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SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND DISPOSITIONS

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND DISPOSITIONS

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October 3, 2019
Start: 1:23 p.m.
Recess: 6:12 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Adrienne E. Adams,
Chairperson

COUNCIL MEMBERS:
Inez D. Barron
Peter A. Koo
I. Daneek Miller
Mark Treyger

A P P E A R A N C E S

Lacey Tauber
HPD

Bruce Jacobs
Coalition of the Rockaways

Malcolm Punter
Harlem Congregations for Community Improvement

Lorraine Grillo
Commissioner of the Department of Design and
Construction

Jainey Bavishi
Director of the Mayor's Office of Resiliency

Mitchell Silver
Commissioner of the New York City Department of
Parks and Recreation

Jamie Torres Springer
First Deputy Commissioner at DDC

Alyssa Cobb Konon
New York City Parks Deputy Commissioner for
Planning and Development

Minnelli Daku[SP?]
Deputy Mayor's Office

Jennifer Sta. Ines[SP?]
DOT

Gale Brewer
Borough President of Manhattan

Brian Kavanaugh
State Senator

1 SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND 3
2 DISPOSITIONS

3 A P P E A R A N C E S (CONT.)

4 Dan Wiley
5 On behalf of Congresswoman Nydia Velasquez

6 Dereese Huff
7 Tenant Association

8 Danny Ramirez
9 Representing the youth of the lower east side and
10 the New York Giants Youth Baseball Club

11 Adam Hartke
12 Community Board 6

13 Seth Coren
14 Stuyvesant Little League

15 Trevor Holland
16 Community Board 3

17 Diane Lake
18 Member of the steering committee of the East
19 River Alliance

20 Lucy Cotteen
21 Representing herself

22 Rita Freed
23 From Bronx in opposition

24 Kendra Krueger
25 Engineer, scientist and educator expertise in
sustainability in regenerative design

Laura Sewall
Executive Director of the East Village Community
Coalition

Damaris Reyes
Executive Director of Good Old Lower East Side

Roland Lewis
President of the Waterfront Alliance

Evette Rivera
Vice President of the LES OLS Little League

A P P E A R A N C E S (CONT.)

1 Maria Trinidad
2 Tenant Association President of NYCHA development
3 at 344 East 28th Street

4 Bonnie Lane Webber
5 Representing the Sierra Club of the New York City
6 Group

7 Sabora Addur Asheed[SP?]

8 Amy Berkov
9 Ecologist the City College of New York

10 Fannie Ip
11 Grew up on the lower east side and I am a regular
12 user of East River Park

13 Murphy Nickel

14 Emily Walker
15 Director of Outreach and Programs at New Yorkers
16 for Parks

17 Enes Delanois
18 Provides services for seniors

19 Valentina Jones
20 On behalf of the Lower East Side Power
21 Partnership

22 Greg Ribeloff
23 Lives in Stuyvesant Town

24 Billy Cohen
25 Lower East Side Resident

Andre Dupwee[SP?]
Lifetime New Yorker

Felicia Young
Founder and Director of Our Celebrations

Maisha Marsalis
Community activist, advocate, organizer

A P P E A R A N C E S (CONT.)

Daniel Myers
Resident of Avenue C on the lower east side

Steven Albanese
Municipal Art Society of New York

Harriet Hirschhorn
Speaking for herself and neighbors

Maria Sinivalo[SP?]
French citizen and a lover of the park

Maria Stancarone[SP?]
East River Park Action

Pat Arno
East River Park Action

Jen Chantrtanapichate
Program Director at Sixth Street Community Center
in the Lower East Side

Howard Brandstein
Executive Director of Sixth Street Community
Center

Christine Datz-Romero
Executive Director of the Lower East Side Ecology
Center

Ali Ryan

Sam Moskowitz
Fifth-generation lower east side resident

Charles Grozell[SP?]
Lungs

Rina Anastarsi[SP?]
Resident of the Lower East Side

1 SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND 6
2 DISPOSITIONS

3 CHAIRPERSON ADAMS: [GAVEL] Good afternoon, I'm
4 Council Member Adrienne Adams and I'd like to welcome
5 you to this meeting of the Subcommittee on Landmarks,
6 Public Sitings and Dispositions.

7 I am joined today by Council Member Treyger, Koo,
8 Perkins and Menchaca. Today, we will begin by voting
9 on five historic district designations and one UDAAP
10 application. The Subcommittee held public hearings
11 on these items at our September 18th meeting. We
12 will vote to approve four historic district
13 designations in the Sunset Park neighborhood of
14 Brooklyn represented by Council Member Carlos
15 Menchaca.

16 LU 496 is the Sunset Park South Historic
17 District. LU 497 is the Sunset Park North Historic
18 District. LU 498 is the Sunset Park 50th Street
19 Historic District and LU 499 is the Central Sunset
20 Park 50th Street Historic District.

21 We will also vote to approve LU 528, the LPC
22 designation of the Bay Ridge Parkway-Doctors' Row
23 Historic District in Council Member Brannan's
24 District also in Brooklyn. We will also vote to
25 approve LU 527, the UDAAP designation project
 approval and disposition authorization for 776-780

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1
2 Myrtle Avenue to facilitate an affordable housing
3 development containing approximately 59 units in
4 Council Member Cornegy's district in Brooklyn.

5 In accordance with the wishes of all effected
6 Council Members, I now call for a vote to approve LU
7 Numbers 496 through 499, 527 and 528. Council,
8 please call the roll.

9 COUNCIL CLERK: Adams?

10 COUNCIL MEMBER ADAMS: I vote aye.

11 COUNCIL CLERK: Koo?

12 COUNCIL MEMBER KOO: Aye.

13 COUNCIL CLERK: Treyger?

14 COUNCIL MEMBER TREYGER: Aye.

15 COUNCIL CLERK: By a vote of three in the
16 affirmative, zero in the negative, and zero
17 abstentions the items are recommended for the revolt
18 of the full Land Use Committee. That vote is held
19 open.

20 CHAIRPERSON ADAMS: Thank you. We will now move
21 on to our public hearings. Our first application is
22 LU 545 an application submitted by the Department of
23 Housing Preservation and Development pursuant to
24 Article 16 of the General Municipal Law for an
25 amendment to the Blake Hendrix affordable home

ownership, NIHOP urban development area project previously approved by Council Resolution 1263 of 2017. The amendment would allow HPD to forgive all or a portion of the land debt to reduce the taxable consideration of the home.

The Application relates to a cluster of properties in Council Member Barron's district and we're joined today by representatives of HPD. Lacey Tauber is here. Hi Lacey from HPD and Council will swear you in.

COUNCIL CLERK: Please raise your right hand and state your name.

LACEY TAUBER: Lacey Tauber, HPD.

COUNCIL CLERK: Do you affirm to tell the truth, the whole truth and nothing but the truth in your testimony before this subcommittee and answer all Council Member questions?

LACEY TAUBER: Yes.

CHAIRPERSON ADAMS: You may begin.

LACEY TAUBER: Okay, Land Use item number 545 consist of the proposed amended project known as Blake Hendrix located - I will not read all of these Blocks and Lots but there are many of them in Council District 42.

1
2 On October 27, 2016, the Council approved the
3 Blake Hendrix new construction project under HPD's
4 neighborhood infill home ownership opportunities or
5 NIHOP program. At that time, HPD's UDAAP submission
6 indicated that the land debt and city subsidy if any
7 or a portion prorated to each home and maybe
8 unsecured at the time of sale based on the homes post
9 construction appraised value.

10 Purchasers repay the land debt and city subsidy
11 if any, attributable to their homes by delivering a
12 note and a mortgage and/or conditional grant
13 agreement to the city.

14 In the time since the original approval, the
15 State of New York has implemented an additional
16 surcharge that could adversely affect initial
17 purchasers. The amended project currently before the
18 Council modifies the project summary to allow HPD to
19 forgive all or a portion of the land debt that is a
20 portion to a home upon conveyance to an eligible
21 purchaser based on the homes value and/or if HPD
22 determines that the forgiveness is necessary to
23 reduce the taxable consideration for the home.

24 HPD is requesting the amendment in order to
25 address an unforeseen issue related to the New York

1 State transfer tax surcharge. Accordingly, when the
2 total consideration or contract price which includes
3 the subsidized sale price plus all subsidies in land
4 value exceeds \$1 million, it triggers the surcharge
5 to the ordinary New York State transfer tax of 1
6 percent of the total consideration. The minimum of
7 which is \$10,000. This surcharge is a burden to low-
8 income and purchasers increasing down payment and
9 closing costs.
10

11 To avoid subjecting purchasers to this tax
12 surcharge, HPD is submitting an application to amend
13 the current public approvals, to obtain authorization
14 to reduce land debt, to lower the total consideration
15 for each affected property to under \$1 million.

16 The amendment makes no other changes to the
17 project summary that was previously approved by the
18 Council in 2016 for the project, which comprises
19 nine, two family and four, three family homes
20 containing a total of 30 units. Targeted household
21 income for home buyers range between 80 to 130
22 percent of area median income.

23 Each home will have a rental unit that will be
24 affordable to families earning no more than the same
25 AMI as the purchasing homeowner.

1
2 In order to amend the project summary, HPD is
3 before the Subcommittee seeking approval of Land Use
4 item number 545.

5 And I would just add that I also submitted a
6 chart that shows for the five affected properties how
7 bringing down the land debt impacts the transfer tax
8 surcharge for the affected homeowners.

9 CHAIRPERSON ADAMS: Okay, thank you. Okay, we do
10 have a couple questions in behalf of Council Member
11 Barron. And we know that national grid has declared
12 a moratorium on new gas hookups, which is impacting
13 housing developers in recent construction projects
14 such as this one, and I might add one in my district
15 in Queens as well. What is HPDs response to
16 developers who are involved with projects that will
17 be impacted by this gas moratorium.

18 LACEY TAUBER: That's a great question. It's
19 definitely something that we're working on really
20 actively. This project in particular actually is
21 impacted by it. Of the 13 homes in the project, six
22 currently have gas connections and seven do not.
23 National grid gave a deadline of May 15th and I think
24 let's see, there were four of the homes on Hinsdale
25 were able to get in their applications by that

1
2 deadline. So, we're hopeful that those will be okay.
3 For the three remaining homes on Blake, we are
4 looking at options. And I would say just to speak to
5 HPDs response generally, you know, it's very
6 concerning for us. It does have a potential to
7 create delays in increased costs and projects
8 currently in construction and within our pipeline.

9 So, we are having active conversations with
10 development teams who have projects that are affected
11 by this to deal with it really on a one on one basis.
12 There's really no one solution that works for
13 everyone, but we're addressing it very proactively
14 you know, with a prioritization on projects that need
15 to make their construction timelines in order to not
16 lose their tax credits.

17 CHAIRPERSON ADAMS: Okay, so, how will HPD ensure
18 that increased costs associated with potential
19 retrofits to electric power aren't passed along to
20 tenants in affordable projects?

21 LACEY TAUBER: I mean, I would say that's
22 something we're still working through. This is you
23 know; kind of a new issue and we're working on it
24 actively. I don't have an answer to that right now,
25

1
2 but it's something that we're aware of and working
3 on.

4 CHAIRPERSON ADAMS: Okay, is HPD prepared to
5 adjust their financing to account for the change cost
6 of construction with electric versus gas?

7 LACEY TAUBER: I mean again, it's going to be a
8 project by project consideration. Electric is not
9 the only option, there's a couple of other things
10 that we're looking at as well and you know, each
11 project we like to say is its own special flower.
12 So, we have to find a solution that works case by
13 case.

14 CHAIRPERSON ADAMS: Okay, thank you. Do my
15 colleagues have any questions. Okay, thank you very
16 much for your testimony, appreciate it.

17 We do have a member of the public wishing to
18 testify today. Alright, this item is closed. Is
19 there anyone from the public that wish to testify on
20 this particular item signed in.

21 Okay, Mr. Jacobs.

22 BRUCE JACOBS: Good afternoon everybody. Bruce
23 Jacobs; Coalition of the Rockaways, fighter for the
24 Rockaways in all of Queens; medical and religious
25 freedom and also all of New York City.

1
2 The idea that there's no commitments here to what
3 kind of work is going to be done on this, they say
4 that it's for affordable, but what's affordable? The
5 idea that the National Grid, they're not really
6 giving a full report on that and what National Grid
7 is going to do.

8 How did the Community Council really vote on
9 this, because the program sounds all good,
10 homeownership but what kind of prices are there
11 involved? And another thing, are they going to use
12 union apprenticeship programs? Are they going to get
13 the neighborhood real work or is this just another
14 thing to get everybody thrown out of their
15 neighborhoods where nobody could afford to live in
16 them. Because they say affordable home ownership.
17 The program sounds beautiful; I even spoke at 120
18 Broadway but, there's a lot of ifs and buts to this.

19 And you know, like this is very important because
20 you know people, they want affordable housing and
21 home ownership, you know, it sounds real nice, but
22 they have to really check the stuff. Because if they
23 don't check it and just give these guys a variance
24 because they came with a fancy lawyer and group of
25 people, that's totally wrong. They really should be

1 filled up with a lot of people because they did that
2 in Queens. I don't want to see that happen to
3 everybody all over New York. Thank you very much.

4 CHAIRPERSON ADAMS: Thank you Mr. Jacobs. Thank
5 you very much. Are there any more members of the
6 public who wish to testify on the opening item?
7 Seeing none, I now close today's public hearing and
8 the item is laid over.

9
10 Next, we will hear three Applications submitted
11 by HPD in connection with NME 3 West, 100 40th and
12 West 150th Street UDAAP. LU 547 is an Application
13 submitted pursuant to Section 197-C of the New York
14 City Charter for the acquisition of property located
15 at 207-209 West 140th Street, Block 2026, Lots 24 and
16 25 and 304-308 West 150th Street, Block 2045, Lot 98,
17 to facilitate a mixed-use development containing
18 approximately 52 affordable housing units in Council
19 Member Perkins district in Manhattan.

20 LU 546 is an Application submitted pursuant to
21 Article 16 of the New York State General Municipal
22 Law and Section 197-C of the New York City Charter
23 for the designation of an Urban Development Action
24 Area and Urban Development Action Area projects and
25 the disposition of such property.

1 The third related item is a preconsidered LU
2
3 Application Number 20205116 HAM submitted pursuant to
4 Article 11 of the Private Housing Finance Law for an
5 exemption from real property taxes for property
6 located at 207-209 West 140th Street, Block 226, Lots
7 24 and 25. And 304 West 150th Street, Block 2045,
8 Lot 98.

9 We are once again joined today by representatives
10 of HPD and the developer. Mr. Malcolm Punter;
11 Harlem Congregations for Community Improvement and
12 Lacey Tauber who is still under oath. Council, okay,
13 you may begin.

14 LACEY TAUBER: Land Use items Number 546 and 547
15 are related ULURP actions that seek approval for the
16 development of three privately owned vacant lots at
17 207-209 West 140th Street and 304 West 150th Street in
18 Manhattan Council District 9 for a project known as
19 Northern Manhattan Equities Three or NME III.

20 Land Use Number 546 is related to the acquisition
21 of the disposition area and LU 547 is related to the
22 UDAAP designation, project and disposition approval
23 as well as approval for preconsidered item for an
24 Article 11 tax benefits.
25

1 The disposition area was previously sold in 1994
2 and 1996 to be developed as accessory open space for
3 rehabilitated residential buildings located at Block
4 2045, Lot 98. And as a new building with no more
5 than four units at Block 2026, Lots 24 and 25.

6 Today, the parcels remain vacant and
7 underutilized. HPD will reacquire the disposition
8 area and then dispose of it to facilitate the
9 proposed project.
10

11 NME III is slated for development under HPDs open
12 door program which funds the new construction of
13 cooperative and condominium buildings affordable to
14 moderate- and middle-income households. Where
15 dictated by lot size, the program may also fund the
16 construction of new one to three family homes.

17 NME III is the third phase of a three-phase
18 project development process. The first two phases of
19 this portfolio; phases one and two, preserved
20 approximately 608 low-income housing tax credit units
21 by extending the affordability levels out for another
22 40 years until January 1, 2048.

23 The development team proposes to conduct one, six
24 story building and one twelve story building with a
25 total of 52 cooperative home ownership units. The

1 building to be located at 207-209 West 140th Street
2 will have ten, one bedroom and eleven, two-bedroom
3 units.
4

5 The building to be located at 304 West 150th
6 Street will have one studio, ten one bedroom, eight
7 two bedroom and twelve three-bedroom units. The
8 targeted household income tiers for this project will
9 be between 88 percent and 110 percent of area median
10 income, which is approximately \$76,000 to \$105,000
11 for a family of three. Sales prices are estimated to
12 be between \$200,000 to \$320,000.

13 Program guidelines require that the sponsor sell
14 the homeownership units to households who agree to
15 occupy their units for the length of the regulatory
16 period. If the homeowner sells or refinances during
17 the regulatory period, the homeowner may realize up
18 to 2 percent appreciation on the original purchase
19 price per year of owner occupancy.

20 Upon resale, the homeowner will also be required
21 to sell to a household earning no more than the
22 projects income limit. HPD is also seeking Article
23 11 tax exemption for a period of 40 years coinciding
24 with the length of the regulatory agreement to help
25 maintain affordability of the homeownership units.

1
2 In order to facilitate the NME III project, HPD
3 is before the Landmarks Subcommittee seeking approval
4 of these actions to convey the sites to a new owner
5 who will redevelop the area into affordable
6 homeownership units. And I will turn it over to
7 Malcolm from HCCCI to talk you through the
8 presentation.

9 MALCOLM PUNTER: Good morning Council Member
10 Adams and your colleagues. My name is Malcolm
11 Punter; I am the President of the Harlem
12 Congregations for Community Improvement. We are a
13 non-for-profit real estate developer that was created
14 in 1986 in the central Harlem community. A community
15 which 30 years ago did not benefit from the
16 appearance that it has now. HCCI has been developing
17 primarily affordable housing for 35 years.

18 Our Charter, however, has dictated that we were
19 responsible for developing very low-income, low-
20 income and middle-income housing. And we are happy
21 to present this project to you and to the community
22 of Harlem because we were able to initially
23 rehabilitate 608 units and about 21 buildings in the
24 low-income housing tax credit affordable program,
25 which as you know was created in 1986.

1
2 However, the structure of that program dictates
3 that after a 15-year period, the tax credits that
4 underwrote the affordable housing structure
5 accentually expire.

6 So, what HCCI did was come back to the City
7 Council, HPD and then the City Council and then
8 Council Member Inez Dickens supported us in
9 reallocating the affordable housing structure to
10 these buildings, so that the residents will not
11 experience any increases in rents. So, we entered
12 into voluntarily a 40-year regulatory agreement with
13 the City of New York and then which guarantees that
14 the residents of our buildings, the residents that
15 we've helped out for the last 35 years and grown to
16 love and seeing their children thrive in those
17 affordable units guarantee them to remain affordable
18 for an additional 40 years.

19 However, many of the residents of our buildings
20 have increased their income through gainful
21 employment. And I will give you an example, we have
22 several families that are civil servants in our
23 buildings and if we were to try to accommodate them
24 with a very low-income apartment today, because for
25 example, their household size increased. They may

1
2 have originally went into a two bedroom, now they
3 need a three- or four-bedroom unit, we could not help
4 them.

5 Our only answer to them would be, you have to go
6 to West Chester or Rockland County. So, we have some
7 available space in the cluster of the preserved
8 apartment buildings, and we want to commit that to
9 middle-income households in the form of home
10 ownership.

11 A cooperative homeownership program under the
12 Open-Door Program, by HPD is that program that could
13 help these residents, civil servants stay in the home
14 community and not have to be displaced because the
15 only thing they did wrong was become gainfully
16 employed.

17 So, we ask that the Council support us in that.
18 So, I'd like to go through the slideshow very quickly
19 to show you what we plan to deliver to the city. So,
20 the West 140th Street Lot is about 75 feet about 45
21 to 50 feet wide and we are allowed to build under the
22 R7 designation 75 feet, and we will commit a six-
23 story building to this building in this space and it
24 will be all affordable coops under the Open-Door
25 program.

1 West 150th Street, because this is North of 145th
2 Street and along the Bradhurst Park which is a park
3 that goes the length of 145th to 155th Street and
4 we're allowed to - it's an R8, so we're allowed to
5 build up to 115 feet. So, we're proposing a twelve-
6 story building. They will be all middle-income
7 coops. There is no retail to this location, so we're
8 preserving this all for units and there will be some
9 programs that HCCI has initiated to help individuals
10 become more prepared to purchase their home.
11

12 For example, we have first time homeowners
13 programs and on a monthly basis, HCCI has 60 or more
14 people that live in the community. Many of them are
15 Harlem residents who are looking to learn how to buy
16 their first home. So, these will be all first-time
17 homeowners through this program. And if they need
18 some improvement in their credit, we have a credit
19 build program what we call the Lending Circles.
20 Lending Circles helps people socially come together
21 in a centrally, a social lending program that is
22 sponsored by HCCI and also linked to the Fair Isaacs
23 Credit Score, which many banks use to access whether
24 someone is mortgage ready.
25

1
2 What we've seen through the two years that we've
3 been operating this program, that people who dedicate
4 themselves to the social lending are able to improve
5 their credit score about 30 points. Which could mean
6 the difference between being eligible or ineligible
7 to buy your first-time home.

8 We also will have plenty of amenities in the
9 building. It could be kind of a process, we've been
10 creative. So, we're going to have it fully handicap
11 accessible. We're going to have two outdoor
12 recreation space, which speaks to the open space that
13 was originally there. We're going to have indoor
14 community room space for residents.

15 And also, we will afford people bike parking for
16 their bicycles, which many people now can enjoy
17 because Jackie Robinson Park in the neighborhood has
18 been improved and no longer overrun with difficulties
19 in crime. And we also have in the in-building
20 laundry facilities and that will be 88 compliant
21 units.

22 These are the renderings of the building. So,
23 you see that they are very modern looking, a lot of
24 light and we believe that this will pleasant to the
25

1
2 community, as well as to the residents who purchase
3 their units. Thank you.

4 CHAIRPERSON ADAMS: Thank you very much. I had a
5 couple of questions just with regard to Community
6 Board concerns. One of them, I believe that you
7 answered with regard to credit and the Lending
8 Circle, was it Lending Circles Credit Score building
9 or builder training. So, I think that addresses that
10 issue.

11 MALCOLM PUNTER: Yes, Ma'am.

12 CHAIRPERSON ADAMS: The other question was, that
13 the Community Board noted concerns about the AMI
14 levels of the coops. We have here the anticipated
15 sales prices of the units, but how does that compare
16 to the surrounding neighborhood?

17 MALCOLM PUNTER: So, the AMI that we selected is
18 the lowest AMI on the homeownership spectrum. For
19 example, typical homeownership that would be
20 considered market rate homeownership would be
21 targeted to families that make 120 to 165 percent of
22 the area median income. Our proposal is to target
23 the lowest income band in the homeownership
24 structure. So, that's 80 to 90 percent of AMI.

1
2 CHAIRPERSON ADAMS: Okay, that's fine. The last
3 concern would be, can you talk about the resale
4 restrictions that would be placed on the coop units
5 to ensure ongoing affordability?

6 MALCOLM PUNTER: So, HCCI supports the resale
7 restrictions. We will enter into regulatory
8 agreements as the developer for the income
9 restrictions as defined by HPD. I think Lacey
10 mentioned those and I'll ask her to repeat them.

11 LACEY TAUBER: Yeah, it's 2 percent appreciation
12 per year during the regulatory period and then, if a
13 homeowner sells during the regulatory period, they
14 need to sell to an income qualified home buyer that
15 matches the terms of the regulatory agreement.

16 CHAIRPERSON ADAMS: Okay, thank you. Do my
17 colleagues have any questions for the panel? Council
18 Member Perkins.

19 COUNCIL MEMBER PERKINS: Yeah, I have a quick
20 question to. Nothing that's too complicated, it's
21 just that when I hear these numbers in terms of AMI's
22 and what not and I don't get a clearer sense as to
23 what those numbers translate into in sort of like
24 dollars and cents.

1
2 So, for instance, an AMI of 80 to 90 percent,
3 what does that really translate into in terms of
4 dollars and cents?

5 LACEY TAUBER: Yeah, we have that actually right
6 here on the side, if you can see.

7 COUNCIL MEMBER PERKINS: I can not see that from
8 here.

9 LACEY TAUBER: Oh, you might have it in front of
10 you, but, so, basically, it's around 60,000 to
11 127,000 depending on the unit size and the family
12 size and the AMI in that range. And I just want to
13 clarify that you know, the sales prices are going to
14 be targeted. Those making 80 to 90 percent, but
15 marketed up to 110, that's why you see the 110 here
16 even though we said 80 to 90. That's just about who
17 can qualify to give a little bit more flexibility and
18 the ability to make sure we enough good qualified
19 applicants.

20 COUNCIL MEMBER PERKINS: So, I'm a little
21 concerned. So, is it 60 to 80 or 80 to 90?

22 LACEY TAUBER: 80 to 90 sales prices. 80 to 110
23 percent for who can apply.

24 COUNCIL MEMBER PERKINS: And those translated to
25 \$60,000.

1
2 LACEY TAUBER: \$60,000 to \$127,000, yeah,
3 exactly.

4 COUNCIL MEMBER PERKINS: And -

5 LACEY TAUBER: That's estimated numbers.

6 COUNCIL MEMBER PERKINS: Estimated numbers; those
7 seem a little challenging for the area. Are there
8 subsidies coming with this project that will mitigate
9 some of the difficult costs that folks in that area
10 would have to encounter?

11 MALCOLM PUNTER: Yes. The problem, for example,
12 if we try to give someone a rental apartment that is
13 at 80 percent of AMI, they are excluded. They're
14 actually excluded from the rental housing.

15 With regard to the subsidy, for example, HCCI
16 just finished a project in Community Board 9, which
17 is located at 48 East 129th Street and each resident
18 of that building, the original residents, which there
19 were six, who returned to the building. Are now
20 living in the building and four vacant units which
21 were marketed to the community through the HPD
22 Housing Connects program. All ten of those
23 households received a \$40,000 subsidy because HCCI
24 applied to the New York State Affordable Homes
25

1
2 Corporation and were granted a \$40,000 allocation to
3 subsidize the purchase of those units.

4 We're going to apply again for the affordable
5 housing corporation in New York State subsidy and if
6 approved, we'll also get a \$40,000 grant for each
7 unit or somewhere about that.

8 LACEY TAUBER: I would also add that HPD can work
9 with first time homebuyers and we have a down payment
10 assistance program for those who qualify.

11 COUNCIL MEMBER PERKINS: So, I'm glad to hear
12 that it's affordable in terms of what's in the pocket
13 of the people that are in the neighborhood to get the
14 benefits and I'm assuming that's what you just said
15 in terms of what I'm interested in, because very
16 often we talk about affordable and it's really like,
17 beauty in the eyes of the beholder. And not
18 necessarily in the pocket of the person that more or
19 less has to afford it.

20 MALCOLM PUNTER: Sure.

21 COUNCIL MEMBER PERKINS: So, I just want to make
22 sure that we're on the same page in terms of it being
23 really affordable from the perspective of the people
24 in the neighborhood that are going to be getting the
25 opportunity.

1 The worst thing that has happened sometimes, too
2 often, is that term results in people from the
3 neighborhood having dreams deferred, if you will.
4 Because upon applying, ultimately cannot participate
5 because their pockets don't meet the requirements.

6 MALCOLM PUNTER: Yes, sir and the example that I
7 gave is an actual example of an MTA worker, he's a
8 trained engineer, who lives in our building. He came
9 in the late 90's, he had a household of two, him and
10 his wife but now he has a household of six; they have
11 four children. He makes about \$110,000 a year, his
12 wife cannot work because she is educated for fear
13 that they will become ineligible for their two-
14 bedroom apartment which is located on 117 Street,
15 between Manhattan and Morningside Avenue.

16 So, we really need to provide housing for that
17 civil servant, which we have many in our buildings.
18 We have police officers, we have MTA workers, we have
19 fireman and women and we want to serve them.

20 And in the context of the 608 units that we
21 preserved through the very low-income affordable
22 housing structure, we're asking to add 52 units for
23 middle income households and ownership, so that they
24 can remain in Harlem as community members.
25

1
2 COUNCIL MEMBER PERKINS: So, I'm going to take
3 faith in your explanation that I won't be hearing
4 from my constituents saying, why would you support
5 something that we can't afford? That will ultimately
6 put us out. So, you're saying that's not going to be
7 the case based on the numbers that you've been
8 crunching, so to speak.

