



March 1, 2024

New York City Council Committee on Parks and Recreation

Legislation: Improving Water Safety at the City's Beaches & Pools, Intro. 130 & Intro. 275

Testimony by: Sue Donoghue, NYC Parks Commissioner

Good afternoon, Chair Krishnan, members of the Parks Committee, and other members of the City Council. I am Sue Donoghue, Commissioner for New York City Parks. I'm pleased to be joined today by our First Deputy Commissioner Iris Rodriguez-Rosa and other members of our senior staff.

NYC Parks has long been committed to improving New Yorkers' quality of life through aquatic recreation, promoting health, fitness, and safety awareness at all our pools and beaches. Whether cooling off in the summer or getting fit in the winter, there is nothing like a refreshing swim in one of our indoor or outdoor pools, and as you all well know, our City beaches are the primary getaway summer destination for millions of New Yorkers when the temperatures start to rise. I'd like to begin today by offering a brief overview of the beaches and pools under our jurisdiction.

In addition to the 148 miles of waterfront parkland, our agency maintains over 14 miles of public beaches, which we manage as nine separate beach areas located at various points along New York City's shoreline, all of which are open to the public for swimming and other recreational activities, completely for free. Our beaches are open for swimming from Memorial Day weekend through the week after Labor Day.

NYC Parks also has a total of 65 public pool facilities under our jurisdiction, 45 of which – nearly 70% - are located in neighborhoods that have been declared Environmental Justice areas or Potential Environmental Justice areas, as defined by the EJNYC Report, which identified low-income and/or minority communities based on U.S. Census data. 53 of our 65 facilities host outdoor pools, ranging in size from the massive Olympic pools at Van Cortlandt Park in the Bronx and McCarren Park in Brooklyn, which is 330 feet long and well over 4 feet deep, to our medium-sized Intermediate pools, down to the wonderful Mini Pools located in our playgrounds, where kids can splash and enjoy the cool water on a hot day. Many of our larger outdoor pool facilities offer smaller wading pools, primarily used by younger children and their families, alongside the larger, deeper pools.

One of these iconic larger pools, Astoria Pool in Queens, originally opened on July 4 of 1936, one of President Franklin D. Roosevelt's "New Deal" public works projects that helped the country recover from the Great Depression. The nearly 100-year-old pool is the City's oldest and largest, over a full acre in size. We're thrilled to announce that this historic facility will be reopening to the public this summer, having undergone a full-scale renovation, a \$19-million-dollar investment in this beloved community amenity. We've reconstructed the pool shell, installed new filtration, recirculation and treatment systems and upgraded other elements to improve pool operations and provide a more enjoyable experience for pool visitors. We're looking forward to reopening the pool at the start of our outdoor season in late June, so Queens residents and New Yorkers from all over the City can once again enjoy this revitalized public space.



The remaining 12 of our 65 facilities host indoor pools, usually located within larger NYC Parks Recreation Centers, NYC Parks indoor pools are crucial in delivering swimming opportunities to New Yorkers year-round. Our indoor pools are nearly all Intermediate-sized, roughly 60 to 70 feet long, except for the larger Olympic pool at the Aquatic Center at Flushing Meadows Corona Park. With an NYC Recreation Center Membership, which is completely free for anyone 24 or younger, and available to adults and seniors for a very, very low cost, New Yorkers can enjoy our indoor pools and our robust offerings of aquatic programming for no additional cost whatsoever. We are pleased to be working in partnership with NYC DDC to advance two new recreation center projects that will include indoor pools – the \$141-million-dollar Shirley Chisholm Recreation Center at Nostrand Playground in Brooklyn and a new \$131-million-dollar recreation center facility at Roy Wilkins Park in southeast Queens. These will be the first new NYC Parks pools in over 15 years, delivering access to state-of-the-art recreational and aquatic facilities to the communities that need them most.

Beyond the important benefits for health and fitness that aquatic programming can provide, tragic drowning accidents over the years have proved all too often that water safety and swim instruction can save lives. Accidental drowning is the second-leading cause of unintentional injury-related death among children under the age of 14, with a disproportionate impact on black and brown youth, which is why we are very proud to offer a wide variety of free aquatic programming and swim instruction classes, so that New Yorkers of any age can learn vital water safety skills, develop healthy fitness habits, and have fun in the water throughout their lives. This takes place primarily through our Learn To Swim program, as well as through Swim For Life, our targeted initiative conducted in partnership with the NYC Department of Education.

Swim For Life focuses on second-grade students, providing them with top-certified swim instruction at our indoor pools during the school day, as a regular part of their weekly class schedule, reaching nearly 2,400 second-grade students so far this Fiscal Year. We also offer swim classes tailored for adults and senior citizens, and over 9,000 New Yorkers of all ages have taken advantage of our swim instruction and other aquatics classes so far this Fiscal Year, joining hundreds of thousands of others that have benefitted from our swim instruction programs over the past decade. Lastly, we routinely incorporate “dry-land” water safety instruction into our youth public programming, encouraging kids to “Be Water Safe” in different environments in and around water, including waterparks, oceans, lakes, and rivers.

Keeping our beaches and pools clean, enjoyable and safe is our top priority, and to make it a reality, it takes an amazing team effort from our incredibly hard-working staff, including our Maintenance and Operations workers, Aquatics programming staff, Parks Enforcement Patrol, and of course, our dedicated corps of lifeguards. As we have discussed with the Council, many employers are still facing hiring challenges in a post-COVID world, and it’s been well documented that qualified lifeguards are in short supply across the country. While many U.S. cities had to make the difficult choice in the last few years to close some or all of their public beaches and pools or start charging attendance fees, we are proud that New York City has been able to keep all of our public pools and beaches open for free public use, a testament to the City’s commitment to equitable access.

Despite significant operational challenges, 2023 was a very successful summer season for NYC Parks, with millions of visitors to our beaches and pools, and we look forward to having New Yorkers come out and enjoy the sun and fun all summer long. We launched our lifeguard recruitment efforts for the 2024 beach and pool season late last year and are well underway in



our training and certification process to make the upcoming season as successful as possible. We were pleased to recently announce that the City has reached an agreement on a new hourly wage of \$22.00 an hour for seasonal lifeguards, and a \$1,000 bonus for all returning lifeguards that work through peak season. We've continued to explore every avenue to recruit and retain more qualified lifeguards for the 2024 season, including increasing opportunities for potential lifeguards to test and qualify. However, the reality is that the entire nation is still facing a very challenging environment for lifeguard hiring. Despite these challenges, keeping our beachgoers safe will continue to be our top priority, and our incredible lifeguards will continue to be a core component of our beach and pool operations.

I'll now turn to the legislation being formally heard today, Intro. 275 and Intro. 130. Intro. 275, as currently drafted, would require NYC Parks to extend the hours of operations of our beaches, outdoor pools and indoor pools, and would extend the beach and outdoor pool operating season. We are reviewing this recently proposed legislation and look forward to discussing it further with the Council. We share the Council's desire to offer as much access to our public spaces as possible, but need to be clear that the legislation as drafted would present very substantial budgetary and operational challenges, especially in light of the existing hiring market and fiscal environment. We are very proud of our extensive lifeguard recruitment efforts and process improvements, but the stark reality is that we still face a very challenging environment for hiring, which means that the expansion of the beach and pool season and operating hours proposed by the legislation is unlikely to be feasible any time in the foreseeable near future. We have kept beaches and pools open for a week past Labor Day for the past several years and have consistently found that visitation decreases sharply in the final weeks of the season. It's also important to note that our staffing ranks begin to decrease in the season nears its end, since most of our seasonal lifeguards are students that need to return to school or summer employees such as teachers, who need to return to their primary occupation in the fall. Intro. 130 would require DSNY to establish facilities near the 10 largest City parks, to process leaf and wood waste from those parks. We are reviewing this recently proposed legislation and look forward to discussing it further with the Council. We share the Council's support of sustainable practices, and NYC Parks & DSNY work together in a variety of ways to ensure that yard and leaf waste collected from City parks are kept out of landfills. We would be happy to work with DSNY to provide the Council with more information about those ongoing efforts.

We'd like to thank the Council for their continued interest and advocacy regarding these subjects, as we know how important water safety is for all New Yorkers. If there are any questions on the legislation or other related topics, we would be happy to answer those at this time.



**STATEMENT OF THE NATURAL RESOURCES DEFENSE COUNCIL
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON PARKS AND RECREATION
REGARDING COMMUNITY COMPOSTING IN CITY PARKS**

March 1, 2024

Good afternoon, Chair Krishnan and members of the Committee. And bravo to you Mr. Chairman for your great efforts to make swimming access and swimming safety training available to all New Yorkers.

My name is Eric A. Goldstein and I'm NYC Environment Director at the Natural Resources Defense Council ("NRDC"). As you know, NRDC is a not-for-profit legal and scientific organization active on a wide range of environmental health, natural resource protection and quality-of-life issues across the nation, around the world and here in New York City, where we have had our main offices since our founding in 1970. NRDC has been active on variety of parks issues over the decades, including the establishment of Gateway National Recreation Area and the protection of New York City's community gardens. And we have long supported proposals to provide one percent of the city's operating budget for the Parks Department.

Collecting discarded organic materials -- yard waste (and food scraps) -- and turning them into finished compost should be viewed as an essential city service, just like trash collection and snow removal. Right now, however, the overwhelming bulk of such organics that are collected by the city or by private waste carters end up in landfills or incinerators. But when organics are buried in landfills, they decompose and generate methane -- a very potent global warming gas that contributes to the climate crisis. And when organics are sent to incinerators, their high moisture content interferes with the burning process, producing additional air pollutants. Making matters worse, these landfills and incinerators are often located in already overburdened Black and brown communities. In short, there are many good reasons to support vibrant composting operations for yard waste and food scraps.

Community composting -- where non-profit organizations process organics into finished compost and return this valuable material to beneficial reuses in their neighborhoods -- is necessary to the success of the Adams administration's entire organics collection program.

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Curbside organics collection became a requirement thanks to City Council passage of Local Law 85 of 2023, following the announced plans of Mayor Eric Adams and Sanitation Commissioner Jessica Tisch to implement such a program. But while curbside organics collections are expected to be a major step forward, this strategy is unlikely to be successful without a vibrant community composting program. Community composting non-profit organics have a vital role to play in educating and training New Yorkers on how to participate in compost collections and why it's important to do so. They demonstrate what compost processing is, process organics from local drop-off sites and produce finished compost that is used to, among other things, enhance the soil of our street trees, house plants and community gardens.

But for reasons that don't make sense, community composting is now on life-support. The Adams administration has again proposed to cut the tiny budget that is necessary for the eight non-profit organizations to continue composting, as well as education and training activities. The opportunities for these non-profits to educate and train school children, building managers, and businesses, and to reach into neighborhoods and teach residents the "hows and whys" of organics separation are being lost. Emblematic of this short-term planning, the Parks Department is about to deprive Big Reuse and the Lower East Side Ecology Center -- two of the most successful non-profit groups that have become national models of community composting - - of their small and effective processing sites on Parks property.

Indeed, for far too long, the Parks Department has sidestepped its responsibilities to advance composting in New York City. Since 1989 and the passage of the city's landmark mandatory recycling statute, the Parks Department has been obligated to ensure that its leaf and yard waste is composted. Section 16-308(c) of the Administrative Code specifies that "[a]ny city agency ... that generates a substantial amount of yard waste shall ... provide for the source separation collection and composting of such yard waste...." (Emphasis added.). But today, a significant portion of the yard waste generated by the Parks Department is not being composted.

