

THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

L.U. No. 545

Blake Hendrix NIHOP Amendment

October 3, 2019

{Barron} L. U. No. 545 consists of the proposed amended project known as Blake Hendrix located at Block 4050, Lot 25; Block 4067, Lot 8; Block 4058, Lot 18; Block 4081, Lot 23; Block 4065, Lot 22; Block 3767, Lot 10; Block 3767, Lot 11; Block 3767, Lot 12; Block 3767, Lot 13; Block 4060, Lot 16; Block 4062, Lot 30 and in Brooklyn Council District 42.

On October 27, 2016 (Resolution No. 1263), the Council approved the Blake Hendrix new construction project under HPD's Neighborhood Infill

Homeownership Opportunities (NIHOP) Program. At that time, HPD's UDAAP submission indicated that the Land Debt and City Subsidy, if any, are apportioned pro rata to each home and may be unsecured at the time of sale based on the home's post-construction appraised value. Purchasers repay the Land Debt and City Subsidy, if any, attributable to their homes by delivering a note and a mortgage and/or conditional grant agreement to the City. In the time since the original approval, the State of New York has implemented an additional surcharge that could adversely affect initial purchasers.

The Amended Project currently before the council modifies the Project Summary to allow HPD to forgive all or a portion of the Land Debt that is apportioned to a home upon conveyance to an eligible purchaser, based on the

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home's appraised value and/or if HPD determines that the forgiveness is necessary to reduce the taxable consideration for the home.

HPD is requesting the amendment in order to address an unforeseen issue related to the New York State (NYS) Transfer Tax Surcharge. Accordingly, when the total consideration or contract price, which includes subsidized sales price plus all subsidies and land value, exceeds \$1,000,000, it triggers a surcharge to the ordinary NYS Transfer tax of 1% of the total consideration, the minimum of which is \$10,000. This surcharge is a burden to low-income end purchasers, increasing down payment and closing costs. To avoid subjecting purchasers to this Tax Surcharge, HPD is submitting an application to amend the current public approvals to obtain authorization to reduce land debt to lower the total consideration for each affected property to under \$1,000,000.

The amendment makes no other changes to the Project Summary that was previously approved by the Council in 2016 for the project which comprises nine 2-family and four 3-family homes containing a total of thirty (30) units. Targeted household income for home-buyers range between 80% to 130% AMI. Each home will have a rental unit that will be affordable to families earning no more than the same AMI as the purchasing homeowner.

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In order to amend the project summary, HPD is before the subcommittee seeking approval of Land Use No. 545.

	Address	Type of Home	Effective Sales Price	HPD Capital Subsidy	HPD Land Debt	NYS AHC Subsidy	Max AMI	Total Subsidy	Unsubsidized Sales Price	NYS Transfer Tax Surcharge	NYS Transfer Tax Surcharge With Land Debt Forgiven
	BLAKE HENDRIX NEW INFILL HOMEOWNERSHIP OPPORTUNITIES PROGRAM										
1	285 Hinsdale St	3-Family	\$570,800	\$600,000	\$85,804	\$ 97,500	110%	\$ 783,304	\$ 1,354,104	\$ 13, 541	\$12, 683
2	287 Hinsdale St	3-Family	\$570,800	\$600,000	\$85,804	\$ 97,500	110%	\$ 783,304	\$ 1,354,104	\$ 13,541	\$ 12,683
3	289 Hinsdale St	3-Family	\$570,800	\$600,000	\$85,804	\$ 97,500	110%	\$ 783,304	\$ 1,354,104	\$ 13, 541	\$ 12, 683
4	291 Hinsdale St	3-Family	\$570,800	\$600,000	\$85,804	\$ 97,500	110%	\$ 783,304	\$ 1,354,104	\$ 13, 541	\$ 12,683
5	617 Cleveland St	2-Family	\$409,521	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$975,324		
6	586 Warwick St	2-Family	\$411,000	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 976,804		
7	588 Warwick St	2-Family	\$412,000	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 977,804		
8	858 Blake Ave	2-Family	\$414,500	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 980,304		
9	671 Linwood St	2-Family	\$440,000	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 1,005,804	\$ 10, 006	\$ 0
10	980 Dumont Ave	2-Family	\$355,317	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 921,121		
11	856 Blake Ave	2-Family	\$346,080	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 911,884		
12	586 Linwood St	2-Family	\$332,300	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 898,104		
13	806 Blake Ave	2-Family	\$346,080	\$400,000	\$85,804	\$ 80,000	90%	\$ 565,804	\$ 911,884		

The New York State Transfer Tax Surcharge

A total consideration or contract price (subsidized sales price plus city and state construction subsidies and land value allocated to each) that exceeds \$1,000,000 triggers payment of the NYS Transfer Tax Surcharge, a surcharge to the ordinary NYS Transfer tax of 1% of the total consideration - a minimum additional payment of \$10,000, to the end purchaser.

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L. U. No. 546, 547 and Pre-Considered item (C20205116 HAM)

Northern Manhattan Equities III (aka NME III)

October 3, 2019

{Perkins} **Land Use Nos. 546 and 547** are related ULURP actions that seek approval for the development of three privately-owned vacant lots located at 207-209 West 140th Street (Block 2026, Lots 24 and 25) and 304 West 150th Street (Block 2045, Lot 98) in Manhattan Council District 9, for a project known as Northern Manhattan Equities III, or NME III. **L. U. No. 546** is related to the acquisition of the disposition area and **L.U. 547** is related to the related to UDAAP designation, project and disposition approval, as well as approval for a Pre-considered item (20205116 HAM) for Article XI tax benefits.

The Disposition Area was previously sold in 1994 and 1996 to be developed as accessory open space for rehabilitated residential buildings located at Block 2045, Lot 98 and as a new building with no more than four units at Block 2026, Lots 24 & 25. Today, the parcels remain vacant and underutilized. HPD will re-acquire the Disposition Area and then dispose of it to facilitate the proposed project.

NME III is slated for development under HPD's Open Door program, which funds the new construction of cooperative and condominium buildings affordable to moderate- and middle-income households. Where dictated by lot size, the program may also fund the construction of new one-to-three-family homes.

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Northern Manhattan Equities III (aka NME III)

October 3, 2019

NME III is the third phase of a three-phased project development process. The first two phases of this portfolio (NME I and NME II) preserved approximately 608 Low Income Housing Tax Credit units by extending the affordability levels out for another 40 years (until January 1, 2048).

The development team proposes to construct one (1) six-story building and one (1) twelve-story building, with a total of 52 cooperative homeownership units.

The building to be located at 207 -209 W. 140th Street will have ten (10) 1-bedroom and eleven (11) 2-bedroom units. The building to be located at 304 W 150th Street will have one (1) studio, ten (10) 1-bedroom, eight (8) 2-bedroom and twelve (12) 3-bedroom units.

The targeted household income tiers for this project will be between 80% and 110% of AMI, which is approximately \$76,000 to \$105,000 for a family of three. Sales prices are estimated to be \$200,000 to \$320,000.

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

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~~L. U. No. 546, 547 and Pre-Considered item (C20205116-HAM)~~

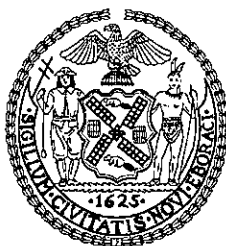
Northern Manhattan Equities III (aka NME III)

October 3, 2019

occupancy. Upon resale, the homeowner will also be required to sell to a household earning no more than the project's income limit.

HPD is also seeking an Article XI Tax Exemption for a period of 40 years coinciding with the length of the Regulatory Agreement to help maintain affordability of the homeownership units.

In order to facilitate the NME III project, HPD is before the Landmarks subcommittee seeking approval to re-acquire 207-209 West 140th Street (Block 2026, Lots 24 and 25) and 304 West 150th Street (Block 2045, Lot 98) and to convey the sites to a new owner who will redevelop the development area into affordable homeownership units.



**TESTIMONY OF THE MAYOR'S OFFICE OF RESILIENCY
BEFORE THE NEW YORK CITY COUNCIL
SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING, AND DISPOSITIONS**

Thursday, October 3, 2019

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

Commissioner Grillo just spoke to *how* this project will be built. Now, I would like to speak to *why* it is so urgently needed.

Seven years ago this month, New York City experienced a level of devastation that will never be forgotten. As darkness fell on the evening of October 29th, 2012, Hurricane Sandy roared into New York Harbor. At The Battery, its storm surge reached a peak of nearly 14 feet. Along the East Side of Manhattan, a violent flood of saltwater swept over bulkheads and into the streets, reaching as far as Avenue B. Thousands of lives were upended. Recovering from the damage, which was extensive, has taken years and a highly coordinated effort involving the federal government, multiple City Agencies, homeowners, businesses, and more.

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

Our mission is to prepare our city and its residents for these impacts. This is a moral imperative, and our responsibility is not something we take lightly. To combat the threats we face, we are investing over \$20 billion into resiliency citywide, focusing first and foremost on our most vulnerable areas and those neighborhoods that were hit the hardest by Hurricane Sandy. The investments include some of the most advanced and innovative resiliency efforts anywhere in the world.

The ESCR project is one of several major coastal resiliency measures underway across the five boroughs. Its scope is ambitious. As I mentioned earlier, this project will protect over 110,000 New Yorkers from the threats of flooding from sea-level rise and storm surge. Critically, this includes thousands of low-income families living in NYCHA developments located in the floodplain.

The ESCR project won't just protect the New York City of today, but also the New York City of a hundred years from now. Our resiliency planning utilizes the best available scientific projections, and we

are fortunate to have an independent panel of highly credentialed climate scientists advising us. Their work clearly shows that future storms will be intensified by rising sea levels. We are accounting for that by building this project to withstand hurricanes even more powerful than Sandy.

If unanticipated factors cause sea levels to rise beyond present day projections, two additional feet of protection can be added in future decades thanks to an adaptable foundation design.

It's no exaggeration to say that this project will protect generations of New Yorkers, even as the threats associated with global warming continue to worsen.

We refuse to be daunted by the challenges we face. We're approaching our work to adapt New York City to climate change with determination, grit, and the utmost urgency. We're doing so because our very future depends on it.

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

East Side Coastal Resiliency ULURP Hearing

October 3,
2019

Lorraine Grillo, Commissioner
Department of Design and Construction

New York City Council
Subcommittee on
Landmarks, Public Siting,
and Dispositions

Opening Statement

Good afternoon Chair Adams and members of the Subcommittee. I am Lorraine Grillo, Commissioner of the Department of Design and Construction. Thank you for the opportunity to testify on the East Side Coastal Resiliency project (ESCR).

I first want to acknowledge Council Members Rivera, Powers, and Chin, whose leadership and advocacy on behalf of their communities has truly shaped the City's approach.

Vision

The project you are considering today is unprecedented in New York City. ESCR will create a miles-long system of protective barriers, floodwalls and floodgates; new sewers and drainage upgrades covering much of the Lower East Side; and a rebuilt East River Park, literally lifting it out of the 100-year flood plan in order to protect it from a changing climate.

This project is uniquely challenging from a construction perspective. We cannot get this wrong.

Project Approach & Benefits

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

DDC while ESCR was undergoing a careful, top-to-bottom constructability review.

That review found significant constructability issues that put the project at risk. I detailed those issues at length when I testified before the Council in January. We knew we had to find a better approach.

Our solution has not only reduced construction risk, but we can also deliver flood protection one full hurricane season sooner than the previous plan, in 2023. This achievement should not be glossed over.

We have eliminated years of loud and disruptive nighttime pile driving across the street from thousands of NYCHA residences, an issue I have mentioned time and again. Let me say it again: the previous approach would have required years of nighttime pile driving across all of NYCHA's housing along East River Park. The current approach does not.

We eliminated massive risk posed by the previous approach, which required digging up a major Con Ed transmission line that delivers power to most of Lower Manhattan. We no longer have to do this because we moved construction of flood protection away from the FDR and the Con Ed line, away from thousands of nearby residents, and closer to the East River.

What's more, ESCR will now protect the park itself and its many new amenities from the same coastal flooding risks as the rest of the neighborhood, which was not the case with the earlier approach.

It also bears repeating that the previous approach would have also required extensive, long-term closures of East River Park. What's more, the vast majority of existing trees would have also been removed, a fact we shared early in 2018. We all have to acknowledge that ESCR is a massive undertaking, no matter how you approach it.

Schedule, Budget, Phasing

But let's look forward. To get flood protection in fall 2023, we have an aggressive construction schedule. We break ground next spring and have already hired a program management team to assist with day-to-day oversight and ensure the project stays on schedule. Construction contracts will have meaningful incentives for contractors to deliver the project on-time, and penalties for delays.

And let me come to perhaps the most important construction question: providing ongoing access to recreation for the community during construction. This has been the top demand from the community and elected officials.

Commissioner Silver will share a robust interim recreation plan.

Meanwhile, the team at DDC has been working tirelessly to develop a construction phasing plan that also lives up to this goal. After many, many iterations, we have found one that keeps almost HALF of East River Park open at all times.

The community and its elected representatives have been clear: access to recreation must be a top priority and we have found a way to accomplish this and still ensure flood protection in time for the 2023 hurricane season, even if the final touches to the project will take a little longer.

We will walk you through the details of this plan in a moment. But I am proud of this significant change, driven by the community, and it makes this project better.

Other goals

We are also committed to providing the community with some of the economic benefits of this \$1.4 billion project.

We are working to ensure access to labor pre-apprentice programs, an important pipeline to great career opportunities. We will aggressively pursue a 30% goal of contracts awarded to Minority- and Women-Owned Businesses. We are also required to provide extensive, targeted recruitment and employment opportunities to low-income individuals and will be working with SBS and local leaders to ensure these opportunities are well-publicized.

There have been a lot of questions about how construction itself will proceed. Let me assure the Council that we will follow all health and safety guidelines to the letter.

DDC will also provide dedicated, full-time Community Construction Liaisons (CCLs) for the duration of this project. The sole focus of our CCLs is to work onsite, every day during construction to interact with residents, Community Boards, and businesses to provide constant construction updates and resolve any issues on the ground, in real time.

Community Engagement

Since last fall, we have participated in nearly 100 meetings, Town Halls, working groups and other forums, large and small.

It is due in part to this engagement that Community Boards 3 and 6, the Manhattan Borough President, and the City Planning Commission have all reviewed and approved the project, with conditions.

We have heard each and every concern brought to us. Our response to them is reflected not only in phasing, but also in specific park amenities requested during our meetings, better waterfront access, and other changes to the project's design and construction.

Closing

In closing, I want to thank the community and its elected leaders for driving us to a better approach for a more resilient New York City that will keep this community safe for this generations. Thank you again for the opportunity to testify.



Hearing before the New York City Council
Subcommittee on Landmarks, Public Sitings, and Dispositions
Topic: East Side Coastal Resiliency Project
October 3, 2019

Testimony By: Mitchell J. Silver, FAICP, Commissioner

Good afternoon, Chair Adams, members of the Council Subcommittee on Landmarks, Public Siting, and Dispositions, and other Council Members. I am Mitchell Silver, Commissioner of the New York City Department of Parks and Recreation. Thank you for inviting us here today to provide an update on the East Side Coastal Resiliency project, also known as ESCR. I'd like to begin by recognizing the local Council Members for their advocacy and leadership regarding this project, including Council Member Rivera, Council Member Chin and Council Member Powers. I would also like to thank Commissioner Lorraine Grillo of the Department of Design and Construction, and Jaimey Bavishi from the Mayor's Office of Resiliency for providing such helpful information and context for this massively important project, and for being incredible agency partners in this effort. While you have just heard about the benefits and protection that this large-scale resiliency investment will offer for 110,000 New Yorkers on the East Side of Manhattan, today I would also like to provide our agency's perspective on how this project will vastly improve East River Park and other nearby parks, for the betterment of both the local community and the city at large. Since I serve as Parks Commissioner of the largest city in the United States and have decades of experience in the field of urban planning, I have had the privilege of engaging with planners, policy experts and park advocates from across the globe, and increasingly, cities around the world are all more directly facing the challenge of disturbing environmental and ecological trends and patterns. As you've heard from my colleagues from the administration, when it comes to global climate change, we are at a reckoning point, and cities need to incorporate resiliency measures into every aspect of urban planning, including our parks and open spaces. This ESCR project will transform East River Park into a modern, climate-resilient park designed to withstand the dangers posed by sea level rise and climate change, so that the park can continue to serve as a viable public resource for years to come. NYC Parks fully and enthusiastically supports this project, which, thanks to the hard work of our partners at DDC and other agencies, now has a greatly improved, smarter design which will result in a better park-going experience for New Yorkers to enjoy.

To be clear, East River Park is already experiencing the impacts of climate change, and is at serious risk. The park esplanade experiences flooding on a regular, near-monthly basis, which has led to park closures and increased maintenance and repair work. Through the improved design approach, the park will be literally elevated and removed from the floodplain, so the park can better withstand future climate challenges. Without this project, East River Park and the upland community will be subject to continued and increased flooding, due to more frequent and extreme storm events and rising sea levels.

Further, the project will provide incredible improvements and benefits for the park and honor the connection that New Yorkers have to our public waterfront, which is especially important for us as residents of a coastal City. To mention one critical example that was beneficially added to the scope as the design of the project evolved, ESCR will reconstruct and strengthen the waterfront bulkhead, which is currently in poor condition. As the members of this subcommittee are well aware, bulkhead repair and reconstruction is a critical investment for waterfront infrastructure, especially for retaining safe waterfront parks, particularly as waterfront conditions change and evolve. If not addressed now, this work will need to be done at a future juncture, leading to unnecessary additional park closures.



This project represents an incredible opportunity to implement a modern park design for East River Park, one that reflects the community's current needs. Throughout the years of community input involved with this project, we heard a consistent theme, loud and clear – East River Park is a beloved community space with a wide variety of features and amenities, and local residents want to be assured that the essential program and utility of the park will remain the same. I'm pleased to confirm that this improved design does just that, preserving the general layout of East River Park while also improving access to the park, thanks to redesigned, universally accessible bridges as well as generous, welcoming entry points, not to mention a flyover bridge over the "pinch point" at 14th Street that has been long desired by the community. The earlier version of the project's design relied heavily on the significant use of floodwalls along the FDR Drive, but this improved urban park design will minimize that separation and provide much-improved visual sight lines into the park, reconnecting the community and the waterfront park they need and deserve. Through this project, we will also be able to provide entirely renovated facilities and amenities that New Yorkers know and love, including the amphitheater, adult fitness equipment, ballfields, tennis courts, soccer and multi-use turf fields, track and field, basketball courts, playground, comfort stations, and picnic and barbecue areas. We are also seizing the opportunity to provide completely new facilities and uses that do not currently exist, including multipurpose passive lawns, an additional playground, additional basketball courts, a brand-new adult fitness challenge course and solar lighting—all at elevations above the floodplain. *Lastly, as you have already heard from my agency colleagues, we are especially pleased that the reconstruction of East River Park will be phased, to allow continued access to significant portions of the park as construction is underway.*

As with any major capital project of this scale and complexity, we understand that there will be significant impacts and inconveniences for the public. Regardless of the design approach being considered, the City would have to rebuild the majority of East River Park, a massive undertaking. We will temporarily relocate existing sports league permittees that currently use the ballfields, and are prioritizing their access to alternate Parks facilities. As you'll hear in more detail shortly, we have already begun implementing improvements to nearby Parks property that will increase interim access to recreational space for the duration of the closure, either through short-term enhancements or capital work that is underway.

Through our public engagement, the enthusiasm for our urban forest, particularly the trees within East River Park, has become abundantly clear. In the park's current configuration, East River Park's trees are at increasing risk from salt-water damage. In 2014, NYC Parks had to remove 258 trees from East River Park that had suffered salt-water damage after Hurricane Sandy. If East River Park were to remain in its current configuration, it is likely that many of the park's remaining trees would be lost to old age or saltwater inundation from routine flooding or large storm events in coming years. Due to the need to elevate the park by several feet, the project will require the removal of nearly all of the trees within East River Park, but we are pleased that over 1,800 new trees, a net increase of close to 750 trees, will be planted in the project area, above the floodplain, in a new planting palette of 52 species that includes native, salt-tolerant species. Additionally, approximately 1,000 trees will also be planted in the surrounding neighborhood, so that residents of the East Side can all better benefit from increased urban tree canopy. Realigning our planting strategy in accordance with current best practices for resiliency, in combination with the elevation of the new park, means that these trees and plantings will have the best chance possible of surviving future extreme weather, be it drastic storms or rising temperatures.



NYC Parks

Though a project of this size will always present challenges and costs, we are pleased that the ESCR project will help deliver an improved park experience for visitors to East River Park and other nearby open spaces, rebuilding them better, smarter and stronger. As I hope we've demonstrated today, improving and protecting our city's park system for the 21st Century is a guiding principle for this administration and for NYC Parks. We are excited about this opportunity to deliver a world-class park for the community, and we look forward to bringing improved open space and waterfront access, along with comprehensive flood protection, for this densely populated area of New York City. Thank you for allowing us to testify before you today and for all your great advocacy for our city parks. I will now like to introduce Jamie Torres-Springer, First Deputy Commissioner at DDC, and Alyssa Cobb-Konon, NYC Parks' Deputy Commissioner for Planning & Development, who will give a short presentation to offer more details about the project.



New York City Council
Subcommittee on Landmarks, Public Siting, and Maritime Uses
Uniform Land Use Review Procedure Hearing: East Side Coastal Resiliency Project
October 3, 2019
Lynn Kelly, Executive Director

Good afternoon, my name is Lynn Kelly, and I am the Executive Director of New Yorkers for Parks (NY4P). I would like to thank the City Council Subcommittee on Landmarks, Public Siting, and Maritime Uses for holding this hearing today, and for considering the public's testimony on this important project, which will have not only local impacts, but will also set the precedent for public resiliency projects citywide.

We understand that the issues up for a vote today are proposed land use actions, but we believe these proposals cannot be reasonably separated from the East Side Coastal Resiliency Project and its impacts on what is currently known as John V. Lindsay East River Park.

The City faces numerous challenges as it seeks to balance the complex engineering needs of this project with the realities of the location itself. We also understand that it is not a matter of "if" the next Superstorm Sandy happens, but "when". The need to revitalize East River Park as a public open space that can also offer flood protection is urgent and essential to the protection of residents of the East Village and Lower East Side.

East River Park currently provides nearly 46 acres of active and passive open space for the East Village and Lower East Side communities, and also acts as a vital travel corridor for bicyclists who rely on the East River Greenway. Losing a park of this size to reconstruction will have a profound impact on the communities that currently rely on it, and we applaud the City's recent announcement to phase the construction of the park.

While the City has committed resources to provide some level of mitigation for the temporary loss of this park, we think more can be done and we strongly encourage interagency coordination on these mitigation measures with agency partners at the New York City Housing Authority (NYCHA), the Department of Education (NYCDOE), and the Department of Transportation (NYCDOT) to find additional opportunities to provide mitigation for this sizeable interruption to neighborhood park use. It will be essential for NYC Parks to share best practices and resources to ensure that non-Parks, City-owned properties are kept to the highest standard of care.

The current proposal for rebuilding the park would involve the total loss of the canopy that exists in East River Park today. We urge NYC Parks and the NYC Department of Design and Construction (NYCDDC) to incorporate a wide range of horticultural variety in the new park, and also strongly encourage the City to plant trees that are more mature in their growth cycle.

Furthermore, NYC Parks has already made clear its commitment to neighborhood-wide street tree plantings and bioswale installations as a means of mitigation for the total loss of tree canopy in East River Park. While we commend this plan as an important infrastructure change that will provide improvements for the communities upland of the park, we believe it will be essential that the City to dedicate increased maintenance funds and resources to specifically care for these new plantings. The first few years of life for new street trees are also their most vulnerable, with a certain amount of tree mortality expected in new plantings, which makes an increase in maintenance and care for these trees more essential than usual.

Additional coordination and consideration will be needed to accommodate people on bicycles, who currently use East River Park's protected pathway. It will be essential to provide a reasonable, safe route for these cyclists to use during the period of construction, and we ask NYCDOT to work with transit advocates and the bicycling community to appropriately plan for these changes.

Finally, one of NY4P's weightiest concerns relating to public open space and parks will always be the question of long-term maintenance. For too long, New York City has failed to dedicate permanent and meaningful funding for baselined, year-round maintenance and operations staff lines. We were encouraged by the investments made by the City in the FY20 budget, but we know many of those positions are still not permanent, and will not meet the sum of tremendous needs of our parks system. As we contemplate a park renovation and rebuild on the scale, and at the cost, of the East Side Coastal Resiliency Project, we must also plan for baselined maintenance. Simply put, maintenance is a matter of protecting our capital investments, and we think any conversation about a \$1.4 billion dollar construction project is a nonstarter without an appropriate, permanent commitment to more full-time maintenance and operations staff.

Thank you very much for the opportunity to speak. I welcome any questions you may have.

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For over 100 years, New Yorkers for Parks (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.
www.ny4p.org



**BRAD HOYLMAN
BRIAN KAVANAGH
NEW YORK STATE SENATE**

**HARVEY EPSTEIN
YUH-LINE NIOU
NEW YORK STATE ASSEMBLY**

**TESTIMONY OF STATE SENATORS BRAD HOYLMAN AND BRIAN
KAVANAGH AND ASSEMBLYMEMBERS HARVEY EPSTEIN AND YUH-LINE
NIOU BEFORE THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON
LANDMARKS, PUBLIC SITINGS, AND DISPOSITIONS REGARDING THE EAST
SIDE COASTAL RESILIENCY PROJECT**

October 3, 2019

Good afternoon Chair Adrienne Adams and members of the Subcommittee on Landmarks, Public Sitings and Dispositions.

Thank you for the opportunity to testify during this hearing on the East Side Coastal Resiliency (ESCR) Project. We are State Senators Brad Hoylman and Brian Kavanagh and Assemblymembers Harvey Epstein and Yuh-Line Niou. Our respective districts include a large portion of the area that would be profoundly affected by this project.

We begin our testimony by commending the efforts of our local city officials, Manhattan Borough President Gale Brewer and your City Council colleagues Carlina Rivera, Margaret Chin and Keith Powers on this important issue. We have collaborated closely with them and they have shown great leadership in ensuring that the community has been engaged about the complicated issues related to this project.

Resiliency improvements are particularly crucial to our local community because of the undeniable catastrophic impact of Superstorm Sandy and flooding in our districts. As you well know, homes were flooded, neighborhoods were offline for days, elderly and disabled residents were trapped in their apartments without ready access to food and water; medical facilities were without power, and first responders had difficulties accessing those requiring immediate help.

Storm surges of this magnitude were previously unimaginable in our thriving and densely populated city, and we applaud the State's and City's desire to take decisive action in response to the urgent risks of extreme weather driven by the global climate crisis. We are

also grateful to our Congressional representatives, Carolyn Maloney and Nydia Velázquez, for allocating necessary funds to help pay for essential resiliency work.

We would also like to acknowledge the City's positive decision, announced just yesterday, to alter its design and construction plans for ESCR to allow for phasing, which will keep portions of East River Park open for our constituents to enjoy. We and many of our constituents have been insisting on phasing since the day the City announced that closing the park would be necessary for this project—so that at least a portion of the park will be available for use throughout the construction period. The City had initially said that phasing would be impossible, so we are glad that the City has changed its position in response to this feedback.

Notwithstanding this positive change and the clear need for storm resiliency in our districts, we have serious concerns about the sudden transformation of the ESCR proposal from a plan that incorporated over 4 years of community input to a new proposal unilaterally promulgated by the City in September 2018. After years of working with the community on the previous plan, this unexpected change raises numerous questions about the process by which the City selected this new proposal and its process for gathering and incorporating public feedback.

Given the \$1.45 billion dollar cost of this project, the importance of its goals, and the extensive community impacts that the construction will create—especially years of diminished use of essential public parkland—we want to ensure that the project's design and construction reflect our community's needs and that the City is held accountable to its promises as we move towards making the East Side resilient.

Allow us to enumerate our most pressing concerns.

First, even with the phased plan announced yesterday, regarding which we are seeking additional details, this project will result in a serious, years-long reduction in access to parkland and recreation space that is essential for residents of our community. The City has made general commitments to providing enhancements to existing spaces and other alternative recreational opportunities that would be available during construction but has failed to provide a coherent explanation of what will be. It is essential that this mitigation of the loss of parkland be clearly, publicly presented and reviewed before this project is approved.

Second, concerns related to the construction itself must be mitigated. The project could potentially stir up hazardous material left over from the manufactured gas plants in the area and construction noise could disrupt quality of life. Furthermore, the immense quantity of likely contaminated soil that will be excavated over the course of construction could lead to air quality issues, creating health impacts for the community. The City must put forth a detailed soil management plan to show how it will address these serious concerns, especially in light of the fact that the rate of child asthma Emergency Department visits in the Community District overlapping with Project Area 1 is well over the Citywide average. In addition to the soil to be excavated, the community must be assured that the sand being used

for infill to raise the park is of high quality and free from contaminants. The proposed project would also destroy much of the existing ecology in the area, including trees (all of which are planned to be cut down), insect habitats and tidal wetlands. It poses a risk to the wellbeing of certain species of fish in the area, such as herring and striped bass. In addition, there must be a plan developed and implemented to protect the amphitheater as well as any existing art in the park that will be impacted by construction.

Third, the timeline for phased construction—now projected to take five years—must be enforced through contractual fines for contractors who do not deliver the project on time, or who do not comply with promises made by the City to the community. We ask that an independent expert provide monthly updates about the progress of the project, including a quarterly community meeting to enable residents to air concerns as the project progresses.

Fourth, since we know this project will take at least five years to complete, during which time another catastrophic storm could occur, a comprehensive plan for interim flood protection must be fully developed and provided to the community. The plan must include an explanation of how construction could potentially impact the neighborhood during such a storm. Unfortunately, although we wrote to Mayor de Blasio requesting such a contingency plan on July 3, 2019, we received a response without specific proposals that merely touts the protections that the ESCR project will provide upon completion. Again, with the reported 5 year timeline, we need more information.

Fifth, any plan for ESCR must take into account the recommendations of the expert firm, Deltares, retained by Manhattan Borough President Brewer and Council Member Rivera in order to evaluate ESCR proposals, particularly Design Alternative 3 (the previous proposal) and Design Alternative 4 (the current proposal). As Manhattan Community Board 3 noted in its resolution on ESCR, community members have sought the creation of an expert panel to study additional protective options including decking over the FDR, the construction of a barrier to protect NYCHA residents on lower floors, and a phasing plan for construction that ensures the timely completion of any project while mitigating the amount of time that public space is taken out of service.

Sixth, the costs and community impacts of the ESCR project demand that the project be approached with prudence, ensuring that it can proceed without the threat of legal challenges. Based on our conversations with counsel for our respective houses of the State Legislature, it is our belief that a failure by the City to seek parkland alienation legislation leaves the City vulnerable to a lawsuit that could delay the implementation of flood protections and the overall plan. We want to restate this strongly today: to avoid the delays that a lawsuit would pose, the City should seek the State Legislature's approval for the project in the form of a parkland alienation bill, which is typically sought by "municipalities wishing to convey, sell, or lease municipal parkland or discontinue its use as a park," according to New York State Parks Recreation and Historic Preservation's Handbook on the Alienation and Conversion of Municipal Parkland. Again, we believe that although the Park will be rebuilt, it is incidental to the main purpose of this project- coastal resiliency. By its own admission, the City would not be demolishing and rebuilding this park otherwise.

Seventh, the City has not adequately shown how the preferred alternative will address the underground streams that run underneath parts of Project Area 1, between East 4th Street and 10th Street, from the coastline to 1st Avenue that complicate drainage during storm surges. The community needs answers from the City as to how these streams will be factored into the drainage plan.

Finally, any project that would interrupt the day-to-day use of the park must mitigate disruptions to the daily operations of the Lower East Side Ecology Center, the 20-year-plus steward of our community's and the city's ecology is a non-profit organization located in the heart of the East River Park. It is critical that we support the Lower East Side Ecology Center by either revising the ESCR plan to mitigate the negative effects it would have on this essential Lower East Side institution, or relocate the Center to a new building within the community for the duration of the renovations and thereafter.

Since the beginning of this years-long process, we have called for the City and every agency to approach ESCR with a critical eye, geared towards protecting the East River Park our constituents know and love while providing essential resiliency protections for the community. We are here to ask you as our City Council colleagues to join us in that effort. Understandably, there is enormous distrust of the City when it comes to this plan, especially considering the sudden huge changes without community input, little transparency, and seemingly not one person in charge.

There is a golden opportunity here to not only bring our community together around the shared goal of flood protection, but also create enhanced green spaces and a park that will serve the needs of our community for many years to come. We again commend the City for altering its plan to include phased construction, and we urge the city to continue working with residents to make this project work for everyone.

With marches recently held across the world to protest the global climate crisis, this is a critical moment to focus on one of the largest infrastructure projects in the country seeking to address the impact of climate change. That's why it's so important the City gets it right.



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair
Manager

Susan Stetzer, District

LU 0548-2019

COMMUNITY BOARD 3 COMMENTS TO APPLICATION NO. C 190357 PQM (EAST SIDE COASTAL RESILIENCY) SUBMITTED BY THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES, PURSUANT TO SECTION 197-C OF THE NEW YORK CITY CHARTER, FOR THE ACQUISITION OF PROPERTY

LOCATED AT: BLOCK 244, P/OLOT 19; (BLOCK 321, P/O LOT 1); (BLOCK 323,P/O LOT 1); (BLOCK 367, P/OLOT 1); (BLOCK 988, P/OLOT 1); (BLOCK 990, P/OLOT 1); (BLOCK 995, P/O LOT5); AND PART OF THE EAST SIDE OF THE FDR DRIVE RIGHT OF WAY BETWEEN AVENUE C AND EAST 15TH STREET, MANHATTAN COMMUNITY DISTRICT 6; FOR A FLOOD PROTECTION SYSTEM, BOROUGH OF MANHATTAN, COUNCIL DISTRICTS 1, 2 AND 4, COMMUNITY DISTRICTS, 3 AND 6.

Good afternoon and thank you for listening to our testimony:

My name is Trever Holland and I am the Chair of Community Board 3's Parks, Recreation, Waterfront, and Resiliency Committee. In October 2012, Hurricane Sandy caused extensive coastal flooding in Community Board 3, resulting in significant damage to residential and commercial property, open space, transportation, power supply, and water and sewer infrastructure. In many ways, our community still suffers from effects of that catastrophic storm seven years later.

We all understand that with climate change, the city will see an increase in the frequency of the most intense storms as well as rising sea levels. We have asked the City to come up with a plan to protect our neighborhood especially our most vulnerable areas that includes large areas of NYCHA and affordable housing.

To address this vulnerability, the City of New York is proposing a bold plan to construct the East Side Coastal Resiliency Project (ESCR), an integrated coastal

flood protection system, along a portion of the east side of Manhattan from Montgomery Street in Community Board 3 to East 25th Street in CB 6. The ESCR project is a multi-agency initiative that was selected by HUD to receive disaster recovery grant funding through the Rebuild By Design competition, which was organized in response to the devastation of Hurricane Sandy in order to promote enhanced resiliency in impacted communities.

For many in the community, the ESCR process since Fall 2018 has frayed trust in government and public agencies because of the drastic change in plan design done without community consultation, despite the needs of the community who look to their government to supply desperately needed protection of their lives and homes, (and often both).

And although the City has regularly engaged the community since the selection of the “Preferred Alternative”, the Community Board has been challenged with rendering a resolution that balances the needs of coastal resiliency while addressing the concerns of those most impacted. One of our biggest challenges has been battling misinformation and we have created a chart (attached) to show the differences from the previous plan.

We still continue to have many concerns, which we have outlined in our attached resolution including what we heard repeatedly at all of our meetings; phased construction.

We have spent hundreds of hours reviewing the preferred alternative, listened patiently to hours of testimony and held or attended dozens of meetings. We also understand that raising the river’s edge does not come with some controversy. However, based on the information we have today, Community Board 3 supports this ULURP action with the list of conditions outlined in our attached resolution.



THE CITY OF NEW YORK
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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

October 3, 2019

At its June 2019 monthly meeting, Community Board 3 passed the following resolution:

TITLE: To Approve With Conditions ULURP #C190357PQM to Facilitate the East Side Coastal Resiliency Project

WHEREAS, on April 29, 2019 ULURP application #C190357PQM, for an acquisition of real property to facilitate the development of the East Side Coastal Resiliency Project (ESCR), was referred to Community Board 3 Manhattan for review; and

WHEREAS, the ESCR project is a multi-agency initiative that was selected by HUD to receive disaster recovery grant funding through the Rebuild By Design competition, which was organized in response to the devastation of Hurricane Sandy in order to promote enhanced resiliency in impacted communities; and

WHEREAS, the ESCR project would create a comprehensive flood protection system intended to reduce flood risk for the East Side of lower Manhattan, while also providing improved access to the waterfront and enhancing the waterfront parkland from East 25th Street to Montgomery Street; and

WHEREAS, these flood protection systems would consist of a combination of floodwalls, 18 closure structures, additional parallel conveyance infrastructure to assist with drainage and flood mitigation at upland locations, and other supporting infrastructure to reduce the risk of coastal storm flooding; and

WHEREAS, in Community District 3, the ESCR project includes the significant redevelopment of John V. Lindsay East River Park (East River Park) as well as a portion of Corlears Hook Park; and

WHEREAS, since 2015, the City has regularly engaged the Community Board on design proposals for the ESCR; and

WHEREAS, in March 2018, CB 3 voted to not support the ESCR design that emerged from this process, which is identified in the Draft Environmental Impact Statement (DEIS) as "Alternative 3,"; and

WHEREAS, in October 2018, the City unveiled a significantly redesigned proposal for the ESCR project, identified in the DEIS as the "Preferred Alternative,"; and

WHEREAS, for many in the community, the ESCR process since Fall 2018 has frayed trust in government and public agencies because of the drastic change in plan design done without community consultation, despite the needs of the community who look to their government to supply desperately needed protection of their lives and homes, (and often both); and

WHEREAS, many members of the community stated a preference for the previous design iteration because it utilized a method of resiliency well-established in modern environmental thinking of using parkland as a natural buffer for protection of upland regions, and replicated a system of floodplains and floodwalls as a defense to protect the neighborhood; and

WHEREAS, many members of the community have also requested a study by outside experts of the feasibility of all approaches that have been discussed including the original plan, Alternative 3, the Preferred Plan as well as one that includes the decking over of the FDR to evaluate the feasibility of achieving the following goals: not permanently and negatively impacting the residents of the lower floors of the NYCHA residents and other waterfront homes, that meets the federal spending deadline, and considers the impact on the health and well-being of community residents; and

WHEREAS, there has not been consensus among the NYC Administration, City Council and State Legislature on whether the Preferred Alternative triggers the necessity of the public trust doctrine on dedicated parkland approval via alienation for this preferred park plan, although on June 11, 2019, Parks provided the Community Board with a letter clarifying their position on alienation, noting that the current plan, including construction within the park, will "further park purposes" and be consistent with New York State's public trust doctrine because it provides flood protection and integral infrastructure upgrades to the park itself, and therefore does not require alienation legislation; and

WHEREAS, the ULURP for the ESCR Preferred Alternative only authorizes the city to acquire property and does not preclude or limit any negotiations with any property owner; and

WHEREAS, the Preferred Alternative moved the line of flood protection from the west side of East River Park, abutting Franklin Delano Roosevelt Drive, further east toward the East River and located wholly within East River Park, in order to adhere, to the City's primary objective to protect both the residential neighborhood, people, and the park itself. The new plan intends to avoid needing to repair the new park after flooding and storm events, as well as to account for the likelihood of increased tidal inundation from anticipated sea level rise; and

WHEREAS, according to the City, a major reason for abandoning the original plan, Alternative 3, was that the Preferred Alternative could be more expeditiously constructed because it's construction was not adjacent to the FDR Drive and therefore there would be far less disruption to traffic and this would reduce the construction schedule from five to three and a half years.

WHEREAS, the Preferred Alternative would raise the majority of East River Park 8-9 feet above its current elevation and would locate the flood protection systems below grade, essentially raising the entire park above the current 100-year floodplain and the predicted year 2050 100-year floodplain; and

WHEREAS, the Preferred Alternative includes a full reconstruction and reconfiguration of East River Park's underground sewer and water infrastructure, some of which is reaching the end of its serviceable life, including outfalls, associated pipes, and tide gates within the park, as well as the addition of new parallel conveyance to assist with drainage and flood mitigation; and

WHEREAS, the Preferred Alternative has not had outside review by scientists, a blue ribbon-type panel nor an assessment process like Envision (which has been used on other large-scale NYC projects); and

WHEREAS, the Preferred Alternative features a number of new design elements in East River Park that differ from the previous design iteration, including:

- The reconstruction of an additional overpass bridge at Corlears Hook Park

- An additional connecting bridge to provide access at the northern end of East River Park
- The full reconstruction of the East River esplanade, including the aging bulkhead, which would include the addition of direct waterfront access and step-downs to the East River
- The rebuilding of all of the comfort stations
- The renovation and expansion of the 10th Street playground
- The location of basketball courts above Houston at 10th Street and south of Houston at Delancey
- The reconstruction of the East River Park amphitheater, which is a cultural institution for the Lower East Side
- The removal of approximately 200 more trees, including many mature trees, to be replaced by 1,442 new trees; and

WHEREAS, in the Preferred Alternative, pile driving related to floodwall construction is now proposed to happen within the park and closer to the waterfront, further away from residential units than in the previous design iteration; and

WHEREAS, in the Preferred Alternative, barge delivery and water-side construction will be necessary, and drainage and sewer construction is now proposed to happen largely within East River Park, limiting construction traffic on the residential side of the Park and minimizing the drainage repair work that would have to be done on active roadways that the previous design iteration would have required; and

WHEREAS, such water-based construction greatly increases the degree of scrutiny the project will be subject to from permitting agencies such as the US Army Corp of Engineers (USACE), the National Oceanic and Atmospheric Administration (NOAA) and the NYS Department of Environmental Conservation (NYS DEC), given the impact that such construction will have on the marine ecology; and

WHEREAS, this project will be subject to a rigorous permitting process that will involve consultation with many federal and state agencies and the project must secure permits from USACE and NYS DEC, and the City has not fully discussed this process with the community or adequately advised them of steps and timeline involved in obtaining those permits and being able to commence construction because of them or the possible seasonal restrictions that the permits will place on the construction because of concerns about aquatic life; and

WHEREAS, despite these changes, during the construction period for the proposed project there will be the potential for significant adverse impacts in the immediate area and on the residents of the surrounding neighborhood as well as on the environment, including:

- Urban Design and Visual Resources, as the proposed project would block existing waterfront views from certain upland locations;
- Natural Resources, as the proposed project would destroy trees, plantings, insect habitats and adversely affect littoral zone tidal wetlands which will require compensatory mitigation and likely have an adverse impact on several vulnerable aquatic species including winter herring and striped bass as noted by NOAA;
- Hazardous Materials, as the proposed project would disturb the subsurface of hazardous materials, including at historical Manufactured Gas Plant sites, where contaminants could be disturbed during excavation;

- Transportation, as during construction of the proposed project, East 10th Street between the traffic circle and the FDR Drive service road would be converted from two-way to one-way eastbound and the service road in front of the BP Gas Station would be closed to vehicular traffic at East 23rd Street;

- Noise and Vibration, as the proposed project construction would generate noise and air pollutant emissions that could affect open public space and community member health;

- Greenhouse Gas Emissions, as total fossil fuel use in all forms associated with construction under the Preferred Alternative would result in up to approximately 48,889 metric tons of CO₂e emissions; and

- Open Space, as the proposed project construction would displace the open space resources at East River Park for at least 3 and a half years; and

WHEREAS, construction of the new park may generate significant pollutants as the park is razed, rebuilt and filled with imported soil that may affect the health of local residents; and

WHEREAS, many years of stewardship and composting have ensured that native plants and habitat for birds, insects and fish were thriving in the park they may now require moving the habitats that are able to be 'moved' in certain seasons; and

WHEREAS, East River Park is the largest park in the Community District and at the peak of construction, over 45 acres of open space would be temporarily lost; and

WHEREAS, this park is used extensively by elders, disabled persons, including sight and hearing impaired; and

WHEREAS, this loss will be disproportionately felt by lower-income communities of color living in the 1/2-mile area adjacent to the proposed project, including:

- Approximately 28,000 residents living in NYCHA developments¹;

- Approximately 101,000 minority residents (51% of all residents in the study area)²;

- Approximately 20% of all residents in the study area are living in poverty³; and

WHEREAS, these impacts will also be felt by all nearby residents, nearby CB3 members (including children, parents, elders), youth sports groups, all other sports groups; and

WHEREAS, the youth of the Lower East Side and their parents rely on East River Park for activities to keep children safe and active; and

WHEREAS, Title 1 schools do not have buses to move children to other parts of the city to access open space resources; and

WHEREAS, the DEIS cites the introduction of new publicly accessible ADA open space at Pier 42, Pier 35, and Phase IV of the East River Waterfront Esplanade project, and recreation improvements at the site of the to-be demolished LaGuardia Bathhouse as mitigating factors to offset the temporary loss of open space. While the

¹ East Side Coastal Resiliency Project DEIS, pg. 5.11-7.

