



Testimony of Jennifer Stark-Hernandez, Waterfront Organizer

THE METROPOLITAN WATERFRONT ALLIANCE

On General Waterfront Initiatives

Before the Joint Committees of Waterfront and Economic Development

City Hall, 1:00 PM 6/26/08

Good afternoon. My name is Jennifer Stark-Hernandez and I am the Waterfront Organizer of the Metropolitan Waterfront Alliance, a coalition of over 300 groups working together to transform the New York Harbor and its waterways into a world class resource for work, play, transit and education.

All of us at MWA applaud the Economic Development Corporation for producing this very important study that highlights the existing need for more dry-docks and support facilities, and I'd like to thank the Committee and especially Chairman Nelson and Chairman White for bringing us all here to discuss what we ought to do next to improve and strengthen our working waterfront

1. EMERGENCY PREPAREDNESS

I'll start with Emergency Preparedness. One of my first meetings as President of MWA was with Rick Larrabee, Director of Port Commerce for the Port Authority. I'll never

forget him telling me that we are so dependent on our bridges that if something happened to the George Washington and Verazano Bridges this afternoon and they were closed for any period of time, New Yorkers would know what they're eating for dinner tonight or tomorrow night, but after that no one knows how we're going to get food onto the island. One of the early recommendations coming from our Waterfront Works Task Force is to ask the City of New York, the State of New York, and the State of New Jersey to create a passenger and freight ferry master plan and implementation strategy, both to reduce congestion in the near term and to ensure that we have the tools we need to use the waterways to meet our mobility needs should disaster strike again.

2. DREDGE REMOVAL: “DROWNING IN OUR OWN MUD”

We've been hearing more and more lately that the very water dependent businesses we are discussing today are drowning in their own mud. In the last six months we've visited many New York and New Jersey maritime businesses including Caddell Dry Dock on Staten Island, GMD Shipyard Operations in Brooklyn and Bayonne, and Union Dry Dock across the river in Hoboken. Every one of them is threatened by the increasing cost of dredging as well as the difficulty in getting a permit to dredge. In this conversation about waterfront land use, we have to be aware that these challenges extend well into the waterways where the jurisdiction of state and federal agencies make it more complicated for these businesses to function. Right now we are spending more than 100 million dollars per year deepening the main shipping channels coming into this Port. Why are we subsidizing Global Shipping Companies based elsewhere but not willing to support local water dependent businesses? The little guys – Marina operators, dry dock repair

facilities, even parks, must bear the cost of \$100 per cubic yard to dredge out the naturally accumulating silt. And much of this dredge is contaminated through no fault of the owner. In addition, the smallest waterfront user must perform the same complicated and expensive dredge testing for contaminants before moving sediments. The added cost of tens of thousands of dollars for these tests is an extraordinary burden to place on maritime users of our waterfront.

Our Waterfront Works Task Force recommends that we:

- Create a viable plan to use and reuse this dredged sediment in beneficial ways, whether for habitat restoration or construction;
- Identify additional funding sources through agencies such as the Army Corps or the Port Authority to support the dredging needs of these small businesses for removal, remediation and testing.

3. JOBS

While much of the container and terminal operations have in fact moved to New Jersey, the support facilities that make our ports run smoothly, such as tug operations and dry docks, are located almost entirely in the City of New York. Further, the regional economy is dependent on the shipping industry which is in turn dependent on the maritime facilities that are under such stress on our waterfront. *We should view the working waterfront as a source of good jobs for everyday New Yorkers and a critical part of diversified economy.* For instance, when we traded 150 skilled jobs that existed at the New York Shipyard on Erie Basin for 300 or more retail jobs in the IKEA store that

displaced it, have we really gained anything? Working waterfront jobs include skilled trades, such as welders, metal workers and engine mechanics. These water dependent businesses can only be on the waterfront. Big box retail can literally go anywhere, so when we lose water dependent jobs for non-water dependent jobs we may never get those jobs back. As the head of the New York Shipping Association (and Co-Chair of our Waterfront Works Task Force) points out, the Port of New York and New Jersey is responsible for the employment of upwards of 230,000 people, both in New Jersey and New York. This is an amount equal to those who work in education, tourism, or even healthcare; and we all look at those sectors as critical to our economy. So are the Port and especially the water dependent jobs located there.

