

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON WATERFRONTS

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May 3, 2016
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HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:
DEBORAH L. ROSE
Chairperson

COUNCIL MEMBERS:
Daniel R. Garodnick
Chaim M. Deutsch
Corey D. Johnson
Joseph C. Borelli
Ben Kallos

A P P E A R A N C E S (CONTINUED)

Daniel Zarrilli
Senior Director
Climate Policy and Programs
Director
Mayor's Office of Recovery and Resiliency

Michael Morella
Director
Waterfront and Open Space Planning
New York City Department of City Planning

Max Taffet
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Edward J. Kelly
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Maritime Association of the Port of
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Roland Lewis
President
Waterfront Alliance

Rob Buchanan
New York City Water Trail Association

Ana Orozco
Climate Justice Policy and Programs
Coordinator
UPROSE

A P P E A R A N C E S (CONTINUED)

Sean Dixon
Staff Attorney
Riverkeeper

Mary Habstritt
Representative
Historic Ships Coalition
Director
Museum Ship Lilac

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2 CHAIRPERSON ROSE: Good morning. This is
3 a really busy day at the Council and my colleague,
4 Council Member Borelli has some other obligations and
5 so we will start subsequently, but I just wanted to
6 recognize that Council Member Borelli, from Staten
7 Island -- yeah -- is... the South Shore... is here with
8 us this morning and I don't know if you have any
9 remarks... okay. And so if you give us a moment; I'm
10 waiting for a couple more members to join us. Thank
11 you so much.

12 [pause]

13 [gavel]

14 This hearing is now called to order and I
15 wanna say good morning, good morning to all of you
16 for being here on this rainy day and I'd like to
17 thank you for coming to this hearing where we're
18 going to discuss a local law to amend the New York
19 City Charter in relation to expanding the role of the
20 Waterfront Management Advisory Board.

21 So I say good morning; I'm Debi Rose; I'm
22 chair of the City Council's Committee on Waterfronts.
23 I'd like to welcome the administration, advocates and
24 members of the public to our hearing, which will
25 focus on Int. 0507, a Local Law to amend the New York

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2 City Charter in relation to expanding the role of the
3 Waterfront Management Advisory Board and this bill is
4 sponsored primarily by Council Member Ben Kallos and
5 myself.

6 When one thinks about the term
7 "waterfront" it's easy enough to understand its
8 deceptively simple meaning, but when those involved
9 in waterfront issues, whether they are policymakers,
10 business owners or residents who live on or near the
11 waterfront, think about the term, they know that it
12 involves so much more. Waterfront issues are complex
13 and intertwined with almost every other sort of issue
14 facing the city, from housing, environmental
15 protection, land use, economic development, park
16 development, and so on. Because of this complexity
17 and interaction between waterfront issues and other
18 issues, there is no single City agency devoted to
19 dealing with waterfront issues, as is the case with
20 many other issues typically faced by the City and its
21 residents.

22 This has been a longstanding concern held
23 by many policymakers and advocates alike; it is one
24 of numerous reasons that originally led to the
25 creation of the Waterfront Management Advisory Board

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2 in the first place, way back in 1977. Unfortunately,
3 from the very beginning the Board was practically
4 dormant, meeting only a handful of times during
5 different mayoral administrations, until the Council
6 acted and passed Local Law 20 in 2009. The intent of
7 Local Law 20 was to revive the Board, since there was
8 an effort at the time towards having a greater
9 recognition on how important the city's waterfront is
10 and how it needs to be properly protected and
11 developed. Local Law 20 reorganized the Board, gave
12 the Council advice and consent powers over the
13 appointments of its members and gave the power to
14 consult and advise on any matter relating to the
15 development of the city's waterfront and issue a
16 biannual report on the development of the waterfront
17 to the Mayor, the Council and Borough President.
18 However, while Local Law 20 spurred the Board into
19 action once again, with it meeting numerous times in
20 2013, the activity of the Board failed again and it
21 has not met since 2014.

22 So here we are again, engaged in an
23 effort to bring to life an official entity of the
24 City which will oversee all aspects of the different
25 types of issues that affect our waterfront and

1
2 actively engage all stakeholders in its important
3 conversation. Int. 0507 is our effort to get this
4 conversation moving and have it result in the
5 establishment of a perpetually active Waterfront
6 Management Advisory Board.

7 Int. 0507 would primarily accomplish this
8 by increasing the number of stakeholders involved in
9 the functioning of the Board, allowing for greater
10 flexibility to bring more government agencies and
11 interested stakeholders to participate in its
12 activities, as well as allow for the Board to have a
13 greater say in the drafting of the City's
14 Comprehensive Water Plan.

15 Though the Board has technically been in
16 existence since the late 70s, I feel that there is a
17 great potential to start on a clean slate and remake
18 the Board into a fully functioning body; that's why
19 today's hearing is so important, because it will give
20 the opportunity for all waterfront stakeholders to
21 offer their vision on how the Board should be
22 structured, what it should do and to guide the
23 Council and administration in ensuring that whatever
24 the final legislation looks like, it results in a
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2 board structure that reflects the input given by
3 those who are most affected by waterfront issues.

4 I would like to thank my committee staff,
5 Kristopher Sartori, who is my Committee Counsel;
6 Patrick Mulvihill, my Policy Analyst, for all of the
7 work they did on drafting this bill and preparing for
8 this hearing. I would like to also thank my prime
9 co-sponsor, Councilman Ben Kallos, for his assistance
10 in helping to shape this legislation and bringing
11 this important topic into the spotlight once again.
12 So I say thank you and welcome and we will have a
13 statement from the prime co-sponsor, Council Member
14 Kallos.

15 COUNCIL MEMBER KALLOS: Thank you, Chair
16 Rose for being the co-prime and co-author of
17 Introduction 0507 and for the work that this
18 committee has done on the broad topic; it is
19 important to me and my constituents as well as the
20 city as a whole. I represent Council District 5,
21 which covers 42 blocks, the eastern half of the Upper
22 West Side along the East River, as well as Roosevelt
23 Island.

24 Whether it's ensuring the area doesn't
25 flood during hurricanes to preparing for expanded

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2 ferry service, which I hope to take to work in the
3 morning, to reviving a crumbling East River
4 esplanade, waterfront policy is critically important
5 to my district; that is why having a strong and
6 functioning Waterfront Management Advisory Board,
7 often called the WMAB, is so important; the Board is
8 a place where every City agency that affects our
9 waterfronts can convene with civic partners to
10 discuss and advance proposals related to flood
11 prevention, park space, tourism, housing,
12 transportation, and waterfront amenities.

13 The Board was first established, as you
14 mentioned, in '77; as best we can tell, based on the
15 few records we have, had met infrequently and then
16 fell dormant until the Council revived it via Local
17 Law in 2009 and unfortunately it lies dormant once
18 again, which is why we're here discussion
19 Introduction 0507. Although the Board has not met
20 since the beginning of this administration, I
21 understand from discussions with the Office of
22 Recovery and Resiliency that there is interest in
23 having a fully constituted and active board which I
24 hope and expect will be led by our strong Waterfronts
25 Chair, Council Member Rose.

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2 Introduction 0507 expands the membership
3 of the Board to include one additional council
4 member, three additional mayoral appointees, the
5 commissioner of Parks and Recreation, and the
6 commissioner of Housing Preservation and Development.
7 Recognizing that input from non-city officials is
8 valuable, the bill also permits representatives from
9 federal, state and bi-state entities; if anyone isn't
10 sure that that is, that would be the Port Authority,
11 to attend and participate in meetings as non-voting
12 members.

13 Looking forward to working alongside our
14 Waterfronts Chair and the Office of Recovery and
15 Resiliency to ensure we have a diverse board that is
16 playing an active role in shaping waterfront policy
17 for the City. Thank you again to Council Member and
18 Chair Rose.

19 CHAIRPERSON ROSE: Thank you, Council
20 Member Kallos. And now I see the administration has
21 taken their seats and we'll give you the opportunity
22 to introduce yourselves, but before we do, I have to
23 swear you in, so could you follow me in this
24 affirmation?
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2 Do you affirm to tell the truth, the
3 whole truth and nothing but the truth in your
4 testimony before this committee and to respond
5 honestly to council member questions?

6 [collective affirmation]

7 CHAIRPERSON ROSE: Thank you. Thank you.
8 Would you please identify yourselves and your
9 position?

10 DAN ZARRILLI: Absolutely. Good morning.
11 My name is Dan Zarrilli; I'm the Senior Director of
12 Climate Policy and Programs and the Director of the
13 Mayor's Office of Recovery and Resiliency. I wanna
14 thank you, Chairperson Rose for holding this hearing
15 and for the members of the Committee on Waterfronts
16 for inviting us here to testify today on Int. 0507,
17 regarding the role of the Waterfront Management
18 Advisory Board, the WMAB, and maybe I'll go off
19 script for a second and say, we need a better acronym
20 for the Waterfront Management Advisory Board.

21 CHAIRPERSON ROSE: **[inaudible]** Counsel
22 and I are discussing it; I was like, uhm, and what
23 are we gonna call this today; WOMAB [sic]?

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2 DAN ZARRILLI: So we're not prepared to
3 offer a new name today, but we'll come back with
4 something better perhaps.

5 CHAIRPERSON ROSE: Okay.

6 COUNCIL MEMBER KALLOS: COPIC [sic] is
7 already taken.

8 [laughter]

9 DAN ZARRILLI: I would also like to thank
10 Council Member Kallos and the sponsors of this bill
11 for their commitment to the city's waterfront.

12 First I want to acknowledge and thank
13 Michael Morella, sitting to my right, the Director of
14 Waterfront and Open Space Planning at the Department
15 of City Planning; we're also joined by Max Taffet of
16 the Economic Development Corporation, and it would be
17 remiss not to mention the many colleagues across the
18 City family that are working to ensure the health and
19 vitality and equity of our waterfront -- the team at
20 the Mayor's Office of Sustainability, colleagues at
21 the Mayor's Office of Appointments, the Law
22 Department, EDC, DEP, Parks and Rec, Department of
23 Transportation, and Small Business Services, for sure
24 for their tireless work to enhance our waterfront,
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2 and the many stakeholders that are here today showing
3 their commitment to the city's waterfront.

4 So New York City's waterfront is one of
5 the city's really greatest natural assets, its
6 vibrant coastal communities, critical maritime jobs,
7 the presence of critical infrastructure and many
8 cherished natural and cultural resources make our
9 waterfront essential to understanding our past and
10 also essential to understanding New York City's
11 future. As we saw from Hurricane Sandy in 2012, our
12 vulnerability to climate change and sea level rise is
13 here and now and the decisions we're making to adapt
14 our coastal communities to face these risks will
15 define our city and its waterfront for decades to
16 come; that's why the administration is committed to
17 the city's waterfront and we look forward to working
18 with the City Council through the WMAB to focus on
19 building a more inclusive and equitable waterfront
20 across the five boroughs.