² East Side Coastal Resiliency Project DEIS, Table 5.11-1, pg. 5.11-6.

³ Ibid.

LaGuardia Bathhouse site was targeted for active recreation as a direct response to the loss of open space incurred by the East River Park closure, the other projects were set to be completed regardless of the final design and construction plan for ESCR; and

WHEREAS, Parks has also promised a number of improvements to local parks for district wide mitigations and all of which taken together still do not provide full compensation for the tremendous loss of open space that the community will suffer, many of which are already in the pipeline, including:

- **Planting up to 1,000 trees and approximately 40 rain gardens throughout CB3 and CB6** – First plantings to begin this fall
- **Improving turf at seven locations**
 - o **Installing new synthetic turf at five sites by Spring 2020** – La Guardia Bathhouse/Little Flower Playground, St. Vartans, Tompkins Square, Tanahey, Robert Moses
 - o **Turf improvements at two sites** -Coleman (resod field), Baruch field (underway)
- **Installing new sports coating at seven sites by Spring 2020** – Tanahey, Sara D. Roosevelt, Al Smith Rec Center, St. Vartans, Columbus Park, Coleman, Al Smith Playground
- **Increasing play time at six fields through solar field lights by Spring 2020** - Columbus Park, Coleman Field, Sara D., Baruch Playground, Corlears Hook and Chelsea Park. These lights will extend field play in the spring and fall seasons
- **Prioritizing and accommodating youth league permittees** – Parks will accommodate all youth softball, baseball and soccer leagues in our existing system of fields. Parks will also accommodate as many adults as possible. Parks has reached out to all ballfield permit holders from last year
- **Painting playgrounds and park equipment at approximately 16 sites by Spring 2020** - Columbus Park, Coleman, Al Smith Playground, Al Smith Rec Center, Little Flower Playground, Tanahey Playground, Cherry Clinton, Hamilton Fish, Corlears Hook, Baruch Playground, Tompkins Square, Dry Dock, First Park, St. Vartan, Robert Moses Playground, John Jay.
- **Increasing barbecues sites by Spring 2020** – New grills and picnic tables at Coleman and replacements at Al Smith Recreation Center
- **Transforming Dry Dock Pool into a Cool Pool by Summer 2019**
- **Identifying alternative tennis locations**
 - o John Jay Park courts will be re-striped to formalize the tennis area by Spring 2020
 - o Queensboro Oval (in Manhattan) will be open to NYC Parks tennis permit holders Summer 2019, and for even more weeks (22) per summer starting 2020
 - o Randall's Island is opening a new facility with courts open to NYC Parks tennis permit holders
- **Increasing staffing for recreation, maintenance and operations by Summer 2020**
 - o New playground associates (9 new staff lines) will provide new programming and help organize events and activities for park users
 - o All existing M&O staff for East River Park will remain on the east side of Manhattan, below 34th Street

- Providing new open spaces and recreational opportunities

- o LaGuardia Bathhouse asphalt-to-turf as noted in #2a)
- o Baruch Bathhouse is the current focus of a community taskforce to transform this long-abandoned building into a community space. The taskforce is reviewing proposals and will discuss recommendations this summer
- o Pier 42 Phase 1 Upland Park is anticipated to open in 2021 and will include a playground, passive landscapes, a picnic knoll, and a comfort station upland of Pier 42
- o EDC is currently inspecting the Pier 42 deck to identify near term recreation feasibility and opportunities and EDC recently completed Pier 35

- Solving the pinchpoint with the Flyover Bridge –The project to improve connections between East River Park and Stuyvesant Cove Park has been funded with \$56M; and

WHEREAS, one mitigation that has been disclosed is the addition of BBQ pits at Coleman Playground, and the Knickerbocker Village Tenants Association has indicted that they do not think this is an appropriate area for these pits; and

WHEREAS, in the DEIS, a number of proposals for additional mitigations are currently described as being "explored," "investigated," or "assessed," by the City, it is clear that concrete plans for many of these impacts have not been fully identified and committed to at this time; and

THEREFORE BE IT RESOLVED, the City must work with the community and Community Board 3 to clearly and specifically identify these mitigations as they are identified, including clarifying the following:

- Where the DEIS states that "the City is working with other entities with open space resources to identify recreational resources that may be opened to the community during construction," (8.0-4) these other entities have since been identified as NYCHA, the Department of Education, and the Department of Transportation, and these agencies must come together in consultation with the Community Board to identify and disclose all locations and capacity of these other resources, particularly because many existing local area parks and open space resources are primarily turf and hard surfaces; and
- Where the DEIS states that "the City is assessing opportunities to open parts of East River Park as work is completed," (8.0-4) the exact construction phasing and re-opening proposal should be disclosed and the final plan decided on through engagement with the community and consultation with the Community Board;
- Where the DEIS states that the impact of the ESCR Preferred Alternative on the Essential Fish Habitat (EFH Assessment) has not been studied adequately, and the NOAA is requiring a revised assessment with alternatives that will minimize the effects on certain species like herring and striped bass (Appendix G), including the possibility that seasonal work restrictions will be one of the ways to address these effects. If such seasonal restrictions are likely to imposed, a situation which would adversely affect the construction schedule, the City must inform and consult the community about the likely effects of these restrictions as soon as possible and discuss at the earliest possible opportunity their plan to locate additional funds for mitigation, especially for solutions that provide recreation options in the immediate vicinity, such as barges and special play features; and
- Where the DEIS states that "NYC Parks is exploring providing alternative recreational opportunities throughout the Lower East Side neighborhoods through programs like Shape-Up classes, walking clubs, Arts, greening programs, etc.," (8.0-4) the locations and funding for such programs should be disclosed and

discussed with the nearby residents of those proposals prior to enacting them to ensure their feasibility and value to the community;

- Where the DEIS states that "NYDOT is investigating supporting bicycle infrastructure upgrades along the alternate route, including new markings and signage," (8.0-5) it should specify where this re-rerouting and signage would be located and consider this plan as well as additional solutions including more dedicated bicycle lanes on additional routes in consultation with the Community Board. NYC Parks should also consult the Community board on viable solutions for the needs of joggers and walkers;

- Where the DEIS states that "NYC Parks is exploring a Lower East Side Greening program with the opportunity to plant up to 1,000 trees in parks and streets, and create up to 40 bioswales," (8.0-5), Parks should also work with local community organizations to spearhead such a program, as was suggested in a February 2019 Community Board 3 resolution supporting a proposed LES Community Tree Canopy Initiative. We understand the tree planting will start in Fall 2019 but the Parks Department must update the Community Board as soon as possible regarding the proposed schedule and locations. In addition, tree guards and concrete plans for the care of the trees (such as watering) should be included as part of the tree planting operation;

- Where the DEIS states that "the City is exploring purchasing lighting to be used at several Lower East Side parks to extend playing time at fields for permitted use during construction of the proposed project," (8.0-5), and the City has confirmed they will bring the solar lights to Columbus Park, Coleman Field, Sara D., Baruch Playground, Corlears Hook and Chelsea Park, adding an additional four to five hours of field time at some parks during the Fall, it must disclose *all* parks and fields these improvements would be located at, guarantee that the lighting would be funded, identify whether the improvements would remain at the end of the ESCR construction period, and evaluate the impact of new lighting and playing on any surrounding residential buildings and consult with those local communities and guarantee field priority for local youth leagues;

- Where the DEIS states that "the City is assessing opportunities for improvements to parks and playgrounds in the vicinity," (8.0-5), and the City has identified Columbus Park, Coleman, Al Smith Playground, Al Smith Rec Center, Little Flower Playground, Tanahey Playground, Cherry Clinton, Hamilton Fish, Corlears Hook, Baruch Playground, Tompkins Square, Dry Dock, First Park, St. Vartan, Robert Moses Playground, and John Jay as locations for improvements, it must explicitly identify *all* parks and playgrounds are under consideration, which projects are new and not necessarily already in the capital projects pipeline, what the improvements would be, guarantee that the improvements would be funded and disclose the timeline for said improvements;

- Where the DEIS states that "The City is also assessing the feasibility of utilizing quieter construction methods (i.e., press in pile)" (8.0-5) and considering "selecting quieter equipment models for cranes, generators, compressors, and lifts may result in up to a 10 dBA reduction in noise levels from construction," (8.0-8) it must guarantee the equipment would be actually be available for the duration of the construction period prior to application approvals, and make these methods a condition of any bid or RFP for ESCR construction;

- Where the DEIS states that mitigations are "under consideration" in order to achieve "cost effective reduction of greenhouse gas emissions from the construction of the proposed project" (6.11-16), it should be committed to prior to project approvals that when the construction contracts are put out for bid and/or RFPs are issued, they should require the use of biodiesel fuel on-site, require targets be met for the volume of recycled steel and aluminum generated on-site, and commit contractors to divert as much construction waste as possible for recycling; and

THEREFORE BE IT FURTHER RESOLVED, the following additional mitigations must be included in the East Side Coastal Resiliency project:

- The City must explore immediate and temporary mitigation measures for present and future threats of destructive storms to protect local neighborhoods during the time the park is vulnerable; and
- To ensure neighborhood future protection and storm resilience, the Preferred Alternative plan for the ESCR should also include the ability to add protection for the predicted surge and sea level rise for 2100; and
- The City must provide a more comprehensive and robust explanation of the schedule advantages of the Preferred Alternative over Alternative 3 given that the possible seasonal construction restrictions were not factored into the timeline advantages stated in the rationale of choosing the Preferred Alternative, a solution that is more costly than Alternative 3 which was developed in consultation with the community; and
- As the ULURP, Environmental Review and permitting processes continue the City should work with CB3 and concerned community organizations to identify a panel of 3 to 5 mutually agreed upon environmentalists to expeditiously review and evaluate the alternatives in the DEIS and describe reasonable interim measures that could be taken to minimize any adverse impacts that the community might confront until the project is implemented and such review and the DEIS should not be finalized until such recommendations and review is presented; and
- The City must commit to seek Envision certification, a rating system for infrastructure, to help assess how the ESCR plan will meet or exceed sustainability goals across a range of social, economic, and environmental indicators. And such certification should be provided before the DEIS is finalized; and
- Temporary measures for immediate storm protection need to be implemented given that the hurricane season is on the horizon and the damages of a potential storm on a community that is still recovering from the aftermath of Hurricane Sandy would be disastrous and further delay the ESCR project; and
- The City must include social resiliency and community preparedness in its planning and funding including schools, community programming and local long term recovery groups such as LES Ready and CERT, which is recognized by the Office of Emergency Management (OEM) and provide a weekly update email on construction process, alternative spaces and recreation opportunities; and
- The City must agree to regular updates with the Community Board, hold timely community engagement meetings such as town halls, large group presentations, community open houses and other similar events that offer more opportunities for Q&A, information on progress, setbacks and any changes to agreements or Park plans; and
- The City must establish a Community Advisory Group of community and institutional stakeholders of the affected project area that will meet frequently with agencies both during design and construction until project completion with regular reports and meetings made available to community at large; and
- Alternative routes deemed safe for all, including pedestrians, micro mobility users, runners, commuting and recreational cyclists of all ages, must be developed in collaboration with the community and instituted before the Greenway is closed; and
- Every effort must be made to minimize raising dust both in disturbing the soil currently in East River Park and the laying in of imported soil to reduce the drift into residences, schools and public spaces; and

- Topsoil and salt resistant indigenous plants should be considered for reuse to re-establish natural passive areas in park; and
- The City must provide the community a finalized design and timeline for completion of the flyover bridge; and
- The Parks Department must ensure ADA compliant access to and within the park including braille signage, adequate water fountains and adequate lighting for safety and accessibility; and
- The Parks Department must commit to prioritizing permits for local neighborhood youth groups both during construction (except where that would conflict with other local park youth groups) and into the future of the East River Park; and
- The Parks Department should consider sport facilities such as Basketball City, as sites for open space for children and sports leagues; and
- The Parks Department must look at other open space sites in CD3 that have yet to be identified including the Allen Street Malls (CB3's #2 Parks priority), the vacant Allen Street building and the underused lots underneath the Williamsburg Bridge; and
- The Parks Department must work with park stewards to identify and protect biodiversity including identifying alternative habitat areas and transfer usable park materials and plants rescued from East River Park to other alternative open spaces and create new open green spaces near East River Park to help offset the loss of carbon sinks in CB3; and
- The City must undertake the immediate creation of bioswales, tree canopy plantings, and permeable pavers in CB3; and
- The Parks Department must use mature trees as replacements for lost trees in East River Park in areas where they are appropriate; and
- The City must provide temporary space for the LES Ecology Center to continue all environmental education and composting programming during construction and integrate the Ecology Center's long-delayed Compost Yard upgrades into the ESCR project and plan and create a sustainable, resilient building in East River Park so that the LES Ecology Center can continue to offer education and stewardship programming; and
- The City must make available temporary water parks or water play features that are available before the first summer season of the Park's closure.
- The City must continue to work with the Amphitheater Task Force to create a design that is consistent with local needs;
- The City must continue discussions in good faith with Gouverneur Gardens and provide timely updates to the Community Board about any resolutions; and
- The Parks Department, DDC and all involved agencies must agree to regular updates with the Community Board to report on progress, setbacks and any changes to agreements or park plans; and

- The City must make a definitive commitment to ensure the phased construction and park reopening for the ESCR project, in a manner that does not impact the overall timetable for park closure and project completion, and the City must provide a complete timetable for the phased construction and park reopening plan, and outline any changes this would create for construction impacts; and

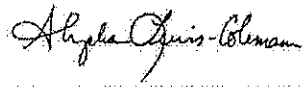
- Local residents should be provided assistance to access to other open areas, sports fields and city parks, in the form of Metrocards, shuttle buses, free ferry service or other types of transportation or financial support. As the current Preferred Alternative plan prioritizes access to the new ferry facilities that will remain open throughout the construction period, these especially should be made available at a reduced price or no cost to local residents

- There must be a protocol established before work begins to allow City agency oversight over decision making for contractors during the construction period, with clear avenues for community input established, in order to mitigate against contractor decision making that disregards the quality of life of area residents, and this must be a condition of any bid or RFP for ESCR construction; and

THEREFORE BE IT FURTHER RESOLVED, that Community Board 3 approves with conditions ULURP #C190357PQM to facilitate the East Side Coastal Resiliency project.

Please contact the community board office with any questions.

Sincerely,



Alysha Lewis-Coleman, Chair
Community Board 3



Trever Holland, Chair
Parks, Recreations, Waterfront,
& Resiliency Committee



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street- New York, NY 10003
Phone (212) 533-5300
www.cb3manhattan.org – mn03@cb.nyc.gov
Alysha Lewis-Coleman, Board Chair Susan Stetzer, District Manager

Summary of the East Side Coastal Resiliency Project

This document summarizes key differences between the previous and current approach to delivering the East Side Coastal Resiliency project. **DISCLAIMER:** Current approach is up to date as of 6/17/19 but subject to change.

Element	Previous Approach	CB 3 Approved?	Current Approach	Changes
Construction Duration	5 years	n/a	3.5 years. Storm protection in place by hurricane season 2023.	1.5 year decrease
Duration of East River Park Closure	Park closure for 5 years.	n/a	Park closure for 3.5 years, including esplanade due to reconstruction.	1.5 year decrease
Design	Line of flood protection is located on western side of park; extensive use of levees and earthwork floodwalls along FDR Drive	n/a	Park is elevated 8-9 feet above current elevation to 16.5 feet NAVD88; Flood protection system is installed below grade; Line of flood protection is moved eastward in to park	Floodwall moves from west side of park to east side; Park is raised 8-9 feet
Park Resiliency	Portions of the park remain in the current and future 100-year floodplain, with remaining trees within floodplain at risk due to threat of saltwater inundation. Esplanade exposed to daily tidal flooding risk due to sea level rise by end of century. Bulkhead would need to be fixed within next decade—requiring future park closures.	n/a	Park raised above the current and future 100-year floodplain, including sports fields, playgrounds, and comfort stations. Bulkhead is reconstructed and elevated, avoiding future park closures; esplanade and park ecology not at risk of daily tidal flooding due to sea level rise.	Raises park fully above 100 year floodplain and eliminates future risk of tidal flooding
Level of Protection	Neighborhood: 100-year coastal storm surge + 30" sea level rise (2050s) + wave action and freeboard (16.5 ft NAVD88) East River Park: remains largely in floodplain	n/a	Neighborhood: 100-year coastal storm surge + 30" SLR (2050s)+ wave action and freeboard (16.5 ft NAVD88) East River Park: 100-year coastal storm surge + 30" SLR (2050s)+ wave action and freeboard (16.5 ft NAVD88)	Neighborhood: No change East River Park: Protected from floodplain
Construction Risk	Proximity to FDR Drive requires working within roadway closure hours Construction adjacent to Con Edison live transmission lines.	n/a	Staging and construction execution happens within the park Reduced construction adjacent to Con Edison live transmission lines	Reduced FDR closures Reduced risk of impacting Con Edison transmission lines Staging inside park
Construction Methods	Pile driving and floodwall construction along FDR Drive near residential buildings, including NYCHA, requiring long durations of overnight work and lane closures. Truck delivery of equipment, landscape and park building materials. Pedestrian bridge construction requires short-term FDR Drive closures. Interior drainage construction in roadways and right-of-way.	n/a	Water-side construction of esplanade and waterfront structures. Pile driving of flood protection within the park, away from residential units. Pile driving and floodwall construction south and north of East River Park remain Barge delivery largely reduces truck delivery of equipment and materials Pedestrian bridge construction requires short-term FDR Drive closures Interior drainage construction in roadways and right-of-way	Less construction traffic on FDR Drive-side and residential areas; more water-side construction access Pile driving occurs further from residential areas

Element	Previous Approach	CB 3 Approved?	Current Approach	Changes
Cost	\$1.2B (\$760M Budgeted) HUD: \$338 M	n/a	\$1.45B HUD: \$338M	\$0.25B cost increase
Park Access	Bridge reconstruction: Delancey Street Bridge; East 10th St. Bridge Access Improvements: East Houston Street overpass landing on park side	n/a	Bridge reconstruction: Delancey Street Bridge; East 10th St. Bridge; Corlears Hook Bridge Access Improvements: East Houston Street overpass landing on park side	1 additional bridge reconstruction (Corlears Hook)
Impact to Trees Across Entire Project Area	776 trees removed 1,180 trees planted Remaining trees stay in floodplain; at risk to future saltwater inundation	n/a	981 trees removed 1,442 trees planted All trees will be out of the floodplain; not subject to saltwater inundation	205 more trees removed; 262 more trees planted; all trees now outside of floodplain
Overall Sewer System Infrastructure	Floodproof more existing sewer infrastructure and rerouting more storm drainage on the western, residential side of the park. Minor reconstruction of water and sewer infrastructure in East River Park. Replacement of tide gates on outfalls.	n/a	Full reconstruction and reconfiguration of East River Park's underground sewer and water infrastructure, including outfalls and their tide gates within the park; Minor modifications to existing sewer system outside of park.	Increased sewer reconstruction in East River Park; Reduced modifications outside of park.
East River Park Drainage	Reconstruct portions of drainage system within park	n/a	Full reconstruction of drainage system and reconstruction of sewer outfalls within the park.	More drains and sewer outfalls within park are reconstructed
Flyover Bridge	Not in prior design.	n/a	Fully funded key bridge connecting the north end of East River Park with Captain Patrick J. Brown Walk, with key structural elements constructed in ESCR program.	1 additional flyover bridge
Direct Waterfront Access (East River)	Existing esplanade remains as is, needs future repairs.	n/a	Reconstruction of esplanade, including relocation of embayments with direct waterfront access.	Full reconstruction of esplanade with direct access to water
Open Space	Active: 51.53 acres; Passive: 39.15 acres; Total: 90.68 Acres	n/a	Active: 54.4 acres; Passive: 36.28 acres; Total: 90.68 Acres	Increase active open space by 2.87 acres; decrease passive open space by 2.87 acres
10th Street Playground	10th Street playground remains the same	n/a	10th Street playground is expanded, with more space for both younger and older children	Expansion of 10th Street playground
Active Programmed Space	Loss of one ball field; reconfiguration of tennis courts, basketball courts, and athletic fields; Loss of basketball courts near 10th Street.	No	Relocate and reconstructed amphitheater; Loss of one ball field; relocation of basketball courts and multi-use turf field; relocation of ball fields 3-6	No additional loss of fields; different configuration of fields and relocated/reconstructed amphitheater; basketball courts will remain north of Houston near 10th Street and south of Houston St near Delancey.

Northern Manhattan Equities (NME) III

207–209 W. 140th St & 304 W. 150th St

City Council Presentation
October 3, 2019



207-209 W. 140th St



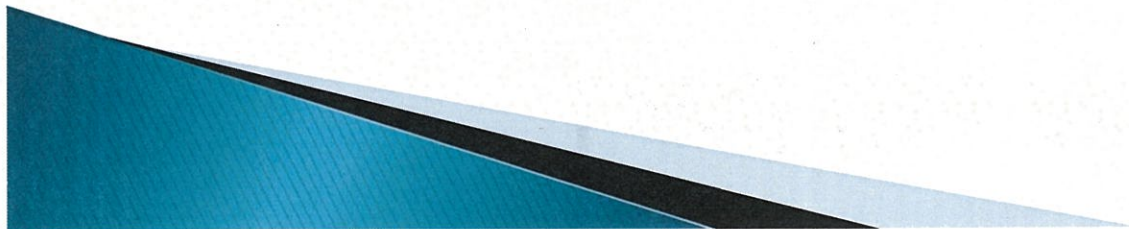
304 W. 150th St



EXACT CAPITAL

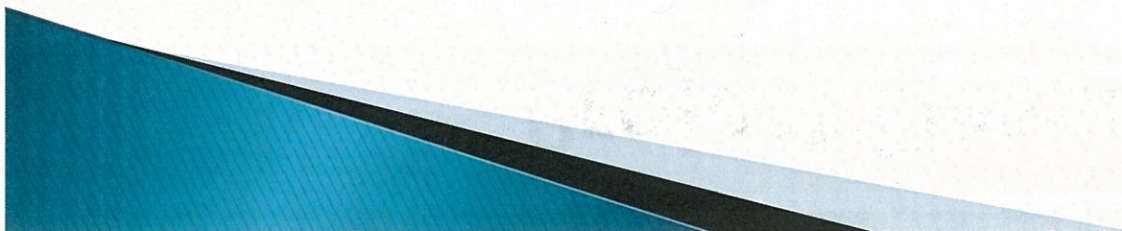
Project Description

- ▶ 100% Affordable Homeownership Co-ops (Open Door)
- ▶ 207–209 W. 140th St (btwn. Adam Clayton Powell Jr Blvd & Frederick Douglass Blvd)
 - 6 stories
 - Approximately 21 units
- ▶ 304 W. 150th St (btwn. Frederick Douglass Blvd & Bradhurst Ave)
 - 12 stories
 - Approximately 31 units



Land Use Actions

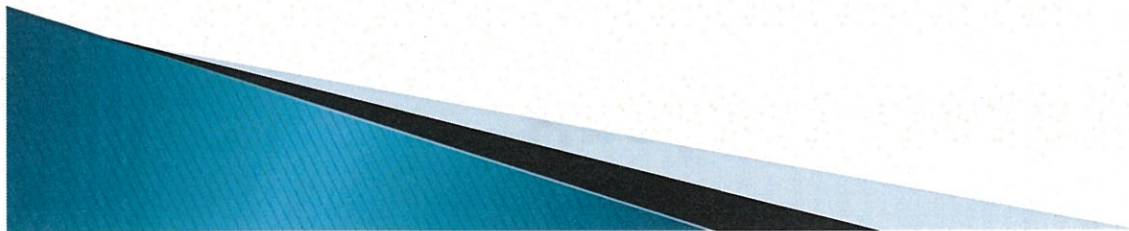
- ▶ Acquisition of privately owned property
- ▶ UDAA (Urban Development Action Area) Designation and UDAAP Approval
- ▶ Disposition of City-owned property



Development Team

Harlem Congregations for Community Improvement (HCCI)

Exact Capital Group

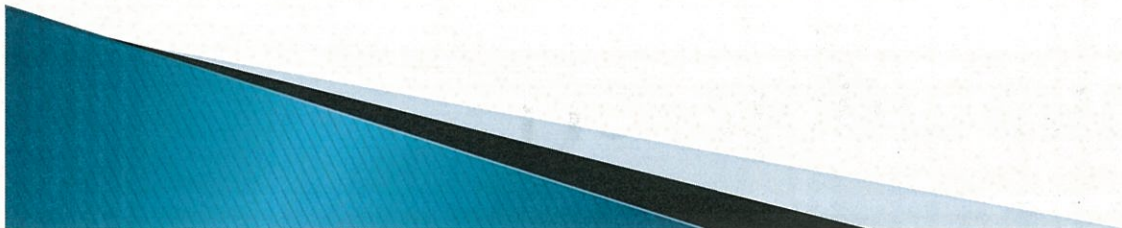


EXACT CAPITAL

Project Background

Northern Manhattan Equities (NME)

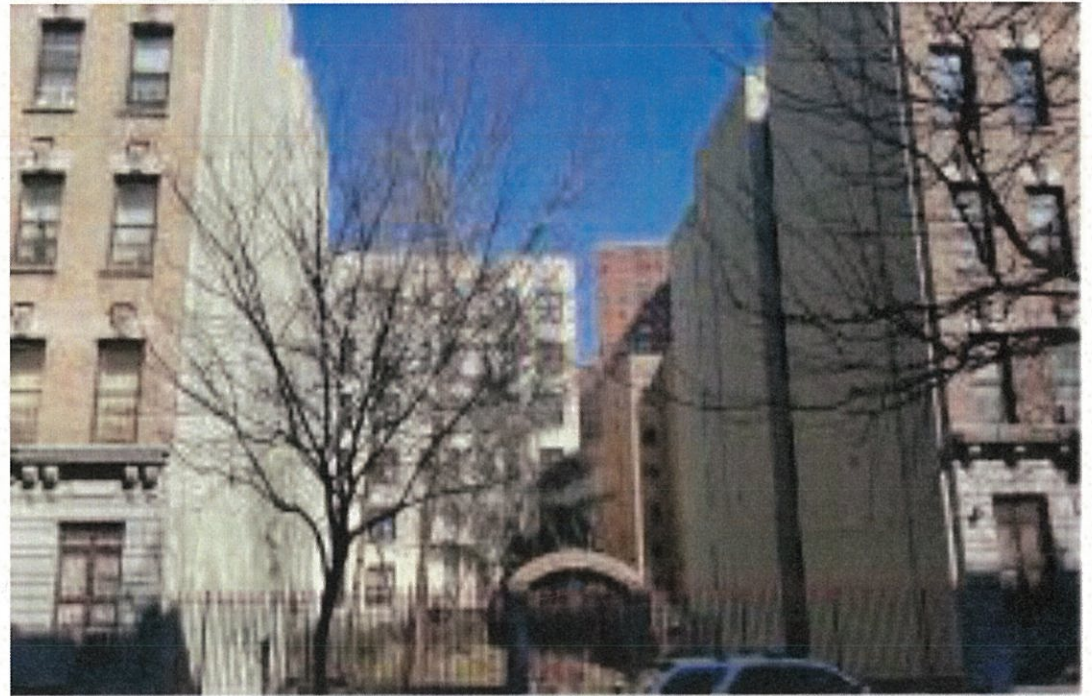
- ▶ **2014 Preservation Finance project**
 - Phase I – (NME I) – 399 Low Income Housing Tax Credit (LIHTC) units
 - Phase II – (NME II) – 207 Low Income Housing Tax Credit (LIHTC) units
- ▶ **2019 New Construction Finance project**
 - Phase III – (NME III)– 52 homeownership units



EXACT CAPITAL

Existing Conditions – 207–209 W. 140th St

- ▶ Block 2026/Lots 24 & 25
- ▶ Existing zoning – R7-2
(3.44 FAR)
- ▶ Max height – 75 feet



EXACT CAPITAL

Existing Conditions – 304 W. 150th St

- ▶ Block 2045/Lot 98
- ▶ Existing zoning – R8 (6.02 FAR)
- ▶ Max height – 115 feet



EXACT CAPITAL

150th Street Site



302-306 West 150th Street



EXACT CAPITAL⁹

Surrounding Area – 150th Street Site



Looking east from Bradhurst Ave and 150th St



Surrounding Area – 150th Street Site



12 story building – Looking north from Bradhurst Ave and 148th St



EXACT CAPITAL¹¹

Surrounding Area – 150th Street Site



EXACT CAPITAL

Development Program

100% Affordable Homeownership Co-ops (Open Door)

▶ Total Unit Mix

- 1 – Studio
- 20 – 1-Bedroom
- 19 – 2-Bedrooms
- 12 – 3-Bedrooms

▶ Affordability Mix

- Target range between 80% and 90% of AMI



EXACT CAPITAL

Development Program – Unit Mix

Type	AMI Range	Qualifying Household Income
Studio	80% to 110% AMI	~\$60,000 to ~\$82,000
1-Bed	80% to 110% AMI	~\$60,000 to ~\$94,000
2-Bed	80% to 110% AMI	~\$77,000 to ~\$106,000
3-Bed	80% to 110% AMI	~\$85,000 to ~\$127,000

*Incomes subject to change based on annual HUD Income Limit at time of financing



EXACT CAPITAL 14

HCCI: Homebuyer Education & Purchase Readiness Programs

- ▶ First Time Home Buyer Counseling & Readiness: 4 Week Rolling Admission

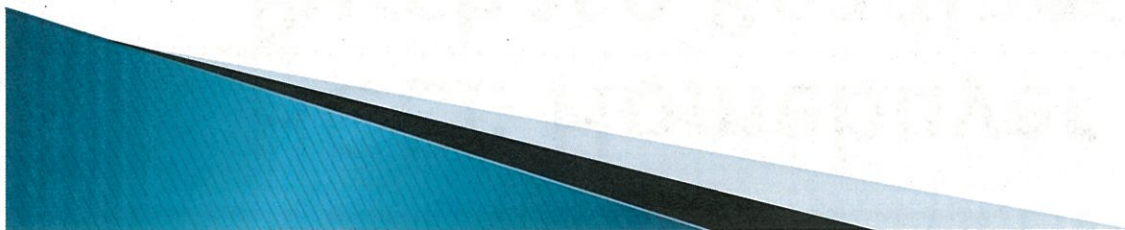


- ▶ Lending Circles: Credit Score Builder Training
- ▶ Small Business Institute: First Time Entrepreneur Training

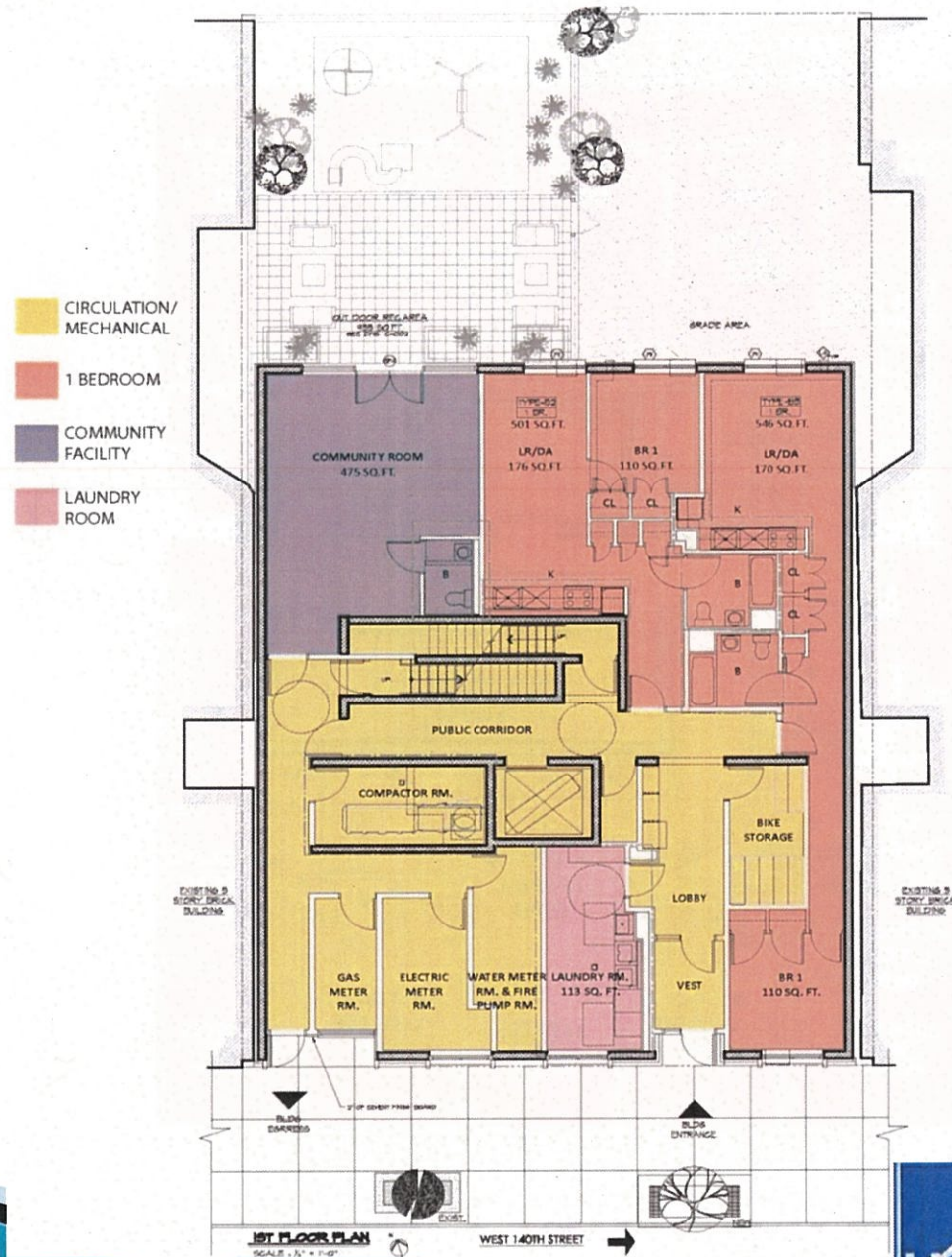


Development Program – Residential Amenities



- Building
 - Fully handicapped accessible
 - Outdoor recreation area
 - Indoor recreation/community room
 - Bike parking spaces
 - Laundry facilities
- In-Unit
 - ADA accessible

