senior Center to provide input and to engage NYCT officials in the design of the new MCH Depot. Their goal was simple – to make their demands known and to assert their voices in a process that had been historically closed to them. The charrette resulted from a year of an unprecedented collaboration between WE ACT, the MTA, and Harlem community members, represented by the Task Force. Prior to the meeting, each member of this newly formed partnership completed months of intense preparation. As a result of this education process, Task Force Members arrived at a set of specific environmental protection measures they wanted the MTA to implement at the new depot, which were discussed at the charrette (See Appendix). Ultimately, they came together to ensure that the MTA builds a depot that is worth of the Mother Clara Hale name – the cleanest, greenest depot possible!



- 1) Installation of the best available technologies on all emission sources
- 2) Prioritization of the assignment of hybrid electric buses to the MCH Depot
- 3) Sufficient indoor parking to house the entire bus fleet
- 4) Safe and sustainable depot lighting
- 5) Leadership in Energy and Environmental Design (LEED) designation
- 6) Incorporation of “green design” elements into the new structure, such as a green roof
- 7) Landscaping and green spaces
- 8) Rodent control and monitored pesticide use
- 9) Depot design by community charrette
- 10) Safe practices on all demolition and construction activities
- 11) Community outreach, communications, and oversight committee and dedicated complaint line
- 12) Independent third party monitor and monitoring reporting
- 13) Local minority and women owned businesses prioritized for project’s needs
- 14) Local hire and training program



WE ACT Staff Charles Callaway

Joining Central Harlem community members, assembly member Herman “Denny” Farrell, City Council member Inez Dickens, State Senator Bill Perkins, and representatives of the NYCTA were present for the day-long planning meeting aimed at developing a set of community-based design recommendations for the new Mother Hale Depot. Professor Achva Benzinberg Stein, Director of City College’s Graduate Landscape Architecture Program, facilitated the proceedings. Neighborhood residents packed the A. Philip Randolph Senior Center enthused to share their ideas and concerns on an array of topics ranging from air quality to pest

control,⁴⁸ traffic congestion, and noise pollution. Participants were both eager to learn about NYCT’s proposal for the depot and excited to share their ideas for ensuring that the new facility would be built and operated with consideration of community concerns. The meeting began with NYCT’s presentation of the functional and operational needs of the new depot. Following this orientation, the attendees spent the majority of the day in breakout sessions on key issues (air quality, materials, energy, site and water) that the community previously expressed to the organizers. At the end of the day, the community came together to align their concerns with the depot’s operational needs to arrive at a set of recommendations, discussed later in this document, for how NYCT and the Harlem community could meet each other’s needs.

Recognizing the need to fully understand the potential environmental and health impacts of the depot’s construction and operation, WE ACT and the Task Force sponsored 3 informational sessions following the charrette to alert community residents to MTA’s plans. At each meeting, WE ACT’s staff shared information about health impacts of demolition, environmental remediation (e.g., remove contaminants such as asbestos), and construction process for similar structures. WE ACT provided tools and tips to ensure that the MTA gives due hearing to the residents’ concerns.

Joining Central Harlem community members, assembly member Herman “Denny” Farrell, City Council member Inez Dickens, State Senator Bill Perkins, and representatives of the NYCTA were present for the day-long planning meeting aimed at developing a set of community-based design recommendations





Because they spend so much of their days near the depot, the seniors are perfectly situated to be the “eyes and ears” of the neighborhood, ensuring MTA acts responsibly in operating and constructing the depot

that could later be used to hold NYCT authorities accountable for their actions in meeting the needs of the community – especially the needs that were explicitly expressed. Many elderly task force members had been transit employees working in various aspects of bus operations, so they knew the measures necessary to improve the environmental footprint of the depot.

Because they live or spend so much of their days near the depot, the seniors are perfectly situated to be the “eyes and ears” of the neighborhood, watching over MTA in an effort to ensure the agency acts responsibly in operating and now reconstructing the depot. Not surprisingly, older adults comprised more than half of the charrette’s participants. With a lifetime of business and professional experience behind them, seniors were not shy about letting MTA/NYCT know about their safety, health, and environmental concerns. In fact, our seniors were excited to continue to share the wisdom of their collective years and to give the MTA specific ideas on how the depot’s performance might be improved.

For example, Margaret Hamilton, active community member and tenant of Esplanade Gardens since 1968, was excited to be a part of the Task Force and felt empowered and inspired by the project to be involved with WE ACT initiatives in the future. Her vast knowledge of the community and her involvement with the senior center enabled her to be a suitable representative of the local seniors. Mr. Wilson, the secretary of the Task Force and involved community member, also enjoyed engaging in meaningful projects during his retirement. Like Mrs. Hamilton, Mr. Wilson brought valuable experience to the group as he had led a long career in finance and was able to use his knowledge to provide insight in the Task Force’s negotiations with the MTA and Silverite, specifically regarding community employment aspects. He, in fact, was so inspired by the project that he developed an organization to use the skills he learned from the MCH project and advocate for asbestos removal from another nearby building that he could, as a result of the MCH Task Force, recognize as unsafe.

Engaging Our Village Elders

Throughout the process, WE ACT took particular care to engage Harlem’s elderly community. Older adults are among the people most vulnerable to negative impacts of a degraded environment. Harlem elders recognized that the bus depot’s operation has for years degraded the air quality and quality of life of the surrounding neighborhood. Thus, it was imperative that their concerns become documented so that they could be addressed in the depot rebuilding process. Moreover, they wanted a record



Community Vision to Life

In summary, WE ACT and the MCH Task Force spent countless hours engaging NYCT representatives, environmental experts, community residents, local business owners and local elected officials to fully addressing community concerns regarding the depot’s demolition and reconstruction. The objective was to ensure that the redesign and rebuilding process was conducted in an environmentally sound, health protective and culturally respectful manner. Moreover, they aimed to ensure that once built the new depot would be designed to perform efficiently, operate within the environmental sustainability principles, and maintained to ensure the health of its neighbors. The community charrette provided a forum at which these community members and leaders could brainstorm and finalize their demands to the MTA.

contamination (such as spilled petroleum, Industrial solvents, etc.) and share with the Task Force the results of tests confirming proper removal of contaminants.