21 In fact, through our OneNYC program, the
22 administration has made significant progress across
23 the city's waterfront as we pursue a more equitable,
24 more sustainable and more resilient city. Less than
25 two weeks ago we released our first annual OneNYC

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2 progress report detailing the strides we've made in
3 building a strong and just city over the last year,
4 which includes significant progress across the city's
5 520 miles of waterfront.

6 Just a few examples; to strengthen our
7 growing and thriving city we're investing in a new
8 citywide ferry service that will launch starting in
9 2017, providing much-needed public transportation
10 alternatives to neighborhoods that are underserved by
11 transit all for the price of a single subway ride,
12 while connecting waterfront communities throughout
13 the city. We will also increase service on the
14 Staten Island Ferry to 30-minute frequencies around
15 the clock. We're fostering a more inclusive and
16 equitable waterfront, investing over \$3 billion of
17 Sandy recovery funds into NYCHA, helping to
18 strengthen our public housing, particularly in flood-
19 prone areas. We've been expanding waterfront access
20 and recreation opportunities throughout the five
21 boroughs, such as yesterday's opening of the
22 esplanade at the former Homeport site on the north
23 shore of Staten Island and we've been supporting
24 climate education programs, such as through Billion
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2 Oysters, to educate the next generation of
3 environmental stewards in our public schools.

4 We are increasing the sustainability of
5 our waterfront, investing over \$900 million into
6 green infrastructure to improve water quality and
7 reduce combined sewer overflow discharges into the
8 harbor; we've been activating our waterfront freight
9 facilities [sic], particularly at the South Brooklyn
10 Marine Terminal and 65th Street rail yard, to enable
11 more goods to move by water and we're making our
12 waterfront more resilient by investing in new coastal
13 defense projects across the five boroughs, including
14 the Lower East Side, Lower Manhattan, Red Hook, in
15 Jamaica Bay and along the Rockaway Peninsula, in Sea
16 Gate and across the public beaches in Coney Island
17 and Brighton Beach, and along the eastern south
18 shores of Staten Island to protect against coastal
19 storms and the long-term risk of sea level rise.

20 We've also been investing in our
21 Resilient Neighborhoods program, looking to use land
22 use as a tool for resiliency, to identify
23 neighborhood-specific strategies, including zoning
24 and land use changes to support the vitality and
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1
2 resiliency of communities in the flood plain and much
3 more.

4 These investments and actions are
5 supported by extensive community collaboration to
6 make sure that local community voices help drive our
7 projects and initiatives forward. Broad public
8 engagement has been a hallmark of our waterfront
9 planning, from Edgemere in Queens to the east shore
10 of Staten Island and the administration seeks out
11 elected officials, community boards and neighborhood
12 groups in all project phases, from concept to
13 construction to ensure our waterfront investments are
14 anchored to community priorities.

15 Therefore, the City is excited about this
16 opportunity to work with the City Council to
17 strengthen the WMAB and ensure that a diverse range
18 of voices continue to inform our work. We see the
19 Board as an important opportunity to deepen public
20 participation in efforts to improvement the
21 development and management of our waterfront and
22 coastal assets while simultaneously making them more
23 accessible and useful to all New Yorkers.

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2 To accomplish this, we offer several
3 measures the City Council, through a revised Int.
4 0507, could take to strengthen the WMAB.

5 For example, the Council and the City
6 together can increase the number of board members and
7 seek out a more diverse set of perspectives on the
8 city's waterfront; ensure an appointment process that
9 facilitates an inclusive, committed and
10 representative board, similar to many of the city's
11 other advisory boards; allow the head of each City
12 agencies serving on the WMAB to designate an employee
13 to act as agency liaison to the Board, thereby giving
14 the Board more flexible agency representation and
15 ultimately increase the WMAB's flexibility as its
16 mission and priorities will evolve over time; this
17 will ensure the Board's continuity, increase
18 transparency and allow it to execute its duties while
19 remaining relevant and vital as a guiding force for
20 waterfront projects.

21 In conclusion, I wanna thank Chairperson
22 Rose and the Waterfronts Committee for holding this
23 hearing and to Council Member Kallos for his
24 sponsorship and support of this bill. As we continue
25 to work through the challenges of being a coastal

1
2 city in an era of climate change, the WMAB can play
3 an important role in advising the City how to best
4 revitalize and protect our waterfront and coastal
5 communities and I look forward to working with the
6 Council as we move this forward. Thank you very
7 much.

8 CHAIRPERSON ROSE: Thank you so much.
9 This is really.. I would like to acknowledge that
10 we've been joined by Council Member Garodnick and we
11 have a few questions for you. [laugh]

12 DAN ZARRILLI: Happy to take questions.

13 CHAIRPERSON ROSE: Okay.

14 DAN ZARRILLI: Thank you very much. [sic]

15 CHAIRPERSON ROSE: First I wanna thank
16 you for testifying; you know, everybody in this room,
17 and I see familiar faces of advocates and people who
18 work on the waterfront and not only advocate for its
19 vitality, but our waterfront is a vital element of
20 the life of New York City; it is actually the
21 lifeblood of many of our residents, so I would like
22 to thank you, you know, on behalf of Staten Island
23 residents for the half-hour ferry and the opening of
24 our Stapleton Waterfront Park; it demonstrates how
25 important the waterfront is to our residents. And

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2 thank you for all of the resiliency efforts that are
3 going into our waterfront and to make it safe and to
4 help us avoid some of the consequences of the weather
5 events that we had in the past.

6 And so with that being said, the
7 Waterfront Management Advisory Board (WMAB) is a very
8 important element; it should be something that is
9 vital and is an important part of the daily workings
10 of our waterfront. So this committee hearing was
11 called to ensure that we recognize its importance and
12 sort of revitalize it.

13 So could you tell me; when was the last
14 time that the Waterfront Management Advisory Board
15 met?

16 DAN ZARRILLI: The Waterfront Management
17 Advisory Board last met in late 2013, to our
18 knowledge.

19 CHAIRPERSON ROSE: 2013, 'kay. And why
20 do you think it's been so difficult to keep this
21 board functioning and active over the years?

22 DAN ZARRILLI: Let me -- I'll start and
23 then maybe pass it on to Michael Morella. You know
24 the functions of the Board have been incredibly
25 important; we saw firsthand there were times when we

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2 went to the Board in some cases in a deep formalized
3 way for advice in waterfront planning efforts; in
4 some cases a more formal effort; the broad effort to
5 keep voices engaged in our waterfront has been
6 happening; it hasn't necessarily been happening
7 through the Waterfront Management Advisory Board, and
8 I think it's an important moment for us to step back
9 and realize that there's an opportunity to reform
10 that; to do that together, to strengthen it to make
11 sure the voices are more inclusive, more equitable;
12 more diverse for what is happening on our waterfront;
13 I mean that's why we're here today, is to make sure
14 that we can do that. It hasn't met in the last two
15 years, that's true; we're committed to restarting it
16 and getting it back up and running again with your
17 help.

18 CHAIRPERSON ROSE: So in the absence of,
19 you know, this structure, the WMAB, the Board, who
20 has been making these decisions then and have there
21 been collaborative... what's been the process in terms
22 of decisions that have been made about our
23 waterfront?

24 DAN ZARRILLI: Well as I think my
25 testimony showed, there's been a huge amount of work

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2 on the waterfront; the launch and the announcement of
3 a citywide ferry service, for instance, came through
4 an extensive process of engagement with waterfront
5 advocates; some of which are here today, in making
6 sure that we have a full citywide, five borough ferry
7 strategy; that's just one example and it's been
8 happening; it has not been happening through the
9 Board and we think there's a way to make that
10 stronger by reconstituting the Board and getting it
11 up and running, but it hasn't led to a lack of voices
12 coming into our waterfront planning decisions.

13 [background comment]

14 MICHAEL MORELLA: Yeah. So I cannot
15 speak to the Board prior to 2010; prior to that time
16 there are just not many records of the Board's
17 activities, but after the Council introduced Local
18 Law 20 in 2009 and the Board was reconstituted at
19 that time, the Board's first assignment was working
20 with the Department of City Planning on the City's
21 Comprehensive Waterfront Plan, which was released in
22 early 2011, and when the Board had a mission like
23 that, the Board met regularly and was able to provide
24 incredibly important input in the drafting of the
25 Comprehensive Waterfront Plan. And after the release

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2 of the Comprehensive Waterfront Plan met regularly to
3 provide updates to the Board about the implementation
4 of the City's Comprehensive Waterfront Plan and the
5 action agenda of the Waterfront Plan, which included
6 125 projects that were being tracked and monitored.

7 After the conclusion of that work though
8 and the change of the administration, as the
9 membership lapsed, it was difficult to gain momentum
10 and a mission for the Board to be reconstituted, but
11 as Dan said, we're looking forward to this moment
12 now.

13 CHAIRPERSON ROSE: And I'm really glad to
14 hear that, because I'm concerned about how decisions
15 are made and if all of the voices are at the table;
16 it's a very important process that the diversity that
17 we're talking about, in terms of the Board
18 constitution, all of them have an important role in
19 that.

20 And so the fact that the Board didn't
21 meet; what was that sort of attributed to; were there
22 any reasons that maybe we could work through why the
23 Board did not meet?

24 DAN ZARRILLI: I guess it's hard to say
25 why it didn't meet; I think, quite honestly, we'd

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2 prefer to focus on the future than the past, because
3 the WMAB didn't meet for the last two years; that
4 point is absolutely true, but we think there's a role
5 for the WMAB to play going forward; there is a lot of
6 activity on the waterfront that continues. To rely
7 on the advice from a diverse group of stakeholders,
8 whether it's all of the coastal adaptation work we're
9 doing across the city, continuing work on things like
10 citywide ferry service, the expansion of recreational
11 and access opportunities across the waterfront,
12 there's a lot to focus on going forward and I think
13 the right place to focus, is making sure... [crosstalk]

14 CHAIRPERSON ROSE: Right.

15 DAN ZARRILLI: that we do this right
16 going forward... [crosstalk]

17 CHAIRPERSON ROSE: And I don't mean to
18 dwell on the past; I'm actually trying to find out
19 what elements, if there were some elements that were
20 missing that we need to include that would, you know,
21 sort of ensure that we wouldn't have that type of
22 gap. For instance, is it that maybe we -- would you
23 consider a council member co-chairing the Board?

