

January 16, 2020

By e-mail and regular mail:

Mr. Nate Grove, Chief of Waterfront and Marine Operations
New York City Department of Parks & Recreation
The Arsenal, Fourth Floor
Central Park
New York, NY 10065

Re: Proposed Project At 79th Street Boat Basin

Dear Nate:

Our Parks & Environment Committee was pleased to hear your team's presentation on the proposed project for the 79th Street Marina at our December 16, 2019 monthly meeting, and to commence our dialog with you concerning this very significant project in our community. We are glad that a very large amount of money has been allocated for the project, including long-awaited FEMA funds. We are also very pleased that your approach seeks to emphasize resiliency/sustainability and environmental responsibility.

We are especially pleased that you came to our committee at a relatively early stage of the project, well prior to the completion of the Schematic Design, enabling all of us to share ideas and concerns regarding overall goals, design elements and process before anything is set in stone. In that spirit, we are also grateful that you have already conducted two listening sessions with current users of the Boat Basin, including the community of year-round live-aboard residents.

We write to memorialize various issues and concerns about the project that we identified and discussed with you at the December 16 meeting, as well as some additional issues that we have identified since then.

The length of this letter and the detailed nature of the comments below are intended to embrace the spirit and openness with which you approach the project and the community, and the common effort to maximize the benefits that will flow from the extraordinary investment in our beloved Riverside Park that this project represents.

Construction Coordination and Other Construction Issues:

As we discussed, we are concerned about coordination between this project and another massive project in its immediate vicinity, NYC DOT's restoration of the Rotunda. That project may start construction in 2020, and it will continue for several years at a minimum. During much or all of that construction period, the recently instituted inland route mandated for cyclists between 72nd Street and 83rd Street will be unavailable to cyclists, who will again be joining all other park users on the Esplanade path

along the river. The ballfields in the mid-70's adjacent to the Esplanade will also be unavailable to park users in whole or in part during the Rotunda construction.

CB7 looks forward to assisting all involved agencies in whatever ways make sense to minimize any negative impacts, and to facilitate completion of both projects, as they move forward.

Some of our specific concerns:

1. **The Esplanade should remain open to park users throughout the entirety of the Boat Basin project.** We understand that you will be connecting utility lines, including sewage lines, to points landward of the Marina, and that such new lines will presumably be carried under the Esplanade. But we urge that such connections be made without impacting Esplanade use.

2. **There should be no staging on land.** We appreciate your assuring us that the Boat Basin work itself will be done from the water. But having no staging take place on land is also essential to prevent the separate or cumulative effects of the Boat Basin and Rotunda projects causing the bifurcation of Riverside Park and blocking the interflow of all park users through the Esplanade. Thus we believe that it is important that the staging areas for the Boat Basin project, including equipment storage, be located on barges or otherwise in or on the water, and in any event not on park land in or near the Boat Basin and the Rotunda – there simply isn't room for any staging activities there. For these reasons, and on general principles of placing park users first, we also urge that **no worker, contractor or other vehicles ever be parked in Riverside Park.**

3. **Environmentally friendly practices.** We discussed with you concerns about safe disposal of polluted dredged material, use of environmentally safe treated wood, etc. We understand that this is mandated by FEMA and State and City environmental requirements, and we will be interested in the details as they emerge.

4. **Resilience to local river conditions:** Some of our commenters have noted concerns about the impact of local wave, wake and current conditions on the resilience and longevity of these piers. For instance, we understand that though the piers at Brooklyn Bridge Park are new and were considered state-of-the art, they have suffered premature deterioration. The ratio and placement of floating piers versus fixed piers is an important consideration, among others.

Allocating and Balancing Financial and Spatial Resources:

CB7's primary focus and concern is that any project in our District best and most fairly serve our very broad user group. Our parks should and do serve everyone, and Riverside Park is particularly heavily visited by a very broad population of our constituents for a variety of active and passive recreational uses. We also recognize that the Boat Basin is a New York City facility and that it attracts (as does Riverside Park generally) users from around the city and from around the country and the world. Because of its long, linear nature, Riverside Park is particularly subject to constant competing demands for its limited real estate. The Esplanade pathway adjacent to the river is already overtaxed by heavy and varied uses. The adjacent sections of the Hudson River itself are also scarce resources, and how space in the river is allocated is important to our community.