9 MALCOLM PUNTER: Yes, sir. Based on the
10 quantitative numbers crunched but also the
11 qualitative experiences that we've had. We have 60
12 people attending our first home homebuyer program on
13 a monthly basis held on Tuesday and Thursday evening
14 from six o'clock to 8:30 and everyone is welcome to
15 attend.

16 COUNCIL MEMBER PERKINS: Oh, I look forward to
17 it, thank you for the invitation.

18 MALCOLM PUNTER: Thank you.

19 CHAIRPERSON ADAMS: Thank you Council Member
20 Perkins. Any other questions from my colleagues.
21 I'd like to acknowledge that we've been joined by
22 Council Members Rivera and Powers and Council Member
23 Miller, who's walking in. Just to conclude on the
24 subject that my colleague, Council Member Perkins
25 just said, a lot of in the Council are always very,

1
2 very concerned about the term affordable housing and
3 the question always comes back to those of us in
4 districts that may be subject to gentrification is
5 affordable for who.

6 So, we always keep that on the forefront.

7 MALCOLM PUNTER: Yes, Ma'am.

8 CHAIRPERSON ADAMS: So, I thank Council Member
9 Perkins for his line of questioning, and I thank you
10 very much for your testimony today. Thank you.

11 PANEL: Thank you so much.

12 CHAIRPERSON ADAMS: Okay, I now recognize Council
13 Member Miller for his vote on the first item.

14 COUNCIL CLERK: Council Member Miller on items
15 496-499 and 527 and 528. How do you vote?

16 COUNCIL MEMBER MILLER: I vote aye.

17 COUNCIL CLERK: There is a vote of four in the
18 affirmative, zero in the negative with zero
19 abstentions. The vote is still held open.

20 CHAIRPERSON ADAMS: Thank you, the vote is still
21 held open. Are there any more members of the public
22 wishing to testify on the past item. I do have Mr.
23 Bruce Jacobs, is he still here?

24 Okay, seeing none, I now close today's public
25 hearing and these items are laid over.

1
2 Our next two items are LU's 548 and 549, which
3 are related to the East Coast Resiliency project. LU
4 548 is an Application submitted by the Department of
5 Transportation, the Department of Environmental
6 Protection and the Department of Citywide
7 Administrative Services, pursuant to Section 197-C of
8 the New York City Charter for the acquisition of
9 various properties along the FDR Drive in Council
10 Member Rivera, Chin and Powers district for a flood
11 protection system.

12 LU 549 is a related Application submitted by the
13 New York City Department of Small Business Services,
14 pursuant to Section 201 of the New York City Charter
15 for an amendment of Article VI, Chapter 2 Special
16 Regulations Applying to the Waterfront Area of the
17 Zoning Resolution of the City of New York, modifying
18 special regulations for zoning lots that include
19 parks located in a marginal street, wharf or place in
20 an M1-1 District and Manhattan Community District 6.

21 The East Side Coastal Resiliency Project or ESCR
22 is the first of its kind in New York. This
23 comprehensive flood protection system along the east
24 river in Manhattan, seeks to provide critical flood
25

1
2 protection to more than 110,000 vulnerable New
3 Yorkers.

4 As the project has evolved over several years,
5 communication of design changes has not always been
6 clear. This has been an unfortunate part of the
7 process. However, the need for flood protection is
8 dire and time is of the essence. The ESCR will
9 require the phased reconstruction of East River Park,
10 an amazing open space resource that serves as the
11 backyard for nearby residents, many of whom are low-
12 income and working-class people of all ages.

13 This community has had to grapple with the
14 difficult question. One that communities across our
15 city and globe will also be forced to answer in an
16 unknown future. In the face of a changing climate,
17 what sacrifices must be made in order to protect our
18 community?

19 I know this process has not been easy and your
20 Council Members have been fighting very, very hard to
21 ensure that the impacts to the community during
22 construction are lessened as much as possible.

23 I will now turn it over to them for comments.
24 Council Member Rivera.

1
2 COUNCIL MEMBER RIVERA: Thank you so much. I
3 want to thank Chair Adams for allowing me to speak on
4 LU's 548 and 549, which would amend the zoning text
5 to allow for the construction of the East Side
6 Coastal Resiliency project.

7 It's fitting that we are holding today's hearing
8 just days after thousands of New Yorkers participated
9 in the Friday's For Future Global Climate Strike.
10 And even though one of our two major pollical parties
11 is still debating whether climate change exists, it's
12 clear most of us in this city surrounded by water,
13 that our very survival depends on bold solutions.

14 Later this month, we will all mark the seventh
15 anniversary of when we first felt climate change
16 impact our homes. The day Hurricane Sandy made
17 landfall. While the memory of that terrible storm
18 has faded for many Americans, the affects of the
19 storm and what it did to the East Side of Manhattan
20 in the boroughs can still be seen and felt today.

21 Our neighborhood and many others are still
22 recovering and rebuilding from the \$19 billion in
23 damage and economic losses that Sandy brought. And
24 for the families of the 43 New Yorkers who lost their
25 lives, they will never truly be healed.

1
2 As a former organizer who led the emergency
3 community response to Sandy and today as a Council
4 Member who is responsible of the safety of almost
5 200,000 New Yorkers, I understand the seriousness of
6 the crisis we face from climate change and increase
7 sea levels and storm search.

8 I will continue to fight for the radical changes
9 we need at the local, state, and federal level as we
10 face a very real future where inaction and global
11 temperature increases fill our world with wildfires
12 and droughts and floods and massive animal die offs
13 and food shortages for millions.

14 This is a stark, terrifying reality that we face
15 as we consider the East Side Coastal Resiliency
16 project ESCR.

17 I won't say this lightly, the stakes cannot be
18 higher, and I consider this to be the most important
19 decision I have made so far and during my time in
20 office. With stakes as high as this, it is
21 imperative that we get this Coastal protection plan
22 done quickly and correctly for our community.

23 Yet, up until very recently, our city has not
24 seemed to grasp the seriousness with which they
25 needed to treat the communities that are going to be

1
2 impacted by ESCR. That's why Manhattan Borough
3 President, Gale Brewer and I knew we had bring in our
4 own climate change and resiliency experts to
5 determine the best plan forward.

6 We hired he Netherlands Based Environmental
7 Consulting group to review the projects design and
8 expect that report will be fully completed and
9 released by early next week. We look forward to
10 discussing the need for this review as well as the
11 newly proposed plan by the Mayor's Office to
12 construct the ESCR project and phases.

13 This new plan as announced yesterday, will allow
14 for nearly half the park to remain open as the
15 project is fully completed over five years with a
16 portion of the project dealing with flood protection
17 in place by 2023.

18 Council Members Chin, Powers and I were happy to
19 see the city finally listening to our community and
20 acting on one of our constituents biggest demands.
21 However, I must reiterate once again, that providing
22 this information just one day before the hearing is
23 unfair to our constituents and the advocates and
24 while we are happy to discuss this today, DDC has to
25

1
2 work harder to live up to their promise for
3 transparent and current communication.

4 Beyond phasing, we have received updates on a
5 number of other demands from city agencies that are
6 also promising. The Parks Department recently shared
7 a proposed schedule for local youth sports teams that
8 will allow them to continue playing at local ball
9 fields throughout the project timeline and while we
10 are still negotiating this schedule, many of the
11 coaches and I are encouraged by the progress that we
12 have made.

13 Beginning this fall, parks will also be planting
14 1,000 trees throughout the project area, creating 40
15 bio swells to reduce street ponding, installing new
16 lighting at six neighborhood sports fields, making
17 improvements to turf fields at six sites, applying
18 new sports coatings and painting at various parks and
19 playgrounds, enhancing family barbeque areas
20 including the LaGuardia Bath House demolition area
21 for a field, sprucing up 16 NYCHA park and play
22 sites, hiring nine new park staff for the
23 neighborhood and committing to keeping all East River
24 Park Staff on the East Side of Manhattan below 34th
25 Street. We will also be meeting with DOT and other

1
2 elected officials in the coming week to determine s
3 sufficient detour in Alphabet City for cyclists, who
4 rely on the East River greenway as first and second
5 avenues a partially open greenway are just not going
6 to cut it. But I also expect the Mayor's Office to
7 provide further updates to us today on a number of
8 issues that have not been addressed sufficiently.
9 This includes Interim Flood Protection Measures, IFPM
10 during construction of ESCR.

11 In a letter to our offices, DDC Commissioner
12 Lorraine Grillo wrote that an analysis of existing
13 conditions did not find IFPM to be an effective
14 solution for the ESCR area.

15 While IFPM may not be designed to protect
16 neighborhoods from Sandy level events, they can
17 ensure critical infrastructure remains operational
18 during more frequent less severe storms and we want
19 more details to the analysis that led to your
20 findings.

21 The city must also commit to a study for the
22 greening of FDR Drive, which has for too long been an
23 environmental injustice for East Side communities and
24 must be rectified as part of our collective vision
25 for a cleaner city. And the project team must

1
2 develop a hazardous material mitigation plan that
3 goes beyond typical mitigation efforts to ensure the
4 safety and health of all New Yorkers including
5 updates to residents and community leaders on air
6 quality level, similar to what was done with the L-
7 Train tunnel repairs.

8 And these are just a few of the demands that we
9 have sent to the Mayor's Office. I also want to
10 acknowledge and address the hundreds of community
11 leaders who have rallied and fought to make this
12 resiliency plan one that actually works for the lower
13 East Side.

14 Our collective demands have forced the city to
15 come to the table and reconsider their plan after
16 months of unanswered questions.

17 As we enter this critical phase of the ULURP, I
18 must reiterate the importance of advocacy that is
19 rooted in expert science and data, not speculation
20 and misinformation. We cannot allow our community to
21 be pitted against each other from NYCHA residents to
22 environmentalists.

23 I'm relieved the city came forward with an
24 improved modification to their plan but remain
25 disappointed that we were ever put in a position

1 where unfounded rumors of real estate speculation,
2 mistrust in government and ulterior motives became
3 dominant themes in a conversation that should have
4 been focused on access to open space and flood
5 protection for our families.
6

7 For me, nothing is more important than our
8 families. I grew up in the lower east side and my
9 family immigrated from Puerto Rico, another place
10 that has been ravaged by climate change. I grew up
11 in East River Park, my home park. The park where I
12 have countless memories and a place I enjoy to this
13 day. I learned to ride my bike in the drum circle
14 and along the esplanade, I played and usually won,
15 softball games in East River fields. I have
16 barbequed with friends and families on hot summer
17 days by the Ten Tree Bridge. East River Park is a
18 part of who I am.

19 And now, to represent this neighborhood that is
20 home to countless NYCHA residents, activists, free
21 thinkers and families is an immense point of pride.
22 As a lifelong resident of our beloved low east side,
23 the factors of this decision have been unnecessarily
24 difficult to way. I feel it is my responsibility to
25 ensure we get a protection plan that we can truly say

1
2 takes care of all of us, but most of all keeps us
3 safe for generations to come.

4 In closing, I will just reiterate what I've been
5 saying from the beginning. ESCR will set the tone
6 for all future coastal resiliency projects and if the
7 city wants to vote in confidence of the three host
8 council members, they need a plan worthy of our
9 community. Thank you.

10 CHAIRPERSON ADAMS: Thank you so much Council
11 Member Rivera. I am going to ask those holding
12 signs, once again, you've been warned by security.
13 We do not want to remove you from the room, so please
14 do respect the rules of the Chambers. Thank you so
15 much.

16 We've been joined by Council Member Chin, who we
17 will ask for remarks at this time.

18 COUNCIL MEMBER CHIN: Thank you Chair Adams for
19 holding this important hearing. The Administrations
20 East Side Coastal Resiliency ESCR project, has
21 sparked an important discussion about the best ways
22 to improve the environmental protection in New York
23 City.

24 As the representative of lower Manhattan, one of
25 the areas that was the hardest hit by Superstorm

1
2 Sandy, I know that improving the resiliency
3 environmental health of the neighborhoods in lower
4 Manhattan has been long overdue.

5 At the same time, we know that East River Park is
6 a beloved green space for so many residents;
7 especially community of colors. Balancing New York's
8 preparation for the impacts of climate change with
9 the needs of full publicly accessible green space
10 must be a priority as City Hall moves forward with
11 this plan.

12 While the Administrations recent announcement
13 that they will be phasing construction in the park in
14 the case that they are listening to the community,
15 but questions remain about the details of this change
16 and the potential impact.

17 Today's hearing is an important opportunity for
18 the Administration to provide some answers to our
19 concern and also, to be able to hear from the
20 residents.

21 I wanted to thank my colleague Keith Powers,
22 because we share part of the park but especially
23 Council Member Carlina Rivera. She has the bulk of
24 the park and her staff, whose been taking leadership
25 on this and her advocacy has been tremendous.

1 You know, we're very, very supportive of her and
2 we are so happy that the Administration finally did
3 hear from us and from all of those meetings that you
4 have attended, and it makes a difference. When we
5 finally heard that 42 percent of the park will remain
6 open during this construction, because everybody's
7 been asking, why couldn't we phase it? Why do we
8 have to close the whole thing?

9 And so, we got some assurance from the
10 Administration that at least 42 percent of the park
11 will remain open and that's a big deal. But going
12 forward, we want to make sure that all the green
13 space that were promised during the interim period,
14 becomes a reality and a lot of us will be asking some
15 of those questions later.

16 So, thank you again Chair Adams for holding
17 another important hearing and thank you to all of my
18 colleagues. Thank you.

19 CHAIRPERSON ADAMS: Thank you so much Council
20 Member Chin. We will now hear from Council Member
21 Powers.

22 COUNCIL MEMBER POWERS: Thank you, thank you for
23 the opportunity to say a few words. Good morning and
24 thank you everybody for being here and taking time
25

1
2 out of your day to be here as part of this important
3 conversation.

4 As, I think Council Member Rivera noted, it's
5 really impossible to have this conversation without
6 thinking about why we're here. Back in 2012, when we
7 had a super storm that in my neighborhood in
8 Stuyvesant Town in Peter Cooper where we lost power,
9 streets were flooded, cars were under water,
10 buildings were damaged and some services offline for
11 multiple years and much more. And seven years later,
12 I still remember walking through my neighborhood as
13 the power went out. I remember the water rising over
14 Stuyvesant Cove Park as I sat there and watched it
15 come over. I remember coming up 14th Street, I
16 remember looking over and seeing the flooding of the
17 cars on Avenue C and the days and the weeks after
18 that as a National Guard actually had courted
19 themselves in Stuyvesant Town, the Community Center
20 there. And went out and you know, go knock on doors
21 to make sure people, especially seniors who were
22 living in apartments where there was no power had
23 access to food and prescription medicine and all
24 sorts of resources.

1 That leads us to where we are here today, and I
2 am happy that we're having a conversation and moving
3 forward with a plan to react in response to that
4 moment.
5

6 This project in my view will bring essential
7 protections from storms and flooding and especially
8 in project two, which is my part of this plan. For
9 Stuyvesant Town and Peter Cooper Village and other
10 surrounding areas, it doesn't come out without
11 disruption, as we know, this means for my
12 constituents the partial closures of East River Park.
13 It means taking Murphy Brothers Playground offline
14 for a portion, Stuyvesant Cove Park, Asser Levy
15 Playground, all to do with installation of flood
16 protection and rebuilding the parks.

17 This is going to impact the everyday users of the
18 park in my district to run and bike and take
19 advantage of the open space. It's going to affect
20 the little league that I played in the Great Peter
21 Stuyvesant Little League who uses this space, Solar
22 One, a great institution. It's going to impact many
23 of those and many of those here today who rely on
24 that as their space, their public space.
25

1
2 But like all projects that come before the
3 Council, I think we all share the goals, but the
4 difficulty is the implementation of the project and
5 obviously, in a piece of news yesterday that I view
6 as good news, we have routed changes that would allow
7 for the park, on the East River Park to be open in
8 some portion for the entirety of the project.

9 That is, and I will say this publicly, and I will
10 say it very clearly, a call that came from the
11 Council Members that were here and the other elected
12 officials and the community to phase this
13 construction. I think we always believed it was
14 possible and it's really the result of a year or
15 plus, I think, of discussions between the Council
16 Members and the Administration.

17 I think we all believed we could do coastal
18 resiliency while preserving open space and this plan
19 gets us a bit further in those goals and today, I
20 think we'll be looking forward to hearing more about
21 the new updated plan and asking questions about the
22 new plan and the implementation of it.

23 I share with the comments that were made earlier
24 which as elected officials, we have to look at the
25 big issues in our districts and ensure that we are

1
2 properly protected from the next storm. For my
3 neighbors and myself, getting added protection
4 against a super storm is really essential and the
5 plan is a step forward in my view, to do that.

6 I will have a number of questions today. I will
7 be looking forward to looking for more information
8 about the new plan particularly in my area around
9 phase 2, Murphy Brothers Park Playground, Stuyvesant
10 Cove, Asser Levy playground and the phasing of those
11 and how construction will impact those neighborhoods.

12 I just want to say and I think Council Member
13 Chin said it, but I don't think we would be even at a
14 part of phasing the park if we didn't have a strong -
15 I don't represent that area, but for those who
16 represent that area including Council Member Rivera,
17 they did not draw a hard line in the sand that that
18 was essential as part of a plan.

19 I know that I've heard from my constituents
20 they're happier that we are with a plan that phases.
21 So, I'm grateful for the collaborative effort to get
22 to even this part. I think all of us would like to
23 see as much open space preserved and kept open
24 through this project and I think as we get to a final
25

1
2 vote, we'll be looking for clear answers if we can go
3 further than what's there today.

4 So, with that, I'll hand it back over. Thank
5 you.

6 CHAIRPERSON ADAMS: Thank you so much Council
7 Member Powers. We're joined today by representatives
8 of the Departments of Design and Construction, Parks
9 and Recreation and the Mayor's Office of Resiliency.

10 We're joined by Commissioner Lorraine Grillo DDC,
11 Jamie Torres Springer First Deputy Commissioner DDC,
12 Mitchell Silver New York City Parks Commissioner,
13 Alyssa, I'm sorry, I can't read your — Cobb Konon,
14 thank you, also from New York City Parks and Jainey
15 Bavishi Director of Mayor's Office of Resiliency.

16 Before you begin, Council will swear you in.

17 COUNCIL CLERK: Please raise your right hands and
18 say your names. Do you affirm to tell the truth, the
19 whole truth and nothing but the truth in your
20 testimony before this Subcommittee and in response to
21 all Council Member questions?

22 CHAIRPERSON ADAMS: Thank you again. You may
23 begin.

24 LORRAINE GRILLO: Good afternoon Chair Adams and
25 members of the Subcommittee. I am Lorraine Grillo;

1
2 Commissioner of the Department of Design and
3 Construction. Thank you for this opportunity to
4 testify on the East Side Coastal Resiliency project,
5 ESCR we call it.

6 I first want to acknowledge Council Members
7 Rivera, Powers and Chin whose leadership and advocacy
8 on behalf of their communities has truly shaped the
9 city's approach. The project you are considering
10 today is unprecedented in New York City. ESCR will
11 create a miles long system of protective barriers,
12 flood walls and flood gates, new sewers and drainage
13 upgrades covering much of the lower east side and a
14 rebuilt East River Park, literally lifting it out of
15 the hundred-year flood plain in order to protect it
16 from a changing climate. The project is uniquely
17 challenging from a constructive perspective, we can't
18 get this wrong.

19 When I arrived at DDC last summer, I was given
20 one mandate by Mayor de Blasio. To ensure that the
21 agency performed at the highest level and delivered
22 our projects on time and on budget. With this in
23 mind, I came to DDC while ESCR was undergoing a
24 careful top to bottom constructability review.

1 That review found significant constructability
2 issues that put the project at risk. I detailed
3 those issues at length when I testified before the
4 Council in January. We knew we had to find a better
5 approach. Our solution has not only reduced
6 construction risk, we can also deliver flood
7 protection one full hurricane season sooner than the
8 previous plan this time in 2023.
9

10 This achievement should not be glossed over. We
11 have eliminated years of loud and disruptive
12 nighttime pile driving across the street from
13 thousands of NYCHA residents; an issue I have
14 mentioned time and again. Let me say it again, the
15 previous approach would have required years of
16 nighttime pile driving across all of NCHA's housing
17 along the East River Park. The current approach does
18 not.

19 We eliminated massive risks posed by the previous
20 approach which required digging up a major Con Ed
21 transmission line that delivers power to most of
22 lower Manhattan. We no longer have to do this
23 because we've moved construction of the flood
24 protection away from the FDR and the Con Ed line.
25

1
2 Away from thousands of nearby residents and closer to
3 the East River.

4 Once more, ESCR will now protect the park itself
5 and its many new amenities from the same coastal
6 flooding risks as the rest of the neighborhood which
7 was not the case with the earlier approach.

8 It also bares repeating that the previous
9 approach would have also required extensive longtime
10 closures of East River Park. Once more, the vast
11 majority of existing trees would have also had to be
12 removed, a fact we shared in early 2018.

13 We all have to acknowledge that ESCR is a massive
14 undertaking, no matter how you approach it. But
15 let's look forward, to get flood protection in fall
16 of 2023, we have an aggressive construction schedule.
17 We break ground next spring and have already hired a
18 program management team to assist with day to day
19 oversight and ensure the project stays on schedule.

20 Construction contracts will have meaningful
21 incentives for contractors to deliver the project on
22 time and penalties for delays. And let me come to
23 perhaps the most important construction question.

24 Providing ongoing access to recreation for the
25

1 community during construction. This has been a top
2 demand from the community and elected officials.
3

4 Commissioner Silver will share a robust interim
5 recreation plan. Meanwhile, the team at DDC has been
6 working tirelessly to develop a construction phasing
7 plan that also lives up to this goal. After many,
8 many iterations, we found one that keeps almost half
9 of the East River Park open at all times.

10 The community and its elected representatives
11 have been clear. Access to recreation must be a top
12 priority and we have found a way to accomplish this
13 and still ensure flood protection in time for the
14 2023 hurricane season. Even if the final touches to
15 the project will take a little longer.

16 We will walk you through the details of this plan
17 in a moment. But I am proud of the significant
18 change driven by the community and it makes this
19 project better. We are also committed to providing
20 the community with some of the economic benefits of
21 this \$1.4 billion project.

22 We are working to ensure access to labor, pre-
23 apprenticeship programs, an important pipeline to
24 career opportunities. We will aggressively pursue a
25 30 percent goal of contracts awarded to minority and

1 women owned businesses. We are also required to
2 provide extensive targeted recruitment and employment
3 opportunities to low-income individuals and will be
4 working with SBS and local leaders to ensure these
5 opportunities are well publicized.
6

7 There have been lots of questions about how
8 construction itself will proceed. Let me assure the
9 Council that we will follow all health and safety
10 guidelines to the letter. DDC will also provide a
11 dedicated full-time community construction liaison's
12 or we call them CCL's for the duration of the
13 project. The sole focus of these CCL's is to work on
14 site every day during the construction to interact
15 with the residents, community boards and businesses
16 to provide constant construction updates and resolve
17 any issues on the ground in real time.

18 Since last fall, we have participated in nearly
19 100 meetings, town halls, working groups and other
20 forms large and small. It is due in part to this
21 engagement that Community Boards 3 and 6, the
22 Manhattan Borough President and the City Planning
23 Commission have all reviewed and approved the
24 projects with conditions. We have heard each and
25 every concern brought to us. Our response to them is

1
2 reflected not only in the phasing but also in
3 specific park amenities requested during our
4 meetings. Better waterfront access and other changes
5 to the parks design and construction.

6 In closing, I want to thank the community and its
7 elected leaders for driving us to a better approach
8 for more resilient New York City that will keep this
9 community safe for generations.

10 Thank you again for the opportunity to testify.

11 CHAIRPERSON ADAMS: Thank you Commissioner.

12 JAINEY BAVISHI: Good afternoon, I am Jainey
13 Bavishi; Director of the Mayor's Office of
14 Resiliency. I'd like to thank Chair Adams and the
15 other members of the Subcommittee on Landmarks,
16 Public Siting and Dispositions for this opportunity
17 to discuss the East Side Coastal Resiliency project
18 and the resiliency benefits it will provide for more
19 than 110,000 New Yorkers.

20 Commissioner Grillo just spoke to how this
21 project will be built. Now, I would like to speak to
22 why it so urgently needed. Seven years ago, this
23 month, New York City experienced a level of
24 devastation that will never be forgotten.

1 As darkness fell on the evening of October 29,
2 2012, Hurricane Sandy roared into New York Harbor.
3 At the battery, its storm surge reached a peak of
4 nearly 14 feet. Along the east side of Manhattan, a
5 violent flood of saltwater swept over bulkheads and
6 into the streets, reaching as far as Avenue B.

7 Thousands of lives were upended. Recovering from
8 the damage, which was extensive, has taken years and
9 a highly coordinated effort involving the federal
10 government, numerous city agencies, homeowners,
11 businesses and more.

12 As Hurricane Sandy so tragically demonstrated,
13 climate change is an emergency that cannot be
14 ignored. Since then, the global forecast has only
15 become more distressing with new reports showing that
16 we have less time to act. Last month, millions of
17 young people participated in global climate strikes
18 including here in New York City. They are giving
19 voice to the fears many have about a warming world.
20 A world that will have more hurricanes, more
21 droughts, an extinction crisis and temperatures so
22 high that some areas may even become uninhabitable.

23 Our mission is to prepare our city and its
24 residents for these impacts. This is a moral
25

1
2 imperative and a responsibility is not something we
3 take lightly. To combat the threats we face, we're
4 investing over \$20 billion into resiliency citywide.
5 Focusing first and foremost on our most vulnerable
6 areas and those neighborhoods that were hit the
7 hardest by Hurricane Sandy.

8 The investments include some of the most advanced
9 and innovative resiliency efforts anywhere in the
10 world. The ESCR project is one of several major
11 coastal resiliency measures underway across the five
12 boroughs. It's scope is ambitious. As I mentioned
13 earlier, this project will protect over 110,000 New
14 Yorkers from the threats of flooding, from sea level
15 rise and storm surge.

16 Critically, this includes thousands of low-income
17 families living in NYCHA developments located in the
18 flood plain.

19 The ESCR project won't just protect the New York
20 City of today, but also the New York City of a
21 hundred years from now. Our resiliency planning
22 utilizes the best available scientific projections
23 and we are fortunate to have an independent panel of
24 highly credentials climate scientists advising us.
25 There where it clearly shows that future storms will

1
2 be intensified by rising sea levels. We are
3 accounting for that by building this project to
4 withstand hurricanes much more powerful than Sandy.

5 If unanticipated factors cause sea levels to rise
6 beyond present day projection, tow additional feet of
7 protection can be added in future decades thanks to
8 an adaptable foundation design. It's not
9 exaggeration to say that this project will protect
10 generations of New Yorkers. Even as the threats
11 associated with global warming continue to worsen.
12 We refuse to be daunted by the challenges we face.
13 We're approaching our work to adapt New York City to
14 climate change with determination, grit and the
15 upmost urgency. We're doing so because our very
16 future depends on it.

17 Thank you for allowing me to testify before you
18 today. I would now like to welcome Commissioner
19 Mitchell Silver from the New York City Department of
20 Parks and Recreation.

21 CHAIRPERSON ADAMS: Thank you.

22 MITCHELL SILVER: Good afternoon Chair Adams,
23 members of the Council Subcommittee on Landmarks,
24 Public Siting and Dispositions and other Council
25

1
2 Members. I am Mitchell Silver; Commissioner of the
3 New York City Department of Parks and Recreation.

4 Thank you for inviting us here today to provide
5 an update on the East Side Coastal Resiliency
6 projects, also known as ESCR. I'd like to begin by
7 recognizing the local Council Members for their
8 advocacy and leadership regarding this project
9 including Council Members Rivera, Chin and Powers.

10 I'd also like to thank Commissioner Grillo of the
11 Department of Design and Construction and Jainey
12 Bavishi from the Mayor's Office of Resiliency
13 providing such helpful information in context for
14 this massively important project. And for being
15 incredible agency partners in this effort.

16 While you've just heard about the benefits and
17 protection that this large-scale resiliency
18 investment will offer for 110,000 New Yorkers on the
19 east side of Manhattan. Today, I'd like to also
20 provide our agencies perspective on how this project
21 will vastly improve East River Park and other nearby
22 parks for the betterment of both local community and
23 the city at large.

24 Since I serve as Parks Commissioner of the
25 largest city in the United States and have decades of

1
2 experience in the field of Urban Planning, I've had
3 the privilege of engaging with planners, policy
4 experts and park advocates from across the globe.

5 And increasingly, cities around the world are
6 more directly facing the challenge of a disturbing
7 environmental and ecological trends and patterns. As
8 you've heard from my colleagues, from the
9 Administration, when it comes to global climate
10 change, we are at a reckoning point and cities need
11 to incorporate resiliency measure into every aspect
12 of urban planning including our parks and open
13 spaces.

