NYLPI Input in Support of Big Reuse and Community Composting at Queensbridge Park
NYC Parks Queensbridge Baby Park Visioning Session and Community Input
February 26, 2021

To Whom It May Concern:

New York Lawyers for the Public Interest (NYLPI) writes to urge the Department of Parks and Recreation to ensure that community composting has a home in the planned redevelopment of Queensbridge Park.

NYLPI is a community-driven, multidisciplinary civil rights organization that strives to build community power through organizing, policy advocacy, and litigation. NYLPI’s Environmental Justice program works to challenge environmental racism and ensure that the City carries out its sustainability policies with an eye towards racial justice, and that environmental burdens and benefits are distributed equitably throughout the City.

We write to condemn DPR’s decision to evict beloved community compost operator, Big Reuse, to make room for a gated, departmental parking lot in Queensbridge Baby Park. We urge DPR to reevaluate this plan, and any related department policies, to ensure that community composters can operate with dignity and stability on this site and throughout the City’s park system.

**Composting & Climate**

Community composting is an essential part of New York’s strategy to address climate change. According to DSNY, the City sends more than 3.2 million tons of waste to landfill and incineration each year. At least 1 million of that is organic waste that could be diverted to composting.

In landfills, decomposing organic waste releases significant levels of methane, a greenhouse gas that is roughly 30 times more potent than carbon dioxide. At incineration facilities, organic waste is burned, releasing toxins that pollute nearby air and water. In either case, this waste moves through a system of truck routes and transfer stations that spew pollution in historically overburdened communities of color. For these reasons, composting has repeatedly been highlighted in the City’s climate and emissions targets, including the Mayor’s “Zero Waste” goal\(^1\) and the updated OneNYC 2050 framework.\(^2\) These policy commitments led to an expansion of multiple composting initiatives, including the City’s curbside organics collection,

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\(^1\) See “Vision 3: Our Sustainable City,” *One New York: The Plan for a Strong and Just City* (2015), Mayor’s Office of Sustainability. ("We will We are committing to a goal of Zero Waste to landfills by 2030. We will keep organics out of the landfill, which will also cut greenhouse gas emissions.")

food scrap drop-off, and NYC Compost projects. Communities across New York have lauded these projects on both environmental and equity grounds. As recently as March 2020, City Council was contemplating a transition to mandatory composting across the city as part of its “Securing our Future” plan.3

Unfortunately, recent budget cuts have derailed the City’s composting goals. In May 2020, the City suspended its collection of curbside organics collection until at least June of 2022. The Department of Sanitation’s composting budget was cut by $24.5 million, to less than $3 million. In the wake of these cuts, community-based operations like Big Reuse have stepped up to meet the City’s needs. This handful of organizations, which are primarily staffed by volunteers, are providing composting on behalf of the entire City.

As the OneNYC report reminds us, our window for fighting climate change grows smaller every day. Composting will be critical in helping New York achieve its ambitious emissions reduction goals. As the steward of more than 30,000 acres of public land, DPR is a vital partner in the City’s sustainability plan. DPR permit small parcels of this land to be designated for public use to compost food scraps and yard waste.

**Dubious Legal Concerns**

In response to community outrage about the eviction of Big Reuse, DPR has explained that it does not believe that composting is an “appropriate park use” under New York law. NYLPI believes this is flawed legal reasoning that misapplies case law related to an industrial-sized composting facility that was previously located at Spring Creek Park. In that case, a court ruled that the twenty-acre sewage processing facility could not operate on parkland without legislative approval.4 Considering several factors, the court ruled that the Spring Creek facility, which was run by a private, for-profit company and was not accessible to members of the public, amounted to “alienation” of parkland for purposes not “consistent with public use and enjoyment.”5 The same factors simply are not present with the small community organizations composting on parkland today.

Big Reuse’s compost project uses less than one acre and accepts less than 4% of the waste volume that Spring Creek did. By hosting students and volunteers, Big Reuse also serves a public, educational function that Spring Creek did not. Moreover, DPR has hosted community-scale composting on parkland for decades without legal challenge. This history belies the fragility of its new legal argument.

Under DPR’s reasoning, composting does not belong on parkland because it must be repurposed for community needs. This zero-sum logic pits two critical community needs against one another. NYLPI emphatically believes that there is room for both recreation and community composting to thrive.

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3 *Securing Our Future: Strategies for New York City in the Fight Against Climate Change* (March 2020), New York City Council. (“The City Council will consider legislation providing all New York City residents with access to organics recycling. As the expansion is rolled out, the source separation of organic waste should become mandatory.”)


5 Id.
Finally, if DPR is genuinely focused on preserving public use and enjoyment of Queensbridge Park, its current plan does not align. According to DPR’s most recent design, the half-acre space currently occupied by Big Reuse will be repurposed for “operations.” This plan will effectively transform a community treasure into a parking lot.

**Community Benefits**

Finally, in addition to the obvious climatological benefits, Big Reuse contributes to the Queensbridge neighborhood in other ways. Big Reuse contributes to local soil health by distributing finished compost to parks, gardens, and street trees. With the suspension of curbside composting in 2020, Big Reuse is currently one of the only sites in the City that is currently processing residents’ food and yard waste.

Most importantly, Big Reuse provides community members with important knowledge and experiences. Each year, more than 1000 volunteers visit the site to learn about composting and sustainability. Through its relationships with local high schools, urban farmers, and grassroots sustainability groups, Big Reuse is helping to prepare Queens residents for the green jobs of the future. Big Reuse is, very literally, training the next generation of climate advocates in Queens.

Community composting aligns fully with DPR’s stated mission to “plan resilient and sustainable parks” and build a system “for present and future generations.” Big Reuse is a model partner in pursuit of these goals.

Sincerely,

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