Further, we are now in a very different era from that when the Boat Basin was planned and built more than eighty years ago. The size of our community's population, and the recreational and commuter uses of Riverside Park, have increased dramatically since the Robert Moses era, and continue to increase as more and more tall residential buildings are built in our neighborhood. Also, our relationship to the Hudson River, which was, and continued to be for some decades, a railway industrial site to the almost

immediate south of the Boat Basin in the 1930's, has changed. We now have a host of recreational users actually on the river – scullers, kayakers, personal watercraft riders, etc. – even swimmers. But more broadly, how we all engage with the river has changed, and is and should be continuing to evolve. The river is now cleaner, climate change is and will continue to raise its water levels, and our notions of ecology and sustainability have become increasingly sensitized.

For these reasons, with this massive once-in-several-generations investment in the Boat Basin, it is important to CB7 that infrastructure and operations going forward maximize opportunities for our constituents, and all New Yorkers and visitors, to engage directly with the river for regular active and passive recreation, ecological education and engagement, etc. While we fully understand that the Boat Basin is a New York City facility primarily intended for dockage and mooring of boats – and that those activities produce revenue for the city's General Fund -- we strongly believe that such uses can and must also accommodate greatly enhanced access to the river by otherwise land-based park users, as compared to in the past.

Some of our specific concerns:

5. The project should foster a continuing viable and vibrant community of “live-aboards” at the Boat Basin. The infrastructure improvements are welcome and environmentally responsible, and they should serve the live-aboards well. In addition, the design and arrangement of the dock structures, and the permitting procedures, should facilitate the safety, privacy and convenience of this community. Further, to the extent that the live-aboards may be displaced for any of the construction period, DPR should assist them in locating alternative docking locations for such periods, preferably as near our community as possible.

6. The project should include provision for the permanent restoration of the free kayaking program in Riverside Park. The free kayaking program formerly located in Riverside Park at 72nd Street, which was managed by volunteers for years, served approximately 100,000 enthusiastic users until a broken piling several years ago rendered the dock unusable, which caused the program's suspension. Restoration of a free kayaking program in our District in Riverside Park has been a strong CB7 budget priority ever since then. As you are aware, CB7 was able to obtain funds for DPR from Council Member Rosenthal and Borough President Brewer to restore the dock, but estimated costs escalated as the project scope seemed to expand, so the project has not yet moved forward.

Ideally, the new free kayaking facility should be DPR property, and the program should be run under permanent DPR sponsorship. But we are advised by the Manhattan Community Boathouse, which ran the 72nd Street program in its most recent years of operation, that their dock is almost completely restored and could be returned to Riverside Park, and that during the operational season kayaks could be stored on it, rather than in the Rotunda garage. They have also advised informally that, as we understand it, the free kayaking program could be viably maintained anywhere north of Pier I up to the south side of the northernmost pier of the Boat Basin. Given that many elements that escalated the projected costs of restoring the 72nd Street site (dredging, permits, etc.) are already included in the Boat Basin project, including a permanent location and infrastructure for a free kayaking program in this project fits perfectly with all priorities. But how and where users of the program will queue, where the movable lockers will be stored, etc., need to be worked out as part of this overall Boat Basin project. **(We want to work with you -- and presumably with MCB -- on an ongoing basis on the details.)**

7. Concerns about the impact on other park users of the expanded and altered docks that are proposed.

a. **Safety and security.** Some of us questioned the number of proposed access gates to the expanded marina, particularly the southernmost one. We ask that you consider whether safety and security might be best served by a single, central gate for normal use.

b. **Sight lines.** Some among us have expressed a variety of concerns about potentially impaired sight lines resulting from the project, most specifically as a result of the larger, raised dockhouse in the new proposed location and from the four new fixed piers – if the available budget ultimately results in their actually being built. Some have noted that the proposed relocated dockhouse is so large (and so elevated for sustainability reasons) that it appears that it will block sight lines to the river for many park users, including, notably, the users of the adjacent ballfields. More generally, the four large new fixed finger piers, extending the Marina southward along the Esplanade for blocks beyond its existing southern boundary, will present quite a different river to park users – including the thousands of recreational users and commuter cyclists who traverse the Esplanade -- from what they see now. Rather than seeing open river for numerous blocks above 72nd Street – including vistas of the varied river traffic and the mooring fields in the middle distance -- they will see large fixed piers lined with private boats. This change may be welcome to some park users, but it may be unwelcome to others. We understand that the rationale behind these new docks is to reduce the waiting list for seasonal slips, including for fairly large boats, and that they will also increase revenue for the NYC General Fund from increased total dockage fees. But there is concern that those goals be balanced against the impact on the multitude of land-based park users.