14 This ESCR project will transform East River Park
15 into a modern climate resilient park design to
16 withstand the dangers posed by sea overrise and
17 climate change, so that the park can continue serve
18 as a valuable public resource for years to come.

19 New York City Parks fully and enthusiastically
20 supports this project which thanks to the hard work
21 of our partners at DDC and other agencies now has a
22 greatly improved, smarter design, which will result
23 in a better park going experience for New Yorkers to
24 enjoy.

1 To be clear, East River Park is already
2 experiencing the impacts of climate change and is at
3 serious risk. The park esplanade experiences
4 flooding on a regular, nearly monthly basis which has
5 led to park closures and increased maintenance and
6 repair work.
7

8 Through the improved design approach, the park
9 will be literally elevated and removed from the flood
10 plain, so the park can better withstand future
11 climate challenges. Without this project, East River
12 Park and the community will be subject to continued
13 increased flooding due to more frequent and extreme
14 storm events and rising sea levels.

15 Further, the project will provide incredible
16 improvements and benefits for the park and honor the
17 connection that New Yorkers have to our public
18 waterfront, which is especially important for us as
19 residents of a coastal city.

20 To mention one critical example that will
21 beneficially be added to the scope as the design of
22 the project evolved, ESCR will construct and
23 strengthen the waterfront bulkhead which is currently
24 in poor condition. As members of this Subcommittee
25 are well aware bulkhead repair reconstruction is a

1
2 critical investment for a waterfront infrastructure
3 especially for retaining safe waterfront parks
4 particularly as waterfront conditions change and
5 evolve.

6 If not addressed now, this work will need to be
7 done at a future juncture leading to unnecessary
8 additional park closures. This project represents an
9 incredible opportunity to implement a modern park
10 design for East River Park. One that reflects the
11 communities current needs.

12 Through the years of community input involved
13 with this project, we heard a consistent theme loud
14 and clear. East River Park is beloved community
15 space with a wide variety of features and amenities
16 and local residents want to be assured that the
17 essential program and utility of the park, will
18 remain the same.

19 I am pleased to confirm that this improved design
20 does just that, preserving the general layout of East
21 River Park while also improving to the park thanks to
22 design universally accessible bridges as well as
23 generous welcoming entry points, not to mention a fly
24 over bridge over the pinged point at 14 Street that
25 has long been desired by the community.

1 The earlier version of the project design relied
2 on heavily on significant use of flood walls along
3 the FDR drive, but this improved urban park design
4 will minimize the separation and provide much
5 improved visual site lines into the park reconnecting
6 the community and the waterfront park they need and
7 deserve.
8

9 Through this project, we will be also able to
10 provide entirely renovated facilities and amenities
11 that New Yorkers know and love, including the
12 amphitheater, adult fitness equipment, ball fields,
13 tennis courts, soccer and multi-use turf fields,
14 track and field, basketball courts, playground,
15 comfort stations and picnic and barbeque areas.

16 We're also seizing the opportunity to provide
17 completely new facilities and uses that do not
18 currently exist including multipurpose passive lawns
19 an additional playground, additional basketball
20 courts and a brand-new adult fitness court challenge
21 and solar lighting, all at elevations above the flood
22 plain.

23 Lastly, as you've already heard from our agency
24 colleagues, we are especially pleased that the
25 reconstruction of East River Park will be phased to

1
2 allow continued access to significant portions of the
3 park as construction is underway.

4 As with many major capital projects of this
5 scale, the complexity, we understand that there will
6 be significant impacts and inconveniences for the
7 public.

8 Regardless of design approach being considered,
9 the city would have to rebuild the majority of East
10 River Park, a massive undertaking. We will
11 temporarily relocate existing sport leagues
12 permittee's that currently use the ball fields and
13 are prioritizing their access to alternate park
14 facilities.

15 As you will hear in more detail shortly, we have
16 already begun implementing improvements to nearby
17 park properties that will increase interim access to
18 recreational space for the duration of the closure.
19 Either through short term enhancements or capital
20 work that is underway.

21 Through our public engagement, the enthusiasm of
22 our urban forest, particularly the trees within East
23 River Park has become abundantly clear. In the parks
24 current configuration, East River Parks trees are
25 increasingly at risk from saltwater damage.

1
2 In 2014, New York City Parks had removed 258
3 trees from East River Park that have suffered
4 saltwater damage after Hurricane Sandy. As if East
5 River Park, which remain in its current
6 configuration, it is likely that many of the parks
7 remaining trees will be lost to old age or salt
8 inundation from routine flooding or large storm
9 events in coming years.

10 Due to the need to elevate the park by several
11 feet, the project will require the removal of nearly
12 all the trees within East River Park, but we are
13 pleased to say that over 1,800 new trees, a net
14 increase of 750 trees we planted in the project area
15 above the flood plain in a new planting palette of 52
16 species that includes native, salt tolerant species.

17 Additionally, approximately 1,000 trees will also
18 be planted in the surrounding neighborhood, so that
19 residents of the East Side can all better benefit
20 from increased urban tree canopy. Relining our tree
21 planting strategy in accordance with the best
22 practices for resiliency in combination with the
23 elevation of the new park, means that these trees and
24 plantings will have the best chance of surviving
25

1
2 future extreme weather, be it a drastic storm or
3 rising temperatures.

4 Though the project of this size will always
5 present challenges and costs, we're pleased that ESCR
6 project will help deliver an improved park experience
7 for visitors to East River Park and other nearby open
8 spaces; rebuilding them better, smarter and stronger.

9 As I've hoped we have demonstrated today,
10 improving and protecting our city's park system for
11 the 21st Century is a guiding principle for this
12 Administration and New York City Parks. We're
13 excited about the opportunity to deliver a world
14 class park for the community and we look forward to
15 bring an improved open space and waterfront access
16 along with a comprehensive flood protection for this
17 densely populated area of New York City.

18 Thank you for allowing us to testify before you
19 today and for your great advocacy for our city parks.

20 I would now like to introduce Jamie Torres
21 Springer, First Deputy Commissioner at DDC and Alyssa
22 Cobb Konon, New York City Parks Deputy Commissioner
23 for Planning and Development who will give a short
24 presentation to offer more details about this
25 project.

1
2 CHAIRPERSON ADAMS: Thank you Commissioner,
3 before you do, I'd like to acknowledge we've been
4 joined by Council Member Inez Barron and our vote is
5 still open. Council Member Barron, your vote.

6 COUNCIL MEMBER BARRON: Thank you Madam Chair. I
7 vote aye.

8 COUNCIL CLERK: By a vote of five in the
9 affirmative, zero in the negative with zero
10 abstentions, all items are approved for referral to
11 the full Land Use Committee and the vote is closed.

12 CHAIRPERSON ADAMS: Thank you Council and just as
13 a point of housekeeping one more time. For those of
14 you who don't know I ma a former community board
15 chairperson of the second largest community board in
16 Queens and I'm no stranger to public meetings, town
17 halls, and any other contentious meetings that may be
18 had in a single community in a single moment in time.

19 So, with that said, I am going to ask your
20 indulgence, your patience and most importantly your
21 respect in these Chambers. If you have signed up to
22 speak, you will have your time to speak and let your
23 voices be heard on this very important matter. We
24 know that emotions are very, very high today but we
25 must all be respectful of each other in these

1
2 Chambers, so that all testifying can be heard by you.
3 If you are making noises, we can't hear them and your
4 peers in the room cannot hear them.

5 So, I will respectfully ask you to again, respect
6 the rules of these Chambers. Let's maybe not enjoy
7 so much the process but let's obey and respect the
8 process. Thank you very much, you may continue.

9 JAMIE TORRES SPRINGER: Thank you Madam Chair.
10 Good afternoon Council Members. Deputy Commissioner
11 Cobb Konon and I will provide a brief overview of the
12 project with emphasis on the phasing approach that
13 was announced by the Mayor yesterday.

14 So, the four goals that have driven ESCR since
15 the outset are to provide a reliable integrated flood
16 protection system in order to address various levels
17 of flooding for the community and other climate
18 hazards. To at the same time, improve waterfront
19 open spaces and access. And then, the project has
20 \$338 million of federal funding and so, tied to that
21 is to build a project that has what we call
22 independent utility. Meaning it stands on its own
23 for addressing flooding within the community and its
24 been designed to do so and then of course, to respond
25 as quickly as possible to the urgent need for

1
2 increased flood protection and resiliency. The
3 project area adjacent particularly to East River Park
4 is pictured here and we have 110,000 residents in the
5 future hundred-year flood plain as projected in the
6 2050's.

7 So, the science tells us that this community is
8 one of the lowest laying in the city. It's the
9 lowest laying edge of the east river in Manhattan and
10 as I say, 110,000 residents exposed to that hundred-
11 year flood. Including as we've emphasized here and
12 as top of mind, about 15,000 residents of NYCHA
13 housing, many of whom live immediately adjacent to
14 the FDR Expressway and East River Park.

15 So, that's what we're trying to solve for here.
16 The project in overview has the features that we've
17 described many times in the past and have been
18 described by the Commissioners. It raises East River
19 Park out of the hundred-year flood plain to protect
20 the park and serve as a barrier to the community or
21 barrier for flooding to the community with flood
22 protection built underneath. In areas where we don't
23 have as wide an edge, we have a series of flood walls
24 that are connected via gates to the north and south
25 in order to provide that complete protection.

1
2 In addition, there are upland drainage
3 improvements to help us deal with water during a
4 heavy rainfall that coincides with the coastal flood
5 event. And also, interceptor gates that will prevent
6 water from coming from the north and south. Again,
7 so we can have that independent utility for the
8 project.

9 Also, as has been mentioned, the project involves
10 rebuilding the bulkhead, which is in poor condition
11 in East River park and rebuilding all of the sewer
12 systems inside the park which are aging and will need
13 replacement. The project also improves open space a
14 waterfront access. Deputy Commissioner Cobb Konon
15 will get into the overview of the new park. We also
16 are replacing three bridges including the Flyover
17 Bridge at the so-called pinged point at 14th Street.
18 I also should mention we will be keeping Ferry's
19 running from Corlears Hook and Stuyvesant Cove
20 throughout construction.

21 So, turning to the schedule for construction,
22 this is an unprecedented complex construction project
23 as we've emphasized very often, some of the
24 construction issues that we have been grabbling with
25 over the last year as we advance design include the

1 location and inner connectedness of the underground
2 sewer infrastructure underneath East River Park.

3 Which again, does need to be replaced eventually and
4 we're able to replace it during this project.
5

6 Also, the settling time associated with fill that
7 is brought in to raise East River Park. To be clear,
8 there was a substantial amount of fill needed in the
9 prior project approach as well but fill needs time to
10 settle and so sorting out how to deliver this project
11 effectively incorporating that fill settling time has
12 been complex.

13 Of course, looking at ways that pedestrian's can
14 safely access portions of the park while our
15 construction vehicles also need to access portions of
16 the park. And then when it comes to phasing, how we
17 would construct where we need to temporary pathways,
18 walls, drainage etc., in order to make the park
19 occupiable.

20 At the same time, the two goals that are
21 emphasized on the right, certainly the goals that the
22 Mayor has emphasized with us are two complete the
23 flood protection as early as we can. So, still to
24 complete that flood protection by mid-2023 and then
25 maximize public access to open space during

1
2 construction and so, that's led us to the phasing
3 plan that we've announced in the last couple of days.

4 So, what we had before was a plan where we were
5 looking at a full closure of the park and delivery
6 of, the overall project within about three and a half
7 years. What we have been able to move to at this
8 point is a plan in which nearly half of East River
9 Park is always open at all times during the
10 construction of the project.

11 We've tried to illustrate this here by showing
12 what the picture looks like each summer during the
13 construction phase. So, I'll just walk through that
14 in order to describe that.

15 First of all, no closure of any portion of East
16 River Park until the fall of 2020. So, we're going
17 to be able to start the construction project with
18 some other early works and not close the park next
19 summer so it will be open that season.

20 The first phase of construction is from the fall
21 of 2020 to spring of 2023. As you can see here, this
22 describes the first phase. The vast majority of the
23 park areas from Delancey to Houston Street, so the
24 bulk of the middle of East River Park will remain
25 open as well as the amphitheater area in the south

1 and the portion of the park from approximately East
2 10th Street to East 12th Street in the north.

3
4 As is stated, this represents about 42 percent of
5 the park area. Users of the park will be able to
6 access these spaces via Corlears Hook Bridge,
7 Delancey Street Bridge, the Houston Street overpass
8 and the 10th Street Bridge. The other areas will
9 close, and construction will commence on those areas.

10 The next year, in the summer of 2022, we have the
11 scenario I've described for about two and a half
12 years. So, from late 2020 to mid-2023, so in 2022,
13 you're in the midst of that first phase; you have
14 that same scenario. Just with a couple of notes,
15 first of all, we've noted that the Pier 42 project,
16 which is the construction of a park to the south of
17 East River Park, is scheduled to be completed in the
18 spring of 2022. So, that second summer Pier 42 will
19 be online.

20 In addition, as we move from 2022 to 2023, in
21 late 2022, we need to close the esplanade for the
22 extent of the park. We'll be able to maintain park
23 use in all the areas behind the esplanade, but the
24 esplanade is the location of a lot of the most
25 complex work. And so, we need to be able to close

1 the esplanade so that we can do that work. And so,
2 you can see that picture here. In the summer of
3 2023, the esplanade closure throughout the park, but
4 at the same time in 2023, we flip and start the
5 second phase of park construction.
6

7 Here, we're able to open over 50 percent of East
8 River Park during that year and then the second phase
9 of construction lasts from the spring of 2023 to late
10 2025. So, that subsequent two and a half years.
11 Newly rebuilt portions of East River Park will be
12 open from Houston Street to approximately East 10th
13 Street, as well as the vast majority of the park
14 areas in the South from Corlears Hook Bridge to
15 Delancey Street.

16 You can see that some esplanade areas will remain
17 closed in the newly opened areas for a little while
18 as we finish those up. The other critical thing we
19 want to make sure we emphasize; the flood protection
20 will be complete. We will be able to address a
21 coastal storm surge by the middle of 2023; by
22 hurricane season 2023. That's because we have some
23 areas that are finished and some areas that have been
24 closed. The first thing we're going to do is put the
25 flood protection in place.

1
2 You can see the picture in 2024; we've been able
3 to open more of the esplanade in areas where the park
4 is completed. By the summer of 2025, most of the
5 esplanade has been reopened and then the park itself
6 will be fully completed by the end of 2025 at that
7 conclusion stage.

8 But again, the flood protection in place by the
9 middle of 2023. This is a picture which is sort of
10 more detail on the multiphase plan. We will post
11 this online and make sure that people can have access
12 to it. It refers to geographies of the park which we
13 call REACHES and we'll have a key map along with that
14 when people look at it online. But it's basically
15 showing the same thing that I just described, which
16 is three phases.

17 The first phase where the areas between Corlears
18 Hook and the Amphitheater, between Houston and
19 Delancey and between East 10th and East 12th Street
20 are open for the first two-and-a-half-year period
21 while work goes on in the other areas. Then that
22 flips and we've go the areas that I described which
23 are open in the second phase. Then, as can be seen
24 on the third sort of line here, there's an esplanade
25 closure in the middle, so that we can get that work

1 done. So, that's the phasing plan for East River
2 Park.
3

4 I also wanted to note as the Council Members have
5 referenced, there is another phase to this project,
6 which is the areas to the north of 14th Street.

7 We've been working on a phasing plan for that as well
8 and synced it up with the closure of East River Park
9 as best we can. So, what we have here is about one
10 and a half years construction on Asser Levy Park up
11 at 23rd, 24th Street happening first. Stuyvesant Cove
12 takes approximately 24 months, so we would close
13 Stuyvesant Cove Park for the reconstruction and
14 building the flood wall in the middle, at the end of
15 2021 and leaving Murphy Brothers Park open as long as
16 we can because that can also serve as an amenity for
17 folks that would otherwise be using East River Park.

18 We've also been working on the timing for
19 Murphy's Brother Park construction, recognizing that
20 it's used by Little League teams. And so, we believe
21 this timing at present works so that there's just one
22 season that it's not available for Little League.

23 And then for a brief design overview, I'll turn
24 to Deputy Commissioner Cobb Konon.
25

1
2 ALYSSA COBB KONON: Thanks Jamie. Improved
3 access from the community into the park is one of the
4 primary goals of this project and what you see in
5 front of you is an image of what East River Park
6 would look like in the future. Demonstrating two of
7 the major access improvements to the park, both at
8 Corlears Park Bridge, a bridge that needs to be
9 reconstructed and it's integration into the
10 Amphitheater as well as Delancey Street Bridge.

11 These new access points will be universally
12 accessible, add great access directly into the park,
13 unlike the steep, narrow, switchback entrances of the
14 1939 Robert Moses Park that East River Park is today.

15 Included in this image, you also see a new
16 playground and the provision of solar lights on a
17 scale that New York City Parks has never done before.

18 Jamie, if you could go to the next one.

19 One of the key things we heard from the community
20 was to replace all the acts of recreation and to
21 provide passive informal spaces within the park which
22 is reflected in the design. We're reconstructing all
23 the program elements. Here you see tennis courts,
24 basketball courts, multi-use fields, soccer and ball

1 fields. We've also added a new barbeque area on the
2 southern part of the park.
3

4 Moving north up to the 10th Street area, we are
5 replacing the existing program, as I mentioned, plus
6 new modern park buildings and the so needed
7 reconstruction of the playground at 10th Street.

8 At each new at grade entrance to the park, we're
9 building a greeting and entrance lawn followed by
10 step downs and a Baymont to look and touch the water.

11 And not only are we ensuring that the
12 recreational uses that the community values will
13 continue to be part of the park, and elevated out of
14 the way of storms, we're also making sure that we are
15 planting a diverse resilient planting pallet unlike
16 the plantings that predominate today.

17 This project will introduce 52 different species
18 of trees. Including species that will grow faster to
19 help provide shade sooner. These species will be
20 layered in rows and sited with park uses and
21 ecological richness in mind.

22 As we move out of East River Park, this is a
23 conceptional image of how the Flyover Bridge goes
24 over the Con Ed building solving the three-foot Con
25 Edge Pinpoint that has long been identified as key to

1 making the Manhattan greenway complete. Landing into
2 the northern section of the project, a flood wall
3 will run between the Con Ed facility and the FDR,
4 sheltering Murphy Brothers playground and then moving
5 under and behind Stuyvesant Cove effectively under
6 the FDR with a focus on making entrances into
7 Stuyvesant Cove Park inviting and planting native
8 plants.
9

10 The flood protection runs back under the FDR and
11 is integrated into Asser Levy recreation center and
12 playground for its tie back and completion of the
13 flood protection compartment, so it is a stand-alone
14 system.

15 To make this project happen, we want to be sure
16 to be able to implement and maintain the flood
17 protection. As such, we have several ULURP actions
18 that are before you. The ULURP actions mainly
19 consist of authorizations to allow the city to
20 negotiate access of easements adjacent to where we
21 will be building flood protection structures.

22 There is also a technical zoning amendment
23 required for Stuyvesant Cove Park, since it is not
24 map city park land and is subject to waterfront
25 zoning.

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2 DISPOSITIONS 79
3 In considering how to implement this project,
4 we've studied various project alternatives and
5 examined the anticipated impacts. An impact we're
6 really focused on and an impact that would be
7 relevant regardless of how we approach this project
8 is the partial closure of East River Park during
9 construction.

10 Here's what we're doing to mitigate. First of
11 all, we're phasing the project, which means that
12 significant portions of East River Park will remain
13 open at all times, along with the timing of the
14 second part of the project.

15 And then secondly, we're undertaking a suite of
16 neighborhood improvements to local recreational
17 resources including creating new turf field, putting
18 in solar lights to extend playing time, prioritizing
19 keeping local youth leagues local, we're sports
20 coating playgrounds, painting equipment and
21 furnishings and this work is already underway.

22 We are planting a thousand additional
23 neighborhood trees in addition to the ones that are
24 being planted as part of the project, 40 new rain
25 gardens, we're creating new open space at LaGuardia,
 and our Pier 42 project upland. We're collaborating

1
2 with partner agencies such as NYCHA, where we'll be
3 sprucing up their open spaces and we're funding new
4 recreational and maintenance staff.

5 This concludes our presentation; we encourage the
6 public to look at our website where there is a lot of
7 information on this project. And thank you so much
8 for your time.

9 CHAIRPERSON ADAMS: Thank you all for your
10 testimony today. Do any of my colleague have
11 questions? I'm going to let you ask yours first.
12 Council Member Rivera.

13 COUNCIL MEMBER RIVERA: Sure, thank you so much.
14 So, can you tell us a little bit about how you came
15 to go from plan 3 to plan 4?

16 LORRAINE GRILLO: Sure, certainly Council Member.
17 So, the Design and Construction of this protection
18 system of this magnitude has never been built in this
19 city before.

20 So, to ensure construction feasibility efficiency
21 and achieve on time delivery of the project, we
22 performed a thorough and comprehensive
23 constructability review of the original plan at about
24 40 percent design. We did that in the fall of 2018.

1 That review determined that the flood wall plan
2 near the East River Park was a significant risk to
3 our ability to complete the project on schedule.
4 After the review, we were able to avoid construction
5 risk and the challenges that would have delayed this
6 project. The improved plan reduces construction
7 time, so we can deliver flood protection one year
8 earlier, in time for 2023.
9

10 It reduces truck traffic; it reduces overnight
11 pile driving in front of the NYCHA developments by
12 more than half and avoids massive complexities by not
13 working near an active Con Ed transmission line.

14 Furthermore, by eliminating the exposed flood
15 wall, the updated design approach provides enhanced
16 neighborhood connectivity and integration, waterfront
17 access, quality open space as well as passive and
18 active recreational spaces that will improve the
19 quality of life for the community and for generations
20 to come.

21 COUNCIL MEMBER RIVERA: So, I appreciate you
22 mentioning specifically the fact of the pile driving
23 through the night next to NYCHA, I think that's an
24 important factor. The FDR mentioned, I mean, most of
25

1
2 us could care less about cars. We're trying to break
3 the car culture here in New York City.

4 So, was the FDR really a factor? We don't accept
5 that.

6 LORRAINE GRILLO: No, no, actually this was the
7 disturbance to the NYCHA community, that was the
8 driving factor. If I might, the truck traffic, the
9 back up in traffic would have been a disturbance to
10 the community. That's the only concern we had about
11 the FDR and how it would disturb the community.

12 COUNCIL MEMBER RIVERA: So, who was at the table
13 when you're doing the construct ability review,
14 you're deciding that the old plan had many variables
15 in it that were - they were adverse impacts to the
16 community. Who was at the table? There's engineers,
17 there is architects, there's environmentalists. Can
18 you give us an idea of who was there, so we can know
19 the minds, the talent, the expertise?

20 LORRAINE GRILLO: Sure, we had of course, in
21 house as well as consultant, architects and
22 engineers. We also work very closely with our
23 partners at Parks Department and others to review
24 this and of course, the Mayor's Office of Resiliency.

1
2 We were all at the table together making these
3 decisions.

4 COUNCIL MEMBER RIVERA: What's a status of a
5 study for the greening of the FDR drive?

6 MALCOLM PUNTER: Thanks Council Member. I think
7 the Deputy Mayor for Operations Office is going to
8 respond to that. Minnelli Daku[SP?] with the Deputy
9 Mayor's Office.

10 MINNELLI DAKU: Good afternoon, I have to be
11 sworn in.

12 COUNCIL CLERK: Do you affirm to tell the truth,
13 the whole truth and please raise your right hand. Do
14 you affirm to tell the truth, the whole truth and
15 nothing but the truth in response to all Council
16 Member questions.

17 MINNELLI DAKU: Yes.

18 So, thank you so much for bringing up the
19 greening study. So, we have been looking into ways
20 that we can progress these options and we're really
21 looking forward to working with the Council Members
22 and working with the community to develop a plan or a
23 study to assess greening options as well as improving
24 sustainability and resiliency along the FDR drive.

1
2 COUNCIL MEMBER RIVERA: I think many of us - I
3 just want to bring up, you know, they close Bronx
4 River Parkway on some weekends during the summertime.
5 I think many of us would be open to seeing the FDR
6 drive close every once and awhile to really reclaim
7 our roads and our streets. So, I just want to put
8 that out there in addition to what I think is
9 important which is a greening.

10 I want to talk a little bit about the dirt, if
11 that's okay. Can you clarify the origins of the fill
12 you will use to raise the parks elevation? I've
13 heard different words. I've heard dirt, I've heard
14 infill and I've heard landfill. Which is correct and
15 which local, state, and federal agencies are involved
16 in monitoring the safety of this material and do you
17 commit to a hazardous material mitigation plan that
18 goes beyond the typical.

19 MITCHELL SILVER: Sure, thanks Council Member.
20 So, the correct term is fill; which is clean soil
21 that is used to build up elevation and earth works on
22 construction sites throughout the city. We use fill
23 in probably most parks projects, most projects in the
24 city. It's very typical; we also, I think I noted
25 before in the prior parts to delivering the project

1 would have needed a substantial amount of fill as
2 well.
3

4 In this case, we have the advantage that we're
5 able to bring the fill material in by barge into the
6 park, which eliminates roughly 50 truck trips
7 eliminated for ever barge that we're able to use.
8 Use of the fill is heavily regulated at the federal,
9 state and local levels. The contractor that we'll
10 have on this must comply with all required laws and
11 regulations. Fill material that will be used for
12 raising the park basically consists of sand, clay and
13 gravel and contains no contaminates.

14 Testing occurs by our contractor at the source.
15 So, not after the fill arrives on the site. The
16 testing occurs at the source and that testing is
17 heavily regulated by the New York State Department of
18 Environmental Conservation.

19 COUNCIL MEMBER RIVERA: Chair, just two more
20 questions, I know my colleagues also want to ask. I
21 want to ask about a couple stuff very quickly, hyper
22 locally. What is the status of plans for a temporary
23 site for the lower east side Ecology Center and can
24 you commit to moving the seal waterpark sculptures
25 nearby?

1
2 ALYSSA COBB KONON: Thank you Council Member.

3 So, on the lower east side Ecology Center, yes, we're
4 advancing plans to make sure that there is a place
5 for them during construction. We anticipate that
6 they will be at Seward Park for their programming and
7 we're working very hard to make sure that there's a
8 place for the compost as well. We expect to have one
9 for that as well.

10 On the seals, which was the second question that
11 you asked, we're working directly with the artist to
12 install seals at Pier 42, as well as salvage some of
13 the bronze turtles and crabs from the East River
14 Park. And we're talking about other salvage
15 opportunities.

16 COUNCIL MEMBER RIVERA: And I just want to say
17 thank you. I know we've been working very closely,
18 the parks department in looking at the permits and
19 making sure our leagues, our sports teams, our local
20 schools have places to play. I'm glad that they will
21 be able to access the park and that there will be
22 alternative mitigations.

23 So, I want to thank your team, because you've
24 actually been the most responsive agency throughout
25 all of this. I want to ask if you are, and again, we

1
2 are waiting for a final determination from a
3 Netherlands based firm on whether this approach is a
4 good approach for the community, but if you've
5 committed to it, if you think that this is the best
6 approach, I'm just curious as to why 8-10 feet, how
7 did you come to that determination? We're looking at
8 projections for floods in a hundred years, in a
9 hundred and fifty years, if you're so committed to
10 this and again, we're waiting for an independent
11 panel, a review, why not raise it even higher?

12 MITCHELL SILVER: Sure, I think I'll start and
13 then pas it along to Director Bavishi, so at the
14 outset in the early stages of planning for the
15 project, we had modeling done. Sort of reliant on
16 the New York City panel on climate change projections
17 for what the future major storm building in sea level
18 rise looks like and what elevation that comes to.

19 So, the 8 feet increase in elevation on average
20 is based on that. It's based on the future
21 projection that was produced by the New York City
22 panel on climate change.

23 JAINEY BAVISHI: So, the New York City panel on
24 climate change, I just want to mention that we're
25 really fortunate to have this panel, because no other

1 city has a panel like this, no other city in the
2 country has a panel like this. And some of the most
3 accomplished climate scientist belong to this panel.
4

5 So, we're really get the best scientific advise
6 in the country, if not the world as we're designing
7 these projects.

8 The New York City panel on climate change
9 projects that sea levels will rise at least 22 inches
10 by 2100 and more likely as much as - sorry, let me
11 start that again.

12 The New York City Panel on Climate change
13 projects that sea levels will rise at least 22 inches
14 by 2100 and more likely as much as 50 inches. For
15 comparison, this project is using 58 inches combined
16 with storm surge as a design condition.

