

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON WATERFRONTS

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November 25, 2008

Start: 1:04pm

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HELD AT: Council Chambers  
City Hall

B E F O R E:  
MICHAEL C. NELSON  
Chairperson

COUNCIL MEMBERS:  
Gale Brewer  
Anthony Como  
Melissa Mark-Viverito

## A P P E A R A N C E S

Andrew Gen  
Vice President for Port and Rail Development  
New York City Economic Development Corporation

Marta Bede  
New York City Economic Development Corporation

Roland Lewis  
Metropolitan Waterfront Alliance

Sam Yallahan  
SUNI Maritime College

Edward Kelly  
Maritime Association of the Port

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[sound check]

COUNCILMEMBER BREWER: Sergeant at arms is ready to start. Good morning, good afternoon, I'm Gale Brewer, I'm a member of the Waterfront committee. Chair Michael Nelson is not able to be here today, he's something, he's not, thank goodness, incredibly ill, but could not get here today. I always, when you say, you know, I always get worried in today's world. But he's doing fine, and he'll be back soon. Anyway, I'm here with Counsel to the Committee Jeffrey Baker, and Colleen Pasture, who is the Policy Analyst. And we're going to talk today about intro number 867. We're talking about this intro, 867, it concerns the Waterfront Management Advisory Board. The Board was added to the New York City Charter in 1977. It was part of Section 1304, Local Law 28 of 1977. It was subsequently and amended numerous times by local law and by referendum as part of the charter revision of '88 and '89. And most recently the Board was amended by Local Law 61 of 1991. Despite the legislative activity, few records exist pertaining to its operation. The board apparently did not meet at all, for at least

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2 the first year-and-a-half of its existence, and  
3 DORIS, also known as the Department of Records and  
4 Information Services, has records for the  
5 Waterfront Management Advisory Board only between  
6 '90-'93 under the Dinkins administration; no  
7 appointments have been made since 1993. In April  
8 2008, the New York City Economic Development  
9 Corporation, EDC, released a maritime support  
10 services location study. One of the  
11 recommendations of that study was the creation of  
12 a regional seaport planning consortium, to create  
13 long term plans for the industry, developing  
14 maritime area zones and evaluating current  
15 regulations and zone codes. At an April 28, 2000  
16 hearing of the committee, EDC indicated that  
17 conceptually, the regional support planning  
18 consortium recommended by the study is the same as  
19 the Waterfront Management Advisory Board. Because  
20 of the tremendous growth in shipping expected over  
21 the next several years, I know many topics like  
22 this have been discussed at this committee, and  
23 the inquiries in competing waterfront demands for  
24 housing and recreation, it is clear that the city  
25 needs a more cohesive and comprehensive waterfront

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2 management with input from industry and public  
3 interests. Intro number 809A requiring a new,  
4 comprehensive waterfront plan every ten years,  
5 past the council, signed by the mayor last month,  
6 and it's the city's first step toward reasonable  
7 waterfront management. What is still needed,  
8 however, is a body that can offer advice,  
9 expertise and guidance, for waterfront development  
10 on a regular basis and a body that can focus on  
11 the big picture instead of one development at a  
12 time. Fortunately, the city already has such an  
13 advisory body, the Waterfront Management Advisory  
14 Board, we just need to implement it. To that end,  
15 Councilmember Nelson and others have sponsored  
16 Intro number 867, which strengthens the Waterfront  
17 Management Advisory Board in a few ways. First,  
18 it creates staggered terms for appointed members,  
19 so that four members will be appointed every year.  
20 It is intended that by staggering the  
21 appointments, the board will maintain continuity,  
22 institutional memory would be another word for  
23 that, develop an institutional memory, as I just  
24 indicated, and will no longer be in danger of  
25 ceasing to exist when a new administration takes

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2 office. Second, it establishes a list of the  
3 board's responsibilities, including monthly  
4 meetings, quarterly status reports, an annual  
5 report on the waterfront, and the opportunity to  
6 consult and advise on all matters relating to the  
7 waterfront. It is intended that this board be an  
8 active part of the City's waterfront management,  
9 and should no longer sit idle. So, without  
10 further ado, we'd like to welcome two speakers who  
11 are from Economic Development Corporation, Andrew  
12 Gen [phonetic] and Marta Bede, is that correct?  
13 Thank you both very much and please begin your  
14 testimony. We're glad to have you here.