24 DAN ZARRILLI: I think we're open to a
25 number of different changes like that; we have other

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2 advisory boards where we have a council member co-
3 chairing; I think that's certainly within the realm
4 of possibility. The focus for us is making sure that
5 we have a board that represents the full spectrum of
6 stakeholders across the waterfront -- maritime jobs,
7 recreational opportunities, public housing residents,
8 you know, the education community and the way we can
9 get kids involved in the waterfront going forward;
10 there's a whole spread of voices we wanna make sure
11 is heard. The makeup of the Board in the past, it's
12 not clear it was getting all those voices, but we
13 wanna do that going forward.

14 CHAIRPERSON ROSE: One of the reasons or
15 one of the elements of Local Law 20 was to produce a
16 biannual report. Were the reports every produced?

17 MICHAEL MORELLA: Yes. So during the..
18 after the issuance of the Comprehensive Waterfront
19 Plan, as part of the work with the Waterfront
20 Management Advisory Board, we issued progressive
21 reports annually on the progress of the action agenda
22 and that served largely as the biannual report.

23 CHAIRPERSON ROSE: Is the report posted
24 somewhere where... [interpose]

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2 MICHAEL MORELLA: It was on EDC's
3 website.

4 CHAIRPERSON ROSE: It's on EDC's website.

5 MAX TAFFET: And it's still available
6 today.

7 CHAIRPERSON ROSE: Okay. And when the
8 Board meets, is there any public notification or
9 invitations that are sent out?

10 MICHAEL MORELLA: In the past they were
11 open door meetings; they were not publicly
12 advertised, but they were open to the public and the
13 invites went out to not just the formal members of
14 the Board, but other waterfront advocates; there is a
15 very long list of advocates that were invited to
16 every meeting.

17 CHAIRPERSON ROSE: You would not be
18 adverse to having the meetings posted on a website
19 for the public to attend...? [crosstalk]

20 MICHAEL MORELLA: It's certainly
21 something we could consider; I think we would want to
22 figure out to what extent, and on occasion it might
23 be appropriate to have closed door meetings, that if
24 we were going to be discussing something that needs
25 more of a closed door strategy session, we might want

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2 to have that option, so I don't want to necessarily
3 rule out, but it's certainly something that can be
4 considered.

5 CHAIRPERSON ROSE: Okay. Council Member
6 Kallos.

7 COUNCIL MEMBER KALLOS: Thank you to the
8 Chair for her strong questioning.

9 I'll focus on the membership and what is
10 necessary in order to constitute it. How many
11 members does the WMAB currently have in order to meet
12 and how many would you need in order to..

13 MICHAEL MORELLA: Well as currently
14 written into existing legislation, there are 12
15 members that are to be appointed to the Board.

16 COUNCIL MEMBER KALLOS: And how many do
17 we have appointed?

18 MICHAEL MORELLA: My understanding is
19 that the terms have elapsed.

20 COUNCIL MEMBER KALLOS: And so what
21 methods have you used to try to attract people, what
22 have been some of the challenges and how will the
23 proposed changes help you reconstitute the Board?

24 DAN ZARRILLI: So we have a number of
25 people, ex officio members, the heads of departments

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2 and City staff, if you will; the rest of the terms
3 that have expired -- we've been working with our
4 appointments office to identify some potential
5 candidates; they're not necessarily to be named
6 today, but we have some ideas on types of folks we'd
7 wanna work with you on that would accomplish the goal
8 of bringing a more diverse set of voices to the
9 Waterfront Management Advisory Board, so that's just...
10 we've done a little background homework, if you will,
11 on that; I think those are names we'd wanna work with
12 you on. Quite honestly, there has been some history
13 in the past of the vetting process that is fairly
14 extensive that may not align with the functions of
15 the board itself; we think there's a way to rethink
16 that and make sure it would allow for a more
17 effective and probably quicker ability to get members
18 onto the board and make sure that we are bringing all
19 those right voices onto the board itself. So I think
20 that's something we'd wanna work with you on after
21 the outcome of this hearing.

22 COUNCIL MEMBER KALLOS: And in terms of
23 adding more members to the board, which creates even
24 more of a challenge, 'cause now it's not 12, but

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2 perhaps more; how will you be able to fill additional
3 seats that we'd be adding?

4 DAN ZARRILLI: I think part of it is -- I
5 mean there's no lack of interest in the waterfront; I
6 mean I should say it's not that we haven't had an
7 ability to find people who are interested; we wanna
8 make sure we find people who are interested, who are
9 able to serve, who are able to meet all the
10 requirements; there may be a way to rethink some of
11 those requirements to make that process a little
12 easier, but we know there are active, engaged members
13 of the community that wanna be part of this; I think
14 we may need to do a little legwork to find some of
15 those other voices or the non-traditional waterfront
16 voices, to bring them onto the Board, you know, we
17 have any number of ways that we can source out voices
18 through our normal appointments process to identify
19 those individuals.

20 COUNCIL MEMBER KALLOS: If somebody is
21 watching this hearing right now on TV or on the
22 livestream or just on an archived webcast, how can
23 they express interest if they would like to be on the
24 WMAB?

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2 DAN ZARRILLI: I think they should raise
3 their hand, right; they should come and reach out to
4 the administration through any of the three of us
5 here at the table or like many advisory boards that
6 are constituted by the City, we have an appointments
7 office; they should make their desire to serve known
8 to our appointments office and there's a lot of
9 opportunities to do that.

10 COUNCIL MEMBER KALLOS: Okay, so they
11 tweet our Chair, @CMDebiRose, D E B I R O S E;
12 [laughter] could they tweet... [crosstalk]

13 DAN ZARRILLI: Let me write that down
14 [sic].

15 COUNCIL MEMBER KALLOS: DanZarrilli,
16 @DZarrilli?

17 DAN ZARRILLI: I am gonna get so many
18 followers out of this.

19 [laughter]

20 COUNCIL MEMBER KALLOS: Are there any
21 other places, because I think a lot of people may not
22 know where Office of Appointments are, so is there an
23 e-mail address; is there a specific location where
24 folks can go other than perhaps Twitter and not
25 everyone may be on Twitter; is there.. [interpose]

1
2 DAN ZARRILLI: Maybe the best place to
3 send people is to our office's e-mail address:
4 resiliency@cityhall.nyc.gov, and we can take care of
5 them there.

6 COUNCIL MEMBER KALLOS: Great; I think
7 that would be key. And then with regard to the
8 Comprehensive Waterfront Plan, so the last one that
9 was done was how long ago?

10 MICHAEL MORELLA: It was issued in early
11 2011, so almost exactly five years ago.

12 COUNCIL MEMBER KALLOS: So five years ago
13 and when do we expect to see an update?

14 MICHAEL MORELLA: Well pursuant to the
15 legislation that was passed in 2008, it has to be
16 updated every ten years thereafter, so it'll be by
17 the end of the year 2020.

18 COUNCIL MEMBER KALLOS: Fair enough;
19 there are a lot of things the City has to get done by
20 then. And what is the WMAB's role in the
21 Comprehensive Waterfront Plan?

22 MICHAEL MORELLA: During the past round
23 of writing the Comprehensive Waterfront Plan we, the
24 City, the administration, met with the Waterfront
25 Management Advisory Board numerous times; we set up

1
2 two separate advisory committees from the larger
3 board to help advise on different elements of the
4 Comprehensive Waterfront Plan, and I think as several
5 members of the audience today who served on the WMAB
6 would be able to testify; we had many, many meetings
7 discussing it with them.

8 COUNCIL MEMBER KALLOS: So that would be
9 one of the primary responsibilities for this newly
10 constituted group over the next three years and six
11 months and 27 days?

12 MICHAEL MORELLA: I'll trust your math on
13 that.

14 COUNCIL MEMBER KALLOS: It's actually 26,
15 because it's another hour... sorry, 13 hours and 10
16 minutes, but I just round up, but yeah.

17 [background comments, laughter]

18 COUNCIL MEMBER KALLOS: It sounds good.
19 That is all for my first round of questions.

20 CHAIRPERSON ROSE: [background comment]
21 Okay. I understand that, you know... [crosstalk]

22 COUNCIL MEMBER KALLOS: He went back so
23 he could apply.

24 CHAIRPERSON ROSE: oh...
25

1
2 DAN ZARRILLI: He's following me on
3 Twitter.

4 CHAIRPERSON ROSE: He'll be tweeting you
5 momentarily. Could you describe the typical vetting
6 process that would be conducted for someone appointed
7 to sit on the Board?

8 DAN ZARRILLI: Right now the -- and I'm
9 not an expert in the full vetting process, but it is
10 subject to the Council's advice and consent in the
11 current legislation, which means a full vetting
12 through the normal channels, and this is where I'm
13 not the expert in the full process, but it takes some
14 time to do the full vetting and then it goes to the
15 City Council for a vote.

16 CHAIRPERSON ROSE: And has this been
17 somewhat burdensome for the WMAB?

18 DAN ZARRILLI: I think what it is, is;
19 it's possibly turned off some individuals who are
20 volunteering to serve in an unpaid capacity and it's
21 a very rigorous vetting process; it takes some time;
22 there's some uncertainty that goes with it, so we
23 speculate that it may have turned off some
24 individuals that could have applied their talents and
25 abilities to the WMAB and we wanna make sure we're

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2 capturing as many individuals that can bring a
3 diverse set of expertise to the Board and think
4 there's a way to right-size the approval process to
5 the functions of the Board.

6 CHAIRPERSON ROSE: And what possibilities
7 do you have in mind, you know to alleviate the
8 burdensome process of advising the board members
9 [sic]...? [crosstalk]

10 DAN ZARRILLI: Well I think we would
11 offer that the advice and consent language that's
12 currently in the legislation is probably more than
13 may be necessary for the functions of the board
14 itself and the Board provides advice; it does not
15 enact policy, and so many of the other City advisory
16 boards go through a vetting process but not the full
17 advice and consent process, and so we'd wanna work
18 with the Council on identifying the right individuals
19 for the Board, but perhaps in a different format that
20 right-size the evaluation with the functions of the
21 Board itself.

22 CHAIRPERSON ROSE: Would the Council
23 still be involved in this process in this..
24 [interpose]

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2 DAN ZARRILLI: I think that's our
3 absolute intent is to find a way to make sure that
4 the Council still has a voice in this process; I
5 think there's a number of different ways to do that
6 and we should ultimately work together to make sure
7 the Board have the right membership for the advice
8 that the City needs on its waterfront programs.

9 CHAIRPERSON ROSE: How long do you think
10 that it would take to sort of reconstitute this board
11 and get it up and running?