Among the preliminary recommendations of the Task Force:

- Revise and strengthen Waterfront Zoning Rules to protect maritime users;
- Create a low interest loan fund to support green and clean jobs at the water's edge; whether in solar or tidal energy, barge-based recycling operations, or other environmentally responsible businesses;
- Create industrial employment districts that gives greater precedence to meaningful job creation as a land use goal;
- Conduct a water dependent business study to better understand the value of our barges, tugs, and ferries, as well as excursion, charter, and fishing boats in terms of employment and target areas for growth;
- And lastly, to make sure we have the labor force to fill these jobs and grow this sector of the economy, we need education.

4. EDUCATION

We need to continue to invest in the educational programs and institutions that are training the next generation of workers. Our Harbor Education Task Force has brought together more than 50 such groups, ranging from the New York Harbor School, to the Maritime Technology Program at Kingsborough Community College, to SUNY Maritime, and many others. What we need to do is develop:

- An educational continuum which links public schools, with community colleges, universities, and vocational institutions to make sure students know these opportunities are out there;
- Workshops and other continuing education venues for waterfront designers, planners, and managers to better understand the needs as well as values of accommodating tugs and visiting ships, whether for education or emergency access and egress;
- And more direct education of boaters, the public, and policy makers to help broaden the understanding and support for maritime businesses, tugboat, barge ports and the wonderful mix of working waterfront facilities we are lucky to have and also desperately need.

Thank you for the opportunity to testify today and I'd be happy to answer any questions you might have.

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Action Agenda for the Waterfront

11 Steps for a Healthy Shared and Vibrant Harbor

1) Affordable and Linked Region-Wide Ferry Transit

The anticipated population growth of the metropolitan area will further tax our already congested and aging road and mass transit systems. Utilizing the “blue highways” that surround us is a logical solution to help meet this need. Unlike highways or rail, the basic infrastructure – our waterways – is already there for delivering commuters to work and home. Landings and boats are all that is needed. For a ferry system to work, it must be:

- Affordable – the price point for commuting by boat needs to be competitive with that of rail, bus or car.
- Integrated into our mass transit system – the MetroCard or Smart Card you use on a subway or bus should be transferable to a ferry. And the boat schedule should be linked to train and bus connections.

2) Move Goods, Recyclables and Waste By Water

Using our waterways as *blue highways* for transportation of goods, recyclables and waste will get trucks off the road and asthma out of our lungs. One barge can transport the cargo carried by 58 tractor-trailers; a typical string of 15 barges can take 870 trucks off the road. For one gallon of fuel, one ton can be carried 514 miles by barge, as opposed to 59 miles by truck or 202 miles by rail. Creating incentives and infrastructure (such as roll-on roll-off facilities) for trucks and barges within the region could potentially clear many trucks off the congested Interstate 95 corridor between New Jersey, New York, Connecticut and beyond, which would do much to improve the economic health of the region as well as the physical health of our bodies. Speedy implementation of the City of New York’s Long Term Solid Waste Management Plan would begin to get our refuse onto barges and remove diesel garbage trucks from the roads.

3) Sustain and Grow our Working Waterfront

The maritime industry is a vital component of the shipping industry that provides close to 250,000 jobs in the New York metropolitan region, bringing everything from bananas to heating oil to our homes. As New York grows and as the proportion of waste that is reused and recycled also grows, the need for a working waterfront that integrates essential transportation and production functions grow

as well. Industries such as woodworking and metalworking which are not “water dependent” today may become water dependent as barging increases and as “waste” and “recycled” materials become the raw materials for other businesses locally.