15 SPEAKER GEN: Thank you,  
16 Councilmember Brewer. And thank you Jeff Baker  
17 for having us here today. My name is Andrew Gen,  
18 I'm the Vice President for Port and Rail  
19 Development at the New York City Economic  
20 Development Corporation. As you said, I'm joined  
21 by Marta Bede who worked intensively on the  
22 Maritime Support Services program, and she's, I'm  
23 glad that she's here today. For the past eleven  
24 years, I've been responsible for planning,  
25 directing and implementing goods movement projects

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2 at the City's freight distribution facilities. As  
3 you know, New York City EDC is mandated under the  
4 charter and by its maritime contract with the City  
5 to promote safe and efficient water borne  
6 transportation. Thank you for inviting us to  
7 discuss the intent of the Intro 867, which is to  
8 amend the City charter as it relates to Section  
9 1303, chapter 56, in relation to the Waterfront  
10 Management Advisory Board. The Board would be  
11 headed by the Deputy Mayor for Economic  
12 Development, and consist of 21 members, 19  
13 appointed the mayor, two by the City Council,  
14 including six agency representatives, environment  
15 protection, small business services, city  
16 planning, parks are recreation, housing  
17 preservation and development, the Department of  
18 Environment Protection, and the Office of  
19 Management and Budget; as well as members of  
20 organized labor, industry representatives and  
21 community representatives. Under the proposed  
22 amendment, the board would be required to meet at  
23 least once a month, compile quarterly reports and  
24 issue an annual report by March 1<sup>st</sup> of every year  
25 to the mayor, the city council and the borough

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2 presidents, regarding the status of development of  
3 wharves and waterfront property and infrastructure  
4 in the City. Over the past seven years, I wish to  
5 point out, the administration had made waterfront  
6 revitalization in every borough a top priority.  
7 Through intensive planning, approximately 70 miles  
8 of New York City's waterfront has been studied,  
9 rezoned or reconstructed for active reuse. Multi-  
10 agency taskforces consisting of members from EDC,  
11 city planning, Department of Transportation, Parks  
12 and Recreation, LMDC, HPD, small business  
13 services, community boards, tenant associations,  
14 civic leaders, maritime experts, and local elected  
15 officials, all work together to develop plans for  
16 revitalizing the city's shoreline. Some examples  
17 of these efforts include, in The Bronx, Hunt's  
18 Point, long a waterfront in disuse, the  
19 administration's South Bronx Greenway, which was  
20 derived from the previous Hunt's Point Vision  
21 Plan, resulted in the construction of Hunt's Point  
22 Landing. A community park that has opened up the  
23 waterfront in ways that local residents never  
24 dreamed possible. At the same time, EDC is deeply  
25 involved in the planning for the modernization of

1  
2 the Hunt's Point food distribution center,  
3 including how to expand water borne freight  
4 movement into the market and expand rail activity.

5 In Queens, Hunter's Point South will create a  
6 mixed use, middle income housing development,  
7 situated on approximately 30 acres of prime  
8 waterfront property in Long Island City, with  
9 retail space, community cultural facilities,  
10 school space, parking and a new waterfront park.

11 The interagency team work closely with community  
12 representatives to develop a plan for the site  
13 that has achieved wide consensus. In Brooklyn,  
14 the city's efforts also have been substantial.

15 Large, far reaching projects such as the  
16 construction of Brooklyn Bridge Park, are  
17 happening now. The Green Point Williamsburg  
18 rezoning has brought forth the necessary impetus  
19 to create thousands of units of needed housing, as  
20 well as waterfront access. In Manhattan, the East  
21 River Waterfront Esplanade, West Harlem Piers  
22 Projects, all seek to improve access to the  
23 waterfront, enhance pedestrian connectivity, and  
24 create waterfront amenities for public use and  
25 enjoyment of sites currently or previously

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2 inaccessible to the public. Along the shoreline  
3 of Staten Island, EDC and City Planning are deeply  
4 engaged in planning studies that are exploring a  
5 wide range of land uses and water dependent uses  
6 along the Kilvan Call [phonetic] and Arthur Kill  
7 Waterways. As you know, these areas are home to a  
8 sizable concentration of the region's workboats,  
9 whip repair facilities, and the city's largest  
10 container port at Howland Hook. The north and  
11 west shore planning processes will result in both  
12 short term and long term recommendations that can  
13 realistically be implemented to better manage and  
14 grow Staten Island's waterfront and adjacent  
15 uplands. Each one of these projects I mentioned  
16 above has been informed by task forces, community  
17 board subcommittees, steering and advisory  
18 committees, consisting of agencies, elected  
19 officials, business interests, community groups  
20 and civic organizations. Closer to my  
21 department's mission at EDC, and to my own heart,  
22 is the working waterfront. Within EDC, our  
23 department and its predecessors have led numerous  
24 initiatives to promote waterborne commerce within  
25 the Port of New York. One year ago, EDC