c. **Crowding, etc.** We also ask that planning for the new facility take into account the risks of further crowding on the Esplanade, which is already heavily used by so many from our community and elsewhere. Because the mandatory inland cycle bypass will not be available during the lengthy construction period of the Rotunda project, and it is not clear whether it will be restored after that project is finished, the safety issues from crowding in this area will on an ongoing basis be more formidable than ever. We look forward to working with you and all parties to minimize the cumulative effect of such crowding.

d. **Commercial use/concessions:** As you mentioned at our December 16 meeting, a prior concession for commercial excursion boat trips out of the Marina was discontinued because of lack of parking, etc. We are concerned that non-dockage commercial use of the Boat Basin – whether for boat excursions, special events, etc. —would be inconsistent with the heavy demands of normal park users and would introduce additional demands very different from those currently accommodated by the Park and the Boat Basin. Aside from the parking issue, we are concerned about crowding, drunkenness, trash, smoking, etc. by one-time patrons of such events. These considerations of course would also relate very strongly to any new ongoing concessions at the Boat Basin. We ask that any consideration of a new concession at the Boat Basin (regardless of whether labeled as “major” or similar by DPR) be brought to CB7’s attention at the earliest opportunity, and well prior the formulation of any RFP. (We have worked constructively and successfully with DPR on many concession issues in the past.) We also urge the same with regard to any large-scale special event.

e. **D-Dock. We are also unclear about the intended purpose(s) of the extensive new D-Dock.** Is it to accommodate short-term dockage of extra-large boats? You mentioned to us, we believe, special events and educational events. Has A-Dock proved to be insufficient for educational events, such as the regular visits by the Clearwater? What type(s) of special events are you contemplating at D-Dock, or at other locations in the Boat Basin? Would they all be DPR-sponsored events, or also privately sponsored special events? (See above concerning commercial use.) You responded to one of our committee member’s question that there would be limited public access to D-Dock. What did you mean by that? Also, is D-Dock’s portion of the wave screen essential to the protective effect of the wave screen as a whole? **Our learning the answers to these and related questions now will facilitate our timely review of this project.**

f. **The new dockhouse:** We are unclear on the purpose of the outdoor deck on the new dockhouse. Is it intended as a space for special/private events?

A-Dock:

8. **We are concerned that A-Dock (also known as the Public Pier) be and remain open to park users as much as possible, both during construction and in general.** This newly reconstructed dock is a fabulous public resource. It permits park users to engage with the river in a special way, different from the on-land experience. And perhaps even more importantly, it permits park users to escape the crowded Esplanade for a separate experience of contemplation, active exercise, resting at the picnic tables, or whatever. This will be all the more important very soon, when the inland cycle route is closed off for several years because of the Rotunda construction, and the vast number of commuting and recreational cyclists start sharing the Esplanade from 72nd to 83rd Streets with all other users again.

9. **As a separate but overlapping matter to this capital project, we have been concerned that A-Dock/Public Pier has been closed during the winter months since its recent restoration at enormous public expense.** The arguments that A-Dock was closed in the winter months in the past, and that occasional snow or ice conditions require its closing, do not seem to justify its routine closing for the entirety of each winter. Now that the dock has been restored to very solid condition, and with global warming making its year-round use all the more attractive to many park users, it doesn't make sense to re-establish an outdated seasonal schedule as the standard now and going forward into the future. Also, given that the dockhouse is staffed at all times, it should not be difficult for staff to close off the pier on those few days when weather conditions make that advisable. **We do not want to wait for the plans for the Boat Basin capital project to be finalized, much less for construction to be completed, to resolve this issue with you.**

PDC/LPC/Other Agency Review:

10. We understand that you will need clearance from the NYC Public Design Commission (and possibly to some extent from the NYC Landmarks Preservation Commission), as well as a variety of other state and local agencies, before finalizing the designs for this project. We are eager to facilitate those processes with you, so that the project may proceed most expeditiously. Please be sure to present to us, at future Parks & Environment Committee meetings, the full presentations that you intend to make to PDC or LPC (and any other agency for which our input is useful or mandatory) well in advance of any such agency presentations.