The Parks Department should be embracing the composting approach, rather than running in the opposite direction. The Department should welcome back the community composting operations of Big Reuse and Lower East Side Ecology Center, which bring people into parks, provide recreational opportunities for New Yorkers, and are fully consistent with the park purposes. And it should be making arrangements to ensure that leaf and yard waste generated on Parks properties are turned into useful finished compost, rather than being sent to landfills or incinerators.

Councilmember Gale Brewer is a long-time environmental champion and, to her credit, has decided to take on this issue. She has introduced legislation -- Intro 130 -- that is designed to jumpstart composting in our largest city parks. NRDC supports the intent of this bill to boost the



role of the Parks Department in composting. And we offer several friendly amendments that we believe should be made to the legislation before passage.

Specifically, we urge that the bill be amended to the following:

- 1) Direct the Parks Department to continue providing suitable space, preferably in their existing locations, to any non-profit organization currently conducting community compost processing on parks properties, provided that such composting operations continue to be conducted on a scale that does not require a permit from the State Department of Environmental Conservation;
- 2) Select the ten parks being required to accelerate composting at or near their existing locations based upon the amount of organic waste that individual parks are currently generating (rather than on size of such parks themselves);
- 3) Encourage the Department to work with non-profit organizations to facilitate the engagement of such non-profits in the operation of the compost processing at the ten parks to be selected pursuant to this legislation;
- 4) Specify that the composting operations at the ten selected parks be required to accept reasonable amounts of food scraps, consistent with industry best practices, provided that any such food scraps meet accepted standards for low contamination and high quality; and
- 5) Ensure that passage of this legislation follows or is accompanied by adoption of a FY'25 budget that restores at least seven million dollars in operating funds for the New York Compost Project, as well as appropriate additional funding for the Parks Department so that it can administer and operate the cost-effective compost program envisioned in Intro 130, as amended along the lines set forth above.

Thank you again for the opportunity to testify and for your leadership, Chair Krishnan, on swimming access and safety and on the wide range of additional parks issues that are so important to the quality of life for all city residents.



**New York City Council Hearing – Parks & Recreation
Friday, March 1, 2024
Oversight - Improving Water Safety at the City's Beaches and Pools
Sherrise Palomino, Director of Advocacy and Programs**

Good afternoon, my name is Sherrise Palomino and I am the Director of Advocacy and Programs at New Yorkers for Parks (NY4P). We are a founding member of the Play Fair for park Coalition, which includes over 400 organizations from across the city. Thank you to Chair Shekar Krishnan for this timely hearing. I am grateful for the opportunity to address the critical issue of water safety at our beloved beaches and pools in New York City. As we navigate the challenges posed by Mayor Adams' directive to reduce spending by 5%, which translates to a staggering \$25 million reduction in the parks department's budget, it becomes increasingly evident that our ability to ensure water safety is at risk.

New York City's beaches and pools have long served as a lifeline for our residents, especially during the scorching summer months. However, the demand for increased hours and staffing has become more pressing, particularly as we have grappled with two major crises – the COVID-19 pandemic and the climate crisis.

Extending the beach and outdoor pool season, as outlined in Intro 275, signifies a significant stride towards enhancing public access to these amenities. With the passage of the bill, we ensure that New Yorkers can enjoy these facilities for a more extended period, transcending the traditional closure following Labor Day. While these measures outlined in Intro 275 represent significant strides towards enhancing water safety and recreational opportunities, the budgetary implications must be carefully addressed to ensure effective implementation.

Additionally, Intro 130's requirement for the Department of Parks and Recreation and the Department of Sanitation to establish composting facilities near the ten largest parks demonstrates a proactive approach to environmental stewardship. By investing in composting initiatives, we not only reduce waste but also contribute to the health and sustainability of our city's green spaces.

I urge the City Council to consider the dual imperatives of water safety and environmental sustainability as we navigate Mayor Adams' budget reduction mandate that reduces the agency's ability to deliver on core services that are critical to equitable access to amenities and the safety of our waterfront and pools. By investing in our parks system and supporting initiatives like those outlined in the proposed bills, we can ensure a safer, healthier, and more vibrant city for generations to come.

However, it's essential to acknowledge the challenges posed by the budgetary constraints highlighted by the November PEG cuts. There is an urgent need to reverse the hiring freeze and increase staffing as outline in Play Fair's FY25 Budget Asks.

If crises of the last few years show us anything it's that we are overdue for transformative investment in our parks system – 1% of the city budget for parks could ensure that our beaches and pools can be resourced to support New York City and be a safe haven for all residents.

For over 100 years, [New Yorkers for Parks](http://www.ny4p.org) (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods.
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**Written Testimony for the
New York City Council Committee on Parks and Recreation
Oversight Hearing**

March 1, 2024

Dear Committee Members,

I am writing on behalf of Asphalt Green to express our support for the ongoing efforts of the Committee on Parks and Recreation to make water safety, pool accessibility, and swimming instruction a priority for the City of New York. In particular, we thank Committee Chair Shekar Krishnan, Council Member Julie Menin, Speaker Adrienne Adams, and all members of the Council who have championed these efforts in recent years.

For fifty years, our organization has been transforming lives and building community by providing sports, fitness, and play opportunities for all New Yorkers, including our unparalleled aquatics programs and swimming instruction. Over the course of Asphalt Green's history, we have taught over 100,000 kids to swim and have given away more than \$40 million in free swim classes to children who could not otherwise afford them.

We want to do even more. We firmly believe that every New Yorker deserves access to swimming instruction and, as Speaker Adams said so well in her State of the City address last year, "access to public pools and swimming programs must be considered a matter of justice." Whenever a pool is decommissioned, a community suffers and too often across our history, the pools we have emptied have been in low-income or communities of color. Asphalt Green's mission is—in part—to fill our pools. We want to fill old pools with new water and we want to fill pools with New Yorkers who don't currently have access to swim instruction. But full pools are not quite enough. We also need lifeguards to keep our communities safe when they are in the water.

The "5 Point Plan for Water Safety" released today by CM Krishnan provides an excellent framework for addressing the multiple challenges our city faces to make swimming accessible and safe for all New Yorkers. We endorse his call to expand the hours of operations and the season at the City's pools and beaches; develop a Junior Lifeguard Corps; build more pools; provide free swim instruction for all; and develop an atlas of all aquatics programs across the city.

At Asphalt Green, we know that solutions to big problems require innovative public-private partnerships. We are incredibly proud that earlier this year we announced [Wave Makers](#), a new initiative developed in partnership with CM Krishnan and CM

Menin and generously funded by the Gray Foundation, which will allow us to teach 2,000 NYC second graders to swim for free. More importantly, this pilot will help demonstrate the most the most effective pathways to large-scale free swim instruction across the five boroughs.

We also stand ready to partner with our friends across the public and non-profit sector. We know that no single entity can do this work on their own, and we are grateful for the commitment of our fellow members on the NYC Interorganizational Task Force on Lifeguarding & Aquatics, several of whom are also testifying today.

Asphalt Green remains committed to our longstanding mission to make swimming safer and more accessible for all people. We will continue to work with our friends across the public, private, and non-profit sectors to make that mission a reality.

Thank you for your time.

Sincerely,
Jordan Brackett
CEO, Asphalt Green



March 04, 2024

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Testimony of WE ACT for Environmental Justice

To the New York City Council Committee on Parks and Recreation

Regarding Int 0130-2024 – Composting plant waste in parks.

Dear Committee Chair Shekar Krishnan and Committee on Parks and Recreation:

WE ACT for Environmental Justice is a community-based organization in Harlem, New York City. We recognize and advocate for community-driven solutions that can remedy the institutionalized harms associated with unjust urban planning policies that have plagued communities of color for generations. WE ACT is also a member of the Save Our Compost NYC Coalition – a coalition of New York City organizations working to support and expand community composting to uplift environmental and climate justice.

WE ACT is in support of composting Department of Parks and Recreation (Parks) and New York City Housing Authority's (NYCHA) yard waste. This has been required of the Department of Sanitation (DSNY) by the city administrative code ([section 16-308.b](#) and [section 16-308.c](#)) since 1989.

In 1997 a memorandum of understanding was signed between Parks and DSNY ([see appendix 2](#)) that DSNY would collect leaves and yard waste from Parks, and Parks would provide lands for composting and needs compost for parkland enhancement. This successful cooperation which led to the most extensive and successful community compost program in the US is now at risk of permanent elimination, with Parks not renewing leases for community compost organizations that were part of the NYC Compost Project, and DSNY cutting all funding for the Project.

In order to make Int 0130-2024 – Composting plant waste in parks successful, the collaboration between Parks and DSNY needs to be reinstated, Parks need to allow successful community composting projects which the community supports to continue on their lands, and NYC Compost Project needs to be refunded. WE ACT supports this bill with the following modifications:

1. It is not feasible that DSNY establish new facilities abutting or near parks – that land is in many cases not available and would be



prohibitively expensive. Instead this composting needs to happen primarily on Parks land, likely within maintenance areas or previously unutilized parks land (such as that used by Big Reuse under the Queensborough bridge). We would recommend “near or ~~abutting~~” language changed to “near or within”

2. Some of the 10 largest parks in each borough are boardwalks and beaches, natural areas, or parkway medians and not the most suitable for composting. We would suggest that there is a better way to determine the parks, for example those that produce the largest amount of yard waste, or largest turfed area, and therefore greatest need for compost. We also think that the requirement should be phased in, with a lesser number of parks by 2025 – possibly 1 or 2 in each borough.
3. The rule should require protection and continuing use of land by the successful community compost sites - Big Reuse sites in Gowanus and Queensbridge, Lower East Side site in Lower East Side and to be built in Canarsie, EarthMatter on Governors Island, Red Hook Farms, Queens Botanical Gardens, Snug Harbor Farm and Earth Matter’s Compost Learning Center..
4. Language should be added for DSNY to be required to cooperate with community based organizations to operate the community composting sites, and to require food scraps to be part of the composting – this not only helps divert food scraps and engage community members, but it also allows for composting to be done faster, in a much smaller area of the Park, and to provide recreational and volunteer opportunities for New Yorkers.
5. We suggest that there could be a requirement or suggestion for the composting operations to engage and educate volunteers in composting and applying the resulting compost to street trees and parks, and to collaborate with green jobs training programs.

We appreciate Councilmember Gale Brewer for her leadership in drafting Int 0130-2024, and look forward to working further on it.

Sincerely,

Lonnie J. Portis

New York City Policy & Advocacy Manager

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Reducing Sewage and Stormwater Pollution to Improve Water Safety at New York City's Existing and Future Beaches and River Pools

Testimony of Riverkeeper New York City Council Committee on Parks and Recreation

March 1, 2024

Thank you, Chairperson Krishnan and Members of the New York City Council Committee on Parks and Recreation, for your leadership to improve water safety and access to swimming at New York City's public beaches, and for the opportunity to testify today.

I am submitting this written testimony on behalf of Riverkeeper, a member-supported watchdog organization dedicated to protecting and restoring the Hudson River from source to sea, expanding public access to swimming in the Hudson and waters throughout New York City, and safeguarding drinking water supplies, through advocacy rooted in community partnerships, science and law.

