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#### **December 18, 2020**

Oversight: Community Composting in NYC

**RES. NO. 1510 :** By Council Members Reynoso and Van Bramer

**TITLE:** Resolution calling on the New York City Department of Sanitation and the Department of Parks and Recreation to continue to engage and collaborate with local communities to encourage and allow community composting to be carried out on parkland that is safe for residents

**I. Introduction**

On December 18, 2020 the Committee on Sanitation and Solid Waste Management, chaired by Council Member Antonio Reynoso, and the Committee on Parks and Recreation, chaired by Council Member Peter Koo (the “Committees”), will hold an oversight hearing entitled “Community Composting in NYC. The Committees expect to receive testimony from representatives of the New York City Department of Sanitation (“DSNY”), the New York City Department of Parks and Recreation (“DPR”), Zero Waste practitioners, environmental advocates and other interested members of the public.

**II. Background**

New York City is part of a growing movement by cities across the world with goals to achieve Zero Waste.[[1]](#footnote-1) In April 2015, Mayor Bill de Blasio released *OneNYC: The Plan for a Strong and Just City[[2]](#footnote-2)* (OneNYC).[[3]](#footnote-3) OneNYC included a commitment by the Administration to send zero waste to landfills by 2030.[[4]](#footnote-4) Zero Waste is an ambitious and important goal, requiring a focus on both increasing the amount of waste diverted from landfill (waste diversion) and decreasing the amount of waste generated from residents and businesses.

Currently, residents are required to source separate materials DSNY collects curbside, including metal, glass, plastic, paper, and corrugated cardboard. In March 2018, DSNY released the 2017 Waste Characterization Study (2017 Waste Study).[[5]](#footnote-5) According to the 2017 Waste Study, residential curbside collections totaled 3.1 million tons, with 2.5 million tons disposed of as refuse.[[6]](#footnote-6) This means that city households are recycling about 20% of their household garbage. To achieve Zero Waste, the City must not only advance existing work to ensure that all materials that have a path to diversion are properly separated from the refuse stream, but it must also create viable paths to diversion for materials that currently do not have any.

**III. Organics and Zero Waste**

The 2017 Waste Study shows that organic waste, which includes food scraps, food-soiled paper, and yard waste, is the biggest area of opportunity for the City to divert waste from landfill.[[7]](#footnote-7) According to the 2017 Waste Study, a considerable amount of waste was suitable for either organics or recycling collection, but was instead discarded as refuse by residential, school, and New York City Housing Authority (NYCHA) communities. For residential, 34% of refuse was suitable for organics collection;[[8]](#footnote-8) for schools, 51% of the waste was suitable for organics;[[9]](#footnote-9) for NYCHA, 32% was suitable for organics collection.[[10]](#footnote-10)

Organic waste sent to landfill decomposes and generates methane, a potent greenhouse gas which accounts for 10% of greenhouse gas emissions in the United States (U.S.), according to the U.S. Environmental Protection Agency.[[11]](#footnote-11) For New York City, developing solutions that prevent organic matter from being sent to landfill helps reduce the city’s climate footprint and achieve climate targets, including the Local Law 66 of 2014 requirement that the city reduce its greenhouse gas emissions by 80% by 2050 compared to 2005 levels (80x50).[[12]](#footnote-12)

Organic waste can be diverted from landfill by converting it into fuel or compost. For fuel, organic waste can be processed through anaerobic digestion and the methane released can be captured and used as fuel.[[13]](#footnote-13) New York City has used this process to capture methane gas from Fresh Kills Landfill in Staten Island.[[14]](#footnote-14) For compost, organic waste can be converted into nutrient-rich natural fertilizer and avoid becoming harmful greenhouse gas emissions.[[15]](#footnote-15) Historically, the vast majority of organic waste is sent to landfills or incinerators, while composting that occurred in New York City was conducted at the community level through non-profits and farmers’ markets, at neighborhood composting sites in locations like community gardens, and through the New York City Department of Parks and Recreation.[[16]](#footnote-16)