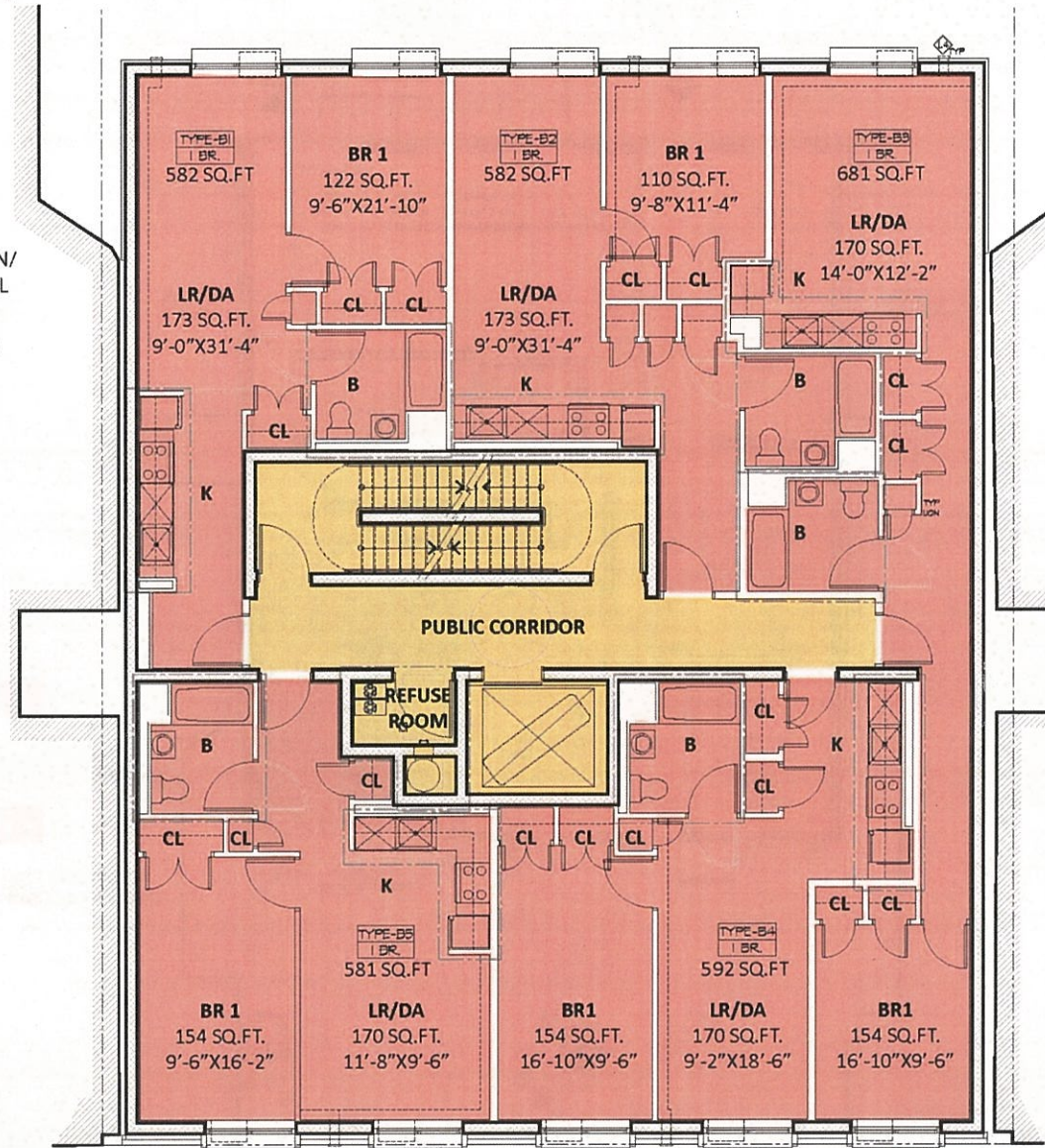


Ground Floor Plan – 140th Street



Typical Floor Plan – 140th Street

 CIRCULATION/
MECHANICAL
 1 BEDROOM



Floors 2 – 6



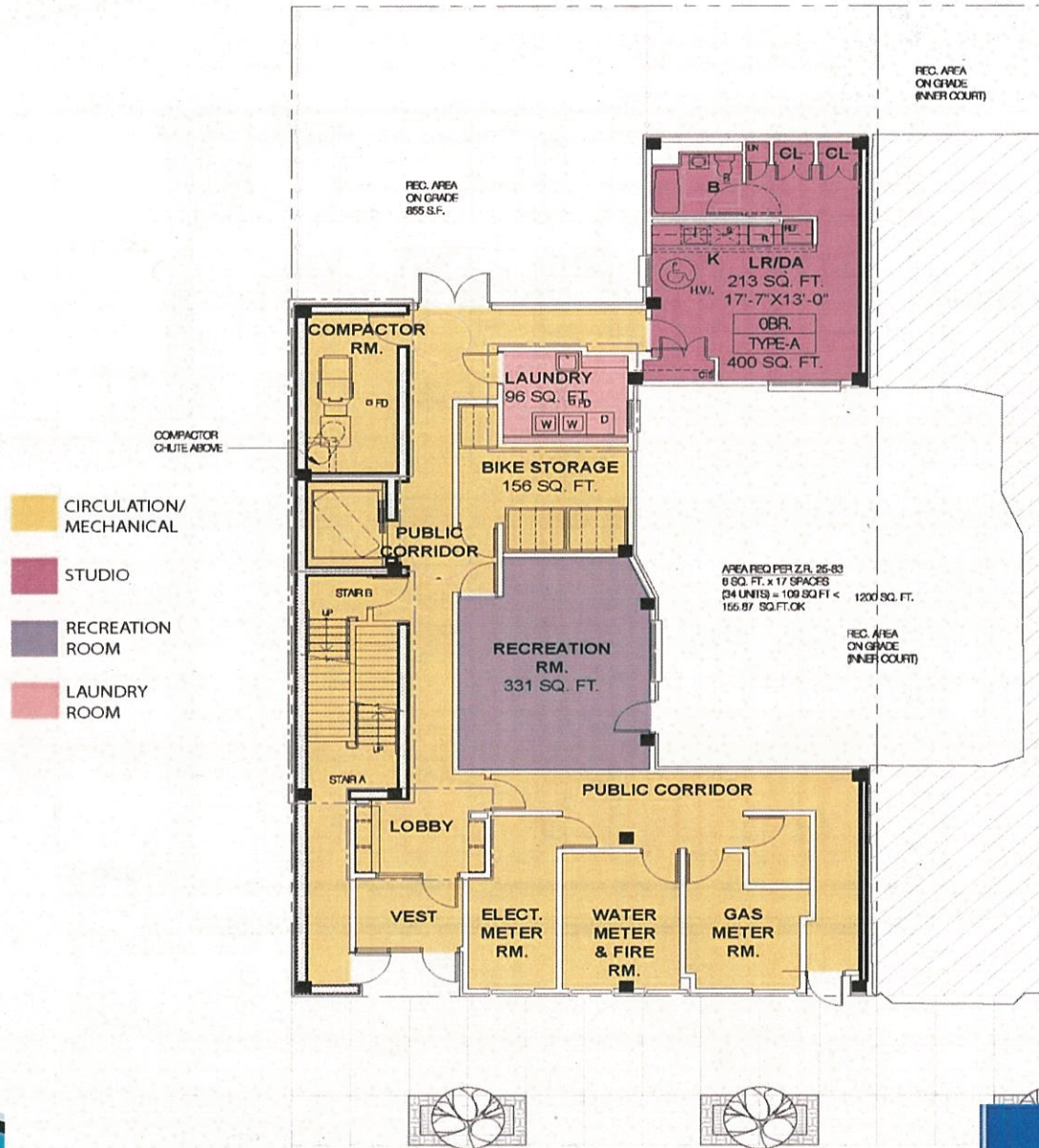
EXACT CAPITAL

Elevations- 140th Street

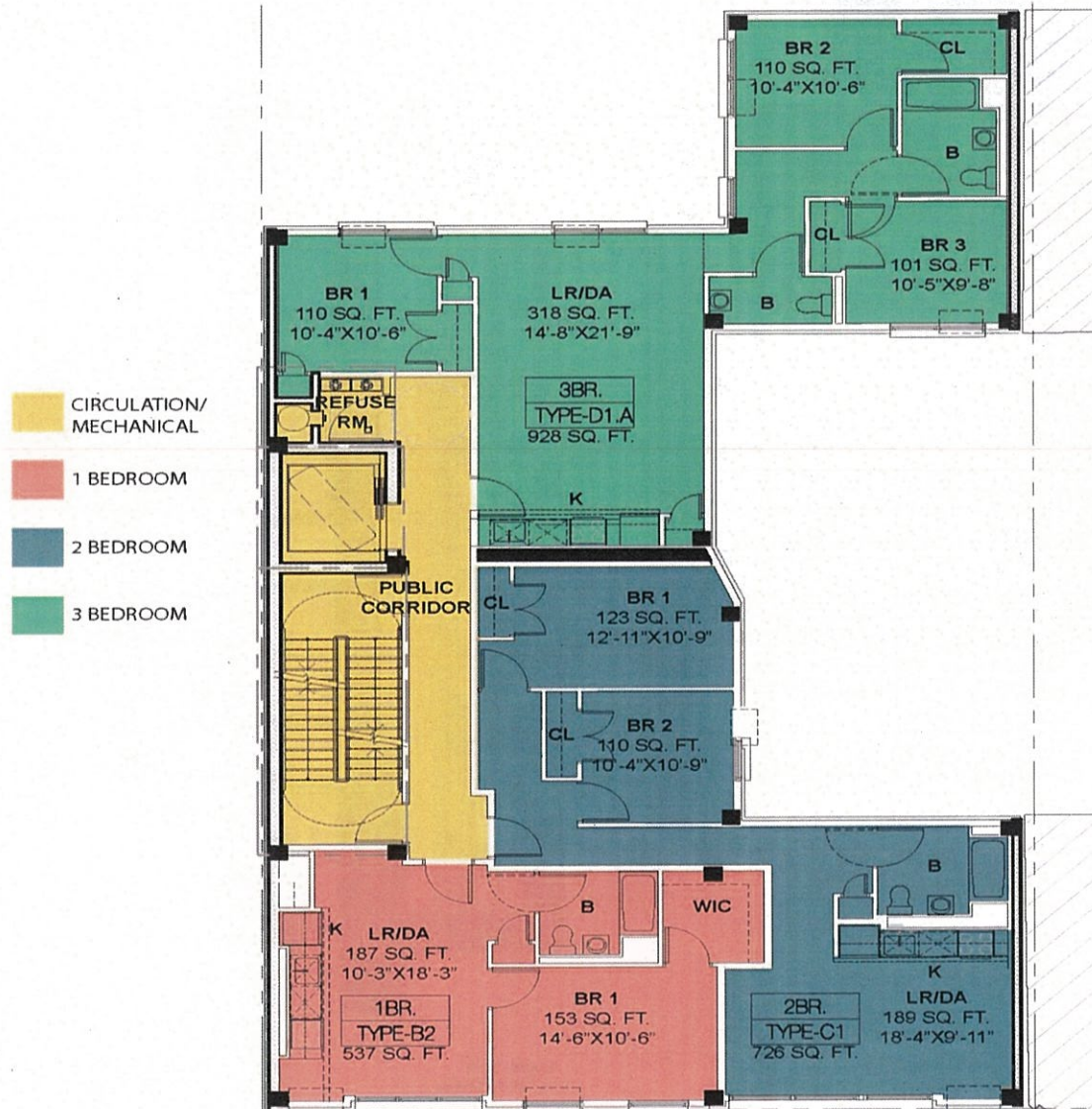


EXACT CAPITAL

Ground Floor Plan – 150th Street



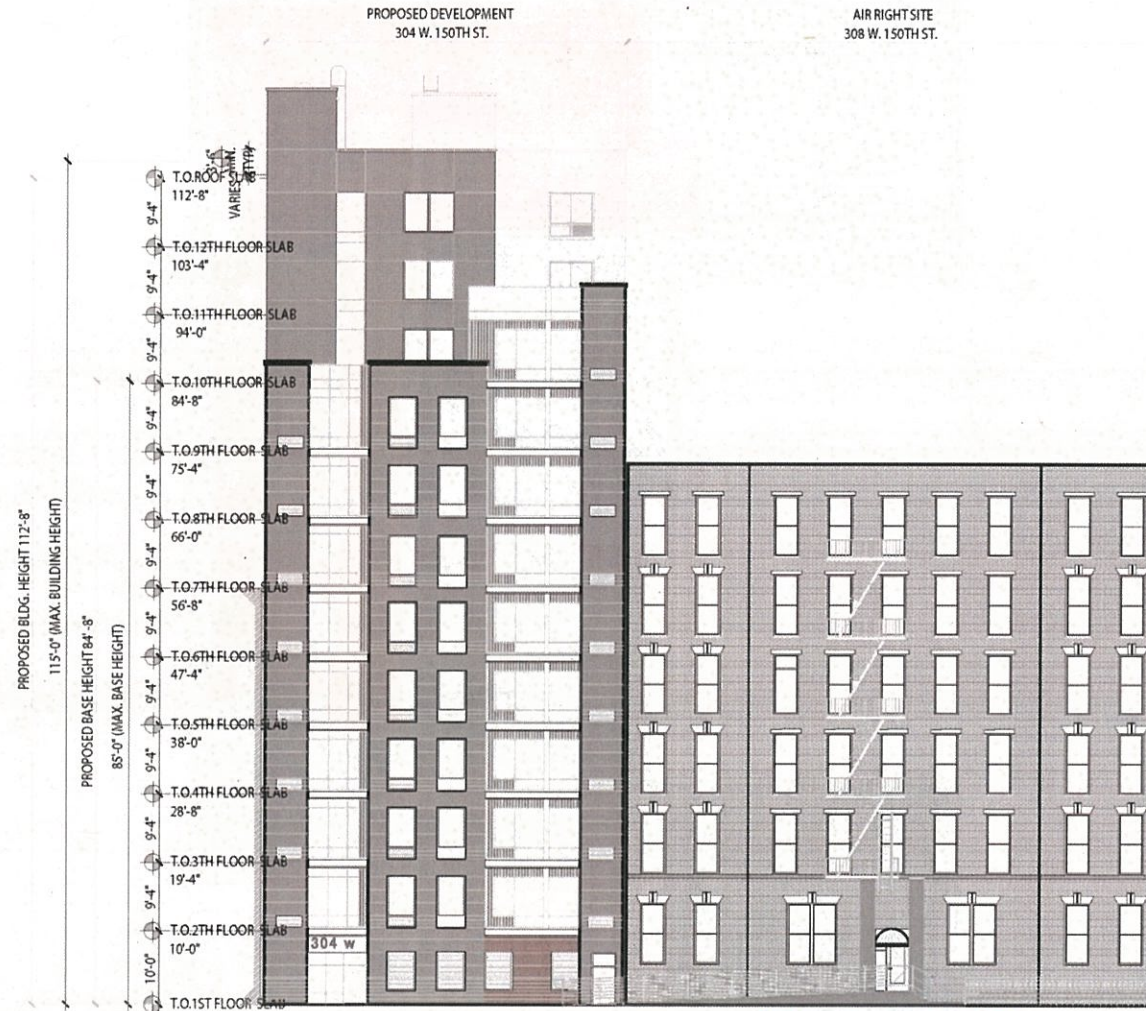
Typical Floor Plan – 150th Street



Floors 2 – 6



Elevations- 150th Street



EXACT CAPITAL

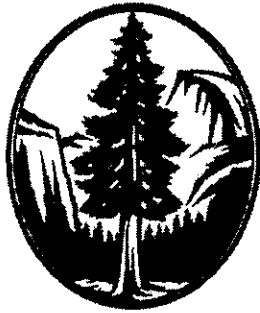
207-209 W. 140th St



304 W. 150th St



EXACT CAPITAL



**SIERRA
CLUB**
FOUNDED 1892

**SIERRA CLUB NYC GROUP
TESTIMONY BEFORE THE NYC PLANNING COMMISSION
PROPOSED EAST RIVER PARK PLAN
SEPTEMBER 23, 2019**

The Sierra Club NYC Group recognizes it is the likelihood of future flooding from the East River due to sea level rise and weather events. We therefore support the effort to provide flood protection as soon as possible. The Sierra Club also recognizes the great significance of the East River Park, both as an ecological asset to the City, and a recreational and environmental asset to countless neighboring residents and visitors.

The deconstruction and reconstruction of the Park constitutes a major environmental and social disruption, and must be treated accordingly. If not executed with a construction and park plan that protects the neighborhood's environment and preserves the park's ecology, this project will impose great, irreparable harm to the health of neighboring residents and the ecology of our City.

Therefore, the Sierra Club NYC Group fully supports Borough President Gale Brewer's and Councilmember Rivera's call for independent, expert review of the City's current preferred plan. At the very least, the expert they jointly retain must be allowed to freely render recommendations that must be vetted by the City, Community Board 3, tenant associations of front line buildings and environmental organizations before this project proceeds.

Such a review process is imperative to minimize environmental and ecological shocks, including but not limited to

- potentially adverse air, noise and traffic impacts on the neighborhood
- loss of green space, trees and plants
- disruption of bird, insect, fish and any other wildlife habitats

and to assure that the final plan replaces or compensates for any such loss or disruption, consistent with the goals of the plan for flood protection.

This review process should take place *prior* to action by the Planning Commission as well as *prior* to the City Council's consideration of this matter. The expert review and

any resulting plan modifications can and should take place without undue delay to the project, assuming the City cooperates, including its provision of all plan details and underlying analyses. The ensuing process must allow for community review and response to expert recommendations, and any changes or new plans.

The Sierra Club NYC Group further opposes the adoption of any plan, and calls for the City Planning Commission to reject any plan, unless it incorporates these conditions:

- The East River neighborhoods must receive the same maximum degree of flood protection as other Manhattan waterfront neighborhoods. The residential buildings closest to the river abutting the East River Park comprise the city's largest concentration of NYCHA public housing, whose residents include low-income, working individuals and families, seniors and children, and a disproportionately high number of individuals with chronic medical conditions. This population suffered greatly during Hurricane Sandy and deserves the same protection as planned for all other vulnerable Manhattan residents.
- The construction period must utilize state of the art green technology and power to avoid or minimize emissions, excessive noise and environmental degradation. To assure this, the City must appoint an environmental watchdog, vetted by Community Board 3 and environmental organizations, to monitor and mandate compliance with this point throughout the project.
- Any final plan must maintain access, visually and physically, to the water's edge. This includes wheelchair access.
- To maintain meaningful access to the park during the majority of the construction period without excessively prolonging the project, the park should be constructed in at least two stages, with half the park open at any time. Staging for the second half could, however, take place during the concluding time period of the prior stage to avoid delay in the second phase.
- During construction, the City must develop a plan for expanded alternate passive and active recreation spaces, including green spaces, in the immediate area. Such a plan should include
 - expanded after-school hours for schoolyards
 - expanded hours for Parks Department and NYCHA recreation centers
 - support for community gardens, both to expand hours open to community residents and to create new gardens or green spaces in available unused land
 - the completion of the Pike Street/Allen Street greenlining and walkway
 - expedited completion of Luther Gulick Park (on Delancey Street)
 - green planting and the creation of additional park and recreational spaces in NYCHA and properties as identified by NYCHA tenant associations and Community Board 3.
- Children and seniors should be given priority over adult leagues for use of available spaces. Since East River Park construction activity will likely overlap with other planned construction on the Lower East Side, the Sierra Club supports Community

Board 3's call for a Construction and Traffic Command Center for that part of the Lower East Side.

- Due to the high number of mature trees at risk by this project, the City should engage an independent arborist vetted by the Sierra Club or other environmental organizations for the entirety of the project. The expert would inspect each at-risk tree, determine if any way exists to maintain any viable tree in place during construction, temporarily remove it, or transplant it elsewhere in the vicinity. The expert would also identify opportunities to plant mature trees to replace ones lost and identify optimal salt-water-tolerant new trees for planting.
- Any soil infill or other material used or incorporated in the reconstruction of the park must avoid use of any carcinogens or other toxic substances. To the extent feasible, such material should exclusively be natural material consistent with natural ecology. The City must appoint an expert to review use of substances to assure avoidance of such harmful material.
- This plan must be fully transparent, with all construction material and methodologies, and any changes in plan released *in detail* to the public at least 60 days in advance of installation or implementation.
- The City must assure the continuation of the Lower East Side Ecology Center. The Center has become a vital resource for environmental stewardship and education, pioneering urban sustainability since 1987. The City cannot afford to lose or interrupt this environmental asset. If the Center must relocate during construction, the City must work with the Center to find a site where it can continue its critical work. After construction, the East River Park plan must restore the Center to its rightful place in the Park.
- Additionally, the City must seek to apply federal and other funds to immediately implement flood protection and environmental improvement to NYCHA and other buildings in immediate proximity to the East River. Such measures must include but not necessarily be limited to temporary flood barriers, elevating or protecting boilers and other building infrastructure currently underground, mold remediation, and tree and other green planting.

Contact: Alan J. Gerson, Chair Urban Planning Committee

alanjgerson@gmail.com

917-836-3272

Public Testimony**October 3, 2019****New York City Council Subcommittee on Landmarks, Public Sitings and Dispositions****Re: ULURP East Side Coastal Resiliency****Submitted by Roland Lewis, President and CEO, Waterfront Alliance**

The Waterfront Alliance is a civic organization based in the New York-New Jersey harbor region that works to inspire and effect resilient, revitalized, and accessible coastlines for all communities. We are an alliance of more than 1100 organizations working together to bring about real change to our region's waterways and 520 miles of shoreline.

I am here to offer comments on the Land Use application for East Side Coastal Resiliency.

This hearing takes place days before the seventh anniversary of Hurricane Sandy. Whether you endured destructive flooding, were stuck in gas lines for hours, or lived without power for weeks, we all learned that our waterfront is a utility on which we depend.

Harsher waterfront conditions due to climate change are inevitable—and we have to be ready. The New York City Panel on Climate Change's (NPCC) 2019 report offers a sobering new lens known as the Rapid Ice Melt scenario: the metropolitan region could experience 9.5 feet of sea level rise by the end of the century. That's six inches short of the height of a regulation basketball hoop.

As a City, we need to embrace major resiliency efforts. While we work to reduce greenhouse gases and mitigate climate change, we must ensure that our coastal communities are wisely and resolutely prepared for the reality of sea level rise and the next big storm.

There is no silver bullet to building that resiliency. ESCR is a project that integrates multiple layers of coastal defense like raised or sloped buffers, floodwalls, levees, subsurface drainage and water management infrastructure. We believe this project will significantly reduce potential for flooding, wave damage, and erosion.

According to a 2018 report by the National Institute of Building Sciences, for every dollar spent on hazard mitigation for flooding, the nation reaps a return of between \$6-7.

First and foremost, we need a clear path toward flood resiliency here and throughout our city. As ESCR is reviewed by the community and leadership, we encourage DDC to consider three additional recommendations.

One is to move most of the construction materials and equipment by barge. This can significantly reduce greenhouse gas emissions. According to the American Waterways Operators (AWO), a mid-size coastal tank barge has the capacity to take 523 loaded trucks off the road or replace 167 loaded

railcars. Moving the same amount of cargo by tug and barge produces 90 percent reduction in CO₂ emissions compared to moving it via trucks.

Second, we strongly encourage phased construction so that residents have access to green space and play areas while construction occurs. We are pleased to hear that the City, as of yesterday, has promised a phased timetable of construction so that residents can continue to have access to green and recreational spaces during the next several years. Phased construction also allows for the community to provide iterative input on the project, which enhances community ownership and can maximize project outcomes.

And lastly, we are making changes now that will commit us for decades to come. **We encourage DDC to build in flexibility that allows for direct access for New Yorkers to and from the water** and is designed for adaptation over time.

Fully realizing the potential of this stretch of waterfront and access to the East River, while adapting for a future of sea level rise and extreme storms, is a tremendous challenge but also provides an opportunity to create balanced waterfront spaces that advance social, recreational and economic opportunities. **I want to bring attention to Waterfront Alliance's award-winning Waterfront Edge Design Guidelines - WEDG® - which offer a set of guidelines for striking this balance and catalyzing resilient, accessible, and ecologically-sound urban waterfront transformation. Think LEED® for the waterfront.**

Twenty-eight Community Boards have adopted resolutions to take the WEDG Pledge encouraging waterfront projects to be verified through these guidelines. We encourage ESCR to pursue WEDG-verification, as other projects have done around the City.

What does WEDG look like from a project implementation standpoint? The Waterfront Alliance created five categories for the WEDG: (1) Site assessment & Planning, (2) Responsible Siting & Coastal Risk Reduction, (3) Community Access & Connections, (4) Edge Resilience and (5) Innovation.

WEDG guides designs to not only consider current flood risk, but also incorporate future sea level rise into that equation. WEDG standards recommend setting structures outside of the sea level rise-adjusted 100-year and/or 500-year floodplains, with the latter offering a significantly higher level of risk reduction.

WEDG also encourages greener, more ecologically-sound edge design and stabilization, using more permeable and habitat-friendly materials including plants, stone, and oysters where feasible.

And WEDG prioritizes public access and reimagined connections to our waterfronts including beaches, get-downs, piers and boat launches that promote stewardship opportunities and bring people and their vessels to and into the water. Additionally, WEDG promotes incorporating pathways, footbridges and greenway continuity.

Importantly, WEDG scores projects on comprehensively engaging the diverse community stakeholders in early planning through the project's design and management. **It is critically important to effectively engage the community in waterfront decision-making.** WEDG creates a framework for balancing different priorities for how the waterfront gets developed and has a strong focus on accessibility, accountability, and equity.

Thank you.



**Testimony of
Felice Farber, Senior Director Policy & External Affairs
The General Contractors Association of New York, Inc.
Subcommittee on Land Use, Sitings, and Dispositions
New York City Council**

**October 3, 2019
1:00 pm**

Thank you Council Member Adams and Members of the Subcommittee on Landmarks, Public Sitings and Dispositions for the opportunity to testify today. I am Felice Farber, Senior Director Policy and External Affairs for the General Contractors Association of New York. The GCA represents the heavy civil construction industry in New York City whose members build New York's roads, bridges, transit and water systems, parks, schools and building foundations.

I am here today in support of the City's land use application for the East Side Coastal Resiliency Project – a critical project to protect lower Manhattan and the East side from rising sea levels.

It has been 7 years since Superstorm Sandy devastated the coastal areas of the New York metropolitan region. With hundred-year storms becoming ever more common, it is clear that we must move forward with the critical projects to protect New York City from rising sea levels.

GCA member firms and their employees were among the first on scene throughout the City after Sandy, using their heavy equipment and expertise to help pump out and repair DEP's wastewater treatment plants, restore homes under the Rapid Repair program, and rebuild transit and roadway tunnels that were severely damaged from saltwater intrusion.

Our members possess the unique and unparalleled skills and expertise to construct large, complex projects for our clients, and are prepared work with the City to build the East Side Coastal Resiliency project.

We commend Commissioner Grillo and the staff at DDC for bringing a fresh and hard look up front at all of its major projects – particularly the way the Department now procures, manages and oversees those projects as part of its capital program.

The review of the East Side Coastal Resiliency Project is a perfect example of the benefit that such thoughtful reviews can bring to the table to ensure that projects are buildable, cost effective, and have limited or mitigated impacts on the surrounding community. In this regard, the extensive community outreach and consultation that the Commissioner and her staff conducted over the last year produced revisions to the original plan that ultimately produced a better product for all involved.

Of particular importance to the GCA and to the taxpaying public, the revised plan tackled three areas that will allow our members to better deliver the project on budget and on time. First, it reduced much of the construction risk by phasing the project, minimizing night time work, and avoiding work around the Con Ed transmission line. This lowers the burden and cost to individual contractors who frequently have to account for, and absorb the cost of, unknown conditions that are beyond their control. Secondly, it focused on constructability, which perhaps one of the more common oversights. What may look good on paper is not always practical – or sometimes even possible – to build. And third, it rethought how to best phase the project. Proper phasing eliminates wasteful overlaps and saves time, labor and material costs.

Certainly, East Side Coastal Resiliency is a critically important project to protect valuable residential and commercial interests in the City. This is a significant need that can't wait any longer to be addressed. There is no question that the City must move forward and build this project expeditiously. The GCA and the entire heavy civil construction industry looks forward to collaborating with DDC on how to do it best.

Thank you for allowing us to share our perspectives today and we would be happy to take any questions you may have now or in a subsequent follow-up.

The ESCR project in its current form is cruel and immoral.

We live right here and stand to lose everything, including our lives and we know the seas are rising and we know about storm surge events that we experienced first hand. And yet, we hate the City's preferred alternative and still for the life of us cannot figure out what about it makes it so preferred and by who exactly.

As has been said by so many already, this plan seems designed to punish the people it professes to protect. It also seems designed by people who have no idea what it is like to live here, in a flood plain, threatened by ALL aspects of climate change in a densely populated diverse urban environment amidst runaway construction and skyrocketing rents.

By focusing on such a limited definition of climate change (floods!) this plan inflicts damage on communities that live along the water, increases temperatures in this downtown area, makes the air we breathe worse and further impairs our physical and mental health that we struggle so hard to maintain.

Those of you who do live here know how precious little bits of nature are to us. We are for the most part alienated from nature in our concrete jungle and many of us face challenges.

But in the East River park, an oasis that has brought immeasurable joy to at least four generations and still does we see a leaf spin down from the sky and fall to the ground and it seems like a miracle.

We stare at the water and feel the wind on our cheeks and we feel wonder. We see the monarchs right now hovering over fluffy looking flowering pods and we keep taking pictures of them. We can still love what we may not be able to name.

So why are we being told by Pedro Carillo to quote unquote swallow this bitter pill? Why are we being asked to sacrifice our health and well being when the purpose here is really the filling of pockets rather than the best flood protection for our communities.

With all the passion, creativity, and knowledge that our city famous for we believe you can do much better than this.

— Harriet Hirshorn
Lower East Side resident since 1982

New York City Council Hearing, October 3, 2019.

To: Landmarks, Public Sitings and Dispositions Subcommittee

Testimony from Jen Chanttanapichate

Program Director at Sixth Street Community Center, Environmental Justice Organizer, Community Based Urban Planner, Founder of Cleanup North Brooklyn. Masters in Urban Planning, Hunter College.

jmc9488@gmail.com

New York City --- self-describes itself as a progressive city. However, their plans for making East River Park more resilient in the face of climate change --- are not progressive!

The revised ESCR plan is not ecologically grounded. It will still destroy the natural flood barrier, nearly 1,000 trees and all of the biodiversity that lives in our park. The nearly 60-acre park in its current state is fully thriving. East River Park supports the mental and physical wellbeing of community residents, the overall ecology of our city, and it currently mitigates the impacts of climate change and overheating as it reduces greenhouse gases.

New York City and our elected officials are failing us. If you vote to put this plan into motion, you are failing us. They are failing to recognize that phased construction doesn't change the level of destruction to the park, the environmental injustices that will be posed to the Lower East Side Community or the fact they aren't actively including aspects of the plan that will mitigate climate change. Our city wants to be a leader in addressing the climate crisis, but our city plans aren't progressive enough.

The City's ESCR plan does not include any urban sustainability solutions that address the root causes of climate change nor does it address the environmental injustices that will be posed to the majority low-income communities of color that live alongside the FDR Drive and East River Park. Many of these same residents have lived with impaired health since 9/11, exacerbated by roadway emissions from the highway adjacent to their homes. The community has been petitioning for a plan that is environmentally just. A plan that reflects the considerations for the quality of life and health of the 110,000 residents that will be impacted.

The community spoke, but the Mayor is pretending to listen by trying to placate us with his phased construction plan. We agree the City needs to adapt and become more resilient to climate change. However, with \$1.5 billion allocated for this project, the city has the

resources to develop an ecologically grounded plan that can provide sensible flood protection while mitigating the causes of climate change induced flooding. How about expanding the park with decking over the FDR Drive and reducing greenhouse emissions by re-envisioning the FDR as a mass transit corridor that will also serve the residents of the Lower East Side? Instead, the city's plan keeps in place a car-centric vision from the last century and a false promise of safety behind an 8-foot wall of landfill that will inevitably become massive shrine to the automobile and fossil fuel industry. New York City has the opportunity to be a leader in developing a resilient plan that confronts the climate crisis, but they aren't doing that.

We are asking you to be bold and vote No for this plan. We urge you to urge the mayor and the DDC to revise their ESCR plan to be more inclusive of community, environmentally just and innovative in incorporating resilient green infrastructure.

Thank you.

NO!



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FOR THE RECORD

**NYC Council Hearing
East Side Coastal Resiliency Project
October 3, 2019**

Testimony of David Garza, Henry Street Settlement

Henry Street Settlement has been an anchor on the Lower East Side since 1893, providing essential social services, health care, and arts programming for our community. We have served as a first responder time and time again – from the Triangle Shirtwaist Factory and the AIDS crisis, to September 11th and Hurricane Sandy.

We commend the City and the Council for your commitment to ensuring the Lower East Side – and all waterfront communities in NYC – are not again ravaged by the effects of a superstorm and climate change. At Henry Street, we were devastated by the impact of Hurricane Sandy. Our family shelter, for instance, was literally under water and our residents needed to be evacuated for several weeks. Seven years later, our program is still running with a temporary boiler and we are in the process of renovating our shelter to ensure we are protected from any future storms. We first hand understand and appreciate the need to ensure the Lower East Side and other waterfront communities are protected from future storms.

We believe that any resiliency plans must serve and protect our most underserved, vulnerable populations. We also believe that the community must be included in all conversations about plans to protect our waterfront and our community. We applaud Manhattan Borough President Brewer and Council Member Rivera on bringing in an outside firm to evaluate the city's East Side Coastal Resiliency Plan. We look forward to seeing the results of the plan, and to working with the city and our elected officials to ensure that the Lower East Side -- especially our most vulnerable residents – are protected from future storms and the frightening impact of climate change.



BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

GARY LaBARBERA
PRESIDENT

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FOR THE RECORD

TESTIMONY

On behalf

BUILDING AND CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK AND VICINITY

In Support of the East Side Coastal Resiliency Plan

OCTOBER 3, 2019

Good afternoon. I am Santos Rodriguez, I am here to testify on behalf of Gary LaBarbera, President of the Building and Construction Trades Council of Greater New York & Vicinity. I am here to testify in support of the East Side Coastal Resiliency Plan.

The Building and Construction Trades Council is an organization of local building and construction trade unions that are affiliated with 15 International Unions in the North American Building Trades Union. Our local union affiliates represent approximately 100,000 union construction workers. The Building Trades mission is to raise the standard of living for all workers, to advocate for safe work conditions and to collectively advance working conditions for our affiliates' members, as well as all workers in New York City.

The East Side Coastal Resiliency Plan is a \$1.45 billion plan to add flood protections to the East River Coastline. It is an important project that is anticipated to help protect approximately 200,000 New Yorkers living in lower Manhattan. The project plan calls for preservation and reconstruction of several bridges, construction of several floodwalls and gates, as well as reconstruction of various parts of the park including the track house and amphitheater. These are important steps to take in ensuring the resiliency of our City in the aftermath of Hurricane Sandy and in anticipation of the future effects of climate change. Additionally, the construction jobs created by this project will support a middle-class lifestyle; providing area standard wages and benefits to support workers and their families. We believe that this new project is the type of smart investment that the City should make – one that creates good paying construction jobs while also addressing important community and social needs. The Building and Construction Trades Council of Greater New York and Vicinity supports infrastructure projects like East Side Coastal Resiliency Plan that will improve the lives of many New Yorkers, modernize our City, and create middle class jobs for our members in the process.

We thank you again for this opportunity to testify in support of this project.

3 October 2019

FOR THE RECORD

City Council Hearing on the ESCR - Statement from Laura Frisk

Mayor deBlasio's last minute changes to the latest ESCR plan ignores the most substantial parts of what Lower East Side/East Village residents have been asking for. Once again, the city is disregarding residents, voters and taxpayers. DON'T DESTROY THE PARK. This is what we have been saying for months.

Recently Greta Thunberg spoke at the UN about a mass extinction. Since the park is home to many species of wildlife, including migrating birds and pollinators, clearcutting the entire park and removing all trees and plantings will contribute to this extinction. This will be the legacy of any public official who gives this plan a pass. We will not forget. Ever.

Since you are ready to extend the timeline for this project, why not go back to a variation of the original plan, which had constituent buy in? Why not enact a much less destructive solution to flooding? Let's start by meeting with people who live in the Lower East Side. Email me, I am happy to talk specifics.

P.S. Wouldn't getting a concise statement from Con Ed as to their issues be the logical place to start? I don't think we can have a meaningful discussion without that information being made public, and easily available. Why isn't Con Ed at any of these hearings? There are still so many serious concerns!

Laura Frisk
Laura.frisk@gmail.com

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October 3, 2019

MAS Comments to New York City Council on the East Side Coastal Resiliency Project, CEQR No. 15DPR013M, ULURP Applications C190357PQM & N190356ZRM

The Municipal Art Society (MAS) believes the East Side Coastal Resiliency Project (ESCR) should set a standard for how long-term, large-scale resiliency projects are planned, coordinated, and implemented in New York City and elsewhere. While we recognize the challenges of coordinating a project of this magnitude, protecting the East River community requires more thorough, efficient, and engaged planning than has occurred thus far.

While we were pleased with the announcement that the project construction will be phased, one of our chief concerns, this significant last-minute change speaks volumes about the need for better planning. ESCR must include more adequate mitigation measures to address impacts during construction, details on how the project would integrate with other coastal resiliency plans, and demonstrate true community input in its planning and design.

The importance of East River Park, surrounding playgrounds, and river access cannot be overstated. The area is grossly underserved by open space, with only a third of the city average. Twenty-one percent of area residents are below poverty level, and 17 percent are elderly. We maintain that the City must work with DPR, DOE, NYCHA, community groups, and non-profits on a more comprehensive, long-term plan for new open space after ESCR is complete.

The FEIS does not adequately address our concerns about how the Fireboat House would be preserved during construction, whether it would be used during this time or after project completion, and how it would be protected from flooding in the future. We expect these and our other concerns to be addressed in a revised FEIS.

Because of their shared purpose, proximity, and permitting and construction timelines, MAS believes that ESCR and the Lower Manhattan Coastal Resiliency Project should be evaluated together. This effort should address connectivity of the waterfront esplanade, infrastructural tie-in points, cumulative impacts, and comparative levels of flood protection.

Finally, as we have maintained throughout the process, the success of ESCR will depend on how well the City engages with the community and responds to its needs. MAS agrees with the recommendations from the Manhattan Borough President that a task force be formed to coordinate the effort.

We urge the City to address our comments and create a true model for integrating coastal protection into urban neighborhoods. Thank you for the opportunity to speak.

East Side Coastal Resiliency Project
Lower East Side Power Partnership Statement
October 3, 2019

The Lower East Side Power Partnership (LESPP) has several central concerns regarding the East River Coastal Resiliency project.

The Lower East Side Power Partnership supports the East Side Coastal Resiliency (ESCR) project we don't feel we have adequate information or expertise to evaluate whether the City's preferred alternative for the plan is the best approach. Presently we have not seen the report from the independent expert engaged by Manhattan Borough President Gale Brewer and City Council Member Carlina Rivera. We have been and continue to be for Protection of Residents, safety, phased construction and other things in relation to the East Side Coastal Resiliency Project.

Protection of Residents

Similar to the Manhattan Community Board 6 draft resolution, LESPP recognizes the overwhelming dangers posed by superstorm flooding (page 4 of March 28 presentation at Baruch Houses and April 9th at Riis Houses). (Exhibit 1-Improved Park Resiliency).

The current plan, in Exhibit 1, didn't show any drainage system. LESPP asked for clarity of drainage for the current plan depicted in Exhibit 1. Based on a presentation to LESPP on January 19, 2019 we understand that there are drains at the bottom/end of the slope of East River Park down towards the East River Drive in the depiction of the current plan. The drainage improvements are depicted on page 14 of both the Baruch Houses presentation of March 28, 2019 and Riis Houses presentation of April 9, 2019 (Exhibit 2-Park and FDR Drainage).

According to the statement of Manhattan Borough President Gale Brewer at the New York City Planning Commission Hearing on July 31: "The devastation caused by Hurricane Sandy was a 'wake-up call.' In New York City, 43 city residents lost their lives, 1.1 million children were unable to attend school for a week; close to 2 million people lost power, and 6,500 patients were evacuated from hospitals and nursing homes in the flood zone. Economic losses totaled \$19 billion."

The Manhattan Borough President also stated, "Lower Manhattan was particularly impacted. Flooding affected critical infrastructure, nearly 200,000 residents, and businesses employing nearly 300,000 people. Several hospitals such as the Bellevue Hospital, the only State-designated regional trauma center in lower Manhattan; the Veterans Affairs New York Harbor Hospital; and the Downtown Hospital were affected"

LESPP advocates for flood protection of Lower East Side residents.

Funding

"To implement the proposed project, the City and its federal partners have committed approximately \$1.45 billion in funding. The City has entered into a grant agreement with the U.S. Department of Housing and Urban Development (HUD) to disburse \$338 million of Community Development Block

Grant-Disaster Recovery (CDBG-DR) funds for the design and construction of the proposed project.” (DEIS-Executive Summary page 1). Our understanding is that this project is fully funded.

LESPP advocates for maintenance of full funding to ensure safety of this project.

FLOOD INSURANCE IMPACT

“In addition to providing a reliable, FEMA accredited coastal flood protection system for this area....” (DEIS – Executive Summary page 1)

According to the link on Flood Maps of the Lower Manhattan Coastal Resiliency Project “FEMA’s Flood Insurance Rate Maps (FIRMs) delineate areas at high-risk for flooding.....For those outside of the highest risk areas on those maps, flood insurance will remain less expensive.” (NYC Flood Maps)

Our understanding is this project and FEMA accreditation can impact flood insurance and affordable rents/carrying charges.

LESPP advocates for communication with FEMA to honor the intended results of the ESCR Project when doing the FEMA Flood Insurance Rate Maps (FIRMs).

LESPP advocated and advocates for FEMA accreditation which can impact flood insurance which can impact rent/carrying charges.

LESPP advocated and advocates for stabilization of rent/carrying charges for developments on the Lower East Side.

LESPP advocated and advocates for stabilization of affordable housing and no displacement of present residents in affordable housing.

Safety

According to the City of New York Proposed Action Plan Amendment 20 “One of Sandy’s most significant impacts on the area resulted from power outages across most of Manhattan south of 34th Street.

Residents were left without light, heat, refrigeration, or water for drinking, cooking, flushing toilets, or bathing, even though their buildings had not flooded. In high-rise buildings, elevators stopped working. Many older or infirm residents were **trapped in their apartments** on higher floors, unable to communicate or gain access to emergency information through television or the Internet. This was further exacerbated by the fact that a portion of the population is limited English proficient.”

Con Edison power lines have been identified as running a specific course in East River Park (page 4 of February 3 presentation) (Exhibit 3-Improved Constructability).

According to an article 11/11/2013 from HuffPost entitled “Court Finds NYC Disabled Not Adequately Protected After Sandy; Disaster Planning Must Include Vulnerable Populations: “Last week, a federal court decided that New York City did not do enough to protect the disabled during Superstorm Sandy,” The article goes on to state that “..the disabled in New York City, more than one-tenth of the city’s population...The lack of reliable electricity alone prevents the disabled from getting the protection of public services in a severe storm...The individuals harmed by lack of power gave powerful testimony to the court...When electric power goes out, many disabled are severely affected, the court noted.”

LESPP advocates for a Flood Protection plan with the least manipulation of Con Edison power lines.

Community Access

Access needs to be further discussed with the community as plans to close the entire park for several years led to public statements of distrust, with citing of at least one prior unkept timeline. People have expressed a desire for staged construction for portions of the park to be available for community use throughout. The park is especially used during summer months for picnics, barbecues, etc. According to the press release yesterday, October 2, 2019 the plan is for phased construction.

LESPP advocated and advocates for phased construction with a timeline available to residents.

Design Element

According to the City of New York Proposed Action Plan Amendment 20 (page 14 of the 18pt font size) "Raising the majority of the park grade with an increase in elevation from west (the FDR Drive) to east (the East River bulkhead) to attain the flood protection system design elevation..."

This design change of elevating the area requires additional land fill material. This places additional emphasis on LESPP previous advocacy.

LESPP would like a clear explanation of where the fill is coming from and what it consists of and the time frame for this process.

LESPP advocates for every effort be made to minimize contaminating the air with the existing soil in East River Park and with the imported soil to reduce drift into residences, schools, and public spaces. LESPP advocated and advocates for a detailed plan for dust mitigations.

LESPP advocated and advocates for safe and convenient recreation areas in the District.

LESPP advocated and advocates that the City contact the various youth leagues, including those in the District, that use the fields.

LESPP advocated and advocates that the City contact Basketball City about using space at Basketball City for community leagues and residents.

Flood Gates

Lower East Side Power Partnership understands that the closing of the Flood Gate at the Montgomery Street tie back will be managed by New York City Emergency Management (Exhibit 4 & 5- Flood Protection Montgomery Street Tie Back).

NYC Emergency Management's headquarters are home to the City's Emergency Operations Center (EOC). Activated during large-scale emergencies or special events, the EOC is a central location for senior officials from City, state, and federal agencies and relevant private entities to coordinate response efforts, make decisions, and gather and disseminate information.....The EOC is also the central point for allocation and deployment of resources to support response and recovery efforts, such as vehicles, heavy equipment, fuel, and other emergency supplies

A member of the Lower East Side Power Partnership attended the Manhattan Community Board 3 Parks Committee Meeting on Thursday July 11 and shared understanding that a Department of Transportation Team coordinated by New York City Emergency Management would manage the Flood Gate at Montgomery St and in other places.

LESPP advocates that New York City Emergency Management remain the agency that coordinates management of the Flood Gate at Montgomery Street and any other gates that require human intervention.

LESPP received a response dated August 15, 2019 from Deanne Criswell, Commissioner of New York City Emergency Management stating that NYC Emergency Management will assist in the coordination of deploying flood gates and other anti-flooding measures through the City's Emergency Operations Center with our partner agencies"

Community Engagement

The City of New York Proposed Action Plan Amendment 20 has a section on East Side Coastal Resiliency Outreach Plan

Similar to Manhattan Community Board 6 draft resolution LESPP recognizes the need for a robust social media strategy to be part of a communication plan for updates.

LESPP advocated and advocates for regular updates to the community via Town Halls (large group presentation with question and answer), Community Open Houses (Poster presentations and opportunities for one on one question and answer) and social media to provide information concerning progress, community concerns and any changes about the East River Park, LaGuardia Bathhouse and the Amphitheater.

Consultation

The City of New York Proposed Action Plan Amendment 20 states "Upon completion of the final design for the ESCR Project, anticipated in late 2019, a registered Professional Engineer will certify that the design meets all appropriate codes and industry design and construction standards".

Manhattan Borough President Gale Brewer and City Council Member Carlina Rivera has engaged an independent expert from the consulting firm, Deltares to conduct a review of the ESCR project alternatives.

LESPP advocated and advocates for utilization of Envision and the Institute for Sustainable Infrastructure.

LESPP advocated and advocates for, as part of community outreach, an explanation of the Envision process at a community town hall.

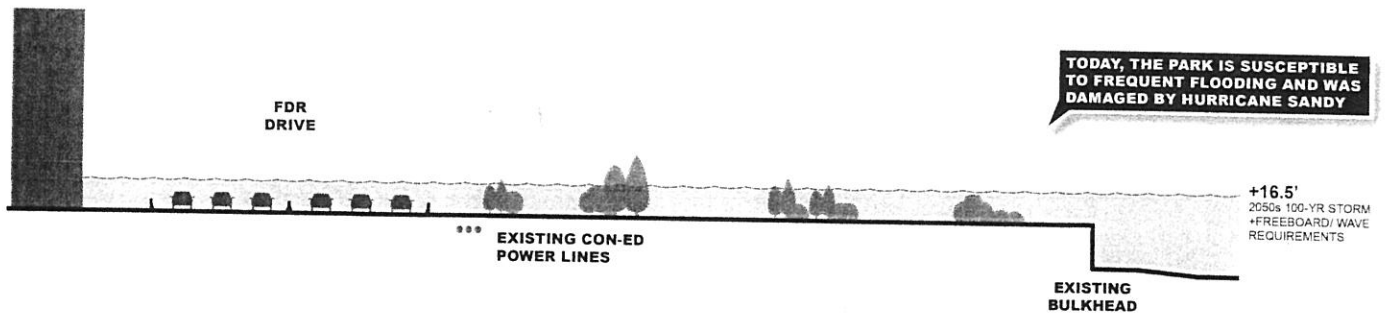
LESPP received a response from Kiumars Q. Amiri, Deputy Director, Coastal Resiliency, Infrastructure NYC Department of Design and Construction dated August 12, 2019 stated that "DDC has committed to using Envision to assess this project" (ESCR).