1 established the Maritime Department, to provide a  
2 singular focus on the city's intrinsically  
3 valuable maritime resources. Completed projects  
4 within this critical sector include the  
5 reactivation of the Staten Island Railroad to the  
6 Howland Hook Marine Terminal; leases with Sims  
7 Recycling and Access Group at the South Brooklyn  
8 Marine Terminal; lease, a lease with LeFarge at  
9 25<sup>th</sup> Street Pier; construction of the Brooklyn  
10 Cruise Terminal; opening of the Fresh Kills  
11 Landfill as a major regional dredged material  
12 disposal facility; and completion of the Maritime  
13 Support Services location study. All of these  
14 initiatives came out of a planning initiative EDC  
15 commenced in 1999, that relied upon the  
16 participation of dozens of government, business  
17 and community groups that met regularly in  
18 steering and advisory committees over a two year  
19 period. To ensure that our efforts are consistent  
20 with the broader port community, EDC participates  
21 once a month in the Harbor Operations Committee, a  
22 clearinghouse for all things maritime. Nearly  
23 every project, large and small, along the water,  
24 along the water in the air, even, in New York and  
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1  
2 New Jersey, gets vetted through Harbor Ops. The  
3 Harbor Ops group provides a vital outlet to come  
4 together and discuss topics of mutual interest.  
5 For example, the Maritime Department will be  
6 working closely with the entire maritime community  
7 to develop a clean air strategy to further improve  
8 the sustainability of the workboat fleet in New  
9 York Harbor. Maritime will also be implementing  
10 the Maritime Support Services study  
11 recommendations, which includes the establishment  
12 of service hubs for workboats, expansion of tie up  
13 areas, and support for the expansion of waterfront  
14 areas within the city that can meet future needs  
15 for additional waterfront commerce. So, although  
16 the administration supports the waterfront  
17 planning effort that the proposed board  
18 represents, we will continue to pursue the current  
19 collaborative neighborhood planning efforts that  
20 reflect the needs of the communities it surrounds,  
21 as well as rely on the city agencies to provide a  
22 consistent waterfront development policy citywide.  
23 As such, the Waterfront Management Advisory Board  
24 as currently proposed is broadly constructed, and  
25 represents an inclusive process that we feel we

1  
2 are accomplishing already by our public outreach  
3 and open discussion with representative elected  
4 officials during our land use planning and  
5 approval processes. In closing, let me reiterate  
6 that the development of the City's waterfront  
7 resources requires thoughtful, productive and  
8 collaborative planning informed by a wide range of  
9 perspectives and critical analysis. We have an  
10 will continue to seek the input of the City  
11 Council to identify and articulate the needs of  
12 its communities, and we feel the administration's  
13 efforts to plan for the long term enjoyment and  
14 economic prosperity along our waterfront embodies  
15 this approach. Thank you for your consideration  
16 and I'm happy to take questions.

17 COUNCILMEMBER BREWER: Thank you  
18 very much. We've been joined by Councilmember  
19 Melissa Mark-Viverito. So I think your  
20 testimony's wonderful, I think this administration  
21 and obviously the two of you deserve huge  
22 accolades for the work that you've done on the  
23 waterfront. The only person who did as much is my  
24 former boss, Councilmember, then Borough  
25 President, Ruth Messinger, so I just don't want

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her to get left out of the mix in all of this.

SPEAKER GEN: - - that's right.

COUNCILMEMBER BREWER: I think one of the issues, though, is that as we have this committee on the books, in terms of the charter revision, and I think you've done a, I mean, I know the folks in The Bronx have been pleased, etc., with all of the input, and there's not question that it exists, I think it's always good just for this administration and into the future, to have something that's official. So, I guess my question, before I got further, I just want to understand, the Harbor Operations Committee, is that a Port Authority Group, or is that you've initiated? What is that? What's the genesis of that?

SPEAKER GEN: It was really a collection of Port interests led by the Coast Guard, that set up the committee.

COUNCILMEMBER BREWER: Okay. Was there a time that the Waterfront Management Advisory Board, even if it, in its sort of general construct, did they issue an annual report to the Mayor, the council and the City of New York? I

1  
2 guess that's part of what they're supposed to do,  
3 even though it isn't really existing in its, the  
4 way it's supposed to be.

5 SPEAKER GEN: Again, I think what  
6 we feed very strongly about is that we are  
7 carrying out the spirit of the advisory board,  
8 when we do our planning work for the waterfront.  
9 But to answer your question, to my knowledge it  
10 has not met recently.

11 COUNCILMEMBER BREWER: Okay. And  
12 one of the recommendations I think was the  
13 creation of a regional seaport planning  
14 consortium, for the long term plans for the  
15 industry, and to talk about the zones and so on.  
16 Was, is that something that you look at similar,  
17 or overlapping, or how do you look at it in  
18 relation to the Waterfront Management Advisory  
19 Board?

20 SPEAKER GEN: You know, quite  
21 frankly, we, that was a recommendation that came  
22 out of the Maritime Support Services study. We,  
23 we felt that at this time, we did not need to go  
24 forward with it, because of these existing groups  
25 like Harbor Ops, where these projects can be

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vetted.

COUNCILMEMBER BREWER: Right, and then do you think, and 'cause I think you have done a great job of bringing people together around different initiatives, but wouldn't it be possible to take some of the people who have developed expertise on these different initiatives, to sort of bring them together for best practices and planning. I know you didn't mention that in your testimony, but is that something that perhaps could work to your advantage?

SPEAKER GEN: We would be open to discuss further with the council the structure of a dialogue going forward, that could, you know, could address those issues, yes.

