

APPENDIX F
WRITTEN COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT



Assemblyman
SHELDON SILVER
64th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

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Testimony of New York State Assembly Speaker Sheldon Silver
to the Lower Manhattan Development Corporation
Regarding the East River Waterfront Esplanade and Piers Project
Draft Environmental Impact Statement
March 5, 2007

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) that the LMDC has prepared for the East River Waterfront Esplanade and Piers Project.

As the elected State Assemblyman for the 64th Assembly District, I represent the entire length of this proposed East River Waterfront restoration project, which borders the Financial District, South Street Seaport area, Civic Center, Chinatown and Lower East Side communities. I am pleased that the City is finally turning its attention to this neglected section of the waterfront with a renovation plan that has been largely embraced by residents and community leaders. While I am strongly supportive of this project moving forward, I do have some concerns with the DEIS that need to be addressed in the final Environmental Impact Statement.

The study area for the Waterfront restoration project, from the Battery Maritime Building to the entryway to East River Park travels through Community Boards 1 and 3. I commend the LMDC for creating a DEIS that treats both areas as equal partners in this project and provides a plan that seeks to better our communities in a collaborative manner.

There are many challenges to ensuring that the East River Waterfront renovation is a success. Most obvious, are the challenges related to the physical obstacle course that the FDR Drive creates and the financial resources required to finish the project. Equally as important are the secondary chain of events that are not planned for in the DEIS and will place a tremendous burden on the surrounding communities.

Finding space to replace the bus parking that will be displaced by the renovation needs to be handled head on. Though I am a huge proponent of the greater access to the waterfront created through the removal of bus parking, without careful planning the buses will find their own new spaces in the community.

The DEIS states that a total of 65 to 70 bus parking spaces under the FDR Drive will be lost as a result of the project. That total includes approximately 45 bus spaces located just south of the South Street Seaport near Piers 13 and 14 and about 25 spaces located in the vicinity of the Manhattan Bridge. It is unacceptable that the DEIS fails to address how to mitigate the severe adverse impact the loss of bus parking spaces will create, even though it predicts that the displaced buses would likely seek parking in the adjacent neighborhoods.

The DEIS suggests that this issue instead be “studied” and that we may need to rely on traffic enforcement agents or the bus operators themselves to resolve this problem; this approach does not go far enough. The City must identify replacement parking areas for these buses so that they do not simply end up parking wherever they want in these busy residential and commercial areas negatively impacting both traffic and pedestrian flow and air pollution levels. Commuter and tour buses already are a major problem in the Financial District, South Street Seaport, Chinatown and Lower East Side communities. The City cannot allow an additional 70 buses to simply roam the streets of Lower Manhattan looking for convenient places to park. The recent World Trade Center Environmental Assessment forecast up to 280 additional tour buses per day visiting the new WTC Memorial when it opens in 2009 but also is yet to identify where those buses will be stored. It is absolutely incumbent upon City officials to quickly identify alternative parking areas, in consultation with the local Community Boards, for the hundreds of tour and commuter buses which descend on this area everyday. These mitigation measures should be included in the final Environmental Impact Statement for this project.

The proposed narrowing of southbound South Street to one lane between Montgomery Street and Robert F. Wagner Place must also be mitigated since this section of South Street has heavy traffic volumes as cars frequently exit the FDR Drive at this point to avoid the congestion that slows traffic heading towards the Brooklyn Bridge exit. The DEIS identifies two potential mitigation measures to address this problem. One is the elimination of parking along this southbound stretch of South Street in order to create a second moving lane for traffic. Another possible mitigation measure would be the build-out of the Brooklyn Bridge Ramps Project to improve the ramps from the FDR Drive to the Brooklyn Bridge and thus reduce the number of vehicles which would detour onto this stretch of South Street to access the Bridge. One or both of these measures must be instituted to address the projected traffic congestion along South Street.

Details of important components of this project are not fully discussed in the DEIS and should have been incorporated. They include the New Market Building replacement, the beach on Pier 42 and the Battery Maritime Building Plaza. I strongly urge the City to share the details and identify funds to fully build these projects in the final EIS.

Community participation in the continued planning of the project is also of utmost importance. The proposed pavilions are intended to serve the people who live near them. I strongly recommend that the greater communities be fully consulted regarding the type of uses that go into those spaces.

The same goes for the planning of the piers and other open spaces. Community input is essential to insure that those areas are designed to address local needs of the nearby communities, as well as reflect the neighborhoods’ rich cultural diversity. Furthermore, many of the areas adjacent to this project lack enough open spaces and parks. The renovation of the waterfront provides an excellent opportunity for the creation of open park land and recreational spaces.

As you know, having a recreational facility on Pier 36 is a matter that is very close to my heart. In 1994, I, on behalf of the residents of the Lower East Side, signed a Memorandum of Understanding (MOU) with the City that provided for the rehabilitation of Pier 36 and a recreational facility to be built on the pier. Over the last several years, the Pier 35/36 Task Force and Community Board 3's Waterfront Task Force have been developing criteria for such a plan and, most recently, have successfully negotiated with Basketball City to be the company that builds the recreational facility, while maintaining affordability for community residents. Though there was no mention of a recreational facility on Pier 36 in the DEIS, it is my hope that the City will incorporate this soon-to-be-built facility into the design plans for the East River Waterfront.

Another potential site to create community recreation or cultural space would be the New Market Building. The East River Waterfront Plan calls for the demolition of the existing New Market Building and building a new structure of approximately 40,000 square feet. It is my understanding that the City has agreed to set aside space in this building for community use. I would urge the City to work with Community Board 1 in their efforts to obtain community space in the rebuilt New Market Building.

Additionally, the DEIS does not provide a plan to create greater connectivity to the waterfront through public transportation. In the early drafts of the waterfront redevelopment proposal, there was a plan for extending bus routes towards the waterfront. I strongly encourage the City to work with New York City Transit Authority to adjust current bus routes, or create new ones, to make the waterfront more easily accessible.

Finally, I raise the issue of park maintenance and governance. It is my understanding that this matter has not yet been resolved, however it is essential that the City put into place a reliable governance structure to ensure the success of this revitalization project. Such a governance structure must make certain that the project has a sufficient and steady source of income and a dependable maintenance plan in place to assure its on-going success. The governance mechanism should also enable the community to have on-going input into the development and maintenance of the piers and esplanade.

I strongly urge the LMDC and City to carefully consider all recommendations made today and address these issues prior to the issuance of a final EIS for the East River Waterfront Esplanade and Piers project.