As a result of the Task Force’s tireless efforts, NYCT eventually began to respond to the community’s demands

As a result of the Task Force’s tireless efforts to engage the other stakeholders in the MCH project, NYCT eventually began to respond to the community’s demands. First, the new four-story,⁴⁹ 70-foot above ground structure would have enough capacity to accommodate all bus parking and maintenance operations without an increased footprint. Additionally, the new depot would contain enough space for employee parking so that residents and MTA employees would not have to continue to compete for on-street parking. Inside the depot, the first floor is to be used for bus fueling, washing, and maintenance. The second mezzanine and third floor were designated for bus storage and administrative support.⁵⁰

Earnestine Temple

The NYCT conducted the construction process in two phases,⁵¹ demolition and design/build. During demolition, NYCT performed asbestos testing and removal, demolished



The NYCT also promised to share all local air monitoring data during the environmental remediation and deconstruction periods with WE ACT and the Task Force. The data allowed oversight of NYCT’s compliance with regulations limiting human exposure to pollutants such as asbestos that were present in building material and the soil. Once the project was completed, both sound and air monitors were installed to ensure that noise and air quality disturbances did not increase when the depot became operational. The NYCT also promised to manage environmental health issues involved with the demolition and construction process. The NYCT promised that it would remove all soil and ground water

the current structure, and remediated soil for any contaminants. The design/build phase entailed development of a conceptual design, issuance of a design/build contract, and construction. This design resulted from the target issues discussed during the charrette’s breakout group, including air quality, depot

materials, energy use, site and water use. Ideas for these topics often overlapped during the community charrette discussions. Specifics are detailed in the following section.

Community Charrette at A. Phillips Randolph



A Community Model for Building Green Transit

Air Quality

Poor air quality was of major concern to neighborhood residents and elected representatives alike. More than forty community residents packed the lunchroom at the A. Philip Randolph Senior Center to make these concerns known to transit officials. They encouraged the agency to adopt preventative measures to minimize air quality impacts during demolition and reconstruction and to implement measures that would ensure ongoing protection of the environment and health of residents.

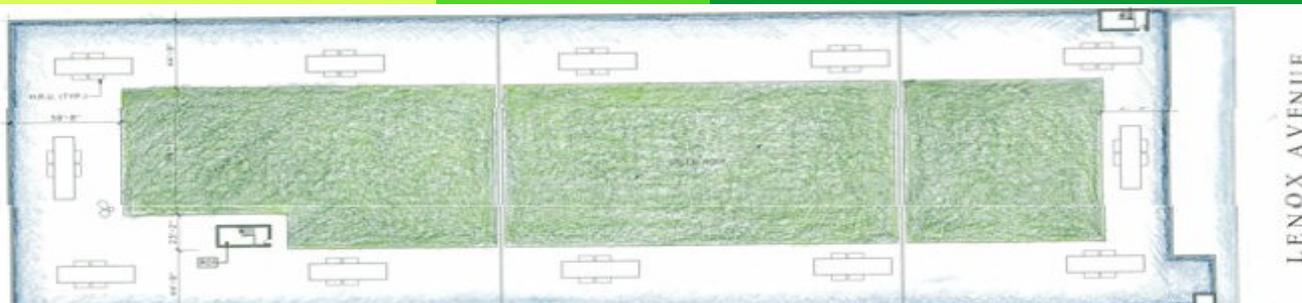
Air Quality Priority Areas

- Asbestos removal during demolition.* Participants warned NYCT of the need to take measures to prevent aerosolization of asbestos and identified windy days as special periods of concern. Participants recommended that the NYCT adhere to a wet and spray method throughout the duration of
- the asbestos removal phase and adopt dust control measures during work and non-work hours in order to contain particulate pollution. These measures should include the use of tarps and plastics, as well as collaborative efforts between on-site inspectors and the community to ensure compliance to state and federal rules.*
- Ongoing communication.* Participants advocated for the creation of a website where they could track daily air quality reports emanating from the project. They also strongly suggested establishing a toll-free telephone line to register complaints and get regular updates on the project's progress. They specifically identified a need for a "real person" operator.
- Use of best available technology.* Participants wanted assurance that older buses would be retrofitted so as to minimize emissions. They encouraged NYCT to pursue a fuel policy that prioritizes bio diesel, Ultra Low Sulfur Diesel Fuel (ULSDF) and the purchase of hybrid buses for the new MCH Depot. In addition to requesting emission control measures for vehicles, participants identified control measures for the depot



Mother Clara Hale Depot Design

Includes greenscaping, art installations celebrating Mother Clara Hale and a green roof!



More than forty community residents packed the lunchroom at the A. Philip Randolph Senior Center to let NYCT officials know about their air quality concerns.

building itself to be important. These include, the use of natural gas (or cleaner fuels) for boiler operations, and the installation of particulate filters to trap emissions from buses as they are serviced.

- *Non-Invasive operational practices.* Participants wanted NYCT to provide sufficient parking within the depot so that residents would not have to compete with local residents for street parking. Additionally, participants identified the need for NYCT to minimize depot-associated vehicle idling. Among the suggested measures were “no idling” signage, greater education and enforcement of anti-idling policy within the organization, and compliance with state and local anti-idling laws.
- *Soil and toxic remediation.* Finally, participant’s requested that NYCT engage local residents more about the remediation of lead inside and outside of the facility and of the smells that emanate from the depot during demolition and construction.