12 MICHAEL MORELLA: Under the current
13 advice and consent it could be quite some time, given
14 the time required for -- the identification of the
15 members to serve can be fairly quick, but then the
16 time that's required to fill out the necessary
17 information and going through the necessary checks,
18 that does take a significant amount of time, or I
19 should say at least, the last time we went through
20 this, in 2010, it took a significant amount of time
21 and it turned several people off from serving, people
22 that we had asked to serve, they opted not to serve
23 because of the rather extensive background review
24 process.
25

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2 CHAIRPERSON ROSE: So with your modified
3 plan of vetting; what would... you know, how long do
4 you think it would take?

5 DAN ZARRILLI: Well I think we -- it may
6 depend on both of us; right, to make sure that we are
7 able to come to agreement on the way that we appoint
8 folks to the Board, but if that -- I would be bet if
9 the advice and consent was removed it would function
10 like many other advisory boards we have at the city,
11 where I would think that by default we could have the
12 Waterfront Management Advisory Board up and running.

13 CHAIRPERSON ROSE: And you were saying,
14 Max, that the next time the report is due is 2020; in
15 absence of the WMAB, how are you getting to... how are
16 you going to accomplish that and are you going to be
17 prepared for that deadline?

18 MICHAEL MORELLA: Well so the
19 Comprehensive Waterfront Plan coming out in 2020
20 gives us quite a -- at least a number of years
21 before... to prep up; it is something that we're
22 already discussing within the Department of City
23 Planning, in fact at the -- now I'll plug one of the
24 nonprofit groups that are in the audience today -- at
25 the Waterfront Alliance Conference coming up in just

1
2 a couple of weeks there is a panel discussion and
3 brainstorming session about the next Comprehensive
4 Waterfront Plan to solicit ideas already, because we
5 are thinking ahead to the next Comprehensive
6 Waterfront Plan.

7 CHAIRPERSON ROSE: So you are in fact
8 still talking to advocates?

9 MICHAEL MORELLA: Oh absolutely.

10 CHAIRPERSON ROSE: Okay. So it seems
11 like you have a network where people are giving you
12 feedback; would that not be the group of people that
13 you reach out to for a reconstitution of... [interpose]

14 MICHAEL MORELLA: Possibly so and I think
15 that there are... I mean certainly through the writing
16 of the first Comprehensive Waterfront Plan we made a
17 very large network of informal advisors, our kitchen
18 cabinet, if you will; however, that's not necessarily
19 reflective of the broader voice of the waterfront,
20 and I'm the first person to recognize that. The
21 City's waterfronts, for those who have voiced their
22 opinions in past efforts was a self-selecting group;
23 we certainly went out to the public and we held
24 numerous public planning events in the public, but
25 those who attended those meetings were self-selecting

1
2 and that's not necessarily truly representative of
3 the voices of the community as a whole, and so trying
4 to figure out how we can broaden that network and how
5 we can hear from more voices is something that we're
6 very much interested in.

7 CHAIRPERSON ROSE: Yes, because I'm
8 really concerned; we have a wonderful working
9 waterfront; Staten Island is, you know, an example of
10 that and we sort of co-exist with our recreational
11 community as well as our industrial community. So
12 it's important that your outreach efforts -- how do
13 you plan to shape your outreach efforts and make sure
14 that you are inclusive and the diversity of the
15 waterfront is actually represented...? [crosstalk]

16 MICHAEL MORELLA: Right. So I think it's
17 a bit early to say how we'll be doing it in four
18 years from now, but I can say from the past
19 Comprehensive Waterfront Planning effort, during the
20 2010, when we had a year-long public planning
21 process, we had very... we went directly to the
22 Maritime Association of New York and New Jersey and
23 met with their tug and barge committee, for instance,
24 to solicit input from that slice of the industrial
25 waterfront. Similarly, we met with canoeing and

1
2 kayaking groups throughout the city and so we
3 certainly made it a point to try to find everyone
4 that was willing to talk to us. But then again,
5 that's a self-selecting slice of New York.

6 CHAIRPERSON ROSE: And you did -- under
7 Local Law 20, each of the five boroughs were supposed
8 to be represented, in your revised efforts, are you
9 looking to ensure that there is representation from
10 each of the five boroughs?

11 MICHAEL MORELLA: Absolutely.

12 CHAIRPERSON ROSE: Yeah?

13 MICHAEL MORELLA: Yes.

14 CHAIRPERSON ROSE: Okay. [background
15 comments] Well I'd like to recognize Council Member
16 Deutsch; do you have any questions? [background
17 comment] Okay, alright. So I'm gonna have to sing
18 until he's ready to ask his questions. [background
19 comments] Huh? [laugh] You can have the mic if
20 you're ready. Okay.

21 So we recognize how important this is and
22 again, the fact that we wanna -- at least I am; I'm
23 very anxious about making sure that the WMAB gets up
24 and is running.

1
2 I know that four people, as is
3 configured, have a one-year term; is that an adequate
4 amount of time, you know, in light of the vetting
5 process and how do you determine which... you know, who
6 gets a one-year term, a two-year term or a three-year
7 term?

8 MICHAEL MORELLA: That was written into
9 Local Law 20 and my... [mic feedback] I'm sorry... my
10 understanding is that the intent was for there to be
11 staggered terms so that the entirety of the Board
12 would not expire at the same time, but then after
13 that one-year term, that slot on the Board would be a
14 three-year term so that every year four slots would
15 have expired and that there would've been a more
16 regular recurring reappointment process; that was the
17 intent, as I understand it.

18 CHAIRPERSON ROSE: Okay, Council Member
19 Deutsch.

20 COUNCIL MEMBER DEUTSCH: Thank you,
21 Madame Chair.

22 First of all, I just wanna ask; you
23 mentioned that there are four people on the Board and
24 they each get like a one-year term; now when was the
25

1
2 last time, or did this board ever meet with New York
3 Rising or the Army Corps of Engineers in the past?

4 DAN ZARRILLI: The last time this... so
5 there are 12 members on the Board; there's the
6 function that Michael was just describing where
7 basically every year a third of the Board would need
8 to be renewed; the last time the Board officially met
9 was in 2013; we had -- so that I think predates
10 **[inaudible]** existence of **[inaudible]**, as you
11 mentioned. What we did use the advisory board for in
12 a post Sandy context, is we brought the advisory
13 board together in the development of the City's
14 Coastal Protection Plan and part of the resiliency
15 program development; we did that in a -- it was a
16 very collaborative meeting; we bounced ideas off the
17 advisory board to help development of that program
18 that was launched in 2013.

19 COUNCIL MEMBER DEUTSCH: So if you have
20 that collaboration with the Board and there's only a
21 one-year term, or a short term and you know once the
22 people on the Board get some type of experience,
23 especially after Hurricane Sandy and understand what
24 the needs are in the waterfront communities, and the
25 next thing you know, these people are off the Board,

1
2 so how do you deal with that and how do we deal with
3 it by getting someone new on the Board who may not
4 know what these issues are...? [crosstalk]

5 DAN ZARRILLI: Sure; let me describe the
6 function a little bit more. The one-year term -- So
7 of the original 12 members, a third of them had a
8 one-year term, a third had a two-year term and a
9 third had a three-year term so that a third of the
10 Board was cycling through; at the conclusion of that
11 one-year term, the people in that position, whether
12 it was a new person or not, would be appointed to a
13 three-year term so the defining characteristic is
14 really a three-year term, except for the first years
15 when the program and the Board is standing up.

16 COUNCIL MEMBER DEUTSCH: So is that
17 enough time for an individual to be on the Board; I
18 mean who makes these -- Where does this come from,
19 Dan, how long the term is?

20 DAN ZARRILLI: It was built into the
21 Local Law that was passed in 2009... [crosstalk]

22 COUNCIL MEMBER DEUTSCH: So maybe this is
23 something...

24 MICHAEL MORELLA: The City Council in
25 2009 [inaudible]... [crosstalk]

1
2 COUNCIL MEMBER DEUTSCH: So in 2009, that
3 was prior to Hurricane Sandy, so do you think maybe
4 that the Local Law needs to be changed, since
5 Hurricane Sandy... [crosstalk]

6 DAN ZARRILLI: Well I think a lot of what
7 we're talking about today is really how we can
8 rethink how the board's gonna function, so this is an
9 open conversation; if it's, you know, perhaps longer
10 terms, if it's a different cycle of individuals on
11 the Board that would... their term would expire and
12 they can be up for reappointment; I think really, all
13 those questions can be open and we're open to having
14 those conversations on how that might function.

15 COUNCIL MEMBER DEUTSCH: 'Kay. So what
16 do you think; do you think it's long enough?

17 DAN ZARRILLI: Well the dominant three-
18 year term I think is good and people are able to
19 provide their expertise to the City; it's a three-
20 year period, it's not a longer term commitment that
21 might scare some people off, but it also gives them
22 the opportunity to do other things, to advise in a
23 different way with the City and provides an
24 opportunity every year for a third of the Board to
25

1
2 turn over and bring new perspectives into the
3 advisory board.

4 COUNCIL MEMBER DEUTSCH: So as the
5 Director of the Mayor's Office on Recovery and
6 Resiliency, what's your opinion; do you think it's
7 enough; your opinion?

8 DAN ZARRILLI: I tend to like the three-
9 year term in that a third of the Board would cycle
10 through every year, just because it would continue to
11 bring those new perspectives into the conversation.

12 COUNCIL MEMBER DEUTSCH: Okay...
13 [crosstalk]

14 DAN ZARRILLI: I mean, but those are open
15 for... that may be just my personal opinion; right, so
16 we can discuss that as this process moves forward
17 before a bill ultimately is passed and enacted.

18 COUNCIL MEMBER DEUTSCH: Okay, thank you.
19 You also mentioned in your testimony they're
20 investing in a new citywide ferry service that will
21 launch starting in 2017, providing much-needed public
22 transportation alternatives to neighborhoods that are
23 underserved by transit. So where is this data coming
24 from; which areas are underserved, like for example,
25 southern Brooklyn, people always -- my constituents

1
2 are constantly complaining about the mass transit
3 system; that we are underserved, so where do you get
4 the data from and what is the process of it?

5 DAN ZARRILLI: So the City conducted an
6 extensive evaluation of different sites, routes and
7 possibilities for ferry service and ultimately landed
8 on this first launch of the citywide ferry service
9 based on the most viable routes and the most viable
10 landing sites, taking all of that into account and a
11 major engagement process went along with that.

12 COUNCIL MEMBER DEUTSCH: So is it the
13 viable routes or is it areas that are underserved?

14 DAN ZARRILLI: It's viable based on the
15 transit... [crosstalk]

16 COUNCIL MEMBER DEUTSCH: Or is it both?

17 DAN ZARRILLI: demand, which is part of
18 the answer and so... [crosstalk]

19 COUNCIL MEMBER DEUTSCH: So but where's
20 the data from; like my district is... there is a very
21 high transit demand and so where is this data coming
22 from?