Thank you.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

**Testimony at the Lower Manhattan Development Corporation Public Hearing on the
Draft Environmental Impact Statement (DEIS) for the
East River Waterfront Esplanade and Piers Project
March 5, 2007**

I commend the Department of City Planning (DCP), the Lower Manhattan Development Corporation (LMDC) and the New York City Economic Development Corporation (EDC) for taking on the formidable challenge of revitalizing the East River waterfront in Lower Manhattan. For far too long, amenities in Lower Manhattan have catered almost exclusively to the thousands of office workers in the area. Although office space is critically important for Lower Manhattan's economy, the number of residents and visitors to the area are growing rapidly. Quality open space, diverse, community-oriented retail, and unique cultural destinations are all essential components of a thriving community. Because of the convergence of so many different types of uses in the area, the State and City must plan carefully for the project's potential environmental impacts, especially traffic congestion.

Open Space

The plan calls for the creation and beautification of open space along the East River from Battery Park in Community Board 1 to East River Park in Community Board 3. The DEIS notes the several distinct neighborhoods in the study area and it is important to keep those distinctions in mind when determining whether recreation spaces should be active or passive, what kind of security measures should be employed, whether playground equipment is necessary. The Seaport, Chinatown, Two Bridges and the Lower East Side are each unique communities with unique needs and concerns, and the plan should be flexible enough to design each neighborhood's open space with those distinctive needs in mind. New landscapes should be planted as much as possible, but they also should also be designed to minimize the need for water and maintenance. I encourage the City to work closely with the Community Boards and other community organizations to determine precisely how these spaces should be programmed and operated.

Community Oriented Development

The programming for the proposed pavilions under the FDR and the pier spaces have yet to be determined and much like the open space, these opportunities must be carefully designed and programmed with input from the community. Though the pavilions and piers will undoubtedly cater to tourists, they must also related to and address the needs of the community. Whatever

final program is selected for the pavilions and piers, new development should respect the unique character of the neighborhoods along the waterfront, as well as contribute to a cohesive experience. It also means conserving energy resources and utilizing sustainable building practices to minimize traditional energy consumption. As with all development of public land, properties should not be unnecessarily privatized and the public must retain a strong role over the future development of this area.

Governance

A transparent governance and operation structure must be created to ensure the proper management and maintenance of the piers and pavilions. The State and City should provide details of the contemplated governance and operational structure as soon as possible, to invite public comment.

Traffic and Parking

The DEIS estimates that the project will eliminate 617 parking spaces under the FDR in the study area, displacing commuter vehicles and tour bus parking. The DEIS offers no real alternative for the loss of this parking. The DEIS relies heavily upon a yet to be completed DOT study on bus management for Lower Manhattan. While DOT's study is commendable and necessary, no parking should be eliminated until suitable alternate locations have been identified.

The DEIS identifies eight intersections where the proposed action will negatively impact traffic. The elimination of parking, and the reconfiguration of the Battery Maritime Building Plaza, are the main contributors to this adverse impact. The DEIS proposes modest mitigation measures such as signal changes,, but the additional traffic from this project will surely negatively impact air quality and noise levels. Even if the negative impact is not enough to require mitigation, it is necessary to acknowledge the residential character of certain parts of the study area (such as Chinatown and the Lower East Side) and ensure that any proposed action positively impacts the quality of life as much as possible.

Conclusion

Much of Manhattan's waterfront has been successfully developed, but the East River waterfront in Lower Manhattan is one of the few missing links connecting the riverside walkways along the perimeter of the borough. Creating quality public space along the East River waterfront is important to the character and strength of Lower Manhattan. The project traverses several different communities, and while each neighborhood has unique qualities, there are certain elements that are necessary throughout. Quality open space, community-oriented retail and cultural space, environmentally friendly development and easy access to the waterfront through various modes of transportation are all essential elements. The goals presented in the DEIS are commendable and I look forward to working with the State, the City and the community to create an East River waterfront that caters to the needs of the diverse population of residents, workers and visitors in Lower Manhattan.



MAR 09 2007

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
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MAR 07 2007

Mr. Victor Gallo
Senior Advisor & Counsel, Environmental & Regulatory Affairs
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006

Dear Mr. Gallo:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) (CEQ # 20070015) for the East River Waterfront Esplanade and Piers located in New York City, New York. The Lower Manhattan Development Corporation (LMDC), with funding from the Department of Housing and Urban Development (HUD), is proposing to improve public access to the waterfront, enhance pedestrian connectivity, and create waterfront amenities for public use and enjoyment along the esplanade between the Battery Maritime Building and Pier 42 on the lower east side of Manhattan. The proposed action would include a Program Zone under the FDR Drive for pavilions and temporary outdoor activities; a Recreation Zone along the edge of the water with seating, play spaces, and plantings, a uniform bikeway/walkway along South Street; and improvements to Piers 15, 35, 36, and 42, as well as the New Market Building and pier.

EPA applauds LMDC's assurances that it will include the Environmental Performance Commitments utilized on the Lower Manhattan recovery projects, including the use of ultra low sulfur diesel for all non-road construction engines, and the application of tailpipe emissions reduction technologies. While LMDC states this would not apply to any tugboats used on the project, we suggest that LMDC investigate using marine operators that may have already upgraded their equipment with the new low emission engines.

We are concerned, however, with the traffic and air quality analysis. While we concur with LMDC's choice of considering new developments located east of Pearl Street and Madison Street as part of the future no build traffic levels, the analysis does not specifically indicate which new developments were included. Please clarify whether the new developments listed on Page 3-13 were included, and if so, identify individual project traffic levels assumed in the modeling. For example, we recommend that the Final EIS identify the assumed traffic levels for Pier 36, and explain why were those assumptions were used. In addition, a General Conformity Determination was not included in the DEIS. HUD must demonstrate that the direct and indirect emissions of this federal action will conform to the state implementation plan.

Finally, during the comment period for the DEIS, General Growth Properties announced that it is planning to rebuild the entire Pier 17 complex completely changing its physical structure and usage (See Newsday, February 27, 2007). This project and how it might impact the East River Waterfront Esplanade project should be discussed in the Final EIS.

EPA has rated the DEIS as Environmental Concerns – Insufficient Information (“EC-2”) (see enclosed rating sheet) due to the lack of information in the traffic and subsequent air quality analysis. If you have any questions regarding this review or our comments, please contact Lingard Knutson at 212-637-3747.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John Filippelli".