Implemented Strategies

- While community members acknowledge air quality and visibility disturbances during demolition and construction, asbestos was removed prior to demolition to reduce air pollution
- Community members were provided with the MTA community affairs representative’s personal phone number to ensure accountability in regards to air quality monitoring and assurance
- Depot buses use ULSD, and many of the buses are hybrid-electric or are low-emission; the buses are also retrofitted with diesel particulate filters
- The depot uses low Nitrogen Oxide boilers which significantly use the operational emissions; these filters can reduce NOx levels to 30 ppm, in comparison to the conventional emission range of 100 to 185 ppm
- The depot provides indoor parking space for buses and employees and abides by an anti-idling policy
- Finally, The Franklin Company Contractors was

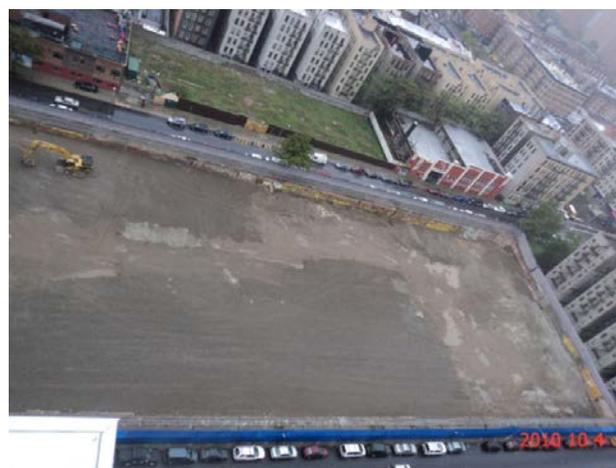
employed by the MTA to remediate the soil from petroleum pollution through a process of In Situ Soil Stabilization, which mixes concrete slurry with the contaminated soil to encapsulate petroleum waste



*In Situ Soil Stabilization Mixing*⁵²



*In Situ Soil Stabilization Remediation*⁵³



*In Situ Soil Stabilization Final Product*⁵⁴

Materials

Community residents also found the project's materials to be an important factor in the sustainability and environmental health of the building. This focus group voiced the need for sufficient funding to be allocated towards reaching sustainability goals within the materials selection process. Those who attended the Materials break out session identified the following strategies as priorities to implement:

Materials Priority Areas

- *Recycling.* The community requested the use of recyclable materials and a commitment to reuse as much materials from the existing depot as possible
- *Use of best available building materials technology.* Participants suggested the installment of green technology including green walls, a green roof and alter-native energy elements such as solar panels
- *Aesthetic Consideration.* Participants insisted on the installation of façade artwork that celebrates the contributions of African Americans to transportation, as collaboration between NYCT architects and local artists. They also requested that the architectural harmony between existing neighborhood structures and the new bus facility be considered, as well as requested the incorporation of a landscaping project
- *Site Safety.* Finally, they requested that the MTA address concerns about the safety of the building

Implemented Strategies

- NYCT promised to construct with recyclable materials as it is a prerequisite for Leadership in Environmental and Energy Design (LEED) certification by the US Green Building Council, a third party auditor that measures sustainable designs and concepts. According to the MTA's report, only 63 of 13,917 tons of demolition debris were sent to the landfill. The rest was recycled or reused for the new structure
- The depot features a 65,000 square foot green roof covering 50% of the roof, modeled after the NYCT green roof installed at the East 180th Street Subway station. The roof will also have a high efficiency roof to reduce heat absorption

- The building features an installation of solar panels on one of the side's walls
- A colorful mosaic art façade and 18 stained glass panels that were inspired by local children and celebrate the depot's namesake, Mother Clara Hale, were incorporated into the design
- The new depot features lighter colored materials, such as beige and dark green, that achieves a less invasive appearance than the original red brick
- Though they have not yet been planted, the MTA has a goal of planting 1 million trees
- The MTA contracted with Five Star Protection Services to establish on-site security from a Harlem-based provider



*The Mother Clara Hale Depot*⁵⁵

Energy

The goal of the energy breakout session was to provide the NYCT a variety of suggestions that would assist the agency in achieving energy efficiency during construction and to ensure that MTA moves toward a clean fuel policy for the NYCT bus fleet. Participants started their discussion by seeking a unified definition and understanding of community by provocatively challenging each other to share her/his understanding of the meaning of "community". For many, "community" evoked the images of "ownership, history, children, economics, and roots." Others saw "community as "fluidity, new things, caring, network,

change, points of interests, health, and respect.” The group then identified measures to protect this community through energy consciousness and efficiency.

Energy Use Priority Areas

- *Consumption Reduction.* The group’s participants wanted to both better understand the economics of energy consumption and NYCT’s commitment to renewable energy. Furthermore, they were interested in measures that could reduce water heating and other methods of consumption
- *Consideration of Consumption’s Impact on Community Health.* They wanted to identify ways in which the MCH Depot can lower overall environmental burdens on the community such as health concerns
- *Energy Conscious Materials.* They suggested that the MTA develop an energy management plan for the facility that would include an energy recovery system and reflective surfaces
- *Community Accountability.* Participants desired the creation of a Community Oversight Committee that would include a dedicated phone line, as well as a local and central phone number to register concerns. Participants also advocated for an energy monitoring system. They pressed the NYCT to determine energy consumption during construction, and to measure health status of community residents before and after construction