17 So, we're being very conservative in how much sea
18 level rise we're accounting for to account for the
19 worst-case scenario. But it's also important to
20 remember that we are facing a moving target. Climate
21 change is a dynamic threat and for this reason, we
22 have designed the project to be adaptable with a
23 foundation that can accommodate the addition of two
24 more feet of projection in future decades and we're
25

1 monitoring the projections and the science very
2 closely.

3
4 COUNCIL MEMBER RIVERA: Thank you, I realize, I
5 know that we as humans are probably the biggest
6 variable in climate change. So, we all have to do
7 better.

8 I don't see NYCHA here, my last question before I
9 want to give my colleagues clearly an opportunity.
10 Is about there is a lot of resiliency work going on
11 on the NYCHA campuses immediately adjacent to ESCR
12 and I want to know whether these projects conflict or
13 compliment each other. Is ESCR a greater form of
14 protection to NYCHA residents then the FEMA work?
15 Does anyone have that information here?

16 JAINEY BAVISHI: So, our approach to resiliency
17 is multilayered in its nature. We are strengthening
18 our defenses on multiple levels from the coastline
19 itself. Like, with the ESCR project to buildings and
20 even beyond hardening infrastructure and
21 strengthening social cohesion in neighborhoods.

22 The NYCHA work is building and campus specific.
23 So, it does not address all the buildings in the
24 flood plain but rather the specific buildings where
25

1 that work is happening. While the ESCR project
2 protects the entire neighborhood.

3
4 Additionally, the ESCR project as I mentioned
5 before is being built to a very protective standard
6 but having redundancy in the system will provide
7 another layer of defense for the vulnerable residents
8 in this area. The two projects, or the multiple
9 projects I should say, the work that is happening on
10 NYCHA campuses as well as ESCR, are absolutely
11 complimentary.

12 COUNCIL MEMBER RIVERA: Thank you Chair Adams for
13 the time.

14 CHAIRPERSON ADAMS: Thank you Council Member
15 Rivera. Council Member Powers.

16 COUNCIL MEMBER POWERS: Thank you, thanks for the
17 testimony. Just following up on those questions
18 going to project area 2 in Stuyvesant Cove Park, if a
19 category 5 hurricane were to hit Manhattan directly
20 and the worst-case scenario of sea level rise happens
21 there, are the walls that are being constructed there
22 tall enough to protect Stuyvesant Town and Peter
23 Cooper Village from flooding?

24 JAMIE TORRES SPRINGER: So, I'll say, the flood
25 protection throughout the project is geared towards

1
2 the same elevation. So, the elevation that was
3 described by Director Bavishi which is for a
4 conservative projection with sea level rise and the
5 hundred-year flood. And throughout the project, we
6 have the same design for that.

7 COUNCIL MEMBER POWERS: So, for a hundred years,
8 are those walls tall enough to protect Stuyvesant
9 Town and Peter Cooper Village from flooding?

10 JAMIE TORRES SPRINGER: So, what we've designed
11 to is the worst-case scenario for the hundred-year
12 flood in the 2050's with the ability to increase it
13 structurally by two feet, which takes you up to the
14 worst-case scenario in the early 2100's.

15 COUNCIL MEMBER POWERS: So, it's aimed at
16 protecting that area till 2050 with the ability to
17 add two more feet to accommodate future and potential
18 future need to increase the size of the wall.

19 JAMIE TORRES SPRINGER: Yes, but I do just want
20 to clarify that it's the sort of - storm event are
21 somewhat more dynamic, so that it's not that you sort
22 of always built just to the hundred-year flood,
23 right. So, you can have an 80-year flood, you can
24 have a 90-year flood, so it's not exact like that but
25 because of the prescriptions that we get from FEMA,

1 we build to the future projected hundred-year flood
2 and that's what this is built to.

3 COUNCIL MEMBER POWERS: I was hoping for a yes.

4 JAMIE TORRES SPRINGER: Do you want to ask the
5 question again?

6 COUNCIL MEMBER POWERS: What is the criteria used
7 to close the flood gates of the wall and what agency
8 is responsible for doing that?

9 JAMIE TORRES SPRINGER: Right, so, once
10 constructed, the flood protection structures outside
11 of the park area will be operated and maintained by
12 the Department of Transportation. There is a set of
13 protocols led by New York City Emergency Management
14 by which we look at projections of whats coming and
15 decisions are made based on that, when to close those
16 flood protection structures.

17 COUNCIL MEMBER POWERS: Okay, and what happens if
18 there's another storm in the meantime while
19 construction is taking place?

20 JAMIE TORRES SPRINGER: So, our contractors are
21 required to and will take all measures that they can
22 to make sure that equipment can tied down or removed.
23 That materials are not exposed and so on, that's all
24 very heavily regulated. If an event of some
25

1 significance occurs, it would disrupt construction
2 for that period of time, which is why we're trying to
3 get this built as quickly as we can.

4 COUNCIL MEMBER POWERS: Okay but noting that and
5 in at least in the project year I am, Asser Levy
6 Playground and Stuyvesant Cove will still be left at
7 least with partial or complete lack of flood
8 protection. So, what's the resiliency plan for those
9 parks that will be still flooded or able to be
10 flooded?
11

12 JAMIE TORRES SPRINGER: Right, so, sure Council
13 Member. So, the physical site constraints such as
14 those in Stuyvesant Cove Park are too narrow for a
15 design that would raise the whole park and the paths
16 along the waterfront. So, the accessibility into
17 that park would be too steep if the park were raised.
18 However, the design for Stuyvesant Cove Park and
19 Asser Levy will incorporate resilient landscaping,
20 including use of more native salt tolerant species
21 that better withstand windy and maritime conditions
22 and can bounce back quickly from flooding.

23 COUNCIL MEMBER POWERS: Do you have an estimation
24 on how long it would take to reconstitute those parks
25 after a flood?

1
2 JAMIE TORRES SPRINGER: We don't have an exact
3 estimation. The playground, mostly hardscape, so
4 once the cleaning up is done, which can be done
5 operationally very quickly. It should be bounced
6 right back. There may be some more significant
7 restorations required for Stuyvesant Cove, but we
8 would expect that could happen very quickly.

9 Commissioner Silver, you wanted to comment
10 further on that.

11 MITCHELL SILVER: Commissioner, you answered it
12 exactly correct. We're rebuilding Asser Levy with a
13 harder scape, so that it can recover a lot more
14 quickly. There will be a wall to protect the
15 recreation center but the playground itself will be
16 built to be much more resilient and harder, so we can
17 recover.

18 COUNCIL MEMBER POWERS: And, can I just follow up
19 on that question. The Community Board has asked for
20 the wall to be considered on the 25th Street side
21 rather than intersecting it to the park. So, thereby
22 protecting the whole park. Can you tell us if any
23 update on the reasoning for doing it through the
24 park, rather than surrounding the whole park? I

1 think there's representatives from the Community
2 Board here as well.

3
4 ALYSSA COBB KONON: Thank you, yes, we've talked
5 about it with the Community Board on several
6 occasions and explained the tradeoffs. I'm happy to
7 come back and describe them some more as well.

8 As Commissioner Silver mentioned, we have at this
9 location, we have a wall and so, around the Asser
10 Levy Rec Center, which is consistent with the gates
11 that are there now. And we've worked very hard to
12 make sure that access through what used to be Asser
13 Levy place is maintained. That about I think, 80
14 feet wide, that access way. And then the park
15 itself, there were a number of considerations that
16 included trees, utilities, and also site lines that
17 in weighing those considerations, that we thought the
18 best thing to do was to tie into the VA wall.

19 I just wanted to add one more thing to what
20 Commissioner Silver mentioned which is also the Asser
21 Levy Playground, it's behind the FDR and so, we don't
22 foresee the same kind of potential storm impacts that
23 you would directly on the waterfront.

24 COUNCIL MEMBER POWERS: Okay, I'm stating that
25 because the Community Board and I think also the

1
2 folks at Waterside Plaza have raised the concern that
3 – and for the folks at Waterside, that's I think, the
4 primary playground that you are leaving that part
5 vulnerable to a storm, flooding and potentially loss
6 of space at a time where you're doing a resiliency
7 plan and protecting a portion of the park.

8 What is the cost of rebuilding that park if it
9 was flooded? The playground; if it got flooded,
10 would there be a cost to having to do any repairs or
11 restoration?

12 MITCHELL SILVER: We don't believe so, because it
13 is a hard surface and the way we mount in the play
14 equipment, our expectation is that the mounting will
15 hold and so, we don't expect to see – you don't know
16 the impact or velocity of the storm surge, but it is
17 going to be a hardscape with minimal elements that
18 could be destroyed. So, our expectation is it could
19 bounce back relatively quickly.

20 COUNCIL MEMBER POWERS: Okay, moving to another
21 park. Murphy Brothers Playground, it's a playground
22 sort of on Avenue C, playground, ball parks,
23 basketball playground. There's going to be an effort
24 to rebuild that. Well, one predominant question, the
25 Little League uses that as a playground. I think

1
2 they're probably one of the most predominant users of
3 that park. As I understand it, there's going to be a
4 hookup to put a comfort station in there but not a
5 comfort station put in there. Can you give us any
6 update on whether there is a decision made to install
7 a comfort station at that park which is used by a lot
8 of families in the neighborhood.

9 MITCHELL SILVER: Right now, the comfort station
10 is being designed, so it can be included into this
11 project, but the funding is still to be finalized.

12 COUNCIL MEMBER POWERS: So, that's still a maybe?

13 MITCHELL SILVER: Maybe yes.

14 COUNCIL MEMBER POWERS: Okay, we'll get you
15 there.

16 On the timeline for the Flyover Bridge, the kind
17 of pinch point which is something that my folks have
18 asked for. Why can't we have that at the same time
19 construction is occurring on this? Why wait until
20 the project is done to put that in place and why
21 can't it begin prior to 2023?

22 JAMIE TORRES SPRINGER: Thanks Council Member.
23 We do have DOT here, but I'll try to just give the
24 answer and we can call them up. Basically, the
25 bridge has to be designed. So, we're almost at the

1
2 end of design here for the ESCR project. DOT is
3 moving to initiate design as quickly as they can.

4 COUNCIL MEMBER POWERS: Why not do design now?

5 JAMIE TORRES SPRINGER: That's what they're
6 doing. They are getting started with design as soon
7 as they can. With the new schedule that we described
8 here, we should be finishing that, and we are
9 building the foundations or the footings for that
10 bridge as part of the ESCR project.

11 So, we should be finishing that round the
12 midpoint around early 2023 and then DOT is looking at
13 how they can deliver the bridge immediately after
14 that.

15 COUNCIL MEMBER POWERS: And when do you think the
16 bridge goes online?

17 JAMIE TORRES SPRINGER: They've given us a
18 schedule of two years for construction. So, they're
19 looking at delivering it immediately after we've
20 finished that first phase. Which means that you
21 would see it completed actually to the end of the
22 ESCR project.

23 COUNCIL MEMBER POWERS: But did I hear like a
24 logistical reason why it can't happen now; it just
25 seems like the design was taken – was delayed?

1
2 JAMIE TORRES SPRINGER: I'm going to ask DOT to
3 come up and provide some comments.

4 Do I have to do this?

5 COUNCIL CLERK: Please raise your right hand and
6 state your name.

7 JENNIFER STA.INES: Jennifer Sta. Ines.

8 COUNCIL CLERK: Do you affirm to tell the truth,
9 the whole truth and nothing but the truth in your
10 testimony before this Subcommittee and answer to all
11 Council Member questions?

12 JENNIFER STA.INES: I do.

13 So, First Deputy Commissioner Jamie Torres
14 Springer did give you know, just the basic update.
15 And just to clarify some of the delays or in terms of
16 installing and moving forward with construction of
17 the Flyover Bridge. It's due to coordination of
18 utilities.

19 It's very a complicated process. We are working
20 on trying to expedite construction as well and
21 firming up our design details at the moment.

22 COUNCIL MEMBER POWERS: Yeah, obviously is that
23 it's not part of the ULURP. It's a commitment not a
24 part of this design process. So, we're left with the
25

1
2 promise I think rather than something that's part of
3 this whole rezoning.

4 JENNIER STA. INES: Absolutely Council Member, we
5 are working very closely with DDC to try to ensure
6 that you know, we can expedite the processes as
7 quickly as possible.

8 JAMIE TORRES SPRINGER: I just want to also note
9 Council Member, the funds are fully in the budget for
10 the Flyover Bridge and it is a hard commitment by the
11 Administration that it will be built. The sign is
12 being initiated as quickly as possible.

13 COUNCIL MEMBER POWERS: I hope the next
14 Administration will build it. My last question is
15 this is a concern that came up related to Stuyvesant
16 Cove Park that the bike paths is going to be located
17 west of the wall. So, there will be a wall park on
18 one side, bike lane on the other side.

19 Is there a reason why the bike paths on the west
20 side versus kind of inside of it? The concern that
21 one had raised is that that sort of activity of
22 running and biking sort of helps contribute to safety
23 and activity around the park. It's one of the uses
24 in a sense of the park, and that's for folks who walk
25 down, it can feel unsafe particularly if you have a

1 wall. I know it would be open but a wall and in
2 addition you have some of the prime activity uses on
3 the other side that this would contribute to sort of
4 bifurcating the park rather than keeping it whole.
5

6 JAIME TORRES SPRINGER: Thanks Council Member.

7 So, the basis for that design decision is how tight
8 things are there by the FDR, where we can't move the
9 flood wall any closer to the FDR and safely build it
10 because of the disruption structurally both to the
11 structures of the FDR and also the Con Ed lines that
12 are running through there.

13 So, what you end up doing is putting the bike
14 path as you say on the inland side. However, we've
15 showed some renderings at the public design
16 commission and within the community and we're happy
17 to bring those out as well.

18 Just to show that first of all, the bike path is
19 not at the bottom of the wall. It's likely to be
20 elevated, so there will be some visibility.

21 COUNCIL MEMBER POWERS: Visibility -

22 JAMIE TORRES SPRINGER: Over the wall.

23 COUNCIL MEMBER POWERS: Yes, and also, we're
24 looking at some treatments for the wall. So, there
25

1
2 are ways of treating it, so that it is more
3 comfortable and addressing some of the issues -

4 COUNCIL MEMBER POWERS: I'm just going to finish
5 here because I know there's more questions and a lot
6 of folks who want to testify. Just as we move
7 forward on this, I just ask that if there is a
8 concern on safety and security, we can look at in the
9 new design of it, ways to whether to lighting or
10 other things; whether we need security cameras,
11 whatever it might me to help contribute to a sense of
12 safety. That we can look at some of those elements
13 to make sure that folks who do want to use there and
14 walk down there, it's just a little bit separate from
15 the neighborhood and will feel a sense of comfort.

16 JAMIE TORRES SPRINGER: Absolutely and we'll as
17 DOT to get back to you in more detail on that Council
18 Member.

19 COUNCIL MEMBER POWERS: Okay, thank you. Thank
20 you Chair.

21 CHAIRPERSON ADAMS: Thank you Council Member
22 Powers. We will hear from Council Members Chin,
23 Barron and Miller in that order.

24 COUNCIL MEMBER CHIN: Thank you Chair. Can Parks
25 Department or the Commissioner give us a timeline of

1
2 the deconstruction of the LaGuardia Bath House and
3 turn that into an open green space? How is that
4 coming along? A lot of noise.

5 ALYSSA COBB KONON: Thank you. Sorry?

6 COUNCIL MEMBER CHIN: A lot of noise happening
7 over there.

8 ALYSSA COBB KONON: Right, so the Mayor committed
9 \$10 million to help create a new open space there,
10 which involves demolishing the bath house. Which is
11 substantially completed. There working now in the
12 foundational areas of the utilities underground to
13 complete that.

14 Parks Department will come in afterwards to put
15 in a synthetic turf lawn, which will be for people to
16 use and sit on. It's going to be a passive space and
17 in concert with that, our Operations folks are out
18 there now and will be doing more work in the
19 surrounding park to make it an integrated whole with
20 Little Flower Playground.

21 COUNCIL MEMBER CHIN: Are you meeting with the
22 Community Board and the local resident there to also
23 see how you know, their comments and concern about
24 the design or other use that they would like to see?

1
2 ALYSSA COBB KONON: Yes, absolutely. We've been
3 both at that Community Board as well as the Tenant
4 Association and happy to continue those
5 conversations.

6 COUNCIL MEMBER CHIN: Okay, my second question is
7 what is the status of the request to EDC for free
8 Ferry service to Governors Island.

9 They have a lot of ball fields out there, it's a
10 beautiful park out there. Any feedback on that?
11 Have you heard?

12 ALYSSA COBB KONON: So, yes, we're working with
13 our partners. I believe EDC is here if you have
14 further questions on it; on the Ferry service. As
15 Jamie mentioned, we'll have Ferry service continuing
16 from both East River Park and Stuyvesant Cove during
17 the project. We've been meeting with Governors
18 Island on you know, the offering of their spaces
19 which are available including the ball fields.

20 As we mentioned earlier as well, we have been
21 focusing on trying to keep as many local leagues
22 local, as well as the phasing of the park also means
23 that we will have more fields available. So, we're
24 working in concert on both of those fronts.

1
2 COUNCIL MEMBER CHIN: Well, definitely extending
3 the lower east side route to Governors Island will
4 make it you know, we'll have more people able to
5 access Governors Island, because right now, in order
6 for them to go, they got to take the M15 bus to the
7 last stop and then take the Ferry.

8 So, you got a Ferry that's right near - right in
9 the lower east side, that makes it so much easier.

10 ALYSSA COBB KONON: Thank you. There is service
11 to Governors Island but I'm not an expert on it and
12 EDC could address it.

13 COUNCIL MEMBER CHIN: Well, yeah, we want the
14 Administration to really consider because the Ferry
15 to Governors Island, it is free in the morning. So,
16 EDC, you could consider that in the lower east side.
17 It will allow more people to take advantage of the
18 beautiful ball fields and parks out there.

19 My last question is that I know, part of the
20 ULURP in project area 1, you're talking about you
21 have to acquisition of easement with Gouverneur
22 Garden Cooperative, East River Housing Cooperative,
23 NYCHA Rees houses and Baruch houses. How are those
24 discussions going with the residents?
25

1
2 JAINEY BAVISHI: Thank you Council Member and I
3 can speak to that. So, we've had a number of
4 productive discussions so far with those. The
5 property owners and the coop boards, and I think you
6 know, we're really listening to their concerns and
7 just really trying to develop a path forward. And
8 I'm hopeful that we're going to get there. And the
9 ULURP approval is just the beginning of the
10 negotiations.

11 COUNCIL MEMBER CHIN: Well, I urge you to
12 continue to meet with them because I mean, it started
13 because residents reached out and said that weren't
14 getting responses. So, we got to make sure that they
15 are taken care of.

16 JAINEY BAVISHI: Yeah and thank you to your staff
17 as well that has been you know, attending these
18 meetings with us as well. And we'll continue to have
19 these meetings and ongoing conversations.

20 COUNCIL MEMBER CHIN: Thank you, thank you Chair.

21 COUNCIL MEMBER BARRON: Thank you Madam Chair and
22 thank you to the panel for coming and presenting this
23 information and you can see by the audience that this
24 is a very popular important topic and we look forward
25 to hearing what the audience has to say.

1
2 When you talked about, one of the panel members,
3 I'm not quite sure who talked about the fact that the
4 fill material will be transported by barge and that
5 barge would save or would be the equivalent of ten
6 trucks. So, my question is, whats the fuel that's
7 being used for these barges?

8 JAMIE TORRES SPRINGER: Thank you Council Member.
9 I don't have that information specifically, but we
10 can get back to you on that.

11 COUNCIL MEMBER BARRON: You don't have it, well,
12 then how do we know that there's an advantage if you
13 don't have the information so that we can make a
14 comparison to say, oh, this is good. It's coming by
15 barge and not by truck. How can we think that this
16 is an advantage if you can't tell us that.

17 LORRAINE GRILLO: Sure, thank you Council Member.
18 Yes, I think from our perspective, the advantage
19 really is that the community will not be disturbed by
20 trucks one after the other during the night. This
21 will save that disturbance.

22 COUNCIL MEMBER BARRON: That's great, but what's
23 the impact of the fuel that's being used if we
24 compare the fuel of a barge to the fuel of the truck?
25 I think that that has to be a consideration in

1 addition to considering what noise factor it might
2 be. So, I think that's very important and as we find
3 out what that fuel is, we can get an assessment as to
4 what is the impact of that fuel. How many barges do
5 we anticipate will be needed for the duration or
6 particularly on a daily basis where we anticipate to
7 be the number of barges.
8

9 And also, the pollution that might be admitted by
10 the fuel used by the barge, what's its impact on the
11 environment, on the air and of course on the water.
12 Because the fuel - the release into the water, we
13 need to evaluate that as well.

14 We talked about a barge again, what's the impact
15 of the barge as you do your environmental study on
16 the animal life? Whatever that fuel is that's being
17 used for the barge, what's that impact on the animal
18 life in that coastal area?

19 You also mentioned the bike lane and you talked
20 about the fact that you were working. When you
21 talked about the bikes, you referenced Con Ed, so Con
22 Ed, have you been working with Con Ed and what's
23 their role going to be in terms of making sure that
24 there's no disruption for cable service to those
25

1
2 persons whose service is delivered by the equipment
3 in that area?

4 JAMIE TORRES SPRINGER: Yes, thank you Council
5 Member, the coordination with utilities including Con
6 Ed is a very important part of all of the work that
7 we do as the Department of Design and Construction.
8 No less in this situation. We've been working very
9 closely with Con Ed to basically design this project
10 together and intend to use a mechanism that was used
11 to facilitate the work on utilities in lower
12 Manhattan called joint bidding. So that we're able
13 to manage all the work together and we don't
14 anticipate that there will be any significant issues.

15 Of course, we have a community construction
16 liaisons and a real presence during the project, so
17 that if there's ever an outage for some reason, we
18 provide a typical 72 hours advance notice and then
19 confirm within 24 hours.

20 So, we'll certainly be doing all of that as will
21 the utilities.

22 COUNCIL MEMBER BARRON: So, that's for planned
23 interruptions. What is your plan that you have for
24 unexpected disruption due to construction error or a
25 break in the cable?

1
2 JAMIE TORRES SPRINGER: Right, so, we do have a
3 system set up with the utilities where in the event
4 that there is an incident such as the one that you
5 occur, the utilities are immediately deployed to the
6 scene and they bring back services quickly as
7 possible and that's an unfortunate thing that does
8 happen sometimes during construction in the city, but
9 we're able to deal with it very quickly.

10 COUNCIL MEMBER BARRON: And I believe that in
11 part of your renderings you indicate that there would
12 be solar panels along parts of the park? What will
13 be the benefit, who will benefit or what will that
14 energy be used for?

15 MITCHELL SILVER: It was mentioned for solar
16 lighting.

17 COUNCIL MEMBER BARRON: Solar lighting, oh, solar
18 lighting.

19 MITCHELL SILVER: So, it's the reduction of the
20 infrastructure underground that you have to provide.
21 So, we're looking at solar lighting at a much larger
22 scale that we've done in other parks.

23 COUNCIL MEMBER BARRON: Okay, I think those are
24 my questions. If I have more, perhaps we'll have a
25

1
2 second round. Thank you, Madam Chair, and thank you
3 to the panel.

4 COUNCIL MEMBER MILLER: Thank you Madam Chair.
5 Good afternoon to the panel and to the members of the
6 audience and public.

7 So, this is obviously the large colossal project
8 first time that we're undertaking a resiliency
9 project of this magnitude in the city here. How
10 important is this as a template for future resiliency
11 projects throughout the city. Is a lot of the
12 emphasis that we see beyond - are we seeing beyond
13 the lower east side, the east side access now?

14 JAINEY BAVISHI: Thank you for the question
15 Council Member. Absolutely, we are learning a lot
16 from this coastal protection project and we'll be
17 able to apply the lessons to other resiliency
18 projects that we are constructing citywide.

19 In particular, I think we're learning about the
20 incredible importance of community engagement and how
21 that process must impact the design and construction
22 of how we engage these projects. We have an
23 opportunity to transform the waterfront and build
24 flood protection into our waterfront and the
25 community must be a part of that.

1
2 Secondly, we're learning the importance of agency
3 coordination. These incredibly complex projects
4 require partnerships between numerous city agencies
5 but also with other partners outside of the city.
6 And we have learned a lot about how to make that as
7 efficient as possible and will be applying that to
8 other projects.

9 MITCHELL SILVER: I just want to add, thank you
10 for your question. New York City is a coastal city.
11 There's over 525 miles of coastline within the city
12 and over 155 miles are within parks of that 525.

13 So, the lessons learned here are absolutely key
14 as we move into the century knowing that climate
15 change of reality. These lessons learned are
16 critical as we start to rebuild our parks citywide.

17 But look at the over 500 miles of coast. So, the
18 city's committed to a \$20 billion plan to look at how
19 we can better protect ourselves. So, this project is
20 very important for the lessons learned in how we
21 address parks in the future and other assets in the
22 city.

23 COUNCIL MEMBER MILLER: Obviously representing
24 Southeast Queens without high water tables and how
25 consistent flood problems that we've had for

1
2 generations already. It is very important and so, as
3 we build this out, we want to make sure that we're
4 looking beyond this project and looking at best
5 practices. And certainly, I want to hear from the
6 community in what that engagement looks like as we
7 move forward. Particularly a project of this
8 magnitude, beyond even this particular project, there
9 should be other community benefits that we're looking
10 at and I'm certainly interested in hearing from the
11 community on what those benefits are in terms of job
12 development and local benefits to the community.

13 Certainly, we want to talk about that when you
14 see a project of this magnitude happen. And then
15 finally, I want to talk about the impact on a project
16 of this magnitude on the budget and the resources of
17 parks and DDC. Are we going to see the parks and
18 other projects take a back seat to this project here?

19 MITCHELL SILVER: Thank you to your question. As
20 you know this Administration is committed toward
21 equity and we have proven that through a lot of our
22 projects, both the Committee Parks Initiative, Anchor
23 Parks and how we actually invest and care for all of
24 our parks.

1
2 This park would be no different and we ant to
3 make sure that as we care for this park that all
4 parks throughout the city are maintained, kept safe
5 to the same level throughout the entire city. And
6 that commitment will continue as East River Park is
7 developed.

8 COUNCL MEMBER MILLER: Thank you. Thank you,
9 Madam Chair.

10 CHAIRPERSON ADAMS: Thank you Council Member.
11 Council Member Barron, did you want another? Okay,
12 okay, thank you very much. I'd like to thank the
13 panel for your time this afternoon. We know that
14 this has been quite a process and will continue to be
15 quite a process, so thank you for your efforts and
16 you are excused.

17 PANEL: Thank you very much.

18 CHAIRPERSON ADAMS: Thank you. Okay, we're going
19 to call up the next panel. Dan Wiley on behalf of
20 Counsel Member Nydia Velasquez, Senator Brian
21 Kavanagh and Manhattan Borough President Gale Brewer.
22 You may begin.

23 GALE BREWER: Thank you very much Chair Adams and
24 your wonderful colleague. I am Gale Brewer; I am the
25 Borough President of Manhattan and I'm here to

1 testify on the east side coastal resiliency project.
2 A project that everybody in the room is very familiar
3 with on the East River Park. Needless to say, I've
4 spent a great deal of time on this topic. I want to
5 thank the community because you came out for our
6 hearing as part of the ULURP process on July 17, 2019
7 and you have been wonderfully engaging ever since and
8 I think when the city says it's important to have
9 community engagement, you have shown that it is done
10 correctly and I thank you.
11

12 So, we all know that after Hurricane Sandy, it is
13 really important to have investment into flood
14 resiliency for the safety and the longevity of
15 residents, particularly here in Community Boards 3
16 and 6, but everywhere in the city where there is
17 waterfront. And that's why I support the vision of a
18 coastal resiliency plan, but I want the project to be
19 done right the first time.

20 The East Side Coastal Resiliency project I think
21 has failed in some of this regard the first time.
22 Previous public engagement that was centered on
23 "design alternative 3" which we're all familiar with
24 was suddenly replaced with the current proposal,
25 design alternative 4 or the "preferred alternative".

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And I think in this case and the city has heard this many times, it did regard three years of constant community input to put forward a plan that is not at all considered preferred by the community or at least by many members of the community and there is a diverse of opinion.

So, while we must take action on resiliency, alternative 4 needs major improvements and that's why I want to thank Council Member Carlina Rivera. The two of hired an outside expert as you know, to review the project and I have to say, just so you know, I know you are waiting for it, but it will be available on Monday. And I say that because the company and the individual working on it really wants to do it correctly. So, it will be available before there is a vote.