Our testimony calls for Council support for six critical initiatives:

- New York State regulations that would implement water quality standards for waterways around the city to ensure enforceable, meaningful progress toward the city's goal of eliminating combined sewage overflows by 2060.
- Oversight of NYC DEP to ensure it plans for meeting its 2060 zero sewer overflow goal.
- Expedient planning and implementation of Renewable Rikers, which includes transformative opportunity to reduce and eliminate combined sewage overflows.
- Council support for the restructuring of water rates so that the costs of reducing the impacts and improving the management of stormwater, including as a cause of combined sewage overflows, are borne equitably.

- Improvements to the implementation and maintenance of green infrastructure to reduce the impacts of stormwater-related pollution and flooding.
- Reform of the city's code, to facilitate greater access to swimming opportunities along the city's 520 miles of coastline.

We appreciate your Committee's attention to increasing water safety and expanding access at New York City's Beaches and Pools. As climate change brings hotter summers, swimming areas across the city are an increasingly valuable resource for residents seeking a respite from the heat. According to the New York State Climate Impact Report, the number of extremely hot days in New York City is projected to increase from an average of four days per year over 95°F to between 14 and 32 days per year by mid-century. All neighborhoods across the city are at risk for heat illness and death during extreme heat events, with Black New Yorkers suffering disproportionate health impacts from heat due to social and economic disparities. While we appreciate the focus of this Committee on building new pools and expanding swim hours at existing beaches, we would like to highlight the unique opportunity that New York City has as a city surrounded by water to greatly expand access to safe swimming for its 8.5 million residents. Increasing open swimming in natural waters, such as at beaches and River pools in the Hudson, Harlem, and East Rivers, should be a priority for the Council and the Parks Department.

At Riverkeeper, we believe that all waters around New York City should be made safe for swimming, a vision that has been embraced by Cities worldwide. This year, the Summer Olympics will be held in Paris, where the French government has put resources into improving water quality in the Seine to allow for open water swimming competition. In Munich, residents flock to the Isar River during the summer months for swimming. Here in New York, Governor Kathy Hochul has put steam behind the idea of open water swimming with her NY SWIMS proposal, dedicating funding "for the deployment of innovative, floating pools that can allow New Yorkers to safely swim in natural bodies of water." The Governor has supported +Pool's proposed river pool in New York City waters, and other designs in place around the world, including the River Pool at Beacon, provide a range of alternative models.

Currently, water quality is often safe for swimming around the city when it hasn't rained. Rain events cause Combined Sewage Overflow, or CSOs, to discharge by design from more than 400 points, putting raw, untreated sewage and polluted stormwater into the water and making swimming unsafe for a period of time depending on the intensity of rain and the characteristics of each waterway. Combined sewers, by design, carry sewage in dry weather to wastewater treatment plants for treatment prior to discharge, but after precipitation or snowmelt, the same pipes also carry stormwater, resulting in overflows. New York City has set a goal to eliminate CSO discharges completely by 2060. However, the City, which currently discharges over 21 billion gallons of raw sewage and polluted stormwater into its waterways annually, is not on track to meet that goal.

There are several concrete and measurable actions that can be taken in order to improve water quality to open up safe and well managed access for residents to swim in the natural waters of New York City. We respectfully urge the Council to work with the Parks Department, Mayor's Office, and the Department of Environmental Protection to implement these strategies.

I. Advocate for the implementation of water quality standards variances that will drive sewer infrastructure upgrades through DEC's proposed rulemaking

As a result of a lawsuit brought by Riverkeeper and partners, New York Department of Environmental Conservation (DEC) is reviewing water quality standards for waterways in and around New York City. Water quality standards include several core components, including criteria that define limits on pollution, and the "best uses" of each waterway, to ensure that the water quality supports that use. In September 2023, DEC announced new criteria (limits on pollution) that apply to primary contact recreation (where swimming is a best use) and secondary contact recreation (where canoeing is a best use) for waters. The next DEC rulemaking is anticipated this year, and could reclassify some waterways, redefining the "best use" of each waterway in ways that could set the clear goal of making waterways safe for swimming, or enshrine less protective water quality standards and inhibit both further water quality improvements and future uses of some city waterways. In the alternative DEC could establish short-term water quality variances to set the stage for incremental, enforceable and meaningful progress toward meeting New York City's goal of eliminating sewer overflows by 2060. The New York City Council should strongly support establishing the goal of meeting safe-swimming criteria for all New York City waterways, and, where swimming is currently impossible, the use of water quality standards variances as a tool to ensure there is a legally enforceable path toward improving water quality. The Council should also make clear that it expects a robust public process that engages Council members, community boards and their constituents throughout the city, especially in communities most affected by this state rulemaking.

Riverkeeper anticipates that many water bodies that are currently classified as "Class I" and "Class SD" waterways will be reclassified in this upcoming rulemaking. In Class I and Class SD waterways, New York State considers fishing and secondary contact recreation as the best usage. The state does not consider swimming to be a use that needs to be supported by swimmable water quality in these "secondary contact" waterways. Through the reclassification rulemaking anticipated this year, Riverkeeper is advocating for as many Class I and SD waterways as possible to be reclassified as Class SA, SB or SC waterways, where primary recreation such as swimming is a best use. Waterways that are currently Class I or Class SD include virtually every waterway familiar to New Yorkers, including the Bronx, Harlem, Hudson Rivers; the Arthur Kill and Kill Van Kull, and their tributaries; most of the East River and its tributaries, including Flushing Creek and Flushing Bay; Newtown Creek and Gowanus Canal;

and Bergen, Hawktree, Shellbank Thurston Basins and other basins and tributaries to Jamaica Bay, among others.

These are the waters that are burdened by the greatest volume and frequency of CSOs. In many cases, they are the waterways adjacent to the city's environmental justice communities. Updating water quality standards for these waterways without meaningful upgrades to city infrastructure to improve water quality through CSO reductions will not achieve consistently swimmable water quality for many New York City residents.

That is why we are asking for Council support in advocating for New York State to update water quality standards to set the goal of safe swimming in each waterbody, and to establish variances from those standards to ensure meaningful, enforceable, incremental, and significant improvements toward New York City's 2060 goal of eliminating sewer overflows.

II. Enforce PlaNYC's requirement to develop a strategy to end the discharge of untreated sewage into the New York Harbor by 2060.

Riverkeeper applauds the Adams Administration for setting a goal in PlaNYC to end routine CSO discharges by 2060. Though PlaNYC doesn't shift the City's short-term strategy on the reduction of combined sewer overflows (CSOs), it does require a study on ending routine CSO discharges by 2060. PlaNYC includes an action item to "register [a] contract by [the] end of 2024 to develop additional CSO mitigation strategies (factoring in flood mitigation, water quality, and synergies with other projects) that DEP may initiate before 2060" with the goal "to end the discharge of untreated sewage into the New York Harbor by 2060." While Riverkeeper applauds the Administration for setting this goal, it is crucial that the Administration identify specific projects now that it intends to further evaluate and pursue. The City must provide information as to how such strategies will be developed and provide examples of strategies and projects that will be considered to minimize combined sewer overflows and significantly improve water quality. The Council should provide oversight to ensure this milestone is met.

III. Lead Riker's to its Renewable Future

The planned redevelopment of Renewable Rikers Island will be the single most transformative project of the 21st century for New York City's air and water and especially its incarcerated population. We applaud the Council for passing the Renewable Rikers Act in 2021, requiring that the jail be closed in 2027 and directing the city to complete studies on the island's capacity to house renewable energy infrastructure and a state-of-the-art wastewater treatment plant. As we approach that deadline, we call on the Council to continue its leadership on this issue, and to work alongside the Administration to take immediate concrete actions to make Renewable Rikers a reality.

For decades communities in the Southern Bronx “Asthma Alley” have been inundated by poor air quality caused by peaker power plants, truck traffic and other air pollution emitters. Compounding the inequitable pollution burden, roughly 55% of the city’s annual 21 billion gallon CSO discharge is released into the Upper East River and its tributaries in the Bronx and Queens. It was formerly incarcerated individuals and their families who suffered harm from inhumane treatment on Rikers Island that first identified the opportunity to drastically reduce this local pollution by replacing the jail with sustainable energy production and wastewater treatment. Transforming the island to a clean air and clean water hub necessitates closing the jail currently occupying the site and ending its history of violence, mistreatment, and deprivation of human rights for incarcerated individuals.

When Rikers Island Jail closes, the island’s 413 acres could house enough solar power and battery storage to shut down five asthma-causing natural gas-fired peaker power plants in Hunts Point, Bronx, and Astoria, Queens. Alongside the energy infrastructure, a consolidated wastewater treatment plant on Rikers would form the city’s cornerstone for sewage pollution reduction. The plant would restore local waters for fishing and swimming, and save the city hundreds of millions of dollars in wastewater treatment expenses.

We need Council leadership to ensure that the energy and wastewater treatment studies that were required in the Renewable Rikers Act are completed and released to the public. The energy study was due on June 30, 2022, but the public still awaits its completion. Meanwhile, New York City had agreed to a deadline of December 31, 2023 for the wastewater treatment plant study, but it sought an extension until March 24, 2023. Each study is critical for guiding billions of dollars’ worth of capital infrastructure planning and construction investments. Every day wasted means New Yorkers are collectively paying millions more for incarceration, more for energy, and more for wastewater treatment. Worse, we are suffering from unsafe jail conditions and air and water pollution. Council oversight is needed in order to push the administration to speed these reports, which are largely already complete, through city agency reviews that have mired them in bureaucracy.

A new, modern wastewater treatment plant at Rikers Island would be the single largest driver of water quality improvements in the Upper East River and its tributaries in the Bronx and Queens, and a crucial step in ensuring that New York City waters are safe for swimming. It’s time to turn the page on Rikers from a “place that is an affront to humanity, and decency” as Judge Lippman described it, to a place that sustains life and health for generations to come. We’re depending on Council leadership to make this vision a reality.

IV. Support the Stormwater Management Incentives Discount Program Act

Alongside state lawmakers, the Council should support the Stormwater Management Incentives Discount Program Act, a state bill that would affirm local authority to restructure

sewerage fees based on stormwater management costs to incentivize flooding reductions and adoption of green infrastructure. The legislation confirms the existing powers of Water Boards to utilize water fee restructuring as a potential tool to fund, incentivize and implement projects to reduce stormwater runoff and potentially provide rate payers with a more equitable rate structure.

The City currently charges for water, sewage, and stormwater based on a customer's potable water usage. This outdated approach does not treat customers fairly and equitably. Instead, it places too much of the responsibility on property owners who contribute little stormwater runoff into public sewers while giving the real culprits a free ride. An apartment owner may theoretically pay more for their use of water than a big-box retailer with a large roof and parking lot that creates a significant amount of polluted stormwater. The current rate structure also fails to incentivize sustainable water management practices, such as green infrastructure that captures runoff before it can overwhelm local sewers.

The Stormwater Management Incentives Discount Program Act has the potential to greatly improve water quality in New York City waterways if passed by state lawmakers. As climate change intensifies with rising sea levels and an increase in heavy rain events, this legislation would provide an additional tool for communities to raise revenue to address local flooding and improve water quality. Further, a separate stormwater fee could reduce costs for most homeowners and owners of multifamily buildings, including for one-, two-, and three-family homeowners. Such a rate structure would generate revenue from nearly 100,000 properties that currently pay little or nothing for their large amounts of stormwater runoff. The Council should support this state legislation, and direct the Adams Administration to restructure water rates to separate stormwater management and treatment fees from drinking water fees.