- *Flexibility.* They urged MTA to be flexible in the design process and to look into other building elements such as, energy efficient windows and doors, tree planting (to aid in carbon sequestration and for shading), as well as the use of solar energy and alternative fuels (such as natural gas, ethanol, methanol, bio-diesel and wind energy)
- *Operational Efficiency.* The group pressed for efficient motors on buses to reduce transportation related emissions. They also requested operational efficiency within the depot, specifically suggesting high efficiency Heat, Ventilation and Air Conditioning equipment, occupancy sensors to mitigate unnecessary lighting usage, the use of natural gas in boilers, and the maximization of natural lighting and ventilation

Implemented Strategies

Many strategies discussed in other sections addressed these priority areas, such as the response to concerns regarding air quality and energy conscious materials. Additional strategies include:

- The installation of an energy monitoring system to understand and adjust, if necessary, the depot’s energy consumption
- NYCT’s commitment to be aware of the latest technologies and to consider adjusting to incorporate environmental protection strategies that may emerge after the depot’s completion



Our seniors were excited to share the wisdom of their collective years and to give MTA specific ideas on how the depot’s performance might be improved

- The building is designed with thermal insulation as high efficiency lighting and improved sequestration of natural lighting to reduce energy use
- The depot employs high efficiency Heating, Ventilation and Cooling (HVAC) systems and Heat Recover Units

Site

A recurring theme that the new MCH Depot should be structurally integrated into the neighborhood and have minimal environmental impact arose in the discussions. Residents wanted assurance that the facility would complement existing structures and that the facility would be “dynamic” and not box-like. They encouraged NYCT to seek a higher LEED rating⁵⁶ to ensure lower environmental impacts. Specifically, they wanted MTA to take steps to address the potential impacts of construction and operation activity on nearby sensitive uses, including neighboring residences, daycare and senior centers, and churches.

Site Priority Areas

Residents admonished the NYCT to take into consideration the height of the facility and its relationship to Esplanade Gardens. They wanted the MTA to provide:

- *Aesthetic Considerations.* The community members working in the Site group were concerned with the depot’s harmony with neighborhood structures. They requested a neighborhood beautification plan and intentional consideration of how the building would fit into the area
- *Site Safety.* This group also advocated for the protection from debris and asbestos during construction, brownfield remediation, the installation of emission controls and adequate lighting, and the consideration of pests, noise, and pedestrian safety
- *Cultural Celebration.* The MTA was asked to work with a local artist to create a piece that would celebrate Mother Clara Hale and African American contributions to transportation. The depot should preserve the Mother Clara Hale Emblem. Finally, the depot should include historical information
- *Neighborhood Respect.* The exits, entrances and parking plans should not interfere with neighborhood

routes and parking needs

Implemented Strategies

As mentioned earlier, the building was constructed with light material colors that are less invasive to the neighborhood aesthetic. Tom Lunke from the Harlem Community Development Corporation describes the tan and green depot as much lighter. The new depot, unlike the old brick one, therefore seems less invasive and more integrated into the neighborhood.

Additional strategies include:

- The MTA also plans to incorporate a landscaping project
- In addition to the use of on-site security guards, non-polluting exterior lighting was installed to improve safety

Water

Participants in the Water group were interested in better understanding the depot’s current water usage. They insisted that the MTA comply with LEED water conservation standards among other requests.

Water Usage Priority Areas

Immediate community concerns included:

- *Water Use Efficiency.* The group posed ideas such as intentional water use reduction, the harvesting and recycling of rainwater, the creation of washing wells. They also suggested reclamation systems to reduce flooding in the community
- *Local Environmental Health.* They suggested the MTA use biodegradable solutions for cleaning to conserve water and protect local waterways, manage water runoff and storm water, and research the relationship between water and soil quality
- *Accountability.* Community residents also suggested a building design that would allow the public to observe the process of harvesting and recycling gray water

In summary, participants were concerned about the effects of poor water management, particularly to vulnerable populations. They wanted NYCT to take steps to ensure its activities would protect the community from

hazardous effluence to nearby waterways, alleviate sew-age overflow, not disrupt existing neighborhood water infrastructure, and utilize nature effectively and efficiently during construction and operation.

Implemented Strategies

- The building uses low-flow water fixtures to reduce depletion of water resources
- The depot features a reclamation system that transports water to underground storage tanks that recycle the rainwater for operational purposes
- The design includes, as mentioned previously, 65,000 square feet of greenery on its roof that will reduce water runoff during storms

Resulting from WE ACT and the MCH Task Force's vigilance in holding the MTA to their promise to take into consideration the results of the air quality, materials, energy, site and water breakout groups, the requests of the community charrette were met. Community members constantly express their gratitude to the WE ACT's Community Organizing and Outreach Coordinator Charles Calloway for ensuring the achievement of the community's needs and desires, specifically regarding the maintenance of environmental health throughout the project's construction and operation. Resident Margaret Hamilton described her appreciation of Charles' great influence on the Harlem community and her hopes for his work to be acknowledged. The depot, in her opinion, enhances the neighborhood tremendously. She also applauded the MTA representative Marcus Book for distributing his personal number and responding hastily to any frustrations expressed by the residents.

Community Employment

Because the project would ultimately invade the neighborhood, WE ACT and the Task Force requested that the project benefit the economic livelihood of the area, in addition to meeting the concerns raised by the charrette participants. With the help of Fred Wilson, the Task Force expressed community hiring demands to ensure that the project did not only mitigate its disruption of the local residents but also provided benefits for its neighbors.