23 MAX TAFFET: Happy to follow up with you
24 on the exact data; there is a 2013 study that is
25 available on the EDC website where in excess of 50

1
2 different routes are looked at and kind of balanced
3 and looking at possible demand versus existing
4 services to areas. It would be looking at that
5 report, which I don't have offhand, looking at the
6 sources.

7 COUNCIL MEMBER DEUTSCH: So do you
8 believe that report is sufficient enough or... I mean
9 do you think... I'm asking you southern Brooklyn; do we
10 have good transit according to these reports and
11 according to your office?

12 DAN ZARRILLI: I think... I mean...
13 [crosstalk]

14 COUNCIL MEMBER DEUTSCH: Do you believe
15 we have reliable transit; do you believe we have
16 enough transit, with all the developing going on and
17 all the concessions in the areas, so I'm just curious
18 to know if the 2013 report and now two years later,
19 right, where so many thousands of new residents moved
20 in and moved to high-rise towers, so I think things
21 changed over the last couple of years.

22 DAN ZARRILLI: The citywide ferry
23 service, I mean it's the launch of our first citywide
24 ferry service in decades, if not longer; it was the
25 first crack really of these are the most viable

1 routes, these are the most viable landing sites; I
2 think you could canvas individuals all over the city
3 and say do you have enough transit and you'd probably
4 get some common answers of, you know, lots of people
5 need more transit. We're doing our part by expanding
6 the options and I think we wanna continue to work
7 with the Council and look at what the future might
8 hold for additional sites, but these are the sites,
9 the ones that we're launching in 2017 are the sites
10 for the first major investments that we're making in
11 ferry service across the city, and I think we should
12 follow up with the additional data on a particular
13 neighborhood and the issues at hand, based on the
14 study that we've done.

16 COUNCIL MEMBER DEUTSCH: Okay, so yeah,
17 let's follow up on that and if we could look at
18 another study for 2016. And I did mention, when I
19 first got elected, in a Waterfronts hearing with EDC,
20 talking about bringing ferry service into southern
21 Brooklyn and I'm still waiting for a response from
22 EDC and this is from I think one of my first hearings
23 in the Waterfronts Committee.

24 DAN ZARRILLI: Okay, we can follow up
25 with you.

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COUNCIL MEMBER DEUTSCH: Thanks.

CHAIRPERSON ROSE: More questions,
council member? Oh, okay. Thank you.

Did the Board in prior years have any
input regarding the City's Clean Waterfront Plan?

DAN ZARRILLI: I think I may have to get
back to you on the role of the WMAB on the Clean
Waterfront Plan and the Clean Waterfront Plan is --
may have postdated the WMAB; I'd have to check with
you on the exact configuration there.

CHAIRPERSON ROSE: And regardless of
whether it did or didn't do; should it, going
forward?

DAN ZARRILLI: As a Waterfront Management
Advisory Board, I think we look for advice across a
range of topics and that would certainly be one of
them.

CHAIRPERSON ROSE: Okay. I wanna thank
you, you know; there are accomplishments and I'm glad
to see that, you know, in the absence of the advisory
board, you know things still have happened on our
waterfronts and I'm looking forward to working with
you soon about what this board is gonna look like;
how we're going to get it up and running, because

1
2 there are just too many things that need to be
3 addressed and I'm really concerned that -- I think
4 every element of it needs to be a part of. You know
5 we've heard about how important transportation issues
6 are; we have the working waterfront, the recreational
7 waterfront; we have industrial business; so many
8 elements that need to be at the table because the
9 issues are many and very diverse. So I wanna thank
10 you for taking the time today to testify and you're
11 released.

12 DAN ZARRILLI: Thank you for your time.

13 CHAIRPERSON ROSE: Thank you. We will
14 now have -- we will do two panels of three and will
15 the following please come forward -- Edward Kelly
16 from the Maritime Association of the Port of New York
17 and New Jersey; Roland Lewis, the Waterfront
18 Alliance, and Rob Buchanan from NYC Water Trail.
19 [background comments] And when you're comfortable
20 you can begin your testimony by identifying yourself,
21 your name and your organization. Thank you.

22 EDWARD J. KELLY: Yes. Good morning,
23 Madame Chair, committee members, ladies and
24 gentlemen. My name is Edward J. Kelly and I am the
25

1
2 Executive Director of the Maritime Association of the
3 Port of New York and New Jersey.

4 Since 1873, the Maritime Association has
5 been a primary advocate of the commercial maritime
6 industry in the Port of New York and New Jersey, our
7 paid membership of over 540 members includes a broad
8 gamut of industrial maritime concerns, including
9 international shipping lines, marine terminals,
10 organized longshore labor, maritime and docking
11 pilots, agents, tug and barge owners and operators,
12 the Port Authority of New York/New Jersey, admiralty
13 attorneys, marine underwriters, ship repair,
14 construction facilities, and many others.

15 The lifeblood of our city flows in its
16 waterways; this city exists because of its natural
17 harbor and estuary networks; our financial markets
18 were based on the burgeoning waterborne trade on our
19 piers. With the opening of the Erie Canal, we became
20 a gateway to the vast interiors of the continent and
21 brought their goods to market; this harbor welcomed
22 the waves of immigrants that came in search of the
23 American dream and from this harbor sailed the men
24 and material that fought the wars that made the world
25 safe for democracy. We no longer see the mast of

1
2 tall ships, but this is not just an historic port; it
3 is a vibrant port that moves people and freight and
4 literally delivers the American way of life.

5 In a recent economic study, it was
6 determined that in the year 2014 the port region was
7 responsible for handling over \$208 billion in cargo
8 value, 640,820 vehicles, 5.8 million TEU of
9 containerized cargo; we are the largest United States
10 petroleum port; we had 4,213 international vessel
11 arrivals and we witnessed over 400,000 harbor
12 transits per annum.

13 As a result of the foregoing activity,
14 the commercial maritime industry in our port produced
15 190,000 direct jobs and 336,600 full-time job
16 equivalents in surrounding economic impact, \$21.2
17 billion in personal income, \$53.5 billion in business
18 income, and a little over \$7 billion in federal,
19 state, local tax revenues.

20 It's well recognized that the marine
21 transportation mode is the cleanest, most fuel-
22 efficient, requires the least infrastructure, reduces
23 roadway congestion and wear and tear, reduces
24 airborne and waterborne emissions, and actually
25

1
2 annually eliminates over 3.1 million truck trips in
3 New York City every year.

4 In consideration of the foregoing facts,
5 it should be clear that the safe, clean and efficient
6 waterborne transport of both people and freight is
7 essential to the economy and environment of our
8 region; the bustling domestic barge trades move the
9 heavy bulk commodities, like aggregate, fuel oil,
10 chemicals, sand, salt, as well as recyclables and
11 municipal trash. Every barge you see takes 57
12 truckloads off our roads and reduces infrastructure
13 wear and tear and roadway congestion.

14 It should also be noted that the Hudson
15 River has become increasingly important to our
16 economy and that in actuality the Federal Maritime
17 Administration has designated the Hudson River as one
18 of their targeted American Marine Highways routes in
19 recognition of the essential nature of the vital
20 inland waterway which links inland areas with
21 international marine transportation networks. The
22 harbor is also cleaner than it has been in decades
23 and new generations of recreational users flock to
24 the waterfront, whether to embark on recreational
25 boats, to fish or just enjoy the view; residential

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2 development rises along our shorelines as people
3 enjoy waterfront living; our ferry networks are
4 expanding as we find cleaner, more efficient ways to
5 commute and travel within the city. Our city is
6 alive with the pulse of international trade, the
7 movement of domestic commodities, the recreational
8 enjoyment of the waterways and the resurgence of
9 waterside communities. The city can and should be a
10 vital part of the evolution of our waterfronts as our
11 waterways continue to shape the destiny of our lives.
12 With a requisite commitment and management, the City
13 should realize an increased share of the waterfront
14 activities that exist in our region.

15 The Maritime Association believes that
16 the Waterfront Management Advisory Board can be a
17 powerful and diverse tool to ensure that the city
18 derives the most benefit from a vital, shared
19 waterfront and we strongly support the proposed
20 expansion of the role of the Board. Thank you.

21 CHAIRPERSON ROSE: Thank you.

22 [background comments]

23 EDWARD J. KELLY: I may also mention
24 that... I may also mention that I had been a member of
25 the WMAB; I had never been notified of the expiration

1
2 of my term and I certainly hope that I'd be
3 considered for selection to the next one.

4 CHAIRPERSON ROSE: Thank you; in fact,
5 that was going to be one of the questions that I
6 asked you, and have you ever been contacted in terms
7 of any of the decisions that have been made regarding
8 the waterfront in the absence of the functioning of
9 the WMAB?

10 EDWARD J. KELLY: Certainly; Maritime
11 Association is an advocate and we maintain active
12 contacts with all three of the City departments that
13 have been referenced up here, as well as various
14 electeds and different school groups; we reach out to
15 everybody that we can in the waterfront area, so
16 we've been involved, but not on a formal structured
17 basis. It is my personal belief that the WMAB should
18 be a governing body, should be broad, should be
19 representative of the various stakeholders; it is a
20 shared waterfront; [background comments] when
21 everybody gets together we can establish priorities
22 and actual plans that benefits everybody. There's a
23 lot of opportunity on our waterfront; New York is
24 particularly absent at the table when it comes to
25 waterfront development, compared to several of our

1 surrounding states, like New Jersey; that their DOT
2 has a specific office of water management and
3 resources, which really New York has missed an awful
4 lot of opportunities and it certainly is incumbent, I
5 believe, on the City of New York and the State of New
6 York to take a more active role to attract, maintain,
7 construct of the waterfront development and
8 enjoyment.

10 CHAIRPERSON ROSE: Yeah and I thank you
11 for your comments; your testimony was very compelling
12 in terms of how important the port is and all of the
13 elements that go on in our harbor on a daily basis.
14 And so with the reconfiguring of the WMAB and as a
15 member, did you feel that biannual meetings were
16 adequate enough to get the business of the waterfront
17 done?

18 EDWARD J. KELLY: I'm on quite a few
19 different advisory boards, both state, federal, et
20 cetera and advisory boards should not micromanage,
21 but they should give policy and ensure that programs
22 are being followed up, so I would say twice, possibly
23 three times a year would be sufficient with ad hoc or
24 established subcommittees that would pursue the
25 objectives of what the policy decisions made at that

1
2 advisory board would be to take place in-between. So
3 yes, I believe the full meeting of the WMAB probably
4 twice; possibly three times a year would be
5 sufficient.