V. Integrate design and maintenance of green infrastructure assets across agencies, and throughout the city

Green infrastructure involves nature-based and other engineered landscape elements that can absorb stormwater. Increasing green infrastructure assets and maintenance is a key component of improving water quality and reducing flooding across the city, one that includes co-benefits such as reducing heat island effects and increasing public open space. Green infrastructure is only one component of efforts to reduce CSOs, but it is an important element. However, the City has fallen behind on efforts to improve and sustain the NYC Green Infrastructure Program, and action by the Council is urgently needed. The Council should ensure that the Green Infrastructure Program is adequately funded to include long term maintenance of assets, that Green infrastructure priorities are incorporated across agencies in order to best serve our waters and all New Yorkers, and that low-income communities and communities of color who face disproportionate exposure to environmental hazards are prioritized in the development of Green infrastructure assets.

Establish action items to ensure the maintenance of green infrastructure assets

The maintenance of green infrastructure assets in perpetuity must become a priority, especially as the City has a legal mandate to construct thousands of new green infrastructure assets. Poor maintenance will undermine the success of such installations. Unless the vegetation is healthy, the day-to-day co-benefits for local neighborhoods cannot be felt. Therefore, we urge the Council to promote green infrastructure maintenance and create a green infrastructure maintenance budget to ensure the long-term care and operation of the City's green infrastructure projects.

Implement a job placement pipeline

The management of green infrastructure assets could create thousands of low-barrier-to-entry, high-paying jobs in the City. The Council should develop and fund legislation to initiate and implement a job training and placement pipeline for long-term, sustainable green infrastructure inspection, operations and maintenance jobs. Green infrastructure maintenance jobs are sustainable jobs that the City will need in perpetuity. Green infrastructure assets perform significantly better with appropriate maintenance. Other city goals for 30% canopy cover and fulfillment of the Long-Term Control Plan (LTCP) consent order cannot be met without improved maintenance. Such a program must include:

- Increased funding for DEP and other agencies to hire year-round green infrastructure maintenance staff, with pathways for local job seekers to secure jobs and progress in careers within agencies beyond maintenance jobs; and
- Consideration for ongoing contracting and funding for local community-based organizations to do green infrastructure maintenance, following the RAIN Coalition model.

Given the success that the RAIN Coalition has had in implementing the green infrastructure maintenance pilot program, the City should consider the lessons learned from, and the success of, the public-private partnership by which the City funds non-profits to adopt and maintain the City's green infrastructure assets. These lessons include the need for year-long maintenance (not seasonal); vegetation palettes that are carefully planned, robust and full throughout the year; local skilled job training for green infrastructure maintenance in tandem with local education, and volunteer engagement. Though volunteers should be part of engagement and maintenance, they cannot fill the maintenance gap. It is also clear that any inspection and maintenance program will require a new and significant steady funding stream. The Council should consider legislation to make new funding available for the maintenance of DEP's existing green infrastructure program, green infrastructure that DEP completes in collaboration with other city agencies and the green infrastructure set forth in the City's

resiliency plans. Current funding largely relies on water rate payers. As one of the largest green infrastructure programs in the country, with robust opportunities to grow the green economy, and a tool that the city can use to combat street flooding, heat vulnerability, and improve water quality, there is a robust benefit to the city far beyond water rate payers that must be funded proportionally.

Require Collaboration Among Agencies

The DEP does not have the capacity, resources, or—most importantly—the sole authority to implement green infrastructure across all development for the City. Other relevant agencies should be both supported and made accountable for incorporating the development of new green infrastructure assets into their capital projects and provided the budgets to do so, including funds for operation and maintenance. These crucial agency partners include, but are not limited to, NYC Department of Transportation, the Department of Design and Construction (DDC), NYC Parks, and NYCHA.

Involving other agencies in the Green Infrastructure Program will require DEP to support the priorities and requirements of its fellow agencies as they pertain to green spaces and construction, and vice versa. For example, without a change to the status quo, a DEP green infrastructure asset may be planted with small trees rather than quality shade trees to support NYC Park’s tree canopy goals. Conversely, NYC Parks may be unwilling to install and maintain a water conveyance-adapted green infrastructure design on its property. In response to these conflicting priorities, the Council should consider legislation that would include in New York City’s sustainability planning actions focused on developing multi-pronged criteria that reflect both agency’s goals and enlist the support of other relevant agencies.

Expand Citywide

Currently, NYC DEP prioritizes green infrastructure where it assists with reducing CSOs—a goal Riverkeeper firmly supports. However, this leaves 40% of the city that relies on separate storm and sewer systems (known as “MS4”) without Green Infrastructure assets and undermines the potential for localized flooding control and other co-benefits including cooling and open space development. As green infrastructure increasingly becomes a tool to address stormwater runoff and flooding, the Council should ensure that MS4 areas are not left out of the benefits of this program by advocating with DEP for the expansion of this program.

Riverkeeper calls on the Council to pass legislation to support and expand New York City’s Green Infrastructure Program, creating a green infrastructure maintenance budget to fund the long term maintenance of green infrastructure assets, developing a job training and placement program for green infrastructure jobs, requiring collaboration across agencies in the strategic

development of new green infrastructure assets, and expanding the Green Infrastructure Program into MS4 areas.

VI. Expand access to open water swimming now where conditions allow

While the above recommendations have enumerated the ways in which the Council can support water quality improvements citywide in order to make swimming in natural waters across the city consistently safe for residents, we would like to highlight that current water quality is often safe for swimming around the city when it hasn't rained. To that end, the Council should take steps to expand access to open water swimming, such as at river pools and beaches now. The Council should consider river pools and beaches in the same context it considers traditional pools, and support the development of new access to these waterways. With good management designed to take advantage of current and future water quality conditions that allow for safe recreation, waterways across the city could become sites for safe swimming and recreation.

To implement this action, the Council should consider the recommendations in a forthcoming report from NY-NJ Harbor and Estuary Program, titled, "Bringing Swimming Back to the Hudson: Current Guidelines and Next-Step Solutions for Opening River and Non-Traditional Bathing Beaches in New York". The report outlines specific barriers in both state (New York State Subpart 6-2) and city code (New York City Article 167) that inhibit the development of new bathing opportunities in most city waterways. The Council should implement the recommendations relative to city code to ensure that the city can facilitate future access to the city's waterways.

* * *

Achieving a long term vision of providing New Yorkers with the safe access to swimming that they will need as the climate heats up will require New York State to establish the right goals through updating water quality standards, DEP to build the infrastructure necessary to reduce and eliminate sewer overflows, the NYC Water Board to equitably restructure water rates, the City to reform its code to facilitate more public swimming access, and the Council to develop the legislation and commit the budgets necessary to implement those projects. With historic levels of state and federal funding for water infrastructure now available, it's important to act expeditiously. The vision is closer to realizing than it may seem, built as it is on a half century of advocacy and progress toward restoring water quality in the city's waters.

Thank you for your consideration of Riverkeeper's testimony. We look forward to continuing to work with the Council Members, Parks Department, DEP and our partner organizations to restore our waterways and increase access and swimming for New Yorkers in their natural waters.

Contact:

Michael Dulong, Legal Program Director, (914) 478-4501, mdulong@riiverkeeper.org

TESTIMONY: UJA-FEDERATION OF NEW YORK

Oversight-Improving Water Safety at City's Beaches and Pools

**New York City Council Committee on Parks and Recreation
Honorable Shekar Krishnan, Chair**

**Submitted by:
Faith Behum, UJA-Federation of New York**

March 1, 2024

Thank you, Chairperson Krishnan and members of the Committee on Parks and Recreation for holding this hearing and for the opportunity to submit testimony. My name is Faith Behum, and I am a Senior Advocacy and Policy Advisor at UJA-Federation of New York.

Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to UJA's mission is to care for those in need—identifying and meeting the needs of New Yorkers of all backgrounds and Jews everywhere. UJA supports an expansive network of nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services and allocates over \$170 million each year to combat poverty and food insecurity, nurture mental health and well-being, respond to crises here and across the globe, and strengthen Jewish life.

Many of the nonprofits in UJA's network have pools in their facilities. Those with indoor pools offer private and group swim lessons as well as opportunities for children, youth and adults to engage in other aquatic activities throughout the year. Those who have outdoor pools are usually located at camps and use these spaces to host swim lessons and aquatic activities for their camp participants. In a few instances, when they do not have access to their own indoor or outdoor pool, some nonprofits use New York City pools for swimming lessons and water activities for their campers.

To maintain the services that nonprofits provide at pools, they require skilled and reliable lifeguards to ensure the safety of their participants. In the case of the nonprofits who partner with New York City pools, they also require access to NYC pools as well as an adequate number of lifeguards. Since the COVID-19 pandemic, many of the nonprofits in UJA's network struggle to hire and maintain the number of lifeguards needed to staff their pools. This becomes increasingly difficult when the New York City Department of Parks and Recreation (NYCDPR) increases wages for lifeguards at their facilities. Many lifeguards leave nonprofits to work at New York City funded positions. Nonprofits are unable to compete with the higher wages offered at the New York City Department of Parks and Recreation pools and beaches and are left scrambling to find lifeguards to staff their swimming programs.

For the last few summers, one nonprofit in UJA's network who partners with the New York City Department of Parks and Recreation to use a city funded pool for their summer camp, struggled to gain access to the facility. NYCDPR cited lack of lifeguards and denied the nonprofit usage of their pool. The nonprofit had their own lifeguards they were prepared to use at the city's facility but were told they could not use them due to issues with the lifeguard union. They were unable to use the city's pool and were forced to rent pool space elsewhere,

which proved to be costly and inconvenient, campers had to be transported twenty minutes each way to get to the pool. They also were only able to rent the pool three mornings a week, meaning most campers only accessed water two times a week. The limited availability of swimming at the camp caused by lack of lifeguards originally and later inability to access the city's pool caused many campers to drop out of the program. This has resulted in the program losing hundreds of campers over the last three years.

Lack of access to pools and limited availability of lifeguards create a barrier to teaching people how to swim. The nonprofits in UJA's network are committed to providing swim lessons and water safety instruction to the communities they serve. In many instances, if these nonprofits did not offer this resource their communities would lose access to this life saving skill. UJA joined the New York City Interorganizational Task Force on Lifeguarding and Aquatics in 2022 to partner with city agencies and local nonprofits to better understand why there is a lifeguard shortage and what can be done to address it. It soon became clear that to create a lifeguard pipeline, the Taskforce needed to broaden their focus by locating ways to increase access to swim and water safety training, as well as supporting nonprofits and municipal partners in building capacity. In many instances, access to swim lessons and water safety instruction is only available to those who can afford the classes and/or are fortunate enough to have access to a pool in their community.

To truly improve water safety at city pools and beaches, swim and water safety instruction must be made available to every resident in the city. New York City does not have enough pools to accomplish this. Nonprofits must be partnered with and funded adequately, particularly in poorer, under-resourced areas to increase the number of people accessing these life-saving lessons. The city already partners with nonprofits to provide a vast array of services to New York City residents. Nonprofits with pools have the infrastructure in place and connections to their local communities to support the city's efforts in improving water safety for its residents.

