

# **MEMORANDUM OF AGREEMENT**

## **Establishing the Bronx River Watershed Coalition**

This AGREEMENT, dated January 2006, is between local governments whose boundaries are wholly or partially within the Bronx River watershed (which includes tributaries such as Grassy Sprain Brook and Kensico Reservoir) and other cooperating parties with an interest in improving water quality and the ecosystems of the Bronx River watershed.

WHEREAS, maintaining and enhancing water quality and ecological health in and along the Bronx River and its tributaries, which are part of the Long Island Sound drainage basin, is essential to the economic well-being, environmental and public health, recreational opportunities, and quality of life for the local governments, residents, and visitors of the Bronx River and Long Island Sound watersheds;

WHEREAS, numerous cooperating parties, including local, state and federal governments and not-for-profit organizations, whose jurisdictions and interests pertain to the Bronx River watershed, share a common goal to protect the water quality and ecological health of the watershed, which is affected by the actions and decisions of these parties;

WHEREAS, certain segments of the Bronx River and its tributaries remain impaired due to polluted stormwater runoff from developed areas of the watershed, other forms of pollution, and diminished and/or degraded habitat and natural resources;

WHEREAS, the cooperating parties wish to develop effective, watershed-wide solutions through the establishment of an appropriate institutional mechanism to be known as the Bronx River Watershed Coalition;

WHEREAS, fourteen Westchester County municipalities, three not-for-profit organizations concerned about the Bronx River, and the County of Westchester agreed to work cooperatively on a plan to improve water quality in the Bronx River and its tributaries by controlling polluted stormwater throughout the river's Westchester County watershed;

WHEREAS, this group of stakeholders had formed an intermunicipal organization known as Watershed Advisory Committee 7 (WAC 7), which has been assessing natural resources in the watershed in Westchester County, reviewing municipal laws affecting water quality in the watershed, and conducting other analyses to further the development of the water quality improvement plan in accordance with the committee's mutually acceptable scope of work since September 2003;

WHEREAS, the New York City Parks and Recreation Department, Bronx River Alliance and Westchester County Department of Planning worked cooperatively to apply for a New York State Environmental Protection Fund grant to implement certain tasks noted in WAC 7's scope of work and further the development of a water quality improvement plan that covers the Bronx River watershed in its entirety;

WHEREAS, the parties hereto are desirous of continuing to work together on a cooperative basis in order to maintain communication among the parties, establish a forum to address Bronx River watershed issues, enhance intermunicipal and public-private efforts to manage water quality and habitat issues in the Bronx River watershed, and begin to measure the success of water quality, habitat, and ecological health improvement actions affecting the Bronx River and its tributaries;

**NOW, THEREFORE**, we, the duly appointed representatives of our respective municipalities and agencies, hereby voluntarily enter into this non-binding **MEMORANDUM OF AGREEMENT ESTABLISHING THE BRONX RIVER WATERSHED COALITION (AGREEMENT)** to participate in a partnership called the Bronx River Watershed Coalition (replacing Watershed Advisory Committee 7) and commit to work cooperatively on the following:

THAT the Bronx River Watershed Coalition shall be comprised of a minimum of one and maximum of two designated representative(s) of each signatory party and administered by the Westchester County Department of Planning, New York City Department of Parks and Recreation, and/or Bronx River Alliance;

THAT each party may, at its discretion and from time to time, change its representative to the Bronx River Watershed Coalition;

THAT the Bronx River Watershed Coalition will:

1. Advance actions that would create and implement a water quality and ecosystem improvement plan for the Bronx River watershed to be entitled "Bronx River Watershed Management Plan";
2. Periodically review and update and/or establish priority actions recommended in the plan for improving water quality and ecological conditions in the watershed;
3. Identify funding priorities for consideration by members interested in applying for grants or seeking any other financial assistance that would improve water quality and ecological conditions in the watershed;
4. Periodically review actions undertaken to improve water quality and ecological conditions in the watershed;
5. Facilitate coordination of efforts, sharing of information, and increased education among members of the Bronx River Watershed Coalition;
6. Approve annual work plans, as needed, for the Bronx River Watershed Coalition;
7. Convene annual forums for the purpose of reviewing past accomplishments and discussing actions needed to further improve water quality and ecological conditions in the watershed;
8. Establish subcommittees, as needed;
9. Develop guidelines and procedures for the conduct of its business, as needed.