COUNCILMEMBER BREWER: Okay. And the other question I have is, what are some of the ways that you think, if there was such a board, where there could be discussions that might assist one community planning for another community? In other words, would there be some cross-fertilization that you think could come about from such a planning discussion? In other words if you

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were to have--

SPEAKER GEN: Yes.

COUNCILMEMBER BREWER: --something on the ongoing basis?

SPEAKER GEN: Mhm. I think it's, there's always a benefit to talking and collaborating, as we said in our testimony. And again I think it's a question of how do we structure it in the most beneficial way possible.

COUNCILMEMBER BREWER: Okay. And coming into the 2009 and so on, into the future, what are some of the ways that you see that there will be new challenges to do with the new management of the port. In other words, obviously you've got some really exciting cleanups that are going on. You've got the Harbor, you've got changes perhaps in the pier. So what would be some of the expertise that you might look for on such an advisory board?

SPEAKER GEN: We would again, look to a mix of people who are on the water, the industry representatives, as well as the regulator bodies. One of the, one of the issues that continues to be a challenge is getting the

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necessary permits to move projects forward. So, I think--

COUNCILMEMBER BREWER: Is that Mr. Grantus [phonetic], by chance?

SPEAKER GEN: That's with the DEC.

COUNCILMEMBER BREWER: Mr. Grantus, we call it Mr. Grantus.

SPEAKER GEN: Yes, Mr. Grantus and the DEC.

COUNCILMEMBER BREWER: We love Mr. Grantus.

SPEAKER GEN: Yes.

COUNCILMEMBER BREWER: But that would be one of the challenges to look at.

SPEAKER GEN: That would--

COUNCILMEMBER BREWER: So somebody who has that kind of expertise to deal with Mr. Grantus. I'm being facetious.

SPEAKER GEN: Yes.

COUNCILMEMBER BREWER: We love Pete Grantus, but yes, I, that's something that comes up often.

SPEAKER GEN: To work collaboratively.

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2 COUNCILMEMBER BREWER: So that kind  
3 of expertise on an ongoing basis, would be  
4 helpful.

5 SPEAKER GEN: Mmhm.

6 COUNCILMEMBER BREWER: And I assume  
7 there was no particular reason why the charter  
8 mandated board hadn't been filled since '93. I  
9 assume it's because you were doing this wonderful,  
10 you know, advisory boards, depending on the  
11 project. Is that sort of--

12 SPEAKER GEN: My imperfect  
13 understanding is that it was really born out of  
14 the City's Waterfront Revitalization Program,  
15 which implements the Coastal Zone Management Plan  
16 for the City, and that it sat for that purpose at  
17 a time, but then when the WRP was consummated, the  
18 Board stopped meeting.

19 COUNCILMEMBER BREWER: Okay. And  
20 do you feel that the requirements that are for the  
21 monthly meetings or for the quarterly reports, or  
22 something that would be useful or helpful, perhaps  
23 in a different sequence, in terms of the timing.  
24 But is that something that, you know, you could  
25 work with.

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2                   SPEAKER GEN: Well, quite frankly,  
3 we felt that that was a little, was overly  
4 onerous, and would be difficult to implement and  
5 really would want to see something, if we were to  
6 go forward, something that's more streamlined and  
7 efficient.

8                   COUNCILMEMBER BREWER: Right, okay,  
9 I mean, I agree with you about that, but I can't  
10 say it.

11                  SPEAKER GEN: Okay, neither can I,  
12 right. [laughter]

13                  COUNCILMEMBER BREWER: I think  
14 something that would be a little bit streamlined  
15 would be a good idea. Alright, I think that, are  
16 there any other questions? No? No one has any  
17 other questions. Okay, thank you very much. I  
18 appreciate it. I think that the board will go  
19 forward, would be my guess, and as I always  
20 believe that it helps sunshine, because none of  
21 are going to be here forever, and it's good to  
22 have the people who are in this room and others be  
23 able to know that they have some voices to be able  
24 to be heard through. So, I just, I think you  
25 should think about it, and think of who you would

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like to have on it, and try to move forward.

Thank you very much.

SPEAKER GEN: Okay. Thank you very much.

COUNCILMEMBER BREWER: So next we have--? Alright, we have a panel of three, Roland Lewis, who is from the Metropolitan Waterfront Alliance; Sam Yallahan, who's from SUNI Maritime College; and Edward Kelly, who's very well known to this committee, and very appreciated--Maritime Association of the Port. [pause] Welcome.

Whoever would like to go first. Mr.--Mr. Kelly?

SPEAKER KELLY: We'll work to the -  
-

COUNCILMEMBER BREWER: Okay. Nice to see you.

SPEAKER KELLY: Nice to see you - -

FEMALE VOICE: You have to press the button.