John Filippelli, Chief
Strategic Planning Multi Media Programs Branch

Enclosures

**Additional EPA Region 2 Comments on the East River Waterfront Esplanade and Piers
Oct. 2006 DEIS**

1. There has been no testing or analysis of the possible sediment contamination at either the expected dredging location near Pier 15, nor at any of the sites where pier construction/rehabilitation is to be performed. While the document does include some sediment data gathered several years ago, the data is not specific to this project, and in the case of data from 1993, outdated.
2. The Essential Fish Habitat and Endangered Species consultation letters with the NOAA Fisheries Service should be included in the DEIS.
3. EPA suggests that the applicant use native trees and plants for landscaping the new esplanade. The Federal Highways Administration has an excellent list of plants for roadside use on its website at <http://www.fhwa.dot.gov/environment/rdsduse/ny.htm>.
4. Page 9-27 - "chimney swifts (*Chaetura pelagica*)" is used twice in a list of passerine bird species.
5. Page 9-29 - define IEC, and include it in the glossary.
6. Page 9-30 - Third bullet. Diameter is misspelled.
7. Page 9-34 - Include a description and estimated volume of the material to be dredged for the relocation of the Wavertree.
8. Page 16-13 - In the discussion of the mixed-use development at the site of the NYU Downtown Hospital on Beekman Street, the DEIS states that construction is expected to begin in 2006. Discuss whether construction has started, or when it is expected to start.

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analysis, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

MAR 05 2007

March 1, 2007

Avalon Simon
LMDC
One Liberty Plaza, 20th Floor
New York, NY 10006

Re: HUD
East River Esplanade and Piers Project
Manhattan, New York County
06PR00221

Dear Mr. Simon:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have received and reviewed the Draft Environmental Impact Statement (DEIS) that was prepared for the East River Esplanade and Piers project. We have reviewed these submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Based upon our review of the attached draft Programmatic Agreement (PA) we have the following comments regarding this document:

1. In the stipulations under description of the project and project site, please reference the Area of Potential Effect (APE) as shown on the maps. Further we request the removal of "with seating, play spaces, and plantings" from the second paragraph. We believe these elements should be considered under the project design review.
2. In section 3 (f) Finding of Adverse Effect. We request the section be revised as follows
 - a. "If, after consultation with SHPO and the City, LMDC determines that there will be an adverse effect to a historic property that cannot be avoided, SHPO and LMDC will develop a mitigation plan.
3. In section 3 (i). We request the section be revised as follows:
 - a. "Plan for the Mitigation of Adverse Effects. If adverse effects to historic properties cannot be avoided, SHPO, the City and LMDC will consider, depending on ..."
4. In sections 5 and 6 we request preliminary review of these proposed projects. We find that if we are not given the opportunity to comment early in the design, it is more difficult to incorporate our comments into the final design.
5. The PA indicates that some of the necessary archaeological testing may take place in advance of construction, while other testing may need to consist of monitoring during construction. SHPO feels it is import to a) insure that all work that can be carried out in advance of construction is completed as soon as possible; and b) that the document clearly indicate which areas will be examined in advance and which will have to be examined through monitoring.
6. As written the PA does not appear to provide for Native American Consultation. Given the federal involvement in the project, this opportunity must be provided and should be documented in the PA.

Based upon our review of the DEIS we offer the following comments:

1. We are not opposed to the proposed reconstruction of Pier 15 that is located within the South Street Seaport Historic District (Seaport) but we are concerned that a deep truss structure with two levels may not be appropriate for the historic district. The piers should remain simple open structures. Trees are out of character with the industrial waterfront as are the proposed esplanade planters and trellis with swing.

2. We continue to have concerns regarding the cladding proposed for the FDR. It is possible that this cladding will introduce a change of setting that is too dramatic for the historic Seaport. Along the same lines, the proposed pavilions could be too dramatic for the historic Seaport as well.
3. With regard to archaeology, SHPO is aware that the New York City Landmarks Preservation Commission (LPC) had responded to earlier submission by noting flaws in the Disturbance Memo prepared by Historical Perspectives, Inc. (HPI). SHPO considers LPC to be a local expert on archaeological issues in New York City and we value their comments. It does not appear that the current DEIS addressed LPC's concerns regarding the Disturbance Memo. Therefore, SHPO can not concur with statements made in Chapter 6 of the DEIS or conclusions that are based on that flawed study. SHPO recommends that a full Phase 1A Documentary Study be completed for all portions of the project to address this concern and that the results of that study be incorporated into the EIS. It would be helpful to have this completed in advance of finalizing the PA so that the results of the survey can be clearly outlined in the PA. This would also help in identifying how particular areas will be examined – which relates to Comment 6 above.

If you have any questions regarding this letter feel free to contact me at 518-237-8643 extension 3282. Please refer to the SHPO Project Review (PR) number in any future correspondences regarding this project.

Sincerely,



Beth A. Cumming *BAC*
Historic Preservation Specialist – Technical Unit
(beth.cumming@oprhp.state.ny.us)

CC: Victor Gallo - LMDC

GOVERNORS ISLAND
PRESERVATION & EDUCATION
CORPORATION

To: Lower Manhattan Development Corporation
Attn: Avalon Simon
From: *mc* Betty Chen, Vice President for Planning, Preservation and Development
Date: March 15, 2007
Re: **East River Waterfront Esplanade and Piers Draft Environmental Impact
Statement Comments**

As stated in our earlier letter of support, GIPEC supports the Proposed Action and looks forward to the vibrant, active and welcoming waterfront the East River Waterfront Esplanade and Piers Project would provide. As an integral part of New York's emergent Harbor District, the Proposed Action will contribute considerably to the experience of visitors to Governors Island. GIPEC's main point of interest in the Proposed Action is the Battery Maritime Building ("BMB") Pedestrian Plaza, which is the gateway to Governors Island. Even as other points of departure are established, the BMB and its surrounds will continue to be a critical element of the Governors Island experience.

Currently, the BMB is the sole point of access for the movement of passengers, goods, and vehicles to support all maintenance, planning, increased public access and other operations on the Island. Current operations, as well as the effective redevelopment of Governors Island, require ongoing pedestrian, bicycle, and vehicular access to the BMB, as it will continue to be a main point of access for visitors to the Island. Although Governors Island anticipates the creation of a new mainland ferry landing for vehicles and passengers, there is a high likelihood that a significant number of passengers, trucks, and support vehicles (for service, emergency, delivery and construction) will require access to Governors Island via the BMB in both the short and long term.

GIPEC agrees that the current configuration of roadway and sidewalk creates an unpleasant experience for pedestrians and cyclists, as well as a difficult connection between the BMB and points north and west. GIPEC supports moving the entrance to the Battery Park Underpass approximately 350 feet to the northeast and creating a new pedestrian plaza at the entrance to the BMB. We welcome a reconfiguration of traffic flow in the vicinity of the BMB to minimize pedestrian-vehicular conflicts and improve traffic operations. Because a majority of trips to the Island begin with the BMB, the creation of this new plaza and the reconfiguration of traffic flow will significantly improve the experience of Governors Island for visitors and Island workers alike. We also support an interim pedestrian bridge over the tunnel entrance as a means to provide better public access to the BMB and thus Governors Island.