**IV. Residential Organics Pilot Implementation and Suspension**

In October 2013, the New York City Council passed Local Law 77 of 2013 (“LL77”), which required the DSNY Commissioner to establish a voluntary residential organic waste curbside collection pilot program and a school organic waste collection pilot program.[[17]](#footnote-17)

Through the residential organics collection program, DSNY collected food scraps, food-soiled paper, and yard waste from residents, which was then turned into compost or renewable energy.[[18]](#footnote-18) Those without access to curbside organics collection services were encouraged to go to or create drop-off locations in their communities. Despite the OneNYC commitment that the residential organics program would serve all New Yorkers by the end of 2018, this goal was not achieved. In May 2018, then-DSNY Commissioner Kathryn Garcia announced at a City Council Executive Budget Hearing that the City was temporarily halting the program’s expansion.[[19]](#footnote-19)

On March 12, 2020, Mayor de Blasio issued a state of emergency in response to the COVID-19 pandemic.[[20]](#footnote-20) Since then, some City resources were diverted to aid the relief efforts and FY2021 budget gaps, and priorities have shifted substantially. The residences serviced by the pilot curbside organics collection program had their collection temporarily halted on May 4, 2020, with no plans to resume service until at least June 30, 2022.[[21]](#footnote-21)

**V. Food Scrap Drop-off Sites**

Food scrap drop-off locations offer an opportunity for New Yorkers to stop their organic waste from going to a landfill. These locations accept fruit and vegetable scraps, non-greasy food scraps such as rice, pasta, bread, grains, and cereal, coffee grounds and filters, tea bags, egg shells, nuts, cut flowers and houseplants, soiled brown paper products, and potting soil.[[22]](#footnote-22) Meat, fish, bones, dairy, fat, oil, greasy food scraps, animal waste, charcoal, coconuts, insect-infested plants, plastics, twist ties, rubber bands, and receipts are not accepted at drop-off locations.[[23]](#footnote-23) In 2019, the program was able to divert over 3.2 million tons of organic material from the waste stream into beneficial reuses, a significant increase compared to previous years.[[24]](#footnote-24)

In March of 2020, due to COVID-19 related budgetary constraints, food scrap drop-offs across the city were temporarily suspended. As of December 2020, 18 food scrap drop-off locations have been reinstated, two in the Bronx, five in Brooklyn, ten in Manhattan, and one in Queens.[[25]](#footnote-25) Of the reinstated drop-off locations, 13 are operated by GrowNYC, one by GrowNYC and the Lower East Side Ecology Center (LESEC), two by LESEC, one by Earth Matters, and one by GrowNYC and the Queens Botanical Garden.[[26]](#footnote-26) The GrowNYC compost program, established in 2011, sought to make composting of residential organic waste more accessible to New Yorkers by operating residential food scrap drop off sites across the five boroughs, and partnering with local composting facilities to process the waste.[[27]](#footnote-27) Prior to its suspension in March of 2020, the program featured 68 locations where individuals could bring food waste for composting during specific hours of operation, with 13 locations in The Bronx, 13 in Brooklyn, 30 in Manhattan, ten in Queens, and two in Staten Island.[[28]](#footnote-28) Big Reuse, a community group dedicated to diverting still useful items from the waste stream, [[29]](#footnote-29) processes waste from eight sites across the Bronx, Brooklyn, and Manhattan, including the Carroll Gardens drop-off site. The Carroll Gardens drop-off site also sends waste to Earth Matter, another community composting group,[[30]](#footnote-30) for processing.[[31]](#footnote-31) Earth Matter accepts waste from an additional five sites in Brooklyn and Manhattan. LESEC processes waste from four Manhattan drop-off sites.[[32]](#footnote-32) Waste from the Jackson Heights Greenmarket, the only reinstated drop-off location in Queens, is processed by the Queens Botanical Garden.[[33]](#footnote-33)

**VI. Community Composting in City Parks**

Numerous community composting facilities are located within parks under DPR jurisdiction. A recent concern regarding community composting programs has been the status of various composting facilities located on park property under the jurisdiction of DPR. Two of these facilities are slated to no longer be situated at their current DPR licensed facilities for various issues relating to parks projects that are planned to occur at these facilities’ sites.