SPEAKER KELLY: Now I'm, I'm on now. Thank you very much for this opportunity to make comments on Intro, it's 867. We are very much in favor of this movement, because we believe that there should be an oversight constituency put

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2 together reflecting the varied imports that are so  
3 necessary for proper utilization of waterfront  
4 property in this city. Very frankly, there's a  
5 huge economic engine, but there are overriding  
6 societal issues that are involved in the proper  
7 utilization of waterfront properties here in this  
8 city. Such things as the ability to move people  
9 and cargo throughout this area, access for  
10 recreation, reduced carbon footprints by more  
11 efficient freight transport, and increasingly  
12 important to the preservation of our  
13 infrastructure, by moving heavy transport off our  
14 roads and onto the waterways where there are no  
15 potholes that need to be repaired. We are very  
16 much in favor of a Maritime Advisory Board. We  
17 certainly have felt that over the past several  
18 years, there has been some increased focus on  
19 waterfront activities in this city. We certainly  
20 laud New York City Economic Development Corp for  
21 the lead position they've taken on this issue.  
22 And we think they've done a wonderful job.  
23 However, we are certainly not in favor of leaving  
24 this as a laissez faire where it would continue to  
25 just be not a centrally planned operation, putting

1  
2 all the varied necessary input that this, the  
3 various interests need to put into this. We may  
4 also point out that under this regime of NYC EDC  
5 deciding that they know what's best for what goes  
6 on in this city, that there is now is an IKEA,  
7 resting upon what had been a viable, functional,  
8 graving dock, which their own Maritime Support  
9 Services study said they are in dire need of  
10 having. That didn't seem like very good planning  
11 to us. We also had been here, I guess about two  
12 years, testifying against the closure of the Red  
13 Hook Container Terminal, where for some bizarre  
14 reason people thought there should be a beer  
15 garden instead of a functional cargo terminal. So  
16 we do not believe that letting this thing go along  
17 with whatever happens to pop up at any particular  
18 time, constitutes good planning. We believe that  
19 there should be responsible, mixed usage of all  
20 waterfront in this area. And in order to attain  
21 that goal, we need to construct a viable, cohesive  
22 plan, that accepts input from all responsible  
23 players in this city, from industry to residents,  
24 and all the various interests, recreation,  
25 commerce, industry, etc., that are there. There

1  
2 are huge societal issues at stake here, that can  
3 only properly be addressed on a citywide basis.  
4 One bit of clarification: we are the sponsor of  
5 what has been referred to as Harbor Ops. That's a  
6 committee of the Maritime Association Port in New  
7 York. That was started in 1960s, the early 1960s.  
8 The full name is the Harbor Safety, Navigation and  
9 Operations Committee. It is somewhat limited in  
10 that we really are looking at commercial  
11 navigation, and directly on the impact of the  
12 water itself, land use is secondary at best, and  
13 it's only really to the true operating on the  
14 water that we really focus that. We are proud to  
15 say, however, that Coast Guard has taken what we  
16 have very successfully built here and is now known  
17 as Harbor Ops. Coast Guard used this as the model  
18 to create their Harbor Safety Committee on the  
19 national basis. And we have been the model  
20 organization for that since. It's functioned very  
21 well. But I would say that it's a very limited  
22 focus for mostly professional mariners, commercial  
23 transportation and protection of the waterways for  
24 navigation. We've also built into some other  
25 ancillary committees, the Area Maritime Security

1 Council, and various other things that we do. And  
2 there's some of our silos, if you would, that  
3 operate under the Maritime Association. We've got  
4 our tug and barge committee, which was very  
5 instrumental in the Maritime Support Services  
6 Study, etc. But, basically, we feel that the  
7 waterfront focusing here in this city is much  
8 better than it has been in years past. There was  
9 a huge exodus of business from this area in the  
10 late '60s/early '70s, which really I believe is  
11 what gave rise to the need for a Maritime Advisory  
12 Board. As the law, the old finger piers and the  
13 break bulk operations, and the container, the  
14 passenger ships, all migrated off the city here on  
15 the island of Manhattan, and majority moved over  
16 to New Jersey. We were left with basically  
17 underutilized, rotting waterfront facilities, and  
18 there was an effort at that point in time to try  
19 to find a reuse for it. We're very sad to say  
20 that did not happen. Fortunately, I don't think  
21 any of use were on the watch, to allow the demise  
22 of that opportunity. But it certainly is time,  
23 the time is ripe. There's a very limited amount  
24 of property, there's a very large demand for mixed  
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2 use. We believe there should be an overriding  
3 plan, which leads to our comments where we do  
4 agree with what had been said by EDC, that the  
5 current, I believe that monthly meetings for a  
6 long term, larger scale planning group, are  
7 onerous, they're counterproductive, there's, they  
8 should really meet, at most perhaps quarterly,  
9 probably twice a year. And that there would be  
10 able to then condone, lay out a master plan, make  
11 recommendations, and then condone and work with  
12 subcommittees that would pick up individual  
13 projects, such as what EDC has very successfully  
14 done on their own. But that master Maritime  
15 Advisory Board should have a much greater control  
16 as to what projects are suitable for this city,  
17 and which may perhaps not be. So, although we are  
18 very much in favor of a Maritime Advisory Board,  
19 we believe that the current structure may be  
20 somewhat onerous and should be geared toward a  
21 high level planning commission and advisory board,  
22 as opposed to a functionary needing to meet every  
23 month type of an operation. And we certainly  
24 appreciate our opportunity today to express our  
25 comments.