Yesterday, as you know, the city announced that the city, the agencies and the Mayor will be adhering to phased construction, something that everybody in this room wanted. And which would begin immediately and stretch the construction timeline into 2025. I certainly support the phasing, we all called for it, but I strongly encourage the city to defer the beginning of construction until reviewing the report

1
2 from the independent consultant in its entirety as
3 well as taking into consideration any
4 recommendations.

5 In addition, construction to not begin until the
6 phasing schedule and a plan for community and youth
7 sports leagues access to recreational and green space
8 is conveyed and approved by everyone in the
9 community. The releasing of these documents is vital
10 for more transparency and trust between the city and
11 residents.

12 I also want the city to release to the public in
13 the engineering or environmental studies that underly
14 the conclusions made by the Final Environmental
15 Impact Statement, FEIS. To prove that there would be
16 little or no adverse impact by the project and its
17 construction in air quality and noise traffic and
18 more and we know these are main issues.

19 I have testified on this topic at least three
20 times and I feel like I am living this project, but I
21 want to be very clear that we still need more
22 information. For instance, the FEIS published on
23 September 14th continues to assert with language that
24 state that number four design alternative four is
25 unlikely to result in significant adverse effects to

1 natural resources. I don't believe that. It fails
2 to explain how the destruction of 991 mature trees,
3 the replacement of the existing park with fill and
4 the raising of the park 8-9 feet could fail to have
5 an adverse impact on the environment. And I know
6 you've heard testimony on this, and we understand the
7 trees are failing due to the saltwater, but we need
8 more information.
9

10 While the city has taken steps to address
11 construction phasing, there are still unanswered
12 questions and more outreach necessary. There has
13 still been no action taken by the city to establish
14 the requested Community Task Force, number one.
15 Number two, the issues of the fire boat house in the
16 lower East Side Ecology Center and its composting
17 program remain unaddressed.

18 Yes, we heard earlier composting may be okay, but
19 I really want the Fire House newly done however
20 Christine wants to be part of the program.

21 Con Edison still has not conducted appropriate
22 outreach to NYCHA residents interim flood protection
23 measures have yet to be promised despite the lack of
24 protection to the area during the years of
25 construction. And there are more issues that you've

1
2 heard by the wonderful questions asked by the Council
3 Members. So, with all of these questions still in
4 the open and environmental studies in hiding, I have
5 to say these ULURP for the ESCR does not constitute a
6 thorough and transparent public review.

7 So, I support and urge the city to invest in
8 flood protection. I also ask that the agencies
9 respect the community approval process which I think
10 they have learned; this community is involved, and
11 this community needs the information that the public
12 truly needs to make an informed decision about the
13 future of their neighborhoods. Thank you very much.

14 CHAIRPERSON ADAMS: Thank you Borough President.

15 BRIAN KAVANAGH: Thank you very much. So, I'm
16 State Senator Brian Kavanagh and I have the great
17 privilege of testifying of a whole cadre of state
18 officials and I offer this testimony on behalf of
19 Senator Brad Hoylman and Assembly Members Harvey
20 Epstein and Uleen New and like the Borough President,
21 we've had several opportunities to testify on the
22 topic and I drew the short straw today to be here in
23 person to deliver it to you but I am very pleased to
24 be here.

1
2 So, good afternoon the Chair and to the members
3 of the committee and to our three local Council
4 Members. It's great to see you sitting in today, for
5 the opportunity to testify today. You do have
6 written copies of the testimony. I think I will skip
7 some of the details in the interest of time because I
8 know there is a lot of folks here who want to speak.

9 But let me begin our testimony today by
10 commending the efforts of our local city officials,
11 the Borough President, our Congress member who you'll
12 hear testimony shortly and especially your City
13 Council colleague Carlina Rivera, Margaret Chin and
14 Keith Powers on this important issue. We've
15 collaborated very closely with them and they've shown
16 great leadership in ensuring that the community has
17 been engaged about this very complicated project and
18 the issues that it raises.

19 Resiliency improvements are particularly crucial
20 in our local community because of the undeniable
21 catastrophic impact of Super Storm Sandy and the
22 flooding in our districts.

23 As you all well know, homes were flooded,
24 neighborhood were offline for days and elderly and
25 disabled residents were trapped in their apartments

1
2 without ready access to food and water, medical
3 facilities without power and first responders had
4 difficulty accessing those requiring immediate help.

5 Storm surges of this magnitude were previously
6 unimaginable, thriving in a densely populated city.

7 So, we applaud the city and the state and others who
8 are taking decisive action in response to the urgent
9 risks of extreme weather driven by the global climate
10 change crisis and we're also grateful in this context
11 in particular for our congressional representatives
12 Karen Maloney and Nydia Velazquez for allocating
13 necessary funds to help pay for essential resiliency
14 work in this community.

15 Also, I'll join the Borough President
16 acknowledging the positive decision the city made to
17 add phasing to this. From the day this was
18 announced, we had said on behalf of many in the
19 community that there needed to be some way to phase
20 this, so the parks would be available throughout the
21 project. So, we're happy to see that they've
22 responded to that feedback.

23 But not withstanding that change and the
24 continuing need for storm resiliency in our
25 districts, we have serious concerns about the sudden

1 transformation of the SCR proposal from a plan that
2 incorporated over four years of community input to a
3 new proposal promulgated by the city in December
4 2018. After years of working with the community on
5 the previous plan, this unexpected change raises
6 numerous questions about the process by which the
7 city selected this new proposal and its process for
8 gathering and incorporating public input.
9

10 Given that it's a \$1.45 billion project, the
11 importance of its goals and the extensive impacts it
12 will have on our community especially years of
13 diminished use of essential public park land, we want
14 to ensure that the projects design and construction
15 reflect our communities needs and that the city is
16 held accountable to its promises as we move forward
17 making the East Side resilient and I know that's
18 something that all of the local Council Members
19 share.

20 So, to enumerate our most pressing concerns.
21 First, even with the phased plan announced yesterday
22 regarding which we're seeking additional details, the
23 project will result in a serious years long reduction
24 in access to park land and recreation space that is
25 essential for residents of our community.

1 The city's made general commitments to providing
2 enhancements to existing spaces and other alternative
3 recreational opportunities that would be available
4 during construction but has failed to provide a
5 coherent explanation of what that will be. It is
6 essential that this mitigation of the loss of
7 parkland be clearly publicly presented and reviewed
8 before this project is approved.
9

10 Second, concerns related to the construction
11 itself must be mitigated. The project could
12 potentially stir up hazardous materials left over
13 from the manufactured gas plants in the area and
14 construction noise could disrupt the quality of life.
15 Furthermore, the immense quantity of likely
16 contaminated soil that would be excavated over the
17 course of construction could lead to air quality
18 issues creating health impacts for the community.

19 The city must put forth a detailed soil
20 management plan to show how it will address these
21 serious concerns, especially in light of the fact
22 that the rate of child asthma emergency department
23 visits in the community district overlapping project
24 area one is well over the citywide average.
25

1
2 In addition to the soil being excavated, the
3 community must be assured that the sand being used
4 for infill to raise the park is of high quality and
5 free from contaminants.

6 The proposed project would also destroy much of
7 the existing ecology of the area, as has been
8 discussed including the trees. All of which are
9 planned to be cut down. Insect habitats and title
10 wetlands; it poses a risk to the wellbeing of certain
11 species of fish in the area such as herring and
12 striped bass.

13 In addition, there must be a plan developed and
14 implemented to protect the Amphitheater as well as
15 any existing art in the park that will impacted by
16 construction. And I will get to the Lower East Side
17 Ecology Center headquarters in a minute.

18 Third, the timeline for phase construction now
19 projected to take five years must be enforced through
20 contractual obligations and fines if necessary, for
21 contractors who do not deliver the project on time or
22 do not comply with promises made by city, the
23 community.

24 Fourth, since we know this project will take at
25 least five years to complete, during which time

1
2 another catastrophic storm could occur, a
3 comprehensive plan for interim flood protection must
4 be fully developed and provided to the community.

5 I understand there was testimony here today that
6 the resiliency aspects of this would be place in
7 three years rather than five years, but the point
8 still stands.

9 The plan must include an explanation of how
10 construction could potentially impact the
11 neighborhood during such a storm. Unfortunately,
12 although we wrote to Mayor de Blasio requesting such
13 a contingency plan on July 3, 2019, we received
14 response without specific proposals that merely touts
15 the protections ESCR will provide upon completion.

16 Again, with the reported multiyear timeframe, we
17 need more information.

18 Fifth, any plan for ESCR must take into account
19 the recommendations of the expert firm, [INAUDIBLE
20 3:25:13] retained by Borough President Gale Brewer
21 and Council Member Rivera, which I am very happy to
22 hear will be available on Monday in order to evaluate
23 the ESCR proposals, particularly a design alternative
24 3, the previous proposal and design alternative 4,
25 the current proposal.

1
2 As Community Board 3 noted in its resolution on
3 the ESCR, community members have sought the creation
4 of an expert panel to study additional options
5 including decking over the FDR, the construction of a
6 barrier to protect NYCHA residents on lower floors
7 and phasing plans for construction that ensures
8 timely completion of any project while mitigating the
9 amount of time the public space is taken out of
10 service.

11 Six, the costs and community impacts of ESCR.
12 Project demand that the project be approached with
13 prudence ensuring that it can proceed without threat
14 of legal challenges. Based on our conversation with
15 Council and our respected houses of the legislature,
16 it is our believe that a failure by the city to seek
17 park alienation legislation leaves the city
18 vulnerable to a lawsuit that could delay
19 implementation of flood protections in the overall
20 plan.

21 We've discussed this extensively in various
22 forms, but we restated strongly today to avoid delays
23 that a lawsuit would pose. The city should seek the
24 state legislatures approval for the project in a form
25 of park alienation bill, which is typically sought by

1 municipalities wishing to convey sale or lease park
2 land or discontinue its use as a park, either
3 temporarily or permanently.

4
5 Seventh, the city has not adequately shown how
6 the preferred alternative will address the
7 underground streams that run underneath parts of
8 project area one, between 4th Street and 10th street,
9 from the coastline to 1st Avenue that complicate
10 drainage during storm surges. The community needs
11 answers from the city as to how these streams will be
12 factored into a drainage pit.

13 Finally, any project that would interrupt the day
14 to day use of the park must mitigate disruptions to
15 the daily operations of the Lower East Side Ecology
16 Center, the 20-plus year steward of our communities
17 and the city's ecology is a nonprofit organization
18 located in the heart of East River Park. This has
19 also been discussed, but you know, a critical point
20 for all of us.

21 So, just to sum up, since the beginning of this
22 years process, we've called on the city and every
23 agency to approach ESCR with a critical eye geared
24 toward protecting the East River Park, our
25

1 constituents know and love while providing essential
2 resiliency protections for the community.

3
4 We're here to ask you as our council colleagues
5 to join your local Council Members and us in that
6 effort. Understandably, there's enormous distrust to
7 the city when it comes to this plan, especially
8 considering the sudden huge change without community
9 input, little transparency and seemingly not one
10 person in charge of the project.

11 There's a golden opportunity here to not only
12 bring our community together around a shared goal of
13 flood protection, but also create enhanced green
14 spaces in a park that will serve the needs of our
15 community for many years to come.

16 We again, commend the city for altering its plan
17 to include phase construction and we urge the city to
18 continue working with residents to make this project
19 work for everyone. Thank you.

20 CHAIRPERSON ADAMS: Thank you Senator.

21 DAN WILEY: Thank you, Council Members. My name
22 is Dan Wiley; I'm here on behalf of Congresswoman
23 Nydia Velasquez. Thank you for allowing me to
24 present my testimony on the East Side Coastal
25 Resiliency project.

1 The ESCR project is a huge undertaking and we
2 have one shot to get it right for the long term. As
3 we know many residents of the lower East Side still
4 have fresh memory of the catastrophic impact of Super
5 Storm Sandy and the flooding in our neighborhoods as
6 we all know.

7 I also want to point out that other neighbors in
8 the [INAUDIBLE 30:45] District such as Red Hook were
9 also greatly impacted, and I just want to point out
10 for everyone here that if you look at what investment
11 is going on for flood protection in the Peninsula of
12 Red Hook, which if you include Red Hook east and west
13 together would have one of the largest housing
14 developments in the city. It's really a drop in the
15 bucket compared to what we're investing here. So, I
16 just wanted people to have that perspective.

17 As public servants, we have a primary role to
18 promote public health, safety and welfare of the
19 communities we represent. We have in front of us
20 this once in a lifetime opportunity to protect our
21 community against future floods and sea level rise.
22 We must get this right and ensure that stakeholders
23 concerns are engaged and carefully evaluated.
24

1 While the need for resiliency is undeniable, the
2 city must not proceed without addressing all the
3 concerns that have been repeatedly laid out by the
4 community.
5

6 As designed, residents and activists have
7 expressed concerns with parts of the plan such as the
8 timeline, the lack of real community input on
9 alternative ideas, lack of independent vetting and
10 the impact of construction and access to public
11 recreation.

12 Now, elected officials, myself included have
13 repeatedly asked the city to take into full
14 consideration the range of concerns, and I'm pleased
15 that Councilwoman Rivera and Manhattan Borough
16 President Brewer have this independent evaluator with
17 global experience on flood protection and resiliency
18 projects and I eagerly await the results and analysis
19 of this report.

20 East Side Coastal Resiliency project will
21 completely change the future of the East River Park
22 and the lives of thousands of residents who live
23 along the waterfront. The development must be based
24 on verified data and science and reflect the input
25 and collaboration of our diverse community.

1
2 We must explore best practices to mitigate and
3 protect residents from future flooding. That should
4 include creating as Borough President Brewer pointed
5 out, a community task force. I think a project of
6 this scope and length will require ongoing
7 reciprocity with the community and the vast diversity
8 in the community.

9 I am pleased to see yesterdays announcement by
10 the Mayor of a phased approach to keep nearly half of
11 the park accessible through the construction process
12 to complete the protections by the federal deadline.

13 Additionally, the community has been engaged in
14 identifying projects and programs to serve the area
15 needs of this construction and I appreciate the work
16 that the New York City parks has done to find more
17 open space to serve thousands of residents impacted.

18 The city needs to work closely with organizations
19 like the Lower East Side Ecology Center, which has
20 been a community steward of the park for over 20
21 years and needs to have a viable way of operating
22 through the construction period and be incorporated
23 into the new park design programmatically going
24 forward.

1
2 We've talked about the need for making sure the
3 fill is clean and that there are contaminated sites.
4 I point across the river to the Gowanus Canal where
5 there's a community advisory group that is ongoing
6 looking at cleanup.

7 So, such a group for this area ongoing will be
8 important to make sure that we adhere to all the
9 guidelines and have the safest fill.

10 To support vulnerable communities [INAUDIBLE
11 3:36:31] has emphasized the importance of
12 strengthening coastal resiliency to counter the
13 threats of sea level rise. To counter these threats,
14 changing ocean conditions is imperative for the city
15 to adopt strategies to protect people's livelihoods.
16 Having local community part of the solution ongoing
17 is key to that.

18 Therefore, I ask the city to evaluate and
19 consider the findings and recommendations of the
20 independent report coming out. I am hopeful that we
21 can continue to move forward to get this done. It's
22 important for the lower east waterfront communities.

23 We care deeply about the flood protection and
24 environmental access and open space and thank you and
25

1
2 I'm committed to work with you for resilient lower
3 east side.

4 CHAIRPERSON ADAMS: Thank you very much.
5 Particularly, thank you for your partnership of
6 course with our elected officials. But most
7 importantly with the community and the continued
8 engagement and the passion for the community for the
9 project, just to make sure that it is done right.

10 I really, really thank you for that engagement
11 and the ongoing engagement, thank you.

12 Borough President, if we can have your written
13 testimony for today, we'd love to have that as well.

14 GALE BREWER: We will probably just get it to you
15 later on. We will get it to you.

16 CHAIRPERSON ADAMS: That's fine, that's fine.
17 Thank you so much for being here today. Thank you
18 for your testimony.

19 PANEL: Thank you.

20 CHAIRPERSON ADAMS: Okay, we are going to go into
21 our public panels. Before we do, we're going to just
22 let everyone know that we are going onto four o'clock
23 and so that everyone has a good night sleep, we're
24 going to put a time clock on.

1
2 So, we're going to ask you to please you know,
3 summarize your testimony. We're going to put two
4 minutes on the clock. If you have to leave, we
5 encourage you to submit your written testimony to the
6 New York City website with this particular subject
7 matter prefaced.

8 Ladies and gentleman, just about 80 people are
9 signed up to testify. So, once again, we're going to
10 call the first panel. We're going to ask you to
11 please be mindful of the timer, which will be a two-
12 minute timer.

13 We're going to call Dereese Huff from Tenant
14 Association, Danny Ramirez, Adam Hartke Community
15 Board 6, Seth Coren Stuyvesant Little League, Trevor
16 Holland, Community Board 3.

17 I'm just going to thank everybody for toughing it
18 out for us today. We know that we've had a bad
19 weather day, and this has been such an important
20 matter. I'm just going to personally thank you all
21 for being here and for your commitment to this
22 project.

23 Panel, you can begin whenever you're ready.

24 SETH COREN: Hi, Seth Coren representing Peter
25 Stuyvesant Little League. As many of you know, I

1
2 represent 800 baseball, softball, and special needs
3 children on the east side of Manhattan. Thank you
4 for the opportunity to be here. We are users heavily
5 of Murphy Brothers Park as well as the East River
6 park fields and also, Con Ed's private facilities
7 which are also impacted by the project as it relates
8 to some of the space around the ball fields that
9 might be impacted.

10 I do want to publicly thank some of the elected
11 officials here. Councilman Powers, Councilwoman
12 Rivera specifically, Manhattan Borough President Gale
13 Brewer for their advocacy for our program and for
14 youth sports Manhattan and certainly to keep the park
15 space open and available throughout the project.

16 I also wanted to comment to support a comment
17 made earlier by Commissioner Silver, as well we are
18 aware twice in the last eight or nine months, we've
19 been proactively reached out to by the Parks
20 Department to assist with permitting needs and
21 adjustments to accommodate us during the project. So,
22 we certainly appreciate that.

23 As it pertains to Murphy Brothers Park, we have
24 over 400 boys and girls playing on those ball fields
25 throughout this spring into the summer and as

1
2 Councilman Powers referenced, we're aware that a
3 comfort station is under consideration and I just
4 wanted to voice support for the need for a bathroom
5 space at the facility. There's hundreds and hundreds
6 of folks there and no suitable facility anywhere
7 nearby. That would be extremely helpful and terrific
8 if it could be included in the project.

9 Further, I appreciate the late adjustment to the
10 phasing to hopefully limit the loss of the space for
11 just one season, presumably 2023 according to the
12 timeline that's been presented. And so, we
13 appreciate that.

14 I just want to bring up the necessity of support
15 and maintenance for the facility between now and
16 then. Because I know it's been somewhat relegated to
17 the dust pile in anticipation of work being done, but
18 with three seasons to go until then, the surface
19 fencing turf much could be needed. Thank you.

20 CHAIRPERSON ADAMS: Thank you.

21 DERESE HUFF: Good afternoon. I am Dereese
22 Huff; I am the TA President on NYCHA's last private
23 side of complex one. I have a total of units of 269
24 units, a total of 924 residents.

1
2 I am in support of the East Coastal Resiliency
3 project that needs to be started now. Not covering
4 it up, fixing it in 2023. I live right in front of
5 Con Edison. When those transformers blew, I was
6 right there. When that water was coming, we were
7 right there. With no help and nothing else – well,
8 I'm going to rephrase that. We had help for the good
9 old Lower East Side goals that save more than 35
10 tenants lives in my buildings that day.

11 If it wasn't for them, I don't know what we would
12 have did. Kavanagh's Office, several elected
13 officials did help me yes. But I'm a little upset
14 today what I heard today about, it's not going to be
15 covered Cove, Stuyvesant Cove until 2023. That needs
16 to be done now. I don't know if I got to say this to
17 Mayor de Blasio or who I got to say it to, but it
18 needs to be done now, not no 2023, right now. Lives
19 depend on it, we live there, we saw it.

20 We had five to seven feet of water and it is
21 ridiculous that they think that they can push that
22 off to 2023. I don't care about no grows, I have no
23 disrespect to nobody in here, no parks, but that
24 needs to be done now. I care more about lives than
25 having this happen a year from now, two years from

1
2 now, what you all going to tell us? Sorry, were
3 dead. It's ridiculous and I'm going to hold people
4 responsible for it. It doesn't make sense.

5 And my last statement I want to make today is, I
6 got to turn this over, that said a mouth full. We
7 had no heat, no hot water, and please, we all got to
8 work together to build back together and I'm going to
9 leave it there.

10 CHAIRPERSON ADAMS: Thank you for your testimony.

11 DANNY RAMIREZ: I'm really mad, I'm sorry.

12 Hi, good afternoon all. My name is Danny Ramirez
13 and I'm here with Oscar Fernandez representing the
14 youth of the lower east side and the New York Giants
15 Youth Baseball Club. A nonprofit organization on the
16 lower east side aimed at providing activities for
17 youth and their families, activities that keep our
18 local youth safe and out of trouble as they learn to
19 be responsible, productive citizens.

20 I also stand here as a lifelong resident and
21 concerned community member. Taking away our park
22 would have had a huge impact on our community as a
23 whole.

24 So, I was extremely happy to hear that the city
25 has heard some of our concerns and has agreed to face

1
2 construction. Obviously, we need to wait on the
3 information Del Torres and Dr. Hunt and them to
4 really see how the project will impact the
5 environment as there are still other concerns from
6 members of the community.

7 So, we'll wait on those, on that outcome, but at
8 least for now, I'm glad to hear that you know, the
9 phasing was implemented and that you know, the
10 timeline is not going to be extended too far out.
11 Because like the young lady here said, you know, I
12 also have a stake in this. Both of my parents are
13 almost 80 years old, live across the street from East
14 River Park overlooking the tennis courts. I was born
15 and raised there. Lucky enough to stay in the
16 neighborhood, I live on 3rd Street now, but you know,
17 there was two and a half feet of water after Sandy on
18 the first floor of those projects there.

19 So, you know, and again, we don't want to see
20 that happen again, but we also don't want to see the
21 community lose access to that park. A park that you
22 know, as my parents get older, I see how important it
23 is not only for them but for their friends. My
24 mother maintains her health by going and walking out
25 there every single day around East River.

1
2 My father has Parkinson's and his situation is
3 deteriorating his health, but the park, going out
4 there twice a week, the doctor has told us that's
5 helping him as well.

6 So, you know, there's thousands of people along
7 that shoreline that are in the same exact position
8 and again, it's just very good to hear that you know,
9 their going to phase that.

10 So, my next point; give me one second. I might
11 go over that two minutes.

12 CHAIRPERSON ADAMS: We're going to ask you to
13 wrap up. Your time is up.

14 DANNY RAMIREZ: I will, no problem here. So, I
15 want to thank Gale Brewer's Office, Ms. Chin, Mr.
16 Powers and especially Carlina Rivera's Office for
17 being so informative and accessible and for bringing
18 the communities concerns to the table.

19 In conclusion, I'd like to reiterate how
20 important it is for the city to communicate with our
21 elected officials in a timely manner. Not doing so
22 leads to many rumors and bad experiences between not
23 only members of the community but also between
24 elected officials and those community members that
25

1
2 actually stood up for them when they were running for
3 office.

4 In order for us to have transparency and feel
5 included in the process, there must be consistent
6 communication between all parties. It should not
7 have taken months for Carlina's Office to get answers
8 to the first question that she asked today, which
9 was, why was alternative number 3 dropped by the city
10 and the decision was made to go with alternative
11 number 4? Unreal that she had to wait until today to
12 get answers to that, as I'm sure that she and many
13 others have asked that same question countless times
14 over the last five or six months.

15 We must do a better job on communication. I hope
16 that the people who were speaking for de Blasio's
17 Office here hear this and we can do a better job of
18 that going forward.

19 Thank you all for your time today and I'm sorry
20 that I took up so much time.

21 CHAIRPERSON ADAMS: Thank you so much for your
22 testimony.

23 ADAM HARTKE: Hello, good afternoon. My name is
24 Adam Hartke; I am Vice Chair of CB 6's Land Use and
25 Waterfront Committee. In addition to my duties on CB

1
2 6, I am also a frequent user of East River Park. I
3 am here today to reiterate CB 6's resolution
4 regarding the ESCR. Though our total area is small
5 compared to the overall project, our board spoke to
6 the concerns that directly effect our district and
7 for the spillover consequences from the long-term
8 closures.

9 Thank you to our Council Members Rivera and
10 Powers for addressing these concerns and their
11 questions. Specifically, the comfort station in
12 Murphy Brothers Park impacts to Waterside Plaza and
13 the flood gate deployment on 1st Avenue.

14 Regarding the overall project, achieved concerned
15 was a lack of phasing. This issue seems to have been
16 resolved based on the news from yesterday. The Board
17 welcome a phased approach as it will allow community
18 members to enjoy the access to park land during
19 construction. Which I will remind you, CB 6 has some
20 of the least amount of the park land in the entire
21 five boroughs.

22 Mitigation efforts should include, enhancements
23 to Waterside Pier for both active and passive uses.
24 Other existing areas to compensate for loss parkland.
25 Improved pedestrian access through signal retiming at

1
2 18th Street and Avenue C further consideration should
3 also be given to the pedestrian cycle mitigations and
4 improvements.

5 Such as the proposed Flyover Bridge, thank you to
6 Council Member Powers for inquiring about this issue
7 further. Though we as a board are thankful for the
8 guaranteed earmark, we urge the city agencies to work
9 together to ensure that construction is completed
10 during the park closure. Bifurcating the park for an
11 additional two years is unacceptable.

12 Finally, further consideration should be given to
13 the expanded summer streets and study reevaluation to
14 the current state of the FDR.

15 Thank you to Council Member Rivera for bringing
16 the issue of the FDR and asking a solution of limited
17 closers to the Bronx River Parkway in West Chester
18 County.

19 Speaking as an individual, we as a city and
20 community are being asked to sacrifice a tremendous
21 amount of capital, both financial and human for this
22 project.

23 If we are building for the future, we must
24 explore real solutions to the FDR and beyond for this
25 project. Thank you very much for your time.

1

2

CHAIRPERSON ADAMS: Thank you.

3

TREVOR HOLLAND: Good afternoon, my name is

4

Trevor Holland and I am the Chair of Community Boards

5

3, Parks Recreation, Waterfront and Resiliency

6

Committee.

7

On October 2012, Hurricane Sandy calls extensive

8

coastal flooding in Community Board 3 resulting in

9

significant damage to residential and commercial

10

property, open space, transportation, power supply

11

and water and sewer infrastructure.

12

In many ways, our community still suffers from

13

the effects of that catastrophic storm seven years

14

later. We all understand that with climate change,

15

the city will see an increase in the frequency of the

16

most intense storms as well as rising sea levels. We

17

have asked the city to come up with a plan to protect

18

our neighborhood, especially our most vulnerable

19

neighborhoods that include large areas of NYCHA and

20

affordable housing.

21

To address this vulnerability, the City of New

22

York is proposing a bold plan to construct the ESCR.

23

The ESCR project is a multiagency initiative that was

24

selected by HUD that received a disaster recovery

25

grant funding through the rebuild by design

1 competition organized in response to the devastation
2 of Super Storm Sandy in order to promote enhanced
3 resiliency in impacted communities.
4

5 For many in the community, the ESCR process since
6 fall of 2008 has frayed trust in government and
7 public agencies because of the drastic change in plan
8 design done without community consultation despite
9 the needs of the community who look to their
10 government to supply desperately needed protection of
11 their lives and home.

12 And although the city has regularly engaged the
13 community since this election of the preferred
14 alternative, the Community Board has been challenged
15 with rendering of resolution that balances the needs
16 of coastal resiliency while addressing the concerns
17 of those most impacted.

18 One of our biggest challenges has been battling
19 misinformation and we have created a chart which is
20 attached to show the differences between the previous
21 plan and the current preferred plan.

22 We still continue to have many concern which they
23 have outlined in our attached resolution including
24 what we've heard repeatedly in all of our meetings,
25 phased construction. We spent hundreds of hours

1 reviewing the preferred alternative, listened
2 patiently to hours of testimony and held or attended
3 dozens of meetings.
4

5 We understand that raising the rivers edge does
6 not come with some controversy; however, based on the
7 information we have today, Community Board 3 supports
8 this ULURP action with a list of conditions outlined
9 in our attached resolution.

10 CHAIRPERSON ADAMS: Thank you very much for your
11 testimony. Thank you, panel, appreciate your time
12 today. This was a panel in favor of the proposal.