Exhibit 1

IMPROVED PARK RESILIENCY

PARK IS ABOVE THE 2050s 100-YEAR FLOODPLAIN

EXISTING CONDITIONS



CURRENT PLAN

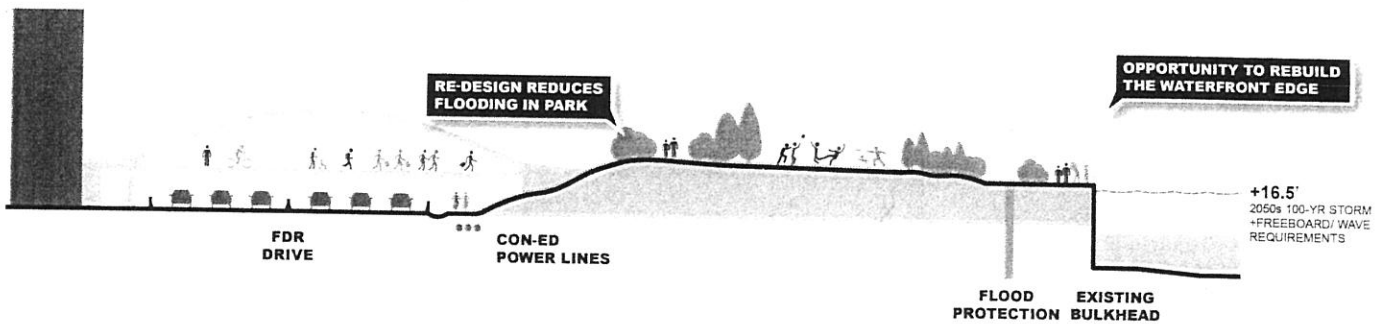


Exhibit 2

PARK & FDR DRAINAGE

RAINWATER COLLECTED AT MULTIPLE POINTS BETWEEN PARK AND FDR

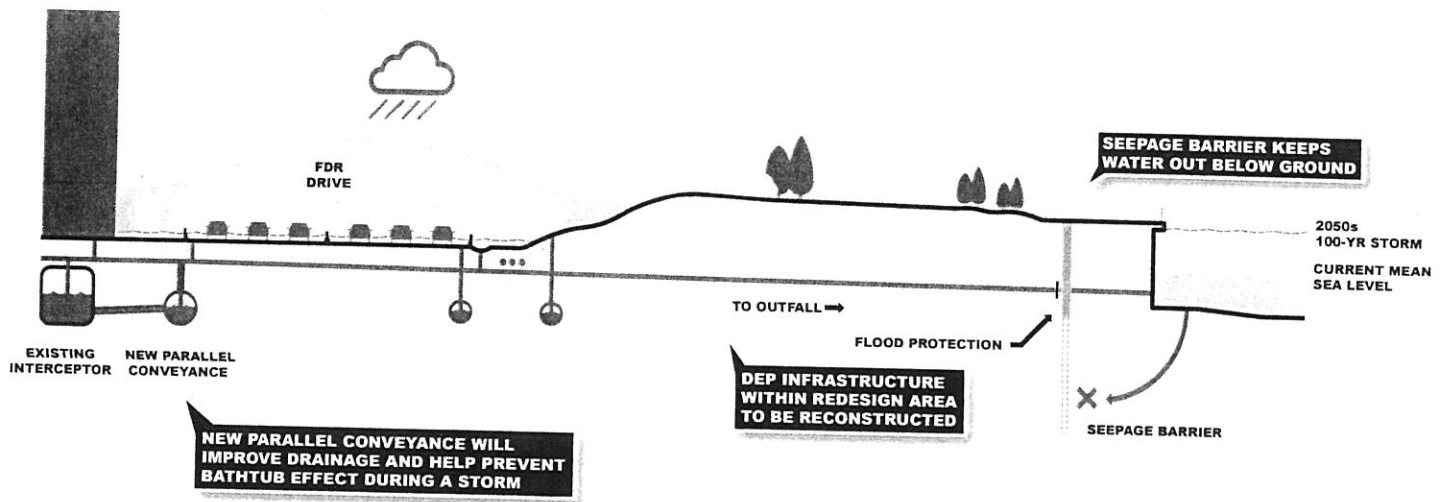
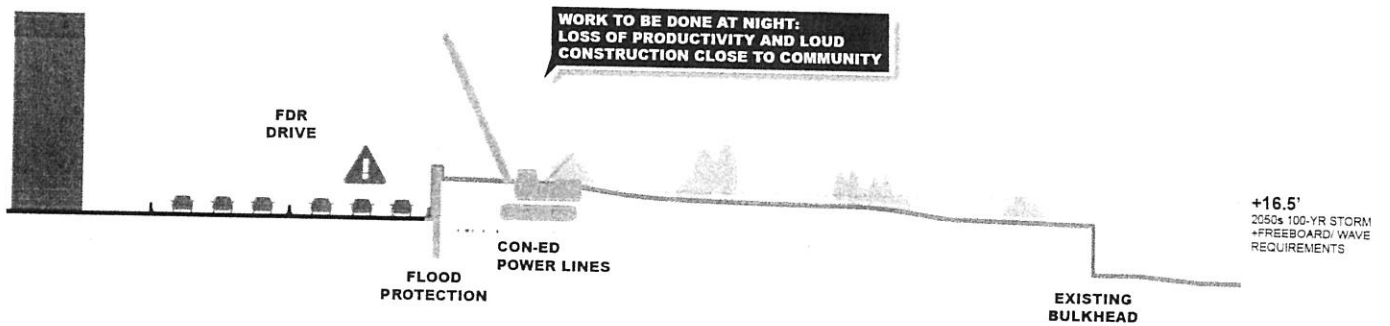


Exhibit 3

IMPROVED CONSTRUCTABILITY

DELIVERY RISK REDUCED BY MINIMIZING FDR WORK

PREVIOUS PLAN:



CURRENT PLAN:

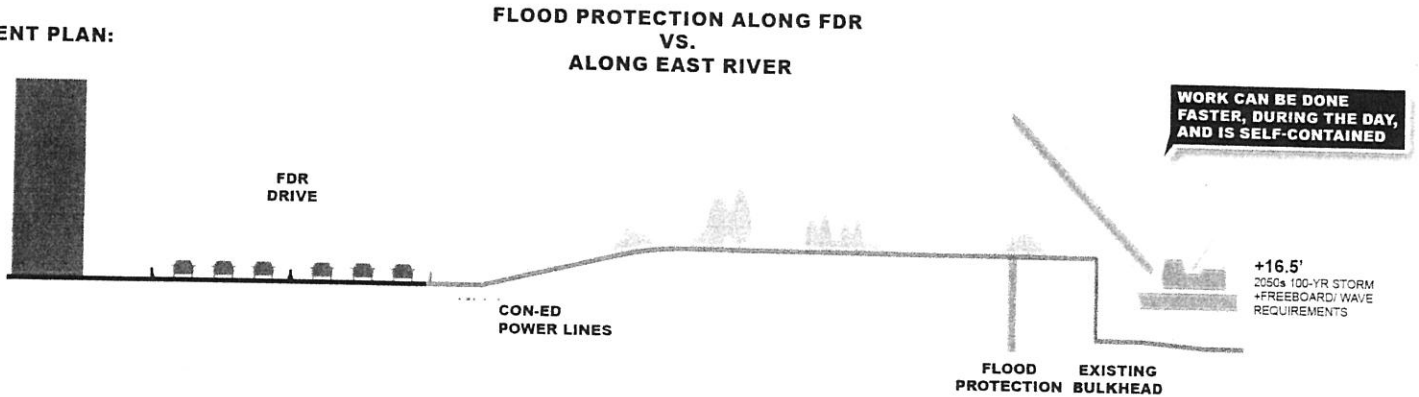


Exhibit 4

LESR

FLOOD PROTECTION

MONTGOMERY STREET TIE-BACK

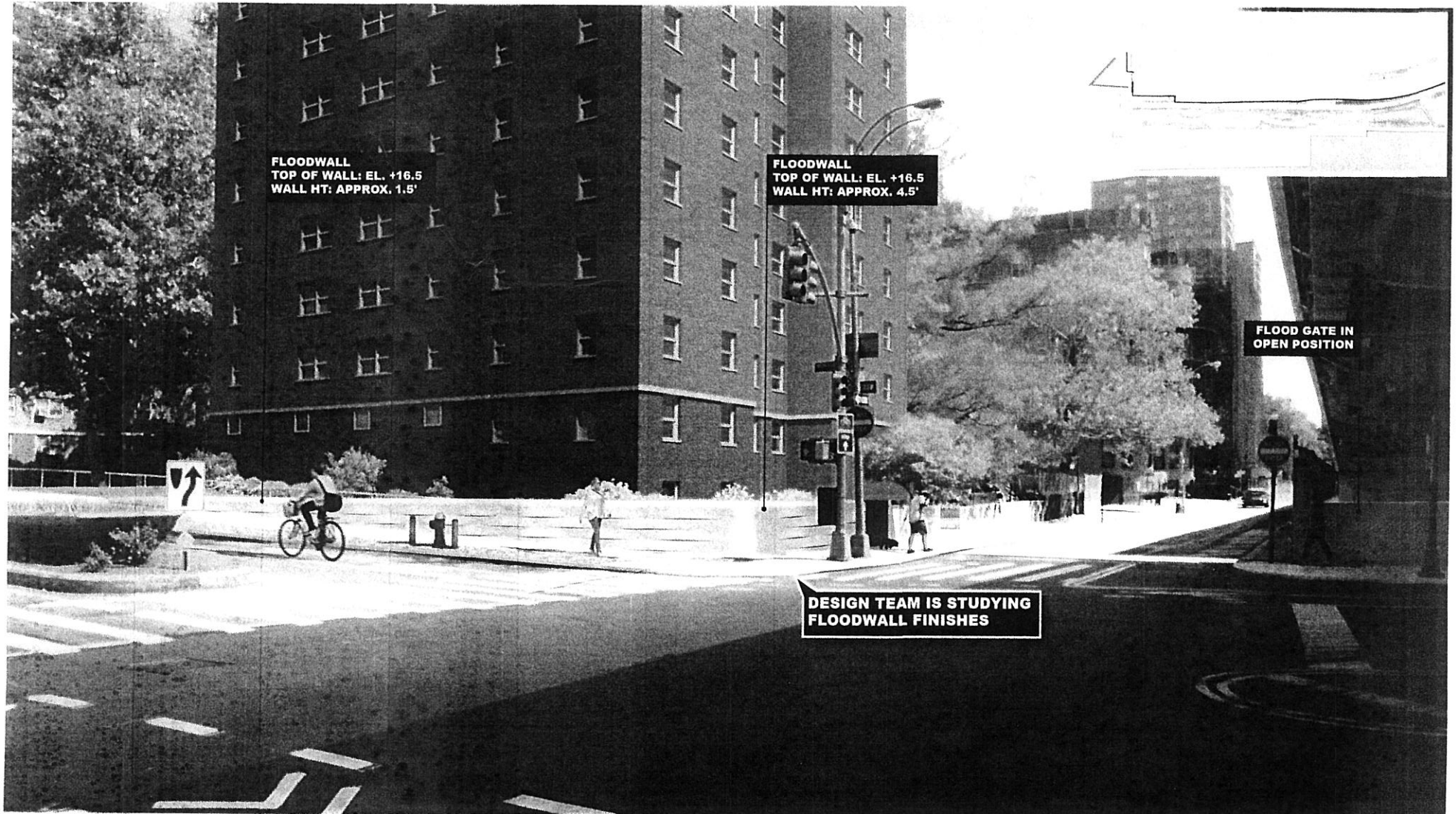
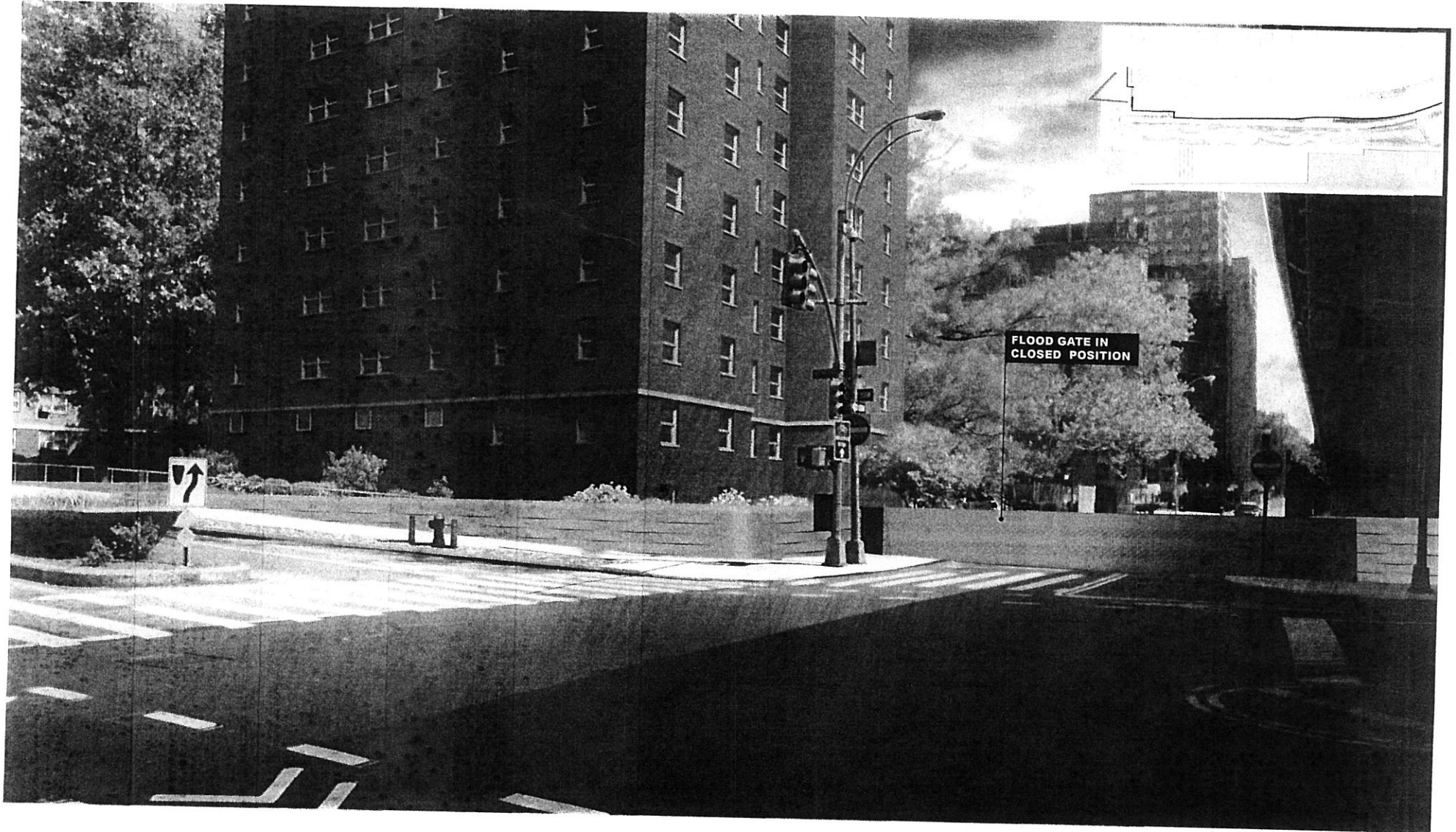


Exhibit 5

FLOOD PROTECTION

MONTGOMERY STREET TIE-BACK



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FOR THE RECORD



**Testimony before the New York City Council
Subcommittee on Landmarks, Public Sitings and Dispositions
Regarding Application No. C 190357 PQM (East Side Coastal Resiliency)
October 3, 2019**

On behalf of the New York Building Congress, I am proud to support the application to the New York City Council's Subcommittee on Landmarks, Public Sitings, and Dispositions that includes the acquisition of property for the East Side Coastal Resiliency (ESCR) Project. This proposal will reduce the risk of flooding, improve park access, and enhance public spaces along the city's eastern waterfront.

The New York Building Congress is a membership association made up of over 550 organizations, comprising more than 250,000 professionals. For nearly one hundred years, we have sought to encourage the growth of the construction industry and to promote the economic and social advancement of New York City. Consistent with our organizational mission, the ESCR Project will ensure our city develops in a sustainable manner that maintains the stability and vitality of neighborhoods.

Furthermore, in our report *Building the Future of New York: Resiliency*, the Building Congress called for an immediate and comprehensive approach to managing climate change. This proposal is a critical step in advancing the city's coastal protection system so that we may continue to thrive while living along the water.

The ESCR Project, covering the coastline between Montgomery Street and East 25th Street, will secure the community from a 100-year storm event and 2050s sea level rise by integrating a flood wall at the water's edge. Upon completion, the plan will elevate a revitalized East River Park, install deployable flood barriers, improve existing entry points, and create a flyover bridge at 14th Street. Ultimately, these actions will enhance the community's safe connection to the waterfront.

Without a coastal protection system, this area of lower Manhattan risks property damage, business disruptions, loss of services, and negative health impacts, among other costs of flooding and storm surges. The ESCR Project acknowledges these eminent risks and seeks to quickly build physical, social, and economic resiliency in time for the 2023 Hurricane Season. From a design and construction perspective, this is a highly complex project, and this approach appears to give our members the best chance to complete it on time and on budget.

Simply put, in response to the urgency of rising sea levels, increasing storm surges, and more frequent flooding, East Side Coastal Resiliency is a necessary action that prioritizes the long-term wellbeing of the community.

I urge you to support this application and thank you for the opportunity to testify on an issue of such importance.

ESRC Hearing

City Hall

October 3rd 2019

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The plan is severely lacking in innovative nature-based solutions and green infrastructure. Again, with the institutional resources we have in our city this could be the perfect opportunity to build coalitions with some of our world class research institutions.

The following is a list of coastal resiliency elements, technologies and research. These are suggestions that should be considered in a more robust and creative East River Park Plan. It also includes solutions not just for the new park but also for flood mitigation more inland as well as implementation of green infrastructure that could assist with air quality and quality of life during construction.

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Natural and Nature-Based Infrastructure

"...natural infrastructure can include wetlands, forests, beaches, dunes, mangroves, coral reefs, oyster reefs. Natural infrastructure approaches or solutions associated with those systems include conservation, protection, or restoration of those habitats.

Nature-based infrastructure is typically used when we're talking about a more engineered landscape or system. And so it would include things like rain gardens, green roofs, bioswales, and permeable pavement. Those are all examples of stormwater management techniques that incorporate natural processes." - Kim Penn NOAA Office of Coastal Management

<https://oceanservice.noaa.gov/podcast/june18/nop17-natural-infrastructure.html>

"The use of combined approaches to coastal adaptation in lieu of a single strategy, such as sea-wall construction, allows for better preparation for a highly uncertain and dynamic coastal environment. Although general principles such as mainstreaming and no- or low-regret options exist to guide coastal adaptation and provide the framework in which combined approaches operate, few have examined the interactions, synergistic effects and benefits of combined

approaches to adaptation. This Perspective provides three examples of ecological engineering — marshes, mangroves and oyster reefs — and illustrates how the combination of ecology and engineering works.” - Coastal adaptation with ecological engineering, So-Min Cheong et al, *Nature Climate Change*

<https://www.nature.com/articles/nclimate1854>

- Oyster Reefs
- Bioswales
- Berms and Basins
- Salt Marshes

Regenerative Landscaping Elements

“Green building strategies, performance goals, and associated assessment methods currently emphasize the ways and extent that buildings should mitigate global and local resource depletion and environmental degradation. By contrast, the emerging notion of ‘regenerative’ design and development emphasizes a co-evolutionary, partnered relationship between humans and the natural environment, rather than a managerial one that builds, rather than diminishes, social and natural capitals.” - R. Cole *Transitioning from green to regenerative design*, *Journal of Building Research and Information*

- **Carbon Sequestration Strategies**

https://www.fs.fed.us/research/highlights/highlights_display.php?in_high_id=472

Urban trees can affect climate change through the direct removal, or sequestration, of carbon dioxide—the dominant greenhouse gas—from the atmosphere. Trees act as a sink for carbon dioxide by fixing carbon during photosynthesis and storing carbon as biomass. Forest Service scientists quantified carbon storage and sequestration by urban trees in the United States to assess the magnitude and role of urban forests in relation to climate change. Total tree carbon storage in U.S. urban areas (2005) is estimated at 643 million metric tons (\$50.5 billion value) with annual carbon sequestration estimated at 25.6 million tons (\$2.0 billion value). A better understanding and accounting of urban ecosystems can be used to develop management plans and national policies that can significantly improve environmental quality and human health across the nation

- ‘Rewilding’ for animal habitats

Inland Flood Mitigation

“ Because cities are characterized by impervious surfaces, such as roads, parking lots and rooftops, a high proportion of rainfall swiftly becomes surface runoff, with a five-fold increase over an undeveloped watershed (Freitag et al. 2009). In urban settings various methods can be used to retain stormwater and prevent floods from overwhelming storm drain systems and causing urban flooding. These methods can range from those deployed at the scale of individual buildings, including porous pavement, “green” (vegetated) roofs, rain gardens and rain barrels, to features that can attenuate runoff for larger areas, including grassy swales, wetlands and detention basins (Freitag et al. 2009). Fortuitously, most methods for slowing runoff also help make cities greener, healthier, and cooler in the summer with improved aesthetics and recreational value. Parks, greenways, daylighted creeks, and urban gardens all contribute to a more vibrant city that also happens to slow and retain stormwater (Figure 3). ” - Nature Conservancy

<https://www.conservationgateway.org/ConservationPractices/Freshwater/HabitatProtectionandRestoration/Documents/A%20Flood%20of%20Benefits%20-%20J.Opperman%20-%20May%202014.pdf>

- Curb Cuts (see Astor Place)
- Rain Gardens
- Resilient Root systems to beat erosion
- “Slow it, Sink it, Spread it” techniques for water runoff and absorption

Green Infrastructure for combating air pollution (during and after construction of the park)

- Green Walls on NYCHA
- Green Roofs on local and NYCHA Housing

Art and Public Engagement

Climate and Resiliency Education

Community Opportunities during Construction

- Ferry Rides to Governor's Island and East River State Park (Williamsburg)
- Air purifiers, air conditioners, vacuum cleaner programs for residency in proximity

Similar Coastal Resiliency Plans and Case Studies

Research

- Local Researchers and Organizations
- Catherine Seavitt Nordenson, ASLA, AIA, CUNY City College School of Architecture
 - Authors Catherine Seavitt Nordenson, Guy Nordenson, and Julia Chapman have been at the forefront of research on new approaches to effective coastal resilience planning for over a decade. In *Structures of Coastal Resilience*, they reimagine how coastal planning might better serve communities grappling with a future of uncertain environmental change. They encourage more creative design techniques at the beginning of the planning process, and offer examples of innovative work incorporating flexible natural systems into traditional infrastructure. They also draw lessons for coastal planning from approaches more commonly applied to fire and seismic engineering. This is essential, they argue, because storms, sea level rise, and other conditions of coastal change will incorporate higher degrees of uncertainty—which have traditionally been part of planning for wildfires and earthquakes, but not floods or storms.
- **ASHLEY DAWSON**
Position: Professor, College of Staten Island. English
Campus Affiliation: College of Staten Island|Graduate Center
 - Ashley Dawson currently works in the fields of environmental humanities and postcolonial ecocriticism. He is the author of two recent books relating to these

fields: Extreme Cities (Verso, 2017) and Extinction (O/R, 2016). *Extreme Cities* argues that cities are ground zero for climate change, contributing the lion's share of carbon to the atmosphere, while also lying on the frontlines of rising sea levels. Today, the majority of the world's megacities are located in coastal zones, yet few of them are adequately prepared for the floods that will increasingly menace their shores. Instead, most continue to develop luxury waterfront condos for the elite and industrial facilities for corporations. These not only intensify carbon emissions, but also place coastal residents at greater risk when water levels rise. *Extreme Cities* offers an alarming portrait of the future of our cities, describing the efforts of Staten Island, New York, and Shishmareff, Alaska residents to relocate; Holland's models for defending against the seas; and the development of New York City before and after Hurricane Sandy. Our best hope lies not with fortified sea walls, the book argues, but rather with urban movements already fighting to remake our cities in a more just and equitable way.

- CUNY Institute for Urban Systems

- CIUS seeks to help cities adapt to their changing infrastructure needs through research, education, policy advisement, and advancement of the state of professional practice. CIUS aims to bring together leading scholars and practitioners to help catalyze innovation at public agencies in the planning and management of urban infrastructure systems. CIUS promotes interdisciplinary and inter-campus collaboration across the entire CUNY system on infrastructure education and research to address environmental, economic, and technological challenges. It also aims to serve public agencies by leveraging CUNY's unique array of research and technology transfer capabilities.
- Research at CIUS examines current investment in infrastructure and how it is affected by emerging technologies, institutional change and innovative financing. It focuses on five main areas: regional dynamics; energy and green buildings; transportation systems; economics and finance; and natural systems

- Urban Climate Change Research Network

- The Urban Climate Change Research Network (UCCRN) is a consortium of over 800 individuals dedicated to the analysis of climate change mitigation and adaptation from an urban perspective. UCCRN members are scholars and experts from universities and research organizations. They span a broad range of expertise including climate scientists; urban heat island and air quality experts; climate change impact scientists; social scientists, including political scientists, planners, and economists; and urban designers and planners.

- <https://cuer.law.cuny.edu/>

- The Center for Urban Environmental Reform (CUER) is a Social Justice Initiative of the City University of New York School of Law. CUER was founded on the belief that environmental justice is a critical aspect of social justice and that communities are entitled to participate fully and meaningfully in environmental decisions that affect them. CUER will be a clearinghouse and focal point for the

data, experts, and training needed to ensure a level playing field. The goal is to expand participation in public decision-making and to increase transparency and overall access to information in order to enhance both the legitimacy of environmental decision-making processes and the fairness of decisions reached.

National Resources

- NOAA <https://coast.noaa.gov/states/new-york.html>
- <https://coastalresilience.org/>
 - **The impacts of climate change** are being seen and felt by coastal communities across the world as increased intensity and frequency of storms and hurricanes, coupled with sea level rise, are changing the land and seascape dramatically, forcing cities, organizations, and nations to reconsider how and where to invest its coastal resources. These storms and floods affect hundreds of millions of people, important infrastructure, and tourism, with significant losses to local and national economies and livelihoods.
 - **The Nature Conservancy (TNC)** has over 60 years of experience in conservation and restoration of coastal habitats and ecosystems, and is dedicated to protecting nature for people today and for future generations.
 - Since 2007, TNC has led the development of **Coastal Resilience, an approach and online decision support tool** to help address the devastating effects of climate change and natural disasters.

Hi, My name is Fannie Ip, I grew up on the Lower East Side and I am a regular user of East River Park.

It has been mentioned throughout this process, that this Preferred Alternative is for the protection of the people, however, when you look at the parts of the plan, it says otherwise.

The poor air quality from the dust and the many construction vehicle emissions will be detrimental to public health, especially to the elderly, the children and people with asthma. Control measures proposed such as spraying down dirt piles with water or covering them while transport is not sufficient.

Mitigations for contaminated soil and hazardous materials still need to be addressed. This was also a concern of Con Edison's as stated under the Hazardous Materials Contamination section in their DEIS comments dated August 30, 2019.

More importantly, it'll be 7 years since Sandy and we still haven't gotten any flood protection. How are we suppose to believe that the City is in the interest of protecting the people when, not only do we not have flood protection right now, there will be none during construction as well?

And finally, the Mayor stated in his press release yesterday, "we are building a more resilient city to meet the challenge of global warming head-on"... well, cutting down almost 1000 trees right next to the FDR definitely does not meet that challenge. If anything, it contributes to the problem of global warming and helps speed up sea-level rise, making this plan obsolete a few years after it is finally complete. Not to mention, the whole Lower East Side area will be a lot hotter when these trees are gone.

I ask you, please do not be fooled by this small concession we received yesterday, something we would've gotten anyway with that ridiculous timeframe of 3.5 years. There are many issues that still need to be addressed and since the timeline has been delayed, other alternatives such as one that is less harmful and less destructive to the environment should be revisited. Thank you.

Fannie Ip
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My name is Yvette Rivera and I am the Vice President of the LES-OLS Little League (LES-OLS LL), which is the oldest and largest little league on the Lower East Side.

Our league has existed for 60 years and we have over 300 children and their families participating that will be impacted by the planned ESCR Project in East River Park.

While we are in favor of flood protection, we have several concerns and needs that should be addressed, including:

1. Phased construction is an absolute must to allow people to continue using the park.
 - a. This approach will allow our kids to still play sports within walking distance of their homes for years until park renovation is complete. We prefer to have access to half the park over 4 to 6 years versus full closure for 3 to 5 years.
2. Alternative park space should prioritize children and local community programs, like LES-OLS LL.
 - a. There are very few park spaces that can accommodate baseball fields within walking distance of our players. **Our kids should be prioritized for this space.**
 - b. We recently met with the Parks Dept to discuss the alternative field space and the initial meeting was productive; but we are awaiting details on local field allocation.
3. Our league is large and provides services to the immediate surrounding community. **We should also receive priority for allocation of field space once the East River Park renovation is complete.**
 - a. Present plan will eliminate field 8, which is a priority field for our games each Saturday.
 - b. Preserving all 8 ballfields or reallocating the same amount of field space in the remaining 7 ballfields to LES-OLS LL is a must.

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

Therefore, we request that our concerns above be addressed with a detailed action plan before the community and city signs off on this project.

Respectfully,

Yvette Rivera

LES-OLS Little League Vice President

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~~311-553-3265~~



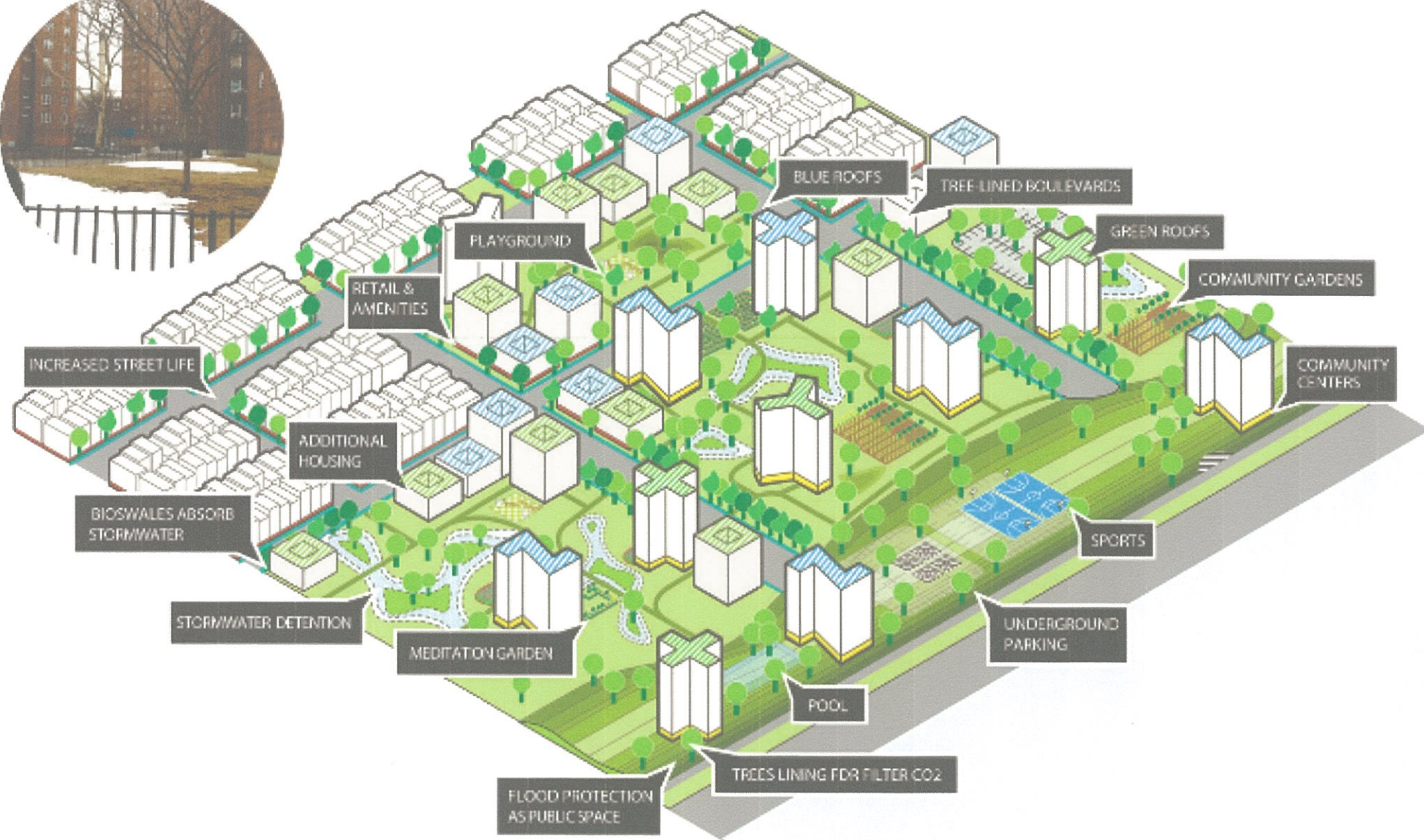
THE BRIDGING BERM

- USES SERVICE ROAD RIGHT-OF-WAY
- PROTECTS FROM THE 100-YEAR FLOOD IN 2050
- SHIELDS PARK FROM HIGHWAY
- REPLACES BRIDGES WITH GENEROUS LANDSCAPE CONNECTIONS TO PARK
- CREATES NEW LANDSCAPES AND VIEWS OF THE WATER









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Oct. 3, 2019

The East Side Coastal Resiliency plan for East River Park is meant to protect us from the unfortunate consequences of climate change—storm surges and rising sea levels. Paradoxically, the current plan is so environmentally destructive that it will contribute to climate crisis.

A massive construction project with 8-10 feet of landfill over 57 acres takes far more energy and resources than developing a floodable, resilient coastline and flood protection along the FDR.

Demolishing a living park filled with greenery, playing fields, and 1,000 mature trees robs us of cleansing and cooling air and the mental health benefits our densely populated, modest-income neighborhood needs.

A staff member of a key City Council member tried to persuade me that demolishing the park was not significant in the greater world of climate change. He told me, "900 trees does not a clean earth make."

I beg to disagree.

Shaun Donovan, HUD secretary in the Obama Administration said, "If every government worker who works on any issue that has to do with the physical design of cities thought of themselves as in the resilience business, we could make an enormous difference. Every time we plant a tree, every time we redo a sidewalk, every time we redo a roof—every one of those decisions has the potential to contribute to the resilience of our communities. ...Part of Rebuild by Design was saying every department in your government is a resiliency department, whether it's Sanitation or Parks. Every one of them has the power, through the accumulation of a million small decisions, to make the city more resilient.... We can create a culture of resilience."

Give us true resilience, not a so-called resiliency plan that will further imperil the earth's climate.

As a resident of Grand Street, I have both a policy-driven and an emotional response to the East Side Coastal Resiliency plan. While I realize that any flood mitigation plan would likely cause some temporary inconvenience and displeasure to Lower East Siders, I'm concerned that the proposed ESCR plan, in its current form, is not the best solution. I urge you not to approve it. The original plan including berms—or a similar plan incorporating them—is a much better option that would be acceptable to Lower East Side residents.

Although the City has touted the plan as both equitable and efficient, I see it as being unacceptable when viewed through the lens of these criteria:

Equity

- **Health Risks:** The landfill that will be used to raise the floodplain will be comprised of unknown materials, generating huge quantities of dust of possibly hazardous components, which will affect NYCHA residents—an already vulnerable demographic—first and foremost. Additionally, the decline in air quality will also likely affect residents of the Grand Street area, such as in the East River and Hillman co-ops.

The Draft Environmental Impact Statement (DEIS) **acknowledges that there are hazardous materials in the soil, and that the project would increase exposure to them without "proper controls."** It's naive to believe that on a 75+ acre stretch of land, all toxic materials below the surface will be isolated and removed, and that this could happen within a 3-and-a-half year time frame, with the project completion happening within that same schedule.

To exemplify these doubts, the Statement suggests that "Visual, olfactory, and instrument-based soil screening would be performed under the supervision of a Qualified Environmental Professional during construction that involves subsurface disturbance." (6.6-5) In other words, is someone is going to *smell and have a look* at thousands of tons of soil to determine its safety? This does not instill confidence. (Has this ever been done successfully before in a such timeframe? Were there no ill effects on local residents?)

Further stoking concerns about the choice of this plan, the impact statement concedes that the other alternatives would have "substantially less volume and areal extent of soil disturbance and excavation" and therefore much less toxic exposure. ***So why is the City not opting for the original plan?***

- **Prioritization of Cars:** The public has been made aware that part of the reason the original ESCR proposal was scrapped was because this plan is less disruptive to traffic on the FDR. I can't state strongly enough the irony of prioritizing the very factor that has in large part created the need for climate mitigation—fossil-fuel burning vehicles. While the City's 80x50 plan states a commitment to reducing emissions by 80% by the year 2050, the ESCR plan does absolutely nothing to address, or even acknowledge, the underlying problem, and instead creates a slew of other issues for neighborhood stakeholders.

The Statement purports that, "Since the flood protection under this [the proposed plan] is primarily along the existing esplanade of East River Park, there would be less construction disruption and delay along the FDR Drive..." This statement illustrates prioritizing car culture over people.

- **Parkland Alienation:** The spirit of this regulation requires replacement of parkland that is taken away with "equal" land, but the solutions proposed in the ESCR plan are at best insufficient, and at most realistic, laughable. Painting surfaces and supplying a handful of outdoor sports field lighting solutions will not provide sufficient sport field space for all the kids who live or attend school on the Lower East Side, in the East Village, or around

Stuyvesant Cove, nor will it compensate for space to play, dream, exercise, ride bikes or take in nature. Adults will be deprived of the same things.

Childhood is short. High school students like my son, a soccer player, (and possibly even young children) who depend on the space provided by East River Park, will not be children by the time the project is completed. There is no local alternative to replace this space.

***It is absolutely essential that the work be done in stages and that large parts of the park always remain open.**

Efficiency

In short, for a price tag of over \$2 billion, this project will likely generate health issues; reduce the quality of life in the area for a decade or more; curtail safe and efficient transportation options (protected biking and convenient access to the ferry at Corlears Hook, which will be negated for anyone on or above Grand Street, such as myself, a City employee who bikes or takes the ferry to Pier 11 everyday) and eradicate the very oasis of open-space "nature" that the project purports to enhance.

People love East River Park and are so upset by its possible destruction because it's the one place on the Lower East Side where we can actually be in a space that feels unconstricted and wild. To shrug off the destruction of hundreds of old, beautiful, shade-providing trees is to not understand human nature and this constituency. The trees are not a nicety; they **are** the park. The shadeless, manmade spaces of the proposed plan cannot replace what we have now.

I am in agreement, as I believe most Lower East Siders are, that we urgently need a flood mitigation plan. **We will certainly need interim flood protection.** It's understood that not everyone will love every detail of any plan, but as a community, we want to ensure that we are getting the best, most equitable and quality-of-life-preserving option.

What I wish I could attach in this email is the the sound of the breeze rustling the leaves of the trees at East River Park, and the comforting hum of cicadas at dusk, as the river rolls by. "Nature" is not just an abstraction where this park is concerned—this is a place where Lower East Siders can actually be immersed in nature, which has immense benefits for me and my family (and I'm sure tens of thousands of other residents) in both body, mind and spirit. To think of the biosphere that would be demolished is painful, and imagining a tree-less East River Park honestly makes me think about leaving New York City in two years when my son goes to college. This park feels like my home.

The bottom line of my complaint is this: It seems like the trees and the park itself, along with the possible health of Lower East Siders in the surrounding areas, are going to be sacrificed in favor of keeping car traffic rolling along on the FDR. This is just morally wrong.

Thank you very much for taking this into consideration before you cast your vote. I appreciate your time.

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Sept 23, 2019

"A large, healthy tree removes almost **70 times more air pollution** each year than a small, newly planted tree." From the Parks Dept website. Yet all over the city we see tree cutting by the Parks Dept and denaturing project taking place. This is not the pro resiliency acts we expect from a city that claims it wants to increase resiliency.

I am horrified by this project that says that it will remove the whole top of the ERP and then replace it as if they were picking up an old carpet placing down a new floor and then laying the intact carpet back down. Nature does not work that way!

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

Since we know that in this City there is nothing that does not go on that does not have the finger prints of big real estate sewn into the project we need to know more about how they might be involved.

Why did deputy mayor Dean Fullihan overnight declare that they had to reverse the agreed upon plan without any community discussion? What is the involvement of AECOM that is involved in many big real estate projects throughout the City? Are there forces that are imagining another Brooklyn Bridge Park or Hudson River Park where private interests have taken over the public need for open green space? What are the long term plans for the NYCHA buildings across the street? The new NYCHA chair, Gregory Russ, has a history of privatizing public housing.

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

One other thing...the city never hesitates to close lanes of streets and highways to do repairs for extended lengths of time. How is it that part of the rational for this changed plan is to eliminate the need to close one lane of the FDR at night for construction? This is the first time I have ever seen concern for the inconvenience of drivers and I have been driving the streets and highways of NYC for 50 years.



My name is Dianne Lake, and I am member of the Steering committee of the East River Alliance, a coalition of stakeholders in the Lower East Side and East Village communities.

Our community lived through Sandy and understands the need for resiliency work. We want a resiliency plan that will protect us from storm surges and climate change. The City has proposed Preferred Alternative 4.

We have given the City strong, consistent feedback on the flaws in Alternative 4 for nearly a year. We were pleased to learn yesterday that the City listened, and plans to proceed with East River Park closure and construction in phases.

However, our other concerns with Alternative 4 remain unaddressed, which is what we want to bring to your attention today.

This is still a plan to completely destroy East River Park and then raise it 8-10 feet. It's a very destructive and very expensive plan. Borough President Gale Brewer and Councilmember Carlina Rivera hired an independent consultant to review both Alternative 4 and Alternative 3, which is less destructive and less expensive. We strongly encourage the City Council not to vote until after that report is available and has been thoroughly reviewed.

We also remain concerned about the health, safety, and well-being of our community before and during construction. We ask the City Council to support further changes so that the final plan includes:

- Protection from storms and floods before and during construction;
- Reducing the total amount of destruction to only what is absolutely necessary;
- Meaningful alternatives for recreation during construction, particularly for children and seniors, and a safe re-routing of the Greenway;
- A clear plan for the future of the Lower East Side Ecology Center;
- Reduced impact on biodiversity;
- And that the impact on frontline communities be central to any plan or timeline that the City considers.

While we appreciate the progress that was made yesterday, at this time the East River Alliance does not support Alternative 4 in its current form.

Thank you for listening to us, and we hope you will consider the community's additional concerns.

The City's "*preferred plan*" for East River Park

An environmental injustice and an ecological catastrophe in the name of climate change

After Sandy came the realization that the lower east side coastline of Manhattan needed flood protection. A competition among 10 teams of architects that included significant engagement of the riverfront community was launched. The whole history of 5 years of "iterative design" and its outcomes can be downloaded here on the "Rebuild by Design" website: <http://www.rebuildbydesign.org/data/files/675.pdf>.

From this dialogue a consensus emerged on what could be the best plan for a resilient neighborhood and park: what was called the "Consensus Plan" proposed a planted berm along the FDR as a flood wall; it left most of the park floodable, allowing its grassy areas to absorb most of the floods and its hills to redirect water as it recedes. The winning team of architects envisioned at a later stage the possible addition of a green deck over the FDR, creating more space for recreation and further protecting the riverfront residents from emissions and storm surge. This plan, which won a grant from HUD, preserved 2/3 of the trees in its initial version (later unilaterally revised by the Park Department).

But since September 2018 an untested, retrograde plan is being imposed instead, pushed in force by NYC Mayor's office, making "*a mockery of transparency and community involvement*", as stated by a member of the Community Board 3 opposed to this move. (The Villager, July 7, 2019). Disregarding the preferences expressed through numerous workshops the City's "preferred plan" is high above the water and flat instead of hilly, while the resilient plan allowed them to contemplate the river from every slope up to the top. It relies on a lot of concrete, giving its landscape a sterile look that seems more inviting to concession stands than to barbecue lovers. It is twice as expensive than the community approved plan, with a cost of 1.45 billion dollars.

Residents of the Lower East Side and the East Village have been asking themselves and City representatives what the main motivation was behind the sudden creation of a new plan in only 6 months. We have never received credible answers. As State Senators Brad Hoylman, Brian Kavanagh, and Harvey Epstein testified during a recent official hearing: "*We worry that we are being confronted with a potential 1.45 billion dollar "boondoggle" (see definition below) to rival massive notorious public works projects such as Manhattan's Westway and the Big Dig in Boston with little accountability, no transparency, and seemingly not one person in charge. The City's plan for the ESCR has so far stoked disillusionment and opposition*".