The region needs space for the development of this water-dependent transportation/production cluster. Maritime businesses are already threatened by real estate pressures and rising costs. Every gallon of gasoline and home heating oil moves through the metropolitan area by ship or barge. Without tugs, barges, repair facilities and other maritime support businesses, the growing shipping industry could not function. This would be an economic and ecological calamity for our region and the nation as more and more trucks would be forced onto our congested highway system. A number of measures can be taken to preserve and grow these businesses including:

- Strengthening maritime and industrial zoning districts.
- Providing residential deed restrictions that recognize nearby industrial and maritime users and prevent lawsuits.
- Transfer of development rights to preserve maritime use to ensure future water dependant use.
- Allowing maritime easements.

4) **A Harbor Filled with Boats – for Fun and Safety**

The indelible image of rescuers having to climb over decorative waterside esplanade fences to get people away from danger on September 11th serves as a warning. As we rebuild our waterfront with dozens of new piers and miles of promenades throughout the metropolitan area, we must equip them with the simple infrastructure that will make them usable by boats and barges for recreation, commerce and for emergencies. For a region surrounded by water there are shockingly few places where boats can legally and/or economically dock. Even Manhattan’s 32 linear mile waterfront has only four places where you can park a boat or even drop off a friend, and only one of those is affordable to most people. We can bring people to the water with:

- **Town Docks** – A series of simple town docks connected to interesting upland destinations would bring the waterfront to the people, allowing boaters affordable simple facilities to dock their boats and the rest of us a place by the water to hop aboard or simply enjoy watching the boats come and go.
- **Barge and Boat Infrastructure** – Bollards and cleats to secure boats and barges and gates that allow access to the water.
- **A Region-wide Water Trail** -- The establishment of the New York City Water Trail is a critical link to what ought to be a region-wide system of launches and destinations for paddlers. New trails on the Hackensack and

the Bronx Rivers join the Hudson River Water Trail as major links in this network.

5) Shared, Lively and Safe Waterways

Increased life on the waterways will necessitate the enforcement of wake rules already in place. A busy harbor with recreational sailboats, kayaks and other pleasure craft that share waterways with commercial water vehicles such as tankers, tugs, cruise ships, ferries and barges must respect the “rules of the road” about where and when each of these craft can go. Safety is a priority. More boater education is needed. Regulations must be well publicized and enforced.

6) Every Kid On the Water/In the Water

We in the New York metropolitan area live on a series of islands and peninsulas yet we have little connection to the water that surrounds us. The tides and currents that move the water to and fro daily, the aquatic flora and fauna that dwell in it, and the maritime industry and other businesses that use the blue highways are foreign to too most of us. This is especially true of our children. It is well-known that when people have a connection to a place they are more inclined to care for it. We must expand and multiply efforts that will get the next generation to embrace the harbor and waterways as a vital resource in their lives. And we must ensure that the waterfront is open, available and used by all of our children, especially those from our poorer communities with historically limited opportunities to learn from and enjoy the water.

- **More Waterfront Education Programs** – Efforts such as the NYC Department of Parks and Recreation “Learn to Swim” program, the MWA Harbor Camp, the New York Harbor School, and dozens of other waterfront education programs are good first steps but there must be many, many more programs as well as institutions to serve this need.
- **Department of Education Point Person for Environmental and Waterfront Education** – There are over 50 programs in the metropolitan region that employ the waterfront as an open air classroom for maritime, historic and environmental education. The New York City Department of Education and the many New Jersey School Districts that border our waterways should each have a designated point person charged with helping these programs grow and succeed, setting curricula, and ensuring that these program that now serve hundreds of thousands of young people – but could serve millions – have greater access to funding.

7) Nature-Filled Waterfront Edges

Waterfront edges, where the water meets the land, are areas of opportunity for improving our environment and for allowing access to the water for education and recreation. When designing by the water we must include:

- Softened shorelines that include vegetation with shallow sloping intertidal areas, teeming with marine life such as shellfish.
- Ecology piers to understand nature, to fish and to foster growth of aquatic life.
- Universal Waterfront Access: easy to reach by foot, bike, transit, boat and car.
- Street ends and waterfront parks where you can touch the water.