The efforts to positively impact Harlem's economic health were conducted in three parts: local hiring, local training and local contracting. First, the Task Force

requested that the MTA would prioritize local hiring while selecting their employees for demolition, construction and operation. However, Wilson explained that many of the MTA's employees and Harlem's workers are union workers, which complicates priority hiring due to the practice of seniority through a point system. Despite the high number of qualified union workers in the Harlem neighborhoods, many non-residents retained priority status, so Mr. Wilson insisted that the MTA exercise a method of zip code hiring. The Task Force demanded that 10-15% of the employees working on the project were from nine Harlem zip codes, with preference to those living within the 10039 zip code (the zip code of the depot).



Fred Wilson

The Task Force demanded that 10-15% of the employees working on the project were from nine Harlem zip codes, with preference to those living within the 10039 zip code

As a result, the MTA signed a contract with McKissack

and McKissack, a minority construction service provider, to provide jobs for local residents with experience in various construction services. The names of the local workers were entered into the McKissack and McKissack database so that they could be considered for employment both throughout the duration of the MCH project and also for future construction projects. Not only did connecting the local workers with McKissack and McKissack provide them with opportunities to be involved with the Mother Clara Hale project, but the entry of the local workers' names into the hiring database also led to employment with other local projects such as the Columbia expansion and the hospital demolition. For the depot project specifically, the MTA hired 48 Harlem employees, 22 of whom were contracted from McKissack and McKissack and 12 of whom were women.

Additionally, through the McKissack and McKissack contract, the MTA funded the ten-hour OSHA training of 59 local residents. As a result, 49 of them completed training and achieved a certificate in construction work. This certification enabled these Harlem residents to be more qualified for future construction employment. Finally, the MTA's contract with McKissack and McKissack ensured that local, minority-run businesses were contracted for the jobs not completed by Silverite Construction Company. For example, the on-site security guards were contracted through Harlem's 5 Star Protection service. Through McKissack and McKissack, Silverite also signed a 2.5 million dollar contract with a Harlem plumbing agency that hires local residents. In total, the project signed five contracts with Harlem agencies. This economic opportunity aspect of the MCH Depot reconstruction provided business to local agencies and also furthered the reach of local hiring.

The emphasis asserted by WE ACT and the Task Force on community economic opportunity provided an impactful element for the project. Earnestine Temple, representative of Assemblyman Farrell, described the OSHA training and community employment as the most encouraging piece of the depot rebuilding process. WE ACT, the Task Force, and particularly Fred Wilson should be commended for their insistence on the incorporation of community hiring.

Despite its many successes, the community employment process did not reach as extensively as the Task Force had hoped. As mentioned before, there existed serious limitations with hiring within the union system, given the practice of seniority. While Ms. Temple describes the OSHA training as the project's greatest

success, she also views the employment piece as the projects greatest frustration. Not only did the union hiring system create barriers to hiring a more robust local workforce, but also the MTA refused to provide OSHA training beyond the minimum 10-hour course. Ms. Temple, along with other Task Force members, would have liked to see the MTA provide more extensive training to further qualify community members for construction employment.

While the focus on community employment did not overhaul the entire project's workforce, it did make a difference in the lives of those who were able to participate. In fact, several hundred Harlem names were added to McKissack and McKissack's work database. Therefore, the impacts of this aspect of the project will last for many years for several Harlem residents and will hopefully influence future projects with the MTA.



Portion of Façade Mosaic 56

Cultural Celebration

In addition to advocating for community employment opportunities, WE ACT and the community stake-holders desired a celebration of the neighborhood's culture in the depot's design. The original request was for a piece of artwork to be installed on the walls that would both celebrate the African American contributions to transportation and provide homage to Mother Clara Hale. Although the final product did not explicitly pay tribute to the African American contributions to transportation, the artist, Shinique Smith, did capture the spirit of Mother Clara Hale in her mosaic. The process of obtaining the final art piece was conducted by the MTA's Arts for Transit sector and spearheaded by director Sandra Bloodworth.

The MTA has installed over 250 public art pieces, 100 of which have been installed since 2006 and are mostly located at subway stations. Ms. Bloodworth

expressed the hesitation of the Task Force to work with the MTA because they were unfamiliar with the MTA's methodology. Therefore, the MTA provided a session to increase understanding of the Arts for Transit protocol. According to Ms. Bloodworth, their work seeks to please the people who are going to see it, not the New York art world. "The community is even more of a stakeholder," she explained. "It's literally right in the community's face." Therefore, she stressed the importance of knowing the audience that the piece will serve.



*Mother Clara Hale*⁵⁷

In order to provide the community with an acceptable art piece, the MTA followed their standard process. First, they sent out a call for artists through pamphlet outreach, social media postings and mailings. Artists were asked to send in their portfolio as a first step. The MTA received around 120 responses, and the Task Force provided around 47 additional references. The advisory board then reviewed the applicant pool and selected the artists that were relevant to the community and could fulfill the project's needs. Ultimately, they selected 5 finalists, who were asked to provide and present a proposal to the panel. The panel consisted of five voting members, who were MTA officials and art experts, as well as two Task Force advisory members, Rita Miller and Ted Lawrence.

After a discussion with the advisory board and voting, the panel selected artist Shinique Smith for her passion for capturing the spirit of Mother Clara Hale. Shinique's art projects use pieces of discarded items as their medium to create beauty out of waste. This design was similarly inspired by a child's drawing that she found near the bus depot. The voting board felt that this act of reclaiming that child's drawing, Shinique could symbolize the work of Mother Clara Hale who worked with "discarded" children. The board was furthermore impressed when Shinique indicated during her proposal that she wanted to work

with local children. As a result, Shinique was chosen to be the project's artist. As part of her process, she went to local schools to hold workshops at which children would help her to design the flowers featured on the building's 18 stained glass windows.