THE parties signing this AGREEMENT represent that they have been duly authorized to enter into this AGREEMENT, pursuant to their respective authorities.

George J. Calvi  
Village Manager, Village of Ardsley

[Signature]  
Mayor, City of Mount Vernon

Mary Yarrow  
Mayor, Village of Bronxville

John A. [Signature]  
Supervisor, Town of North Castle

**APPROVED**  
**TOWN ATTORNEY**  
[Signature]  
Supervisor, Town of Eastchester  
Anthony S. Colavita

[Signature]  
Mayor, Village of Scarsdale

[Signature]  
Mayor, Village of Elmsford

[Signature]  
Mayor, Village of Tuckahoe

[Signature]  
Supervisor, Town of Greenburgh

[Signature]  
Mayor, City of Yonkers

[Signature]  
Supervisor, Town/Village of Harrison

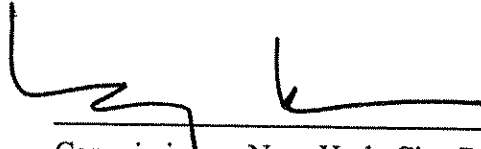
[Signature]  
Executive Director, Bronx River Alliance

[Signature]  
Supervisor, Town of Mount Pleasant

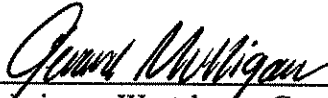
[Signature]  
Executive Director, Bronx River Conservancy



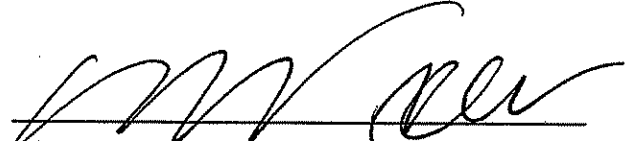
Chair, Kensico Environmental Enhancement Program



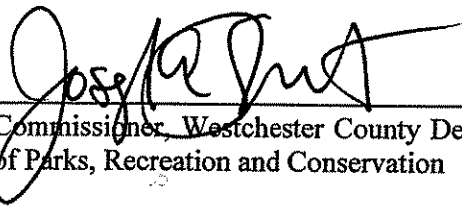
Commissioner, New York City Department of Environmental Protection



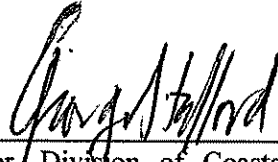
Commissioner, Westchester County Department of Planning



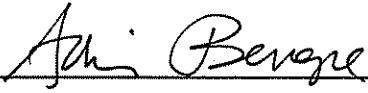
Director, Division of Water, New York State Department of Environmental Conservation



Commissioner, Westchester County Department of Parks, Recreation and Conservation



Director, Division of Coastal Resources and Waterfront Revitalization, New York State Department of State



Commissioner, New York City Department of Parks and Recreation

**MEMORANDUM OF AGREEMENT**  
**Establishing the Bronx River Watershed Coalition**

This AGREEMENT, dated December 5, 2005 is between local governments whose boundaries are wholly or partially within the Bronx River watershed (which includes tributaries such as Grassy Sprain Brook and Kensico Reservoir) and other cooperating parties with an interest in improving water quality and the ecosystems of the Bronx River watershed;

WHEREAS, maintaining and enhancing water quality and ecological health in and along the Bronx River and its tributaries, which are part of the Long Island Sound drainage basin, is essential to the economic well-being, environmental and public health, recreational opportunities, and quality of life for the local governments, residents, and visitors of the Bronx River and Long Island Sound watersheds;

WHEREAS, numerous parties, including local, state and federal governments and not-for-profit organizations, whose jurisdictions and interests pertain to the Bronx River watershed, share a common goal to protect the water quality and ecological health of the watershed, which is affected by the actions and decisions of these parties;

WHEREAS, among the parties sharing a common goal to protect the water quality and ecological health of the watershed are fourteen Westchester County municipalities, three not-for-profit organizations concerned about the Bronx River, and the County of Westchester who have individually agreed to work on a voluntary and cooperative basis to develop a plan to improve water quality in the Bronx River and its tributaries by controlling polluted stormwater throughout the river's Westchester County watershed (the "Stakeholders");