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2 COUNCILMEMBER BREWER: Thank you, I  
3 agree 100 percent.

4 SPEAKER KELLY: Oh, thank you.

5 COUNCILMEMBER BREWER: Thank you,  
6 Mr. Kelly. Thank, Mr. Lewis?

7 SPEAKER LEWIS: Alright, good  
8 afternoon. I would echo much of what Ed just  
9 said. We are the Metropolitan Waterfront Alliance  
10 is very much in favor of the creation, or  
11 revitalization, excuse me, of the Waterfront  
12 Management Advisory Board and particularly in  
13 light of the recently passed legislation, for a  
14 comprehensive waterfront plan, that this committee  
15 championed, and that the City Council passed, with  
16 Speaker Quinn. This is a great opportunity to put  
17 meat on the bones to this new process being  
18 envisioned to start in 2010 where we would have a  
19 comprehensive plan every ten years. One thing I  
20 would add is that, you know, with due respect,  
21 really a lot of respect to our friends at EDC, who  
22 I think have in the last couple, few years,  
23 recognized and championed maritime use. It's the  
24 division that Andrew and Marta work in now, is  
25 very robust and actually I think making positive

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2 change for a diversified economy on our  
3 waterfront. But, even when the, in the same  
4 administration, that was not true, as Ed noted out  
5 there a little while ago, there was choices that  
6 probably should've been made for waterfront use.  
7 Therefore, planning is key, and this advisory  
8 council and the waterfront plan that the  
9 legislation has passed recently, and this  
10 legislation coming up before, before consideration  
11 now, are two legs of an important chair that have  
12 to be created. The third leg is probably us. And  
13 including us, we just recently had I think an  
14 incredible event down at the Museum of the  
15 American Indian, our waterfront conference, the  
16 MWA Waterfront Conference, both these gentlemen  
17 were panelists during the thing, and 470 other  
18 colleagues came to share thoughts and vision and  
19 excitement and energy toward creating a blue  
20 movement toward a better waterfront for the  
21 region. And that's an asset to be mined by  
22 government. These are incredibly, you know, I'm  
23 incredibly new to the field. These guys have been  
24 here and fought wars and have knowledge that's  
25 immense. You need them to help have a solid

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2 waterfront plan to assist government, to make it  
3 this advisory board is a great vehicle to use  
4 these gentlemen and other folks like them. And  
5 finally, the, as I said, I'm two years into the  
6 field. There's a larger audience out there, and  
7 these, as we're talking about, these decisions are  
8 vital for our economy, for our ecology, for the  
9 environment, for social - - . We need to keep on  
10 expanding this. So having this at a mayoral level  
11 will, I think ma--you know, having an inclusive  
12 board would actually elevate the issue and make  
13 sure that people, like I was two years ago, an  
14 average New York who didn't really know or care  
15 that much about the waterfront. And I'm afraid  
16 that's the vast majority that surrounds us. This  
17 is another way to get them informed, get them  
18 involved. And really lastly, ED--as, again, with  
19 due respect to the EDC, one thing we did argue  
20 for, and I think was adopted by the committee and  
21 the legislation, was to include planning, include  
22 parks, include DOT, include all the sister  
23 agencies; and beyond that include the Port  
24 Authority, include sister cities across the river.  
25 This has to be a regional efforts, and if it's ju-

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2 -you know, if it's just department planning for  
3 the comprehensive waterfront plan, it is doomed to  
4 not be as effective as it might be. So being as  
5 inclusive as we can is one thing else we would  
6 urge. Thank you very much for your time.

7 COUNCILMEMBER BREWER: Thank you  
8 very much. Go ahead, sir, thank you.

9 SPEAKER YAHALLAN: Okay, my name is  
10 Sam Yahallan, I am from SUNY Maritime, and I was  
11 the principal investigator in the maritime, in the  
12 study that was referred to. I have provided the  
13 written testimony, which I don't want to read, so  
14 I'll highlight a few of the key issues that I  
15 think are important. First of all, the fact that  
16 there is a development of a Waterfront Management  
17 Advisory Board is very important. It's a key  
18 recommendation. And I think it should be beyond  
19 the City. It should be a regional effort, because  
20 what's going on in this region is not only for New  
21 York. There's a lot of activity taking place in  
22 the coastal river to other state, to New Jersey,  
23 to some stuff goes to Connecticut, so you cannot  
24 look at it only from the perspective of the City.  
25 I know that this is a City Council meeting, but