*Shinique's Proposal to the Panel*⁵⁸

The final result of the artwork led to some frustration from the community members and the Task Force. First of all, the voting board consisted of only five members. Three of these members were from the MTA, and the other two members were art experts selected by the MTA. The two Task Force members who were involved were not given a place on the voting board, and, as expressed by Ms. Miller, knew that ultimately the decision would be up to the MTA. Furthermore, the ultimate project did not represent African American contributions to transportation, as the art is too abstract to explicitly capture this message. Ms. Bloodworth explained the difficulty in getting artists who will create a piece that is confined to such a specific concrete message; however, many community members remain upset by the lack of tribute. Finally, although Shinique is an African American woman, she is not a local artist and rather is Brooklyn-based artist.

Despite some complaints regarding the final façade product, Ms. Miller suggests that the community focus on the project's achievements. She agrees on the non-transparent homage to Harlem culture saying, "it's a very artsy project," but believes that "what's important about it is that it does represent Mother Clara Hale." Furthermore, the project's impact extends beyond the art in her opinion. "It's bigger than the art," she says, explaining the empowerment resulting from involving the Harlem community in the construction of the first

green bus depot in the nation.



The First Green Bus Depot is Completed

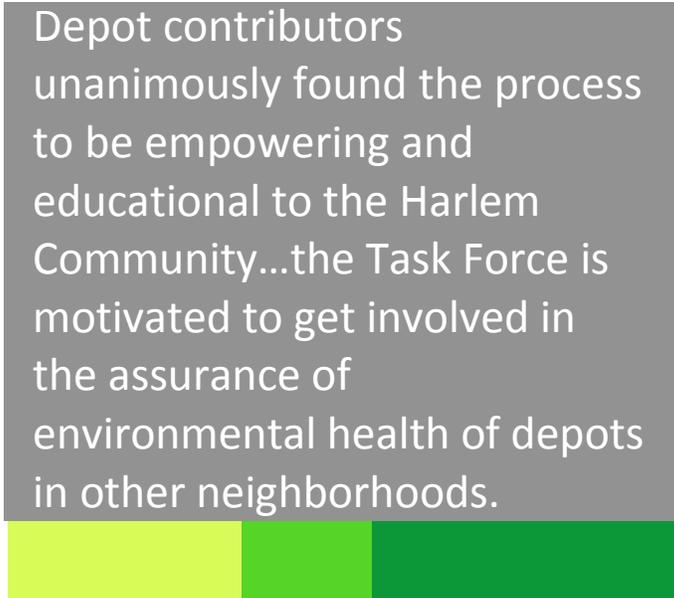
While there were some disappointments in the final product regarding issues such as poor air quality and visibility during demolition and frustration with the art project's final product, the Mother Clara Hale Depot reconstruction project represents a massive success of WE ACT for Environmental Justice and the Harlem community. The project resulted in the nation's first green depot, economic opportunities for Harlem residents, the MTA's first engagement with the community in a collaborative level, and the empowerment of Harlem residents to have a voice both locally and internationally.

The Mother Clara Hale Depot, as mentioned before, features a multifaceted green approach. The design includes the highest efficiency machinery both within the building and throughout its fleet. It features state-of-the-art filtration systems, solar paneled walls, a green roof, and houses hybrid buses of the highest quality technology. The fruits of this project, however, were not limited to the key issues mentioned before. Rather, it expanded its impact to include economic and cultural aspects to its design to compensate for the depot's interference of the local community. The project provided immediate and future employment opportunities for many Harlem residents, and, as pointed out by Tom Lunke, potentially improved business at food services near the depot, were the workers to eat locally. Additionally, as emphasized by Earnestine Temple, "The MTA has never done this before...this level of community involvement." WE ACT and Harlem's success in engaging a multibillion-dollar corporation in their building process represents a huge success in many of the Task Force members' opinions and also sets a precedent for the MTA's accountability to local communities in the future.

Finally, although the process was neither easy nor void of frustrations, the Mother Clara Hale Depot contributors unanimously found the process to be empowering and educational to the Harlem community. In their online report, the MTA writes, "NYC Transit will

make good-faith efforts to incorporate community suggestions and address community concerns through every phase of the project, keeping the community informed throughout the rebuild process."⁵⁹ This suggests that WE ACT and the Task Force have successfully integrated their voice into the actions of infrastructures that affect their community. Ms. Carrol, MCHCTF chair, explained that the Task Force is motivated to get involved in the assurance of environmental health of depots in other neighborhoods, such as Manhattanville. Furthermore, WE ACT and Task Force representatives have been given the opportunity to travel to places such as DC and Albany to speak about the project, further validating its potential for impact and empowerment beyond itself.

These results align well with WE ACT's mission to "build healthy communities by assuring that people of color and/or low-income participate meaningfully in the creation of sound and fair environmental health and protection policies and practices." Because of the insistence of involved community members to remain a part of the entire process, the project resulted in a state-of-the-art clean bus depot and set the precedent for further community work with the MTA and other large corporations.



Depot contributors unanimously found the process to be empowering and educational to the Harlem Community...the Task Force is motivated to get involved in the assurance of environmental health of depots in other neighborhoods.

Next Steps

Members of the MCH Taskforce and other interested community residents continue to work to ensure that

the MTA minimizes its operational impacts on the environment and health of residents. As is evident from this report, the need to protect the health and quality of life of residents in already overburdened communities is of paramount importance, and protecting the health and quality of life through community empowerment is possible. However, the cry for sustainable development is heard far beyond those who reside near the Mother Clara Hale depot and even the boundaries of Northern Manhattan communities.

Stakeholders in Central Harlem, including WE ACT and the MCH Taskforce, will continue to engage the MTA in order to ensure that issues raised by the community at the charrette are addressed by the NYCT in their future projects. Moving forward, NYC Transit will continue to meet with community representatives to review exterior design, landscaping, and construction plans, and the Task Force will continue to meet monthly to hold the MTA accountable on an array of issues.

minimizing sound pollution, ensuring the implementation of landscaping projects, and monitoring ongoing communications between NYCT contractors and employees and community residents regarding construction updates.