Lastly, when nonprofits rely on New York City pools to offer swim lessons, water safety instruction or other aquatic activities to their community members, NYCDPR must work with nonprofits to continue to allow them to use this resource. In the case of summer camps, nonprofits must be notified in February at the latest if NYCDPR will not be granting access to their pools, so they have enough time to look for other options for their campers. UJA also urges the city to work with the lifeguard union to understand and correct any obstacles that may be in place for nonprofits to use their own, non-city funded lifeguard staff at New York City pools.

Conclusion

Improving water safety at New York City beaches and pools is an issue that will require both city agencies and nonprofits to work together to accomplish. UJA-Federation of New York respectfully urges your consideration and support of the recommendations listed in this testimony. Thank you for your time and if you have any questions, please contact me at behumf@ujafedny.org.

+ POOL

25 Park Place, 5th Floor
New York, NY 10007

March 1, 2023

Council Member Krishnan:

Council Member Shekar
Krishnan
Chair, Committee on
Parks and Recreation
City Hall
New York, NY 10007

Since 2016, our nonprofit organization has been providing free swim education to low-income New Yorkers, collaborating with NYCHA to place families in our programs that now serve both youth and adults. 80-90% of our program participants have households that make under \$26,000 a year, and 80-90% of our students are persons of color. All participants report low income.

Our organization actively raises awareness of the drowning epidemic and the inequities that exist in swim education across the country and within our New York community. We are also a member of the Water Safety Coalition, a group of New York City-based nonprofit learn-to-swim and surf organizations that are dedicated to improving access to water safety instruction and programming throughout New York City.

We know that Black children drown at almost triple the national rate according to the Centers for Disease Control and Prevention and that the USA Swimming Foundation has reported that 79% of children in households with incomes less than \$50,000 have little-to-no swimming ability. And yet, less talked about are the statistics that show that while private pools have proliferated in this city, about 15,000 by the last estimate in New York Magazine, only 53 public pools exist to serve all New Yorkers. History has proven that investment in public swimming pools provides incredible economic, social and public health benefits, including a reduction in drowning fatalities, and even an 18% reduction in crime according to former NYPD Police Commissioner Patrick V. Murphy following the opening of 19 municipal pools by Mayor Lindsey in the early 1970s. And yet, we have not had a major investment in municipal swimming pools since that time, or a new beach in our city since 2011. Today, municipal pools are scarce and yet, they have the potential to provide even more benefits to us in contemporary times. Municipal pools provide relief from increased instances of extreme heat. They serve thousands in a day as opposed to private pools that may only serve a single family and their friends, making them more sustainable. Our floating pool concept, + POOL, utilizes the river water in which it floats, and reconnects New Yorkers to their natural environment.

Lack of access to swimming facilities and learn-to-swim programming exacerbates the disparity in our city between who gets to be water-safe, and who is another



25 Park Place, 5th Floor
New York, NY 10007

March 1, 2024

statistic waiting to happen in the stories that we read each year when drownings occur in our city surrounded by water.

We are proud of the recent work + POOL has done with the Governor's office to bring inequities in swim education front and center through the state's New York SWIMS initiative, which proposes infrastructure investments for the build-out of more pools to address this shortage. We applaud the City Council Members leading new water safety legislation and support the five-point plan to continue to address the issue.

Nonprofits like ours often spend upwards of 75% of our programming budgets on pool rental costs. At + POOL, our summer rental costs for pool space have reached upwards of \$600 per hour for a pool rental. This is why we are in full support of the proposed plans to have the Parks Department and Department of Education collaborate with nonprofits to provide swim instruction to those who need it most. If we were to leverage public pools for our programs and eliminate or greatly reduce the cost of pool rentals, we would be able to serve three times as many students. There is a direct relationship between our pool costs and how many children can receive life-saving water safety instruction. We challenge the city council to consider all options for removing barriers for nonprofit swim schools to use city-owned or operated pool space, including NYC parks pools, CUNY schools, and DOE facilities.

This is just one issue directly affecting our ability to support greater access to swimming for all New Yorkers. We need bold ideas to address the challenges being discussed here today. Can we leverage the tech industry to establish a database of unused pools available to groups providing swim education? Can we leverage the Governor's fund for new pools to create an NYC-based facility that is dedicated to lifeguard training throughout the year, staffed by our coalition of private sector swim education providers? Could we use FDNY to teach CPR to potential lifeguard recruits? Could FDNY or NYC EMTs become lifeguards themselves since they already have first responder credentials? Could NYC Public Schools give course credit for becoming a lifeguard? Could CUNY do the same? Could DOE and CUNY pools be better utilized to address water safety and the lifeguard shortage? Is there really a lifeguard shortage or are the barriers put in place (i.e. no part-time work, costly certification process) that are causing people to not become lifeguards who would otherwise want to be? Can we provide safe access points across the 520 miles of water that surround us? Can we leverage our natural waters to increase our swim

+ POOL

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March 1, 2024

facilities supply through the build-out of more beaches, floating pools, and manmade embayments that leverage advanced engineering and process controls to provide safe access to the natural waters that surround us? We believe we can.

Sincerely,

A handwritten signature in black ink, appearing to read "Nora Cronin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nora Cronin
Program Director



Committee on Parks

Support for composting in Parks and an amended [Int 0130-2024](#)

To: The Honorable City Councilmember Shekar Krishnan

WiFrom: Justin Green, Executive Director, Big Reuse

Date: February 27, 2023

Dear Chair Krishnan and CM Brewer,

Thank you Chair Krishnan for supporting community composting and this hearing - as you know your district has a committed base of community composters. Thank you CM Brewer for ongoing support and this intro.

My name is Justin Green. I am the Executive Director of Big Reuse. We support Intro 0130 for composting in Parks with changes that would protect existing community composting sites operated by non-profit partners and broadens siting options.

We are asking for:

- 1) **restoration the budget of \$7 million funding for community composting and outreach at DSNY at non-profit organizations**
- 2) **Supporting [Int 0130-2024](#) with amendments listed below.**
 - Language that protects existing community composting sites on City land - including allowing sites such as Red Hook Farms, East New York Farms, Big Reuse, and LESEC sites that are not adjacent to largest parks to be part of the program.
 - *For example for Big Reuse - Based on § 18-126 **Hunter Island**.* The commissioner shall set aside designated space in Baby Queensbridge Park as designated with the following site details (to be completed) as a community composting facility. The commissioner may enter into an agreement with a nonprofit organization for the operation and maintenance by such organization of the areas hereinabove referred to for the adequate keeping, maintenance, management, and operation of said community composting facility.
 - Phase in of 10 sites per borough starting FY25.
 - Funding for operations of sites should come from the DSNY budget since it reduces DSNY cost of composting and waste disposal.

- Some of 10 largest parks in each Borough are not suitable - either natural areas, beaches and boardways, or parkway medians. Modifications in terms of choosing the parks could be based on the amount of yard waste generated.
- It would be difficult for Parks and DSNY to site composting “near or abutting” all parks - suggest language be changed to add “**near or within**” the park - as many large parks have maintenance areas that are underutilized and could have composting within them. Near could be defined clearly to insure composting still happens at community level.
- Add specific requirements to allow food scraps as needed to improve compost quality and efficiency.

Despite the testimony by Parks just publicly provided to this committee - on Wednesday Parks informed Big Reuse that Parks would not renew our license agreement for community composting site on Parks site underneath the Queensboro Bridge that we have operated since 2016 - the site that produces the most compost on Parks land in the city - though under 20,000 sqft. Parks is planning to evict our community composting site in June. Parks is not renewing our license though all local elected officials CMs, BPs, AMs, NYS and community boards have told Parks that Big Reuse should remain and continue to provide community composting. When we took over the site we removed 40 dumpsters of garbage from the Parks managed site and extensively built out a nationally recognized state of the art composting site. Parks plans to use our community composting site as a parking lot next to another Parks parking lot that is not fully utilized. Parks also stated composting is not appropriate use of Parks land. We support Int 0130 updated to require Parks compost and also not push operating community sites that are already doing that work.

A [2021 NYC Bar Association letter](#) affirms the legality of Parks composting on Parks land.

[Int 0130](#) adds to existing rule 16-308 that the City has not fully complied with for over 2 decades - [16-308](#) required DSNY collect and compost source separated yard waste from city agencies. With curbside organic waste collection - the city captures less than 10% of organic waste. The city only composts 20% of that collected organic waste - the 80% rest is digested with sewage resulting in a sludge not usable as fertilizer due to the concentrations of PFAS, microplastics, and over 700 pollutants captured by our sewers. Int 0130 is an important step in pushing the City to comply with 2 decade old law and actually compost its yard waste and meet climate goals.

Prior to DSNY elimination of funding for all community composting programs - in 2023 Big Reuse composted 2.2 million lbs of Parks leaf and yard waste and residential food scraps at our community based sites and produced over 1000 cubic yards that went to over 300 Parks, community groups and street tree care - engaging volunteers and benefitting tens of thousands of New Yorkers with improved green space. We are asking for reversal of budget cuts to community composting and outreach that led to the layoffs of 115 staff across 8 non profits and botanical gardens.

We support Int 0130-2024 to be amended to support existing community composting site and others as well as requiring Parks to take responsibility for sustainability managing its yard waste and soil health as well as restoring City funding for outreach and community composting in NYC.

Parks is the City's single largest producer of leaf and yard waste and also needs compost that could be made from Parks leaf and yard waste to improve Parks - it Just makes sense for Parks to compost and to compost in Parks.

DSNY should be working with Parks to ensure that Parks waste is composted, and doing it locally makes sense - to reduce transport (and inequitable aspects of it) and to allow easy use of compost on site by Parks (to increase stormwater resilience and cooling). They have a great example of this with Big Reuse at Queensbridge Park.

A 1997 MOU between Parks and DSNY (see [appendix 2](#)) requires *Parks provide lands for composting leaf and yard waste*. This bill supports previous rulings - in [1989](#) there was the rule, incorporated in 16-308, that required DSNY to collect and compost source separated yard waste from parks and other city agencies. Then a memorandum of understanding was signed between Parks and DSNY in 1997 (see [appendix 2](#)) that *DSNY would collect leaves and yard waste from Parks, and Parks would provide lands for composting and needs compost for parkland enhancement*.

We support Int 0130-2024 with the following amendments:

- Language that protects existing community composting sites on City land - including allowing sites such as Red Hook Farms, East New York Farms, Big Reuse, and LESEC sites that are not adjacent to largest parks to be part of the program.
- Phase in of 10 sites per borough starting FY25.
- Funding for operations of sites should come from the DSNY budget since it reduces DSNY cost of composting and waste disposal.
- Some of 10 largest parks in each Borough are not suitable - either natural areas, beaches and boardways, or parkway medians. Suggest some modifications in terms of choosing the parks.
- Also it would be very difficult for Parks and DSNY to site composting “near or abutting” all parks - suggest language be changed to add “**near or within**” the park - as many large parks have maintenance areas that are underutilized and could have composting within them. Near could be defined clearly to insure composting still happens at community level.
- Add specific requirements to allow food scraps as needed to improve compost quality and efficiency.

DSNY budget cuts forced us to lay off 10 curbside organic waste outreach staff and 7 staff for community composting. Temporary emergency private funding allowed us to keep on 3 staff temporarily - funding runs out in May.

With a budget of \$1.8 billion - DSNY can easily afford ongoing support for community organization and Botanical gardens to continue to fund long standing community based programs uplifting composting.