6 CHAIRPERSON ROSE: Thank you. Thank you,
7 Ed; your testimony was very compelling.

8 EDWARD J. KELLY: Thank you.

9 CHAIRPERSON ROSE: Okay, Roland.

10 ROLAND LEWIS: Good morning, Madame Chair
11 and committee. I'm Roland Lewis, President of the
12 Waterfront Alliance, an alliance of over 900
13 different business and civic groups throughout the
14 New York/New Jersey region dedicated to more active
15 and engaged use of the waterfront.

16 I'd like just to talk about a couple
17 little things before I dive into the testimony about
18 the WMAB. What Ed just gave and I'm sure what Rob
19 will give and others will give is a picture of a
20 waterfront that is vitally important, that if you
21 don't think that the working waterfront, water
22 quality, recreational boating; transportation are
23 interrelated, and many other things are interrelated;
24 you're not looking... and resiliency or other, you
25 know, particularly resiliency; I don't think you're

1
2 seeing the correct picture of what our harbor is and
3 what it could be. You know, my organization has
4 called for a new governance mechanism, a department
5 of the waterfront or a mayor's office of the
6 waterfront, someone to really knit together, and with
7 all due respect, and I have great respect for the
8 three gentlemen that were here testifying before and
9 the many others at staff level within the various
10 agencies that work so hard on these issues, but there
11 isn't an entity that really coordinates this and I
12 think that's the elephant in the room that we're
13 really not addressing, and I'll just also say that,
14 getting into the Waterfront Management Advisory
15 Board, the idea of a person outside the
16 administration, and I love the idea of perhaps a
17 Council representative co-chairing this entity, would
18 be a counterbalance; frankly we... you know I think
19 what Ed said a second ago about the meeting frequency
20 of the entire board is probably correct, but the much
21 more strong idea of subcommittees and more
22 importantly, we haven't met since the new
23 administration started; that's a stone cold fact.
24 Why not? Because there is just no one saying... and
25 this administration's done some good things on the

1 waterfront and you know, again, I'm not here to
2 critique **[inaudible]** of a couple of the initiatives
3 they've started at the water's edge, but there isn't
4 a mayoral imperative to look at it holistically at
5 this point and if there's someone of stature that
6 would be able to say wait a minute, administration,
7 let's look at this holistically through the
8 Waterfront Management Advisory Board; I think that's
9 a good idea that should be pursued and I hope... they
10 said that they would consider it; I hope you will too
11 and push for it. So it's played a role; we were
12 happy to actually help with the reconfiguration of it
13 in 2009 with that legislation and we're happy to give
14 advice now, not only to look at the initiative that
15 this administration's done, but also the previous
16 administration; there's still things that are
17 unfinished that we should be looking at and see how
18 well we're doing. We are strong supporters of the
19 expansion of it to include other voices, particularly
20 historic vessel operators, we'll hear from them, the
21 recreational boating folks; there are other people
22 out there that need to be on this board that can
23 provide great, great input and I'm repeating myself a
24 little bit; the idea of having working subcommittees
25

1
2 to do... before... when the Board is not meeting, to do
3 the work of the Board. You know I think, to speak
4 bluntly, we did meet a couple... you know, we did meet
5 during the Bloomberg administration; it was... I think
6 it was mostly hearing and very compelling test..
7 presentations about the work that the City was doing;
8 allowing for this board to truly give advice and have
9 the opportunity to dig into details and not
10 micromanage, but in subcommittee fashion give, you
11 know, use the Rob Buchanan's; Ed Kelly's, you know,
12 **[inaudible]** of the world, **[inaudible]**, you know you
13 have a few of them in the room right now, to really
14 help the agencies and the civil servants and the
15 legislative leaders to come up with the best ideas,
16 to understand. And then finally, I think there is a
17 larger role for this -- you know, I echo one of Ed's
18 points; we don't have a group that is looking.. that
19 speaks holistically and we don't have a group that
20 speaks regionally. You know we're so happy and proud
21 of the citywide ferry service, you know we want to
22 get water quality up-to-date; these are all regional
23 issues, our neighbors in New Jersey need to be spoken
24 to and listened to in a way that... and the Waterfront
25 Management Advisory Board could be that vehicle

1 through which we have a regional voice. There is the
2 Harbor Estuary Program, which focuses on EPA type
3 water quality issues, which is a good thing, but
4 there's the working water... there's lots of other
5 aspects to the harbor that the City of New York
6 should be thinking of in a regional way and again,
7 the Waterfront Management Advisory Board.
8

9 So in sum, I say we have a vacuum of
10 governance and waterfront management... in a perfect
11 world **[inaudible]** could be a department of waterfront
12 or some larger entity that knits everything together,
13 but in lieu of that, the Waterfront Management
14 Advisory Board is probably as good as we're gonna get
15 right now; it needs to be restarted and it needs to
16 have leadership from higher in the administration and
17 also I think a cross-balance, a check perhaps from
18 the City Council to make sure that it functions, and
19 it is actually a shame that it's been allowed.. I
20 serve on it also **[inaudible]** that it basically
21 atrophied and went away without a whimper. Without
22 you know we wouldn't... I've been talking to some of my
23 colleagues who are here about getting it restarted
24 for years, but it hasn't happened yet and I'm glad
25 this legislation is proposed and I'm glad you guys

1
2 are having this hearing and I look forward to working
3 with you any way to solve this solvable problem.

4 CHAIRPERSON ROSE: I just wanna ask you;
5 both of you have been on that board and did you find
6 the vetting process onerous or something that would
7 keep you from wanting to participate?

8 EDWARD J. KELLY: Councilwoman, it is
9 onerous; I have filled out less paperwork to get top
10 secret clearance in the Federal Government and it's
11 just... it's fingerprinting, background checks, it's
12 financial disclosures in depth, personal disclosures.
13 I have been involved in the public eye and on many
14 advisory boards; I have nothing to hide; if there was
15 someone who had financial information or otherwise
16 might not want to make that publicly open, it could
17 be an obstacle, but for me it was just onerous; not
18 really something that would dissuade me from serving.

19 CHAIRPERSON ROSE: Thank you... [crosstalk]

20 ROLAND LEWIS: I agree with Ed; it was...
21 it didn't dissuade me either, 'cause it's an
22 important thing to do and for my organization, so...
23 but I do think simplifying that, making it much
24 simpler to qualify -- again, we're a volun... in this
25 instance we're volunteers and advisory... there are

1
2 people who work in organizations that are volunteer
3 based and you're asking them to do much more than
4 what is really called for by the **[inaudible]**...

5 [crosstalk]

6 CHAIRPERSON ROSE: So do you believe that
7 their recruitment efforts would be easier if...

8 [crosstalk]

9 ROLAND LEWIS: Yes, absolutely.

10 CHAIRPERSON ROSE: if the process was
11 **[inaudible]**? Thank you. I'm sorry...

12 ROB BUCHANAN: Good morning and thank you
13 for the opportunity to... [interpose]

14 CHAIRPERSON ROSE: I'm sorry, Rob.

15 ROB BUCHANAN: testify. My name is Rob
16 Buchanan; I'm part of a steering committee of the New
17 York City Water Trail Association and I've been here
18 before; it's nice to see you again.

19 Just briefly, to review, I wanna review
20 who we are, get into the specific wording of a couple
21 sentences in the introduction in hopes of getting you
22 to change those and then offer you some reasons why I
23 think that my constituency should be a part of this
24 reconstituted advisory board.

1
2 So the Water Trail Association is an
3 umbrella group of human-powered community boathouses
4 of independent paddlers and there are a lot of
5 boathouses; there are a lot of paddlers now and we
6 also take out members of the public and introduce
7 them to the water and those numbers are very big, in
8 the tens of thousands every year, so we think that
9 we're an important constituency that has a lot to do
10 with recreation, but also public health, education
11 and stewardship. We are officially there to support
12 something that the City created itself, which is the
13 Water Trail; that was an initiative of the Parks
14 Department and that's been around since 2008, so the
15 City itself is onboard and officially does support
16 recreational use of the harbor.

17 Okay, to the wording of the introduction,
18 as we're reading it now, we're definitely in support
19 of expanding the membership from 12-15, that seems
20 like a good thing; there are a lot of stakeholders,
21 so the more room the better, to a certain point and
22 15 seems like a good change. We're a little
23 disappointed by the retention of the old language
24 about the membership, and I'll just read it to you.
25 "Appointed members shall include representatives of

1 labor, the maritime industries, the transportation
2 industries, the real estate industry, the hospitality
3 industries, as well as environmental advocates and
4 community advocates." We don't see recreational
5 boating on that list, so that's obviously concerning
6 to us, but beyond that it puts environmental and
7 community advocates at the end of the list, which
8 seems like a deliberate downplaying of their
9 importance; they're important stakeholders here. So
10 we'd like to see -- what I'm here today to argue for
11 is for more representation by water users; that
12 includes me and my group specifically, I hope, but
13 also other people who fall into that category of
14 water users and water advocates, and here are the
15 reasons why.

17 Number one, We think our group, our
18 constituency was instrumental in reawakening public
19 interest in the waterfront; that people were there
20 and in the water and using the water has... I mean we
21 were leading by example and we think that that really
22 helped the public and everybody else to follow along,
23 and I think the evidence is clear that, you know
24 images of what we do have been used to promote these
25 great public parks and all of these other projects

1 that get undertaken, but we were in the vanguard on
2 that. So we've been here -- basically what I'm
3 saying is that without us, the City and the public
4 would not look at the waterfront and the waterways
5 the same way; it would not be as open to returning to
6 them. So that's one reason.

8 A second reason is really a more
9 practical reason, which is that I think we have an
10 understanding of water, how the water works and the
11 realities of what goes on on the water that is really
12 important to include and we've worked in a lot of
13 these processes, these public planning processes; I
14 think we've been pretty good partners. The first big
15 one that we worked on was the Vision 20/20 process
16 and I thought that we were just sort of finding
17 ourselves as a community then; it was a good process;
18 it went on for a long time, but that was a really
19 good thing and I think we proved ourselves. And let
20 me just read a list of other things that we have been
21 involved, and this is a very partial list, but there
22 was something called WAVES, Waterfront Vision and
23 Enhancement Strategy and we helped create a document
24 called "Best Practices for Human-Powered Boating
25 Access"; there's the "Long-Term Control Plan" of the

1
2 Department of Environmental Protection and how we
3 were gonna address our CSO problems, we've really
4 been active in that and we're gonna continue to be
5 active in that; there's the citywide ferry system
6 launch, we participated in the planning for that, and
7 then there are all of the sustainability and
8 resiliency initiatives that followed the Superstorm.
9 So we've participated in those; I think we've offered
10 really good advice; hasn't always been taken, but the
11 perspective of a water user is really important. One
12 specific example; we were not involved in the siting
13 decision for some of the earlier ferry terminals and
14 they were poorly designed from the standpoint of
15 other uses of the harbor and in fact, kinda
16 dangerous, and I think we made our point clearly that
17 we need to be involved in planning for those siting
18 decisions in the future and we have been in this
19 round, so that's been very encouraging.