WE ACT for Environmental Justice through its Government Accountability Program will continue to fight to protect vulnerable communities by working with city, state and federal officials, government agencies and local communities to develop ways to promote transportation equity for all people, safeguard their environments and promote health and justice in low income and communities of color.

For more information about the MCH Task Force, and WE ACT's Government Accountability Program, please contact Charles Callaway (WE ACT, charles@weact.org) at 347-465-8492 or Ernestine Bell-Temple (Assembly member Herman "Denny" Farrell) at 212- 234-1430.



The Mother Clara Hale Task Force continues to meet

Our seniors will hold the MTA accountable for its health and environmental impacts on the Harlem community.

These issues to be continually monitored include minimizing resident's exposure to poor air quality,

References

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- ³ *Id.*
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- ⁵ "MTA Bus Company (MTABUS)," *Metropolitan Transit Authority*, last modified 2012, accessed August 14, 2014, http://www.ntdprogram.gov/ntdprogram/pubs/profiles/2012/agency_profiles/2188.pdf.
- ⁶ According to MTA, two (M15, M14) of Manhattan's 44 bus routes are among the ten busiest in the City. *Metropolitan Transit Authority*, accessed August 14, 2014, <http://web.mta.info/nyct/facts/ffbus.htm#routes>.
- ⁷ We use "Northern Manhattan" to describe the area of Manhattan Island that is north of 96th Street on the East side, the traditional border between "Spanish Harlem" and the Upper East side, and 110th on the West side, the traditional border between "West" and "Central Harlem" and the Upper West side.
- ⁸ For example, the 100th Street Depot services the M86, a route that provides connection between West End Avenue on the west side of Manhattan and York Avenue on the East side. Similarly, Manhattanville Depot services the M60, which provides airport service to LaGuardia Airport in Queens. Finally, with the exception of the M100, Kingsbridge Depot services exclusively Bronx routes.
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- ²¹ Criteria pollutants are those that are specifically named in the federal Clean Air Act, which authorizes EPA regulate these pollutants by seeing National Ambient Air Quality Standards ("NAAQS") that individual states must meet or face strict EPA prescriptions that could encroach upon their sovereignty in a variety of areas – most importantly commerce.
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- ⁴⁸ The A. Phillip Randolph Senior Center provides social opportunities, recreational and educational activities, and serves low-cost meals to seniors.
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Appendix

Build the Cleanest and Greenest Depot Possible

As a result of their year-long education process and interaction with MTA technical staff members, the Mother Clara Hale Community Task Force was able to identify specific environmental measures they wanted implemented at the new depot.

Install Best Available Technologies on all Emission Sources – NYCT must install, after any necessary review and evaluation of available technologies, air pollution control equipment at the Northern Manhattan depots in order to ensure that they have cost-effective, Best Available Technology equipment in good operating order. Such emission control equipment should ensure that pollution arising from the operation or maintenance of all emission sources in a given depot, including but not limited to boilers, generators (and emergency generators), and individual buses, will be contained and filtered before becoming released to ambient air.

Prioritize Assignment of Hybrid Electric Buses to Mother Clara Hale Depot (“MCH”) – NYCT must purchase only hybrid-electric (or better emission-reducing technology) buses in future acquisitions and prioritize the assignment of these vehicles to Mother Clara Hale Depot. All such hybrid-electric buses will operate with ultra-low sulfur diesel fuel and will be equipped with Best Available Technology diesel particulate filters, which will be regularly maintained to insure their maximum effectiveness.

Provide Sufficient Indoor Parking to House Entire Bus Fleet – NYCT must construct the MCH Depot with sufficient space for all its bus maintenance and storage needs, including accounting for any foreseeable overflow needs from construction projects at other MTA depots, so that bus parking will not impinge on available community parking spaces.

Depot Lighting – NYCT must construct and design the MCH Depot so that its lighting regime, either indoors or outdoors, will not be too bright or disruptive to local residents and community users such as senior centers, health facilities, and schools.

Leadership in Energy and Environmental Design (LEED) – NYCT must construct the MCH Depot so as to achieve LEED Silver designation and prioritize such factors as air pollution control, local material use, use of recycled building materials, and recycling and/or on-site reuse of demolition material.

Green Roof – NYCT must incorporate a “green roof” (in accordance with standards set by the United States Green Building Council) as part of its design of the MCH Depot in order to minimize the depot’s impact on local urban heat island effect. We recognize that while there are numerous methods of combating the urban heat island effect, such as reflective “white roofs”, given the proximity of the MCH depot to residential buildings that rise well above the depot’s floor plan, such a roof design would cause visual disruption such as glare that could interfere with the residents’ use of their homes.

Landscaping and Green Spaces – NYCT must design and construct the MCH Depot so that it provides landscaping (such as planting of trees, shrubberies, and other greeneries) around the depot. Such green space “amenities,” along with appropriate emission controls, would encourage, rather than discourage as the current depot design now does, more physical activity by local community members and help combat the cycle of sedentary habits and obesity/diabetes that plagues local residents.

Ensure Best Practice on All Depot-Related Construction Activities

Task Force members were also concerned about MTA’s environmental impacts during the construction phase of the rebuilding.