DSNY is currently co-digesting 80% of the collected curbside organic waste with sewage at DEP plants - not actually making compost, supporting ongoing fossil fuel infrastructure that required \$70million investment from National Grid to be passed onto rate payers, and producing a leftover digestate which concentrates microplastics and 700 pollutants that is not appropriate for use as fertilizer.

Community composting composts Parks leaf and yard waste with food scraps to improve the city's degraded soil. Prior administrations and experienced DSNY staff recognized that community composting is the most ecological, engaging, economical, equitable and common sense way to process NYC food and yard waste. DSNY should not throw the best option for our organic waste away in order to simplify composting. Community composting provides many benefits differing from curbside collection - deep community engagement, changes in New Yorkers behavior and providing education to support curbside and providing high quality compost to green the city. Community composting makes compost in our communities rather than burdening other communities. Our community gardens, street trees and parks need the compost.

Our coalition of community based composters and environmental organizations have been advocating for composting for the last decade. It is inspiring to see how our years of hard work in community composting and composting education built citywide support for these composting initiatives. It is testament to the power of community composting.



Testimony for March 3rd hearing, 2024 Hearing re. Intro 130, Preconsidered Bill, formerly Int 1100-2023

I am Clare Miflin, ED of the Center for Zero Waste Design and a member of the Save our Compost Coalition. I participated in the panel [What Happens to NYC's Organic Waste?](#), and the [Community Compost Teach-Ins](#). I have looked at how composting in Parks could take part citywide as part of our Put Waste to Work campaign, see [post](#).

I am strongly in support of composting Parks and NYCHA's yard waste, something that has been required of the Department of Sanitation by the city administrative code since 1989, and can be seen in section 16-308 sections b and c.

In 1997 a memorandum of understanding was signed between Parks and DSNY (see [appendix 2](#)) that *DSNY would collect leaves and yard waste from Parks, and Parks would provide lands for composting and needs compost for parkland enhancement*. This successful cooperation which led to the most extensive and successful community compost program in the US is now at risk of permanent elimination, with Parks not renewing leases for community compost organizations that were part of the NYC Compost Project, and DSNY cutting all funding for the Project.

To make this bill a success the collaboration between Parks and DSNY needs to be reinstated, Parks need to allow successful community composting projects to continue on their lands, and NYC Compost Project needs to be refunded.

So we support this bill with the following modifications:

1. It is not feasible that DSNY establish new facilities abutting or near parks – that land is in many cases not available and would be prohibitively expensive. Instead this composting needs to happen primarily on Parks land, likely within maintenance areas or previously unutilized parks land (such as that used by Big Reuse under the Queensborough bridge). We would recommend “near or ~~abutting~~” language changed to “near or within”
2. Some of the 10 largest parks in each borough are boardwalks and beaches, natural areas, or parkway medians and not the most suitable for composting. We would suggest that there is a better way to determine the parks, for example those that produce the largest amount of yard waste, or largest turfed area, and therefore greatest need for compost. We also think that the requirement should be phased in, with a lesser number of parks by 2025 – possibly 1 or 2 in each borough.
3. The rule should require protection and continuing use of land by the successful community compost sites - Big Reuse sites in Gowanus and Queensbridge, Lower East Side site in Lower East Side and to be built in Canarsie, Earth Matter on Governors Island, Red Hook Farms, Queens Botanical Gardens, Snug Harbor Farm.

4. Language should be added for DSNY to be required to cooperate with community based organizations to operate the community composting sites, and to require some food scraps to be part of the composting – this not only helps divert food scraps and engage community members, but it also allows for composting to be done faster, in a much smaller area of the Park, and to provide recreational and volunteer opportunities for New Yorkers.
5. We suggest adding a requirement for the composting operations to engage and educate volunteers in composting and applying the resulting compost to street trees and parks, and to collaborate with green jobs training programs.

We thank CM Brewer for her leadership in drafting this bill, and look forward to working further on it.

For more information please see my opinion article written with Samantha MacBride, for more: [Don't Kill Community Composting in NYC](#)

I am very happy to discuss or expand on any of these ideas further,
Respectfully,

A handwritten signature in black ink that reads "Clare Miflin". The signature is written in a cursive, flowing style.

Clare Miflin,
Executive Director, Center for Zero Waste Design

CIBBOWS
Coney Island Brighton Beach Open Water Swimmers
6614 Avenue U, Unit 630
Brooklyn NY 11234

Dear Honorable NYC City Council & to Whom It May Concern,

CIBBOWS is New York City's largest open water swimming community with over 300 members from all 5 boroughs with an emphasis on water access and inclusivity. We strongly urge the City Council to expand all areas of water access and safety:

- 1) Increased pool and beach opening dates (start earlier and end later in the season)
- 2) Bring back Early Bird/Night Owl lap swim programs to NYC Pools during the summer.
- 3) Work to rationalize staffing levels - pools with adult lap swim do not need the same level of staffing when open to the general public.
- 4) Increased swim instruction, especially for children with a strong feeder program into youth swim team league and adult swim team
- 5) Youth Swim teams (great way to train new lifeguards) and be the basis for a junior lifeguard corp.
- 6) Work to reduce barriers for lifeguards - the 50 yard swim time of 35 seconds is too stringent. There are plenty of strong swimmers who can meet 45 or 50 seconds without a reduction in quality. (The same holds true for run times.)
- 7) More pools - barge pools, +pools (floating pools), indoor pools - MORE pools. Most open-water swimmers learn to swim in pools, where the water is more predictable and safer for early-stage swimmers.
- 8) Create innovative programming such as free swim time for NYC master swim teams in exchange for free swim lessons, coaching etc. Adult US Master Teams (in conjunction with Safe Sport Training) could serve not only as coaches and instructors but mentors. By creating bonds between various groups you provide access and eliminate potential barriers and provide more opportunities for learn to swim instruction.

Thank you,
CIBBOWS Board of Directors

CIBBOWS is a 501(c)(3) tax-exempt nonprofit organization, founded in 2006

March 1, 2024

Committee on Parks and Recreation, 1:00PM

Testimony from Marisa DeDominicis, Co-Founder, Earth Matter NY Inc.

Good morning, Thank you for this opportunity to speak. My name is Marisa DeDominicis, I am a co-founder and ED of Earth Matter NY Inc. a Compost Learning Center and processing facility located on Governors Island.

I support Council Member Brewer's Int 0130-2024, which would provide for large parks to compost plant waste. We look forward to working on this bill and ask for the following considerations:

- 1) DSNY required to fund operations and construction of sites rather than Parks
- 2) Flexible siting for 10 compost sites in each borough that focus on Parks with greatest organic waste generated
- 3) Allowance for some food waste
- 4) Language that protects and includes existing community composting sites - Big Reuse sites in Gowanus and Queensbridge, Lower East Side site in Lower East Side and to be built in Canarsie, Red Hook Farms, Queens Botanical Gardens
- 5) Language that encourages city cooperation with community based organizations to operate composting

Additionally, we request the Council pass a budget that includes \$7m in the FY 25 budget to restore community composting.

Why? Since 1994, DSNY has invested in community composting groups that contributed to put composting in New Yorkers' vocabulary.

We are thrilled that there is mandatory municipal composting. We commend the City Council and the Mayor for passing this milestone. And thank you DSNY for all of your work.

The success and continuance of the city's investment in composting needs to include and expand the work. We need support of what have established and also the work of community composters. There is a continued need for our education and processing of compost in order for our food scrap diversion rates to increase from its current, below the DiBlasio administration's diversion levels.

The small amount of the FY 25 budget needed to support community composting work assists the city's efforts exponentially.

City Council members, thanks for advocating for increasing in NYC compost infrastructure and the related increase in green jobs, helping make our soils healthier, our grass greener, and leading to the reduction in the amount of our food scraps currently exported, to be incinerated or landfilled, which we all know despoils our collective soil, air and water.

Thank you for this opportunity, Marisa



Testimony Int 1100-2023
Composting plant waste in parks
February 29, 2024

My name is Christine Datz-Romero and I am the executive Director of the Lower East Side Ecology Center. We testify in support of Int 1100-2023 for composting of yard waste in Parks.

The Ecology Center established a composting program in East River Park, a 59 acre waterfront park on the Lower East Side, in 1997. We manage leaves collected both in East River and from smaller parks in the district. For the compost process we create long rows of leaves add nitrogen rich food scraps to speed up the decomposition process, and turn the rows regularly to ensure proper aeration and moisture. Parks benefits by receiving hundreds of yards of finished compost for horticultural purposes, which did not have to be trucked into the neighborhood, as well as avoiding transport of leaves to a transfer station for disposal.

We strongly support the establishment of compost programs at the 10 largest parks in each borough and encourage partnerships between community based compost organizations, who have skilled staff to manage yard waste composting. Parks is a historically underfunded agency struggling to meet basic maintenance needs because of lack of resources and will need additional support if partnerships with nonprofits are not possible in all proposed sites.

We also like to express our support for BIG Reuse to remain at Queensbridge Park, which has composting infrastructure to allow yard and food waste to be composted together, and has a decade long track record to collaborate with Parks, providing composting services to Parks in Western Queens and donating finished compost for parks beautification and street tree care.

Outstanding Renewal Enterprises, Inc. | PO Box 20488 | New York, NY 10009

New York City Council Committee on Parks & Recreation
Friday, March 1, 2024
Testimony of Riverside Park Conservancy

Good afternoon, my name is Merritt Birnbaum, and I am the President and CEO of Riverside Park Conservancy. I am here to express our enthusiastic support for Pre-considered Bill 0130-2024, formerly Int 1100-2023. This transformative legislation is “low-hanging fruit” for a city that is committed to reducing the amount of organic waste in our landfills and improving the health and resiliency of our parks.

Last year, Riverside Park Conservancy launched the first comprehensive on-site facility for composting yard waste in an NYC Park. We did this by converting an existing “waste transfer” parking lot from being just a stopping point for trash and debris into a highly functional compound that separates all organic material collected in the Park and turns it into nutrient-rich compost that goes right back into our landscapes.

In just the first six months of operations, our initiative has prevented a staggering 926.5 cubic yards of organic waste from reaching landfills. That’s 90 dumptrucks -- or the equivalent of 4.5 subway cars. In just 6 months.

Composting leaves and clippings in the park where they came from just makes sense. This process:

- Reduces or eliminates the need to truck organic plant material across the city.
- Produces local compost with native nutrients needed to improve soil health in our local parks.
- Engages local communities in the process of making compost through meaningful volunteer and education opportunities.

We are proud of the success of our compost pilot in just one park in one borough, which was made possible through donations from generous individuals and foundations. Now, the City needs to take action to expand this successful model to parks across the five boroughs.

We want to stress that this legislation will only be successful if the city also commits the funding necessary for the Parks Department to do the work. It is not just about mandating the establishment of composting facilities, but also about ensuring that these facilities can operate effectively and sustainably.

We know firsthand that there is a science to making useable compost and it requires time, attention and training for all staff. We urge that the passage of this bill be accompanied by an increase in the Parks budget to accommodate the necessary site managers to run effective compost operations. A well-staffed facility is essential for efficient source separation, proper site

maintenance, and the process of mixing and building compost piles. For a relatively small investment in personnel, the returns will be huge in terms of real waste reduction and improved health of our precious green spaces.