We note that based on our previous comments on the draft scope, the DEIS now includes a statement that the final design of the BMB should consider access needs for Governors Island, which would include consideration of operational issues such as providing adequate space for queuing areas and truck turning radii at the BMB entrances. Access to the BMB and vicinity for Governors Island and other tenants should also be considered during the construction of the BMB plaza.

To conclude, GIPEC supports the Proposed Action, which promises to be a great public amenity and a contributing factor in the successful redevelopment of Governors Island. As transportation to and from Governors Island is critical to the future redevelopment of the Island, GIPEC is now seeking to ensure that its space and logistic requests are factored into the Proposed Action.

cc: Rachel Shatz, ESDC
William Kelley, NYCEDC
Linda Neal, NPS
Leslie Koch, GIPEC
Paul Kelly, GIPEC
Ellen Cavanagh, GIPEC

ALAN JAY GERSON
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March 19, 2007

Lower Manhattan Development Corp.
Attention: Avalon Simon
One Liberty Plaza, 20th Floor
New York, NY 10006

RE: Comments on the Draft Environmental Impact Statement on the East River Waterfront Esplanade and Piers proposed by LMDC

Submitted by New York City Councilmember Alan Gerson, District I.

As the City Council's representative of Lower Manhattan, I am delighted to see the East River Waterfront Park project move forward. This is a project that is long overdue. Residents living on the eastside of Lower Manhattan deserve access to a beautified waterfront.

While I applaud you on the progress of the project, I want to reiterate my concern regarding the lack of a creative mitigation plan for the displacement of commuter and tour bus parking spaces at the Seaport area and the elimination of parking spaces underneath the FDR drive north of Brooklyn Bridge, on Peck Slip and on Burling Slip.

The projection of more residents moving to the Financial District the new park will attract more visitors. It is imperative to have one or several plans in place to address the parking shortage intensified by the elimination of parking areas. In my mind, options for a mitigation plan should include: building a bus parking garage in the vicinity, requiring new development to build a garage in house, even parking spaces for bus layover, and parking at an offsite lot with a shuttle connection to the East River area, or running a shuttle connection from the public transportation hub to the stretch of the waterfront park. Parking is a foreseeable problem and should be addressed simultaneously with the building of the park. I will call on you to discuss these options in the near future.

On the programming side, I want to stress the importance of fulfilling the needs of the local community. I think it's great to have recreation zone for passive recreation. However, we need programming for residents and workers alike. We need dog runs and playgrounds, active recreation space for young people and adults as mentioned in many visioning meetings. As demonstrated by Battery Park City, a model neighborhood prestigious by its urban design, has included many playgrounds and dog runs, and playfields for all ages. On the west side, Hudson River Park has a dog run by the village area and there is currently one being built near Canal Street. Most of its piers, especially the ones in Lower Manhattan, are designed for active play for all ages and also for activities related to maritime uses. It is logical for a waterfront park to include community amenities and the East River Waterfront Park should not be an exception.

I look forward to learning more from the upcoming public meetings.

ALAN JAY GERSON
COUNCIL MEMBER, 1ST DISTRICT
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WATERFRONTS

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March 19, 2007

Lower Manhattan Development Corp.
Attention: Avalon Simon
One Liberty Plaza, 20th Floor
New York, NY 10006

RE: Comments on the Draft Environmental Impact Statement on the East River Waterfront Esplanade and Piers proposed by LMDC

Submitted by New York City Councilmember Alan Gerson, District 1

Amendment to the previously submitted statement

The opening up of the piers 35, 36, and 42 is also significant and must be fully analyzed. There should be a way to relocate the sanitation department operation and open up the full area of the piers for park use.



sanitation

STEVEN N. BRAUTIGAM

Assistant Commissioner

Legal Affairs

125 Worth Street, Room 708

New York, New York 10013

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March 9, 2007

Avalon Simon
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006

MAR 13 2007

Re: East River Waterfront Esplanade and Piers DEIS

Dear Ms. Simon,

Thank you for circulating to us the Draft Environmental Impact Statement dated October 12, 2006 prepared for the East River Waterfront Esplanade and Piers project, and transmitted by letter dated January 18, 2007. The New York City Department of Sanitation (DSNY) has the following comments on the DEIS:

As Pier 35 is proposed to be developed for park uses, together with an enhanced pedestrian and bicycle greenway along the shore, it appears possible that increased numbers of pedestrians and cyclists in this area could generate additional conflicts with DSNY's use of the adjoining Pier 36 as a Sanitation Garage, notably with respect to ingress and egress of DSNY vehicles. The need for additional design and/or traffic control measures to ensure safe crossings of the greenway by DSNY Pier 36 garage traffic should be assessed.

P.12-5, Solid Waste, first paragraph: Please note that DSNY collects approximately 16,500 tons per day of refuse and recyclables, of which approximately 5,000 tons is recycled (about half is designated curbside recyclables and half other recyclables). DSNY takes approximately 14% of the refuse it collects directly to a waste to energy facility in Newark, New Jersey. Approximately 31 % of the waste that DSNY collects (principally Staten Island since Fall 2006, and the Bronx) is transferred to rail cars, not trucks, at present.

Second paragraph: Commercial carters collect refuse and source-separated recyclables. Recyclables are delivered to recyclables handling and processing facilities, not transfer stations. Private carters handle approximately 36,000 tons per day of solid waste of various kinds. In 2003, the most recent year for which figures are available, approximately 7250 tpd of this commercial waste was refuse, 2640 tpd was designated recyclables, 8626 tpd was construction and demolition debris, and 19,069 tpd was dirt, rock and masonry "clean fill" waste that is typically recycled in the region.

Third paragraph: the existing SWMP was approved by the City Council and NYSDEC in 2006. Rather than "mandates", the SWMP "provides in general". "Special waste"

www.nyc.gov/sanitation

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collection sites are not "hazardous" waste collection sites, but receive certain problem waste, notably mercury thermostats, fluorescent bulbs, waste oil, batteries, and latex paint. There are no bulk residential waste collection sites. Residential and commercial plastic recycling requirements are limited to bottles and jugs.

Page 12-6, top paragraph: Municipal post-recycling refuse from the project site area is currently driven to the Essex County Resource Recover Facility (a waste-to-energy incinerator). This is proposed to continue under the new SWMP. Only recyclable paper collected from the area is transferred at the West 59th Street Marine Transfer Station. In the last sentence, the correct reference is Manhattan "Sanitation Districts" 1 and 3 (not "wastersheds").