A boondoggle is a wasteful or impractical project or activity often involving graft
Example: "The project is a complete boondoggle—over budget, behind schedule, and unnecessary."
Merriam-Webster

The City's "preferred option" requires unprecedented land destruction, killing every living thing in the park—bulldozing 57 acres and filling up the entire area with tons of landfill. The impact of Sandy's winds and waters on the East River Park will seem small compared to the magnitude of the planned disruption—a true ecological catastrophe. It will take years for the park's flora and fauna to recover, if they ever do. Neighboring residents will breathe carbon dioxide and other contaminated dust for the duration of the park's destruction and the air quality will stay poor throughout the project's construction, until newly planted trees mature. The design also requires that the whole park be closed for the whole duration of the construction, leaving our community desperate for recreation space, and traumatized by the daily sight of a war zone under their windows.

Assembled below are some responses to the most common statements used by NYC Department of Design and Construction to justify the breathtaking shift in the ESCR plan.

City: "*We are working to protect riverfront communities, NYCHA residents are particularly at risk*"

Truth: To help prevent damage due to flooding NYCHA is already implementing their own site-specific resiliency measures as part of the "Recovery and Resiliency" FIMA program, including floodwalls around buildings. The true goal of the City is not to protect our community but to build a brand new esplanade for a New York City that is the developers' dream. Their design actually relies heavily on the use of moving

gates as flood barriers, a device that has a high potential of failing: 20 of these gates are to be located in the places where most of the water came into our community: at the FDR, and avenues C and D! As for the East River Park itself, it actually protected the neighborhood, absorbing thousands of gallons of water from the mega storm. Concrete and plastic turf might save maintenance costs, but it does not protect as well from overflows after heavy rainfalls. Will the new drainage system cope? The real threat to riverside communities today comes from its planned destruction: a threat to our health, with toxic dust from the immense quantities of dirt that would be dug up in the park or delivered by barges; the loss of 981 mature trees and their protecting canopies; the loss of a bike path protecting riders against traffic; the loss of ball fields and other play spaces for an entire generation of children, etc.

City: "This is by far the best option: we can't let the park be flooded."

Truth: The new plan ignores the best climate change science that promotes resilient floodable options over walls of concrete: natural and hilly areas that allow the water to curve its way in and out, and act like a sponge. However the City has always been reluctant to pay for workers to clean up ball fields after rainy days. Heavily reliant on volunteers, the City has done little to support the important capacity and relationship building that comes with these efforts.

City: "The trees in the park are old, sick and dying. We would have had to replace them anyway."

Please take a walk in our park. The trees are stunning and healthy, many of them 80 years old as well as newly planted trees. Local residents revere some of them. The Ecological Center volunteers transformed this park in a resilient jewel with more and more marshland vegetation that host hundreds of birds and bees. Preserving the green space we already have is essential to our mental and physical health, and to climate change.

City: "With the previous plan we'd have to close 1 lane at night to build the wall along the drive!"

Constructability issues arise in any given plan of this scale. Temporary closing of one lane of the FDR at night does not seem that serious, and the City's preferred option also requires temporary closure of one lane. By the way, cars are responsible for gas emissions, air pollution and precipitating climate change, which is what brings us all here. Reducing the number of lanes on the FDR might be a good idea.

From "Rebuild by Design" to the ULURP process: a failure of democracy

Myriads of well-informed community members have now formally expressed their opposition to this plan at the (6) lengthy official hearings staged along the ULURP process that will lead to a final vote in November. Thousands have signed petitions; hundreds have marched against this initiative. However this well documented rebellion has not had any influence so far on any decision maker: appointed "representatives" of the community, ie NYCHA tenant "leaders", Community Board members, Manhattan Borough President, all did not dare vote against the promise of 1.45 billion dollars but issued pages of recommendations to "mitigate" the harm they foresee. District Representative Carlina Rivera- who was instrumental in mobilizing against the plan, seems to be having second thoughts. She now campaigns for phased construction, hoping to "mitigate" the despair of daily park users, and lovers.

We, the people most at risk of flooding, have participated in tens of design workshops to define the best solution to our protection. We have then spent thousands of hours listening to the DDC's unfounded reasons to destroy our work, our hopes, and our park. We have since been researching, calling our elected officials by the dozens. We have posted more than 200 comments to a sham Environmental Impact Statement, we have gone door to door in NYCHA buildings, we have gathered more than 5000 signatures, we have marched by the hundreds against this plan; we have lost days of our lives to speak for 2 minutes at 6 different hearings and town halls so far, where the vast majority, sometimes the whole room, opposed the "preferred option"... this ultimate hearing at the City Council on October 3d is the 7th of the kind.

We wanted community engagement we got betrayal. We asked for "minimum" destruction, we got "phased" destruction instead. The ULURP process so far is failing to its mission to allow for the public review of governmental projects.

We hope today you can truly hear us, and oppose this disgraceful initiative that is imposed by force on the very people it pretends to protect.

Marie de Cenival – Member of East River Park Action - 20 Clinton street, New York City, NY 10002

Milena Leznicki

125 East 4th Street; ~~Appt 26~~; NY NY 10003
~~917-740-4228~~; mimi@milena.tv

Re: Council hearing on ESCR, October 3, 2019 at 1 PM at City Hall

I have lived in the East Village since the mid 90. This is my home and I want to be involved in protecting what we have so that my kids can enjoy it too.

We need climate control efforts that protect the city from rising waters, pollution and the decline of our eco system. This is something we can all agree on.

Myself, and countless members the local communities, as well as hundreds of thousands of people who frequent the East River Park on a regular basis, are opposed to the East Side Coastal Resiliency Project.

This project was a surprise announcement to demolish the recently renovated park in order to fill it with 10 feet of landfill and build on top of it. To this day, many people have no idea what the city is planning.

There have been previous propositions for environmental protection, including the Big U plan, which does not destroy the park we have and need.

If the Big U plan is no longer the best option for us, and the East Side Coastal Resiliency Project destroys everything we have, we really owe it to our communities and to the city we love to find a plan that works for everyone.

What I am asking is that we work together - the city and the communities - to create the best plan for our future. There must be a better plan to protect the city from climate change while not destroying our existing eco system. Some of the trees in East River Park are 80 years old and vital to the city.

There is also a huge socioeconomic factor, this park serves not only our Lower East Side communities, but also is the home to countless sports teams, school activities, families and individuals for whom this is the only great outdoors they know.

We need more than one consultant to look at the facts.

We need to look to other global cities who have faced similar issues.

We need more information from the city so that we are not hit with another surprise plan to demolish our park.

We need to ask why are other areas of the Manhattan coast not going to be demolished and raised 10 feet? Are they continuing the Big U plan? How would raising only our section, not force the flooding to go around this new little mountain?

The buildings along the coast have their own flood protection from what I have read so demolishing the park is not for their protection as the city would like us to think.

Where will the sports teams go while we do not have a park? The wealthier West Side does not have the space, and sending these kids all the way to Randall's Island is logistically difficult.

Would plans of more luxury water front towers being build in the Lower East Side have anything to do with this new surprise plan?

Thank you for listening. I want to be part of the solution.

Howard Brandstein
Sixth Street Community Center
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212-677-1863
howard@sixthstreetcenter.org

**Testimony before the New York City Council
Landmarks, Public Sitings and Dispositions Subcommittee
on the
East Side Coastal Resiliency Project
October 3, 2019**

1. TIME TO ACT ON THE FUNDAMENTAL PROBLEM

The coastal resiliency problem we are facing is precipitated by decades of decisions that did not address the core cause and problem. We should take this opportunity to act in a new direction that can address them. Over the past 10 years New York City has spent over \$150 million to renovate the East River Park. The City now proposes to spend \$1.5 billion to bulldoze the entire East River Park and raise the level of the coastline from Montgomery to 23rd Streets 8-10 feet to prevent flooding in Lower East Side and East Village neighborhoods. A new park would be built on top of this dirt pile. The City's plan, however, is wholly inadequate to deal with the environmental crisis confronting us as it utterly fails to address the root cause of the problem: why are sea levels rising? One need only observe the FDR Drive adjacent to the Park to witness the scope of the problem: thousands and thousands of cars polluting our environment 24/7 and wrecking our climate system with their relentless emission of carbon dioxide and other greenhouse gases. According to the EPA the transportation sector is the single largest contributor to greenhouse gas emissions at 29 percent of the total. If nothing is done quickly to forestall and reverse this reality no amount of dirt can be piled high enough to protect our communities from flooding. The time to act is now lest we end up with a massive billion-dollar shrine to the automobile and fossil fuel industry.

2. FDR DRIVE MUST BE PART OF ANY RESILIENCY PLAN FOR OUR COMMUNITIES

Robert Moses designed the FDR Drive as an integral element in a new vision for New York. But this extravagant vision of a car city is a dead-end for our 21st century climate crisis. The FDR Drive provides six-lanes of highway for an endless stream of noisy gas guzzling cars which carry an average of only two occupants per car. This means that more than half of each vehicle is unoccupied. In the midst of a climate emergency why should we continue to enable this extravagance with six lanes of under-occupied polluting vehicles? At the same time the residents of New York City Housing Authority and other

developments along the FDR Drive live in a **transit desert** with limited bus service and subways too distant for easy access. It is time to replace car lanes with dedicated bus lanes on the FDR Drive and put

the residents of our communities first by providing clean, quiet, non-polluting **electric buses** to speed riders downtown and uptown on the Drive. By substituting electric buses for cars we will be able to shrink the FDR Drive from six lanes to three lanes and provide the needed room to build a flood wall without interfering with Con Edison's utility lines; one of the City's primary objections to the earlier community resiliency plan.

3. SUPPORT THE COMMUNITY PLAN AND TAKE IT A STEP FURTHER

The community's earlier plan calls for expanding East River Park by decking over the FDR Drive and re-envisioning the Drive itself. This plan, before it was summarily scrapped by the city last year, involved the participation of a wide range of people and experts including 300 community members, individuals representing government, not-for-profit organizations and 10 international and US planning and design firms (see attached list from the Rebuild By Design Big U plan). By shrinking the FDR Drive and introducing non-polluting electric buses, the community plan for decking over the Drive becomes even more feasible as the issue of ventilating noxious gases is eliminated. The construction of the flood wall also becomes feasible in or along the FDR Drive by shrinking the number of lanes from six to three. The City in arguing for its plan has also claimed that the current East River Park is unsuitable to act as a bioswale or floodplain in the event of a flood as there is too much artificial turf on ball fields. Let's then remove the artificial turf and restore the soil and grass. This will be a bonus for the insects, birds, and other wildlife that are under threat because of climate change. The additional cost in maintaining natural grass as opposed to artificial turf is more than offset by the savings in the community plan. Finally, it should be pointed out that the City's plan requires an alienation of parkland request to the State of New York as the project requires State oversight. The City has failed to make this request.

4. LET'S FIGHT FOR A GREEN NEW DEAL FOR COMMUNITY BOARD #3!

A plan that fuses together resiliency, sustainability and transportation equity is the essence of a Green New Deal for Community Board #3. The community's earlier plan together with the transportation and other elements described above can also be a model for many shoreline communities in New York City. Time is short. The Intergovernmental Panel on Climate Change tells us we have about 10 years to make dramatic reductions in greenhouse gas emissions or face dire consequences. We have the opportunity now to do something that will have a real impact on both climate change and flood protection. It will not happen without us and without a new vision for New York in the 21st century. Now is the time to seize this opportunity to implement a real plan for survival. If we fail to act a degraded nature will implement its plan, and we are sure not to like it.

Supporting Material:

<http://bit.ly/saveerp>

THE BIG TEAM WOULD LIKE TO THANK...

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STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
Attorney General

DIVISION OF SOCIAL JUSTICE
Environmental Protection Bureau

August 29, 2019

By E-Mail

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Re: *East Side Coastal Resiliency Project, CEQR No. 15DPR013M*

Dear Mr. Johnson and Ms. Alderson:

On behalf of New York State Attorney Letitia James, our office submits these comments on the draft environmental impact statement ("Draft EIS") for New York City's East Side Coastal Resiliency Project (the "Project"). The Project seeks to address enhanced risk of flooding and accompanying harm to people and property on the Lower East Side of Manhattan due to climate change. The preferred alternative for the Project would do so by taking a number of actions along the East River, including, among other things, elevating East River Park, reconstructing other parks and recreation areas, and installing floodwalls and other flood protection infrastructure. As climate change worsens, the probability of severe storms or other events creating such flooding and harm increases, and efforts like the Project to mitigate such harm are vitally important.

However, as explained in more detail below, based on review of the draft EIS, this office offers the following suggestions to improve the way in which the City carries out the preferred alternative or any other selected alternative and ensure that any decision regarding the Project complies with relevant law. First, the Draft EIS's conclusion that the project does not

disproportionately impact environmental justice communities appears to be erroneous. The area that the Draft EIS studied for environmental justice purposes is larger than the area that the Draft EIS considers to be affected by the Project and larger than the area near the Project that the State Department of Environmental Conservation designated as potential environmental justice areas. The City's use of this enlarged environmental justice study area appears to reduce the proportion of minority and low-income people who would experience the Project's impacts.

Second, the Draft EIS does not provide meaningful analysis or mitigation of the short-term impacts of the Project on recreation or other open-space uses during construction of the Project. While the City has divided the Project into multiple segments, it intends to proceed with work on all segments at the same time, effectively removing all of the Lower East Side's riverfront public parkland from community use for 3 ½ years. If possible, the City should instead phase the work so that at least some of the affected parkland is available at all times while the project is ongoing. In addition, the City should evaluate the addition of recreational spaces to affected neighborhoods at the beginning of the Project so as to compensate for the reduction or elimination of parkland during Project construction.

Third, the preferred alternative to the Project includes removing approximately 1,043 trees, some of which are decades old and mature, and replacing those trees with approximately 1,442 trees, all younger. The existing trees provide a wide variety of services to the community and beyond, including shade, summer cooling, improved air quality and carbon sequestration that can help reduce climate change. Given those services, the City should evaluate and use additional metrics, such as tree canopy volume, to develop an appropriate tree replacement plan, rather than simply looking at the number and trunk diameter of the existing and replacement trees. Additionally, while the City is planning to preserve and transplant certain smaller trees currently at the Project site, it should evaluate whether there are reasonable opportunities to preserve and transplant larger trees currently at the site, and should provide for planting new trees in nearby areas at the time construction starts to compensate for the loss of trees during construction. Lastly with respect to trees, the City should provide for the use of the wood in any large trees removed as part of the Project, if possible, in order to sequester for a significant period of time the carbon stored within them.

Fourth, the Draft EIS does not fully mitigate the increase in potential health impacts from air pollution during the Project. Specifically, to mitigate the emissions from Project construction activity, the Draft EIS should incorporate off-site reductions in emissions that would offset the Project's emissions.

I. The Preferred Alternative for the Project

Climate change affects New York City in a number of ways. As relevant to this Project, climate change increases the probability of catastrophic storms like Superstorm Sandy in 2012. Draft EIS at ES-2, 1.0-4; *see also* NYC Emergency Management, *NYC's Risk Landscape, A Guide to Hazard Mitigation* at 56 (May 2019), available at https://www1.nyc.gov/assets/em/downloads/pdf/hazard_mitigation/risklandscape2.0_2019_r2_di

gital_lowres.pdf. That storm inundated East River Park, resulting in damage including, among other things, the need to remove at least 258 trees due to salt water damage. Draft EIS at ES-7. In addition to increasing the risk of such extreme storms, climate change causes sea level to rise, increasing the threat of flooding from everyday storms or high tides moving from the East River into East River Park and adjacent areas. *Id.*

Among the goals the City set for the Project are:

- “provid[ing] a reliable coastal flood protection system against the design storm event for the protected area;”
- “improv[ing] access to, and enhance[ing] open space resources along, the waterfront, including East River Park and Stuyvesant Cove Park” and
- “respond[ing] quickly to the urgent need for increased flood protection and resiliency, particularly for the communities that have a large concentration of residents in affordable and public housing units along the proposed project area[.]”

Id. at ES-2. Each of these goals is important, and the City is to be commended for proposing and pursuing implementation of the Project.

The City considered five alternatives for the Project in the Draft EIS and eventually selected as the preferred alternative a plan to elevate East River Park an average of eight feet, *id.* at ES-31, and reconstruct other areas along the East River bordering the Lower East Side, including the Murphy Brothers Playground and the Asser Levy Playground, *id.* at ES-5. The preferred alternative also includes installation of floodwalls, floodgates and other infrastructure, in large part beneath the elevated park, and modifications to the existing sewer systems in the area, all with the goal of reducing risk of storm damage. *Id.* at ES-5, 6.0-2, 6.0-5 to -10. In addition, the preferred alternative incorporates a new bridge over the FDR Drive and improvements to existing bridges to provide better access to the waterfront parks for the community. *Id.* at ES-5

Although the comments in this letter address the preferred alternative for the Project, to the extent that comments made in this letter apply to any of the other alternatives, the City should apply these comments to those other alternatives as well.

II. The Draft EIS Does Not Adequately Address Important Issues

As explained below, the Draft EIS’s environmental justice analysis and its treatment of impacts to open-space uses, tree canopy and air quality do not meet the requirements of the federal, state and New York City law governing environmental review. Those treatments are also arbitrary and capricious in violation of federal and state administrative law requirements.

The City acknowledges that the EIS must meet the requirements of the federal National Environmental Policy Act (“NEPA”), the New York State Environmental Quality Review Act

("SEQRA") and the New York City Environmental Quality Review process ("CEQR"), which implements the SEQRA statute within the City. Draft EIS at ES-2. NEPA, SEQRA and CEQR all require, among other things, that an EIS provide a detailed statement of both the environmental impacts of a proposed action and alternatives to that action. 42 U.S.C. § 4332(2)(C)(i) & (iii); Environmental Conservation Law §§ 8-0109(2)(b) & (d). SEQRA and CEQR specifically identify short-term impacts as needing evaluation. Environmental Conservation Law § 8-0109(2)(b). SEQRA and CEQR also require that an EIS provide a detailed statement regarding mitigation measures proposed to minimize the environmental impacts of the action. Environmental Conservation Law § 8-0109(2)(f).

In addition, the decision to undertake one of the alternatives for the Project must not be arbitrary or capricious as a matter of federal or state law. 5 U.S.C. § 706(2)(A); Civil Practice Law & Rules § 7803(3). An action is arbitrary and capricious if, for example, it entirely fails to consider an important aspect of the problem it is addressing. *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983). For the reasons set out below, the Draft EIS's environmental justice analysis and treatment of issues relating to open space use, tree cover and air quality are not consistent with the requirements of NEPA, SEQRA and CEQR and are arbitrary and capricious.

A. The Draft EIS's Environmental Justice Analysis Should Be Revised

The communities that the Project affects are in large part environmental justice communities. The Draft EIS states that 51.2 percent of the people living in the environmental justice study area the City evaluated are minority and 20.26 percent of those people have incomes beneath the poverty level. Draft EIS at 5.11-7. Moreover, the minority and low-income populations in that area are concentrated in the southernmost part of the area nearest East River Park, *id.*, where the vast majority of the Project work and Project impacts will occur.

These figures appear to understate the extent to which the Project would affect environmental justice communities. The Draft EIS does not explain why the environmental justice study area used in the Draft EIS extends well beyond both (a) the potential environmental justice areas designated by DEC and (b) the EIS's own open-space impact area. Compare Draft EIS, Figure 5.11-1 (depicting environmental justice study area) with New York State Department of Environmental Conservation, Potential Environmental Justice Areas in New York County (Manhattan) at 5, available at https://www.dec.ny.gov/docs/permits_ej_operations_pdf/nycountyej.pdf, with Draft EIS, Figure 5.3-1 (depicting open space impact area).

This inclusion of additional areas in the environmental justice study area appears to reduce the percentages of minority and low-income individuals affected by the Project. In the final EIS, the City should evaluate and rectify this distortion by, for example, at a minimum, calculating the percentages of minority and low-income people in (a) the open-space impact area and (b) the area that is both in the open-space impact area and in the Department of Environmental Conservation's potential environmental justice areas.

In any event, the Project will disproportionately impact minority and low-income people, and the City's repeated conclusion to the contrary, *see, e.g.*, Draft EIS at 5.11-10 to -13, is incorrect. Accordingly, consistent with the New York State Department of Environmental Conservation's Policy 29 on environmental justice and due concern for the communities that will bear the brunt of the Project's impacts, the City should mitigate any unavoidable impacts so that there is no net worsening of conditions due to the Project at any time, whether during construction or afterward. The comments below are meant to apply that approach to the specific issues addressed.

B. The Draft EIS Does Not Adequately Evaluate or Mitigate Impacts to Recreational and Other Open-Space Uses from the Project

The preferred alternative for the Project would close, for 3 ½ years, all of East River Park and other nearby parks that provide major, important open-space benefits to Lower East Side communities and others in the City. Yet the Draft EIS does not indicate that the City has considered impacts of that elimination of open-space opportunities in any detailed way. Nor does it indicate that the City has considered the full extent of possible mitigation for that loss, including phasing of the Project so that at least some parts of the affected parks would remain open throughout construction of the Project.

Each year, an estimated 1.5 million people visit East River Park. LES Ecology Center, "Stewardship," at <https://www.lesecologycenter.org/programs/stewardship/>. Recreational facilities in the Park used by these people include: lawn areas, two playgrounds with water fountains, picnic and barbecuing areas, an amphitheater, eight baseball fields, two-and-one-half basketball courts, two volleyball courts, 12 tennis courts, three soccer fields, a recently-renovated track for running and walking, and other athletic fields. Draft EIS at 5.3-6; Adwait Patil, "East River Park Rebuild Plan is a 'Joke,' Say Lower East Siders," *Gothamist* (July 18, 2019), at <https://gothamist.com/2019/07/18/east-river-park-rebuild-plan.php>.

In addition, the Park includes a greenway for bicyclists who ride both for recreation and when travelling to work or school. *See, e.g.*, Eve Kessler, "Manhattan Beep Stalls Plans for Lower East Side 'Resiliency' Project," *Streetsblog NYC* (July 10, 2019), at <https://nyc.streetsblog.org/2019/07/10/manhattan-beep-stalls-plans-for-lower-east-side-resiliency-project/>. Approximately 2,000 cyclists are estimated to use the Park's greenway each day. Eve Kessler, "Lower East Side 'Resiliency' Plan Hits New Potholes," *Streetsblog NYC* (July 23, 2019), at <https://nyc.streetsblog.org/2019/07/23/lower-east-side-resiliency-plan-hits-new-potholes/>.

Under the preferred alternative, the City plans to close the entire East River Park and other nearby parks for 3 ½ years while it implements the Project. The Draft EIS notes that this closure would reduce the relevant open space ratios by more than five percent, constituting a significant negative effect under the standard set out in the City's CEQR Technical Manual. *See, e.g.*, Draft EIS at 5.11-9, 6.2-7.

For logistical purposes, the City has divided the Project into northern and southern project areas, and in turn the City divides each of those areas into 3 segments; there also appears to be a seventh segment for work on an esplanade. *Id.* at 6.0-1 and Figures 6.0-1 & 6.0-3.

But notwithstanding this division of the Project into distinct segments, the City has scheduled work on all of the segments to proceed in parallel, with work on each segment beginning in 2020 and ending in 2023. *Id.* at 6.0-15, Figure 6.0-3 & Table 6.0-1. Accordingly, the City currently anticipates that it would close all of East River Park and the other parks that the Project covers during the entire 3 ½ year duration of construction,¹ although the City does state that it is “identifying opportunities to open parts of [that park] as work is completed” and considering other mitigation measures, such as use of other, unspecified facilities. *Id.* at ES-10, 6.0-15, 6.2-4.

Nowhere in the Draft EIS, however, does the City discuss or analyze in a meaningful way the impacts on community residents of the loss of open-space opportunities during construction or make concrete proposals as to how to mitigate such losses. The Draft EIS acknowledges these losses, *id.* at 6.2-2 to -3 & 6.2-12 to -13, but does not evaluate what they would mean to the nearby communities. The Draft EIS notes that some alternative open-space resources would be available to affected communities, *id.* at 6.2-12 to -13, but the small size of these alternative spaces means that there would be large amounts of unmitigated loss of open-space resources. And while the Draft EIS has a list of possible mitigation measures that the City is “assessing” or “exploring,” *id.* at 6.2-21, it commits to none of these as part of the preferred alternative or other alternatives.

In particular, the Draft EIS does not consider whether to phase construction of the preferred alternative in a way that would limit construction at any given time to parts of the East River Park, so that people could still use other parts of that park. Having divided the Project into multiple segments, the City could, for example, first perform construction work on the two northernmost segments, then move to the next two segments to the south, and so forth until the work is completed. While, as noted above, the City says that it is trying to identify opportunities to open portions of East River Park during the course of construction, *see, e.g., id.* at ES-10, the City should not finalize the EIS and proceed with the Project until it has in fact developed a construction phasing plan or other approach that would leave portions of East River Park and other parks in the Project open for recreation or other uses during construction.

At a minimum, if the City has valid reasons for not phasing construction or, more generally, for closing all of the affected parks for 3 ½ years, it should set them out in the final EIS. For example, Alternative 2 for the Project, while involving less extensive work, would not require closing all of East River Park, Draft EIS at 6.0-16, and the City should address whether or not it would be possible to reconfigure the work on the preferred alternative so that it could be

¹ One segment, the Asher Levy Playground, would remain open during the first year of construction. Draft EIS at 6.2-13.

phased or otherwise reconfigured so that, as under Alternative 2, at least part of that park could remain open at all times during construction.

Independent of incorporating into the EIS an evaluation of phasing or other means to preserve at least partial use of East River Park and other affected parks, the City should include a more detailed analysis of, and specific plans for, mitigation measures, such as providing additional or enhanced opportunities for open-space uses in parks or other areas near the Project but not part of it. In particular, the City should examine to what extent it could create new parks or other public open-space areas on the Lower East Side near the Project.

Although the City says it is looking at mitigation possibilities, it should provide a detailed analysis of, and plan for, such mitigation measures in the EIS, and make that analysis and plan subject to public comment, before finalizing the EIS. For example, the Draft EIS suggests that the City is planning to reroute bicyclists and other greenway users to not-yet-decided alternative routes, perhaps as far west as First and Second Avenues, Draft EIS at 6.0-26, but the City should decide on and make available for public comment a specific, concrete proposal to address the loss of the Greenway before issuing the final EIS.

The City relies on the proposition that its CEQR Technical Manual excuses it from providing additional mitigation measures for construction impacts on open-space use on the ground that the manual allows it to treat permanent improvements to the parks *after* construction ends as mitigation for impacts *during* construction. *See, e.g.,* Draft EIS at 6.2-5, 6.2-20. However, while the manual does indicate that mitigation may “include” the restoration of the lost open-space resources, NYC Mayor’s Office of Env’tl. Coordination, *CEQR Technical Manual* at 22-14 (Mar. 2014), the manual does not excuse the City from using all available mitigation measures for such losses during construction. In fact, the manual suggests the same type of mitigation for temporary open-space losses as identified in this letter: “expansion and improvement of another nearby open space or the creation of an open space of similar characteristics at a nearby location.” *Id.*

Moreover, the City’s implementation of CEQR is subject to the requirements of SEQRA and its regulations. Nothing in SEQRA exempts temporary impacts of the type at issue here – years of parkland deprivation – from evaluation and mitigation on the grounds that benefits may accrue at some later time. *See, e.g., Develop Don’t Destroy (Brooklyn), Inc. v. Empire State Dev. Corp.*, 94 A.D.3d 508, 512 (1st Dept. 2012) (holding unlawful authority’s failure to consider (a) impacts from extension of project construction period and (b) the adequacy of mitigation measures for such impacts during that period). Indeed, the plain language of SEQRA requires evaluation of “short-term” impacts, and then requires mitigation of such impacts. Environmental Conservation Law §§ 8-0109(2)(b) & (f). While the SEQRA regulations exempt impacts caused by certain emergency actions and by “minor temporary uses of land having negligible or no permanent impact on the environment” from review and mitigation, 6 N.Y.C.R.R. §§ 617.5(c)(21) & (42), the 3 ½-year elimination of the use of a major park does not qualify for either of those exceptions. *See, e.g., Chatham Green, Inc. v. Bloomberg*, 1 Misc.3d 434, 440 (Supreme Ct., N.Y. Cty. 2003) (installation of barriers that denied public use of a street was not a

“minor” action subject to SEQRA exemption); *Harley Rendezvous, Inc. v. Town of Duaneburg Zoning Bd. of Appeals*, 131 Misc.2d 1060, 1065 (Supreme Ct., Schenectady Cty. 1986) (three-day motorcycle show involving up to 10,000 participants was not a “minor” action subject to SEQRA exemption). In any event, as a factual matter, permanent improvements after construction is complete do not in fact mitigate the loss of open-space opportunities while the construction is ongoing.

In addition, it is not sufficient for the City to state that “full mitigation . . . is not possible,” Draft EIS at 6.2-22, without a much more detailed and thorough analysis to determine the greatest extent of mitigation that might be possible. The law requires alternative and mitigation analyses, and in this circumstance evaluation of both on-site and off-site alternatives to, and mitigation of, loss of open-space opportunities *during 3 ½ years of construction*. Though we will not repeat it, this comment applies equally to all instances in which the Draft EIS invokes benefits that the Project would generate after construction is complete as mitigation for adverse impacts during construction.

C. The Draft EIS Does Not Adequately Address Tree Loss from the Project

The preferred alternative for the Project would remove 1,043 trees and replace them with 1,442 trees. *See, e.g.*, Draft EIS at 5.6-50². While this replacement constitutes a good start on long-term mitigation of the loss of tree cover, the City should do more to mitigate the short- and medium- term losses of tree cover for the nearby communities.

In the Draft EIS, the City states that it would replant trees removed as a result of the Project consistent with the requirements of the City tree removal regulations. *See, e.g.*, Draft EIS at 5.3-16 (citing 56 R.C.N.Y. § 5-01 & 5-02 and Local Law 3 of 2010). The regulations require that each removed tree be evaluated for size, condition, species, location and other factors before the City determines how many trees must be planted to replace it. 56 R.C.N.Y. §§ 5-02(a)(1)-(4). For each removed tree, the total diameter at breast height of replacement trees must be at least as great as the diameter of the removed tree. 56 R.C.N.Y. § 5-02(a)(5)(b). In addition, the replacement trees must have a diameter of 3 inches, unless otherwise authorized by the City Parks Department. 56 R.C.N.Y. § 5-02(a)(8).

The Draft EIS indicates that the City intends to prepare a landscape restoration plan that would govern the tree replacement, Draft EIS at 5.3-21, but does not indicate that the City has done so yet. While Appendix C1o to the Draft EIS depicts “conceptual” plans for replacing trees under the preferred alternative, it is not clear how closely the final tree plantings would correspond to such conceptual drawings, and the plans lack detail about, for example, the types of trees that would be planted in various locations and whether, in fact, trees larger than 3 inches in diameter would be planted.

² Figures include removal and replacement of 62 trees in bad condition that would be removed even in the absence of the Project.

While this represents a good start, the City needs to do more before finalizing the EIS and making a final decision regarding the Project. As a preliminary matter, the City should develop a specific landscape restoration plan describing the tree replacement for the Project in detail, make that plan available for public comment, and then incorporate the final plan as may be revised after consideration of the comments in the final EIS. The City may have voiced good intentions regarding tree replacement, but it is not possible to evaluate the merits of the replacement without seeing an actual, detailed plan.

The landscape restoration plan should address several issues. First, while the City intends, consistent with its regulations, to replace trees using a no-net-loss-of-trunk-diameter standard, the City should also evaluate and incorporate a similar standard protecting against loss of overall canopy extent at all times, from the short term while the project is under construction to the long-term after newly planted trees have matured.

The benefits that trees provide to community residents in terms of shade, cooling, absorption of carbon dioxide and other factors turn in large part not on the size of trunks but on the size of the leaf canopy. As noted above, the City's tree replacement regulations provide for replacement using smaller trees of 3-inch trunk diameter, unless otherwise approved by the Parks Department. The City acknowledges that these less-mature trees would reduce tree canopy in the affected parks in the short and medium term, but states that over time the canopy would fill in. Draft EIS at 5.6-2. The Draft EIS indicates that the City will also preserve and transplant trees taken from the site that are in "excellent" condition and have a diameter of 7 inches or less. *Id.* at 5.6-13.

To address this short-to-medium-term loss in canopy, the City should evaluate and include, as appropriate, in the landscape restoration plan the following measures: transplantation of trees with trunk diameters larger than 7 inches; planting new trees with trunk diameters greater than 3 inches; and restoring the existing extent of canopy in the affected parks starting as of the time the parks first reopen after completion of the Project, using an appropriate metric such as horizontal extent of canopy or overall canopy volume. This office knows of no reason why the City could not implement these measures; the regulations give the Parks Department authority to use of trees with diameters other than 3 inches, and nothing appears to preclude application of both a no-net-loss-in-diameter standard and a no-net-loss-of canopy standard.

Of course, during construction, tree canopy in the parks will necessarily be reduced. To address this significant short-term impact, the Draft EIS, through the landscape restoration plan or otherwise, should provide for compensatory new tree canopy by planting additional trees in the affected communities. Options for doing so include adding trees to existing parks, adding new street trees, and replacing pavement or other hard-surfaced areas with landscaped areas including trees. While the Draft EIS suggests relief along these lines by indicating that the City would make "off-site plantings [of trees] as necessary," *see, e.g., id.* at 5.3-21, the City should revised the Draft EIS to incorporate specific plans for such off-site plantings that would preserve the amount of tree canopy in the affected communities even while construction is ongoing. As

with the other suggested changes set out in this letter, the City should provide an opportunity for comment on the off-site tree planting plan before incorporating it in the final EIS.

D. The Draft EIS Does Not Adequately Mitigate Air Pollution from the Project

The Draft EIS notes that, during construction, there will be increases in emissions of several pollutants due to the operation of trucks, construction equipment and barges during the Project, but does not adequately mitigate these air quality impacts. The City should revise the EIS to incorporate emission reductions, from these or other sources, to prevent any increase in air pollution in the affected communities.

The Draft EIS acknowledges that construction of the project would produce increased air pollution from nonroad construction equipment, such as pile drivers and excavators, from construction trucks and construction worker vehicles, and for the preferred alternative, from tug boats moving barges to bring fill material to the Project site. Draft EIS at 6.10-10 to -11. The Draft EIS also notes that the construction will generate dust from activities such as transferring materials into dump trucks and vehicle travel on site. *Id.* at 6.10-11. The Draft EIS then identifies certain mitigation measures to reduce these emissions, including, for example, otherwise applicable City idling restrictions and a watering program to control dust. *Id.* at 6.10-13.

Notwithstanding these contemplated measures, the Draft EIS projects that the Project will increase emissions of harmful pollutants including nitrogen oxides, volatile organic compounds, and fine and coarse particulate matter, known as PM_{2.5} and PM₁₀. *Id.* at 6.10-15 to -19. Nitrogen oxides such as nitrogen dioxide act both directly, and indirectly through their contribution to the formation of ozone, to significant respiratory and other harm, including provoking asthma attacks. *See, e.g.*, Environmental Protection Agency (“EPA”), Basic Information about NO₂, at <https://www.epa.gov/no2-pollution/basic-information-about-no2>; EPA, Ground-level Ozone Basics, at <https://www.epa.gov/ground-level-ozone-pollution/ground-level-ozone-basics>; EPA, Health Effects of Ozone Pollution, at <https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution>. Volatile organic compounds also create such harm through their contribution to formation of ozone. *See, e.g.*, EPA, Ground-level Ozone Basics, at <https://www.epa.gov/ground-level-ozone-pollution/ground-level-ozone-basics>; EPA, Health Effects of Ozone Pollution, at <https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution>. Similarly, particulate matter can also cause respiratory illness, including provoking asthma attacks, and can cause cardiac problems, including premature death in persons with heart or lung disease. *See, e.g.*, EPA, Particulate Matter (PM) Basics, at <https://www.epa.gov/pm-pollution/particulate-matter-pm-basics>; EPA, Health and Environmental Effects of Particulate Matter (PM), at <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>. Although the Draft EIS identifies these pollutants, it does not adequately discuss how they harm human health, and the City should add more detailed descriptions of the harms from each identified pollutant to meet its duty to describe the Project’s environmental impacts adequately.

The Draft EIS provides estimates of the increases in ambient air concentrations and total annual amounts emitted of these pollutants due to Project construction. Draft EIS at 6.10-15 to -18. For example, for nitrogen oxide emissions from the preferred alternative, the Draft EIS calculates a 16 percent increase in maximum ambient concentration of nitrogen dioxide (from 38.9 to 45.1 $\mu\text{g}/\text{m}^3$) and between 13.9 and 31.1 annual tons of nitrogen oxide emissions during the construction period. *Id.* at 6.10-15 to -16 (Tables 6.10-3 & -4). While the Draft EIS notes that the calculated increases in concentrations and amounts do not exceed relevant regulatory criteria, the increased pollution nonetheless present the risk of worsening the health harms identified above, for example, by provoking additional asthma attacks.

To address these increases in pollution, the City should revise the Draft EIS in at least the following ways. First, it should further examine the use of polluting vehicles and equipment during construction of the Project and, if additional mitigation measures are feasible, should describe those measures and incorporate them into the Draft EIS. There may be further control measures available for gasoline and diesel-powered vehicles. Additionally, while the Draft EIS states that equipment with electric engines would be used "to the extent practicable," the Draft EIS should more specifically evaluate whether and in what circumstances such use is practicable and if so, state that such use will be required.

Second, the Draft EIS should evaluate compensatory reductions in emissions of the relevant pollutants from other sources in the affected communities. For example, replacement of diesel-fueled boilers in New York City Housing Authority buildings with natural-gas-fueled ones might be one option for reducing particulate matter and nitrogen oxide emissions and their accompanying health problems. The goal would be to ensure that there is no net increase in pollution in the affected communities from the Project.

Finally, the Draft EIS declines to calculate or otherwise evaluate emissions of sulfur dioxide from construction vehicles and equipment, asserting that increases in such pollution would be minimal as a result of the required use of low-sulfur fuels. Draft EIS at 6.10-5. The City should revise the Draft EIS to include estimates of the increase in sulfur dioxide pollution to evaluate that conclusion. If contrary to the Draft EIS the estimates show that the increases would be significant, the City should include in the revised EIS a full emission analysis for sulfur dioxide, including its contribution to creation of fine particulate matter, as well as a full mitigation analysis, including the additional mitigation evaluations discussed above.

III. Conclusion

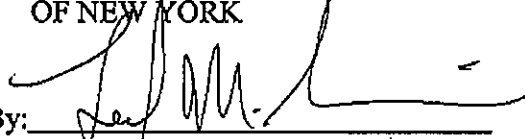
Mitigation of increasing flood risk in the City due the worsening threat of climate change, through an effort like the Project, is of great value. However, the City must comply with applicable law based on rational, nonarbitrary public policy by ensuring that its implementation of the Project minimizes loss of opportunities for open-space recreation and other uses during construction of the Project, avoids loss of valuable services that the tree canopy in the Project area provides, and does not worsen the public health by increasing air pollution. This is particularly true here because of the disproportionate impact on environmental justice

communities, which the Draft EIS should mitigate by ensuring that there is no net worsening of conditions for those communities from implementing the Project, both during construction and afterward.

Accordingly, Attorney General James respectfully asks that the City amend the EIS and revise the Project to properly address the issues raised in these comments before proceeding with Project implementation. We appreciate the City's consideration of these comments and are available to discuss them as may be helpful to the implementing agencies.

Sincerely,

LETITIA JAMES
ATTORNEY GENERAL OF THE STATE
OF NEW YORK

By: 

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(L00108_004)

The public has been made aware that part of the reason the original ESCR proposal was scrapped was because this plan is less disruptive to traffic on the FDR. I can't state strongly enough the irony of prioritizing the very factor that has in large part created the need for climate mitigation-fossil-fuel burning vehicles. While the City's 80x50 plan states a commitment to reducing emissions by 80 percent by the year 2050, the ESCR plan does absolutely nothing to address, or even acknowledge, the underlying problem, and instead creates a slew of other issues for neighborhood stakeholders. (Sillen_088)

Response:

Comments noted. In April 2019, the City released the OneNYC 2050 long-term strategy planning document to pursue a sustainable, resilient, and equitable city. The plan presents a holistic approach to address the interconnected goals for equality, economic growth, protection of neighborhood communities, public health, education, sustainability, resilience, safe and efficient transportation systems, and public infrastructure. 30 key initiatives were identified in that plan by the City in order to achieve these goals. The proposed project was identified as a key capital investment that would strengthen communities building, infrastructure, and the waterfront to be more resilient (Initiative 21) as well as a forward-thinking investment in core physical infrastructure and hazard mitigation (Initiative 30). Furthermore, the project alternatives presented in the DEIS examined the short-term and long-term effects on flood protection for the residential, commercial, and open space features of the affected neighborhood.

Kimsillen@gmail.com

FOR THE RECORD

I urge the Council to await patiently await the Deltares report on the ESCR; I along with others called for this independent third-party review.

Understanding that we've not seen the report, I – again—request that the Envision Rating System be used to address all aspects of the project. Particular attention must be directed to all construction phases and to the creation of the Community Task Force as described by Borough President Brewer.

As we re-think the design and await the report , it makes sense to push for the **higher level of projection** as MASNYC suggests in their August 27, 2019 analysis since “....protections should extend as far in the future as practicable.” They further urge “... the City to adopt the 2100 100-year-flood estimations as the baseline height and level of flood protection for the ESCR design.” While this changes the scope and design, it also ensures that ESCR is designed to be adapted to higher flood levels in the future.

We really don't have many options.....we've got to get this right otherwise, we've gotten it wrong.

Thank you,

Rita Kelly

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Gale A. Brewer, Borough President

October 3, 2019

**Testimony and Comments of Manhattan Borough President Gale A. Brewer on
the East Side Coastal Resiliency Project**

Date/Time/Location:

Thursday, October 3, 2019 at 1pm
City Council Hearing

Good afternoon,

My name is Gale Brewer, and I am the Borough President of Manhattan. I am here to testify again on the East Side Coastal Resiliency Project, a plan that would raise the East River Park 8 to 9 feet above the 100-year floodplain.

The aftermath of Hurricane Sandy showed how important investment into flood resiliency is to the safety and longevity of residents in Districts 3 and 6 along the waterfront. This is why although I support the vision for a coastal resiliency plan, I want the project to be done right the first time.

The East Side Coastal Resiliency project has failed in that regard. Previous public engagement that was centered on "Design Alternative 3" was suddenly replaced with the current proposal, "Design Alternative 4" or the "Preferred Alternative." The City disregarded three years of community input to put forward a plan that is not at all considered "preferred" by the community.

So while we must take action on coastal resiliency, Design Alternative 4 needs major improvements. That is why Council Member Carlina Rivera and I hired an outside expert to review the project, a report that is to be released to the public on Monday.

Yesterday, the City announced that they will be adhering to phased construction, which would begin immediately and stretch the construction timeline into 2025. While I support the phasing of construction, I strongly encourage that the City defer the beginning of construction until reviewing the report from the independent consultant in its entirety, as well as taking into consideration the recommendations that he outlines.

In addition, construction should not begin until the phasing schedule and a plan for community and youth sports leagues' access to recreational and green space is conveyed and approved by the community. The releasing of these documents is vital for more transparency and trust between the City and residents. I also urge that the City release to the public any engineering or environmental studies that underlie the conclusions made by the Final Environmental Impact Statement (or FEIS) to prove that there would be little to no adverse impact by the project and its construction in air quality, noise, traffic, and more.