20 Okay, last reason that our constituents
21 ought to be involved in this management advisory
22 board is that the law as written now says that... it
23 specifically mentions recreational or other use or
24 development of wharfs, waterfront property,
25 waterfront infrastructure in the city and in another

1 section says that the Board shall create committees
2 and subcommittees that they deem appropriate,
3 provided that there shall be a committee on
4 recreational uses of the waterfront. So it
5 specifically says that there is going to be a
6 committee on recreational use; if you're gonna have
7 that committee, I think you need to have
8 representation from our constituency.
9

10 So those are three things that I would
11 point to as rationale for including us; I just don't
12 think it would make sense to go forward with the
13 reconstitution of this board without changing the
14 wording to specifically make it clear that
15 recreational boating and other water uses, including
16 environmental advocates, harbor educators and
17 community advocates; I think those need to be
18 specifically -- and I also think that they ought to
19 be moved to the front of the list and not put at the
20 back end of the sentence there. So that's my
21 recommendation and my hope and that's all I've got to
22 say. Thank you.

23 CHAIRPERSON ROSE: Thank you so much. I
24 don't know if we can move it to the front of the
25 list, but I do know that we are very cognizant of the

1
2 arguments that you presented and in the new iteration
3 of it we have included recreational boaters, and the
4 whole community, the water uses that you have
5 identified, we have included that in the law, because
6 we're looking at a broader spectrum and
7 representation on the WMAB, so I appreciate your very
8 rational, you know arguments about why you should be
9 and we felt the same way and we've been discussing
10 this in the background and in our next iteration we
11 had already... [crosstalk]

12 ROB BUCHANAN: Oh okay.

13 CHAIRPERSON ROSE: included it, so thank
14 you, because...

15 ROB BUCHANAN: Okay; good to hear.

16 CHAIRPERSON ROSE: we do understand the
17 value that that community has.

18 And so I wanna thank you all for giving
19 me the ammunition that I need to fortify our
20 arguments in terms of the restructuring of the WMAB
21 and its importance; I'm sure the administration heard
22 that -- you know, I really feel that it's critical
23 that it's up and running and whatever obstacles that
24 seem to be presenting themselves to making that a
25 reality, you know we're willing to kinda work

1
2 through, because it really is a shame that in New
3 York City we have an advisory committee, so important
4 to really, like I said, our lifeblood and it hasn't
5 functioned in years is really a gross injustice, so I
6 appreciate you sort of giving me more ammunition to
7 fight with, [background comments] and Roland, I
8 wholly, wholly agree with that there should be some
9 mayoral agency that has the mandate to make the
10 waterfront and waterfront issues a priority, and I
11 hope to sort of foster that movement. I don't know
12 how far I'll get with it, but you know we're
13 simpatico. [background comment] So I wanna thank
14 you all for your testimony; anything else you want to
15 add...? [crosstalk]

16 EDWARD J. KELLY: Madame Chair, if I
17 could just add one quick thing. It was raised
18 before, as far as the standup of the Board with a
19 one-, a two- and a three-year..

20 CHAIRPERSON ROSE: Yes.

21 EDWARD J. KELLY: class and it's very
22 common in startup organizations that anyone who was
23 initially elected to a truncated term is entitled on
24 a one-time basis to stand immediately subsequent for
25 a full three-year term..

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CHAIRPERSON ROSE: Okay.

EDWARD J. KELLY: There's neither an obligation that that person is accepted or that he chooses to do so; however, that's an easy way to preserve experience on the board and two, you know, if someone is only offered a one-year term and then go away, it might be a disincentive to get involved at all, so that's a good way to attract people that are committed and are willing to bring their expertise and make a long-term commitment to the City.

CHAIRPERSON ROSE: Yeah, I believe that that was Council Member Kallos' and my... [crosstalk]

EDWARD J. KELLY: It's one of the concerns.

CHAIRPERSON ROSE: you know point that you know, to lose the expertise and the institutional memory after a year is really a waste of resource.

EDWARD J. KELLY: Yeah, by allowing to stand for a subsequent term and keep that expertise in-house, but also provides for an every three-year flushing...

CHAIRPERSON ROSE: Right.

1
2 EDWARD J. KELLY: and bringing in new
3 perspective and new people. So that's an easy fix.

4 CHAIRPERSON ROSE: Thank you so much and
5 it's duly noted, yes, counsel? [background comment]
6 Thank you.

7 EDWARD J. KELLY: Thank you.

8 [background comments]

9 CHAIRPERSON ROSE: Have a good day. Our
10 next panel is Ana Orozco from UPROSE, Sean Dixon from
11 Riverkeeper and Mary Habstritt from Historic Ships
12 Coalition. When you're seated and ready, you can
13 introduce yourselves and your organization and begin
14 your testimony.

15 ANA OROZCO: Good morning. I'm Ana
16 Orozco, Climate Justice Policy and Programs
17 Coordinator at UPROSE. We are an environmental and
18 social justice organization based in Sunset Park,
19 Brooklyn.

20 For decades we have mobilized the Sunset
21 Park community around issues of sustainable and just
22 development, participatory planning practices and
23 governmental accountability. Sunset Park is a
24 waterfront community, home to the largest significant
25 maritime and industrial area in New York City; we are

1 also the largest walk-to-work community in the city.
2 Because our waterfront is such a vital part of our
3 community, it is of utmost importance that we protect
4 it and ensure its existence as an industrial
5 waterfront that pays livable salaries to the diverse
6 community that surrounds it; therefore, we're happy
7 for the opportunity to way in on the issue of
8 expanding the role of the Waterfront Management
9 Advisory Board.
10

11 Over the years we have seen many of the
12 City's waterfronts develop into green spaces for
13 family outings and community events, which are
14 definitely positive developments; however, when our
15 industrial waterfronts are becoming scarce, it's
16 important to preserve what's left for the future of
17 industry as we transition from traditional dirty and
18 polluting manufacturing to the new wave of industry,
19 such as the production of clean and renewable energy.

20 While we are generally supportive of the
21 proposed new language in the charter regarding the
22 role of WMAB, we also have some concerns and
23 questions about some particular new additions to the
24 section in question. Namely, we are concerned about
25 the specific inclusion of representatives from the

1
2 real estate and hospitality industries as appointed
3 members to WMAB. As previously stated, not all
4 waterfronts serve the same purpose; when it comes to
5 plans for industrial waterfronts, such as ours in
6 Sunset Park, we wanna make sure that any
7 recommendations made about our waterfront come from
8 members that actually represent the current
9 industrial uses our waterfront is zoned for. It's
10 unclear right now whether all appointed members of
11 the board will have an equal say in every matter
12 pertaining to every New York City waterfront, but it
13 makes sense to us that recommendations that come from
14 members of the board that represent the current uses
15 of the waterfront in question hold more weight than
16 recommendations coming from representatives from
17 sectors that do not exist in the waterfront in
18 question. In the case of Sunset Park, our
19 waterfront, for example, it would only make sense
20 that recommendations coming from representatives of
21 labor and maritime industries hold more weight than
22 recommendations coming from the real estate or
23 hospitality industries, since these are not
24 industries that exist in our waterfront.

1
2 With the fast-paced commercialization of
3 our significant maritime and industrial areas, the
4 City is putting our community at risk of losing good-
5 paying union jobs and the opportunity to build a
6 climate-adaptable future. In short, it is putting
7 our lives at stake to accommodate the needs of a few
8 shortsighted developers who care more about profit
9 than people. The composition of this advisory board
10 will reflect the City's priorities and values, but we
11 are confident that this committee will agree and we
12 look forward to continued dialogue that will address
13 these concerns and also clarify the role of the
14 Waterfront Management Advisory Board with regards to
15 each specific waterfront in New York City. Thank
16 you.

17 SEAN DIXON: Good morning or almost
18 afternoon. My name is Sean Dixon and I am the New
19 York City Staff Attorney for Riverkeeper.

20 As a bit of a background, Riverkeeper is
21 celebrating its 50th anniversary year this year; the
22 Empire State Building had our colors a couple weeks
23 ago, so -- [background comment] yeah, thank you very
24 much -- and for 50 years we've been working on the
25 water quality, the questions of environment for the

1
2 coastal zone, from New York City all the way up to
3 the upper tributaries of the Hudson River and working
4 on everything in-between.

5 In New York City our program is
6 particularly robust; I sit on the Technical Advisory
7 Board of the Billion Oyster Project, he steering
8 committee for the Newtown Creek CAG for the Superfund
9 site, a member of the Gowanus Canal CAG and the Swim
10 Coalition, and so there's a lot of diverse aspects of
11 the waterfront that come back to the question of
12 development, water quality and environmental
13 measures. So I'm very happy today to be here to
14 speak to this environmental question as it pertains
15 to the advisory board and where it will go in the
16 future.

17 As you probably are very well aware, the
18 coastal zone itself isn't just that one facility on
19 the water's edge; it isn't just the bulkhead, and in
20 every single waterway in the entire world, things
21 that upriver, upland affect it just as much as what
22 the tide brings in twice a day here in New York City,
23 and so it's very much a dynamic living system that
24 requires a holistic approach to management and
25 solutions. As we saw with Superstorm Sandy,

1
2 resiliency is a major question facing New York City,
3 but as we're seeing with all the micro watersheds
4 through the entire city, we have a whole wide variety
5 of diverse questions and issues that need to be
6 tackled from city, state and federal, as well as
7 local scales.

8 For example, on the environmental
9 questions that I think should form a basis for where
10 we go moving forward with this board, things like
11 barge, derelict barges. When we patrol New York City
12 two to three times a month on a patrol boat, we run
13 into derelict barges that no agency is responsible
14 for getting out; if the owners of that are found,
15 they're bankrupt; nothing can be done, it takes
16 months if not longer. We have a pair of barges that
17 are sitting in Flushing Bay right now, which I've
18 learned recently at a Waterfront Alliance meeting,
19 Flushing Bay and Flushing Creek have some of the
20 highest levels of cargo going in throughout the
21 entire city; it's also a resurgence neighborhood for
22 waterfront users; the Empire Dragon Boat Teams; lots
23 of other dragon boaters in the Flushing community,
24 have formed the Guardians of Flushing Bay, Friends of
25 Flushing Creek has come back, the zoning of the

1
2 Flushing Creek waterfront in Downtown Flushing;
3 they're all hugely connected with the water and yet
4 we have two barges that for 15 months haven't been
5 taken out yet, haven't gone anywhere and are
6 constantly repolluting our water's edge. Our 5th
7 Annual Sweeps are coming up this Saturday from New
8 York City all the way to Albany and we're gonna be
9 out there; I'm gonna be out on Flushing Bay; over the
10 last year-and-a-half we've gone out there and cleaned
11 up blocks of Styrofoam from these barges that are
12 bigger than this table, and so we have barges all
13 over the city, derelict boats on Newtown Creek's
14 waterfront edge that are scuttled and that's just one
15 of the many holes in our management system, like you
16 rightly pointed out; we need a better system moving
17 forward.