It is vital to acknowledge that the City's current organic waste collection efforts are fall shorting. The food waste from curbside bins is mostly headed to offsite digestion facilities where it is produces biogas that harms the environment. Real composting demands resources, attention, and a commitment to best practices. However, the benefits far outweigh the challenges. The decision to invest in proper staffing and resources for composting facilities is an investment in the health of our planet, our communities, and the well-being of future generations.

As stewards of green spaces and advocates for a sustainable urban environment, we urge the passage of this bill as an important step toward a cleaner, greener, and more resilient city for all New Yorkers.



Fort Independence Park Neighborhood Association

Margaret Groarke, President | Maria Farland, Vice President |
3330 Giles Place, Bronx, NY 10463 | Voice (347) 614-0005 | Fax (888)763-8399 |
FIPNA10463@gmail.com

March 1, 2024

To the NY Council Parks Committee members,

The Fort Independence Park Neighborhood Association, is a community improvement association in the Northwest Bronx, just south of Van Cortlandt Park, which has 125 members. We aim to work together to improve our community and stand up for our common interests.

We would like to submit this letter as testimony for your March 1, 2024 hearing on Water Safety at Public Pools and Beaches. This is an important topic, and we are glad you are talking about it today. This issue requires a coordinated approach, to address a few related issues:

- Free swimming lessons in public pools must be made more accessible. We understand that the application process for the lottery for swimming lessons is now underway. By our estimates, there were 1298 applicants for children's swimming lessons in the Bronx for this summer, and there will be only 232 slots – so there will be over 1000 disappointed children. This does not even consider the many many children whose parents aren't aware that the process for applying is happening now.
- Everyone should learn to swim, for safety reasons, and to have access to a fun, healthy activity in life. Seeing that more NYC residents learn to swim also builds the pool of people who will be available to work as lifeguards.
- We must maximize the use of existing swimming pools. Our beautiful local pool, in Van Cortlandt Park, has long lines every day of neighbors who want to swim. Last summer the hours were reduced for lack of lifeguards – we need to maintain a full day schedule at every pool.
- We need to make use of every available school in NYC schools, including ones that have deteriorated and are no longer in use. Is it, for example, possible to restore to use the pool at Walton High School, also in our neighborhood?
- Lifeguards must be paid a higher salary. We were shocked in 2022, when the City complained they were unable to hire enough lifeguards, to find that they were making \$16 an hour – the same salary as entry level employees at Target. Although they have received an increase since then, we think the committee should seriously consider what hourly wage is necessary to attract appropriately trained swimmers willing to take on the responsibility of keeping people safe in the water.
- The process for hiring lifeguards must be streamlined. Young people tell us that getting an appointment to take a swimming test, and going through the rest of the application process,

is unwieldy and complicated. **The hard part of becoming a lifeguard should be the swim test, not getting an appointment or collecting the paperwork.**

- We need to invest in public awareness campaigns that address issues of water safety, and the fun of swimming.

We encourage you to consider these related aspects of making sure that New Yorkers have access to places to swim, and are safe in the water.

Again, thank you for holding these hearings.

Sincerely,

Margaret Groarke

Margaret Groarke
President
FIPNA

Cc: Councilman Eric Dinowitz

Parks Committee, Community Board 8

Sherrise Palomino, New Yorkers for Parks



NORTHWEST BRONX COMMUNITY AND CLERGY COALITION

Anne Devenney House
103 East 196th Street
Bronx, New York 10468
718-584-0515
www.northwestbronx.org

March 1, 2024

To the NY Council Parks Committee members,

We would like to submit this letter as testimony for your March 1, 2024 hearing on Water Safety at Public Pools and Beaches. This is an important topic, and we are glad you are talking about it today.

The Northwest Bronx Community and Clergy Coalition is a grassroots, member-driven social justice organization. Founded in 1974, the Northwest Bronx Community and Clergy Coalition unites diverse peoples and institutions to fight for racial justice and economic democracy through intergenerational community organizing to transform the Bronx and beyond.

In order to adequately improve water safety for New Yorkers, a coordinated, sustained approach is needed, including the following issues:

- Free swimming lessons in public pools must be made more accessible. We understand that the application process for the lottery for swimming lessons is now underway. By our estimates, there were 1298 applicants for children's swimming lessons in the Bronx for this summer, and there will be only 232 slots – so there will be over 1000 disappointed children. This does not even consider the many many children whose parents aren't aware that the process for applying is happening now.
- Everyone should learn to swim, for safety reasons, and to have access to a fun, healthy activity in life. Seeing that more NYC residents learn to swim also builds the pool of people who will be available to work as lifeguards.
- We must maximize the use of existing swimming pools. Our beautiful local pool, in Van Cortlandt Park, has long lines every day of neighbors who want to swim. Last summer the hours were reduced for lack of lifeguards – we need to maintain a full day schedule at every pool.
- We need to make use of every available pool, including ones in public schools that have deteriorated and are no longer in use. Is it, for example, possible to restore to use the pool at Walton High School, also in our neighborhood? (See <https://www.nytimes.com/2005/04/14/nyregion/school-pools-now-dry-storage.html>)

- Lifeguards must be paid a higher salary. We were shocked in 2022, when the City complained they were unable to hire enough lifeguards, to find that they were making \$16 an hour – the same salary as entry level employees at Target. Although they have received an increase since then, we think the committee should seriously consider what hourly wage is necessary to attract appropriately trained swimmers willing to take on the responsibility of keeping people safe in the water.
- The process for hiring lifeguards must be streamlined. Young people tell us that getting an appointment to take a swimming test, and going through the rest of the application process, is unwieldy and complicated. **The hard part of becoming a lifeguard should be the swim test, not getting an appointment or collecting the paperwork.**
- We need to invest in public awareness campaigns that address issues of water safety, and the fun of swimming.

We encourage you to consider these related aspects of making sure that New Yorkers have access to places to swim, and are safe in the water.

Again, thank you for holding these hearings.

On Behalf of the Board of Directors,

Margaret Groarke

Margaret Groarke
Board Member

Cc: Councilman Eric Dinowitz

Councilwoman Pierina Sanchez

Councilman Oswald Feliz

Parks Committee, Community Board 8

Sherrise Palomino, New Yorkers for Parks

and have developed a platform that we feel truly encapsulates the dire needs of our district. We are committed to the following principles, which underlie our platform:

- Ensure Safe & Affordable Housing in our Community,
- Ensure Equitable Economic and Community Development,
- Protect our Communities from Threats to Climate Change & Ensure Energy Democracy,
- Protect our Youth from Discriminatory School-Based Practices and Policies.

On August 22nd, you will have a chance to meet and answer questions from our members. You'll also be given an opportunity to speak on how you will support our platform to seek social, economic, environmental, and racial justice for our families, our communities, and ourselves.

We hope that you will be able to participate. Please contact [who? Claude?] to let us know whether you will attend.

Sincerely,

Juan Nunez, Vice President of Board of Directors



Good Afternoon Speaker Adams, Chair Krishnan, Council Members, and Colleagues,

My name is Shanna Blanchard and I am here on behalf of the Water Safety Coalition, a group of concerned citizens and non-profit organizations working to make water safety an essential right for all, to save lives, and create a more inclusive recreation community. We are grateful for the steps forward and momentum around water safety in the last year, with a suite of bills passed by the Council last year and Governor Hochul's historic NY SWIMS initiative announced earlier this year. We strongly support Council Member Krishnan's Five Point Plan for Water Safety, many points of which we have advocated for for years, and believe it is a critical step forward in delivering the necessary skills, knowledge, and resources New Yorkers need to positively engage with their coastlines and live with and understand the water around them. But we are still behind and there is more work to do. New York City needs to meet NY State's ambitious vision and goals and create its own NYC SWIMS initiative. Many New Yorkers do not know how to swim, but still flock to the city's beaches and pools each year to stay cool during the heat of summer, or simply have a good time. We all read about drownings occurring along the city's many coastlines throughout the year, and sadly, we will likely read about more this year. But we can and should take as many preventative measures as possible to prevent these deaths.

If the city can prioritize and sustain funding for free swim lessons for children and adults, adequately staff the city's beaches and pools and eliminate barriers to make this happen, recognize the way in which climate change is extending our need to engage in water-based recreation and extend beach and pool season, better utilize existing aquatics infrastructure and identify areas for new ones, and incorporate water safety education into our schools – all New Yorkers, regardless of income and home neighborhood, can better connect to the water around them and benefit from the life-saving skill of swimming.

Since the COVID-19 pandemic, staffing at NYC's beaches and pools have been a challenge, with many learn to swim and lap swim programs canceled, and various beaches and pools closed each year. Prior to the pandemic, 20,000 children were served in the city's learn to swim programs in 2019, with only 1,000 being able to utilize the program last year – this is unacceptable. There are numerous non-profits ready and willing to help fill in this gap, if there were only systems in place to enable them to easily use city pools, and if more of the city's pools were appropriately maintained and available. There is also a need for more education about water safety by PEP officers, rather than simply being enforcers and reprimanding people for simply putting their feet in the water when the beach is closed for whatever reason.

Simply put- we need more funding to make all of this happen. The NYC Parks department will shoulder the brunt of responsibility to enact all of this meaningful and positive change. The department does incredible work with the meager budget it is offered each year – but this

needs to change. We strongly support the Play Fair Coalition's 1% for Parks recommendation and beyond that, believe that funding for water safety and aquatics should be increased and sustained year to year. Interest in water-based recreation is only growing, and whether we want it to or not, water is at our doorstep non only because we are a city of water with 520 miles of shoreline, but because climate change is changing the way water interacts with our daily lives. We must better understand it and make sure our citizens have the tools necessary to do so. We urge the City Council and the Mayor to appropriately fund NYC Parks and develop other sustainable funding streams that will prioritize water safety and build a better NYC aquatics culture. We are here to help.

Shanna Blanchard
Chair
Water Safety Coalition
watersafetycoalitionnyc@gmail.com



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

**New York City Council
Committee on Parks and Recreation, Honorable Shekar Krishnan, Chair**

**Testimony of YMCA of Greater New York
Sharon Levy**

**Oversight Hearing – Improving Water Safety at the City’s Beaches and Pools
March 1, 2024**

Good morning, my name is Sharon Levy, I am Senior Vice President for Public Affairs for the YMCA of Greater New York, and I will be testifying on behalf of the YMCA. Thank you, Chair Krishnan for the opportunity to testify on the state of the City’s water safety operations and practices.

The YMCA of Greater New York is committed to empowering youth, improving health, and strengthening community. With 24 YMCA branches and more than 100 community sites across New York City, the Y is among the city's largest providers of human services spanning from infancy to older adults — and an important anchor, convener, and catalyst for transformational change in underserved communities.

One of the primary ways the Y reaches the community is through our aquatic programs, which places children and adults on the path to develop lifesaving skills in the water. Utilizing 22 Y aquatic centers in all five boroughs, the Y provides pool access to tens of thousands of New Yorkers every year. We do this through programs like Second Grade Swim, swim instruction, summer day camp, adult lap swim and a variety of other programs. Furthermore, through our newly created Aquatics Center for Excellence (ACE) we have been providing free lifeguard training and certification programming since 2022. Over 300 participants have been certified as YMCA lifeguards through this program.