Future Maintenance and Long-Term Resiliency:

11. Given increasing climate change, the ironic negative impacts of cleaner river water that you mentioned, and in general the particular wear and tear on water-based structures such as those being built here, we are concerned that the need for, and costs of, future maintenance be taken into account. This capital allocation presumably must (and should) be used to pay for the restoration and renovation of the marina. But how are future disaster recovery/maintenance costs built into the planning equation?

12. The long-term resiliency of the proposed work is also a serious concern. You advised, we recall, that the projected life span of this very expensive project is a half-century or more. Climate change during that period appears almost certain to cause a significant rise in the level of the river. When we worked with the DPR marine engineering staff earlier in this decade on the then-proposed restoration of A-Dock, we discussed whether its proposed height would be adequate in the face of rising water levels. We were advised that it would, but also that the maximum height of the Boat Basin piers was necessarily

driven by the height of the adjacent Esplanade. Superstorm Sandy then intervened, not only doing significant further damage to A-Dock as it then existed (thereby increasing its restoration cost by several multiples), but also flooding the Esplanade.

It sadly appears that at some time in the long-term (or even medium term) future the lower pathways of Riverside Park may have to be elevated, which would be a massive undertaking. (The current Master Plan for Riverside Park projects all or part of the path along the river being under water by 2050 because of climate change.) Worse yet, the current river-front path may even have to be eliminated, requiring a connection between the Boat Basin as it then exists and higher locations in the park. We look forward to hearing from you prior to or at future presentations about your team's thoughts on how to balance the inevitable effects of climate change with the proposal to build, at current Esplanade grade level, new fixed structures that will be almost certainly be seriously impacted by such climate change.

Going Forward Together:

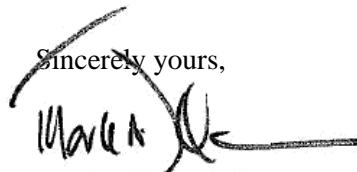
13. As we discussed, we will welcome you back to discuss the plans as they are developed and refined, as early and as often as practicable. Among other things, we look forward to reviewing updated plans and designs so that we may timely offer relevant comments, and facilitate the review and -- assuming and to the extent our CB7 colleagues at our Full Board vote their support -- the approval process at PDC and LPC.

We find that an ongoing dialog between CB7 and the relevant agency and its agency partners and consultants is the way to achieve the best results on behalf of our community, and on behalf of all beneficiaries of a major capital project such as this one. **In the meantime, we would appreciate it if you could provide responses to the factual questions that we have raised in this letter.**

14. Also, to the extent that budgetary considerations end up dictating a reduction in scope of the project, or dredging reveals unanticipated conditions that affect the nature or scope of the project, please advise us at the earliest opportunity and bring us into the discussion. In that connection, we are unclear about one thing that you said at our December 16 meeting. We understood that dredging would come first, and that the cost of dredging (as well as unanticipated complications revealed by the dredging) would drive the realistic scope of the actual construction. But we think that you may also have mentioned pilings being installed as an early step, and prior to determining the final scope of the project. If that is the case, we are unclear as to why pilings would be installed for the full panoply of piers currently contemplated as comprising the maximum project scope, given that -- if the budget turns out to be insufficient -- we assume that at least some of the new southerly piers might not make it into the final project.

Please share this letter with your various inter-agency colleagues and consultants. We are looking forward to working with you on this very exciting project.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark Diller", with a long horizontal flourish extending to the right.

Mark Diller, Chair, Community Board
7/Manhattan

Klari Neuwelt Elizabeth Caputo
Klari Neuwelt and Elizabeth Caputo, Co-
chairs, CB7 Parks & Environment
Committee

cc's, by e-mail: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Helen Rosenthal, Council Member, 6th District
Hon. Mitchell J. Silver, DPR Commissioner
William T. Castro, DPR Manhattan Borough Commissioner
Steve Simon, DPR Chief of Staff, Manhattan
James Patchett, President and CEO, NYC EDC
Vincent Sapienza, NYC DEP Commissioner
Julia Melzer, Project Director, NYC EDC
John Herrold, Administrator, Riverside Park
Margaret Bracken, Landscape Architect, Riverside Park
Dan Garodnick, President and CEO, Riverside Park Conservancy
Ed Bacon and Gloria Weiss (on behalf of the [live-aboards])
Kaitlin Petersen, Manhattan Community Boathouse