This isn't rocket science. I have testified on this matter three times since July. If the City is going to insist on going against the community's wishes, it should provide at minimum, basic evidence for the claims that the project asserts. For example, the FEIS published on September 14th continues to assert with language that states that Design Alternative 4 is "unlikely to result in significant adverse effects" to natural resources. It fails to explain how the destruction of 991 mature trees, the replacement of the existing park with landfill, and the raising of the park by 8 to 9 feet could fail to have an "adverse effect" on the environment.

While the City has taken steps to address construction phasing, there are still many unanswered questions and more outreach to be conducted. There has still been no action taken by the City to establish the requested community task force, the issues of the Fireboat House and the LES Ecology Center and its composting program remain unaddressed, Con Edison still has not conducted outreach to NYCHA residents, Interim Flood Protection Measures have yet to be promised despite the lack of protection to the area during the years of construction, and much more.

With these questions still in the open and environmental studies in hiding, this ULURP for the East Side Coastal Resiliency does not constitute a thorough and transparent public review. So while I support and urge the City

to invest in flood protection measures, I also ask that the agencies respect the community approval process in giving us the information that the public truly needs to make an informed decision about the future of their neighborhoods.

Thank you.



Sara Roosevelt Park Community Coalition
<http://sdrpc.mkgarden.org/>

NYC Council

October 1, 2019

Re: NYC Council Hearing on East Side Coastal Resiliency Project

Thank you for taking up this vital issue.

We probably have, at best, less than within eleven years to enact measures that forcefully answer the global climate emergency in order to keep our planet from becoming uninhabitable.

We must:

- Protect people, immediately, from unpredictable weather events.
- Create resilient, sustainable and just responses to future climate events.
- Initiate radical countermeasures to alter the destructive forces that are already upon us.

Without these three essential concepts being interwoven in our response to the East River Park challenge none of the dangers are successfully met.

Both plans put forward by the Mayor's Office were created to *ensure the physical safety* of the residents. This was never about "plants over people" – a soundbite that divides people and the environment we rely upon. Our futures are inextricably linked. We will need to take collective and individual actions NOW to protect people from weather events, slow down heat island effect, implement alternative energy sources, protect the carbon exchanging resources we have while doubling down on planting more of them.

Missing is a clear far-sighted action plan to face, with the expectation of triumphing over, the disaster of the climate crisis. Both in the immediate and in the longer view.

If this Administration's latest plan goes forward, we will have lost 981 trees and all the grasses/flowers/air of the East River Park biosphere. A finely tuned, ecosystem will be unraveled. And we will have lost time.

Four years of the East River Park environment laid to waste will have harsh consequences. Four out of eleven years will be lost that should be spent radically reimagining our present in order to *have* a future.

In a very real sense are already too late. This plan, without serious alterations, makes us not only later, but weaker.

“Global warming is now upon us, bringing manifest harm with more to come. It is prudent to expect that weather patterns will continue to change and the seas will continue to rise, in an ever worsening pattern, through our lifetimes and on into our grandchildren's. The question has graduated from the scientific community: climate change is a major social, economic and political issue. In the 1980s, when the problem of global warming first became evident, we could have solved it by starting modest incremental changes. It is too late for that now. Our civilization must make radical changes, or nature itself will force even more radical change upon us.”
- Spencer Weart Historian specializing in modern physics and geophysics.

This is also our chance to think beyond our own city, as people from the resource-rich and energy consuming United States, to stand with the world's most vulnerable communities who did the least to create this crisis but will pay the most heavily. They are already targeted for destruction – most will not survive what's coming: the poor, Indigenous peoples, female, young, and/or people from countries of the global south.

“Global warming is not a technical problem; it's a political problem.”

I have listened to hours of dialogues, heard questions and answers, looked at the models, read reports. My opinion is that the mayor's team has yet to prove their new plan merits the level of destruction and loss- both the years it will take to rebuild the park but also in the decades to come when the impacts of the loss of biosphere will be felt profoundly.

The City's unwillingness to use independent climate and engineering experts to review all options was baffling – it only lent credence to the distrust here - as did the sudden dumping of a four year neighborhood process. Given other broken promises, many here understandably lost confidence that what they were hearing was the truth.

It will take this City Council deciding to face the complexity of this challenge in the context of the larger global crisis to arrive at solutions that go beyond immediate local protections - ones that craft a long-range and thorough response to the entirety of the climate emergency.

This is the fight of our lives. We need to get it right on behalf of everyone's remaining years, for our children who will inherit our errors. It is they who will suffer the consequences of our slow awakening to awareness and our decades of unthinking use of precious resources.

But this is a human –made problem and humans are phenomenal when we face challenges squarely.

“...we have had a warning in time — although just barely in time.”

The United Nations and Science:

The United Nations' (UN) Intergovernmental Panel on Climate Change (IPCC) is the leading world body for assessing the science related to climate change, its impacts and potential future risks, and possible response options.

“The next few years are probably the most important in our history” –Roberts, Co-Chair of the IPCC Working Group II of The UN IPCC Report.

The loss of the West Antarctic ice sheet is irreversible. With consequences we are now living with and that will get more extreme.

Among the Actions that came out of last month’s UN Climate Summit was this one: “Nature – based solutions” which would be “focused on forests and land-based ecosystems, smart agriculture and food systems, regeneration of life in rivers, lakes and oceans and enabling of all people to connect with nature.” (the UN warned “carbon offsets are not our get-out-of-jail free card.”)

Land

The planet’s land absorbs carbon pollution today only because of a great “natural subsidy” - the 30% of land in nature’s control” which sucks up 11 gigatons of it.

The land “provides the principal basis for human livelihoods and well-being, including the supply of food, freshwater and multiple other ecosystem services, as well as biodiversity.” - IPCC report.

The Atlantic: “...unlike other sources of pollution...*land* can’t just be shut down. *It must be made into a tool in the climate fight*...land is different. It is home, and the possibility of home. The relationship between people and land is the most treasured and unresolved idea in global politics.

Trees

Mother Jones: “Every year, an estimated 15 billion trees are chopped down across the planet... We’ve cut down so many, in fact, that what’s left is about half of the number of trees that the Earth supported before the rise of human civilization...scientists warn that it’s not helping our climate. Planting more trees is one way to offset deforestation.

“...to have a shot at combatting the climate crisis, among other efforts, we’ll need to cut down fewer trees to begin with.” – UN IPCC

“When trees are cut down...it can release years of a forests’ stored carbon back into the atmosphere. “[Trees] provide many benefits beyond storing carbon.” They store and recycle our water, they prevent erosion, they harbor biodiversity...When we plant forests, we gain some of those benefits, but it takes years to decades to grow a healthy forest.”

Birds

NYTimes via AAIS Science: “Nearly one-third (3 billion) of the wild birds in the United States and Canada have vanished since 1970, a staggering loss that suggests the very fabric of North America’s ecosystem is unraveling.”

Waste:

"We know how long it takes most kinds of leavings to decay. Organic material goes quickly: **cardboard in 3 months, wood in up to 3 years, a pair of wool socks in up to 5. A plastic**

shopping bag may take **20 years**; a **plastic cup, 50**. Major industrial materials will be there for much longer: An **aluminum can** is with us for **200 years**, a **glass bottle for 500**, a **plastic bottle for 700**, and a **Styrofoam container for a millennium**"

Plans to Mitigate the Climate Emergency. Plant Trees. Create Stewards.

What plans are in place to mitigate the planned removal of so many carbon exchanging trees/plantlife? Where are the clear, publicly-announced action-commitments?

Creating a tree canopy was an idea put forth by Green Map System who has been engaged with the Climate Crisis for decades and knows what is coming. "The IPCC report underscored the fact that planting trees will be part, by necessity, of any climate solution." **It needs funding, commitment, stewards, training - water!**

The Guardian: "...tree planting is "a climate change solution that doesn't require President Trump to immediately start believing in climate change, or scientists to come up with technological solutions to draw carbon dioxide out of the atmosphere. It is available now, it is the cheapest one possible and every one of us can get involved."

"It may be difficult to measure how awareness is raised, but perhaps it can be guided by the straightforward measurement that is planting trees. 'It's tangible, it's simple, it's life-giving.'"

However, "Planting Trees Is Good. Eliminating Deforestation is Better." –Mother Jones Magazine

K Webster
President
Sara Roosevelt Park Coalition
<http://sdrpc.mkgarden.org/>

October 3, 2019

New York City Council
250 Broadway
New York, NY
Hearings@council.nyc.gov

Attention: All members, specifically: Keith Powers / District 4, Carlina Rivera / District 2
and Margaret Chin / District 1

Re: Current ESCR Proposal Testimony for the Sub-Committee ULURP Public Hearing

Dear City Council Members;

I am deeply concerned about protecting me and my community from the effects of Climate Change like those experienced after Superstorm Sandy.

My neighborhood was devastated and dysfunctional for 5 days after the storm. 47 People lost their lives.

Since then, the DDC and a myriad of designers, engineers and environmental professionals have thoughtfully and diligently prepared a protective infrastructure plan, that merges the East River park with an accessible, landscaped berm.

A landscape that protects and remains for the next generation. One that demonstrates the quality and innovation we deserve.

This park for the 22nd century inherits the objectives of the original park's mission and is designed for longevity well beyond our lifetimes.

The actual Flood Protection Wall (now proposed closer to the esplanade BELOW the park surface) will be the best version of the "first line of defense" for the neighborhood. It is part of a landscape – NOT a wall.

Please approve the current plan, with conditions. The City and its designers must make real commitments to an implementation design that is of the quality of the well nurtured final design before you:

In spirit, the HOW needs to be addressed and elaborated:

- Interim parks. The Mayor yesterday presented phasing that will alleviate much of the fear of losing the park throughout its reconstruction.
- Interim storm and surge protection

William / architect

- Commitment to preserving existing, historic or significant buildings, sculpture, walls and park amenities – without bulldozing or destroying them –retaining them for reinstallation.
- Increase the species, quantity, age and quality of the existing trees that will be affected by the plan. Show the community how and what that means.
- Install presentation materials that capture the specific design proposal with models, mockups and other in situ materials that can demonstrate to the public said commitment. Throughout the entire construction and its phases.

The East River Park Alliance is misrepresenting the current design:

- This is not a surprise plan. Primary features of a landscape oriented protective infrastructure were begun immediately after Super Storm Sandy in 2013.
- Closing the Drive WILL affect traffic and increase noise and idling
- The CON ED power infrastructure for all of Lower Manhattan at the FDR is not a comparable example as the L train tunnel work.
- There is NO hard seawall in the current design. The esplanade has a variety of relationships to the water.
- The primary Flood Protection Wall - below the park landscape - is a SOFT wall.

The DDC, with its team of designers and engineers, have been exceedingly absorptive of community needs.

But not completely without flaws in their process, as has been demonstrated since last Fall.

They have had to discover better ways to communicate to our community their awareness and strategy towards serious concerns neighborhood activism has identified.

However, with the level of detail design work already presented and a continued responsiveness to all stakeholders, they possess the expertise and knowledge to address every and all improvement to the Plan.

I hope you will concur.

Thank you for this opportunity to present my testimony.

William J Rockwell

Please find a better plan for East River Park flood resiliency! Vote NO on the "Preferred Plan"

Dear City Council Members,

As a resident of Grand Street, I have both a policy-driven and an emotional response to the East Side Coastal Resiliency plan. While I realize than any flood mitigation plan would likely cause some temporary inconvenience and displeasure to Lower East Siders, I'm concerned that the proposed ESCR plan, in its current form, is not the best solution. I urge you not to approve it. The original plan including berms—or a similar plan incorporating them—is a much better option that would be acceptable to Lower East Side residents.

Although the City has touted the plan as both equitable and efficient, I see it as being unacceptable when viewed through the lens of these criteria:

Equity

- **Health Risks:** The landfill that will be used to raise the floodplain will be comprised of unknown materials, generating huge quantities of dust of possibly hazardous components, which will affect NYCHA residents—an already vulnerable demographic— first and foremost. Additionally, the decline in air quality will also likely affect residents of the Grand Street area, such as in the East River and Hillman co-ops.

The Draft Environmental Impact Statement (DEIS) **acknowledges that there are hazardous materials in the soil, and that the project would increase exposure to them without “proper controls.”** It's naive to believe that on a 75+ acre stretch of land, all toxic materials below the surface will be isolated and removed, and the this could happen within a 3-and-a-half year time frame, with the project completion happening within that same schedule.

To exemplify these doubts, the Statement suggests that “Visual, olfactory, and instrument-based soil screening would be performed under the supervision of a Qualified Environmental Professional during construction that involves subsurface disturbance.” (6.6-5) In other words, is someone is going to *smell and have a look* at thousands of tons of soil to determine its safety? This does not instill confidence. (Has this ever been done successfully before in a such timeframe? Were there no ill effects on local residents?)

Further stoking concerns about the choice of this plan, the impact statement concedes that the other alternatives would have “substantially less volume and areal extent of soil disturbance and excavation” and therefore much less toxic exposure. ***So why is the City not opting for the original plan?***

- **Prioritization of Cars:** The public has been made aware that part of the reason the original ESCR proposal was scrapped was because this plan is less disruptive to traffic on the FDR. I can't state strongly enough the irony of prioritizing the very factor that has in large part created the need for climate mitigation—fossil-fuel burning vehicles. While the City's 80x50 plan states a

commitment to reducing emissions by 80% by the year 2050, the ESCR plan does absolutely nothing to address, or even acknowledge, the underlying problem, and instead creates a slew of other issues for neighborhood stakeholders.

The Statement purports that, “Since the flood protection under this [the proposed plan] is primarily along the existing esplanade of East River Park, there would be less construction disruption and delay along the FDR Drive...” This statement illustrates prioritizing car culture over people.

- **Parkland Alienation:** The spirit of this regulation requires replacement of parkland that is taken away with “equal” land, but the solutions proposed in the ESCR plan are at best insufficient, and at most realistic, laughable. Painting surfaces and supplying a handful of outdoor sports field lighting solutions will not provide sufficient sport field space for all the kids who live or attend school on the Lower East Side, in the East Village, or around Stuyvesant Cove, nor will it compensate for space to play, dream, exercise, ride bikes or take in nature. Adults will be deprived of the same things.

Childhood is short. High school students like my son, a soccer player, (and possibly even young children) who depend on the space provided by East River Park, will not be children by the time the project is completed. There is no local alternative to replace this space.

***It is absolutely essential that the work be done in stages and that large parts of the park always remain open.**

Efficiency

In short, for a price tag of over \$2 billion, this project will likely generate health issues; reduce the quality of life in the area for a decade or more; curtail safe and efficient transportation options (protected biking and convenient access to the ferry at Corlears Hook, which will be negated for anyone on or above Grand Street, such as myself, a City employee who bikes or takes the ferry to Pier 11 everyday) and eradicate the very oasis of open-space “nature” that the project purports to enhance.

People love East River Park and are so upset by its possible destruction because it's the one place on the Lower East Side where we can actually be in a space that feels unconstricted and wild. To shrug off the destruction of hundreds of old, beautiful, shade-providing trees is to not understand human nature and this constituency. The trees are not a nicety; they **are** the park. The shadeless, manmade spaces of the proposed plan cannot replace what we have now.

I am in agreement, as I believe most Lower East Siders are, that we urgently need a flood mitigation plan. **We will certainly need interim flood protection.** It's understood that not everyone will love every detail of any plan, but as a community, we want to ensure that we are getting the best, most equitable and quality-of-life-preserving option.

What I wish I could attach in this email is the the sound of the breeze rustling the leaves of the trees at East River Park, and the comforting hum of cicadas at dusk, as the river rolls by. "Nature" is not just an abstraction where this park is concerned—this is a place where Lower East Siders can actually be immersed in nature, which has immense benefits for me and my family (and I'm sure tens of thousands of other residents) in both body, mind and spirit. To think of the biosphere that would be demolished is painful, and imagining a tree-less East River Park honestly makes me think about leaving New York City in two years when my son goes to college. This park feels like my home.

The bottom line of my complaint is this: It seems like the trees and the park itself, along with the possible health of Lower East Siders in the surrounding areas, are going to be sacrificed in favor of keeping car traffic rolling along on the FDR. This is just morally wrong.

Thank you very much for taking this into consideration before you cast your vote. I appreciate your time.

Sincerely,

Kim Sillen
530 Grand Street

PS. One of my comments and the response in the Environmental Impact Statement is attached.

<kimsillen@gmail.com>



(Sillen_087)

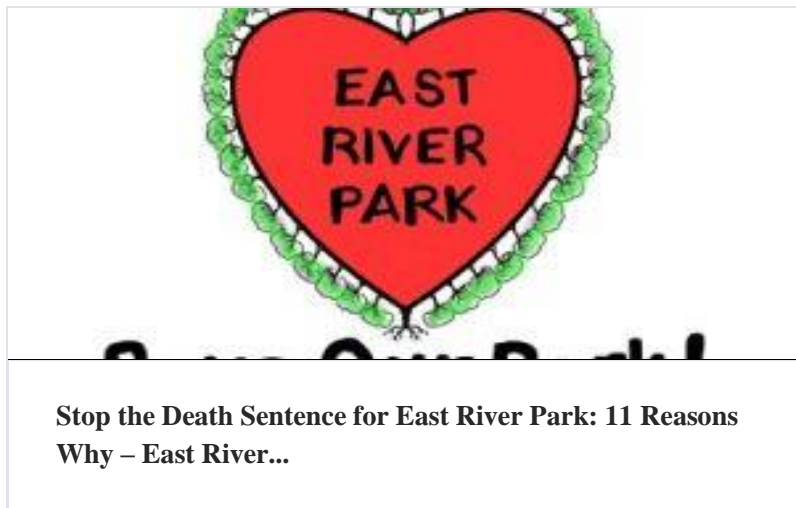
The public has been made aware that part of the reason the original ESCR proposal was scrapped was because this plan is less disruptive to traffic on the FDR. I can't state strongly enough the irony of prioritizing the very factor that has in large part created the need for climate mitigation-fossil-fuel burning vehicles. While the City's 80x50 plan states a commitment to reducing emissions by 80 percent by the year 2050, the ESCR plan does absolutely nothing to address, or even acknowledge, the underlying problem, and instead creates a slew of other issues for neighborhood stakeholders. (Sillen_088)

Response: Comments noted. In April 2019, the City released the OneNYC 2050 long-term strategy planning document to pursue a sustainable, resilient, and equitable city. The plan presents a holistic approach to address the interconnected goals for equality, economic growth, protection of neighborhood communities, public health, education, sustainability, resilience, safe and efficient transportation systems, and public infrastructure. 30 key initiatives were identified in that plan by the City in order to achieve these goals. The proposed project was identified as a key capital investment that would strengthen communities building, infrastructure, and the waterfront to be more resilient (Initiative 21) as well as a forward-thinking investment in core physical infrastructure and hazard mitigation (Initiative 30). Furthermore, the project alternatives presented in the DEIS examined the short-term and long-term effects on flood protection for the residential, commercial, and open space features of the affected neighborhood.

East Side Coastal Resiliency ULURP

Dear Members of Subcommittee on Landmarks, Sitings, and Dispositions Committee,

There are 11 reasons why phasing is not an answer. These 11 reasons have been published at [Stop the Death Sentence for East River Park](#).



1) **PARK CLOSURE AND UNREALISTIC TIMELINES:** The entire much-used 57 acre park will be closed, leaving the Lower East Side/East Village neighborhood with no good park space. Construction is supposed to be fast-tracked for 3 1/2 years, but the city has not determined a schedule for dealing with complications: the sensitive Con Ed line, the time it takes for landfill settling on top of earlier, uneven landfill, complications of dealing with contaminated soil in the park as it is dug up, not being able to pour landfill into the space on windy days (which is most days in New York). Are there penalties as well as rewards built into the contracts? Even if the city did know how much time these complications would realistically take, New York is bad at finishing things anywhere near on time, and this is a giant project. We're looking at many many years with no park.



Ahearn Park, nicknamed Pitiful Park, is a triangle between two busy streets (East Broadway and Grand) with a view of concrete and chain link. This is where we can go when East River Park is closed.

2) INADEQUATE AND UNREADY ALTERNATIVES: The city is supposed to provide mitigation—alternate spaces—but what they’ve planned so far is pitiful and inadequate for a low-income, densely populated neighborhood. Nearby decent-sized parks (Seward Park and Tompkins Square Park) are undergoing construction right now that is very disruptive, and the chance of completion by the time the city wants to bulldoze East River Park in six months is low. Even if reconstruction could be completed, those parks are already crowded. There are few ball fields nearby to replace the many in East River Park. There is no greenway for bikes and walkers and people who want to sit. There are no picnic and BBQ areas nearby to substitute for East River Park as a social hub in the neighborhood.

3) ENVIRONMENTAL DESTRUCTION: Bulldozing 1,000 mature trees and all the greenery in the park is environmentally destructive—a way to speed climate change not just in the long term but in the short term for our neighborhood. We need the trees in our park to help cleanse the air. This area has extraordinarily high asthma rates. It will take years to rebuild the park, and the new trees will be saplings. It could take a generation to get the same environmental benefits from trees that we now have—and since the park is only designed to accommodate sea level rise until 2050, it will have to be demolished again and rebuilt even higher in just as the trees provide meaningful health benefits.

4) HARD SEAWALL NOT BEST PRACTICE: A hard seawall against the river is not considered a best practice in parks around the world. Resilient, floodable coastlines can absorb storm surges. A seawall can abut the FDR Drive to provide protection to the neighborhood. (See [States shift from Seawalls to Living Shorelines](#))

5) CARS MORE IMPORTANT THAN THE COMMUNITY: One big reason the city changed the plan was to keep from having to close a lane of traffic on the FDR Drive to build flood walls along the highway. This has not been an impediment during other projects like Rockefeller University and the Hospital for Special Surgery further north on FDR Drive. Comptroller Stringer has suggested eliminating cars totally during reconstruction of the BQE. They have also appointed a panel of experts to take a look at that entire project. We are still waiting for a serious look at decking over FDR as a means of providing needed protection, reducing pollution and expanding the park. The highway has three northbound lanes through the neighborhood, which merge to two lanes just north of our neighborhood. If construction closes a lane, they can just merge a mile or so sooner. It will have little effect on traffic. Even if it did, community should be more important than traffic.

6) CON ED EXCUSE: The current “Preferred Plan” will have a path next to the FDR with a steep hill rising to the elevated park. The DDC says this is to keep a “sensitive” Con Ed line from being weighted down and to have access to it. That is why the bike path will be essentially in a ditch next to the FDR where bikers can inhale fumes from vehicles instead of fresh air from the river. The previous plan allowed for a tunnel under the berms, but that better idea was abandoned with no explanation as to why it’s not acceptable. We have never heard from Con Ed about this. The MTA studied the L Train for three years and said they had an insurmountable problem that would require the full shutdown of the entire line. The Governor brought in a team of experts that reversed that decision in a week. We also need a panel of experts to reevaluate the reality of Con Ed’s needs—and the entire project.

7) INADEQUATE INTERIM FLOOD PROTECTION: Much of the public housing in the neighborhood is already receiving flood protection via a FEMA program. However, parts of the neighborhood will have no defense against storm surges during the years of construction, not even the modicum of protection afforded by the park during Hurricane Sandy in 2012. We must have interim flood protection where needed.

See: [Floodproofing Resilience at NYCHA 9-19](#) [Download](#)

8) NEW DESIGN COMMUNITY AND ENVIRONMENTALLY UNSOUND: The new park design is in fact environmentally unfriendly and community unfriendly. It has large swaths of unshaded concrete. It has fields of artificial turf, which are also environmentally unfriendly and unhealthy for people who are

exposed to them, especially children. The BBQ areas for instance, are now shady, friendly areas. The new ones will be slabs of concrete. The city's plan is unimaginative. We are asking for a series of walls along the FDR, grassy berms, hills, and marshlands. This is what Rebuild by Design and the community designed over a period of four years and \$40 million in planning. The city dropped that plan last fall for the current, much more expensive, drastic, and destructive plan.

9) THE STATE SHOULD HAVE A LOOK: If a city “discontinues use as a park,” it must seek what is called Alienation from the state. The city is refusing to do that. State Senators Brian Kavanagh and Brad Hoylman along with Assemblyman Epstein agree that the city is required to seek Alienation for this project and will pursue remedies if need be. This would require the City to demonstrate they have provided the appropriate mitigation—alternate park sites—to the community (and it's clear they have not), and provide stricter oversight of the plan.



10) LOSS OF UNIQUE FEATURES: The new park offers no protection for the historic Fireboat house that houses the Lower East Side Ecology Center, a wonderful neighborhood institution. It demolishes the lovely and unique Seal sculpture water park where kids play all summer. It demolishes the historic Amphitheater where Shakespeare in the Park was founded and which is still used constantly. It is surrounded by magnificent shade trees on high ground that was not flooded. It will be replaced with a soulless, shade-free amphitheater. The current one is shabby and needs to be refurbished. But it doesn't deserve a death sentence. Neither does the newly refurbished track costing \$3.5 million, the magnificent promenade that was closed from 2001 to 2011 and fixed for \$66 million.

11) A BETTER PLAN: The cost of the project is now \$1.45 billion. What we are proposing is a reevaluation and adaptation of a forward-looking, environmentally friendly earlier plan developed with the community (mentioned above). It can be adapted to preserve much of the park and keep it open during construction and provide the same flood protection at a lower cost. With interim flood protection and NYCHA protection now being built, also mentioned above, we do not have to rush to destroy the largest park in Lower Manhattan that is vital to the mental and physical health of our neighborhood.

—Pat Arnow with Tommy Loeb



Bombus fervidus. In New York State, it's Critically Imperiled, and a High Priority Species of Greatest Conservation Need. Bombus makes a home in East River Park. Photo courtesy of Melinda Billings.

Regards,

Reiko Matsuda

<reikomatsuda@yahoo.com>

Our East River Park

I am a retired senior citizen. My routine is I wake up at the crack of dawn and do my daily run in the park. I love seeing the sun rise, and the Squirrels, birds coming alive to say Good Morning to me. What's going to happen to them?

I live in this neighborhood for the last 30 years and my window faces the River that mean during constructions, the toxic debris that being dig up will definitely cause more health issues for us.

We already survived 911's toxic debris.

The plan that the city came up with doesn't make sense. It's just a way for the city to put transfer monies to the Politician's pocket when they should be fixing the HOMELESS problems or other priorities. You really don't need to be a rocket scientist to figure this out.

Anne

A Moy

<annemoy16@gmail.com>

Date of the hearing: Oct. 3, 2019

Subject of the hearing: East Side Coastal Resiliency ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

To Mayor DiBlasio, Councilwoman Rivera and other members of the Council—

I'm a born and bred New Yorker. I grew up in The Village and I've been living in the L.E.S (homeowner; Norfolk & Rivington) for the past 12 years. I run and bike and stroll in East River Park on the regular. It is one of the few green areas (and by far the biggest) not just in the neighborhood, but several adjacent neighborhoods, as well. It is enjoyed by a wide diversity of folks, and most of us have no other place to go.

The "phased construction" plan currently proposed by the mayor and being considered by the council at this Thursday's hearing is actually, "phased destruction, and is totally unacceptable. Here's 11 reasons why:

<http://eastriverparkaction.org/2019/10/01/stop-the-death-sentence-for-east-river-park-11-reasons-why/>. As you can see, not only is the proposed plan wrong for so many reasons, there is a better plan.

Thousands of us community members are active on this issue, and tens of thousands of us are paying attention. We love this park and we are fighting for it. The current plan is a betrayal of the community, and the participatory process we were promised, and we will never forget who betrayed us: Mayor DiBlasio and Councilwoman Carlina Rivera.

Do not do this to our neighborhood.

If you do, I can guarantee there will be political hell to pay.

--Andrew Boyd, LES resident and a dear friend of the East River Park

<andrewontheroad@gmail.com>

Subcommittee on Landmarks, Sitings, and Dispositions

Written Testimony

Thank you for your time and your consideration of these comments. I was present for the hearing, but could not stay long enough to testify, so my testimony is included here.

The current plan for East River Park is being marketed to us as being for and with input from the community, which is false and misleading. How will the plan protect us from future climate disasters, provide flood protection, provide a sustainable recreational ecosystem, when it involves the destruction of 991 mature trees and all its vegetation and replaces them with saplings, concrete, AstroTurf and a seawall? That's not only destructive to that ecosystem but also has negative health and ecological consequences for the community. Phased construction without sustainable long-term goals for the park means our already poor air quality will continue to decline from the disappearance of mature trees during construction and even after the 3+ years of construction (in which the new saplings planted would have to mature enough to provide the same protections to the air, water, climate as the trees and vegetation currently in place).

I use the park on a weekly basis, my neighbors use the park (many who have asthma and other health complications and rely on it for fresh air, physical activity, and as a social space, when we need to get away from the continuous construction on our corner - E 14th and 1st Ave) - so the park is essential to our health and mental well-being. What I would like is interim flood protection as the first priority, and the approval of an environmentally-sound and community-oriented plan - something closer to the plans the community and Rebuild by Design had already developed, a plan that keeps parts of the current park open and available without sacrificing the park as a natural habitat.

The on-going lack of transparency and the lack of community engagement of the project continued to be evident at the October 3rd hearing. One member of the administration gave testimony that the community was considered when designing active passive spaces for people to sit on made of synthetic turf lawn. There were murmurs all around me from community members about how no one wanted to sit on synthetic turf and I agree; the health consequences of turf are well documented at this point and to assume that community members would choose turf over grass is one example of how little the community has been consulted in this process.

Also, the suggestion that one lane of the FDR could not be closed during construction because "truck traffic would disturb the NYCHA community" and the suggestion that there are already constant closures in the park due to heavy flooding (both said during Administration testimony at the hearing) seemed dubious. The Administration seems to forget that this is the community's park, a

place that people who live close by know very well (so we know if it's been closed often due to flooding). We don't require condescension or scare tactics regarding the importance of flood protection and Sandy -- we were there. I haven't heard anyone say that they are opposed to flood protection. What I am opposed to is the conflation of flood protection with the proposed expedited, complete destruction of park land; I am not against the phased construction, but I am against the severe and complete destructiveness of the current plan - I am against the concrete, the astroturf, the lack of shade, the way that the current plan eradicates everything unique and interesting and sustainable about the current park. The city can do better and should for the community it says it's serving.

I ask that the committee vote no on option 4, working instead towards a plan that incorporates the interests of the community and the environment (with an interim flood plan). Finally, with regards to the independent review, I would like a completely independent review that focuses on the potential health and environmental costs of the ESCR project, as completed by a third party whom does not have any existing stakes or interests in other New York-based projects (unlike the way that Deltares has interests in the upcoming projected Seaport Climate Resilience plan).

Many thanks to Carlina Rivera for her questions, which showed an attentive listening of the community's perspectives, and Adrienne Adams, both of whom stayed for the entirety of the hearing. It means a lot and is very appreciated. Thanks also to Keith Powers, Inez Barrons, and Margaret Chin for their questions, and Gale Brewer for her passionate testimony.

Danielle Chu
<danichu@gmail.com>

ESCR

Date of the hearing: Oct. 3, 2019

Subject: East Side Coastal Resiliency

Committee: Subcommittee on Landmarks, Sitings, and Dispositions

To whom it may concern,

I am writing to submit testimony regarding the city's proposal to proceed with Plan 4 for the ESCR project. I am urging you to vote no on this plan and, instead, consider plans 2 and 3 as more humane, environmentally sustainable, and economical alternatives, which were approved by the community.

I feel so lucky to live here. My wife and I hope to make this neighborhood our home for the rest of our lives. However, we are both deeply concerned with how plan 4 would affect our health and the environment. In the plan we read, the costs are minimized to 2 graphics representing "construction" and "maintenance." For the last two years, we have lived with 4-6 major construction projects in a one block vicinity of our home (the total scope of which pale in comparison to that of plan 4) and have seen and felt firsthand the effects of these projects on air quality. Both my wife and I, who have been fortunate to live in good health our whole lives, have now needed to manage chronic illness related to poor air in the last year, despite the many precautions we take. Tompkins Square Park and East River Park are our only respite to enjoy cleaner air and momentarily escape the constant drone of construction.

With this in mind, I request that a detailed cost/benefit analysis be completed and presented to the people, which goes beyond "construction/maintenance" to look at the physical and mental health costs of living near construction for the scope of each plan (adjusted depending on the amount of construction each plan proposes), as well as the environmental costs (air quality, soil quality, biodiversity, green house gas emissions) of removing entire ecosystems for the times proposed in each plan, and the addition of potentially hazardous materials (landfill/concrete/turf delivery and maintenance, delivery boat costs). I feel confident that plans 2 and 3 will yield the most humane, environmental, and cost effective plan if such analyses were completed.

I feel the public's trust was broken when the city began moving forward with plan 4 without truly engaging the community and without explanation for the dismissal of the plan in which the city had collaborated with the community. While the increase in resources to put towards the plan is exciting, the staggering amount of \$1.45 billion seems more than necessary to protect the park from flooding and improve the park's overall sustainability and accessibility. It seems evident that this amount could be better distributed to help the many other needs of the community. Of course, the plan we read only lists \$338 million of those allocated funds needed for the project, which begs the question of what the remainder will be used for.

Again, I request that a transparent and thorough cost/benefit analysis be completed to determine the best plan for the community and that the city consider the needs of the community as a whole in deciding how to proceed with the financial resources at hand. I believe this may be the only way to begin restoring public trust in city government, which has understandably been shaken by this entire process.

Thank you,
Ricky Perry
221 Avenue A
<ricky.r.perry@gmail.com>

HEARING TESTIMONY

Date of Hearing: Oct. 3, 2019

Subject: East Side Coastal Resiliency

Committee: Subcommittee on Landmarks, Sitings and Dispositions

Thank you for allowing testimony on this crucial matter and for standing up for our community and fighting for a better plan.

My name is Catherine Cullen. I live on Grand Street in the LES, and for over twenty years worked for the Henry Street Settlement as their Chief Facility Officer preserving the agency's historically significant properties.

As a preservationist, I fought hard to restore and save architecturally significant structures in our community and have spent the last ten years as fulltime faculty in the Environmental Control and Facility Management Department of New York City College of Technology. As both a preservationist and environmentalist I am asking the City Council to help us fight for a better plan that will not destroy our existing park.

Of course, I understand and believe in the need for flood control, but destroying 60 acres of existing park and trees with a ten foot mountain of landfill that will jeopardize the air quality and health of our community is not the answer.

As a preservationist, I have always strived to do no harm to historically important buildings and I believe the ER park is historically significant and should be treated as a landmark.

The question remains – is this plan the best we can do? Is this a 21st century solution? Consider, how are other major cities around the globe addressing coastal resiliency? Would this plan be a solution considered for the upper west side, Battery Park City, or Venice? Or is it simply “good enough” for our community? I ask

again – Is this the best we can do? I believe the answer is NO – we can do better! Please stop this plan.

As an environmentalist, I want to share a moment I experienced in the park last week. As I walked toward the esplanade, a soft breeze brought what I thought was a burst of yellow and rust leaves swirling around me – but as I looked closer it turned out it was not leaves at all, but hundreds of Monarch butterflies enjoying the bright sunshine along with me. Sadly, my first thought was – where will they rest on their trip to Mexico next year?

My other concerns include:

- The Fire Boat House – what exactly are the plans?
- The seals used in the children's water park at Grand Street
- The anchor just south of Con Ed's building at 10th Street
- What has become of the study by Deltares – when will it be available? The public should have time to consider their findings and comment on them before any plans are finalized
- The Mayor's compromise plan does not address our concerns
- The air quality and noise will be untenable
- The proposed plan will completely destroy our community

In closing, I strongly feel the proposed plans are an environmental and preservation disaster. Please help us stop this madness. This community has suffered enough for the city. We took the bullet for all of America on 9/11. Please don't allow another disaster to tear our lives apart.

Catherine Cullen, 473 FDR Drive, New York, NY 10002
<catcullen@aol.com>

East river park

Please looks for a solución. Don't make so much garbage destroying our park. Killing so many wonderful Tress that we need for oxígeno.

Sonia Pena

<soforella@gmail.com>

Dr. Amy Berkov
CCNY Dept. of Biology
aberkov@ccny.cuny.edu

I'm an ecologist at the City College of New York, and a 40-year resident of the East Village. I firmly oppose the city's preferred alternative for ESCR. I'll start with a few words from the 12-page letter that Attorney General Tish James submitted in response to the city's Draft Environmental Impact Statement (FEIS Appendix M, p. 367).

p. 3-4: "...the Draft EIS's environmental justice analysis and its treatment of impacts to open space uses, tree canopy and air quality do not meet the requirements of the federal, state, and New York City law governing environmental review. These treatments are also arbitrary and capricious in violation of federal and state administrative law requirements.

Phased construction may alleviate some concerns about open space, but the Attorney General also details problems with the circumscription of area used to evaluate disproportionate impact on minority and low income people, the methods used to quantify tree replacement, and the lack of mitigation for potential increases air pollution during construction. I thank Attorney General James for pointing out the shaky legal grounds underpinning the city's plan to destroy 83 acres of NYC waterfront park.

In addition, if the city aspires to **create a livable future for the next generation**, the city must address these questions:

1) If the city is convinced that ESCR Alternative 4 is the best we can do—and given that they have HUD funds to spend—why did they repeatedly refuse to do the one thing that might have convinced their opponents: assemble a panel of outside (impartial) reviewers?

2) Why hasn't the city provided temporary flood barriers in the ESCR region, which would offer *some* protection prior to and during construction, and while the community waits for infill to settle?

3) Why is the city planning for >6 feet of sea level rise in the financial district (to offer flood protection through the 2100s), but only planning for 2.5 feet of sea level rise in the ESCR region (to offer flood protection through the 2050s)?

The City maintains that their plan will offer protection through the 2100s, because they have the capacity to add an additional two feet of fill sometime in the future. How do they reach this conclusion given that, even with this additional landfill, the project would seem to protect against only 4.5 feet of sea level rise?

Even with a second round of destruction/construction, **the project will fail to offer flood protection:**

a) if sea levels rise as predicted in the high-range estimates (4.83 feet in the 2080s, 6.25 feet by 2100), or

b) if the Antarctic experiences rapid ice melt (6.75 feet by the 2080s, 9.5 feet by 2100). (Data from the New York City Panel on Climate Change 2019 Report Executive Summary).

NPCC 2019 Report Executive Summary

Table ES.2. New York City sea level rise projections relative to 2000–2004, including the NPCC2 2015 projections of record for planning and the new Antarctic Rapid Ice Melt (ARIM) scenario for risk awareness

Baseline (2000–2004) 0'	NPCC2 2015 sea level rise projections ^a			NPCC3 ARIM scenario ^b
	Current projections of record for planning			Growing awareness of long-term risk
	Low estimate (10th percentile)	Middle range (25th– 75th percentile)	High estimate (90th percentile)	ARIM scenario
2020s	0.17 ft	0.33–0.67 ft	0.83 ft	–
2050s	0.67 ft	0.92–1.75 ft	2.5 ft	–
2080s	1.08 ft	1.50–3.25 ft	4.83 ft	6.75 ft
2100	1.25 ft	1.83–4.17 ft	6.25 ft	9.5 ft

^aThe 10th, 25th–75th, and 90th percentile projections are from NPCC2 (2015); they are based on six components that include global and local factors. This report confirms the use of the NPCC (2015) sea level rise projections for decision-making.

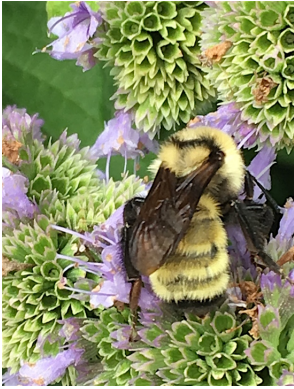
^bARIM represents a new, physically plausible upper-end, low-probability (significantly less than 10% likelihood of occurring) scenario for the late 21st century, derived from recent modeling of ice sheet–ocean behavior. However, uncertainties remain regarding ice sheet processes and atmosphere, ocean, and ice sheet interactions.

4) How would the city add two additional feet of fill without damaging or destroying the 1442 saplings that they intend to plant, and the expensive new infrastructure that they plan to install?

5) Why has the city left the Lower East Side Ecology Center, NYC's premier grass-roots environmental organization, in the dark about the fate of their program (office and educational space in the Fireboat House, and compost yard in the East River Park)?

6) Why didn't the city follow the *City Environmental Quality Review Technical Manual* guidelines for biodiversity surveys?

7) Why has the city failed to develop thoughtful mitigation plans for the 10 NYS rare animal species documented in the East River Park (especially the Golden Northern Bumble Bee)?



Bombus fervidus is a Critically Imperiled, “High Priority Species of Greatest Conservation Need” in NYS. It appears to be doing well in the East River Park; I have seen as many as five individuals foraging together in the Ecology Center’s pollinator garden. Bumble bees avoid roads, and would ***not*** be expected to “relocate”—as the city suggests in the Environmental Impact Statement. (Photo by Melinda Billings, Stewardship Coordinator at the Ecology Center).

The City Council should not approve the ULURP, because the city is still proposing an act of ***unprecedented and unnecessary*** destruction. If this was caused by a natural process, we would call it a natural disaster. If it was caused by anyone other than ourselves, we would call it an act of war.

Hi, my name is Sam Moskowitz. I live at 25 Montgomery Street and I am on the board of Gouverneur Gardens Coop. Most of our almost 800 apartments sit on Water Street, just a block from the River.

Since Sandy, our annual flood insurance premium has increased almost \$500,000. We cannot afford this, as 84% of our residents are below area median income.

We need flood protection and we need it now. But the ESCR does not include any protection until at least the 2023 hurricane season. Where is our temporary protection?

I am disgusted by this administration's strategy of dividing and conquering this neighborhood with the false dichotomy of flood protection vs. the park in a zero sum winner take all showdown. We need both flood protection and the park.

We have been offered a take it or leave it option with no transparency. The City has still not provided a real answer about why the original plan was discarded.

While the area south of us gets a panel of 18 expert consultants, our ESCR was developed in a back room deal by our ethically dubious Mayor's political appointees.

I am also the PTA Treasurer at my children's school, PS184, a title one school of 700 students at the corner of the FDR Drive at Montgomery Street. The Environmental Impact Statement ignores the negative impacts on air quality via the demolition of the park, the unknown number of truck trips in and out of the construction zone, and the dumping of hundreds of thousands of cubic feet of landfill. While barges are being touted as environmentally friendly, they will still dump many tons of noxious pollutants into the air breathed by our vulnerable seniors and children.

Clearly, the city has failed in their efforts to develop the best plan for our community. And we deserve the best.

I am writing on a topic that is very important to young families in the areas South of 34th Street on the East Side. This topic is maintaining East River Park as it is. I understand your vote may have an impact on the proposed plan. I cannot stress adequately how taking away the one area near us where we can run, walk, bike, play ball and enjoy the outdoors will negatively impact us.

It is hard enough trying to raise a family in the areas of 34th St and more south. Having this path and fields gives us respite. This is true for the homeless people who live in the large shelter on 30th we have discussed often as well as those of us who use the path to exercise or easily get to work or school.

As families decide whether to stay in the Murray Hill, Sty Town and south areas to raise our families we consider many factors. We don't have easy access to any green areas without taking public transportation. Being able to walk on the east river path is the one exception. Taking that away for years would honestly be a game changer for many of us.

As someone who cares deeply about our neighborhood and children I ask you on behalf of many members of Third and 33rd and our community to please consider the above.