8) Create a Simple One-Stop Shop for Waterfront Permitting

In the New York Harbor there dozens of governmental agencies that have some hand in regulating waterfront use. It is a complicated, non-transparent, system that stymies even the most sophisticated land owners and waterfront developers. For the small businessman, community program or individual landowner, the waterfront bureaucracy can be overwhelming. This can be fixed through a cooperative effort of the regulating agencies to simplify the permitting process and create a one-stop shop where people can go to get straightforward information and applications, and where permits can be reviewed and handled in a timely fashion.

9) Stop Drowning in Our Own Mud

From the Hudson to the Bronx to the Passaic, the many Rivers that feed our Harbor deposit millions of cubic yards of silt, sediment and clay in our harbor. The cost of removing this silt -- some of it contaminated with toxic pollutants -- has skyrocketed in recent years. As measured by the cubic yard, the cost for removal of the mud has risen from less than \$10 to more than \$100 a cubic yard. Even the price of just testing to see if the silt that needs to be dredged is toxic has risen alarmingly to hundreds of thousands of dollars per test. There are funding mechanisms to pay for the dredging needs of international shippers. Maintenance dredging is borne by the carriers themselves as they pay into a trust fund. Capital improvement projects such as Harbor deepening are paid for by the taxpayer and the Port Authority. However, the waterfront little guys -- local maritime businesses, parks and marinas -- must pay their own way and the cost is often prohibitive. They are drowning in everybody else's mud. Solving this problem involves finding places to put the dredged material (or even better, to re-use it) and establishing a system to equitably bear the cost.

10) A Clean Harbor for the Fish and for the Humans

Getting boats and barges on the water will get trucks and cars off the road and improve our health with better air quality, but there is much more we can do to green our harbor and waterways:

- **CSO Abatement** – The great inhibiting factor for compliance with the Clean Water Act goal to make our waters swimmable and fishable is the release of raw sewage during rains storms because of Combined Sewer Overflows (CSO). It is impossible to build our way out of this problem with more sewage treatment plants, but we can “green” our way to cleaner water by building infrastructure that absorbs storm runoff before it reaches our waterways. We clean our harbor and convert our roadways into blue boulevards with:
 - Swales that detain and absorb rain.
 - Moisture retaining “Green Roofs.”
 - Law and Regulation changes that allow homeowners to capture and use rainwater on their own properties.
 - Larger tree pits with absorbent soil.
 - Comprehensive street greening programs in areas prone to CSO events.
- **Restore Shellfish to Clean the Water** – The New York Harbor used to be the home to some of the greatest natural shellfish beds in North America. In addition, New York City was once the dominant oyster market in the U.S., receiving oysters from up and down the east coast, and leading the nation in oyster shipments to the rest of the world. Oysters are “ecosystem engineers,” creating reefs that attract other animals and fishes, and they have the remarkable quality of being nature’s natural vacuum cleaner, by cleaning and filtering the water. Led by organizations such as the Gaia Institute and the NY/NJ Baykeeper, oysters are being reintroduced into our waters. This nascent shellfish reseeded should be expanded and accelerated.
- **Clean Fuel for Boats** – The City of New York mandated the use of less polluting, lower sulfur diesel on the Staten Island Ferry beginning in 2008 and legislation has been introduced in the New York City Council to bring cleaner fuels to all ferries. This can help ensure that expanding waterborne transportation yields the best air quality we can get. Bulk purchase of low sulfur diesel, ultra-low sulfur diesel (ULSD) or biodiesel would help lower the cost for smaller operators.

11) **Destinations that Bring Everybody to the Waterfront: Let’s Start With Food.**

The waterfront should be a destination for all kinds of activity. From recreation, to relaxation to education to just plain fun, the life and diversity of our waterfront

should reflect the life and diversity of the cities that surround it. To bring people to the water's edge there is no more universal and loved activity, especially in the New York Metropolitan area, than eating. Right now there are only a handful of restaurants that are on the waterfront and most of those are quite expensive. This can change. From picnic areas, ice cream shops, hot dog stands, fish markets to four star restaurants, the water's edge can be home to an amazing variety of food that we in New York and New Jersey have come to expect. What a great reason to come to the water!