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2 still that, the tests should be original view,  
3 because the original is affected, and the original  
4 is an impact, and a lot of the assets and a lot of  
5 the ownerships are in New York, but are serving  
6 the rest. So, that's a key factor that I didn't  
7 hear yet. That's important to, as far as I'm  
8 concerned. Another thing that is important is  
9 that there is a commission, there is a group of  
10 people that will work on it. Their meeting  
11 schedule doesn't matter to me, or I don't, to us,  
12 that's their, to their convenience to achieve  
13 their mission. But the mission should be clear.  
14 It should be a clear mission of what is it that  
15 they want to achieve, and what are the key factors  
16 in this process? And in the handout that I gave  
17 you, on the second page, you have a list of issues  
18 that are important in this respect. So the  
19 handout is more in the sense of what should be  
20 their focus, not their makeup or not their timing  
21 of meetings and things of this nature. I'm moving  
22 to the next stage. Once they are in place, what  
23 issues should I look at? And the general  
24 objective, as far as I see it, is that this region  
25 should become a hub for services and this group

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2 will look into how to actually make it work. So  
3 it's a more strategic sense than a detailed  
4 activity here or there. And included in this  
5 process should be also identifica--we identify  
6 some other studies that need to be up--that need  
7 to be looked at, because there is a lack of  
8 studies on certain issues that are important for  
9 the region and for the City, and we should look  
10 into those things. And also the, besides the  
11 studies, some recommendations that can relieve  
12 some of the pressure, and on the roads, that can  
13 relieve the pressure on the industry and its  
14 operations. And by pier use or buoy use and  
15 things of this nature. A lot of the  
16 recommendations are basically taken from the  
17 reports, so that it's not, maybe not the first  
18 time you see it, but altogether it's reinforcing  
19 the idea that what originally there's a relief,  
20 and a comprehensive view of how to do it. And if  
21 the work is involved between states, then let it  
22 be, but you cannot do it all alone, because  
23 whatever you'll do, you'll affect everybody around  
24 you. So it's better talking to each other instead  
25 of doing it on your own. So that's the general

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gist of what I have here, and without reading it and if you, you'll have a chance to see, to do it later on. But that's my, basically, my comment, and if you have any questions, obviously I'll be very happy to answer.

COUNCILMEMBER BREWER: Thank you very much. One question I have is, my guess is that the City Council can only legislate a city as opposed to a metropolitan. Do other, does New Jersey or any other, Connecticut, or any other county, do they have any kind of a waterfront commission that we could collaborate with, to the best of your knowledge? 'Cause obviously the port would be the place where there might be more collaboration.

SPEAKER YAHALLAN: They have probably some agen--some people that are responsible for those activities. And we, we have to find out who they are and talk to them, in one way or the other. You cannot do it in isolation, that's the key point. There are people responsible in every state for waterfront activity. I don't know exactly who they are. In New Jersey, I know better, but I don't know in

1  
2 Connecticut. And there is a need to seek them out  
3 and work together, to some degree.

4 COUNCILMEMBER BREWER: Okay. I  
5 certainly agree with that. Sure, go head.

6 SPEAKER LEWIS: Chris Ward, in his  
7 keynote address to us at the conference, did talk  
8 about a comprehensive plan for the Port Authority,  
9 so they are moving in the same direction as you  
10 are. And I think including them, is, would be a,  
11 in the planning process and certainly in this  
12 advisory, it would be, council, it would be a good  
13 idea. And we, I do know of, the same, probably  
14 the same folks in New Jersey, and that they  
15 probably would be happy to it, maybe a ex officio  
16 members joining the discussion.

17 COUNCILMEMBER BREWER: Totally  
18 makes sense. I think that's helpful. And of  
19 course, you know, there will be a new charter  
20 commission in the future, and so one could add to  
21 this board, if appropriate. That's another  
22 possibility, it has to be changed by the charter,  
23 if you're going to do some of the official  
24 additions. The other question I have is, do you  
25 think that you would find that some of these best

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2 practices, 'cause there's obviously the port and  
3 then there's the incredible work that EDC has done  
4 to bring some of these bodies of water back to  
5 life, and recreation, and you know, that aren't  
6 necessarily, they're economic drivers, I guess, in  
7 some sense, but they're certainly places where  
8 people, New Yorkers, can go. Is that something  
9 that, I think might be also assisted by such a  
10 waterfront committee? In other words, the people  
11 from The Bronx, talking to people from Brooklyn,  
12 and so on and so forth. Is that something that  
13 you think could be assisted? 'Cause we're such a  
14 big city, I always think that we could help each  
15 other, but if we don't know each other, it's hard  
16 to do so.

17 SPEAKER LEWIS: I would certainly  
18 agree with that, the opportunity to create a  
19 file/copy type of thing, where we pick a best  
20 practice, and how things have worked, what the  
21 failings have been, what the opportunities have  
22 been. Who the players are, how the funding flows-  
23 -that's an educational process that would just  
24 speed all of these things along rather than trying  
25 to have each one done on an individual, start from

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scratch basis.