Big Reuse

Once of these facilities is currently operated by the non-profit organization, Big Reuse, under a license agreement with DPR and DSNY that allows it to compost food scraps at a facility located under the Ed Koch Queensboro Bridge, within the bounds of Queensbridge Park in Queens.[[34]](#footnote-34) Since it began operation, this program has composted over 7 million pounds of organic waste, including residential food waste and over 1.3 million pounds of leaves and woodchips from parks.[[35]](#footnote-35) However, the license agreement that allows Big Reuse to operate the facility at that location is set to expire on December 31, 2020 and DPR has indicated that it will not renew the agreement.”[[36]](#footnote-36)

According to DPR, Big Reuse was aware that when it entered into the current license agreement with the City to operate under the Queensboro Bridge, the agreement was a temporary measure and would expire on December 31, 2020 with no extension.[[37]](#footnote-37) DPR also provided that all parties understood at the time the agreement was signed in 2018 that Big Reuse would find a permanent site in an alternative location by the time the agreement expired.[[38]](#footnote-38) According to Big Reuse, no alternative site has been found yet for their program and they are uncertain of what will happen to their composting program if they are forced to leave the current site at the end of the year.[[39]](#footnote-39) It has been reported that once Big Reuse vacates the site, DPR plans to use the area as a parking lot and staging area for park maintenance vehicles and equipment that would otherwise be situated within the bounds of Queensbridge Park.[[40]](#footnote-40) DPR has stated that the site would be used for “crucial operational needs” that included parking DPR maintenance vehicles, and that this would “better serve parkgoers … by freeing up other spaces in the park for recreational purposes.”[[41]](#footnote-41) Apparently, for the areas within Queensbridge Park that currently house these vehicles and equipment, DPR plans to redesign those areas to improve “public access and recreational amenities,” once the vehicles and equipment are moved to the location under the Queensboro Bridge.[[42]](#footnote-42)

In addition to desiring the redesign of certain park elements within Queensbrige Park, DPR has stated that a somewhat recent court case has made its decision, as it relates to Big Reuse, necessary. In a 2013 case, the New York Supreme Court held that a 20-acre composting facility in Spring Creek Park, located in Brooklyn, constituted a violation of the Public Trust Doctrine,[[43]](#footnote-43) and thus required State legislative approval in order for it to continue its operations.[[44]](#footnote-44) In that case, *Raritan BayKeeper vs. City of New York,[[45]](#footnote-45)* DSNY and DPR entered into a Memorandum of Understanding to operate a section of the park as a solid waste management facility, fenced off from the public, with DPR authorizing DSNY to construct and operate the facility to generate compost to be used by DPR.[[46]](#footnote-46) The Court found that the City was using the facility Spring Creek Park, “as a central location to collect all types of organic waste from locations including and beyond Spring Creek Park” and could not continue to operate absent State Legislative approval.[[47]](#footnote-47) As a result of that case, DPR has said that it is not permissible to locate composting facilities for outside uses on parkland and that DPR can only permit the composting of material generated by parks and must use that composted material for the specific benefit of a park. [[48]](#footnote-48) It should be noted that this legal interpretation is one that some advocates do not share.[[49]](#footnote-49)

Lower East Side Ecology Center

The Lower East Side Ecology Center (LESEC) began providing free food waste drop-off programs and education programs on composting for City residents in 1990.[[50]](#footnote-50) Its community compost program began at a community garden at East 7th Street, between Avenue B and Avenue C before moving to the Union Square Greenmarket drop-off.[[51]](#footnote-51) In 2004, as the composting program expanded citywide, LESEC became a host site for DSNY’s Compost Project, providing workshops to the public and also adding additional commuter compost drop-off locations throughout the Lower East Side.[[52]](#footnote-52) These sites include the Union Square Greenmarket, the Tompkins Square Greenmarket, the East River Compost Yard, First Avenue between Houston and First Street, West 23rd Street and 8th Avenue, Clinton Street and Grand Street, East Broadway and Rutgers, Hudson Square, Christopher Park, Mathews-Palmer Park and Abrons Art Center.[[53]](#footnote-53)

