

Tess Rempel

Covering Climate: Connecting the Dots – Local Article

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As People Find Homes in Morningside Heights, Birds Pay the Price

The moment that a black-crowned night heron flew across the Bronx River, Marcus Caceres fell in love with birdwatching. Once one of the most populated bird species in New York City, the black-crowned night heron is now becoming hard to find.

“This bird, when I was a child – when I was 16 years old – flourished, and I would see at least 10 or 20 in a day,” Marcus Caceres, Birding Club Leader at the Riverside Park Conservancy, said. “Now I don’t even see one when I go back to that river. And that’s been consistent all throughout the city.”

According to survey data collected over 40 years, the New York City Bird Alliance cites pollution as a potential cause of this decline. If the trend continues at the same rate that it has since 2000, the species is projected to be extinct by 2035.

“It has a lot to do with pollution of the salt marshes, pollution of the water. With not many fish being in the water, it’s been a struggle for them to kind of feed their young,” Caceres said.

Local Law 15, passed in 2020, acknowledged the impact that pollution continues to have on bird species – particularly light pollution, for species that migrate at night. Despite mandating that *new* constructions of buildings over 75 feet tall must use bird-friendly glass, buildings constructed *prior* to the passing of this law do not have to comply.

“One of the big issues for the museum here is that, during migration, a lot of birds crash into our planetarium. And so that mortality there is pretty high,” Dr. Joel Cracraft, ornithologist at the American Museum of Natural History, said. “While [Ellen] Futter was president [of the museum], guards would go out in the early morning and pick up dead birds.”

Due to the absence of a mandate to install bird-friendly glass for pre-existing buildings, birds’ bodies atop sidewalks remains a common sight for New Yorkers.

“Last year, I found a golden-crowned kinglet that got hit by a window and snapped its neck,” Caceres said.

Beyond the limited scope of Local Law 15, NYC Construction Codes fail to acknowledge indirect impacts of construction – such as noise, debris and dust – on bird species. These disturbances can impact birds’ migration, breeding, egg production and ultimate population decline.

“They [developers in New York City] have said ‘All right, we’re not gonna kill any birds by accident’, but, you know, maybe they’re gonna disturb some birds throughout the year. These regulations don’t oftentimes really show strict scrutiny on those levels,” José

Ramírez-Garofalo, President of Protectors of Pine Oak Woods and ecologist, said. “They [New York City] approve a lot of these projects regardless.”

Despite weak legislation centered around construction codes and bird conservation efforts, the construction of housing units grew by 40% between 2020 and 2023 in New York City. In the Upper West Side of Manhattan, Morningside Heights is no exception to this statistic.

“The Vandewater” condominium complex began development in 2016 on behalf of the Jewish Theological Seminary. This construction project was the first to kickstart residents’ concerns, alongside the Morningside Heights Community Coalition (MHCC), about the environmental impact of real estate development in town.

“We documented trucks idling and spewing diesel fumes, you saw asbestos not being properly taken care of,” Robert Stern, MHCC Board Member, said. “They kept dumping the spinoff from the cement and the building right down the sewers, which is an EPA violation.”



Images anonymously submitted and captured November 4, 2019. Facebook Caption: “We can only wonder what if the city inspectors actually arrived the same day that we report such issues. What would the DOB and the EPA do if they actually witnessed what we captured in the picture below. Why can this photo document serve as evidence of a violation? IF we can have speed cameras, why can't we have Health and Safety cameras set up at construction sites? Trucks idling for over 15 min are violations and would be "noticed" on such video....”



Images anonymously submitted and captured on April 16, 2018 (left) and April 26, 2018 (right).

From his terrace in Morningside Gardens, resident Kyle Haver – alongside other residents – kept record of these concerns for over three years. Haver created the Facebook page “MHCC Safety Committee”, now followed by 54 people, to “ensure environmental safety by sharing information”.

These observations evolved into a private report “Construction Site Dangers: Holding Developers Accountable”, which was distributed to local politicians, city agencies, the construction company, and The Jewish Theological Seminary alike.

“We got our politicians involved, and almost nothing happened. There was almost no response. We had meetings with JTS. We had meetings with the construction company,” Stern said. “They acquiesced occasionally by, I guess, saying they were going to monitor the situation better. They were going to investigate the idling trucks, things like that. But by and large, they did not.”



Images anonymously submitted and captured September 18, 2019.

Facebook Caption: “No matter how many times we “catch” idling trucks and air-bourne particles entering our environment (and our lungs) on-site contruction supervisors are not “around” to stop this. Once again, we need to hold developers and owners accountable to our Community.”

Previous and ongoing construction projects in Morningside Heights are adjacent to Riverside Park, which serves as a ‘stopover habitat’ within the broader migratory route known as the “Atlantic Flyway”. An estimated 15 to 25 million birds migrate through the green spaces of New York each year, in addition to the resident bird species that remain in the area year-round.

Although the Riverside Park Conservancy advocates for bird conservation with landscape architects and developers, a protocol does not yet exist for them to account for and mitigate indirect impacts on these species. Madison Realty Capital and Charney Companies declined to comment on their protections for birds in the town.

“It is tough having that conversation with landscape architects or like, with planners or city developers, because they have a plan in mind. They don’t want to hear somebody kind of giving them another problem,” Caceres said. “There’s nothing stopping them, besides them.”

In its ongoing attempt to make these housing developments more affordable for potential residents, MHCC recently submitted an urban rezoning plan for Morningside Heights to the City Planning Commission. Although this proposal will include an environmental impact assessment to avoid EPA violations within future construction projects, the assessment does not consider impacts on urban wildlife. Manhattan Community Board 9 declined to comment on this document, nor specific protections regarding real estate development and bird conservation in the town.

“We absolutely need to build more housing, but how we build around green spaces will matter enormously,” Ramírez-Garofalo said.

The adverse environmental impacts on residents and birds of Morningside Heights is a growing concern as climate change impacts become more pronounced. Beyond construction projects being fossil fuel dependent activities, previous EPA violations in Morningside Heights – including the frequent idling of diesel and the carbon intensity of concrete production & waste – may be compounding the climate stressors that birds are already exposed to.

“The role of green spaces in New York City is going to be more important than they are now as we start to lose habitat. Climate change is reducing the amount of available habitat, especially on the shoreline,” Ramírez-Garofalo said. “The amount of green space remaining is going to be extremely important, how we protect them, and how we can build around them.”

According to the 2025 State of the Birds Report, more than one-third of U.S. bird species are of high or moderate conservation concern. One hundred and twelve species have lost over 50 percent of their populations in the last 50 years.

“There’s lots of effort over the last decade trying to show just what effect climate change is having on migratory patterns and on mortality,” Dr. Cracraft said. “All the evidence is in. We are taking out slowly, surely, the biodiversity of the world.”

Contacts

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*Facebook Page: <https://www.facebook.com/MHCCSafetyCommittee>

Additional Declines to Comment

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Resources

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