P. 12-9. Please revise the second and succeeding paragraphs to reflect the fact that the New SWMP was approved by the City Council and the NYSDEC in 2006. Fourth paragraph, last paragraph: During the interim, approximately half of DSNY-collected post-recycling MSW would continue to be delivered to transfer stations in the City for further transport from the City by tractor trailer truck. You may wish to update the SWMP DEIS reference in footnote 4 to the FEIS and the SWMP FEIS Findings Statement, available on DSNY's website www.nyc.gov/sanitation under "resource guides".

Thank you for the opportunity to comment on LMDC's Draft Environmental Impact Statement for this important project.

Sincerely,



Steven N. Brautigam
Assistant Commissioner



Testimony of Community Board One to the
Lower Manhattan Development Corporation

Presented by Julie Nadel, Chair Waterfront Committee

On the Draft Environmental Impact Statement for the
East River Waterfront Esplanade and Piers Project
March 5, 2007

Thank you for initiating this plan which has the potential to bring new life to an area that has been somewhat overlooked in the past.

Our comments are as follows:

The proposed removals of vehicle parking under the elevated highway is a serious concern for Community Board One. This parking should not be removed unless specific replacement parking areas are identified and earmarked for future use. One of the major issues that Community Board One is facing today is the future influx of buses into lower Manhattan, as well as passenger automobiles -- any additional congestion caused by displacing current parking for these vehicles is unacceptable to us. The DEIS fails to address the removal of those parking spaces.

The lack of information available to us regarding the uses associated with the proposed 14 new 'pavilions' in the project area has caused some concern in Community Board One. It is impossible for us to comment on them without knowing how they will be programmed, leased out, or otherwise used. While we appreciate the creative use of new space for public purposes, these pavilions may create unwanted new activities for lower Manhattan residents. Such unwanted new effects could include commercial activities, maintenance issues (since they will be glass), and traffic congesting problems. The "space for temporary outdoor activities" associated with these pavilions is an interesting option for public use, but the size of this space is unclear.

The residents of lower Manhattan are in dire need of additional recreation space for young people. If this Plan is to serve these residents at all, some provision must be made to allow for this purpose. There is some flexibility in how this could be accomplished and various options are available that would serve to fulfill the Plan's obligation to the residents of lower Manhattan.



Community Board One would like to see Pier 15 rebuilt with open space and flexible options for vessel docking. We also want a 'no commercial disposition' option on the future uses for Pier 15 – the 6,000 square feet disposition for commercial activity on that pier is not supported by Community Board One at this time. If necessary for economic purposes, The Board thinks that commercial activities should be placed inboard, leaving the rebuilt pier to the people as well as public access maritime activities, including the new vessels that will dock there.

Maritime uses along the river's edge and on Pier 15 are highly desirable, using the opportunities afforded by water access. The other two piers, Piers 13 and 14 should not be lost and should reappear on the waterfront as soon as possible, again, programmed for maritime and public access uses.

Overdesigning Pier 15 with berms and other odd designer-esque features, as indicated in schematic plans for the pier, does not add any historic or community character to the waterfront and should be avoided -- leave that to the landscape architecture textbooks.

Community Board One supports the expansion of the existing walkway/bikeway and the accompanying amenities. Preserving the historic character of the lower Manhattan landscape along the river is an important part of any plan.



THE CITY OF NEW YORK MAR 05 2007
MANHATTAN COMMUNITY BOARD NO. 3
59 EAST 4TH STREET - NEW YORK, N.Y. 10003
PHONE: (212) 533-5300 - FAX: (212) 533-3659
WWW.CB3MANHATTAN.ORG - INFO@CB3MANHATTAN.ORG

David McWater, Board Chair

Susan Stetzer, District Manager

March 2, 2007

Mr. Kevin M. Rampe, President
Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006

Re: Draft DEIS for the East River Waterfront Esplanade and Piers Project

Dear Mr. Rampe:

At its February 2007 monthly meeting, Community Board #3 passed the following motion:

To support the East River Waterfront Draft Environmental Impact Statement with the inclusion of the following comments and supporting documentation:

Community Board #3 (CB#3), Manhattan, is pleased to endorse the Draft Environmental Impact Statement for the East River Waterfront Esplanade and Piers Project, in principle. However, we need certain clarifications on some issues and would like to express our concerns on other issues.

(1) Waterfront management, planning, etc.: One major concern is that the impacted community boards have equal participation and input with weight on any decisions that are made with respect to the management, planning, maintenance, and programming of the future of the waterfront within the confines of this Project.

(2) Community Fair Share:

(a) Pier 42: With respect to neighborhood fair share, it appears that Community Board #3 is not being treated equally regarding certain issues; and that the assets that are in CB#3 are being devalued and fail to meet the needs and wants of the community. The first example is Pier 42, which is the only sizeable overwater amenity available to this underserved community. As a result of many community forums and charrettes (copies of which have been provided to you), community preference is that there is a need for this pier to be developed as an open space devoted to passive enjoyment of the spectacular views that it affords. Yet, its future is uncertain because no funding is in place, nor is there a "for certain" assurance offered that such funding will be forthcoming. This community cannot afford to lose this resource. There is also mention of the "removal of approximately 25,000 square feet of existing overwater structure" on Pier 42. Does this mean just the removal of the shed? We need assurance from the City that there will be no loss of any of overwater pier area in our community. As the approvals to build new piers are too difficult to attempt, any loss of existing pier footage would be loss of a valuable asset.

(b) Improvements to South Street: Besides being a main thoroughfare, South Street is the community access to the esplanade. Any usage that is not needed for traffic should not be squandered for transient purposes at the expense of the community. Any planning that limits access for other purposes diminishes the asset. Funding is in place for improvements to South Street south of the Brooklyn Bridge. Funding must also be assured for the area north of it. It is important that areas in both boards are treated equally.

Additional on-street automobile parking is being planned for the area north of the Brooklyn Bridge. This is not acceptable to Community Board 3. In addition, information is not provided as to where the parking is planned and for whom the parking is planned. The area below the Brooklyn Bridge attracts tourists and therefore may have more revenue-producing capabilities. The residents of the area north of the Bridge have made it clear to the Board that they want the area designed for use by the community and that the area needs to be preserved as open space that is pedestrian friendly.

(c) Bus parking on the waterfront: Bus parking and layover in our community is another crucial issue. Our community has been impacted for many years by commuter buses parking on South Street that only service other areas of downtown Manhattan. South Street, and many of the surrounding residential streets, are also overburdened by many tour buses, low-fare buses and commuter vans, etc. These vehicles should not be assigned layover on residential streets or on the waterfront, where they cause serious problems of air pollution, safety and traffic hazards, and block access to the waterfront. The development of the waterfront is a wonderful amenity. Buses should not be laying over on the waterfront or its surrounding residential streets. It is not reasonable to develop the waterfront and then expose people to hazardous fumes that are captured under the FDR Drive due to idling bus engines and to risk their safety by having to cross streets where they have reduced visibility because of huge buses. Just as important, the residents of adjacent apartment buildings should not have to breathe this polluted air, nor cross streets where they have reduced visibility because of the size and abundance of the buses. Residents of this community are already breathing the foul air emanating from the Brooklyn and Manhattan Bridges, as well as the FDR Drive.