In 2023, the Y, along with other organizations testifying today, convened the Lifeguard & Aquatics Interorganizational Taskforce comprised of nonprofit providers and City agencies focused first on tackling the City’s acute lifeguard shortage and then on the broader issue of water safety in our City. Over the last year, through the work of the taskforce, we have created new collaborations that have supported recruitment efforts, shared resources, and developed joint advocacy efforts to elevate these critical issues with our city and state elected officials. But much work remains.

Before I go on, we want to acknowledge and commend the NYC Department of Parks & Recreation and their leadership for their efforts. They have been great partners in the taskforce work, they have succeeded in increasing the salaries of lifeguard staff and they have created an engaging and impactful marketing campaign that has significantly elevated the visibility of lifeguard recruitment. We also want to acknowledge the work of NYC Department of Education for their efforts to increase access to school pools and reopen shuttered school pools.

As New Yorkers, we pride ourselves on being a diverse and dynamic community. Yet, when it comes to knowing how to swim, or access to swimming spaces, we, as a City fall short. We are a waterfront City – with 520 miles of waterfront – and yet too many New Yorkers never learn how to swim. With over 8 million residents, and a warming global climate, our public pools are woefully insufficient to meet the need for quality swim instruction and recreation.

According to the Centers for Disease Control and Prevention (CDC), drowning is a leading cause of unintentional injury death worldwide, with children and people of color disproportionately affected. Shockingly, Black children are five times more likely to drown than their white counterparts. In a City where the vast majority of our communities are black and brown, these disparities are unacceptable. It's time we recognize the importance of swimming for all and take concrete steps to ensure every resident has the opportunity to learn, enjoy, and stay safe in the water.

The key to addressing these issues is improving access to swim and swim instruction for all New Yorkers. We can accomplish this by creating additional access to existing pools, public, private, and those run by nonprofit organizations. We can – immediately -- significantly increase funding for swim instruction and pool operations in the City's budget. Expansion of free swim lessons in pools across our City including but not limited to Parks, DOE and nonprofit pools will significantly impact the rate of injury and fatality from swim related incidents in our City. Even before recent budget cuts, only a tiny fraction of the city's budget went toward swim instruction – a troubling reflection of its overall prioritization by the city.

Over the long term, we must prioritize the expansion of aquatic infrastructure. This means building more pools, particularly in neighborhoods who do not have access to aquatic spaces. It also means finding ways to include pools as critical public investments, along with parks and other green spaces, in our capital planning process.

As many know, our city's lifeguard shortage has been an issue for years and was significantly exacerbated by the pandemic. We believe that through partnership and regulatory changes, we could increase the number of lifeguards in NYC exponentially. The City, namely the NYC Department of Parks and Recreation, should have the ability to accept nationally recognized lifeguard certifications like the Red Cross and YMCA certifications. This would allow us to train a more robust workforce, as well as employ more lifeguards and fill in the staffing gaps across the City.

In addition, we urge the City to work with nonprofit providers to establish a lifeguard development program as well as a training and certification program within our high schools. By engaging youth from diverse communities to strengthen their swim skills and train to become lifeguards, we can not only create a sustainable pipeline of qualified lifeguards but also foster a sense of responsibility and leadership among the next generation. Investing in training and mentorship opportunities for young New Yorkers can help address the immediate staffing challenges and cultivate a culture of safety and service.

Universal swimming access is not just a matter of convenience or leisure—it's a matter of equity, public health, and safety. By implementing these solutions, we can make significant strides towards creating a city where every resident, regardless of background or circumstance, can dive into the joy and safety of swimming. Let's make waves together and ensure that swimming truly becomes an accessible and inclusive activity for all in NYC.

We appreciate your support, leadership, and partnership in addressing the City's water safety challenges. Thank you so much for fighting for children, families and adults across New York City. We look forward to working with you and the City Council on the efforts in making swim access for all a reality.

If you have any questions, please contact Sharon Levy, Senior Vice President of Public Affairs, at slevy@ymcanyc.org or [REDACTED].

Testimony for City Council Hearing on Parks & Recreation
Friday, March 1, 2024 at 1pm
Jodi Heywood, jodiheywood6@gmail.com, [REDACTED]

I am submitting my testimony as a member of the Water Safety Committee located in Rockaway, Queens, and as a mom with children who live in a waterfront community.

I appreciate the time that the Council is taking to consider these important steps towards improving water safety in New York. Our neighborhood has unique and critical needs in terms of keeping residents safe by the ocean.

Increasing the accessibility and availability of lifeguards is paramount. Having the staff on the beaches during the busy months who are trained to see potential problems and help keep beachgoers safe in the warmer months is so important. Too often beaches have gone unmanned, and they are packed with those trying to get a break from the heat and there have been no lifeguards. Any programs that will help increase this number will be welcomed.

The beach season doesn't just go from Memorial Day to Labor Day anymore. Our seasons are warmer, and we have seen an increase in beach goers in the time prior to and after these holidays. Extending coverage on the beaches will help prevent any potential drownings during these months. The beaches at these times are busy!

Expanding access to swim lessons is paramount. Equity in access to pools and suitable programs is so important for New Yorkers. All New Yorkers should be able to attend to learn to swim programs and a special effort should be made to help ensure that they do. Expanding pool access and a system for which parents can easily find local lessons for the children is something that would make a difference. Access to programs for adults to learn to swim is also something that would have a significant impact as well. There are so many adults that do not know how to swim, which is dangerous.

Water Safety Education across the board is so important- we are surrounded by water and learning how to stay safe (not just how to swim) is critical. Here in Rockaway, we experience flooded, undrivable streets a couple of times a year at least- and flash floods impact all our neighborhoods. Education on water safety is important so that residents know how to handle these potentially dangerous circumstances.

Thank you for considering my testimony and for your important work on water safety.

Good morning, respected members of the New York City Parks Commission, valued task force colleagues, dedicated partners, and all gathered here today. My name is Kaitlin Krause, and I serve our city and state in multiple capacities: as a commissioner on the New York State Commission to Prevent Childhood Drowning, as a member of the NYC Lifeguard Interorganizational Task Force, as Vice Chair of the Water Safety Coalition, and as the founder and executive director of Rising Tide Effect.

Today, we stand at a pivotal junction in our city surrounded by magnificent waterways—a city currently shadowed by a preventable crisis that disproportionately snatches away the bright futures of New Yorkers. The '5 Point Plan for Water Safety' is more than a set of initiatives; it is an urgent appeal for a transformative approach to water safety, demanding a shift in how our community interacts with and respects water.

Our collective vision for tackling this issue hinges on a crucial realization: the Parks Department, despite its significant contributions, cannot shoulder this burden alone. The path to safety, to prevention, and to education, is one that requires the hands of many, building a bridge across every sector of our city:

Our proposal to extend pool and beach seasons and hours is not just about increasing access; it's about creating a unified front where city agencies, community organizations, and private entities work together to ensure that every neighborhood, especially the underserved, can enjoy and learn from water safely.

The current fragmentation in accessing information about water safety resources is a barrier to participation. By creating a centralized, collaborative Aquatics Atlas, we call upon tech companies, educational institutions, and non-profits to contribute, ensuring every New Yorker has knowledge at their fingertips.

The proposal to integrate a junior lifeguard program into our schools is a testament to the power of cross-sector collaboration. By linking the Department of Education with local aquatic programs, we not only address the lifeguard shortage but also embed a culture of water safety and swimming proficiency from an early age.

This initiative requires the alignment of city resources, philanthropic efforts, and community-based organizations to ensure that financial constraints never hinder a New Yorker's right to learn to swim.

Expanding our city's aquatic infrastructure is a call to action for government, private investors, and community advocates alike, highlighting the need for a collective investment in our future. Governor Hochel's recently announced 'NY S.W.I.M.S.' initiative stands as a beacon, paving the way towards a sustainable and thriving aquatic future for our community.

This '5 Point Plan for Water Safety' serves as a blueprint for a comprehensive, city-wide approach to drowning prevention. It underscores the imperative for all of us—city agencies, non-

profits, educational institutions, private sector partners, and community members—to come together in a united effort.

In reframing this issue, we recognize that the responsibility to protect our children, to educate our communities, and to provide equitable access to swimming education, does not rest on a single entity. It is a shared duty, a collective endeavor that embodies the spirit of New York City itself.

As we embark on this journey together, let us remember the ultimate goal: to transform New York City into a model of culture for water safety, where drowning is not a statistic but a rarity. It's a vision that we can only achieve together, by ensuring that water safety is recognized as a communal right and responsibility.

Thank you for your unwavering commitment to this cause and for joining hands in this critical mission.

McBURNEY YMCA Masters Swim Team
c/o
T. Gumula
New York NY

Dear NYC City Council & to whom it may concern,

On behalf of our 50+ member adult swim team, we strongly urge the City Council to expand all areas of water access and safety:

- 1) Increased pool and beach opening dates (start earlier end later in the season)
- 2) Longer pool hours
- 3) Increased swim instruction, especially for children with a strong feeder program into youth swim team league and adult swim team
- 4) Youth Swim teams (great way to train new lifeguards) and be the basis for a junior lifeguard corp.
- 5) **Bring back Early Bird/Night Owl lap swim programs to NYC Pools during the summer.**
- 6) **Create innovative programming such as free swim time for NYC master swim teams in exchange for free swim lessons, coaching etc.** Adult US Master Teams (in conjunction with Safe Sport Training) could serve not only as coaches and instructors but mentors. By creating bonds between various groups you provide access and eliminate potential barriers and provide more opportunities for learn to swim instruction.
- 7) Work to rationalize staffing levels – pools with adult lap swim do not need the same level of staffing when open to the general public.
- 8) Work to reduce barriers for lifeguards – the 50 yard swim time of 35 seconds is too stringent. There are plenty of strong swimmers who can meet 45 or 50 seconds without a reduction in quality.
- 9) More pools – barge pools, +pools (floating pools), indoor pools – MORE pools.

Thank you,
McBURNEY YMCA Masters Swim Team
(The Kick Board: Luke, Juliet, Irene, Terri)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Mark Focht

Address: _____

I represent: NYC Parks

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Emily Orase

Address: _____

I represent: NYC Parks

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Ma H Drury

Address: _____

I represent: NYC Parks

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Iris Rodriguez - Rosa

Address: _____

I represent: NYC Parks

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Sue Donoghue

Address: Arsenal: 530 5th Ave, NYC

I represent: NYC Parks

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Shawn STEVIN

Address: Woodside NY

I represent: Swim Strong Foundation Inc 11374

Address: Same

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Shanna Blanchard

Address: [Redacted] Brooklyn, NY 11217

I represent: Water Safety Coalition

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 5 Point Plan Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kaitlin Krause

Address: [Redacted] Dean St

I represent: Rising Tide Effect

Address: NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Nora Cronin

Address: 25 Park Place, 5th Fl. NYC

I represent: Friends of +POOL

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Sharon Levy

Address: 5 West 63rd Street NYC

I represent: YMCA of Greater NY

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 130 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ERIC GOLDSTEIN

Address: _____

I represent: Natural Resources Defense Council

Address: 40 West 20 St NY NY 10011

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/1/24

(PLEASE PRINT)

Name: Sherriase Talanina, New Yorkers

Address: for Park

I represent: New Yorkers For Parks

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1130 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Justin Green

Address: 205 Clinton Ave #86, Brooklyn, NY 11205

I represent: Big Kevue

Address: 112th Street, Brooklyn, NY 11213

Please complete this card and return to the Sergeant-at-Arms