Over 3,500 city residents deposit approximately eight tons of food scraps each week[[54]](#footnote-54) that are composted in East River Park that LESEC oversees, and then used to rebuild soil in community gardens, tree beds, in parks and also at certain schools.[[55]](#footnote-55) However, due to the recent budget cuts, LESEC has stopped collecting compost from residence and there have been lay-off of full-time staff.[[56]](#footnote-56) Furthermore, it was reported that the City planned to relocate the compost yard to Harlem, which will directly affect Lower East Side residents that use East River Park for composting.[[57]](#footnote-57) LESEC was told by DPR that its composting facility must be relocated off the current site by December 31st of this year due to construction relating to the East Side Coastal Resiliency Project that will soon occur in the park.[[58]](#footnote-58) Currently, the DPR has no plans to renew the license agreement for this composting site.[[59]](#footnote-59)

**VII. Conclusion**

 At this hearing, the Committees would like to understand from the Department of Sanitation and the Department of Parks and Recreation what the agencies’ plans are to ensure continued access to, and expansion of, community composting. The City has committed to challenging Zero Waste goals and part of that commitment is to ensure organics waste is properly disposed of and processed. Further, the Committees would like to hear from advocates to understand if the City could be better supporting community composting efforts.

Res. No. 1510

Resolution calling on the New York City Department of Sanitation and the Department of Parks and Recreation to continue to engage and collaborate with local communities to encourage and allow community composting to be carried out on parkland that is safe for residents

By Council Members Reynoso and Van Bramer

Whereas, Compost is organic material consisting of materials such as leaves, grass, food scraps and non-recyclable paper that can be added to soil to assist in the growth of vegetation, and is often used to beautify parks, gardens and also used for landfill developments; and

Whereas, The average New York City resident disposes of approximately 15 pounds of waste at home per week, which combined totals more than three million tons of residential waste altogether per year for the entire City, not including waste from commercial establishments; and

Whereas, Approximately 31 percent of what New Yorkers dispose of in the trash is food scraps, yard waste and soiled paper that cannot be recycled; and

Whereas, When these materials are sent to landfills to decompose, they release methane gas, a greenhouse gas that is highly more potent than carbon dioxide; and

Whereas, Instead of sending these materials to landfills, they can be composted and be used to benefit the environment and the City by enriching soil, retaining moisture and suppressing plant diseases and pests, reduce reliance on chemical fertilizers and reduce methane emissions from landfills; and

Whereas, Historically, the vast majority of composting that occurred in New York City was conducted at the community level, through the City’s green markets, at non-profits and at neighborhood composting sites in locations, such as community gardens and certain parks; and

Whereas, In prior years, the New York City Department of Sanitation (DSNY) and the Department of Parks and Recreation (DPR) entered into a Memorandum of Understanding that DSNY collect leaves and yard trimmings separately from solid waste so they can be recycled as mulch and compost at parklands under DPR where composting and mulching sites could be established; and

Whereas, The City created the NYC Compost Project in 1993, which provided education on composting, as well as fostered community level composting initiatives throughout the City; and

Whereas, In 2013, DSNY began offering curbside organic waste collection services to residents of Westerleigh, Staten Island in a pilot program to test the feasibility of collecting such waste from people’s homes; and

Whereas, This program was deemed a success and later expanded to over 100,000 households across the City; and

Whereas, On May 4, 2020, DSNY announced the suspension of the curbside composting program through June 30, 2021 due to budget cuts, however residents can make their own compost and are encouraged to do so; and

Whereas; The suspension includes the closures of food scrap drop-off sites due to social distancing mandates and budget cuts to GrowNYC’s zero waste programs and the NYC Compost Project; and