Rodent Control and Pesticide Use – NYCT must develop a plan to control rodents and other pests that will disperse to the local neighborhoods as a result of the demolition and construction activity around the MCH Depot. Such a plan will incorporate the following key elements:

The Rodent Control Plan will prioritize Integrative Pest Management (“IPM”) techniques and NYCT will contract with an IPM professional to implement the plan

Ensure that rodent traps are clearly labeled (in English, Spanish, and with universal poison sign), caged or otherwise protected so that they are kept out of reach of children, any chemicals used will be in a formulation that would not be attractive to children, and placed appropriately around the perimeters of the depot as well as around residential buildings, daycare centers, senior centers, and other community facilities so that pest infiltration will be minimized in these areas.

Depot Design – NYCT must organize a community planning charrette to reach a consensus-derived plan for the design of the MCH Depot. We recognize that “technical” needs necessitate some parameters of the depot’s design; however, aspects that are not subject to such limitations should be opened to community input.

The Community Charrette would be held at a location that is open to all community members, at a time when residents can attend, and conducted in a way that allows participants to provide input into the new design of the MCH Depot.

The Community Planning Charrette should be conducted and design summary drawn up by an independent professional facilitator agreed upon by both the local residents and NYCT. The facilitator should have a background in design and planning.

The final plan will be presented to the broader community for ratification. NYCT will accept the final consensus-derived design and build the MCH Depot accordingly.

Demolition – NYCT will use best practice in all demolition activities associated with depot construction projects; these include

Take all necessary precautions to ensure hazardous materials that can be aerosolized such as asbestos will be contained at demolition site. This is a particular concern for older depots, such as Mother Clara Hale.

Take all necessary precautions to properly contain stored hazardous material such as industrial solvents and petroleum products so as to ensure the users of adjacent neighborhoods. The water delivery network near the MCH Depot has been known to be deteriorating. NYCT should pay special attention when removing hazardous materials and performing soil remediation to ensure that vapor intrusion into the water supply does not occur

NYCT will notify community members (through the Community Board, local homeowners associations, local tenant associations, and business operators) of the schedule for any abatement work involving asbestos and other hazardous materials that can be aerosolized, and any soil remediation work.

Take all necessary precautions to minimize noise and vibration pollution during the demolition period; this may include the construction of noise barriers and limiting construction hours to the period between 8 am and 5 pm.

NYCT must provide continuous noise monitoring at adjacent residential and community facilities. This is particularly important because some nearby residential buildings are home to populations of up to 65% senior citizens.

Take all necessary precautions to minimize air pollution, prioritizing the control of fugitive dust from hazardous material and particulate matter, at demolition sites. NYCT must provide continuous air monitoring at adjacent residential and community facilities. This is especially important given that East Harlem’s asthma rate is four times the national average.

NYCT must limit the truck traffic that services the MCH Depot project area. Trucks that are allowed service the demolition/construction site must use only ultra-low sulfur diesel (“ULSD”) and be outfitted with Best Available Technology particulate filters.

Depot Construction - NYCT must use Best Available Technology (“BAT”) non-road construction equipment and vehicles as well as BAT emission control devices on all depot rehabilitations, rebuilding, and other construction-related activities. NYCT will electrify construction as early as feasible and use ultra-low sulfur diesel on all construction equipment

NYCT must limit the truck traffic that services the construction site and require that all trucks that contract with NYCT to deliver or dispose of materials become outfitted with Best Available Technology particulate filters.

NYCT must make BEST efforts to incorporate community suggestions and address community concerns through every phase of construction.

NYCT must provide continuous air and noise monitoring at nearby residential and community facilities and make the data available to the public on a dedicated website.

Initiate a Depot Community Outreach and Information Program

Community Outreach and Communications – NYCT must expand and enhance its efforts to keep the surrounding community informed about the progress of the construction efforts and timetable for completion. Such information shall include the work being performed, the goals to be attained, and the environmental/public safety impacts that could arise from such activity.

Community Oversight Committee – NYCT will convene, through an election process held by local stakeholders, a Community Oversight Committee (“Committee”). The Committee will serve as a clearinghouse for information regarding the project. NYCT will keep the Committee abreast of its activity at the demolition/construction site so that the members can relay such information to their respective constituency.

Dedicated Complaint Line – NYCT will institute a toll-free telephone line that will be dedicated to receiving complaints and concerns from location community members about the demolition/construction site. NYCT will provide staff to man the complaint line and respond to calls within 24 hours.

Initiate a Depot Pollution Monitoring Program

Independent Third Party Monitor (“ITPM”) – NYCT must provide continuous air and noise monitoring near the demolition/construction site. The ITPM must be a professional capable and trained to use appropriate monitoring equipment in order to conduct the necessary monitoring activity.

Monitoring Reporting - Data from the noise and air monitoring must be made available on a dedicated website so that community residents may track NYCT’s compliance with legal limits and to notify the agency when it is out of compliance.

Implement and Enforce a Local Hire/Training Program

Minority- and Women-Owned Business Enterprise (MWBE) – NYCT must develop a plan that will prioritize the hiring of MWBE businesses and where possible prioritize local (e.g., Harlem and Northern Manhattan) MWBE providers in all aspects of demolition, site remediation, construction, and operation of the MCH Depot.

Initiate an Apprenticeship Program to Train Local Workers – NYCT must develop and implement an apprenticeship program to train workers from Harlem and Northern Manhattan in skilled trades that will be used in the demolition, site remediation, construction, and operation of the MCH Depot. These trades may include, but are not limited to, electrical, carpentry, vehicle mechanics, building commissioning and technical maintenance, and construction skills.

Prioritize Local Hiring – NYCT must prioritize hiring local (e.g., Harlem and Northern Manhattan) and minority workers for all work related to the demolition, site remediation, construction, and operation of the MCH Depot. Such policy should be written into service contracts between NYCT and its respective service providers.

The Cleanest, Greenest Depot Possible: Rebuilding Mother Clara Hale Depot

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