COUNCILMEMBER BREWER: Okay. And do you think that that, the number I guess, of the staggered terms, would also work, because I think the concept is to try to have institutional memory, which is always a challenge in this City. So is that something that you think would make sense, so that people would rotate on and off? I know that's more mundane, but the mission is meant to be easier sometimes, than putting these things together.

SPEAKER YAHALLAN: Absolutely. The one of the problems that we have in this industry is that people do not know what we do, and how important - - for the region. So continuity to structure is very, very critical to get it through and to make it, to make it work. If you replace all the people at the same time, you have to start from the beginning, and it will not work. So it's really, really important, and also it's important to publicize this committee as the work done, in some form that the public has access to it, and they will learn what is involved. If you ask average individual what is the waterfront and what

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2 is freight and how does it get to this lo--one  
3 location or the other, they have no idea. And  
4 without knowing they will not support. So, in  
5 order to get their support, they have to be  
6 educated.

7 COUNCILMEMBER BREWER: Okay. The  
8 other question I have is, there are many city  
9 agencies that work regarding the water front,  
10 obviously. And I think it does make sense to  
11 involve them all. Are there other bodies besides  
12 the other states, and certainly what Chris Ward is  
13 doing, that could be part of this discussion? I  
14 mean, you had it at your conference, you had  
15 everybody at your conference.

16 SPEAKER LEWIS: Yeah, we did, you  
17 know, so RPA is an important voice. Nimitik  
18 [phonetic], there are a number. And there's this,  
19 you know, even our friend, you know, we're going  
20 again, going beyond boundaries, but our friend Mr.  
21 Grantus, and the Department of State. Those are  
22 key state agencies. So, I think the HEP, that's  
23 the Harbor Estuary Program, through EPA, there  
24 are, you know, you can't have all 470 at that, on  
25 a--

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2 COUNCILMEMBER BREWER: Right,  
3 right.

4 SPEAKER LEWIS: But having key  
5 representatives from varying levels of government  
6 would, and some key civics, it would be important.

7 COUNCILMEMBER BREWER: I think what  
8 you're saying, and along with what Mr. Kelly was  
9 saying, is if you bring for instance people who  
10 are dealing with what might be considered barriers  
11 to development from the environmental side, to  
12 meet with some of the maritime people on a regular  
13 basis, maybe some things could be worked out. And  
14 that would be something that would be helpful to  
15 EDC and helpful to the planners and helpful to  
16 the, I think everybody concerned. And that's sort  
17 of what you're saying.

18 SPEAKER LEWIS: And that's--and  
19 that's sort of the underlying premise of the  
20 Metropolitan Waterfront Alliance itself--

21 COUNCILMEMBER BREWER: Exactly.

22 SPEAKER LEWIS: It's a civic  
23 version of that.

24 COUNCILMEMBER BREWER: Yeah.

25 SPEAKER KELLY: We would echo that

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2 I think the key at the Maritime Advisory Board  
3 needs to be a high level organization, and that we  
4 would certainly hope and expect that that  
5 organization would create subcommittees to bring  
6 up these various components that are out there, to  
7 unify positions, to bring things forward, and I  
8 think, you know, we have to concentrate that this  
9 Maritime Advisory Board remain high level and not  
10 get bogged down in a lot of small, petty issues.

11 COUNCILMEMBER BREWER: I mean, I  
12 think that what we're all agreeing, I'm certainly  
13 a co-sponsor, and Councilmember Nelson has been  
14 the person pushing this. And I think it could  
15 actually be very exciting. So, I'm hoping that  
16 some of the details get worked out quickly, and  
17 that before too long this can be reality, 'cause  
18 it's in the charter. It should've existed before.  
19 I'm one of these believers, if it's there you  
20 should use it, and if it's not, then if you don't  
21 want it, then take it out. But it's there and we  
22 should use it, and so I think you should all be  
23 thinking about how you want, who you think should  
24 be part of this high level planning discussion.  
25 Maybe I'm jumping the gun, but that's how I am.

1  
2 Anyway, thank you very much for your incredible  
3 testimony. I know the three of you have been  
4 working on these issues for many, many years, and  
5 that's the only way we can work in New York. So  
6 we appreciate all those years. Thank you so much.

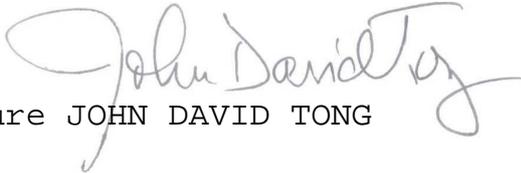
7 SPEAKER LEWIS: Thank you - -

8 COUNCILMEMBER BREWER: Okay, unless  
9 there's anybody else who wants to testify, I, this  
10 hearing is adjourned, and I thank everyone for  
11 joining us here today. [pause] Just come, how do  
12 I do this? We're--we're delighted that the  
13 Councilmember Como from Queens is here.

14 COUNCILMEMBER COMO: Thank you.  
15

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

  
Signature JOHN DAVID TONG

Date 12/22/08