Whereas, In addition, DPR is expected to close composting facilities at certain sites and does not have plans to renew licenses with non-profit groups, such as Big Reuse, who operate the composting facility under the Queensboro Bridge, and the Lower East Side Ecology Center, which bases its composting facility in East River Park; and

Whereas, Big Reuse and the Lower East Side Ecology Center collect nearly two million pounds of food waste annually, which is used by community gardeners and city agencies; and

Whereas, Climate advocates have expressed concerns that these closures and budget cuts will have negative impacts on the City, including potential for more greenhouse gases affecting the environment, and also puts necessary environmental and social services at a low priority; and

Whereas, These composting closures on parkland, along with budget cuts and suspending the curbside composting program puts the City in jeopardy of losing nearly half of its composting capacity which will not benefit the City in reducing its greenhouse gases and potentially further delay the City’s goal of sending zero waste to landfills by 2030; now, therefore, be it

 Resolved, That the Council of the City of New York calls on the New York City Department of Sanitation and the Department of Parks and Recreation to continue to engage and collaborate with local communities to encourage and allow community composting to be carried out on parkland that is safe for residents.

PM

LS #16274

12/14/20

1. C40 Cities, “Advancing Towards Zero Waste Declaration,” *available at* <https://www.c40.org/other/zero-waste-declaration> (last visited Feb. 27, 2019). (Signatories: San Francisco, Auckland, Boston, Copenhagen, Dubai, London, Los Angeles, Melbourne, Milan, Montreal, New York City, Paris, Philadelphia, Portland, Rotterdam, Stockholm, Sydney, Tel Aviv, Tokyo, Toronto, Vancouver, Washington D.C, Catalonia, Navarra, Newburyport, San Jose, Santa Monica, Wales). [↑](#footnote-ref-1)
2. City of New York, Office of the Mayor, “One New York: The Plan for a Strong and Just City,” (2015), *available at* <http://www.nyc.gov/html/onenyc/downloads/pdf/publications/OneNYC.pdf>. [↑](#footnote-ref-2)
3. New York City Council, Local Law 17 of 2008, (enacted May 6, 2008), *available at* [https://nyc.legistar.com/LegislationDetail.aspx?ID=446181&GUID=D94C5227-81E3-44C5-8386-DBE4B23A6E79&Options=ID|Text|&Search=](https://nyc.legistar.com/LegislationDetail.aspx?ID=446181&GUID=D94C5227-81E3-44C5-8386-DBE4B23A6E79&Options=ID%7CText%7C&Search=) . This law required the Mayor to establish an office of sustainability and requires that such office create, and update every four years, a sustainability plan. The first such updated plan was released in 2011; OneNYC is an update to such plan. OneNYC is Mayor de Blasio’s update of the previous Administration’s PlaNYC, the overarching plan for meeting the City’s long-term sustainability challenges. *See also* City of New York, Office of the Mayor, “PlaNYC: A Greener, Greater New York,” (2007), *available at* <http://www.nyc.gov/html/planyc/downloads/pdf/publications/full_report_2007.pdf>; and City of New York, Office of the Mayor, “PlaNYC: A Greener, Greater New York,” (2011), *available at* <http://www.nyc.gov/html/planyc/downloads/pdf/publications/planyc_2011_planyc_full_report.pdf>. [↑](#footnote-ref-3)