WHEREAS, the Stakeholders had previously formed a voluntary intermunicipal working group known as Watershed Advisory Committee 7 ("WAC 7"), which has been assessing natural resources in the Bronx River watershed in Westchester County, reviewing municipal laws affecting water quality in the Bronx River watershed, and conducting other analyses to further the development of the water quality improvement plan in accordance with the WAC-7 mutually agreed upon scope of work since September 2003;

WHEREAS, certain segments of the Bronx River and its tributaries remain impaired due to polluted stormwater runoff from developed areas of the watershed, other forms of pollution, and diminished and/or degraded habitat and natural resources;

WHEREAS, the Stakeholders wish to develop effective, watershed-wide solutions through the establishment of an appropriate multi-party mechanism to be known as the Bronx River Watershed Coalition;

WHEREAS, the New York City Parks and Recreation Department, Bronx River Alliance and Westchester County Department of Planning worked cooperatively to apply for a New York State Environmental Protection Fund grant to implement certain tasks noted in the scope of work developed by WAC-7 to further the development of a water quality improvement plan that covers the Bronx River watershed in its entirety;

WHEREAS, the Stakeholders who are parties to this Memorandum of Agreement are desirous of continuing to work together on a voluntary and cooperative basis in order to maintain communication among the Stakeholders establish a forum to address Bronx River watershed issues, enhance and direct resources to

municipal, intermunicipal and public-private efforts to manage water quality and habitat issues in the Bronx River watershed, and begin to develop the ability to measure the success of, and report to the constituent Stakeholder members on water quality, habitat, and ecological health improvement actions affecting the Bronx River and its tributaries;

**NOW, THEREFORE**, we, the duly appointed representatives of the Stakeholders, hereby voluntarily enter into this non-binding **MEMORANDUM OF AGREEMENT ESTABLISHING THE BRONX RIVER WATERSHED COALITION (AGREEMENT)** to participate in a partnership called the Bronx River Watershed Coalition (replacing Watershed Advisory Committee 7); and mutually agree:

**THAT** the Bronx River Watershed Coalition shall be comprised of a minimum of one and maximum of two designated representative(s) of each signatory Stakeholder and shall receive staff support from by the *Westchester County Department of Planning, New York City Department of Parks and Recreation, and/or Bronx River Alliance*; and further mutually agree

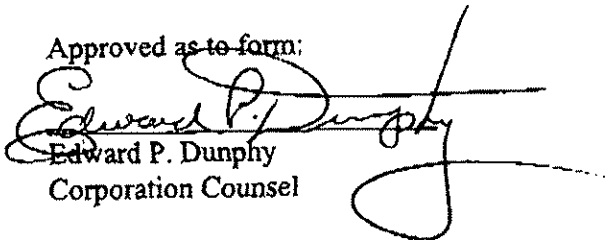
**THAT** each signatory Stakeholder may, at its sole discretion and from time to time, change its representative to the Bronx River Watershed Coalition; and further mutually agree

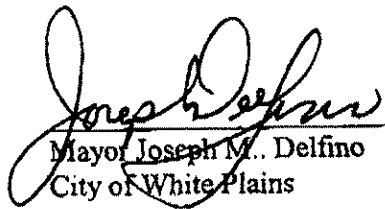
**THAT** the Bronx River Watershed Coalition will commit to work cooperatively on the following:

1. Advance actions that would create and implement a water quality and ecosystems improvement plan for the Bronx River watershed to be entitled "Bronx River Watershed Management Plan";
2. Periodically review and update and/or establish priority actions recommended in the plan for improving water quality and ecosystems in the watershed;
3. Identify funding priorities for consideration by members interested in applying for grants or seeking any other financial assistance that would improve water quality and ecosystems in the watershed;
4. Periodically review actions undertaken to improve water quality and ecosystems in the watershed;
5. Facilitate coordination of efforts, sharing of information, and increased education among members of the Bronx River Watershed Coalition;
6. Approve annual work plans, as needed, for the Bronx River Watershed Coalition;
7. Convene annual forums for the purpose of reviewing past accomplishments and discussing actions needed to further improve water quality and ecosystems in the watershed;
8. Establish subcommittees, as needed;
9. Develop guidelines and procedures for the conduct of its business, as needed.

THE signatories to this AGREEMENT represent that they have been duly authorized to enter into this AGREEMENT, pursuant to their respective authorities.

Approved as to form:

  
Edward P. Dunphy  
Corporation Counsel

  
Mayor Joseph M. Delfino  
City of White Plains