We also wish to emphasize that the buses being planned for relocation from Piers 13 and 14 must be moved to an area other than immediately north. Our community cannot be subjected to yet more buses from this area, nor from any other area; including those that will emanate from the World Trade Center area. Community Board 3 is considering how to implement a meeting with appropriate agencies to understand the policies and regulations that have created this intolerable parking problem on the waterfront and on residential sidestreets to be able to create a community position dealing with the parking / layover problem in our community.

(d) Esplanade area from the Brooklyn Bridge to Catherine Street: We would like to be included in additional design plans for the esplanade area from the Brooklyn Bridge to Catherine Slip. We have just been informed that this area will no longer be used as a parking area for the private cars of City employees. This is an important asset for our community and we would like to see this commitment stated in the Final EIS.

There are several references under ALTERNATIVES (between pp. S-29&40) regarding the possibility of "retaining parking under the FDR Drive." Are we correct in assuming that the southernmost area of our Community Board is not intended for the "retaining of parking under the FDR Drive?" This is a residential community that should not be divided by the placement of enhancements in one area, while another area continues to endure a closed-off waterfront because it is used for parking.

(e) Street connections to the waterfront: CB#3 looks forward to participating in further plans for strengthening street connections to the waterfront, particularly in the area of Montgomery and South Streets. This is a wide connecting street, which will need to be redesigned to protect the safety of pedestrians and bicycle traffic as it coexists with vehicle traffic. It is also a primary entrance to East River Park. Consideration must also be given to the addition of a needed traffic light at the foot of Rutgers Street.

(4) Community-based planning by CB#3: The DEIS makes no mention at all of the community planning efforts undertaken by Community Board #3 regarding the waterfront. This glaring omission needs to be corrected in the Final EIS. Despite the fact that we had no resources available to us, we consider the results of our partnership with the National Park Service Rivers and Trails Program and the City College of New York's Architectural Center, as well as the approximately 10 community forums held over the past few years, to be a positive example of community-based planning. This work and input by the community needs to be acknowledged and valued.

(5) Pavilions and surrounding area

(a) Pavilions: With regard to pavilions on the esplanade, we concur that they be used "for community, cultural, and limited commercial development," and we expect and look forward to being a part of the RFP process that we understand will be used. There are many cultural and community-based organizations in our community that must be offered a fair opportunity to compete for the use of the pavilions. The City should restrict the use of the pavilions to small, local commercial enterprises for the planned limited commercial use, so that they are amenable and affordable to neighborhood residents; and also to ensure that they will not cause public health, sanitation, or safety problems.

(b) Expansion of esplanade: At past meetings, we have suggested to EDC and City Planning that consideration be given to expanding the esplanade from the Brooklyn Bridge to Pier 35 by adding a grated platform extending over the water that would allow sunlight to penetrate to the water below. This addition would allow people enjoying the esplanade to benefit from the sunlight, and possibly enhance the economic viability of the pavilions.

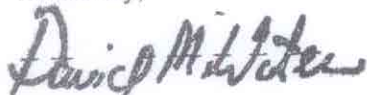
(6) Proposed Pier 36 cove, etc: We ask that a time limit be put on the relocation of the DOT staging area presently located at the proposed Pier 36 cove so that it does not impinge on the improvement of this area. We also look forward to participating in detailed planning for the cove area.

(7) Enhanced public transportation to the waterfront: The City should work with the MTA to enhance public transportation to the waterfront, including extending the M14A and M15 bus routes, or establishing new routes. We have also asked for consideration of a site between Piers 35 and 42 for use by a clean-fuel water taxi that would connect our community with other areas of Manhattan and Brooklyn. Consideration should also be given to studying the feasibility of upgrading the East Broadway station of the F line by adding an elevator upgrade. This is one of the few subway stations in the entire system that is located near the waterfront. (The Madison Street exit is two blocks from South Street.) When the waterfront improvements are completed, all New Yorkers, including the elderly and the disabled, should be given easy access to the waterfront.

Community Board #3, Manhattan, wishes to express its support for many of the thoughtful and positive design plans for our waterfront. We hope that, with the benefit of future planning meetings, in which we look forward to participating, we can wholeheartedly endorse the City's entire East River Waterfront Esplanade and Pier Project.

If you have any questions, please do not hesitate to call.

Sincerely,

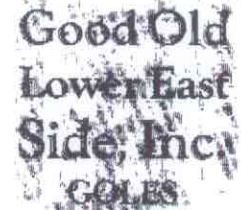


David McWater, Chair
Community Board #3



Richard Ropiak, Chair
Parks & Waterfront Committee

cc: Avalon Simon, LMDC
Mayor Bloomberg
Lolita Jackson, CAU
President Lieber, NYC EDC
Commissioner Benepe, NYC DPR
Commissioner Weinshall, NYC DOT
Director Burden, NYC DCP
CCM Mendez
CCM Gerson
Mary Cooley, MBPO
NYSA Speaker Silver
NYSA Glick
NYSA Kavanagh
NYSS Connor
NYSS Duane
NYC Community Boards



Good Old
Lower East
Side, Inc.
GOLES

Comments Submitted to Lower Manhattan Development Corporation on the Draft Environmental Impact Statement for the East River Esplanade and Piers Project

Good Old Lower East Side, Inc. (GOLES)
Thursday, March 15, 2007

Good Old Lower East Side, Inc. (GOLES), would like to commend the coordinating City and State agencies for their vision and creativity in the East River Waterfront Esplanade and Piers Project, and for their commitment to making this project work for the diverse and distinct communities that exist in and around the project area. We would like to highlight three areas in which the City and State can work proactively with the affected communities to achieve the best possible outcomes.

I. Economic Impacts

While the Draft EIS anticipates minimal negative *impacts* on the socioeconomic conditions of surrounding neighborhoods, GOLES urges LMDC to include in the Final EIS concrete projections of the economic *opportunities* the plan will create. Specifically, the Final EIS should include a projection of the number and types of jobs that will be created by the project - both the temporary construction jobs and the permanent retail, operational, and program-related jobs. While we still don't know for sure what tenants will occupy the commercial spaces and community facilities, GOLES hopes the Final EIS will include rough estimates of the amount of space each type of facility - commercial, community, cultural - will occupy.