4. City of New York, Office of the Mayor, “One New York: The Plan for a Strong and Just City,” pg. 176, (2015), *available at* [http://www.nyc.gov/html/onenyc/downloads/pdf/publications/OneNYC.pdf#page=178](http://www.nyc.gov/html/onenyc/downloads/pdf/publications/OneNYC.pdf%22%20%5Cl%20%22page%3D178). [↑](#footnote-ref-4)
5. New York City Department of Sanitation, "2017 NYC Residential, School, and NYCHA Waste Characterization Study," (March 2018) <http://dsny.wpengine.com/wp-content/uploads/2018/04/2017-Waste-Characterization-Study.pdf> The 2017 Waste Study is the fourth waste characterization study that DSNY has completed and fulfills the requirement under Local Law 40 of 2010. [↑](#footnote-ref-5)
6. City of New York, Department of Sanitation, “NYC Residential, School, and NYCHA Waste Characterization Study,” pg. 12, (2017), *available at* [https://dsny.cityofnewyork.us/wp-content/uploads/2018/04/2017-Waste-Characterization-Study.pdf](https://dsny.cityofnewyork.us/wp-content/uploads/2018/04/2017-Waste-Characteriz). [↑](#footnote-ref-6)
7. New York City Department of Sanitation, "2017 NYC Residential, School, and NYCHA Waste Characterization Study," (March 2018) <http://dsny.wpengine.com/wp-content/uploads/2018/04/2017-Waste-Characterization-Study.pdf>. [↑](#footnote-ref-7)
8. Id. at 11 [↑](#footnote-ref-8)
9. Id. at 40 [↑](#footnote-ref-9)
10. Id. at 47 [↑](#footnote-ref-10)
11. U.S. Environmental Protection Agency, “Overview of Greenhouse Gases” (2018) <https://www.epa.gov/ghgemissions/overview-greenhouse-gases> (*last accessed June 8, 2020)* [↑](#footnote-ref-11)
12. *See* New York City Mayor’s Office of Sustainability, "New York City’s Roadmap to 80 x 50" (2016), [https://www1.nyc.gov/assets/sustainability/downloads/pdf/publications/New%20York%20City's%20Roadmap%20to%2080%20x%2050\_Final.pdf](https://www1.nyc.gov/assets/sustainability/downloads/pdf/publications/New%20York%20City%27s%20Roadmap%20to%2080%20x%2050_Final.pdf) [↑](#footnote-ref-12)
13. One NYC at 178 <https://onenyc.cityofnewyork.us/wp-content/uploads/2018/04/OneNYC-1.pdf> [↑](#footnote-ref-13)
14. Freshkills Park Alliance, "Methane Generates Revenue At Freshkills Park" (May 24, 2012), <https://freshkillspark.org/blog/methane-generates-revenue-freshkills> [↑](#footnote-ref-14)
15. One NYC 2018 Update at 65 <https://onenyc.cityofnewyork.us/wp-content/uploads/2018/05/OneNYC_Progress_2018.pdf> [↑](#footnote-ref-15)
16. NYC Department of Parks and Recreation, "Compost/MulchFest" <https://www.nycgovparks.org/greening/sustainable-parks/compost-mulchfest> [↑](#footnote-ref-16)
17. New York City Local Law 77 of 2013, *available at* <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1450676&GUID=7743FA15-9A38-4854-8877-31C725522D90> [↑](#footnote-ref-17)
18. City of New York, "Organics Collection Frequently Asked Questions” <http://www.nyc.gov/html/mancb7/downloads/pdf/Organics_Collection-FAQs_citywide.pdf> [↑](#footnote-ref-18)
19. DSNY Commissioner Kathryn Garcia, Testimony at Hearing on the FY 2019 Executive Budget (May 17, 2018), *available in Hearing Testimony at* <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3490250&GUID=5D437490-C1D4-42AF-9DF0-F845A74EB167&Options=&Search>= [↑](#footnote-ref-19)
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21. City of New York, “Citywide Savings Program” <https://www1.nyc.gov/assets/omb/downloads/pdf/csp11-20.pdf> at 19 [↑](#footnote-ref-21)
22. Id. [↑](#footnote-ref-22)
23. Id. [↑](#footnote-ref-23)
24. Id. [↑](#footnote-ref-24)
25. Id. [↑](#footnote-ref-25)
26. Id. [↑](#footnote-ref-26)