18 We also have a lot of inequalities in the
19 environmental protection of our waterfront; you know
20 we have the west side of Manhattan and boat launches
21 and educational programs, but we also have places
22 like Gowanus Canal where it is a 12-acre park that's
23 just aching to have people get out there and use it,
24 but unfortunately it's a superfund site. Under the
25 City's proposed sewage plan, the Department of

1
2 Environmental Protection has stated that it feels
3 that the Gowanus Canal meets Clean Water Act
4 requirements; that Clean Water Act requirements to be
5 fishable and swimmable by 1985; that's come and gone
6 and we're still working on it, but the fact that one
7 agency can -- and they will say that they are
8 applying the law correctly -- will say that it's met
9 fishable/swimmable and the EPA says please, don't go
10 anywhere near that water; it's very, very bad for
11 you, is a disconnect that's leading to... that's
12 hampering our system from moving forward and
13 protecting our waterfront, and this is all to say
14 that connecting everything together is gonna take a
15 wide variety of stakeholders, so I echo everything
16 from the two panels before us and I think that City
17 Planning and Resiliency are doing lots of great work
18 at EDC and getting people out and accessing the water
19 and it just I think needs to have that better, you
20 know, initiative towards strategic growth that brings
21 into questions of oysters and water quality; fishable
22 waters, not just because the fish can live there, but
23 because you might be able to eat them. On a personal
24 note, I work a lot on sustainable seafood and trying
25 to bring local fish back from what we used to see as

1
2 the oyster capital of the world and really robust
3 fisheries in the Port of New York City, and as a
4 matter of fact, Riverkeeper was founded as the Hudson
5 River Fisherman's Association 50 years ago, and
6 reconnecting people with their waterways is very much
7 part of the access question, which the Harbor and
8 Estuary Program, Kate Boicourt's team there, has just
9 put out a huge public access report for the harbor,
10 all the way to fishable questions, the health, the
11 PCB cleanups that are happening around the region.
12 And so all this is to say that I think that as you're
13 moving forward with the idea behind this board, that
14 bringing the environmental message in is very vital
15 for a lot of different respects; we love working
16 waterfronts, we love recreational users and everybody
17 comes together around these issues in various ad hoc
18 capacities around the city and I would love to see
19 them brought together in one kind of common voice and
20 sort of everybody working together to solve the
21 Gowanus problem and everybody working together to
22 figure out a plan for Bowery Bay and everybody
23 working together to figure out, you know each of the
24 different waterways; we should be doing that
25 together.

1
2 And so two of the more concrete
3 recommendations that I would suggest for this would
4 be to ensure the presence of an environmental voice
5 on this, because it is so much a part of everything
6 that goes on; you know we at Riverkeeper are working
7 with the DEP, with Buildings, with the DCP on open
8 industrial uses and everything that rolls down to
9 that waterfront edge, to try to make it as
10 sustainable as possible and resilient as possible,
11 but also, everybody, like the recreational boaters
12 that are out there doing citizen science and trying
13 to capture the scale of the problem in the water,
14 where we want children to go in and learn how to
15 **[inaudible]** and learn what's living in Bronx River
16 and that kind of thing.

17 So I'd recommend first that it's strong..
18 I strongly recommend the environmental presence on
19 here and second, I would -- and then I'll close with
20 this, because I'm also under-caffeinated and looking
21 forward to getting more caffeine, even though I'm
22 very, you know lively up here, I've only had two
23 coffees today, [background comments] yeah, it's crazy
24 -- and the second recommendation... [crosstalk]

25

1
2 CHAIRPERSON ROSE: Please don't testify
3 when you're caffeinated.

4 SEAN DIXON: [laughter] I'll actually
5 write something down in that case. And so I think
6 the second issue is something that I think is a
7 little bit of a curveball and might be difficult to
8 do, so I'd love to work with DCP and others on... and
9 you as well, on figuring this out; is that local
10 voice, so we know people like the Jamaica Bay Eco
11 Watchers, the Friends of Flushing Creek and Guardians
12 of Flushing Bay, Bronx River Alliance, the North
13 Brooklyn Boat Club; these are people that are all
14 part and parcel with Rob's Water Trail Association
15 that are members of the Waterfront Alliance, that are
16 active members of Riverkeeper's organization; they're
17 the ones that actively know these micro issues --
18 Sunset Park; all the groups that are there all too
19 often don't have their voices heard and so I would
20 love to see there be some discussion of maybe
21 rotating hyper local voices that can bring to light
22 those questions of really, you know, discreet scale
23 and throw that into the mix. Thank you.

24 CHAIRPERSON ROSE: Okay. Thank you so
25 much. And Miss Nabstritt, Habstritt. Sorry. Oh uh,

1
2 before you start, I'd like to acknowledge that
3 Council Member Johnson was here [laughter]. Thank
4 you; I'm sorry.

5 MARY HABSTRITT: Well thank you, Chair
6 Rose and council members. My name is Mary Habstritt
7 and I'm the Director of the Museum Ship Lilac, but
8 I'm here representing the Historic Ships Coalition,
9 which celebrates and supports historic and
10 distinguished vessels in New York City's harbor. The
11 Coalition brings together owners and operators of
12 historic vessels, maritime museums and organizations
13 that advocate for preservation of New York's historic
14 ships and an alliance to address common concerns.

15 We seek better and more numerous berths
16 and enhanced resources to engage the public in our
17 maritime heritage. We're a group of professionals
18 representing over 20 vessels and sites in the New
19 York Metropolitan area and those are all small
20 businesses and small nonprofits. We enable visitors
21 to make exciting and educational connections with our
22 waterways.

23 And our comments are specifically about
24 the introduction, but we're very glad to hear the
25 discussion so far about looking at the larger

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2 structure; we definitely support having a more
3 cohesive way of addressing our waterfronts throughout
4 the city and all the various stakeholders involved.

5 As you consider expanding the membership
6 of the Waterfront Management Advisory Board, we ask
7 that you look to the water and those people with
8 expertise on and over it. The majority of board
9 members should represent maritime users wharfs and
10 waterfront infrastructure to fulfill the mandate to
11 advise on those matters. Housing and restaurants can
12 be built anywhere, but the waterfront is a critical
13 zone for vessels, which cannot operate without
14 accessible, affordable, appropriately equipped, and
15 well maintained piers. We can't exist anywhere else
16 except on the waterfront.

17 Our waterfront infrastructure needs to be
18 flexibly designed to meet the needs of a variety of
19 vessel types and sizes. New York citizens need
20 diverse and plentiful connections to the water for
21 transportation, for recreation, for education and for
22 evacuation in emergencies. We ask that instead of
23 adding the commissioner of Housing Preservation and
24 Development to the WMAB that you include the
25 commissioner of Transportation among the ex officio

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2 members. The commissioner of Transportation oversees
3 City ferries and bridges and it is better equipped to
4 advise the City Council on the development of wharfs
5 and waterfront property and infrastructure in the
6 city. And you might remember Ed Kelly mentioning
7 that the New Jersey DOT has an Office of Maritime
8 Services and that was actually our inspiration for
9 that suggestion.

10 We also suggest that you add the
11 categories of vessel operators and maritime museums
12 to the list of included appointees. The large number
13 of industries to be represented could result in a
14 board that lacks membership from those most familiar
15 with our city's waterfront. Including appointees
16 from the maritime industries, as currently is worded,
17 does not guarantee the diversity of constituents
18 actually working on the water. Ideally, the
19 categories of appointees from industries that are not
20 water-dependent would be fewer in number or removed.
21 Thank you.

22 CHAIRPERSON ROSE: Thank you. I wanna
23 thank this panel for your recommendations. In terms
24 of constituent groups that we should or should not
25 consider in this legislation, as we said, you know

1
2 we're really trying to get a broad representation and
3 since our waterfront is so vast and there's so many
4 different uses on our waterfronts, that we're trying
5 to capture sort of the right balance; we won't be
6 able to capture all of -- you know everyone that
7 should be -- but with the, sort of the term limits,
8 maybe we can cycle on more groups that might not have
9 been at the table previously; I know -- I thought
10 your point about hospitality industries and hotels
11 was something that we hadn't considered from that
12 perspective; however, there are communities where
13 hotels are on our waterfront; fortunately or
14 unfortunately, my waterfront is going to have two
15 hotels, so it's gonna be very difficult for the board
16 membership to reflect all of the different parts of
17 our waterfront, but I appreciate your remark, because
18 we hadn't looked at it from your perspective, and we
19 might have to look at sort of some type of weighted
20 voting process so that no one has undo influence of
21 the issues and what's addressed.

22 So I thank you for your very relevant
23 comments; they will be very helpful with the
24 restructuring of this bill, and of course, the
25 environment, you know we had quite a protracted

1
2 discussion about whether DEC should be on the board,
3 since it has a whole lot to say about what happens on
4 the waterfront. So thank you for giving us some more
5 food for thought; of course our educational entities
6 on our waterfront are really important and so I want
7 you to know that your testimony is not in vain and
8 that we will take it into consideration when we talk
9 about what that broad spectrum of constituent groups
10 should look like in addition to governmental groups,
11 because we are adding some governmental groups that
12 previously weren't represented. I'm sorry, Ana; did
13 you wanna say something?

14 ANA OROZCO: Thank you. I wanted to
15 address the point that was brought up by a couple of
16 people of the importance of environmental
17 representation on the board, [background comment]
18 which absolutely, of course, as an environmental
19 justice organization we definitely support, but I
20 also want to emphasize that environmental
21 representation on the Board wouldn't necessarily
22 cover environmental justice representation, so
23 UPROSE, for example, we are at the intersection of
24 community advocacy and environmental advocacy, so it
25 would be important to include both, representatives

1
2 from the environmental world and the environmental
3 justice world.

4 CHAIRPERSON ROSE: Thank you so much.
5 And again, that goes to the diversity of New York
6 City, the waterfront and we will take that into
7 consideration. I wanna thank you all for your
8 testimony; have a good day. I wanna say thank you
9 all for your patience and your interest, so have a
10 good day; this meeting is now adjourned.

11 [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 May 20, 2016