GOLES looks forward to working with the Community Boards, the City, and community organizations to advance the following three goals in an effort to maximize economic opportunity created by the project. First, the project implementation plan must ensure that residents of CBs 1 and 3, particularly the 30,000 public housing residents who live along the project area's northern half and immediately above it, are given first priority access to the jobs created both in the construction phase and in the ultimate operations of the East River waterfront. Second, these jobs must adhere to family-supporting wage and benefit standards that provide real economic security. Finally, the City and other project administrators should engage workforce development agencies to develop the training opportunities residents will need in order to qualify for and retain these jobs.

II. Development of commercial space and community facilities

Once again, GOLES hopes that the City and State will soon make available more concrete information on the amount of space that will be created for retail, cultural, and community facilities. We would like to echo Community Board 3 and the Office of Manhattan Borough President Scott Stringer in recommending that the commercial spaces be used to house locally owned small businesses that provide affordable goods and services to neighborhood residents and visitors. In regard to cultural and community use, the City and the State should continue to work with community groups in order to create facilities and programming that are representative of and accessible to Lower Manhattan's diverse communities.

III. Community participation in planning

GOLES believes that the greatest benefits of the East River Esplanade and Piers Project will be achieved through broad engagement of community stakeholders in all future planning stages of the project. In particular, the community should play an important role in helping to craft RFPs for project administration, contracting, cultural and educational programming, and the rent-up of retail spaces. Engaging neighborhood groups and residents in the RFP process will be a chance to maximize the opportunities created by this project to meet pressing community needs, and accomplish our highest goals.



March 16, 2007

Lower Manhattan Development Corporation
One Liberty Plaza, 20th Floor
New York, NY 10006

Attn: Comments East River Esplanade – Draft Environmental Impact Statement

Thank you for the opportunity to participate in transforming 2.1 miles of the East River waterfront through New York City's bold East River Waterfront Esplanade and Piers Plan.

As Co-Chairs of SeaportSpeaks, a group seeking to protect and enhance the South Street Seaport Historic District, we appreciate the effort of William Kelley of the Economic Development Corporation, and that of Keith O'Connor of the Department of City Planning, Victor Gallo of the Lower Manhattan Development Corporation, Suchi Sanagavarapu of the Department of Transportation, and many other individuals who have enriched this Draft Environmental Impact Statement. In the spirit of their commitment to excellence and collaboration, we are pleased to submit our comments.

Sensitive Historic Design

We applaud the repeated assurances that Pier 15, the Promenade, the pavilion(s) and other features within the South Street Seaport Historic District will be designed in a manner that is appropriate to the historic context. We feel assured to know that the New York State Historic Preservation Office (SHPO) will play a strong role as guardian of the Seaport's historic character.

Pier 15

We encourage the expeditious development of this critical amenity.

We question, however, the excessiveness of the structure that has been proposed - a deep truss system with piles at thirty to fifty foot spacing. The marine engineer advising SeaportSpeaks - a distinguished professional with extensive knowledge of this shore - feels strongly that designing, permitting and building a high level platform with twenty foot spacings between lines of piles will allow water to flow effectively and can support any type of superstructure, including a two story pier. We encourage you to investigate this alternative, which is less costly and more in keeping with the scale of an historic waterfront.

We encourage a more comprehensive look at the issue of dredging to guarantee that

permits are in place, costs are budgeted, timetables are assured, and that a full and dynamic use of all three sides of Pier 15 will be possible. It is our vision that the vessels of the South Street Seaport Museum (including the 279' *Wavertree*) as well as visiting craft will be able to arrive and depart from an active, welcoming pier surrounded by adequate water depth. If it hasn't been done already, a survey of the Museum's needs and the surrounding waters (including those around Pier 16) should pin down the exact scope of the dredging which, as you know, is an expensive undertaking. We understand that some dredging permits are in place, which is fortuitous since they take an average of two years to process. We welcome the assurance that they are secured and appropriate, especially once Pier 15 has been designed. We hope that the high cost of the dredging and the disposal of material have been factored into the budget of the East River Waterfront Plan.

The operating budget should also have a line item for maintenance dredging, which will be necessary over the years.

The inclusion of the *John A. Lynch* in the fleet of the South Street Seaport Museum gave us a chuckle. Sadly, the ferryboat sunk. Actually, she sunk three times: once in the East River, a second time in Bridgeport, CT, and then in the Arthur Kill off Staten Island, where she is deteriorating in the mud. At the Seaport Museum, she was known as the *Maj. Gen. William H. Hart*.

Please update your list of the Museum's historic vessels to include the ship *Peking*, schooner *Pioneer*, stick lighter *Marion M.* and tug *Helen McAllister*. The *Progress* has been an essential working barge for maintaining the fleet and may be needed in the future.

We request an assurance that all efforts will be made to keep this historic fleet safe during the estimated year of Pier 15 construction and that its temporary berth and the costs of such a dislocation have been anticipated and budgeted.

Note: It is correct to refer to the *Wavertree* but incorrect to refer to *The Wavertree*, as the names of vessels rarely include "The."

New Market Marina

The marine engineer advising SeaportSpeaks feels strongly that a new marina will only be safe and successful if a fixed breakwater is constructed. He believes that the floating wave attenuator will not work.

During the 2006 charrette sponsored by SeaportSpeaks, a consensus developed

around the opportunity for a public boating center on the waterfront between Pier 17 and the Brooklyn Bridge. Your figures 1-3 and 1-2 suggest a large marina for that shore north of Peck Slip. While we like to think the Draft is prescient about expanding the scope of the East River Waterfront Plan, I assume the figures misrepresent your present intentions.

We reiterate our call for a permanent breakwater to genuinely “enhance maritime activities” for small and mid-size boats on the shore between Pier 17 and the Brooklyn Bridge.

Piers 13 and 14

Although these piers are in poor condition and a secondary focus of the East River Waterfront Plan, we question the decision to demolish them in the near future, perhaps as early as Fall 2007, before a final plan for them is agreed upon and environmental permits are secured. We remember the extensive effort of Community Board 1 to allow Pier 15 to be rebuilt for recreation and maritime education in accordance with the DEC and Army Corps of Engineers. Piers 13 and 14 have unlimited potential only hinted at in this Draft. We urge you to invest funds to keep them intact and also to prohibit the transfer of overwater rights to the New Market site before thoughtful concepts have been developed and permits acquired. They are precious treasures that should be claimed by New Yorkers rather than by the waters of the East River.

Demolishing these piers or allowing their disintegration could also affect the silting of the adjacent Pier 15.

Governance

Thank you for acknowledging the need for an entity to maintain this 17 acre - 2.1 mile East River Waterfront once it is constructed. More than maintenance will be needed, however, to carry out the vision for the City’s plan. A mechanism for funding, programming, and maintaining it, as well as for adding future capital improvements, will be key for this waterfront to thrive and sustain itself. We urge EDC to accelerate its effort to develop a governing body.