Lauren Bernstein
<laurenbernsteinpohl@gmail.com>

Date of the hearing: Oct. 3, 2019

Subject: East Side Coastal Resiliency

Committee: Subcommittee on Landmarks, Sitings, and Dispositions

October 2, 2019

My name is Amy Scarola, and I am a retired teacher, having worked for the Department of Education/City of New York for decades. For about half of my career, I taught at P.S.97, a public school on the Lower East Side of Manhattan. The school is situated on Mangin Street off of Houston. Many of the classrooms overlook the flow of boats and barges on the river, a constant source of wonder to the students.

For all the years I taught at the school, the East River Park was a wonderful destination for our students.

Classes would have picnics there in the mild weather, we would have sporting events, we would gather

information for our Science classes, by making observations of how erosion effects surfaces, studying plant life, animal behavior, etc. We strove to deepen our understanding of the proximity of a major river to the New York Community, how it has affected our history. The children in our classes also had many family events in the park. They would come to school to tell of baseball games, family celebrations, a communion or graduation where people would gather in the park. Sometimes they would invite the teachers to join their families in one of these events.

The park contributes greatly to the life of the community. I know for a fact that there are many school communities that enjoy the East River Parks all along the paths it takes on Manhattan's East side. Years later when I transferred to a school in East Harlem, there again we made use of and enjoyed the park up there.

The East River Park has been a resource and respite for generations of Lower East Side Communities. There must be a way to preserve it, while creating an extremely necessary barrier to protect our shoreline in the event of anticipated storm surges.

Respectfully submitted,

Amy Scarola

<ascarola@hotmail.com>

East River Park Plan Proposal

1. The city has been very opaque about why the Big U plan was rejected. Here's the plan:

“In East River Park, an undulating berm at the location of the service road to the FDR Drive provides flood protection. The berm is shaped so that the existing sports fields can be maintained. Generous landscaped bridges will connect the East River Park to the community. The flood protection continues to Montgomery Street by fortifying the new Pier 42 Park, where a deployable will help maintain the on-ramp to the FDR Drive.”

2. This plan was developed over a period of time with community input. Clearly, in a time of global warming when every tree counts, it is not destructive of the existing park. It provides protection where it is needed.

3. True, some trees were lost following Sandy, but most were fine. There is definitely seepage from the East River in places, visible as thriving reeds. That's a question of maintenance of the structure where the river meets the land; demolishing the park is not a useful approach to that particular problem.

4. It has been rumored that the city rejected the Big U plan because it would take 5 years. Compared to demolishing the entire park it is relatively straightforward in terms of construction, engineering, etc. Nobody who has lived in this city for over half a century, as I have, could possibly believe that the total demolition and “restoration” if that's the word, will only take 3.5 years, nor indeed, is it believable that it won't come in over budget.

5. The Big U plan had considerable community input, the demolition plan has been launched without any overview from the city much less community input. It reads more like the work of an angry toddler smashing down toy bricks: “Why did you do that?” “Mind your own business!”

So the city has to explain itself. There is a very strong argument for going back to the Big U plan. Being secretive about the current, highly destructive plan won’t wash in New York City.

6. This voter sure won’t be voting for anybody who votes for destruction of the East River Park.

I power walk along the park for two hours every day, 36th and Park to Pier 36.

I want the Big U plan for the East River Park.

J. Patricia Connolly

East 36 Street

New York NY 10016

<jocpatcon@hotmail.com>

Date of the Hearing: October 3, 2019
Subject: East Side Coastal Resiliency
Committee: Subcommittee on Landmarks, Sitings, and Dispositions.

To Whom it May Concern:

I am a nearly 30-year resident of the East Village in Manhattan. I am writing to you today in regards to the East Side Coastal Resiliency Project, and the specifically Preferred Plan Alternative 4 - which would fully shut down East River Park for years to come. I am deeply concerned about the City's current plan since I depend on East River Park. I'm a runner, and a member of New Balance-Central Park Track Club. I run daily in ERP, and our team workouts are at the beautifully renovated 6th street track in the park on Tuesday evenings, from the spring through the fall. The idea that the track will be torn up after just being renovated, made inaccessible for several years, is heartbreaking. Additionally, East River Park is where I regularly take my wife and infant daughter for strolls along the waterfront. I can't imagine depriving them of fresh air, trees, grass, and views of the river for at least 3 years. And when I think about all the families who use the park for gatherings, all the school sports teams who use the ball fields, all the East Villagers and Lower East Siders walking their dogs, barbecuing, attending concerts at the amphitheater, pushing strollers, flying kites, etc., etc. all being locked out of the park, or forced to make do in a toxic working construction site- it's tragic.

I understand we need a flood plan. I was here during Sandy, and although my building narrowly avoided being flooded (I live on 5th St. between Ave A. and B), I know it will happen again, and it may well be worse. But this current plan is wrongheaded. I don't know why the original plan of a flood barrier along the FDR isn't being used, as it's cheaper and will mostly preserve the park. Certainly anything is better than the current plan, which will certainly take far longer and cost far more than estimated - I watched for years as the last renovations to the Park proceeded at a snail's pace, and were incredibly dirty, noisy, and disruptive.

I urge you to intervene against Alternative 4. Please, please consider the real quality of life impact of years of heavy machinery, dump trucks, noise, fumes, all degrading our neighborhood during the construction, in addition to the loss of use of the park, and the destruction of over 1,000 trees. It would be a disaster for the East Village and Lower East Side.

Thank you,

Alex Bruskin <alexanderbruskin@gmail.com>
Testimony - Thursday October 3, 2019 - Council hearing on ESCR

Re: Council hearing on ESCR, October 3, 2019 at 1 PM at City Hall

I have lived in the East Village since the mid 90. This is my home and I want to be involved in protecting what we have so that my kids can enjoy it too.

We need climate control efforts that protect the city from rising waters, pollution and the decline of our eco system. This is something we can all agree on.

Myself, and countless members the local communities, as well as hundreds of thousands of people who frequent the East River Park on a regular basis, are opposed to the East Side Coastal Resiliency Project.

This project was a surprise announcement to demolish the recently renovated park in order to fill it with 10 feet of fill and build on top of it. The mayor disregarded previous plans and proposals and is forcefully imposing his plan with what I fear has a hidden agenda.

To this day, many people have no idea what the city is planning. Would plans of more luxury water front towers being build in the Lower East Side have anything to do with this new surprise plan?

This week's announcement to do ESCR construction in two phases will still destroy the park and cover it with fill. But slower. Then it will still cover the area with astroterf, which is just plastic. We speak so much about climate control and change, recycling, upcycling, that it is honestly beyond me why we would approve demolishing a piece a nature to cover it with green plastic "grass."

There have been previous propositions for environmental protection, including the Big U plan, which does not destroy the park we have and need.

If the Big U plan is no longer the best option for us, and the ESCR destroys everything we have, we really owe it to our communities and to the city we love to find a plan that works for everyone.

What I am asking is that we work together - the city and the communities - to create the best plan for our future. We all agree that something does need to be done to protect NYC from rising waters and future storms. But I am also positive, that there must be a better plan to protect the city from climate change that does not destroying our existing eco system. Some of the trees in East River Park are 80 years old and vital to the city. Replacing them with saplings – no matter how many when construction is done in many years into the future – will not provide us with the same cleaner air.

We need to ask why are other areas of the Manhattan coast not going to be demolished and raised 10 feet? Are they continuing the Big U plan? How would raising only our section of coast, not force the flooding to go around this new little mountain? What is the South Street Seaport doing? How will water avoid them without a new 10 foot fill?

We also need to see all plans, ESCR and newer better proposition, with renderings from the ground. What will this actually look like. What does the park 10 feet above the highway actually look like. How is the highway be viewed from the park. Where exactly is the bike lane, the explanation at the hearing was a big confusing and I walked away with the understand that bikes will be with the cars?!

Also if the park is elevated above the highway, wouldn't this create a bit of a ditch or air tunnel for the highway and all the cars? How is that polluted air going to disperse?

We all agree that Climate Change is real. We all agree we need to do something about it. Destroying East River Park to fill it with 10 feet of fill and put plastic grass on top, is not the answer.

We need more than one independent consultant to look at the facts.

We need to look to other global cities who have faced similar issues.

We need to see more proposals from viable firms who are experts in environmental projection.

We need more information from the city so that we are not hit with another surprise plan to demolish our park.

I am opposed to the current form of ESCR. This plan contributes to climate damage instead of ameliorating our environment. We need not only a sustainable plan and park, but a plan that will replenish and help restore our environment.

Thank you for listening. I want to be part of the solution and we all need to think to the future.

--

milena leznicki
mimi@milena.tv
E. 5th St., NYC 10009

Date of Hearing: October 3, 2019

Subject: East Side Coastal Resiliency (ESCR) ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

I am writing this letter in support of testimony that the City's plan should not go forward as currently proposed. My research focus as an urban geographer encompasses how the built environment affects the Lower East Side. This includes understanding the impact of building on former marshlands on the edge of a tidal East River (estuary); as a practical matter, most of the neighborhood has lost the ability to absorb storm water at a time in which sea level rise jeopardizes it.

New York City is proposing using a levee with an underwater sea wall rather than considering the newer and greener technology used by other global cities in dealing with rapidly rising seas. It is precisely because the stakes are so high that it is worth pointing out that New York City is not using a best practices model.

An outside advisory group of experts should be assembled ASAP and interim measures put in place while a sensible, science-based plan is designed. The City's proposed 8-10' flood wall will not hold back the East River and its construction will make it far harder to protect residents as well as public and private assets to the west of that wall.

New York City has only one chance to get this right; squandering precious money and time on building a 8-10' levee for a river at a time when levees are bursting on the Mississippi and other rivers does not appear to be a wise investment.

Levees get overrun by surge; this one seems to be designed for a 20-30 year period at best rather than spec'd to handle the water fully envisioned in a 2100 plan with a hundred year event. The new FEMA 2100 maps expected this fall will not adequately portray the rapid acceleration in sea level rise since they do not take into account the most recent findings concerning the acceleration of ice melt in Greenland and the Antarctic.

Additionally, the question of what happens to the west of the levee, which is primarily a floodplain, is quite salient since there is no plan by New York City to deal with storm water outside of the proposed park. Wendy Brawer from Greenmap has used the term "soup bowl" to describe the combined effect.

The East River is subject to CSOs (Combined Sewerage Overflows); the soup bowl scenario would create its own watery disaster since the Lower East Side has few dedicated storm sewers and the City is apparently not interested in investing in them. The Newtown Creek facility cannot guarantee that it can handle all of the outflows both to the east and to the west of the proposed levee when too much water hits the system at once. In fact, the Newtown Creek facility will need to dump raw sewage when it overflows.

For much of the 20th century the FDR Drive has dominated this area. The City's plan shows that it is far more interested in protecting this ring road than the neighborhood itself. There is an urgent need for neighborhood green space crafted to allow for resilience and real protection at a time of climate crisis. While I appreciate that a phased approach to construction will ostensibly allow some current parkland to remain accessible, the City's overall approach still does not make sense scientifically or otherwise. Rather than extending into the East River and extending the risk, the City should be looking at green infrastructure and other solutions to protect areas that were formerly marshlands.

Surely, New York should be engaging its best efforts in dealing with the combined scenarios of extreme weather events, rising sea levels and temperatures, increasing evaporation and precipitation, all of which can happen at high tide. It should also be thinking of the many rainy days to come in which there will be short, intense rainstorms. DEC's documents show that there a number of State Superfund Sites proximate to the East River, most of which are located on or near aquifers, NYCHA housing, and Con Edison's plant. The City's plan has an EIS that does not adequately address how to prevent the spread of those toxins from anticipated flooding.

In reviewing New York City's documents on the East Side Coastal Resiliency (ESCR) Project while bearing those considerations in mind, I urge you to vote that the ULURP not go forward at this stage. The City's plan is still not ready for prime time.

Sincerely yours,

Dr. Elissa Sampson, 917 523-8504

Visiting Scholar & Lecturer, Cornell University
E. 3rd Street, NY NY 10009

East Side Coastal Resiliency ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

How we can trust a plan that keeps shifting. It took \$40 million and 4 years to come up with a plan that was then scrapped and replaced with a new planned that we were told had to be done by closing the entire park. There simply was no alternative. Now all of the sudden there is an alternative.

This, in addition to many other issues, raises questions about the competency of those putting this plan together.

In addition, this process must go through alienation. Taking parkland for such a long period of time requires the consent of the State. Why is this being ignored?

--

Jonathan B. Lefkowitz

Attorney at Law

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<jon@lefkowitz-law.com>

Fingerprint: 4748 5C39 48FC 8F9D 40DC D798 68AB C6A8 4BAF AA89

ESCR comment

Dear Council Members,

I spoke yesterday at the Subcommittee on Landmarks, Public Sitings, and Dispositions. I am grateful that Council Members Adams and Rivera were in attendance.

Here is my public comment - representing myself and my family

My husband has lived in Alphabet City for almost 30 years. We have lived in our apartment on 11th St at Ave C for 20 years. Our daughters attend a nearby D1 elementary school.

Our building was directly affected by Hurricane Sandy; flood waters rose to our building's first floor doorknobs at E 11th St and Ave C. My ground floor neighbors lost everything and had to rebuild their homes from studs.

Nevertheless my family opposes ESCR v 3 and v4. We cannot imagine one summer without East River Park, much less four summers. This proposal is obviously primarily meant to protect the FDR from flooding.

Mayor DeBlasio's team's ESCR plan is flawed and flooding will continue. This past summer I biked my daughters to East River Park for free Parks Dept sports classes four days a week specifically entering East River Park at E 18th St entrance. This proposal does not address the curve from E 18th St to the Con Ed bottleneck part of the pedestrian/bike path. The Fly Bridge does not address this bend. The DOT representative acknowledged under oath that DOT has not created a plan to address this curve. In addition, at 23rd St, the gas station, the parking garage, the docks and United Nations International School are not addressed in ESCR v3 nor v4. Flooding will still persist.

Mayor Blasio's team is radical to create a plan to raze an actively daily used 58.5 acre public park, nature habitat. and 981 mature trees and close East River Park for at least 3.5 years. THEN you can radically create a plan to dismantle the FDR and redesign it for the 21st Century.

Close the FDR, redesign / rebuild the FDR or dismantle the FDR as a flood wall for our neighborhood.

Preserve East River Park as a National Historic Site since it was conceived almost 100 years ago as a WPA project. The public parks buildings and wrought iron pillars are exquisite classic examples of Art Deco architecture.

Finally, remember East River Park is dedicated to those children who lost parents in the 9/11 attacks.

And when I told my daughters that I was coming to speak yesterday, they said "Listen to the Lorax, who speaks for the trees." I encourage you all to read "The Lorax."

Respectfully,

Allie Ryan <allieryan10@gmail.com>

City Council District 2 resident, taxpayer, and mother of 2 School District One students

East River Park Proposal

Please abandon the latest proposal regarding the East River Park. Come up with another solution that will keep the entire park open. I was a supporter of the final solution in the 1980's for Tompkins Square Park & that park has prospered ever since. It's quite clear that if the current proposal for East River Park goes forward it will not survive. Most neighborhood residents are against this proposal.

There must be a better way to protect the lower east side against future hurricanes and other hazardous weather conditions.

Larry B

Larry Barkin
<larrybarkin@aol.com>

EAST RIVER PARK

Subject of the hearing: East Side Coastal Resiliency ULURP

Date of the hearing: Oct. 3, 2019

Dear Subcommittee on Landmarks, Sitings, and Dispositions,

I lived & worked in East Village for the past 40 years, I urge you to please listen to our community to not destroy the whole of East River Park.

The elected officials have a plan to demolish it and build a giant wall on the river for flood protection.

Hundreds of us have testified and written and called and demonstrated for almost a year asking the Mayor & the elected officials to preserve as much of our park as possible as a resilient coastline. We asked them to listen when we said there was a better plan. We asked to build the flood protection along the FDR, not put a giant wall on the river. We asked to cover the FDR and think of new, climate friendly solutions for our neighborhood, not this destructive project that will just speed climate change. And we still need interim protection.

We need a better plan that will keep open and preserve much of our park because we are a neighborhood of many people of modest means who need our park for our mental and physical health. East River Park is not a tourist park, and it shouldn't be. It's Our Park! and we need it to breathe and play and live.

-To demolish this park = Environmental destruction. Bulldozing 1,000 mature trees and all the greenery in the park is a way to speed climate change not just in the long term but in the short term for our neighborhood. We need the trees in our park to help cleanse the air. This area has extraordinarily high asthma rates. It will take years to rebuild the park, and the new trees will be saplings. It could take a generation to get the same environmental benefits from trees that we now have—and since the park is only designed to accommodate sea level rise until 2050, it will have to be demolished again and rebuilt even higher in just as the trees provide meaningful health benefits.

- To build a Hard Seawall against the river is not considered a best practice in parks around the world. Resilient, floodable coastlines can absorb storm surges. A seawall can abut the FDR Drive to provide protection to the neighborhood.

- There is no adequate interim flood protection. Much of the public housing in the neighborhood is already receiving flood protection via a FEMA program. However, parts of the neighborhood will have no defense against storm surges during the years of construction, not even the modicum of protection afforded by the park during Hurricane Sandy in 2012. We must have interim flood protection where needed.

- To demolish the park means that we will lose its unique features. The new park offers no protection for the historic Fireboat house that houses the Lower East Side Ecology Center, it demolishes the lovely and unique Seal sculpture water park where kids play all summer, it demolishes the historic Amphitheater where Shakespeare in the Park was founded and which is still used constantly. It is surrounded by magnificent shade trees on high ground that was not flooded. It will be replaced with a soulless, shade-free amphitheater. The current one is shabby

and needs to be refurbished. But it doesn't deserve a death sentence. Neither does the newly refurbished track costing \$3.5 million, the magnificent promenade that was closed from 2001 to 2011 and fixed for \$66 million.

- The cost of the project is now \$1.45 billion. What we are proposing is a reevaluation and adaptation of a forward-looking, environmentally friendly earlier plan developed with the community. It can be adapted to preserve much of the park and keep it open during construction and provide the same flood protection at a lower cost. With interim flood protection and NYCHA protection now being built, also mentioned above, we do not have to rush to destroy the largest park in Lower Manhattan that is vital to the mental and physical health of our neighborhood.

Sincerely,

ALEX DRAGOMIRESCU
140 EAST 7 ST
NY NY 10009

Regarding today's hearing on East Side Coastal Resiliency ULURP Committee Name:
Subcommittee on Landmarks, Sitings, and Dispositions.
October 3, 2019

Dear Committee:

I am submitting this written testimony because I had to leave today's hearing before being asked to speak:

Dear Mayor Deblasio, DDC, and NYC Parks:

New York City, the greatest in the world, is executing a patchwork, flawed and reactionary flood protection plan.

In an effort to avoid future flooding in the neighborhood, you have decided that it is acceptable to murder the largest park in downtown Manhattan. You will murder countless baby squirrels, pigeons, doves, and other birds when they are most vulnerable. They will have nowhere to escape to. We will watch them die helplessly from our windows.

You will murder large, old growth trees who provide cooling shade. **They are invaluable and cannot be replaced.** You say they are sick and dying, but they are abundantly thriving and growing. You will create a barren heat island which will increase temperatures in the adjacent neighborhoods for years, and then you will plant tiny saplings and walk away, thinking you served the people.

You do this all for an ill-conceived and short sighted flood plan.

As you plan to destroy a park, developments that were previously flooded are already building their own perimeter flood walls around their property. And now, you will add a localized flood plan, which is largely redundant, expensive, and will not protect the majority of the New York City waterfront communities.

Why the duplicated effort? Why is the greatest city in the world not capable of a more comprehensive, less destructive flood protection plan that includes all of the waterfront neighborhoods? Some folks even suspect that you have sold our park to real estate developers who will build high rise towers where there was a park once.

Why are you not thinking about the big picture? This problem will not go away. **Why not build a barrier like the Thames Barrier in London across the Verrizano**

Narrows? That would protect a vast amount of coastline from flooding. The Thames Barrier has been operating since 1982. The techniques have existed since then. New York city, you can do better than to murder a beautiful, well loved and highly utilized park for a stop-gap flood plan.

Thank you,
Kenneth Colosky
577 Grand Street,
New York, NY 10002
<kenneth.colosky@gmail.com>

Dear members of the City Council Subcommittee on Landmarks, Siting, and Dispositions,

As a resident of the East River Housing Cooperative, I would like to submit my testimony regarding the potential impact of the East Side Coastal Resiliency plan on myself and my family.

I am greatly relieved to hear of the shift in plans to staged construction, as the spectre of a complete closure of this essential green space for an indefinite period of time was close to unthinkable. However, I still have enormous concerns regarding the impact of even staged construction on our local air quality and overall contribution to climate change.

Our family depends on East River Park for recreation, relaxation and perhaps most importantly, fresh air and connection to nature. We walk, fish (yes we have fishing poles), ride our bikes (my son learned to ride there), play frisbee, commute to work (via bicycle or walking), picnic, gather with friends, and even sit quietly under the shade of the mature trees, unwinding from the stress of the city. I've shown my 12-year-old son monarch butterflies and caterpillars on the milkweed stands and the hawk in the trees around the amphitheatre. I even helped arrange a field trip with his school, University Neighborhood Middle School--a public school in District 1--to tour the native and salt-resistant species along the park, talking about tides and resiliency. This fall I am teaching a class at Abrons Art Center on ecology and poetry, and we will be taking a field trip to write onsite.

This is all to point out the importance of this particular park to us, to the neighborhood, to the city and even to the world at large. The park provides refuge to migrating birds (and after the news regarding the plunge in bird populations, we might want to pay more attention to that); its beautiful mature trees sequester carbon and provide oxygen. These trees survived Sandy to provide our most important frontline defense against climate change. So why would we add to climate change in the name of "protecting" against it?

I think one thing that has become clear in this plan is how neglected our neighborhood has been for decades--other than East River Park, our parks are

small, crumbling or currently under construction; our school playgrounds are run down and underequipped; we live close to a major highway that creates horrible levels of noise and pollution. At night I wear earplugs because of the noise and pollution of the FDR, and I can only imagine its impact on our air quality. When I first heard of a possible alternate plan that included decking over the FDR, I could hardly believe it--how wonderful would that be?!? And I still think it's a fantastic alternative--it would *add* to parkland instead of taking away, and ameliorate an enormous source of stress and pollution for all of us who live in the LES. This is an incredible chance to truly redo East River Park in the *right* way--showing the world how a first-class city can treat its residents right, while fighting climate change and ensuring a beautiful healthy future.

Please vote no on the current plan and ask for the plan that includes decking over the FDR!

Thank you for your attention.

Marcella Durand

<durandmarcella@gmail.com>

East Side Coastal Resiliency
Committee: Subcommittee on Landmarks, Sitings, and Dispositions

I am writing on a topic that is very important to young families in the areas South of 34th Street on the East Side. This topic is maintaining East River Park as it is. I understand your vote may have an impact on the proposed plan. I cannot stress adequately how taking away the one area near us where we can run, walk, bike, play ball and enjoy the outdoors will negatively impact us. The new plan with "phasing" is not the answer; rather it will just extend the time making this area unusable during heavy construction.

It is hard enough trying to raise a family in the areas of 34th St and more south. Having this path and fields gives us respite. This is true for the homeless people who live in the large shelter on 30th we have discussed often as well as those of us who use the path to exercise or easily get to work or school.

As families decide whether to stay in the Murray Hill, Sty Town and south areas to raise our families we consider many factors. We don't have easy access to any green areas without taking public transportation. Being able to walk on the east river path is the one exception. Taking that away for years would honestly be a game changer for many of us.

As someone who cares deeply about our neighborhood and children I ask you to please consider the above.

Shelby Roontenberg
<shelbyroot18@gmail.com>



Oct. 3, 2019 ESCR ULURP Hearing (Subcommittee on Landmarks, Sitings, and Dispositions) (sent to hearings@council.nyc.gov 10/7/19)

Wendy E Brawer

Director
Green Map System
GreenMap.org

web@greenmap.org
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I'm Wendy Brawer, a sustainability professional community resident who has been at the East River Park planning table for a decade. I attended most of 10/3/19 ESCR hearing, and thank all of the Councilmembers who chaired it, stayed throughout, or watched the video.

Since you voted to declare a Climate Emergency in June, you know how grave the situation is, both in terms of climate health and surge protection. **The ESCR will set a precedent. We cannot let the steps we take to protect ourselves destroy our chances for a better future for all.**

At the Hearing both Commissioner Grillo and Deputy Springer swore that they do not know what fuel will be used by the barges that bring half a million cubic yards of fill* to the razed East River Park. This tells me they do not know how much this plan will contribute to climate change. They could not - or would not - compare barges to trucks in response to questions about impacts on air, water and animal life by Councilmember Barron (video: 1:57:40 to 2:02). Fundamental answers must precede voting.

Before the hearing began, I introduced myself to a deputy DDC commissioner. I asked him which agency has overarching control of the entire ESCR, and he said 'that sounds like a conspiracy theorist's question', and walked away without answering. The ESCR team often replies that they will have to get answers, but rarely follows through. Although this is supposed to be considered a community engaged plan, they have not walked into the Park to do outreach! The ESCR team admitted this at CB3 Parks September 2019 meeting 'because they don't know when to go, or where to get a table'. How can we trust them?

Ironically, once the imported fill arrives, the beeping, clanging, emissions and dust will be the same, just a few feet further away from 10,000 residents' windows, but without trees or greenery to buffer the impacts. Park destruction is a grave injustice to vulnerable residents, the environment and climate.

Today, walls are being built around ESCR-adjacent NYCHA buildings. I annotated 2 pages of NYC's presentations (attached or see <http://bit.ly/ESCR10319>) asking, why not finish these barriers and design others that protect vulnerable homes across the neighborhood? Our space is tight, but look at Hoboken's model which follows the 'resist, delay, store and discharge' protocol for stormwater (page 3 the attached shows some of their barriers, deployables and catchments rather than outdated seawalls (see <http://bit.ly/HOBrbd>)). We could have the same to protect buildings throughout the ESCR area by converting parking lanes to protection, rather than a design that significantly reduces usable areas of our narrow park (page 4). Let's return the public right of way to public use, and store private cars elsewhere.

ESCR also punishes non-polluting bicyclists by placing them in the 'smoking lane' too close to FDR traffic exhaust. I commented on the DEIS Transportation chapter, which leaves out consideration of health, emissions, or congestion pricing (which matters because the FDR will become the 'free zone', increasing traffic as soon as 2021). Private cars are being prioritized by ESCR's Alternative 4 although they contribute 16% of NYC's Greenhouse Gases. 200+ responded to the DEIS (although they are required to respond, see how the City brushed off even NYS Attorney General James by searching her name in Chapter 10 (<http://bit.ly/FEISch10>)).

The rush to bury the park - which is also our community commons - without even studying the feasibility of the popular option of decking over the FDR and making room for the water and preserving the park's ecosystem - this lowers our ability to deal with climate change's acute and chronic emergencies. An image of the decking from the winning Big U 2014 plan is on p 5.

After meeting with Dr. Gehrels, the Deltares consultant, I researched his questions about the alternative plans (see page 6 for a synopsis (letter is linked to details - <http://bit.ly/toGehrels19> on how the City has conflated the alternatives).

I've also mapped East River Park (p 7) and led tours there since the 90's as part of my work as director of Green Map System - I offer you a walking or cycling tour. In fact, members of East River Alliance and East River Park Action would be glad to share perspectives on site with City Councilmembers and staff ASAP.

Something else that alarmed me at the hearing: I have been especially active all year, interacting with the City's ESCR team at countless presentations, CB meetings and community events, yet at the hearing, they roundly ignored me and other community members who are their partners and ongoing stewards of the Park. Only Alda Chan, Director of Resiliency at Parks, acknowledged me.

Alda invited me to donate my time to the Task Force forming in support of the LES Community Tree Canopy (I campaigned for these 1,000 street trees and CB3 passed the Resolution I drafted in February (<http://bit.ly/CB3trees19>), yet no stewardship programming is part of ESCR mitigation. The City knows working together builds capacity for social resilience and trust which has been proven to reduce trauma and save lives during emergencies while mitigating climate impacts and improving community wellbeing. Moreover, along with 40 bioswales, these 1,000 trees are the only natural mitigation of construction planned to date, the rest being paint and artificial turf; moreover, the new park will have nearly three fewer acres of passive green space, too. In a high asthma neighborhood (where many frontline residents still suffer from World Trade Center contaminants), evicting all of nature from the park is a grave social, environmental and climate injustice. Free ferries to Governors Island, Brooklyn Bridge and other parks from the NYC Ferry docks in East River Park - a sensible, healthy demand voiced since the 'preferred alternative' replaced the community-engaged plan, reinforced by CM Chin at the ESCR ULURP hearing is another example of mitigation for our community's 'Nature Deficit Disorder' that was deflected by NYC.

Government must tell the truth. Even the Mayor knows this is not the world class flood protection we were promised, and notably leaves the ESCR off the list of climate initiatives his office proudly circulated this week. Use your Veto power, if necessary, to stop this anti-nature plan. Temporary flood protection coupled with an honest, inclusive and just process for establishing a brighter, greener, more protective and healthier ESCR is the plan I ask you to stand behind.

Thank you!



Wendy Brawer, 175 Rivington #1D, NYC 10002 - web@greenmap.org - 212-674-1632

*Roughly calculated by Sara Perl Egendorf, Brooklyn College Urban Soils Lab: 1 foot per acre = 1613.33 cubic yards. For 8 feet covering an acre, it would take 12,907 cubic yards.

According to Parks' website, John V. Lindsay East River Park is 45.88 acres = 592,431 cubic yards. How many barge trips is this? We have asked the ESCR, without getting an answer.

Recovery to Resilience Flood Walls at NYCHA

ESCR ULURP hearing 10/3/19 attachment - Brawer

Why not complete these flood barricades and extend to protect all ESCR-area vulnerable buildings !

https://www1.nyc.gov/assets/nycha/downloads/pdf/Baruch_Final_Design_09_07_2017.pdf

Baruch Houses

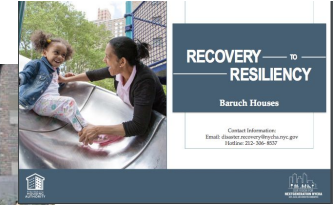
p6

Flood wall on Baruch Drive and other flood proofing measures to protect buildings in flood-prone areas.

p11 Note double layer wall

p7

SEATING AREA AT
FLOODWALL



p13

Will residents be required to walk around the proposed flood wall to reach the other side of Baruch Drive?

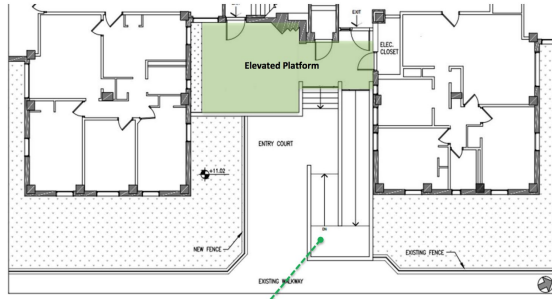
No. The proposed flood wall on Baruch Drive will feature four access points that will comply with the Americans with Disabilities Act (ADA). Residents can use these access points to reach either side of Baruch Drive.

This PDF is <http://bit.ly/ESCR10319>

Wald Houses

https://www1.nyc.gov/assets/nycha/downloads/pdf/Wald_Final_Design.pdf
p8 elevated entry flood protection

Proposed Entrance Design Incorporating Ramps and Flood Protection



Riis Houses

https://www1.nyc.gov/assets/nycha/downloads/pdf/Riis1_Final_Design.pdf

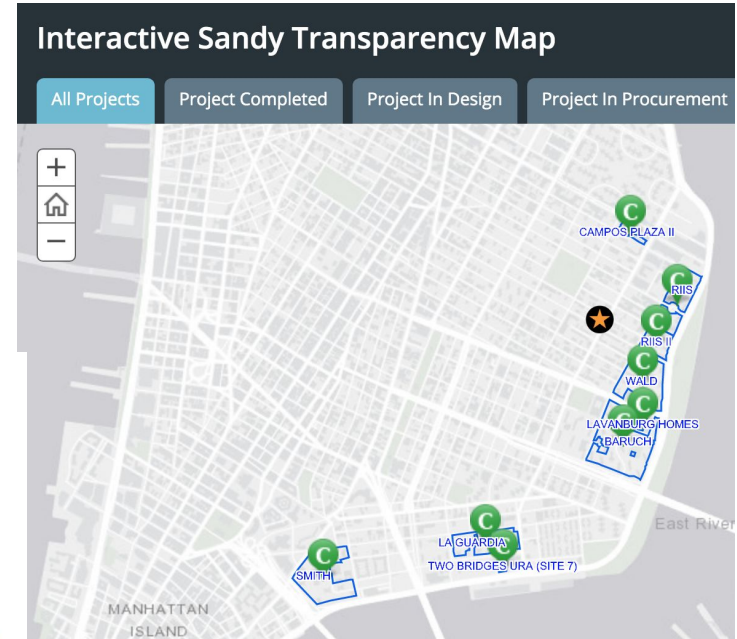
p13 -
deployable walls



Typical Flood Barriers



NYCHA Map links to all these presentations
<https://nycha.maps.arcgis.com/apps/MapSeries/index.html?appid=3a72b4100970454da0bd4cf2d989af89>



Entire impacted community protected, not just park, using a variety of solutions in & around public space & streets



Figure 3.1 Rebuild By Design competition idea board

Resist

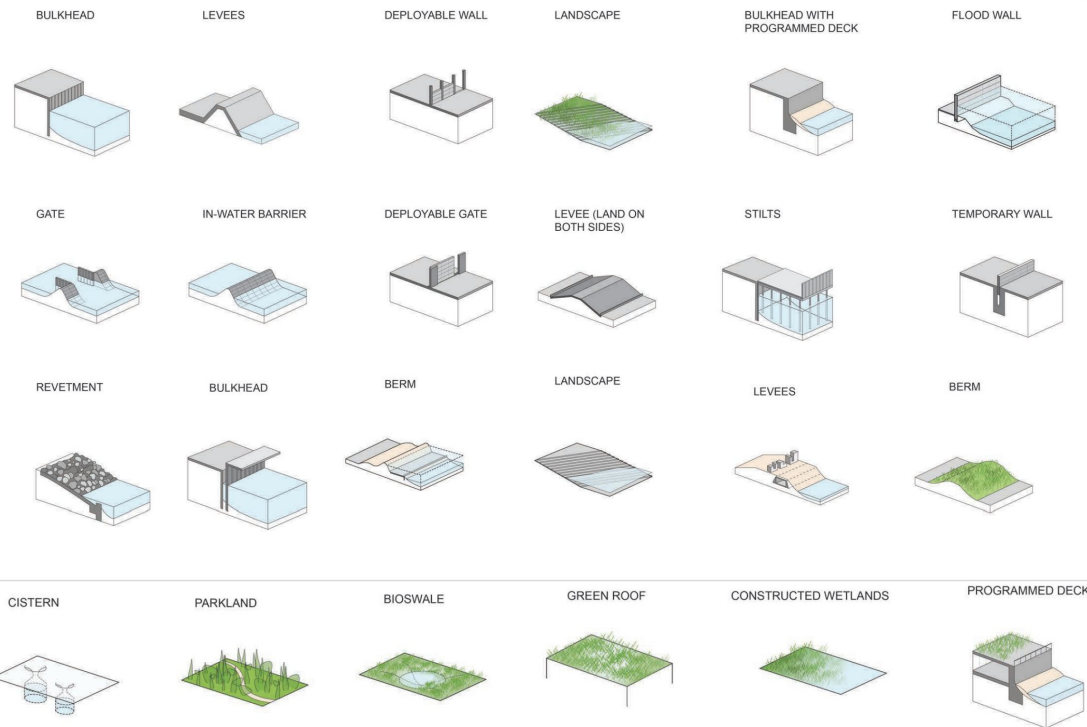
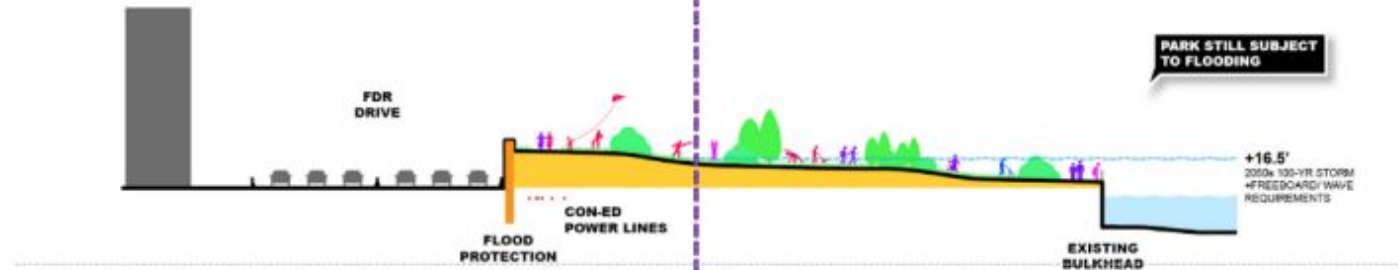


Image from ESCR's presentation edited in purple by Wendy Brawer

IMPROVED PARK RESILIENCY

PARK IS ABOVE THE 2050s 100-YEAR FLOODPLAIN

PREVIOUS PLAN



CURRENT PLAN

FLOOD PROTECTION ALONG FDR VS. RAISED & REBUILT EAST RIVER PARK



Compare to Hudson
River Park greenway:

ESCR "preferred alternative" makes the FDR Drive the focal point for 1/3rd of park

Decking the FDR can act as flood barriers, extend the narrow park, and contain, filter and redirect emissions from the cars below. Although it was on table since 2014, this was never studied as part of ESCR (compare to BQE, Rockefeller University, Hudson Yards, etc). See BIG U final Proposal for the ESCR area, starting at P 50, see P196 for community protection & trees, also left out of ESCR



A preferred choice in the ESCR's precursor 'Big U' plan, which won \$335M from HUD in 2014

Prepared for Dr. Gehrels - 2 page linked letter <http://bit.ly/toGehrels19>

The ESCR has been a continually evolving design. I extrapolated from the comparison that starts on page 2 [of my research](#)

Key differences in ESCR Alt 2 ([community engaged plan, 3/18](#)) to Alt 4 ([3/19 City Plan Summary](#)).

- Original groundbreaking scheduled for 2017, then spring 2019. Now ~~spring~~ fall 2020
- Alt 2 was \$445 Million. Costs escalated to \$1.45 billion with Alt 4
- Esplanade was to remain open throughout construction for community use. Alt 4 closes and destroys the entire park
- Room for surging water, salt-water resistant and native planting. (12/18 [Stewardship planning report](#) by consultants, convened by Rebuild by Design and GOLES, with community members, was released just when Alt 4 appeared.
- Artificial Wetlands were to be established, as developed by Lower East Side Ecology Center
- West edge of East River Park was to be bermed with rolling hills, grand bridge entrances, seating and greenway etc, plus walls and deployable walls where needed, not tapering down to overlook FDR Drive on western third of park
- Passive space was not to be reduced nearly 3 acres. Alt 4 expands tennis courts and parking, replaces all turf fields.
- DEIS indicates Alt 2 removes 265 trees, Alt 3 removes 766 trees. Alt 4 removes 981 trees (including all in floodplain).
- Alt 2 did not destroy and rebuild amphitheater, Seal plaza, Ecology Center, embayments, new bridge ramp (Williamsburg), fitness area, etc
- Upland areas (extending to much of CB3, and especially NYCHA campuses) were to have new street trees, bioswales, absorbent green space
- There was not a new bridge at Corlears. Flyover discussed since [Blue Way Plan](#) (great ideas - elevated paths for using park while wet) + Alt 2
- Failure of the new bulkheads was not anticipated (should ESCR contractor be liable for a longer time?). Alt 4 has reconstruction of drainage system and sewer outfalls, pump houses (but not separation of combined sewerage to prevent pollution)



Green Map's 2013 Lower East Side map includes Sandy's high water mark and the original shoreline. It introduces the then-new Citibike stations in Chinese, Spanish and English, and promotes Cycling as an every day climate change countermeasure (see <http://GreenMap.org/nyc>)



Date of the hearing: Oct. 3, 2019

Subject of the hearing: East Side Coastal Resiliency

ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

Dear Council Members,

I am writing to oppose ESCR v 3 and v4. We utilize the park and the bike path all the way from 34th to 6th street on a daily basis, twice a day, to commute to our son's public school since the DOE does not provide cross borough bussing. Access to a safe walking path and bike path from the two ferry stops along this route (at 34th street and at Stuyvesant Cove) are essential to our commute. Every morning and afternoon we get off the ferry and bike or skateboard or walk all the way down to 6th street. It is the most efficient way for us to commute and is also the cleanest way for us to commute with regards to the environment. Along the way, we see so many other parents commuting their children to and from school on bikes and scooters etc... as well as other people presumably commuting to and from work. Please don't take this safe and healthy option of commuting away from us.

We cannot imagine losing the East River Park and having to resort to driving or buses and trains. Flooding should be addressed but please take into consideration what a loss the current plan would be for the people and children looking for safe and healthy ways to commute.

Date of the hearing: Oct. 3, 2019

Subject of the hearing: East Side Coastal Resiliency

ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

Best,

Julienne Kim

hanzelkaj@mac.com

(Parent of a District 1 student at PS15)

East Side Coastal Resiliency testimony

Hello -

I am sharing my testimony regarding the East Side Coastal Resiliency plan.

While it's certainly important to protect our coastline from sea level rise there is a very important injustice with this plan.

The community is being asked to sacrifice their park while the FDR drive is not being compromised one bit. This very FDR drive is contributing the the problem of the rising sea and no sacrifice is being made -- even though congestion pricing will certainly reduce the amount of traffic on this highway. Time to take a real stand against climate change which means changing our behavior -- and putting trees above cars.

Jason Gers

10009

<jzgers@gmail.com>

East Side Coastal Resiliency

Dear City Council,

I am a longtime (25 years) resident of the Lower East Side, living less than two blocks from East River Park. This park is a welcome and much-needed sanctuary for me and all neighborhood residents in an area with very little green space, and few areas for rest and recreation. I did not get to testify in the Oct 3, 2019 hearing but want to offer my concerns here. Please include them for consideration in the hearing.

I am writing to oppose the current ESCR plan to demolish the park for five years. I am also opposed to the 3.5 year plan. Both plans present major issues for the local community that have not been adequately addressed in the briefings. Local residents will face years of intense noise and air pollution, not to mention construction vehicles and debris. As a person with a chronic illness, I am extremely concerned about ongoing toxic exposure and the increased risk of having my illness flare under the stress of living with multiple years of ongoing construction noise and dust.

Both plans also involve destroying trees and wildlife and essentially killing a local ecosystem that is thriving.

Whether the demolition and reconstruction takes place over 3.5 or 5 years, it is still a highly questionable plan, and seems to have been forced through in the eleventh hour for political and business reasons rather than consideration for what is safest and makes the most sense for all. We have been presented with the idea that flood protection requires demolishing the entire park, when a previously existing plan offered a different, less destructive solution. Why was this seemingly reasonable plan discarded after so many years of planning?

I attended a city-sponsored neighborhood briefing last spring that was billed as an opportunity for residents to hear about the plan and offer their input, yet the actual event involved only a bunch of cardboard charts and no chance to voice or hear each other's concerns.

It disturbs me that no action whatsoever has been taken to protect this vulnerable neighborhood from flooding in the full seven years since Hurricane Sandy, and now this questionable plan is being rushed through with little publicity or true community involvement.