13 I'm going to call up panel two in opposition of
14 the proposal Diane Lake, Lucy Cotten[SP?], Rita
15 Freed, Laura Sewall and Kendra Krueger.

16 Thank you, panel, please be mindful of the time
17 clock. You may begin.

18 DIANE LAKE: Hi, can you hear me now? Okay,
19 great. My name is Diane Lake; I am a member of the
20 steering committee of the East River Alliance. Which
21 is a coalition of stakeholders in the lower east side
22 in east village.

23 Our community lived through Sandy and understands
24 the need for resiliency work. We want a resiliency
25 plan that will protect us from storm surges and

1
2 climate change. The city has proposed preferred
3 alternative 4. We have given the city strong
4 consistent feedback on the flaws in alternative 4 for
5 nearly a year and we were pleased to learn yesterday
6 that the city listened on plans to proceed with the
7 East River Park work in phases.

8 However, our other concerns with alternative 4
9 remain unaddressed and that's what we want to bring
10 your attention to today. This is still a plan to
11 completely destroy East River Park and raise it eight
12 to ten feet. It's very destructive and very
13 expensive.

14 Borough President Brewer and Council Member
15 Rivera have hired that independent consultant to
16 review both alternative 3 and alternative 4 and we
17 strongly encourage the City Council not to vote until
18 after that report is available and has been
19 thoroughly reviewed.

20 We also remain concerned about the health, safety
21 and wellbeing of our community before and during
22 construction. We ask the City Council to support
23 further changes so that the final plan includes
24 protection from storms and floods before and during
25 construction as you just heard TA Huff ask for.

1 Reducing the total amount of destruction to only
2 what's absolutely necessary, meaningful alternatives
3 for recreation during construction particularly for
4 children and seniors, a clear plan for the future of
5 the Lower East Side Ecology Center, reduced impact on
6 biodiversity, and that the impact on frontline
7 communities be central to any plan or timeline that
8 the city considers.
9

10 While we appreciate the progress that was made
11 yesterday at this time, the East River Alliance does
12 not support alternative 4 its current form. Thank
13 you for listening to us and we hope you'll consider
14 the communities additional concerns.

15 CHAIRPERSON ADAMS: Thank you.

16 LUCY COTTEEN: Hi, my name is Lucy Cotteen. I am
17 speaking for myself at the moment. This is a quote
18 from the Parks Departments website. A large healthy
19 tree removes almost 70 times more air pollution each
20 year than a small newly planted tree.

21 Yet all over the city we see tree cutting by the
22 Parks Department and denaturing projects taking
23 place. This is not the pro-resiliency acts we expect
24 from a city that claims it wants to increase
25 resiliency. I am horrified by this project that says

1
2 it will remove the whole top of the ERP and then
3 replace it. As if they were picking up an old
4 carpet, placing down a new floor and then laying the
5 intact carpet back down. Nature does not work that
6 way.

7 I am not an expert on this project but there are
8 many experts to be spoken with that have not been
9 consulted or listened to.

10 Our politicians are not experts either. Since we
11 know that in this city there's nothing that does not
12 go on that does not have the fingerprints of big real
13 estate sewn into the project, we need to know more
14 about how they might be involved. Why did Deputy
15 Mayor Dean Fuleihan overnight declare that they had
16 to reverse the agreed upon plan without any community
17 discussion? What is the involvement of AE Com that
18 is involved in many big real estate projects
19 throughout the city? Are there forces that are
20 imagining another Brooklyn Bridge Park or Hudson
21 River Park where private interests have taken over
22 the public need for open green space.

23 What are the long-term plans for the NYCHA
24 buildings across the street? The new NYCHA Chair,

1
2 Gregory Russ has a history of privatization public
3 housing.

4 There are many environmental and political
5 questions that have not been answered. Until every
6 question is answered, this project must be halted,
7 and immediate temporary measures must be taken to
8 protect the NYCHA residents who are still suffering
9 from the effects of Hurricane Sandy.

10 One other thing, the city never hesitates to
11 close lanes of streets and highways to do repairs for
12 an extended length of time. How is it that part of
13 the rationale for this changed plan is to eliminate
14 the need to close one lane of the FDR at night for
15 construction?

16 This is the first time I have ever seen concern
17 for the inconvenience of drivers, and I have been
18 driving the streets and highways of New York City for
19 50 years. Thank you.

20 CHAIRPERSON ADAMS: Thank you.

21 RITA FREED: Hello, I'm Rita Freed; I'm from the
22 Bronx. Where we have been fighting for seven years
23 to stop the Parks Department from paving the unique
24 Putnam Nature Trail, a wetland trail that serves a
25 mostly working-class community of Kings Bridge into

1
2 an environmentally harmful and pedestrian endangering
3 bike speedway.

4 I'm here not as a ringer, not because there's a
5 citywide pattern in both the case of the Putnam and
6 for Green Park, where they want to cut down a mature
7 grove and pave it over in the name in that case of
8 access, as with the Putnam Trail and apparently with
9 the East River Park, it's in the name of flood
10 resiliency. But again, the final result would be to
11 pave over nature.

12 By the way, I haven't heard here today from
13 anybody except Lucy, nature. How can you talk about
14 climate crisis and not mention the word nature.

15 There is the common pattern is that there is
16 deception, no surveys of users of the trail. A plan
17 that's given to just prune trees turns into mass
18 destruction of the Fort Green Mature Grove, same here
19 with the East River Park and we have also in common
20 that there are real estate interests that the joining
21 areas are ripe to be gentrified.

22 Nature is not a profit center but when you pave
23 it, you know, Parks Department is not just pennywise,
24 their asphalt is the default attitude. Also means,
25 once you pave it, you can public private partner rise

1 it. You can commercialize it, once you can
2 commercialize it, you can gentrify next to it. We
3 have to take nature as the guideline here. Nature is
4 the most basic common good.

5 If they can take away nature, they can take away
6 all your basic social needs; education, housing,
7 medical care, everything.

8 CHAIRPERSON ADAMS: Thank you for your testimony.

9 RITA FREED: And only the working people can stop
10 that. The most basic approach for all public
11 servants who claim to represent the common good is
12 when it comes to nature, save it don't pave it.

13 CHAIRPERSON ADAMS: Thank you very much.

14 KENDRA KRUEGER: Hi, my name is Kendra Krueger.
15 I was born and raised in the lower east side, also
16 the original land of the Lenape indigenous people. I
17 am an engineer; a scientist and educator and I have
18 expertise in sustainability in regenerative design.

19 I'm opposing the current plan because I feel as
20 though it fails to address that resiliency is not
21 just about protecting ourselves from climate change
22 but it's also about healing our environment and our
23 communities, so that these crisis will not continue
24 to threaten us and our descendants.
25

1
2 Yes, it is a complex issue. Yes, there is
3 urgency, unknowns, uncertainty, but this should not
4 curb our creativity. It should fuel it, yes, this is
5 an opportunity. An opportunity to create an
6 extraordinary design. To be a global leader in
7 scientific, environmental and social progressiveness.

8 I'm trained in a designed philosophy called,
9 Permaculture which asks how can we move beyond
10 sustainability and into a regenerative paradigm?
11 Sustainability is all about not doing too much harm
12 to the environment, but regenerative design asks how
13 can we actively heal the damage that has been done to
14 our environment and our communities that have been
15 historically and purposely disenfranchised.

16 It's no coincidence that most of the public
17 housing in the city is in environmentally compromise
18 areas such as flood zones and polluted land, such as
19 the gas plant that is under the Reese housing that is
20 right across the street from the East River Park.

21 Yes, this is a moral imperative, as they've
22 mentioned, but a moral imperative to acknowledge that
23 resiliency is about healing the damage that has been
24 done against our environment and our social
25 ecosystems. There is research and science and

1 resources that are available that people are setting
2 here in New York at some of our world class research
3 institutes like CUNY, on things like oyster reefs,
4 bio swells, salt marshes, carbon sequestration
5 strategies, curb cuts for inland flooding,
6 semipermeable services, green walls, roofs, public
7 house, green walls and roofs and green walls on
8 public housing and yes, it's complex, it's
9 intersectional and what are we going to sacrifice and
10 what are the city officials going to sacrifice? And
11 those sacrifices shouldn't be made by our community
12 or for our environment by those who don't have the
13 imagination to have courage to find extraordinary
14 solutions.
15

16 CHAIRPERSON ADAMS: Thank you so much.

17 LAURA SEWALL: Hi, I'm Laura Sewall; I am the
18 Executive Director of the East Village Community
19 Coalition. And in that capacity, I'd very much like
20 to thank everyone who is here today and has been
21 working on this issue. Our community is amazing, and
22 you are seeing that.

23 I also serve on the Board of the Lower East Side
24 Preservation Initiative and invited Section 106
25

1
2 consultant on the architectural resources in East
3 River Park.

4 And I'd first like to correct an error on page 7
5 of Chapter 5.4 in the final EIS which states that
6 LESPI declined to participate in the Section 106
7 process.

8 We in fact, accepted the invitation from the
9 Office of Management and Budget and responses to our
10 comments can be found in the final environmental
11 impact statement.

12 We would like to see this error corrected because
13 we very much spent a good deal of time and effort in
14 accepting this invitation and responding.

15 There are three historic structures with date
16 from the early years of East River Park. The Marine
17 Engine Company, 66 Fireboat House, currently the home
18 of the Lower East Side Ecology Center and two art
19 deco style comfort stations.

20 All three of these buildings would be seriously
21 impacted or destroyed by the preferred alternative,
22 alternative 4 plan. The New York State Historic
23 Preservation Office has determined the Fireboat House
24 to be eligible for the state and national register.
25

1
2 LESPI agrees with that the building has architectural
3 and historic value that warrants preservation.

4 We also believe that because the Fireboat House
5 has historical has a strong tie to the waterfront, it
6 should be preserved in place.

7 This scheme presents challenges, primarily that
8 any plan to raise the height of the park will have a
9 significant impact on the publics ability to view and
10 appreciate this building and for it to serve it's
11 essential purpose.

12 But we believe that these challenges can be met.
13 Again, with creativity and forethought and recommend
14 that a new wall be placed but a sufficient distance
15 back from the Fireboat House to allow it to be
16 adequately viewed and protected from surge.

17 As regarding the comfort stations, the idea of
18 considering them was dismissed because LPC and
19 Shivo[SP] had not identified them as architectural
20 resources but to the best of LESPI's knowledge, they
21 have not had the opportunity to study them.

22 We will submit our full comments on via the
23 website, so you have them. Thank you very much.

24 CHAIRPERSON ADAMS: Terrific, thank you panel.
25 Thank you for your passion.

1
2 Panel three is in favor of the proposal. Damaris
3 Reyes, Roland Lewis, Yvette Rivera, Dave
4 Brazwell[SP?] and Nancy Ortiz, Maria Trinidad. You
5 may begin whenever you're ready.

6 DAMARIS REYES: Hi, my name is Damaris Reyes; I'm
7 the Executive Director of Good Old Lower East Side.
8 I'm also a lifelong resident of the Lower East Side.
9 I live in public housing at Baruch Houses and I just
10 want to make a correction.

11 At this point, we are undecided. We are neither
12 in favor nor in opposition, but we do think that
13 there are some important things we want to say. I'm
14 with GOLES; GOLES has been around for 40 years. We
15 do housing work, land use work and we work with
16 seniors, youth. We work on a number of different
17 issues and we serve about 10,000 people every year
18 and during Hurricane Super Storm Sandy, we rose to
19 the occasion to serve as first responders to about
20 15,000 households in the neighborhood and so, we know
21 firsthand the impacts.

22 I mean, I personally experienced flooding in and
23 around my building and utilities and all the things
24 that everybody here is talking about. Those are all
25 real things. Things that caused a lot of trauma and

1 things that are still being worked on and you know,
2 as residents, many of us are still experiencing that
3 long-term trauma. Sometimes it's very difficult for
4 even me to talk about this without having a moment.

5
6 Along the waterfront is it's lined with NYCHA
7 public housing and other low-income housing. It's
8 among the most vulnerable in our neighborhood and we
9 were the hardest hit. And there's a lot of evidence
10 about the impact that climate change sea level
11 rising, and the storm had on our neighborhood. All
12 you have to do is walk through our developments to
13 see the gaping holes, the construction, the pipes.

14 I mean on a daily basis; we are still living with
15 those impacts. Just yesterday, another pipe was
16 damaged. Due to the construction that is happening
17 because of FEMA. And so, we're living with these
18 impacts all the time and you know, though this is a
19 plan that has a lot of questions, the neighborhood
20 still feels like we want to be protected from the
21 flooding.

22 I know I am going over, but I do want to say that
23 we spent a lot of time working on this plan. We
24 spent countless hours, we reached hundreds of
25 residents and we came up with something that we

1
2 thought was palatable for all of us. Something that
3 we could live with the city turned around, changed
4 course without consulting with us and that has
5 created all this contention that you're hearing
6 about.

7 A community that has historically worked together
8 to create change in a lot of ways is at odds with
9 each other. But with that being said, I'm pleased
10 with the idea of phasing the closure of the park but
11 there are still so many things that need to be worked
12 out.

13 I will say that we concur with a lot of the
14 recommendations made by Borough President Gale
15 Brewer. Many of the concerns being raised by many of
16 the residents in this room and then there are few
17 really quick recommendations that we want to make
18 sure happen and we will be submitting much longer
19 testimony because obviously, two minutes does not
20 give you enough time.

21 But we want to make sure that whatever happens
22 that there is a community advisory task force in
23 place that will have strength. That the city will
24 recognize as an equal partner throughout whatever
25 process we ultimately undergo. We want to make sure

1 that there's ongoing air monitoring that's reported
2 to the community. We want to also make sure that the
3 Ecology center has a place during and after.

4 Whatever we ultimately decide as a community, we want
5 to explore alternative measures for any of the trees
6 and flora that may be transplanted from the park.

7 And we want to also look at further measures to work
8 with the Housing Authority that has a lot of green
9 open space that can also help to expand our coastal
10 flood protection.
11

12 And then finally, long-term, we want to make sure
13 that whatever we come up with, that it is worthy of
14 the global attention that we have received for this
15 park. And make it educational around climate change
16 issues.

17 You know, we got to find the silver lining in
18 this moment and use this opportunity to educate our
19 seniors, our young people alike moving forward.

20 And finally, the last thing I want to say is
21 whatever we do as a community, it is imperative,
22 imperative that we continue to look for alternative
23 spaces where we can have passive, active recreation
24 as a neighborhood.
25

1 I live across the street, I can see the park from
2 my window and the East River and just that process of
3 itself, and losing that ability is going to have an
4 impact on my life. I understand that something has
5 to happen, something may be necessary, but we've got
6 to come up with a plan that we can all live with.

7 So, what I'm asking the city to do is to really
8 listen to the recommendations. Both of our Council
9 Members, of all the people in this room and help us
10 as a community get to a yes for coastal flood
11 protection because in the end, what we don't want is
12 to be under water.

13 CHAIRPERSON ADAMS: Thank you. Thank you very
14 much for your testimony.

15 DAMARIS REYES: Thank you and I'm sorry I went
16 over.

17 CHAIRPERSON ADAMS: You're fine, just to remind
18 everyone who wants to submit written testimony, it is
19 hearings@nyc.council.gov. Once again, it's
20 hearings@nyc.council.gov. Your subject matter would
21 be ESCR.

22 Okay, go right ahead.

23 ROLAND LEWIS: I am Roland Lewis; President of
24 the Waterfront Alliance. An alliance of over 1,100
25

1
2 civic and business organizations around the
3 metropolitan area.

4 I just want to actually concur that one point
5 that speaker made about going to school on this
6 project. We have to learn what's going right,
7 because this entire metropolitan region, needs to do
8 work like they are doing here on the lower east side
9 going forward.

10 So, very quickly, a couple of brief points and
11 then I would like to talk about [inaudible 4:29:18].
12 We hope that this project goes forward and fully
13 remove all the construction material by barge. It's
14 a 90 percent reduction. Councilwoman Barron's good
15 point about what kind of fuel to use is something to
16 be investigated.

17 There are regulations that are in place and that
18 we can use better lower fuel for those kind of
19 barges, but it does - getting those trucks away from
20 a construction site is a very big net plus.

21 The phasing of the project has been talked about,
22 I do believe it is a good thing and thankful that
23 we're doing that. We also want to work with the
24 design to allow for more access to the park and to
25

1
2 the park to the water during construction and after
3 construction. That's possible and can be done.

4 And last, I do want to talk about the Waterfront
5 Edge design guidelines Boards 1, Board 6 and almost
6 Board 3 have taken the wedge pledge as have 28 other
7 community boards around the city which is a design
8 guidelines program similarly for buildings that
9 encourages ecology, encourages resiliency and
10 encourages access wherever possible on the waters
11 edge.

12 It also gives you points for community
13 participation which this project is probably a little
14 over on the scale then it has been historically.

15 So, as you go forward, the change we just had
16 with the phasing - I'm going to complete this one
17 last thought.

18 The change we had for the phasing is indicative
19 of changes that can be made by the construction team
20 and by the city as we go forward. So, the input from
21 the Netherlands group that's coming forward next
22 week, the points made by other folks here at this
23 hearing can be incorporated. Let's make this a
24 model, let's make this a lesson learned for other
25 neighborhoods, other places around the city.

1
2 Written testimony is submitted, and we look
3 forward to working with the Council and with the city
4 to make this the best project it can be going
5 forward.

6 CHAIRPERSON ADAMS: Thank you very much. I just
7 want to correct the website that I just gave, I
8 inverted some words. So, it's
9 hearings@council.nyc.gov. Alright,
10 hearings@council.nyc.gov. You may continue, thank
11 you.

12 YVETTE RIVERA: Good afternoon, my name is Evette
13 Rivera and I am the Vice President of the LES OLS
14 Little League, which is the oldest and largest little
15 league on the lower east side.

16 Our leagues has existed for over 60 years and we
17 have over 350 children and their families
18 participating, mostly low-income families that will
19 be impacted by the planned ESCR project in East River
20 Park.

21 While we are in favor of flood protection, we
22 have several concerns and needs that should be
23 addressed including and while we've repeated that the
24 phased construction is a great idea, I want to make
25

1
2 sure that it is continued. That there is not a Phase
3 5 that changes that.

4 This approach will allow our kids to still play
5 sports within walking distance of their homes for
6 years until park renovation is complete.

7 We prefer to have access to half the park over
8 four to six years versus full closure for three to
9 five years.

10 Alternative park space to prioritize children and
11 local community programs like our league. There are
12 very few park spaces that can accommodate baseball
13 fields within walking distance of our players. Our
14 kids should be prioritized for this space.

15 We recently met with the Parks Department to
16 discuss the alternative field space and the initial
17 meeting was productive, but like everyone else we are
18 awaiting details on local field allocation.

19 Our league is large and provides services to the
20 immediate surrounding community. We should also
21 receive priority for allocation of field space once
22 the East River Park renovation is complete.

23 Present plan will eliminate Field 8, which is a
24 priority field for our games each Saturday.

25 Preserving all 8 ball fields or reallocating the same

1 amount of field space in the remaining 7 ball fields,
2 based on that new plan, to the LES OLS Little League
3 is a must.
4

5 I like many other league participants live in
6 very close proximity to the East River Park in the
7 coops and will be most affected during the years of
8 construction by airborne dust contamination, noise
9 and lack of park space.

10 Therefore, we request that our concerns will be
11 addressed with a detailed action plan before the
12 community and the city signs off on this project.
13 Thank you.

14 CHAIRPERSON ADAMS: Thank you.

15 UNIDENTIFIED: Good afternoon, I'm speaking on
16 behalf of Ms. Camille Napoleon. NYCHA Properties
17 have approximately 18,000 in population across from
18 Avenue C and 13th Street to Montgomery Street. NYCHA
19 is the front line, the wall, the barrier, the first
20 to get flooded. Yet seven years later we are still
21 suffering the impact of Sandy.

22 My name is Camille Napoleon and I am the current
23 Vice President for Baruch Houses; the largest NYCHA
24 development in Manhattan. We at Baruch Houses
25 support the current plan for the East River flood

1
2 protection. It is at the utmost important for us at
3 Baruch Houses.

4 For many, when the waters receded, their problems
5 did to. For my 5,000 plus residents and I, Baruch
6 Houses, we are still dealing with the aftermath of
7 Super Storm Sandy.

8 My development finally broke ground early this
9 year to make necessary repairs almost seven years
10 after the Super Storm left my development devastated.
11 Having my residents displaced for weeks, those that
12 stood behind feeling vulnerable, finding ourselves
13 asking for meals to feed our elderly. Many who
14 refused to leave. Having to travel all the way
15 uptown to find food and necessary life sustaining
16 items because all of our local stores were left
17 without electricity.

18 For these reasons and so many others, I ask that
19 the current plan be approved. My residents are still
20 struggling daily to get through the effects of Sandy.
21 Please make flood protection the priority for all of
22 us at NYCHA residents and we say yes to the current
23 plan. And as an aftermath, we have suffered a gas
24 outage and an electrical outage due to the overturn
25 of a cement truck from construction and recently Rees

1
2 Houses also suffered possible evacuation due to a
3 crane possibly affecting one of the buildings.

4 So, yes, we are highly affected, and I thank you.

5 UNIDENTIFIED: Now, I will speak on behalf of
6 Nancy Ortiz; resident leader of Vladeck Houses. I
7 submitted too, I did. I cannot?

8 CHAIRPERSON ADAMS: We have one person per slip
9 of paper and that was my question to the Council
10 Member when we saw the entry, so we accepted you as
11 one person speaking on behalf of two; not giving two
12 separate testimonies.

13 UNIDENTIFIED: See, I had asked, and he said to
14 put both names on the pink slip.

15 CHAIRPERSON ADAMS: Alright, we have to move on.
16 Yes.

17 MARIA TRINIDAD: Good afternoon. My name is
18 Maria Trinidad and I am the Tenant Association
19 President of NYCHA development at 344 East 28th
20 Street. I have lived in this building for 48 years.
21 I consider myself the elected caretaker of my
22 neighbors which is why I am here to speak about the
23 East Side Coastal Resiliency project.

24 October 29, 2012, I was sitting in my apartment
25 looking out the window waiting for Hurricane Sandy to

1 hit land. I had my elderly mother and an emergency
2 bad because I was ready to leave as soon as I saw
3 flooding. I thought I was prepared, but I don't
4 think anyone could have prepared me for what we
5 experienced that week.
6

7 After Hurricane Sandy hit Manhattan, my residents
8 and I were left for a week without water or
9 electricity. I walked up more than 20 flights of
10 stairs a day in order to check on my residents. Some
11 were homebound, others were too fragile to walk or
12 had family members to watch. For the next week, I
13 would travel to bring them back water, food and
14 anything else they needed.

15 I couldn't leave my apartment without running
16 into a resident that needed my help. But it wasn't
17 just me, there were other NYCHA residents in the
18 lower east side with no power, no electricity and
19 flooding in their buildings. I will never forget
20 that week and I hope no one else has to go through
21 what me and the residents experienced.

22 This is why I am asking the city provide us with
23 flood protection and I believe this project will
24 provide us with this protection. Climate change is
25 happening whether we like it or not and we have to be

1
2 prepared. However, I want the city to do everything
3 it can to make sure the community is taken care of
4 while construction is happening.

5 I'm happy that parts of the park will remain
6 open. I also want to be sure that all the teams find
7 a place to play. I also want for the city to keep
8 the noise and air pollution to a minimum, so NYCHA
9 residents aren't impacted. But I don't want to wait
10 another seven years to get started. I want all of my
11 friends and neighbors protected as soon as possible.

12 So, I hope you can all come to an agreement
13 quickly to make this project happen. Thank you.

14 CHAIRPERSON ADAMS: Thank you very much. I thank
15 the panel for your time and your testimony today.
16 Thank you.

17 The next panel is Daniel Tayner[SP?], Rita Kelly,
18 Murphy, I think it's Nickel, Fannie Ip and Bonnie
19 Lane Webber, Dr, Amy Berkov.

20 Panel, you can begin whenever you are ready.

21 UNIDENTIFIED: Thank you, Council Members for
22 sticking around to listen to all our testimony. I've
23 testified many times here. Community Board, so today
24 I decided to read a story that was written by a
25

1
2 teacher friend at PS110 on Delancey and Lewis Street
3 in the flood zone.

4 They shared this with me, they asked permission
5 of the students parents and the student themselves.

6 So, once it was beautiful day in New York City.
7 Then my dad tried to evacuate but then the car broke
8 down. Next, my dad bought supplies after that,
9 Hurricane Sandy came. It was category 3 hurricane
10 with wind above 115 miles per hour. Things were
11 damaged around the whole city. Then the power went
12 off; I was scared.

13 My mom, dad and I waited after the hurricane
14 struck, everywhere was flooded. People got rescued;
15 then everyone went to work fixing things like power
16 lines, house, subway tunnels, cleaning debris. A
17 couple weeks later, power went on, but still they had
18 a lot to fix like subway tunnel. A few years later
19 they had to fix the L-Train tunnel.

20 After people knew the hurricane, people never
21 wanted a hurricane like Sandy to hit New York City as
22 a category 3, but they still work today.

23 A month ago, they want the East River Park torn
24 down to have a giant wall on East River Park and
25 cover the whole park as a landfill. They put up

1 signs, then there was a protest for not to bury the
2 park.
3

4 Finally, they didn't turn it into a landfill,
5 instead they kept the park. I hope a hurricane like
6 Sandy will never happen again.

7 So, I read this just as to express what one
8 resident without prompting reaction to the current
9 plan preferred option by the city for their worrisome
10 communication and scientific errors. But the city
11 has also been doing - the city agencies have also had
12 communication and scientific errors in the plan that
13 they've presented.

14 So, I hope that the City Council takes the
15 opportunity to listen to us residents and to make
16 sure this is the plan that we wanted.

17 CHAIRPERSON ADAMS: Thank you.

18 MURPHY NICKEL: Hi, my name is Murphy; I feel
19 like I'm speaking as a ghost. The ghost of the
20 trees, the ghost of the park, the ghost of the lungs
21 of the children that are going to be negatively
22 affected during construction and after construction.

23 If you think about it, you're going to have an
24 eight to ten-foot wall next to FDR Drive, where are
25 the fumes going to go? Which used to go more into he

1
2 river to high asthma rates, respiratory problems in
3 that area high, and this is obviously going to cause
4 bigger problems. Trees help us breath. Without
5 trees we cannot breath, so New York City 2019, we're
6 spending \$1.4 billion to destroy perfectly good 80-
7 year-old trees that are older than most people here.
8 That's disrespectful to life itself.

9 What else? The way we're going about this, the
10 City Council Planning Commission voted for this plan
11 on the day Greta Fernberg was going mad telling world
12 leaders like I as a child, should not be telling
13 adults what to do and I find myself in the position
14 of the child and same with this person here like the
15 trees - the living beings like we are living beings,
16 like we have to understand destroying, spending this
17 amount of money to destroy perfectly good things that
18 are working for us, is nothing short of madness.

19 We need to come up with a better plan. You
20 know, we are smart, intelligent people, don't destroy
21 this park. The works for it, like the nature. Like
22 we are nature. We're destroying nature. It's just
23 like Americans suffer 40 to 60 of mental health
24 issues, Americans have - nature helps that Harvard
25 Research studies etc. This is a horrible plan. The

1
2 way it's presented like some jerk was saying, there
3 was already closing park recently. I'm in the park
4 every day, this has not happened. The city spent \$66
5 million doing the esplanade, it took them ten years.
6 Now, they're going to spend \$1.4 billion and then
7 there going to do it in three in a half years. Give
8 me a break. This is not true; this is not true.

9 The city does not know that we're spending \$1. -
10 90 percent of New Yorkers are unaware of this
11 project. This is like a sham of democracy. This is
12 USSR 1970 or something.

13 CHAIRPERSON ADAMS: Thank you, thank you for your
14 testimony.

15 MURPHY NICKEL: Thank you and I hope that we can
16 actually move forward properly.

17 CHAIRPERSON ADAM: Thank you so much.

18 MURPHY NICKEL: With the interest of people, not
19 cars and money.

20 CHAIRPERSON ADAMS: Thank you so much.

21 MURPHY NICKEL: Thank you.

22 CHAIRPERSON ADAMS: Thank you.

23 FANNIE IP: Hi, my name is Fannie Ip. I grew up
24 on the lower east side and I am a regular user of
25 East River Park.

1
2 It has been mentioned throughout this process
3 that this preferred alternative is for the protection
4 of the people. However, when you look at the parts
5 of the plan, it says otherwise. The poor air quality
6 from the dust and the many construction vehicle
7 admissions, will be detrimental to public health.
8 Especially to the elderly, the children, the people
9 with asthma.