In the SeaportSpeaks charrette of March 2006, seventy accomplished Seaport stakeholders suggested possible forms for this mechanism ie. a spinoff within EDC, a Deputy Mayoral Task Force with direct authority over City agencies, an expansion of the downtown B.I.D. and a combination of the above. They looked at funding sources and methods to represent the public and private stakeholders with a mechanism for community input.

It is provident, if not urgent, for the City to begin its own examination in earnest. SeaportSpeaks is available to help in any way we can.

Parking

We applaud the D.O.T. Bus Management Study in the hope that it will address this outstanding issue, and we affirm the prohibition of buses along South Street from John Street northward while urging it to continue throughout Peck Slip.

We are puzzled why the Draft feels confident that the loss of 668 parking sites can be readily accommodated on nearby blocks since the scarcity of automobile parking throughout the Seaport District and environs is incontrovertible.

The problem of automobile and bus parking is tied into the needs of all of Lower Manhattan. It merits ongoing and urgent scrutiny, creativity and political will.

Cladding, Pavilions, and Kiosks

The Draft expresses confidence that the cladding under the F.D.R. Highway will reduce sound and that the transparency of the pavilions underneath the F.D.R. can be maintained. We question whether the noise spilling over from the highway as well as the particles dropping down from the Highway complicate those claims. While concerned about those environmental factors, we reiterate our pleasure in the Draft's acknowledgment that all designs within the District will be appropriate to its historic context and trust that any cladding, like the pavilions, will meet those requirements.

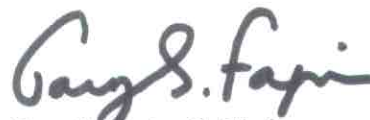
The reference to fourteen kiosks on page S-16 came as a surprise. We hope you are referring to the pavilions and not to another invasive structure. At the moment, the Seaport Historic District is addressing the challenge of pavilions within and adjacent to Pier 15. We see no room for pavilion or kiosk, certainly not at Peck Slip where open access to the river is critical.

Thank you for the invitation to add our comments to this exciting enterprise.

Sincerely,



Lee F. Gruzen, Co-Chair



Gary S. Fagin, CoChair



Alliance for Downtown New York, Inc.
120 Broadway, Suite 3340
New York, NY 10271
212 566-6700 Fax 212 566-6707
www.DowntownNY.com

Testimony of Deborah Morris
Assistant Director of Community and Government Affairs
Alliance for Downtown New York

Public Comment on the
East River Waterfront Esplanade & Piers Project
Draft Environmental Impact Statement

Lower Manhattan Development Corporation
Pace Multi-Purpose Room
1 Pace Plaza
New York, NY 10038
March 3, 2007
4:00pm

Good afternoon. My name is Deborah Morris and I am Assistant Director of Community and Government Affairs of the Alliance for Downtown New York, which manages the Downtown-Lower Manhattan Business Improvement District (BID). We represent Downtown's thousands of businesses and property owners, along with the community's tens of thousands of workers.

Thank you for this opportunity to comment on the draft environmental impact ("the DEIS") statement of the East River Esplanade & Piers Project (the "Proposed Action"). The Downtown Alliance has been a longtime advocate for the revitalization of the East River Waterfront. We are pleased that funding is in place and planning is underway, and are anxious to see these much needed improvements move forward.

The Downtown Alliance is delighted that the DEIS includes plans to improve connectivity and access to the East River and Downtown waterfront. We believe that this programmatic improvement to the piers, sidewalks and bikeways along South Street, along with the creation of pavilions, recreational spaces, seating, and plantings will make Lower Manhattan an even better place to work, live and visit. We support the reconstruction of Pier 15 and the enlargement of the esplanade between the Battery Maritime building and Old Slip.

We agree that these new amenities should fit within the context of the South Street Seaport Historic District. Most importantly, we urge the involved parties to continue evaluating ongoing operations and maintenance solutions to ensure that the esplanade and piers will remain an amenity for future generations. We urge that the long-term maintenance and sustainability be considered through out the design and development of these facilities.

Further, we are pleased that the Proposed Action addresses the dangerous pedestrian situation along South Street. Improving traffic mobility and adjusting signal timings will go a long way toward increasing safety and improving accessibility to these amenities. Further, the creation of a new Battery Maritime Building Pedestrian Plaza (the "BMB

Plaza"), will resolve many of the current pedestrian and vehicular risks at the southern tip of this program. The Downtown Alliance remains concerned, however, about the impacts of the BMB plaza on the traffic and congestion on our already crowded and narrow streets. We are particularly concerned by the reconfiguration of South Street between Whitehall and Broad Streets and the moving of the Battery Park Underpass. We urge those involved to ensure the Proposed Action facilitates the flow of east and west-bound traffic, particularly along those streets south of Wall Street, without further clogging our already overburdened north-south arteries, and keep in mind the parking needs of the businesses in this area.

For many of our largest commercial properties on Water Street, access to the West Side of Lower Manhattan remains a priority. We hope to continue to work with you to develop traffic solutions that preserve this access while improving overall traffic flows.

The proposed elimination of the bus parking perpendicular to South Street, under the FDR structure, is also an important component of pedestrian access and overall enjoyment of the waterfront. However, the DEIS does not resolve where buses displaced by this plan will park; specifically, in light of the increased bus traffic expected with the construction and completion of the World Trade Center Memorial. We are optimistic that proper coordination, traffic mitigation efforts and enforcement can resolve this important issue. We urge those involved to provide adequate funding to allow the elimination of the buses while implementing new solutions for the issue of bus traffic and parking. The Downtown Alliance will continue to work with officials on this important issue.

The Downtown Alliance remains concerned about the construction impacts of these actions and encourages all involved agencies and their contractors to be a part of ongoing mitigation efforts. It is essential that the cumulative impacts of all area construction be considered as construction planning and phasing begins so that our local businesses remain fully operational. Agencies and contractors should cooperate with the LMCCC, as well as the Downtown Alliance's own Construction Mitigation Group to minimize the negative impacts of construction activity on Lower Manhattan's workers, businesses, residents and visitors through the build-out stages.

We believe that this project provides a great opportunity for community resources and amenities along the waterfront. We believe the improvement and maintenance of the waterfront area will bring visitors to the water's edge and will add value to the surrounding properties. The Downtown Alliance remains very interested in the programming processes for the usage of these spaces and we hope to continue our involvement in order to ensure that these spaces are most beneficial to the Downtown community.

The DEIS is part of an array of neighborhood enhancements that will secure Downtown's future as a world class business district and a dynamic 24/7 community.

Thank you.