You've waited long enough to take action, so it won't kill you to delay a little longer and figure out how to do the right thing. I'm certain there is a budget-friendly plan that will offer storm protection, preserve as much of the natural habitat as possible, and be safe and livable for residents while it's being implemented.

Think about how you would feel if you lived here.

Sincerely,
Donna Gellers

Donna Gellers, LMT, CHC

massage therapy, reiki & health coaching

www.donnagellers.com

www.healingfromwar.com

East Side Coastal Resiliency Plan Hearing - Oct. 3, 2019 - ULURP testimony

Subject of the hearing: East Side Coastal Resiliency Date of the hearing: Oct. 3, 2019 ULURP Committee Name: Subcommittee on Landmarks, Sitings, and Dispositions

Dear Council Member Adrienne Adams,

I want to thank you for the October 3rd hearing on the East Side Coastal Resiliency. I stayed for four hours at the Chambers but I had to leave before I could testify because of childcare constraints. I've already participated (like many other community members that came to the October 3rd hearing) to dozens of meetings regarding this project. I testified and I've made comments. I was even among the people who had the opportunity to meet with the Deltares expert hired by Manhattan Borough President Brewer and Council Member Rivera.

During the 10/3/19 hearing CM Rivera asked what is the reasoning that drives the preferred alternative and Commissioner Grillo said that it was 'constructibility'. This statement makes me worry. We seem to have lost the sense of our priorities. We need true and innovative flood protection and we need an effective project/process for resiliency. Constructibility cannot be the priority.

The preferred alternative is a very flawed project that won't protect our community for more than a couple of decades. It relies heavily on mitigating and doesn't contain enough interventions for adaptation to climate change. The preferred alternative would leave our communities still vulnerable to storm water surge, bathtub effect and other drainage issues. The East River Park was closed for many years and this project may keep parts of it close for many years depending at all sorts of complications that usually arise with projects of this scale. If we're really thinking of protecting the community we need to find away for a better project to be developed and not to rush to build a project that was developed behind closed doors by the Department of Design and Construction that aimed to make sure that the construction would be smooth.

We also have the opportunity to address a grave environmental justice issue. In the long term the FDR Drive will need to be decked, the asthma rates for the NYCHA residents' children are very high due to the air quality and the noise pollution is harmful to all nearby residents. We should look into the possibility of a project that includes addressing the FDR issues as part of our resiliency goals.

The experience of all the visitors to the new East River Park (whatever that will look like) will be compromised by the presence of ConEd. (This was the facility that exploded during Sandy and caused our electricity outage.) We haven't seen any presentations from ConEd about what will happen to their facility and whether there are options for the bulky and menacing machinery they have by the riverside to be moved on a pier or elsewhere so that it allows for a better park circulation and safer pedestrian experience. The City wants to build a Flyover Bridge, but this is not a real solution--I guess we'll enjoy better the view of the menacing ConEd mechanical station while pushing up strollers and wheelchairs.

A project that will offer to our community real flood protection requires innovative materials and design technologies that cannot be adopted by the City agencies unless they know that they'll be able to maintain them. A special funding stream for the long-term maintenance of the ESCR should be allocated to the park. The majority of the people living near the East River reside either in NYCHA or in rent stabilized or HDFC coop buildings and cannot afford to create a 'conservancy' or a 'trust', that's why the City should create an economic mechanism that could assist subsidizing the maintenance of the park.

Olympia Kazi <olympiakazi@gmail.com>

Dear Honorable Margaret Chin, Gigi Li and Carolina Rivera

I am writing to you to voice my opposition to the plan to pour landfill on East River Park and build an entirely new park on top of it for \$1.45 billion. I am also asking you to reconsider the other simpler plans that have been proposed by the community to leave the park as is, and instead build up gate/walls/barriers/panels along FDR Driver to stop future flooding of the FDR Drive and the buildings and residents that line it.

Here are my reasons why:

1. Climate change is happening because we have refused to practice sustainability. This plan to destroy a glorious park and build a new, fancier one on top of it, is a perfect example of a lack of care for our planet and the people who live in the area and use the park. I understand that the new plan is designed to use the park as a barrier to stop future flooding, however, that would be a great idea only if East River Park did not exist or was just a run-down piece of land. Then yes, go ahead and build your high-level park there. But that is NOT the case. The residents of the Lower East Side love their park just the way it is and you will do damage to the environment and create a greater carbon footprint and pollution with your new plan. If you don't stand up for us and for the planet who will you stand up for?

Your new plan also shows no concern for the citizens who need and use the park on a daily basis. You will deny us access to the park which we use the park for a number of reasons from:

riding the bike path to get to work, as I do,
to giving teenagers a place to participate in sports,
to providing lawns for children to play on,
and a place for older men to fish,
or for people to have picnics and parties,
for dogs to get exercise,
for seniors to sit on a bench and look at the river.

The list goes on and you are well aware of it. We beg of you, please do not destroy our park, our trees and plants, and our wildlife, and instead find a sustainable safe way to protect the community/buildings that lives along the river. You have the choice and you are choosing destruction and ruining what makes our community beautiful and livable for residents, not for your tourists and your egos.

A simpler more sustainable approach is to build some sort of barriers. This approach, is and continues to be, done in cities around the world and it is the solution that the community is asking for. The park is for us, the people who live her and for the rest of the NY'ers around the city who want to join us. It's not supposed to be a vanity project for the Mayor and way for construction and design companies to fill their pockets with money from extra contracts. Use the extra money you suddenly found, to improve the park not destroy it.

2. When I attended a meeting recently at Henry St. Settlement where we were told all about the new plan to destroy and rebuild the park to protect it from flooding. We were told that that an alternate plan to build a wall along the FDR Drive was rejected, because the construction crew would have to do the work at night. To that I say: "So what?!?!" There is absolutely nothing wrong with doing the work at night. It happens all the time, all over the city, as night is when there is less traffic. This is clearly an excuse and not a reason to reject the alternate plan, and it's laughable that it was even brought up as a negative. You work for us, your constituents, not for New Jersey commuters

3. Hurricane Sandy happened in 2012. It is now 2019. The city has done nothing to protect the residents and cars and highway on the East Rive from flooding. And now instead of putting up walls, panels, gates, which is the simplest most efficient and least expensive plan, you are going to wait even longer to protect us and instead build a fancy park that no one wants. You are being derelict in your duties. Please protect us, by building some barriers and leave our park alone.

4. This new decision to space out the work on your ESCR plan is a farce and everyone knows it. So now you are saying this bogus ESCR plan will take even longer to complete? How long will we lose our waterfront? Five, six, seven, ten years? What are we gaining nothing... Just a long period of destruction. Be honest about the many, many years that the residents of the Lower East Side will be kept out of our beloved park.

5. For many low income residents in the neighborhood, who can not afford to leave the city on weekends, the East River Park is their only access to nature, to an escape from the heat and crowds of the city. You can not take this away from them for years on end, especially during the summer. It will destroy the neighborhood and create chaos and anger.

From what I've heard, the alternate plan of building barriers can be done for less money, approximately \$760 million, and at night, and in sections. Think of all the things we could do with the rest of the \$1.3 billion you suddenly found for us. The Lower East side needs lots of help all around.. Please don't waste it on your vanity project.

Please, before you vote on this new plan to destroy our park, please allow a real, alternate plan to be represented and reviewed, and taken into consideration as an alternate plan during the vote, rather than shoving this new plan down our community's throat.

Please hire a REAL independent evaluator, not Hand Gehrels who's company Deltares stands to make money from NYC plans. We all knew there were back door deals and palms being greased to pass the ESCR plan.... now it's coming into the light of day.

Please do not destroy this park we so much love. It has character, it has charm, it has quirks and it is full of beauty. East River Park is our lung and if you close it you will suffocate us. Do your job and protect the community and you will be re-elected. If you got against the wishes of the community I fear you will not be elected again... Don't fall on your sword for the Mayor who finally is on his way out.

Thank you, Leslie Kramer

resident of East River Housing

<kramerleslie@yahoo.com>

East Side Coastal Resiliency Hearing Testimony, October 3, 2019
Subcommittee on landmarks, Sitings, and Dispositions

I am a 30 year resident of the East Village. I use the park almost every day. For much of my kids childhood the water was behind a big ugly chain link fence during the last endless renovation. This project is the first major attempt to address climate change in New York City. It'll set the template for what follows here and could be role model for other cities.

This is why it matters so much. And why you must vote no to this plan.

What started as a well-meaning if very, very slow process for a plan was upended last year by the city. We still have no complete answers as to why; there has been little transparency in this process. But we are left with a sense of betrayal and powerlessness; with a sense that, yes, cars and highways always take precedence. Our voices don't count.

The claim that there has been dialogue around this new plan is false. I've been to many many meetings. The city presents. We can respond but our questions and pleas are not answered. We are told they will be answered in writing at some future point. This has been going on for months and now we are told there is no choice but to move ahead and quickly.

Let's see this for what it is. A historic chance to get our response to climate change right. Let's look at how we protect ourselves in a sustainable way. Not by destroying a precious green space but by looking at best models for resilience that allow nature into the picture. And let's include the highway in the plan. There is no reason to wait to "green" or otherwise rework it.

Several people have evoked the children who marched. To be clear: They did not march to retain highways and kill trees. The planning department suggested that their bridges reform Robert Moses's work. No, they are leaving it in place...

The current plan is a 20th century answer to a 21st century problem. Let's instead think big and creatively -- not small and rushed. We are spending almost 1.5 billion -- of all our money -- on a plan that we are told will last less than fifty years at which point the city wants to dump more dirt on the new trees and start over. Surely we can do better.

This is about the future for our kids and grandchildren and the planet. Thank you.

Elisabeth Dyssegaard
115 East 9th Street
<edysegaard@gmail.com>

City Council - Hearing Testimony - Felicia Young, rector- Earth Celebrations- Lower East Side



Earth Celebrations'
ECOLOGICAL CITY
SATURDAY | MAY 11 | 2019

MAP

SCHEDULE

- 5 11AM START** Sixth Street Community Center 638 E. 6th St. btw. Aves. B & C, Lower East Side
- 1 11:50** 11th Street East Side Outside Garden 11th St. btw 1st Ave and Ave A - NE cor.
- 2 12PM** El Sol Brillante Garden 12th St. btw Aves A & B
- 3 12:10** Children's Workshop School 610 East 12th St. btw Aves. B & C
- 4 12:15** Campos Garden 12th St. btw Aves B & C
- 5 12:20** 9th Street Community Garden Park 9th St. NE cor. Ave C
- 6 12:30** La Plaza Cultural Garden 9th St. Ave. C SW cor.
- 7 1PM** De Colores Garden 8th St. btw Aves B & C
- 8 1:10** Carmen's Garden Ave C btw. 8th & 7th St.
- 9 1:15** Green Oasis Garden 8th St. btw Aves C & D
- 10 1:30** Orchard Alley Garden 4th St. btw Aves C & D
- 11 1:40** El Jardin del Paraiso 4th St. btw Aves C & D
- 12 1:50** Parque de Tranquilidad 4th St. btw Aves C & D
- 13 2:15** 6th Street Avenue B Garden 6th St. btw. Aves B & C
- 14 2:30** Earth School PS 364 6th St. Ave B SE cor.
- 15 2:40** 6 BC Botanical Garden 6th St. btw. Aves B & C
- 16 2:50** Sixth Street Community Center 6th St. btw Aves B & C
- 17 3:30** East River Park Site 1 Waterfront nr. 6th Street
- 18 3:45** East River Park Site 2 Labyrinth painting nr. Houston St
- 19 4PM** East River Park Site 3 Waterfront under Williamsburg Bridge
- 20 4:15** East River Park Site 4 Seal Park nr. Grand Street
- 21 4:30 CLOSING** East River Park Site 5 Waterfront nr. amphitheater at Cherry St.

LEARN MORE www.earthcelebrations.com

Earth Celebrations' ECOLOGICAL CITY: Procession for Climate Solutions is a community-based cultural and climate action project to bring together and celebrate climate and sustainability initiatives throughout the community gardens, neighborhood, and East River Park waterfront on the Lower East Side of New York City, connecting local initiatives to city and global climate challenges.

EARTH CELEBRATIONS is a non-profit environmental and cultural organization founded in 1991 on the Lower East Side of New York City to engage communities to generate ecological and social change through the arts. Our projects generate change on issues including: climate change, river restoration, waste management, and the preservation of community gardens, parks, and a healthy urban environment. Earth Celebrations has developed innovative strategies utilizing the arts, community engagement, and environmental action to build broad-based coalitions and cross-sector partnerships with local organizations, academic institutions, government agencies, schools, and community residents to impact positive change.

Felicia Young <felicia@earthcelebrations.com>

East River Park Testimony

Dear Council Members,

I think it is clear to everyone that we are at a turning point in political evolution. The forces that wish a system that fails so many to remain in place are pushing back against inevitable progress fueled by technology and moral awakening.

We all know that the motivation behind the way so many public projects are planned and funded has as least as much to do with who gets the money as the public good, whether mainstream media chooses to highlight this or not...although we may be arriving at "The Age of the Whistleblower."

It's obvious how history will view the elite decision making process making a highly questionable public safety choice most affecting the people nearest to East River Park, especially if a deadly weather disaster occurs during the project. You may never meet the people most affected over cocktails, and they may all not feel empowered to push harder than they already are, yet, but that is changing too. There is a lot of buzz lately about the history of Seneca Village, and many New Yorkers identify with the targets of that historic land grab.

Please choose to be the change, it happens one person at a time, and it's heroic. The Park does not have to die with the bad old ways. Let it live as a reminder that we can all do better.

Linda

<https://www.facebook.com/pg/playthepodcastsandhavefun>

<https://superherosway.square.site/>

<https://www.spreaker.com/show/thesuperherosway>

Linda DiGusta

<thesuperherosway@gmail.com>

Date of the hearing: Oct. 3, 2019
Subject: East Side Coastal Resiliency
Committee: Subcommittee on Landmarks, Sitings, and Dispositions

**Testimony of Justin Shaddix
in Defense of East River Park and the LES Community**

As a resident of the East Village and member of the LES community for the past 10 years, I value the green spaces we have access to. On weekend mornings I will sometimes open my maps app and look for green patches around Manhattan that I haven't visited yet. I treasure nature and the relaxation and connectedness it brings me.

I also value community and living in a city where people are happy and engaged with each other. On an average walk along the East River Park promenade, I will see dozens and dozens of NYCers playing, exercising, and building community together. It's this community building that is so important to the health of our city.

One of the greatest resources a city can provide is access to public recreational spaces. When so many of us live in small apartments without yards or large enough spaces to host gatherings, public spaces are the solution. And it's in these spaces that we regenerate, build stronger bonds, and become better people.

We live in an age when technology and innovation are here to help us solve complex problems. I urge the committee to investigate flood plan options that do not destroy the park or close it for years. I ask that the citizens who utilize this resource are considered in the decisions and the city look for a solution that improves flood protection AND helps people keep their recreational and social space.

East River Park is a treasure and helps us all be better members of the NYC community. Let's work together to find a solution that is beneficial to all.

Thank you.

Justin Shaddix
430 E. 9th St.

NY, NY 10009

Testimony: Carol Porteous, 10-8-2019
Subject: East Side Coastal Resiliency 10-3-2019 Hearing
Subcommittee on Landmarks, Sitings, and Dispositions

The public must have a chance to respond to the **"independent" expert's report**, which has been much delayed. The city's East Side Coastal Resiliency planning process has been marked by a disregard for community input. As I understand it, the city's preferred plan was introduced at the end of four-year-long community planning process, and disregarded the hard work that the community had put in and the decisions that came out of that process. The city has shown a lack of transparency about its plans and an unwillingness to engage with the community in the process, merely announcing changes at a very late stage on more than one occasion. It's unreasonable to announce changes to the plan the day before a hearing, and expect the community to absorb it all and engage about the latest curveballs, when that is the last public hearing. It's even more unreasonable to not have a hearing after the very late "independent" consultant's report is released. The public should have an opportunity to engage at this stage of the process. Last week's hearing should not be the last.

The independence of the consultant who was hired to evaluate the plans has been called into question: <https://www.boweryboogie.com/2019/10/east-river-resiliency-timeline-is-changed-but-where-the-hell-is-the-deltares-report/>. How can the market team manager for Deltares, a city contract recipient, be considered independent? It is disingenuous to respond to the community's outrage by hiring an "independent" expert who is working for the city!

Please start this independent consultant process over with truly independent consultants, and provide the community ample time to review the consultant's report and engage in the discussion before making a decision.

The city's revised Option 4 is a plan that prioritizes cars and Con Ed's needs over the people of the Lower East Side and ignores the climate crisis we're in. It takes away the people's park, and destroys mature trees and vegetation that we desperately need in this climate emergency (and brings in more artificial turf, I've heard). The destruction process will cause a deterioration of air quality and an increase in health problems.

Phased construction will prolong the negative effects. Two years of construction along the closed waterfront will make the adjacent areas that are open to the public very unpleasant places to be. And for five years, the disruption will have negative effects on the physical and mental health of people in the area. Not to mention the fact that Option 4, after destroying the history of the neighborhood, envisions an all new park designed for wealthy gentrifiers rather than long-time residents.

No doubt the park will be closed for longer than predicted. Remember how long Houston Street was under construction? City construction projects always take longer than planned.

My son and I have lived in or on the border of the East Village for several decades, and have used the East River Park a lot over the years in so many delightful ways: running, biking, picnics, team sports, or just hanging out by the water to write, meditate, or talk with a friend, to

catch a few rays of sunshine or watch an eclipse or fireworks...to experience a touch of nature in the big city with neighbors all around. Our lives have been enriched by the presence of the park nearby and the easy access to the river that it provides.

Please do not destroy our park! Reject East Side Coastal Resiliency Option 4, and reconsider the community Option 3. Leaving the park and construct a berm along the FDR Drive. Expand our park with decking over the FDR, and have dedicated bus lanes for non-polluting electric buses! And spend less money doing it! Why ever not?!

This critical moment in the history of the East Village, NYC, Earth is not a time when you can afford to get this wrong. This is not an issue where you have the luxury to merely juggle political pressures; this is about doing the right thing for human beings, the neighborhood, and the planet. It's about quality of life, and life itself.

Thank you for listening. After careful consideration...PLEASE DO THE RIGHT THING!

Carol Porteous

245 Avenue C, NY, NY 10009-2518

<carol.lynn.porteous@gmail.com>

The East Side Coastal Resiliency (ESCR) plan is very bad and must be stopped

I am a concerned citizen, voter, taxpayer, and 40-year resident of the Lower East Side.

This plan has been pushed through without sufficient oversight.

The City has still not provided the real answer as to why the original plan was discarded. While the area south of us gets a panel of 18 expert consultants our ESCR was developed in a backroom deal by a bunch of de Blasio's political appointees.

We need more ideas on what to do from more experts, including treating the park as a flood plain and building a wall by the FDR.

Do not delude yourselves or us into thinking this is a three year or five year plan. Without transparency, due diligence, and stringent oversight, these estimates will rapidly dissolve into open-ended nightmares--like the last renovation (which is already coming apart).

We demand answers from our elected officials.

Yours truly,
Marilyn Boteler
E. 2nd St.
New York, NY 10003
<marilyneire@aol.com>

L.E.S.P.I
LESPI-NYC.ORG

October 3, 2019

New York City Council Subcommittee on Landmarks, Public Sitings and Dispositions Hearing on the ESCR: CM Adrienne Adams, Chair

Good afternoon, I'm Laura Sewell, the Executive Director of the East Village Community Coalition. I also serve as a Board Member of the Lower East Side Preservation Initiative (LESPI), invited Section 106 Review consultants on the architectural resources in East River Park.

I'd first like to correct an error on page 7 of Chapter 5.4 in the Final EIS, which states that LESPI, among other organizations, "declined to participate in the Section 106 process". LESPI in fact accepted this invitation from the NYC Office of Management and Budget, and invested considerable effort in composing comments on the Draft EIS. The Final EIS includes responses to our comments, so we know they were received, and we hope this erroneous statement will be corrected.

First opened in 1937, the East River Park has three historic structures which date from its early years: The Marine Engine Co. 66 Fireboat House, currently home of the Lower East Side Ecology Center, and two Art Deco- style Comfort Stations. All three of these buildings would be seriously impacted or destroyed by the Preferred Alternative (Alternative 4) Resiliency Plan.

The NY State Historic Preservation Office (SHPO) has determined the Marine Engine Co. 66 Fireboat House to be eligible for the State and National Register. LESPI agrees with the SHPO that this building has architectural and historic value that warrants preservation.

We also believe that, because the Fireboat House has historically had a strong tie to the waterfront, it should be preserved in place. This scheme presents challenges, primarily that any plan to raise the height of the Park will have a significant effect on the public's ability to view and appreciate this building; and that the building could potentially be damaged when flood waters surge and back-flow between the building and the new 9-foot wall behind it. We believe that these challenges can be met, and encourage the City to take the opportunity provided by the new construction timeline to conduct a structural engineering study to explore options to better incorporate the building into the Park design.

LESPI seeks a commitment from the City to ensure the viability of the Fireboat House, a humble but historically significant structure which now serves as the home of the Lower East Side Ecology Center, and a commitment that the final design will not only allow, but enhance the building's ability to serve its valuable purpose and continue the organization's programs, which are of great value to the community.

LESPI believes that the two Art Deco Comfort Stations, located at the Brian Watkins Tennis Center (Broome Street) and the East River Park Track (near East 6th Street) should be identified as architectural and historic resources. Because of the rarity of Art Deco buildings on the Lower East Side, LESPI recommends their preservation and reuse or repurposing. Decorated with charming terra cotta river motif details, metal ornamentation and intact slate roofs, these Comfort Stations evoke the early phases of East River Park's history, and demonstrate the high level of craftsmanship employed in creating even the most utilitarian WPA structures. This idea was dismissed in the Final EIS because the LPC and SHPO had not identified them as such, but to the best of LESPI's knowledge the LPC has not had the opportunity to study them. LESPI believes it is well worth the effort to preserve these reminders of an important era of Lower East Side history.

Thank you for the opportunity to comment.







Please reconsider the disastrous East River Park Resiliency plan

Hello Elected officials,

My name is Margot Olavarria, a long-time East Village resident. I run in and enjoy the park every morning, along with hundreds of my fellow community members. I am beyond words, I am so upset by Mayor de Blasio's chosen plan to destroy the park. It would not only deprive us of recreation and kill 987 trees, countless plants, lawns, and displace precious birds, bees and other creatures, but it will also unleash toxic soil into the air, endangering our health, especially that of children living in the NYCHA homes along the park. Even ConEdison is critical of this plan.

The Dutch designed alternative, or the Save the Park community's alternative plan to lower the FDR and extend the park over to the buildings would be the safest, wisest, greenest solution to the threat of floods and hurricanes.

There is still time to DO THE RIGHT THING. Please reconsider and listen to the community.

Sincerely,
Margot Olavarria, Ph.D.
<molav99@yahoo.com>

Hearing: Oct. 3, 2019

Gist of testimony given before City Council, Subcommittee on Landmarks, Sitings, and Dispositions

Subject: East Side Coastal Resiliency

We have been fighting for seven years to stop the Parks Dept. from paving Van Cortlandt Park's Putnam Nature Trail into a bike speedway that would be harmful to the environment and dangerous to pedestrians. The Putnam is a unique wetland nature trail used by a working class Bronx Kingsbridge community.

This is part of a citywide pattern: they plan to pave over a mature grove in Ft. Greene Park and the East River Park, also in working class neighborhoods. With justifications varying from access and development to flood resilience, proposed plans have ended up as others more destructive to nature, and there is pressure to gentrify each adjoining area.

The Parks approach, asphalt as the default, isn't just pennywise. Nature isn't a profit center. Nobody has said the word "nature" today except Lucy (of Ft. Greene Park). How can you talk about climate crisis and never mention nature! ! If you pave nature you can public-private-partnership-ize it, and then it can be gentrified. Nature is our most basic common good. If they can take nature away from us, they can take away all our social needs -- housing, education, health care, everything.

Working people have the power to stop this attack and to tell the officials who claim to represent the public good - Nature: Save it, don't pave it!

Rita Freed

Date of the hearing: Oct. 3, 2019
Subject: East Side Coastal Resiliency
Committee: Subcommittee on Landmarks, Sitings, and Dispositions

Dear Council Members Rivera, Chin, and Powers, and Borough President Brewer,

Thank you for taking the time to review this testimony. I greatly appreciate the work that you do.

I have been a resident of the Lower East Side, at 477 FDR Drive, since August 2007. I have seen East River Park work its way through renovations (2009-ish), and enjoyed being in the park every day as an employee of the Lower East Side Ecology Center in 2013-2014. These days, I walk my dog in the park nearly every day, drop off my compost there, take the ferry from Corlears, and so much more.

I play in two street hockey leagues, one in Tompkins Square Park and one at Martin F. Tanahey Playground in Chinatown - our league at Tompkins was spared, but the Chinatown league has already moved to queens following displacement. Our asphalt will soon be replaced by turf to accommodate the displaced revenue-generating turf fields that will be lost by the impending East River Park shutdown: this demolition will not only impact the residents of the direct community, its destructive ripples have already extended far beyond.

I am a waste consultant in NYC, and have been working in the climate/sustainability field since grad school in 2011. Issues of coastal resiliency, climate-adapted infrastructure, and investment in projects that can withstand a future where natural disasters are a much greater threat to humans are dear to me - I think about climate change nearly every moment of every day. I dream of ways that we can adapt our cities today to work with, rather than against, our rivers and ecosystems.

The new plan to raze East River Park came as a shock to me. I am torn. We need massive investment, and I fully understand that drastic measures like the planned closure of East River Park are truly necessary if our cities are to continue to be thriving places that are safe, clean, efficient, and accessible. We must also do a better job of building habitats for wildlife into our urban spaces. A from-scratch redesign of East River Park could allow for such designs to be accommodated. However, we need to be smarter, more daring, and more future-oriented in our current planning.

Why rip down the park to spare a six lane highway? Why not take a page from other global cities and use those six lanes of FDR as a drawing board, building flood resilience infrastructure on top, while rebuilding the highway into a tunnel?

Low income residents of the community use the park every weekend. What spaces will be available for them once the park is closed? The trees and native plants that the Ecology Center and community members have worked so hard to foster over the last decade+ are an essential habitat for wildlife that already has a hard enough time living here in the City - what will be the toll of destroying an entire coastal ecosystem on these creatures? What will happen to the compost site that our community depends on? And how long will it take for new trees and greenery planted in this new park to have the same CO2 storage effects of the trees that already shade our beautiful park? I'm sure you've already seen photos of our park's hawk, but I'm attaching my own from last month, just in case.

FDR Drive is a dirty nuisance. It is an open, noisy, heat-absorbing pit. It is a barrier between our entire neighborhood and the Park. Why not renew efforts to turn FDR Drive into a tunnel, and build the necessary berm and adaptive infrastructure on top of it? The width of six+ lanes of traffic is surely enough for a berm, bike lanes, pedestrian access, and so much more. Not to mention the impact it would have on air pollution, noise, and quality of life for all residents of the neighborhood. FDR Drive itself could certainly use some improvements too, especially further North of here. Boston's Big Dig, while an expensive and fraught project, has had an invaluable positive impact on the entire surrounding community and the City at large.

I again want to thank you for your tireless work supporting all Manhattan residents and New Yorkers in general. Thank you for taking the time to review these thoughts.

Meredith Danberg-Ficarelli
4** FDR Drive

<meredithdf@gmail.com>



Date of the hearing: Oct. 3, 2019

Subject: East Side Coastal Resiliency

Committee: Subcommittee on Landmarks, Sitings, Date of the hearing: Oct. 3, 2019

Does New York City have a comprehensive flood management plan? Is there any overall urban vision for climate change?

Turning East River Park into a 10 foot high fortress -- as dictated by plans 4 or 5 -- to try to block water surges does not address the issue. Water will go elsewhere (just like a leak in your house): perhaps travel up or down the east side of Manhattan, or bounce back to Brooklyn. Is there any overall vision of real flood protection for all of New York City? All the boroughs? One that can be executed in sections, and really make sense in how they connect?

The previously developed plan, done with community, city and federal input, attempted to establish the East River Park as a floodplain, which would absorb unusual surges of water, with a sizable berm blocking further flood intrusion into roads, offices, and dwellings. The existing park gives us a great advantage, IF ALL SURFACES -- lawns, gardens, tennis courts, playing fields, etc. -- are retrofitted to be fully ABSORBENT.

The current proposal is shortsighted. It singles out East River Park to turn into a laboratory to test erecting an enormous earth wall -- at the expense of all those who live in Stuyvesant town, the East Village, Alphabet City, the Lower East Side, and NYCHA housing. While PARIS's mayor is planting "urban forests" & re-purposing roads (nytimes sun. 10/6/19)..... Mayor de Blasio pushes to bulldoze 1000 co2-absorbing trees & destroy 60 essential green & recreational acres @ EAST RIVER PARK!

Elizabeth Gaynor

2** 1st Ave

(P.S. I have yet to locate evidence of any "sick" trees, biking for years through the length of the park. Can anyone substantiate -- with photos & locations-- the claim that 1/3 of them are dying?)

<egaynor1@gmail.com>

East Side Coastal Resiliency

Testimony to the City Council Subcommittee on Landmarks, Sitings and Dispositions

The East Side Coastal Resiliency plan for East River Park (ESCR) is meant to protect us from the unfortunate consequences of climate change—storm surges and rising sea levels. Paradoxically, the current plan is so environmentally destructive that it will contribute to climate crisis.

A massive construction project with 8-10 feet of landfill over 57 acres takes far more energy and resources than developing a floodable, resilient coastline and flood protection along the FDR.

Demolishing a living park filled with greenery, playing fields, and 1,000 mature trees robs us of cleansing and cooling air and the mental health benefits our densely populated, modest-income neighborhood needs.

A staff member of a key City Council member tried to persuade me that demolishing the park was not significant in the greater world of climate change. He told me, "900 trees does not a clean earth make."

I beg to disagree.

Shaun Donovan, HUD secretary in the Obama Administration said, "If every government worker who works on any issue that has to do with the physical design of cities thought of themselves as in the resilience business, we could make an enormous difference. Every time we plant a tree, every time we redo a sidewalk, every time we redo a roof—every one of those decisions has the potential to contribute to the resilience of our communities. ...Part of Rebuild by Design was saying every department in your government is a resiliency department, whether it's Sanitation or Parks. Every one of them has the power, through the accumulation of a million small decisions, to make the city more resilient... We can create a culture of resilience."

Give us true resilience, not a so-called resiliency plan that will further imperil the earth's climate.

Pat Arnow
5** Grand St.
New York, NY 10002
<http://www.arnow.org>

<arnowp@gmail.com>

**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: 10/3/19

(PLEASE PRINT)

Name: Mitdell J. Silver

Address: 830 Fifth Avenue NY, NY

I represent: NYC Parks

Address: 830 Fifth Avenue NY, NY

**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: _____

(PLEASE PRINT)

Name: Rita Freed

Address: 80 Knolls Crescent, BX

I represent: Putnam Nature Trail

Address: Van Cortlandt Pk., Bronx

**THE COUNCIL
THE CITY OF NEW YORK** ESCR

Appearance Card

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

☐ in favor ☐ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Damaris Reyes

Address: _____

I represent: Good Old Lower East Side (GOLES)

Address: 171 Ave B, New York, NY 10009

**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: 10/3/19

(PLEASE PRINT)

Name: Alyssa Cobb-Koran

Address: 830 Fifth Avenue, NY, NY

I represent: NYC Parks

Address: 830 5th Ave, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0545 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lacey Tauber

Address: _____

I represent: HPI

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: 10/3/2019

(PLEASE PRINT)

Name: Dan Wiley

Address: 500 Pearl St

I represent: Congress Member Nydia Velázquez

Address: 500 Pearl St

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. 5181 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lacey Tauber

Address: _____

I represent: HPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Justin Pascone, Director of Policy

Address: _____

I represent: Building Congress

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548349 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Felice Farber, Senior Director of Policy & External Affairs

Address: _____

I represent: General Contractor Association

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. 348549 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Santos Rodriguez *Director of Community Affairs Strategic Initiatives*

Address: _____

I represent: Building & Construction Trades Council of Greater NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 5181 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MALCOLM Punter

Address: _____

I represent: HARLEM Congregations for Community Improvement

Address: 256 West 152nd Street, NY 10039

**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: 10/3

(PLEASE PRINT)

Name: PAT ARNOW

Address: 572 GRAND ST 1902

I represent: EAST RIVER PARK ACTION

Address: same

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: _____

(PLEASE PRINT)

Name: DeReese Huff

Address: 205 Ave E

I represent: Tenant Association

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: 10/3/19

(PLEASE PRINT)

Name: Dave Braswell

Address: 134 Ave D #6B

I represent: Coda, Henry St Settlement

Address: 265 Henry St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 588-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: BRUCE JACOB

Address: 4418 N

I represent: Coalition of FRODOGARYC

Address: 10

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

THE COUNCIL
THE CITY OF NEW YORK

ESCR

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☐ in opposition

Date: Oct 3, 2019

(PLEASE PRINT)

Name: Mimi Milena Leznicki

Address: 125 E4th St #26 NYC 10003

I represent: East Village residents & others
who use East River Park.

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. 549

☐ in favor ☒ in opposition

Date: 10/3/2019

(PLEASE PRINT)

Name: ANDRE DUPUIS

Address: 40 WATERSIDE PLZ 10A

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

ESCR

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____

☒ in favor ☒ in opposition ALT. 4

EAST RIVER PARK Date: OCT. 3 2019

(PLEASE PRINT)

Name: DR. AMY BERKOV

Address: 208 EAST 6 ST. 27 NY NY 10003

I represent: CITY COLLEGE OF NEW YORK

Address: CONVENT AVE @ DEPT. BIOLOGY

138 ST.

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. 549 Res. No. 548
☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CHRISTINE BOOKIN

Address: 643 E 13 St

I represent: Campes Plaza II

Address: East 13 + 14 St Ave
C + B

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____
☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: DANIEL MEYERS

Address: 170 Ave C NYC 10009

I represent: EAST RIVER PARK LOTION

Address: Same

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____
☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: FELICIA YOUNG

Address: 638 E 6th St, NYC 10009

I represent: EARTH CELEBRATIONS

Address: 638 E 6th St

**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: 10/3/19

(PLEASE PRINT)

Name: Ines De La Nuez
Address: 80 Pitt St NY NY 10002
I represent: Seniors / Grand Street Settlement
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: _____

(PLEASE PRINT)

Name: RENA ANASTASI
Address: 159 ESSEX ST #3B
I represent: EAST RIVER PARK
Address: _____

**THE COUNCIL ESCR
THE CITY OF NEW YORK 548-549**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 10/3/2019

(PLEASE PRINT)

Name: ROBERT FINK
Address: 411 EAST 10TH 18F
I represent: Village East Towers
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. 548549

☒ in favor ☐ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Falice Farber

Address: 133 E 6th St NYC 10009

I represent: General Contractors Assoc. of NY

Address: 133 E 6th St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

548549

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Dianne Lake

Address: 323 East 10th St. NYC

I represent: East River Alliance

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Stephen Albonesi

Address: 488 Madison Ave.

I represent: Municipal Art Society

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. 549

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Kenneth Colosky

Address: 527 Grand St.

I represent: my neighborhood

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 / 549 Res. No. _____

☐ in favor ☒ in opposition TO CURRENT

Date: 10/3/19

(PLEASE PRINT)

Name: WENDY BRAWER

Address: 175 Livingston St #1D NYC 10002

I represent: myself as a Green Map System

Address: 292 E 3rd St #1A 10009

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: MAYA CHAFE

Address: 91 E 3rd St. #22

I represent: Citizens of The East Village

Address: see above

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. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: HARRIET HIRSHORN

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-49 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Lenore Goldstein

Address: 745 E 6th St 3A

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0528 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Susan A. Brown

Address: 426 Bay Ridge Pkwy

I represent: Bay Ridge Pkwy Doctors Row

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: _____

(PLEASE PRINT)

Name: Marie de CENIVAL

Address: 20 Clinton St.

I represent: EAST RIVER PARK ACTION

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: _____

(PLEASE PRINT)

Name: Kate Horsfield

Address: 101 AVE D 6E

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☒ in favor ☐ in opposition

Date: 10.3.19

(PLEASE PRINT)

Name: Lynn Kelly

Address: 55 Broad St, 23rd Fl.

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. 548549 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Vukobratovic Jones

Address: 675 Water St

I represent: LES Power Partnership

Address: POB 1063 Stue, Staten

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 5181 Res. No. _____

☐ in favor ☐ in opposition

Date: with opposition on 10/19/15

(PLEASE PRINT)

Name: Bruce Jacobson

Address: 448 Rockaway Beach Rd

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. 549

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Elisabeth Dysregaard

Address: 115 E 9th St #602 NYC 10003

I represent: _____

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

549

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Greg Rybalov

Address: 5100 East 23rd St #116 M

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Kim Joyce

Address: 155 RIDGE ST Apt 4F

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Al Morales

Address: _____

I represent: UNITED Athletic Association

Address: _____

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

Rec'd
Comfort station
@ Murphy
Brook's park

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548/9 Res. No. _____

☐ in favor ☐ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Seth Cohen

Address: 205 E. 22nd St, 6L

I represent: Peter Shoykhet Litter League

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548/549 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Nancy Ortiz / Camille Napoleon

Address: _____

I represent: Uadeck Houses / Boruch Houses

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548, 549 Res. No. _____

☐ in favor ☒ in opposition

Date: Oct. 3

(PLEASE PRINT)

Name: Kim Sillen

Address: 530 Grand St.

I represent: Grand Street community

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: _____

(PLEASE PRINT)

Name: Alexis Adair

Address: 527 E 12 St.

I represent: 12th St. Block Assn

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: 10/3/2019

(PLEASE PRINT)

Name: OLYMPIA KAZI

Address: 616 E 9th St NY NY 10009

I represent: MY SELF

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: ANNE JOHNSON

Address: 170 AVE C #15-H My My 10009

I represent: _____

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. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: BILLIE COHEN

Address: 105 BOWERY NY

I represent: MYSELF

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Barbara Augshuber

Address: 519 E 12 street

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. C190357 Res. No. 548-549

☒ in favor ☐ in opposition

Date: 10/03/2019

(PLEASE PRINT)

Name: Joseph Colella

Address: 87 27th Ave, Brooklyn

I represent: New York Building Congress

Address: 1040 Ave. of Americas

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. 548-549 Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Sabura Abdur-Rashid

Address: 373 E. 8th St

I represent: LOSAIDA Residents

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. 549

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Laura Sewell

Address: 441 E 12th St 3C

I represent: Lower East Side Preservation Initiative

Address: 232 E 11th St. NYC 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Kendra Krueger

Address: 533 E 6th St

I represent: East Village Residents

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. 546-549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Daniel Taimon

Address: 112 Rivington St. Apt. 5B NY NY 10002

I represent: Myself - Resident

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10.3.2019

(PLEASE PRINT)

Name: Rita Kelly

Address: 9 Gayles St Oval - 4D

I represent: myself

Address: Rh

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. 549

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Yvette Rivera

Address: 473 FDR DR, NY, NY 10002

I represent: LES-OLS LL

Address: 213 Stanton St., NY, NY 10002

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548/549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/03/19

(PLEASE PRINT)

Name: MURPHY NICOL

Address: 573 GRAND ST

I represent: EAST RIVER PARK

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Howard Brandstem

Address: 638 E. 6 Street

I represent: Sixth Street Community Center

Address: 638 E 6 Street, NYC 10009

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: JEN CHANTIRANAPICHATE

Address: 638 E 6 Street

I represent: EAST RIVER PARK ACTION

Address: 638 E 6 Street NYC 10009

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. 348549 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Jamie Torres Springer, First Deputy Commissioner

Address: _____

I represent: Dept of Design & Construction

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Jainey Banishi, Director

Address: 253 Broadway, 14th Floor

I represent: Mayor's Office of Resiliency

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548549 Res. No. _____

☒ in favor ☐ in opposition

Date: 10-3-19

(PLEASE PRINT)

Name: Lorraine Grillo, Commissioner

Address: _____

I represent: Department of Design & Construction

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. 1521 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Maria Trinidad

Address: 344 E. 28 ST.

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Fannie TP

Address: 25 Montgomery St #12B

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 10/3

(PLEASE PRINT)

Name: Bonnie Lane Webber

Address: 1155 PARK

I represent: Sierra Club NYC Group

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: _____

(PLEASE PRINT)

Name: Claudia Bernstein

Address: 85 Columbia St.

I represent: East River Park Action

Address: 638 E. 6th Street Community Ctr., LES

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 11/13

(PLEASE PRINT)

Name: Lucy Kotter

Address: Brooklyn

I represent: Swish Club NYC Group

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Maisha Morales

Address: _____

I represent: LES Community & family member

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Roland Lewis

Address: 217 Water St 20 Stephen Ct. Bklyn

I represent: Waterfront Alliance

Address: 217 Water St. NY NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LU-518-2019 Res. No. _____

☒ in favor ☐ in opposition ESCR

Date: _____

(PLEASE PRINT)

Name: Inever Holland

Address: Community Board 3 -

I represent: _____

Address: As Gov't Agency

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: DANNY RAMIREZ

Address: 191 EAST 3RD ST #5B N.Y. N.Y. 10009

I represent: _____

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: _____

(PLEASE PRINT)

Name: Adam Hartke

Address: 349 E 19th St

I represent: CB SIX

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: _____

(PLEASE PRINT)

Name: BOB K...

Address: 4418 Hockley St, Brooklyn

I represent: COG/CH/ST 44 Hockley

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: MARIAH STANCARONE

Address: 763 E AVENUE A - # 20F, NYC 10009

I represent: EAST RIVER PARK ACTION

Address: 6th ST. COMMUNITY CTR - East 6th St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____

☐ in favor ☒ in opposition

Date: 10/3/19

(PLEASE PRINT)

Name: Charles Keene

Address: 376 E 4th ST NYC 10009

I represent: LUNGS

Address: 428 E 10th ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Tom O'Keefe

Address: _____

I represent: DSA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: DANIELLE CITY

Address: _____

I represent: SELF

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: _____

(PLEASE PRINT)

Name: Gale Brewer

Address: 1 Centre Street, 19th Floor

I represent: Manhattan Borough President

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: 10/03/19

(PLEASE PRINT)

Name: Lingxia Ye

Address: 500 Pearl Street

I represent: Congress member Nydia Velazquez

Address: 500 Pearl Street

**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: 10-3-19

(PLEASE PRINT)

Name: Senator Brian Kavanaugh

Address: 250 Broadway, #2011

I represent: Self

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. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name:

Christine Datz-Romero

Address:

299 E 8th St

I represent:

Lower East Side Ecology Ctr

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 548 Res. No. _____

☐ in favor ☒ in opposition

Date: 10.3.19

(PLEASE PRINT)

Name:

Yvette Mercedes

Address:

LES PARK

I represent:

Baruck Houses

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: Oct 3, 2019

(PLEASE PRINT)

Name:

Lucy Koteen

Address:

138 Lafayette Av, Brooklyn

I represent:

Self

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. 548-549 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Allie Ryan
Address: 648 E. 11th St, #D1 10009

I represent: Myself and my family

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: 10/03/2019

(PLEASE PRINT)

Name: Minelly De Cob
Address: 253 Broadway, 10007

I represent: Mayor's Office - Dep. Mayor for Ops.

Address: City Hall

**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: 10/2/19

(PLEASE PRINT)

Name: Sam Moskowitz
Address: 25 Montgomery St.

I represent: Myself

Address: _____