10 Control measure propose such as spraying down
11 dirt piles with water or covering them while
12 transport, it's not sufficient. Mitigations for
13 contaminated soil and hazardous material still need
14 to be addressed. This was also a concern of Con
15 Edison's as stated under the Hazardous Materials
16 Contamination section in their DEIS comments dated
17 August 30, 2019.

18 More importantly, it will be seven years since
19 Sandy and we still haven't gotten any flood
20 protection. How are we supposed to believe that the
21 city is in the interest of protecting the people when
22 not only do we not have flood protection right now,
23 there will none during construction as well.

24 And finally, the Mayor stated in his press
25 release yesterday, we are building a more resilient

1
2 city to meet the challenge of global warming head on.
3 While cutting down almost 1,000 mature trees right
4 next to the FDR, definitely does not meet that
5 challenge.

6 If anything, it contributes to the problem of
7 global warming and helps speed up sea level rise.
8 Making this plan obsolete probably a few years after
9 it is finally complete. Not to mention, the whole
10 lower east side area will be a lot hotter when these
11 trees are gone.

12 I ask you, please do not be fooled by the small
13 concession we received yesterday. Something we would
14 have gotten anyway with that ridiculous timeframe of
15 three and a half years. There are many issues that
16 still need to be addressed and since the timeline has
17 been delayed, other alternatives such as one that is
18 less harmful and less destructive to the environment
19 should be revisited. Thank you.

20 BONNIE LANE WEBBER: Hi, my name is Bonnie Lane
21 Webber. I am representing the Sierra Club of the New
22 York City Group and I'm going to skip the
23 introduction and go right to the Sierra Club Group
24 opposes the adoption of any plan and calls for the
25

1
2 City Planning Commission to reject any plan unless it
3 incorporates these conditions.

4 The East River neighborhoods must receive the
5 same maximum degree of flood protection as other
6 Manhattan waterfront neighborhoods. The residential
7 buildings closest to the river butting the East River
8 Park comprise the city's largest concentration of
9 NYCHA public housing whose residents include low-
10 income working individuals and families, seniors and
11 children and a disproportionately high number of
12 individuals with chronic medical conditions.

13 This population suffered greatly during Super
14 Storm Sandy and deserves the same protection as
15 planned for all other vulnerable Manhattan residents.

16 The construction period must utilize state of the
17 art green technology and power to avoid or minimize
18 admissions, excessive noise and environmental
19 degradation. To assure this, the city must appoint
20 an environmental watch dog vetted by Community Board
21 3 and environmental organizations to monitor and
22 mandate compliance with this point throughout the
23 project.

24 Children and seniors must be cared for. We care
25 a lot about the trees, any soil and fill must be

1 clean. I could go on about that and additionally,
2 the city must seek to apply federal and other funds.
3 The money sitting there to my understanding, with HUD
4 I know Carolyn Maloney gave I think \$339 million and
5 nothing has been done with it.
6

7 The city must seek to apply federal and other
8 funds to immediately implement flood protection and
9 environmental improvement to NYCHA and other
10 buildings in immediate proximity to the East River.

11 Such measures must include but not necessarily be
12 limited to temporary flood barriers, elevating or
13 protecting boilers and other building infrastructure
14 currently underground, mold remediation and tree and
15 other green planting. Thank you very much.

16 AMY BERKOV: Hi, I'm Dr. Amy Berkov; an Ecologist
17 the City College of New York and a 40-year resident
18 of the East Village.

19 But today, I'm going to start not with my own
20 words but with a few words from Attorney General Tish
21 James that were submitted in her letter to the Final
22 Environmental Impact Statement Appendix M.

23 The draft EIS's environmental justice analysis,
24 and it's treatment of impacts to open space uses,
25 tree canopy and air quality do not meet the

1 requirements of federal, state and New York City law
2 governing environmental review.
3

4 These treatments are also arbitrary and
5 capricious in violation of federal and state
6 administrative law requirements.

7 Phase construction may alleviate some of these
8 concerns about open space, but the Attorney General
9 goes on in the next eleven pages to describe problems
10 with the subscription of area used to evaluate
11 disproportionate impact on moderate and low-income
12 people.

13 The methods used to quantify tree replacement and
14 there is a relationship between those two things and
15 the lack of mitigation for potential increases and
16 air pollution during construction.

17 So, I thank Attorney General James for pointing
18 out the shaky legal ground supporting the city's plan
19 to destroy 83 acres of New York City waterfront park.

20 In addition, if the city really intends to create
21 a livable future for the next generation, why didn't
22 they assemble a panel of independent experts nine
23 months ago, to assure us that this was a real - that
24 this was the best that we could do.
25

1
2 Why haven't they incorporated up to date
3 estimates of sea level rise and provide flood
4 barriers that aim to protect us through 2100, not the
5 2050's. There's where we are here and I just high-
6 level estimates are business as usual estimates and I
7 don't see how even with additional two feet of fill,
8 that gets us to those numbers.

9 And in addition, if they put in this additional
10 fill, how does that not impact the 14,042 samplings
11 and all the new infrastructure.

12 So, I oppose the plan. Thank you.

13 CHAIRPERSON ADAMS: Thank you so much for your
14 testimony. Thank you so much panel for your time and
15 your testimony. We appreciate it.

16 We're going to call up the next panel. Valentina
17 Jones, Kristine **Booken**, Lynn Kelly, Sabora Addur
18 Asheed[SP?], and Enes Delanois [SP?].

19 Panel, you can begin.

20 UNIDENTIFIED: Good afternoon. I am a resident
21 at a privately managed NYCHA owned.

22 CHAIRPERSON ADAMS: Excuse me, can you just state
23 your name for the record?

24 SABORA ADDUR ASHEED: So, I've been listening to
25 what everyone has been saying and first of all, I

1
2 would like to say I'm glad that this fourth plan
3 includes a phased construction. I am concerned about
4 the pollution in the air that can result, but I also
5 have to say that, the saying, you can't make an
6 omelet without breaking eggs. We have to have flood
7 prevention.

8 We can wait, we can keep you now looking at more
9 plans and more plans and more plans and that can take
10 another ten years. And where I live there was two
11 feet of water in front of everyone's door. So, when
12 we talk about nature, there's nothing natural about
13 living in the projects or the FDR Drive or you know,
14 we have to come to some kind of compromise.

15 So, I have to support the plan. I trust that
16 Councilwoman Rivera and our Borough President and
17 other elected officials will look at the best
18 possibilities that will be protective of the
19 environment. I also want to add because it's going
20 to happen one way or another, I would also like to
21 add that people who are in the projects and people
22 who have been most effected by this, low-income
23 residents are given opportunities to work in the
24 construction of this new project.

1 SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
2 DISPOSITIONS 182
3 That there are green apprenticeships for the
4 young people and when it is completed, because it is
5 going to be done, that there are vendor opportunities
6 for people to sell – just like in Central Park to
7 sell snacks and things like that.

8 So, I'll include more in a written statement.

9 CHAIRPERSON ADAMS: Thank you very much.

10 EMILY WALKER: Hello, my name is Emily Walker; I
11 am the Director of Outreach and Programs at New
12 Yorkers for Parks. Our Executive Director Lynn Kelly
13 regrets that she couldn't stay to deliver this
14 testimony. But I want to thank the Council Members
15 for staying to listen to the public's comments today
16 on this important project.

17 Which will have not only local impacts but will
18 also set the precedent for public resiliency projects
19 citywide. The city faces numerous challenges as it
20 seeks to balance the complex engineering needs of
21 this project with the realities of the location
22 itself. We also understand that it is not a matter
23 of if the next Super Storm Sandy happens but when.

24 I want to add on a personal note, I was a long-
25 time resident of the East Village that lived through
26 Sandy's flooding and a former daily user of East

1
2 River Park. So, we believe that the need to
3 revitalize East River Park as a public open space
4 that can also offer flood protection is urgent and
5 essential to the protection of residents of the East
6 Village and Lower East Side.

7 We were really thrilled to see that the city has
8 recently announced the phasing of the construction of
9 the park but we also believe that while the city has
10 committed resources to provide some level of
11 mitigation for the temporary loss of major sections
12 of the park, we think more can be done to strongly
13 encourage continued interagency coordination on these
14 mitigation measure between agency partners at NYCHA,
15 the Department of Education, the Department of
16 Transportation and we want to ensure that parks
17 offers its best practices to these agencies as they
18 operate these mitigation spaces during the period of
19 construction.

20 The current proposal for rebuilding the park
21 would involve the total loss of the canopy that
22 exists in East River Park today and we urge parks and
23 DDC to incorporate a wide range of horticulture
24 variety in the new park plantings and we also
25 strongly encourage the city to plant trees that are

1
2 more mature in their growth cycle than a standard
3 sapling to the greatest extent possible.

4 Furthermore, in relation to the street tree
5 mitigation plan that the city is moving forward with,
6 we commend this as an important infrastructure change
7 for the inland communities that are going to be
8 impacted by the park construction, but we also
9 believe it is essential that the city dedicate
10 increased maintenance funding specifically for those
11 new street tree plantings.

12 And finally, I just want to add that we think
13 maintenance is a matter of protecting our capital
14 investments and we think any conversation about a
15 \$1.4 billion construction project is a nonstarter
16 without an appropriate baselined commitment to more
17 full-time maintenance and operations staff to work in
18 the park once it is complete.

19 Thank you for the opportunity to speak and I
20 welcome any questions you may have.

21 ENES DELANOIS: Good afternoon everyone, my name
22 is Enes Delanois and I work at [INAUDIBLE 5:10:49].
23 Providing services for seniors.

24 So, basically, my concern is safety. Safety for
25 the community, safety for our most frail. I was

1
2 there. I think it was a Tuesday after Sandy and I
3 was able to see how our community, especially the
4 seniors were effected. Building without electricity,
5 without running water, without elevator working for
6 two or three days.

7 So, we were basically there making sure that the
8 seniors had access to resources and connecting them
9 to services needed in the community. So, I just want
10 to make sure that whatever plan, keep into
11 consideration our community, our safety, and our
12 seniors. And I also can see that the seniors were
13 different before Sandy and after Sandy. Now you see
14 that they don't have that same security anymore and
15 for example, when they see on TV that the world is
16 changing and everything like that. They worry,
17 they're concerned about what's going to happen.

18 So, we need to alleviate that by making sure that
19 whatever we pick, keep into consideration that we
20 need to provide services to them to provide access to
21 them.

22 So, community sources also not only you know,
23 making sure that don't get flooded, access, and also,
24 there was a plan for people to be you know, evacuated
25 [INAUDIBLE 5:12:46] because a lot of the seniors,

1 they didn't want to do that especially the frail
2 ones.

3
4 They wanted to stay in the community. So, we
5 want to make sure that we enable them to stay safe in
6 their community by providing the services and
7 connecting them to the services that they need. I
8 want to urge our elected officials that when a
9 decision is made which is going to be the best
10 option, they keep that into consideration. Thank
11 you.

12 VALENTINA JONES: Hi, my name is Valentina Jones.
13 I am here on behalf of the Lower East Side Power
14 Partnership. I'm a retired registered nurse and a
15 licensed mental health counselor.

16 The Lower East Side Power Partnership supports
17 the East Side Coastal Resiliency project. We don't
18 feel we have adequate information or expertise to
19 evaluate whether the city's preferred alternative for
20 the plan is the best approach. Presently, we have
21 not seen the report from the independent expert.

22 But we are for certain things. We advocate for
23 flood protection of lower east side residents. One
24 of the pictures you have here is part of a power
25 point that was taken to different developments. This

1 building over here could be anyone of Baruch, Lilly,
2 Wall, Jacob, Rees, etc., and this is their building
3 being flooded and this was shown to them.
4

5 The one below it and you all have a picture. The
6 one below it shows what they can do in terms of a
7 plan. One of the issues that we had is that you see
8 it comes down. So, we kind of water, well, where is
9 this water going? Because it looks like it's going
10 on the FDR Drive and could possibly go over to
11 people's houses.

12 So, the next power point, is something that shows
13 where the drainages are. So, the Lower East Side
14 advocates for flood protection for Lower East Side
15 residents. We also advocate for maintenance of full
16 funding to ensure safety of this project. We thank
17 Council Member Rivera because there was a hearing
18 here and one of the people spoke and at that point,
19 we then got full funding.

20 In terms of flood insurance, we understand that
21 FEMA accreditation could impact flood insurance,
22 rents and carrying charges. We advocate the
23 stabilization of affordable housing and no
24 displacement of present residents. In terms of
25 safety, people are talking about different court

1 cases. Well, the city was already taken to court by
2 the disabled community. When electric power goes
3 out, many disabled are severely affected. This is
4 what was noted in the court and the court sided with
5 the disabled community and said the city had to do
6 more.
7

8 So, they have already been taken to court and it
9 is absolutely disgusting for people to be barricaded
10 in their apartment. So, what this shows is this is
11 where they initially plan to do things, and these are
12 the Con Ed lines. This is what they say they want to
13 do now. We're advocating that what ever you do, get
14 away from Con Ed lines because it is not right to do
15 the disabled in like that, because they do need
16 supplies.

17 So, the other picture and then I will be done.
18 Is of the flood gates and this is where it's open,
19 this is where's it's closed. This has to be done by
20 human individual. We got to response from Diane
21 Griswold, the Commissioner of New York City Emergency
22 Management stated that New York City Emergency
23 Management will assist in the coordination in
24 deploying flood gates and other antiflooding measures
25

1 through the city's emergency operations center with
2 our partners.
3

4 We also support Manhattan Community Board 6,
5 wanted robust social media strategy, we support that
6 and in terms of consultation, according to the action
7 plan amendment, upon completion of the final design,
8 a registered professional engineer will certify. And
9 we also received from the Deputy Director of DDC,
10 that there's a commitment to using envision to access
11 this project when it's over.

12 So, I guess for me, as a former nurse, I'm like,
13 I just think it's absolutely disgusting that 40
14 something people, is it 40? That 43 city residents
15 lost their lives. We're talking about peoples lives,
16 we're talking about disabled people being barricaded
17 in their homes and we're talking about let's do
18 something about that.

19 So, I guess, for me, it's like, how do you go
20 show people a picture like this. Here is your house,
21 here is your house flooded. We have the money to do
22 something, we an approach to do something but your
23 life doesn't mean that much and like I said, when
24 they did another presentation, there is no such thing
25

1
2 as an amount of money that you could put on
3 somebody's life.

4 Somebody told me about a cost benefit analysis.
5 I'm like, if somebody said that was your mother, what
6 cost would you put? How much would you think her
7 life would be worth? If that was your sister, if
8 that was you, if that was your brother? How much
9 money do you think the city should spend to protect
10 their life? My mother, my sister, my brother, my
11 family, my friends, I think their life is invaluable.

12 CHAIRPERSON ADAMS: Thank you.

13 VALENTINA JONES: I think whatever money you
14 have; you spend it to protect them.

15 CHAIRPERSON ADAMS: Thanks very much for your
16 testimony. Thank you, panel, for your passion.
17 Thank you for your time today.

18 Claudia Bernstein, Greg Ribeloff, Kim Joyce, Al
19 Morales, and Kim Sillon[SP?]. Alexis Adlar[SP?],
20 Olympia Cossi[SP?] and Ann Johnson.

21 Okay, we cannot yield your time, we're going to
22 have to have a slip for a speaker.

23 Okay, then if he is in here then we will call his
24 name. Thank you.

25 UNIDENTIFIED: [INAUDIBLE 5:23:05].

1
2 CHAIRPERSON ADAMS: There is no time to be yield
3 ma'am. Once we have a panel, we have a panel and
4 there's a clock on the panel.

5 UNIDENTIFIED: [INAUDIBLE 5:23:16].

6 CHAIRPERSON ADAMS: We did not yield any time for
7 anyone in this session. We didn't yield any time for
8 anyone. She spoke as one person and she had time on
9 the clock for one person. Billy Cohen, Barbara
10 Augsburger, not here, okay. And Andre is it Dupwee?
11 Mimi Malena Lipnicki, Felicia Young.

12 Okay, we'll go ahead with you panel, you can
13 start whenever you're ready.

14 GREG RIBELOFF: Hi, my name is Greg Ribeloff; I
15 live in Stuyvesant Town. My two children and myself
16 are regular users of the park. My building on 23rd
17 Street was flooded during Sandy, so I know firsthand
18 the effects of the Super Storm.

19 Nonetheless, I am completely opposed to the plan
20 as it stands right now. First of all, it has very
21 little coverage. All of my Stuyvesant Town neighbors
22 have heard of the plan and they use the park all the
23 time.

24 This massive undertaken is done surreptitiously.
25 I'm more reminiscent of the Soviet Union where I came

1
2 from then advanced democracy. Secondly, when I moved
3 to StuyTown in 200 the esplanade on the park in the
4 East River Park was closed for repairs and it was not
5 until 2010 that the esplanade was reopened. So, it
6 was ten years of closure for a simple repair of the
7 esplanade.

8 So, now you say you will fix this – you're going
9 to bury the park and build a new one and do sewer,
10 electrical and other lines in three in a half or five
11 years. This sounds completely unrealistic to me,
12 given the speed with projects take place in the city.

13 I am afraid it's going to be decades before this
14 thing is complete and another important factor is the
15 money allocated about one and half billion dollars
16 for this plan right now is nothing from what I can
17 see in the city. I mean, look at recent
18 infrastructure costs. [INAUDIBLE 5:27:05] \$4 billion
19 and probably another billion dollars over budget.

20 Fulton Street Subway Station one and a half
21 billion dollars, it's just one subway station and
22 then now, we're talking about a whole park for one
23 and a half billion dollars. It's almost three miles
24 of waterfront. I mean, I'm afraid it's going to be
25 decades before it's going to be over.

1

CHAIRPERSON ADAMS: Thank you.

2

3

UNIDENTIFIED: I support plans from East River Alliance and East River Park Action. My daughter had a very bad case of asthma and almost didn't survive which she contracted living in this neighborhood, in the neighborhood of the lower east side near the park.

4

5

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9

I don't believe the park should be buried under flat landfills. Even though it's higher, I think it should be hills and I think there should be an area of plants on the outside of the walls facing the river. The river walls, in layers, there should be plants there to soak up all kinds of extra water. And that's what they're doing in Boston and they do things like that in Connecticut and I don't see why we don't learn from other places that have some success with things like that. I believe that we could lose 60 to 80 species of local and migrating birds that will be uprooted and have life disrupted, insects and as I said the plants.

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I am a little worried because I just heard – and another thing I heard mentioned that there was only a plant for sand claying gravel. What about soil amendment? I mean, and, also the trees that are

23

24

25

1 going to be uprooted. A lot of them can't be
2 transplanted, they have very complex root systems.

3 I'm a gardener; a lot of them won't survive. We
4 have a lot of bird life as I mentioned in this area.

5 Oh, maybe that's my - is that my time? Okay.

6 BILLY COHEN: Hi, my name is Billy Cohen; I'm a
7 lower east side resident for 40 years and this
8 project started as a design competition and its been
9 carried on as a design competition when it's really a
10 giant engineering and drainage problem.
11

12 And they've just been showing areal of views,
13 these beautiful areal views to everybody but they
14 never once showed what it looks like from the NYCHA
15 doorways. They never once showed from the street
16 level. They've never once showed how these bridges
17 and accesses are actually going to work adding eight
18 feet high and making 80 accessible. There is no
19 reality to much of what we're seeing, their just
20 making these beautiful images which are a great
21 marketing selling point, but there is so much reality
22 missing from what we know that I don't see how it
23 could be voted on until it's understood.

24 And I agree with this gentleman, I think the
25 estimates are incredibly low and I think the

1
2 timeline, it took ten years just to make a new
3 boardwalk. So, I mean, the timing that their giving
4 us and the amount of money is not real. And also, it
5 took this design team four years to – while they were
6 working four years on the design project, it took
7 them four years to come out and say, oh, it wasn't
8 viable. So, now, their rushing through this next
9 design to get the federal money before it's given up,
10 before the timing is given up.

11 So, I just think their rushing through this and
12 it's not realistic. Their changing very little
13 drainage. Also, Sandy was not a rain event, if there
14 was a huge amount of rain at the same time, what's
15 going to happen to the drainage behind the wall. It
16 can no longer get out. Their making the pipes – the
17 drainage is very insufficient on the whole lower east
18 side. It floods on just minor rainstorms and their
19 just fixing, as far as I understand, the drainage one
20 block behind the walls, but how is the water going to
21 escape? What is the drainage backs up? The sewers
22 are insufficient.

23 There is so many questions you know, that are not
24 being answered and are they doing this project as a
25 low bidding contract? Have they identified where

1
2 this two miles of fill are coming from? Are they
3 going to design this for another you know, keep
4 finalizing design and they don't even know? Has
5 anybody identified where all this fill is coming
6 from? Are they going to wait until the contractor at
7 the end and they make the contractor go find it?

8 Like, there is so many answers and questions that
9 are not done and I hope the report to reviewing the
10 design is reviewing this from an engineering holistic
11 approach. Because the whole coastline is one coast
12 and I've been to every community board meeting
13 following the engineers out from DDC and a lot of the
14 questions I brought up from the beginning, their
15 going oh, you're right, you're right. I think
16 there's a lot of real technical information that is
17 not - they are not being transparent and that are not
18 worked out and they're just in a rush to get the
19 federal funding, which is not going to be enough.

20 And this is one coast, everywhere in Brooklyn,
21 Manhattan, all the rest are getting beaches,
22 boardwalks. How come we're getting eight feet of
23 fill dumped on our park?

24 It's just not right.

1
2 CHAIRPERSON ADAMS: Thank you, thank you very
3 much.

4 ANDRE DUPWEE: Yes, my name is Andre Dupwee; I'm
5 a lifetime New Yorker, American Citizen and Veteran.
6 I find it a bit disingenuous that Council Member
7 Power, Rivera and Chin are not here when it's their
8 district.

9 CHAIRPERSON ADAMS: Rivera will be right back by
10 the way.

11 UNIDENTIFIED: She just missed my testimony.

12 ANDRE DUPWEE: However, the fact is to say you're
13 going to save something by completely destroying is
14 bold or dash to be polite. But paramount is to save
15 human life from disaster, but have you looked at the
16 timeframe it took to build the sea wall around the VA
17 Hospital, it took them four or five years. Now I say
18 we should start building the sea walls where these
19 people are most at risk of losing life.

20 But the point I'm trying to make is if we're
21 building the sea wall to 14th Street and then we're
22 resuming it after Collars Hook, why are we not
23 building a sea wall all the way along the whole way
24 down? And so, we come up with cockamamie plan that
25

1 we're going to destroy the entire park and cover it
2 with ten feet of dirt.

3
4 Now, there's got to be a compromise where you
5 could then say, let's - the huge trees by the
6 Amphitheater and the really big mature trees, you
7 could probably have a wall there and it maybe builds
8 like a levy somewhere else, but to say you got to gut
9 an entire park to save it is ridiculous.

10 And it's just wrong, and I think the Council
11 Members should vote against it, unless they come up
12 with a better plan. Oh, and another thing, you
13 should have cost overruns because if it took them so
14 long to build that VA wall, what's to stop them from
15 overrunning it - and that was only a quarter mile
16 wall. These contractors should be held responsible
17 for cost overruns and pay fines if they can't meet
18 the project deadlines. That should be written into
19 the contracts before they even sign any paperwork.
20 But they should build the walls first for the most
21 dangerous areas where people already died and come up
22 with a better plan and not destroy the trees.

23 And one last thing, there's sea ravens besides
24 all these other birds and then the butterflies and
25 the plants and everything, and the squirrels. They

1
2 shouldn't destroy everything and say they are going
3 to do it to save things. It's wrong, vote no against
4 it until a better plan comes up. That's all I have
5 to say.

6 CHAIRPERSON ADAMS: Thank you very much.

7 UNIDENTIFIED: Also, I do want to add -

8 CHAIRPERSON ADAMS: We have to move on, thank
9 you.

10 UNIDENTIFIED: I know, but we do need a wall -

11 CHAIRPERSON ADAMS: Thank you.

12 UNIDENTIFIED: Even though they said there is no
13 more pilings and they don't want to do the
14 construction, how are they holding up the eight feet.
15 They're going to need a wall along the FDR.

16 CHAIRPERSON ADAMS: Thank you.

17 FELICIA YOUNG: Thank you, City Council. I am
18 Felicia Young; I am the Founder and Director of Our
19 Celebrations. A nonprofit environmental arts
20 organization on the lower east side since 1991
21 engaged with both community garden preservation and
22 waterfront efforts for the past 30 years.

23 The costume that you see here today is part of my
24 creative testimony. This is a costume representing
25 both the East River Park and the community vision for

1 the East Side Coastal Resiliency plan. It was
2 created as part of the ecological city procession for
3 climate solutions, which brought together all the
4 amazing grassroots climate solution initiatives
5 throughout the community gardens, neighborhood and
6 East River Park waterfront on the lower east side for
7 the past two years.

9 One specific thing I would like to address is
10 that the city plan is being presented without
11 addressing how this new plan might relate to Mayor de
12 Blasio's floated proposal to build a land extension
13 on lower Manhattan, presented as a flood barrier with
14 waterfront development and some park land. I think
15 many of you have probably read about this proposal
16 and how does that impact and how do these plans
17 relate to each other.

18 We are asking the City Council to reevaluate the
19 most expensive redevelopment plans undertaken by New
20 York City with a cohesive view of all various
21 proposed waterfront redevelopment plans around
22 Manhattan and neighboring boroughs that are equally
23 impacted by climate. Thank you.

1
2 CHAIRPERSON ADAMS: Thank you very much. I thank
3 you all for your time today and your testimony, thank
4 you.

5 UNIDENTIFIED: A quick sub for Council Member and
6 Chair Adams who has been doing a brilliant job in
7 moving us along. We are human after all and we do
8 need a bio break. I hope you will be gracious enough
9 to allow us.

10 So, the next panel is Santos Rodriguez, Joe
11 Colella, Joseph Colella, I mean, that's very
12 coincidental. Maisha Marsalis, Dan Myers, Steven
13 Aldose, and forgive me, you can correct my
14 pronunciation. As someone who gets their name
15 mispronounced, I welcome the correction. Also,
16 Kenneth Klosky, is Kenneth here, Mr. Klosky? Is Mia
17 Chaff, Mia Chaff from 91 East third? Harriet
18 Hirschhorn, and is Lanora Goldstein here, Lanora
19 Goldstein? Marie Disenovol[SP?].

20 MAISHA MARALIS: Okay, good afternoon or good
21 evening. My name is Maisha Marsalis; I am a
22 community activist, advocate, organizer, formerly an
23 employee of as of last week, Good Old Lower East
24 Side. I want to make it clear that I am not here
25 speaking on behalf of the organization but as someone

1 who worked tirelessly for eight years in that
2 community serving especially senior citizens and the
3 most vulnerable NYCHA public housing residents.
4

5 I was there during Hurricane Sandy with my former
6 boss Damaris Reyes, Councilwoman Rivera during that
7 time was a colleague and we were there on the ground
8 organizing, responding and making sure we can help
9 the residents, especially those most in need which
10 were seniors who were trapped in their buildings.

11 Because I worked with the senior population,
12 those were the ones we reached out to first. I lost
13 three of my senior clients during Hurricane Sandy
14 through the gas Con Ed explosion which caused a heart
15 attack and my senior died.

16 One of them who had no access to dialysis because
17 she couldn't get down and then there's a personal
18 connection with my aunts and my two developmentally
19 disabled cousins who lived right by the FDR and in
20 NYCHA who were displaced.

21 I'm very upset that the city totally disregarded
22 the community's plan where goals, other
23 organizations, but especially community residents
24 along side rebuild by design created this plan and
25 the Mayor and whatever other agencies were involved,

1 totally disregarded them. And I believe that they
2 owe this community a public apology. This is why
3 residents, constituents, don't trust government. And
4 so, going forward, they owe a public apology.

5 I do want to say that in the end flood protection
6 is needed. I'm not sure which plan is the best plan,
7 but flood protection is needed, especially for the
8 most vulnerable which are NYCHA public housing
9 residents and I'm not hearing their voices heard.

10 So, I am here today speaking on their behalf. On
11 behalf of my family, my clients and all of public
12 housing across the lower east side. If the
13 Independent Consultant - I ask that you guys, before
14 making your decision, wait for the independent
15 consultants review.

16 If it turns out that the Mayor's plan is better;
17 whatever plan is better, we need to make sure that
18 public housing residents and other residents voices
19 and ideas are included in this.

20 Okay, but in the end, we do need flood protection
21 especially for public housing residents who were the
22 first ones hit and still suffering from this, the
23 impact.