27. GrowNYC. Compost Food Scraps. <https://www.grownyc.org/compost> (last accessed 12/14/20) [↑](#footnote-ref-27)
28. Id. [↑](#footnote-ref-28)
29. Big Reuse. <https://www.bigreuse.org/> (last accessed 12/16/20) [↑](#footnote-ref-29)
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31. Id at 22. [↑](#footnote-ref-31)
32. Id at 22. [↑](#footnote-ref-32)
33. Id. [↑](#footnote-ref-33)
34. *See* website, *“Save Our Queensboro Bridge Compost Site!”*https://www.bigreuse.org/blogs/news/save-our-compost-site-at-queensboro-bridge/ [↑](#footnote-ref-34)
35. *Id.* [↑](#footnote-ref-35)
36. *Id.* [↑](#footnote-ref-36)
37. Stephen Lee, *“Food Waste Site Shutdowns in New York Risk Higher Methane Levels,”* Bloomberg Law, November, 27, 2020, <https://news.bloomberglaw.com/environment-and-energy/food-waste-site-shutdowns-in-new-york-risk-higher-methane-levels>. [↑](#footnote-ref-37)
38. *Id.* [↑](#footnote-ref-38)
39. *Id.* [↑](#footnote-ref-39)
40. Danielle Muoio, *“After brutal budget cuts, compost sites face eviction by Parks Department,”* Politico, August 23, 2020, <https://www.politico.com/states/new-york/albany/story/2020/08/23/after-brutal-budget-cuts-compost-sites-face-eviction-by-parks-department-1311353>. [↑](#footnote-ref-40)
41. Gersh Kuntsman, *“Parks Department Closes Environmental Facility to Create a Parking Lot,”* Streets Blog NYC, November 19, 2020, <https://nyc.streetsblog.org/2020/11/19/parks-department-closes-environmental-facility-to-create-a-parking-lot/>. [↑](#footnote-ref-41)
42. *Id.* [↑](#footnote-ref-42)
43. Under the Public Trust Doctrine, parks or sections of parks cannot be “alienated” or used for an extended period for non-park purposes without approval from the State legislature and then the City itself; *See* Brooklyn Park Comm’rs v. Armstrong, 45 N.Y. 234 (1871). [↑](#footnote-ref-43)
44. *See* suprat [↑](#footnote-ref-44)
45. 42 Misc.3d 1208(A) (2013). [↑](#footnote-ref-45)
46. *Id.* [↑](#footnote-ref-46)
47. *Id.* [↑](#footnote-ref-47)
48. Jarrett Murphy, *“Pandemic Slows Down Efforts to Reduce NYC’s Greenhouse Gas Emissions,”* City Limits, December 8, 2020 <https://citylimits.org/2020/12/08/pandemic-slows-down-efforts-to-reduce-nycs-greenhouse-gas-emissions/>. [↑](#footnote-ref-48)
49. *Id.* [↑](#footnote-ref-49)
50. See, LESEC Website, Community Compost Program, available at: <https://www.lesecologycenter.org/programs/compost/> [↑](#footnote-ref-50)
51. Id. [↑](#footnote-ref-51)
52. Id. [↑](#footnote-ref-52)
53. Id. [↑](#footnote-ref-53)
54. Danielle Muoio, Council, Residents Look to Salvage Organics Recycling Amid Budget Cuts, PoliticoNewYork, April 4, 2020, available at: <https://www.politico.com/states/new-york/city-hall/story/2020/05/03/council-residents-look-to-salvage-organics-recycling-amid-budget-cuts-1281759> [↑](#footnote-ref-54)
55. See, LESEC Website, Community Compost Program, available at: <https://www.lesecologycenter.org/programs/compost/> [↑](#footnote-ref-55)
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57. East River Park Action, Destruction of the LES Ecology Center’s Compost Yard Is Folly, January 14, 2020, available at: <https://www.boweryboogie.com/2020/01/destruction-of-the-les-ecology-centers-compost-yard-is-folly-op-ed/> [↑](#footnote-ref-57)
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59. See, LESEC Website, Save Our Community Compost Program, available at: <https://www.lesecologycenter.org/testify-with-city-council-for-composting-join-our-press-conference/> [↑](#footnote-ref-59)