24 And one last thing, because it's important.
25

1

UNIDENTIFIED: I think you better wrap up.

2

3

MAISHA MARALIS: Misinformation going around
where I have residents calling me, my own family
saying, they're going to privatize NYCHA, what's
going on. You are scaring the people, and this goes
for organizers who are out there, and I get it. I
really get why it's important saving the ecosystem.
All of it is important but you cannot organize,
especially my community okay, with misinformation.

10

11

So, going forward, I hold the community
accountable, as well as the city accountable in
making sure that voices are included and that the
correct information is provided. Thank you.

14

15

UNIDENTIFIED: Thank you.

16

DANIEL MYERS: I find this a moment hopefully
lasting in which the Council will turn the page. My
name is Daniel Myers; a resident of Avenue C on the
lower east side and for 30 years a near daily guest
of the East River Park.

20

21

I have attended the hearings leading to today's
proceedings. I have testified, I have reviewed
reports, findings, concerns, and reservations by
prior governmental bodies. They add up to a clarion
call. For this decisional body, the City Council or

25

1 the City of New York to reject the city's \$1.45
2 billion plan.

3
4 A project which requires the complete demolition
5 of the East River Park; a public sanctuary. CB3 in
6 June of 2019, issued a report. To me, it stands as a
7 source for defeating the city's plan. It makes
8 findings about the existence of substantial defects
9 in the city's plan including adverse harm to humans,
10 the ecology and environment.

11 The serious public health threats, these serious
12 public health threats cry out for this body, the City
13 Council, to reject outright the city's plan and make
14 an affirmation of the Council's commitment to the
15 health and wellbeing of its constituents. So,
16 elections from CB3 with regard to the serious
17 problems that the plan has.

18 And you can look at it, it includes natural
19 resources. The complete and total destruction of all
20 trees, plants, insect habitats and zone title
21 wetlands, hazardous materials. The proposed city
22 project would disturb the subsurface of hazardous
23 materials where contaminants could be disturbed
24 during evacuations and excavations.

1
2 UNIDENTIFIED: Just please wrap up Dan, please
3 wrap up.

4 DANIEL MYERS: What's that?

5 UNIDENTIFIED: Please wrap up.

6 DANIEL MYERS: You just wrapped me up.

7 UNIDENTIFIED: No, I'm saying, please wrap up.

8 The bell went off.

9 DANIEL MYERS: Yes, I saw it. Would you like me
10 to stop, I stopped.

11 UNIDENTIFIED: No, just please finish your last
12 thought.

13 DANIEL MYERS: Okay, let me leave this gentler
14 notion but nonetheless, particularly applicable. It
15 was produced by the ancient forest and champion trees
16 part of what is called Natural Wonders. What does it
17 mean to destroy every tree in that park? Every day,
18 a 40-foot tree takes in 50 gallons of dissolved
19 nutrients from the soil, raises this mixture to its
20 topmost leaves, converts it into 10 pounds of
21 carbohydrates and here, which is of particular
22 importance, releases about 60 cubic feet of pure
23 oxygen into the air. It's the only pure oxygen we
24 have living on the lower east side and they want to
25 take out 981 oxygen producing.

1
2 UNIDENTIFIED: Thank you Dan, we just have 20
3 more people signed up. So, I want to make sure that
4 we're getting through those two minutes.

5 DANIEL MYERS: Absolutely.

6 STEVEN ALBANESE: Good evening. My name is
7 Steven Albanese and I'm with the Municipal Art
8 Society of New York.

9 MAS believes that ESCR should set a standard for
10 how long-term large-scale resiliency projects are
11 planned, coordinated and implemented in New York City
12 and elsewhere.

13 While we recognize the challenges of coordinating
14 a project of this magnitude, protecting the East
15 River community requires more thorough, efficient and
16 engaged planning than has occurred this far.

17 While we were pleased with the announcement that
18 project construction will be phased, the significant
19 last-minute change speaks volumes about the need for
20 better planning. ESCR must include more adequate
21 mitigation measure to address impacts during
22 construction, details on how the project would
23 integrate with other coastal resiliency plans and
24 true community input in its planning and design.

1 The importance of East River Park, surrounding
2 playgrounds and river access cannot be overstated.
3 The area is grossly underserved by open space with
4 only a third of the city average. 21 percent of area
5 residents are below poverty level and 17 percent are
6 elderly.
7

8 We maintain that the city work with NYCHA,
9 community groups and nonprofits on a more
10 comprehensive, long term plan for new open space
11 after ESCR is complete.

12 The FEIS does not adequately address our concerns
13 about how the Fireboat House will be preserved during
14 construction, whether it would be used during this
15 time or after project completion and how it would be
16 protected from flooding in the future. We expect
17 these and other concerns to be addressed and revised
18 FEIS.

19 Because of their shared purpose, proximity and
20 permitting and construction timelines, MAS believes
21 that ESCR and LMCR should be evaluated together.
22 This effort should address connectivity of the
23 waterfront esplanade, infrastructural tie in points,
24 cumulative impacts in comparative levels of flood
25 protection.

1
2 Finally, as we have maintained throughout the
3 process, the success of ESCR will depend on how well
4 the city engages with the community in response to
5 its needs. MAS agrees with recommendations from the
6 Manhattan Borough President that a tax force be
7 formed to coordinate this effort.

8 Thanks for opportunity to speak.

9 UNIDENTIFIED: I speaking for myself and my
10 neighbors. The ESCR project in its current form is
11 cruel and immoral.

12 UNIDENTIFIED: I'm sorry, can you just say your
13 name.

14 HARRIET HIRCHHORN: Harriet Hirschhorn, sorry.
15 We live right here and stand to lose everything
16 including our lives and we know the seas are rising
17 and we know about storm surge events that we
18 experienced firsthand and yet, we hate the city's
19 preferred alternative and still for the life of us
20 cannot figure out what about it makes it so preferred
21 and by who exactly.

22 This plan seems designed to punish the people it
23 professes to protect. It also seems designed by
24 people who have no idea what it is like to live here
25 in a flood plain threatened by all aspects of climate

1 change in a densely populated diverse urban
2 environment amidst runaway construction and
3 skyrocketing rents.
4

5 By focusing on such a limited definition of
6 climate change, floods, this plan inflicts damage on
7 communities that live along the water, increases
8 temperatures in this downtown area, makes the air we
9 breathe worse, and further impairs our physical and
10 mental health that we struggle so hard to maintain.

11 Those of you who do live here, know how precious
12 little bits of nature are to us. We are for the most
13 part, alienated from nature in our concrete jungle
14 and many of us face challenges. But in the East
15 River Park, an oasis that has brought immeasurable
16 joy to at least four generations and still does, we
17 see a leaf spin down from the sky and fall to the
18 ground and it seems like a miracle.

19 We stare at the water and feel the wind on our
20 cheeks, and we feel wonder. We see the monarchs
21 right now hovering over fluffy looking flowering pots
22 and we keep taking pictures of them. We can still
23 love what we may not be able to name. So, why are we
24 being told by our representatives to "swallow this
25 bitter pill?" Why are we being asked to sacrifice

1
2 our health and wellbeing when the purpose here is
3 really the filling of pockets rather than the best
4 flood protection for our communities. With all the
5 passion, creativity and knowledge that our city is
6 famous for, we believe you can do much better than
7 this.

8 MARIA SINIVALO: Hi, thank you for the
9 opportunity. My name Maria Sinivalo[SP?]. I am
10 French citizen, but I've been living here since 12
11 years. I'm a daily user of the park and a lover of
12 the park and I'm a human right worker.

13 Climate change is real and protection from storm
14 surge and sea rise is needed. This we all know. Who
15 doesn't say that today? But what you're not being
16 asked for today is, you're not going to be asked to
17 vote for or against flood protection. That's not the
18 subject here really.

19 When the subject here is what is at stake as a
20 vision and especially a method. The method that the
21 City of New York has used to conduct the diplomatic
22 resiliency project for a very emblematic city.
23 What's at stake really is environmental justice. I'm
24 going to explain why others have done before, but we
25 echo each other.

1
2 There was rebuild by design process. For four
3 years people went to workshops and they really
4 engaged truly with a team of architects. They were
5 led to believe that they could be part of decision
6 making. They were led to believe that they counted.
7 They have been listened to at some point. The people
8 most at risk of flooding, us, we said we did not want
9 to be cut off from the water. We said we wanted
10 minimum destruction of our park, at every workshop
11 for many years.

12 You can read the conclusion in the Rebuild by
13 Design study report. They said we prefer the berm
14 along the FDR and then we were heard. The consensus
15 plan that was called, before it was first modified by
16 the parks and buried by the city. It was beautiful
17 with it's curves and it's promenade overlooking the
18 river. It was resilient, it involved less
19 destruction, only one third of the trees. It
20 articulated flood protection with concerns for the
21 environment. It was a plan for our time, a time to
22 be mindful rather than wasteful. A time for climate
23 emergency.

24 And then, boom, the plan is taken away from us
25 and a new design is imposed for reasons still

1
2 undercommented. Carlina, we haven't seen that study
3 about constructability.

4 It's a \$1 billion boondoggle. I'm quoting
5 Senator Kavanagh here. It's an accessory, it's
6 destructive, it's expensive and since that day, we
7 the people, we have spent hours, hours and hours
8 studying, researching, writing to our elected
9 officials. We have posted more than 200 comments to
10 [INAUDIBLE 6:04:29] impact statement. We have
11 gathered more than 5,000 signatures. Marched by the
12 hundreds against this plan, lost days in our lives to
13 speak two minutes and half, thank you at six
14 different hearings in Townhall so far, where the vast
15 majority and sometimes the whole room oppose the
16 preferred option.

17 This is now the seventh, we feel used, betrayed,
18 and tired and this too will have an exorbitant cost.
19 I hope the City Council will restore a belief in
20 democracy and that one day we can work again with the
21 city to update alternative number 3, our preferred
22 alternative.

23 Please oppose this disgraceful initiative that is
24 imposed by force on the very people that it pretends
25 to protect. Thank you.

1
2 CHAIRPERSON ADAMS: Thank you very much. Thank
3 you, panel, for your time. Thank you for sticking it
4 out with us this afternoon. Thank you.

5 Maria Stancarone[SP?] with East River Park
6 Action, Elizabeth Disiguard[P?], Robert Fink.

7 UNIDENTIFIED: He's not here.

8 CHAIRPERSON ADAMS: Thank you. Wendy Brower, Pat
9 Arno, Jen, I should spell it. That's it. Howard
10 Brandstein, Danelle; is it Atchew[SP?], Danelle? Tom
11 O'Keefe, Christine Datz-Romero.

12 Panel, you may begin.

13 UNIDENTIFIED: The city's proposed preferred plan
14 for resiliency may work for many purposes.

15 CHAIRPERSON ADAMS: Please state your name for
16 the record.

17 MARIA STANCARONE: I'm Maria Stancarone[SP?] with
18 East River Park Action. The city's preferred plan
19 for resiliency may work for many purposes but it
20 cannot work ecologically for East River Park, much
21 less for our river which needs to have it's shoreline
22 released to receive, absorb and return through
23 thoughtful remediation dicyclic cyclical eb and flow
24 of its waters.
25

1 Plan 3, reclaim the shore and allow East River
2 Park with vital ecosystems already in place, stay a
3 large part of East Side Coastal Resiliency by being
4 true to its name.
5

6 It was hammered out over years by the residents,
7 civic leaders, institutions, along with the city
8 agencies and departments. Until early 2019, which
9 finds all that work and heart discarded nullifying
10 its existence on paper and in fact.

11 We argue it in good faith. We need to reclaim
12 and should save the most vital and important document
13 created by two such opposing bodies as a municipality
14 and its effected folks. Respect its relevance, this
15 document, which is Plan 3, in the next years, so we
16 can remember the rightness of it.

17 PAT ARNO: My name is Pat Arno and I'm with East
18 River Park Action. Thank you so much for listening
19 to us today and for staying through this long day. I
20 really appreciate you listening.

21 The East Side Coastal Resiliency plan for East
22 River Park is meant to protect us from the
23 unfortunate consequences of climate change, storm
24 surges and rising sea levels, paradoxically, the
25

1
2 current plan is so environmentally destructive that
3 it will contribute to climate change.

4 A massive construction project with eight to ten
5 feet of landfill over 57 acres takes far more energy
6 and resource in developing a floodable resilient
7 coastline and flood protection along the FDR. One
8 thing Commissioner Grillo's reason for changing the
9 plan, a major reason was to eliminate years of
10 nighttime pile driving along the FDR. That's so they
11 didn't have to close a lane of the FDR during the
12 day. That is taking cars over community and I think
13 we should take community over cars. Close the lane
14 and do it during the day.

15 Demolishing the living park filled with greenery,
16 playing field of 1,000 mature trees robs of cleansing
17 and cooling air and mental health benefits and
18 physical benefits for a densely populated modest
19 income neighborhood.

20 A staff member of a key city Council Member tried
21 to persuade me that demolishing the park was not
22 significant in the greater world of climate change.
23 He told me and I quote, "900 trees does not a clean
24 earth make." I want to quote Shawn Donovan, HUD
25 Secretary in the Obama Administration. Part of

1
2 rebuild by design was saying, "every department in
3 your government is a resiliency department, whether
4 it's sanitation or parks." Every one of them has the
5 power through the accumulation of a million small
6 decisions to make the city more resilient. We can
7 create a culture of resilience.

8 What I am asking is give us true resilience, not
9 a so-called resiliency plan that will further
10 impairal the earths climate. Thank you.

11 JEN CHANTRTANAPICHATE: Hi, my name is Jen
12 Chantrtanapichate; I am the Program Director at Sixth
13 Street Community Center in the Lower East Side. I
14 also have a master's in urban planning where I focus
15 on community-based planning. So, bottom up planning
16 as opposed to top down planning and in urban
17 sustainability.

18 I wanted to say that Amy Berkov shared some words
19 from Laticia James, I also wanted to share those same
20 words, but I have the written critic from Laticia
21 James if you are interested in reviewing it.

22 So, the revised ESCR plan is not ecologically
23 grounded in my opinion. It will still destroy the
24 natural flood barrier, nearly 1,000 trees and all of
25 the biodiversity that lives in our park.

1 The nearly 60-acre park in its current state is
2 fully thriving. East River Park supports the mental
3 and physical wellbeing of our community residents,
4 the overall ecology of our city and it currently
5 mitigates the impacts of climate change and over
6 heating as it reduces green house gases.

7 The city is failing us. They are failing to
8 recognize that phased construction doesn't change the
9 level of destruction to the park. The environmental
10 injustices that will be posed to the lower east side
11 community or the fact that they aren't actively
12 including aspects of the plan that will mitigate
13 climate change.

14 Our city wants to be a leader in addressing the
15 climate crisis, but our city plans aren't progressive
16 enough. The city's ESCR plan does not include any
17 urban sustainability solutions that address the root
18 causes of climate change, nor does it address the
19 environmental injustices that will be posed to the
20 majority low income communities of color that live
21 alongside the FDR Drive and East River Park.

22 Many of these same residents have lived with
23 impaired health since 9-1-1 exacerbated by roadway
24 admissions from the highway adjacent to their homes.
25

1 The community has been petitioning for a plan
2 that is environmentally just. A plan that reflects
3 the considerations for the quality of life and health
4 of the 110,000 residents that will be impacted.
5

6 The community spoke but the city is pretending to
7 listen. By trying to placate us with this phase
8 construction plan. I agree the city needs to adapt
9 and become more resilient to climate change; however,
10 with \$1.5 billion allocated for this project, the
11 city has the resources to develop an ecologically
12 grounded plan that can provide sensible flood
13 protection while mitigating the causes of climate
14 change induced flooding.

15 How about expanding the park with decking over
16 the FDR Drive and reducing greenhouse gas submissions
17 by re envisioning the FDR as a mass transit corridor
18 to a mass transit desert that will also serve the
19 residents of the lower east side.

20 Instead, the city plans to keep in place a car
21 centered vision from the last century and a false
22 promise of safety behind an eight-foot wall of
23 landfill that will inevitably become massive shrine
24 to the automobile and fossil fuel industry.
25

1
2 New York City has the opportunity to be a leader
3 in developing a resilient plan that confronts the
4 climate crisis, but they aren't doing that.

5 CHAIRPERSON ADAMS: Thank you.

6 I urge you guys as elected officials to really
7 consider to be really bold to demand better for our
8 city and to be actually resilient. Thank you.

9 CHAIRPERSON ADAMS: Thank you so much.

10 HOWARD BRANDSTEIN: Howard Brandstein; I'm the
11 Executive Director of Sixth Street Community Center.
12 We've been an existence for over 40 years. During
13 Hurricane Sandy and after, we served thousands of
14 community residents with emergency food, water,
15 clothing and other needs.

16 The current ESCR plan is not really a flood
17 protection plan, it's a traffic protection plan. The
18 city is prepared to spend hundreds of millions of
19 dollars to stop us in any way from interrupting
20 traffic on the FDR Drive.

21 A plan that fails to connect climate induced
22 flooding with climate change is not really a plan and
23 no amount of dirt can be piled high enough to keep
24 our communities safe from flooding under those kinds
25 of circumstances. We have to look at the source of

1
2 greenhouse gas submissions which as many people have
3 pointed out, is the FDR Drive with its hundred
4 thousand plus cars traveling north and south every
5 day. The city's plan whether it's phased or unphased
6 is simplistic, it's really a form of Trump think, and
7 it offers us a false sense of security, like a doctor
8 who treats a patient for lung cancer, he removes the
9 patients lung and then prescribes more smoking. That
10 patient won't live very long, and I don't think a
11 plan that doesn't address climate change will ensure
12 longevity for our community.

13 The community plan that many people have spoken
14 about is actually an ecological plan and I've
15 attached to my testimony the names of the 300 people
16 in ten planning and design firms that assisted in
17 developing this plan.

18 It's part of the rebuild by design report that
19 came out last year. So, we're in favor of a flood
20 plan building a wall for flood protection, a berm
21 along the FDR Drive, using the monies that we saved
22 on the earlier plan, which were far less expensive to
23 do the decking that many people have spoken about and
24 also, to seriously re-envision the FDR Drive as
25 Council Member Rivera has also talked about as a

1
2 greening project or in what we suggest a mass transit
3 corridor.

4 So, let's combat climate change and provide flood
5 protection and give the community some hope and
6 provide a direction and a model for other communities
7 in New York City and beyond. Thank you.

8 CHRISTINE DATZ-ROMERO: Alright, good afternoon.
9 My name is Christine Datz-Romero and I am the
10 Executive Director of the Lower East Side Ecology
11 Center. And I would like to thank the Council for
12 sitting through this testimony.

13 As you can hear, we are a community that has been
14 certainly engaged in a lot of meetings, but we also
15 have a feeling we haven't been heard.

16 The city's concession to now do a phased plan is
17 by no way going to pacify our concerns and it's not
18 addressing all the questions that we still have about
19 this plan. And from the perspective of an
20 organization that I have enforced in this park and
21 that has played a tremendous role in stewarding the
22 park in bringing public programming to the park, I'm
23 just really disappointed that I'm still sitting here
24 a year later asking really not having any answers to
25 my basic question.

1
2 If you're really raising this park, what is going
3 to happen to a building that you cannot raise and I
4 have asked this in every community board meeting, in
5 every City Council hearing and we just don't have any
6 answers and that emblematic of the process because
7 the city has really bullied their way with this plan.
8 They have not listened to anybody and they have given
9 us a thousand presentations, but you know, any input
10 and any ideas that we have, there is nothing really
11 reflected in that plan and I think that is not fair
12 for a community who really wants to see a plan that
13 works for everyone. And I hope that the City Council
14 is going to wait until we really reach a point where
15 people's voices and concerns are heard and where we
16 can really come up with a plan that works for
17 everyone.

18 Climate change is real and this plan right now as
19 it stands just puts gasoline on the fire. Thank you.

20 CHAIRPERSON ADAMS: Thank you very much panel.
21 Thank you for sticking it out with us this afternoon.
22 Thank you for your testimony and I especially thank
23 you for your passion.
24
25

1
2 Yvette Mercedes, okay, I think we had Lucy
3 already. Ali Ryan, Sam Moskowitz, Charles Grozell.
4 Is there a Brice from Coalition of the Rockaways.

5 UNIDENTIFIED: Yes, he's not here anymore.

6 CHAIRPERSON ADAMS: See, hmm, hmm. Is Kate
7 Horsfield still here? I think Ms. Horsfield left
8 also. And Rena Anastasi.

9 If I haven't called your name and you're still
10 here waiting to testify, it's because we have not
11 received a white slip, please fill one out as we are
12 coming to the end of our hearing.

13 Is Yvette Mercedes here? Okay panel, you may
14 begin.

15 ALI RYAN: Thank you. My name is Ali Ryan and I
16 first want to thank Council Member Rivera for sending
17 out your newsletter earlier this week, because that
18 was the only way I knew about today's subcommittee
19 hearing and I passed it out to lots of my friends and
20 neighbors.

21 My husband has lived in Alphabet City for almost
22 30 years. We have lived in our apartment at the
23 corner of 11th and C for 20 years. Our daughter's
24 attend a District 1 elementary school.

1
2 Our building was directly affected by Hurricane
3 Sandy's flood waters, rose to our buildings first
4 floor doorknobs. So, the waters came to four feet at
5 the corner on 11th and C. My first-floor neighbors
6 lost everything and had to rebuild their homes from
7 studs.

8 Nevertheless, my family opposes the ESCR's
9 current proposal and version three, but I also oppose
10 version four. We cannot imagine one summer without
11 East River Park, much less four summers.

12 This proposal is obviously primarily ment to
13 protect the FDR from flooding. This past summer, I
14 biked to my daughter's East River Park for free Parks
15 Department, free sports classes four days a week.
16 Specifically entering at East River Parks East 18th
17 Street entrance.

18 This proposal does not address the curve from 18th
19 Street to the Con Ed bottleneck part of the
20 pedestrian/bike path. The Fly bridge does not
21 address this bend. The FDR will flood due to this
22 flaw in its design.

23 In addition, the gas station, the parking garage
24 and units is not addressed in the new plan. Flooding
25 will still continue. I will wrap it up.

1
2 If Mayor de Blasio's team is radical to propose a
3 plan to raise an actively used 58-acre public park,
4 then you can radically dismantle the Robert Moses FDR
5 and redesign it for the 21st Century. Close the FDR,
6 redesign, build the FDR or dismantle the FDR. Use
7 the FDR as a floodwall for our neighborhood.

8 Preserve the East River Park as a national historic
9 site. Since it was conceived almost 100 years ago as
10 a WPA project. The Parks Department buildings and
11 rod iron pillars are exquisite classic examples of
12 art deco architecture.

13 And finally, remember when East River Park was
14 renovated years ago, that it was dedicated to those
15 children who lost parents in the 9-1-1 attacks.

16 And then finally, I'd like to end with what my
17 daughter's told me this morning when I told them I
18 was coming here today. They said, what about the
19 Lorax? And they said, the Lorax speaks for the
20 trees.

21 So, I encourage you to find a copy of the Lorax
22 and read it as you go forth. Thank you.

23 CHAIRPERSON ADAMS: Thank you, I know the Lorax
24 well, I have grandchildren. Thank you.

1
2 SAM MOSKOWITZ: Hi, my name is Sam Moskowitz; I'm
3 a fifth-generation lower east side resident. I live
4 at 25 Montgomery Street and I'm on the board of
5 Gouvemeur Gardens.

6 Most of our almost 800 apartments sit on water
7 street just a block from the river. Since Sandy our
8 annual premiums have increased almost \$500,000. We
9 cannot afford this, as 84 percent of our residents
10 are below area median income. We need flood
11 protection and we need it now, but the ESCR does not
12 include any protection until at least the 2023
13 hurricane season. Where is our temporary protection?
14 I am disgusted by this administration's strategy of
15 dividing and conquering this neighborhood with the
16 false dichotomy of flood protection versus the park.

17 In a zero sum, winter take all show down.
18 Between all the rhetoric and fear mongering and
19 anecdotal evidence we've all heard today, on both
20 sides of the argument, there is a solution. I don't
21 know what the solution is, but I don't think it's
22 what the city is telling us is.

23 We need both flood protection and we need the
24 park. We've been offered a take it or leave it
25 option with no transparency. The city has still not

1 provided a real answer about why the original plan
2 was discarded. While the area south of us gets a
3 panel of 18 expert consultants, our ESCR was
4 developed in a back room deal by our ethically
5 dubious part time Mayor's political appointees.
6

7 I'm also the PTA Treasure at my childrens school,
8 PS184. A title one school of 700 students at the
9 corner of the FDA Drive at Montgomery Street. The
10 environmental impact statement ignores the negative
11 impacts on air quality via the demolition of the
12 park, the unknown number of truck trips in and out of
13 the construction zone, and the dumping of hundreds of
14 thousands of cubic feet of landfill.

15 While barges are being touted as environmentally
16 friendly, they will still dump many tons if not just
17 pollutants into the air breathed by our vulnerable
18 seniors and children. Clearly, the city has failed
19 in their efforts to develop the best plan for our
20 community and we deserve the best. Thank you.

21 CHARLES GROZELL: My name is Charles Grozell; I'm
22 with Lungs which is the Lower East Side of
23 Neighborhood Gardens.

24 I first heard about this project, the new deal
25 back in December of last year. I went to two public

1 presentations by the city administration on December
2 10th and December 11th. At that time, I asked them,
3 please, do not close this park totally. Please do it
4 in stages because the kids cannot - it's not fair to
5 the kids in the neighborhood to close the park.
6

7 At that time, I was told that's totally
8 impossible, we cannot do that, and this plan is going
9 to go ahead. The ship is already sailed. Come to
10 yesterday, the cynical administration as a city in a
11 political, obviously political deal before this
12 hearing has come up and said, oh, we can do phasing
13 now, we're going to be helping you. They've never
14 worked with us. We've had to fight for them to give
15 us any kind of any information about this project and
16 it feels like we're being squeezed by the city.

17 I think that the city is not looking at the
18 people in this neighborhood, but rather as not as
19 individuals or citizens but as someone's - people who
20 can be exploited. I really believe that this plan is
21 an alienation of park land, which is against state
22 law.

23 If the city goes ahead with this project, we're
24 going to bring a lawsuit against the city to stop
25 this project. There's plenty of people who are

1 supporting that. There's plenty of people on the
2 state level that believe that's the state law.

3 So, that's where we're going to go with this.
4 We're not going to stop. Thank you.

5 CHAIRPERSON ADAMS: Thank you.

6 RINA ANASTRSI: Is it still on? Hi, my name is
7 Rina Anastarsi[SP?] and I've been a resident of the
8 Lower East Side for at least 25 years and when I
9 first heard about the plan to rip out the park, I
10 found it really upsetting. I use it a lot also and
11 it's a very calming peaceful place and I observe all
12 the people that go there. The children and the boys
13 that play in the fields and tennis and everything.
14 I've always described it as one of the most beautiful
15 parks.
16

17 I do understand that there is an issue with the
18 flooding situation, and I was hear also during
19 Hurricane Sandy. I mean, the water didn't get where
20 I live though, you know, the power failure and you
21 know, all that was affected where I live as well.

22 It seems as though there's some deep
23 misunderstanding, miscommunication, something deeply
24 missing with this plan and the way it's been brought
25 in sort of quickly-ish considering there was one

1
2 previously that had been going on for a few years
3 where the community was very involved in. So, I can
4 certainly understand that people are really upset
5 about this new idea that's you know, so expensive and
6 then only yesterday, the idea to I guess you know, do
7 it in - like not completely rip out the park, which
8 was completely horrifying. To the majority of this
9 side would say, I heard everybody speak here and I've
10 heard professionals speak of like what they know in
11 science and ecology and everything and I'm not one of
12 them, but I can understand.

13 So, it does seem a bit suspicious basically.

14 Thank you for hearing me.

15 CHAIRPERSON ADAMS: Thank you for your testimony.
16 I appreciate your time panel. We know that the hour
17 has drawn over the past few hours and you stuck it
18 out with us, and we really do appreciate your
19 testimony and yes, we did listen. Thank you so much.

20 PANEL: Thank you.

21 CHAIRPERSON ADAMS: Did Ms. Mercedes ever return
22 to chambers? She left, okay, thank you very much.
23 I've already asked for anymore members of the public
24 and seeing none, I now close today's public hearing.
25 All items are laid over.

1 I'd like to thank the members of the public,
2 especially the members of the public once again for
3 toughing it out with us for this very, very
4 passionate hearing today. I'd like to thank my
5 colleagues Council Member Rivera, Chin, and Powers
6 especially Council and Land Use Staff for attending
7 today's hearing and all of their dedication to this
8 work today.
9

10 This meeting is hereby adjourned. [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 1, 2018