Testimony of Roland Lewis, President and CEO
on **Oversight: Keeping the NYC Waterfront Clean**

Before the Committee on Waterfronts, jointly with Sanitation and Solid Waste
April 29, 2011

Good afternoon and thank you for the opportunity to submit this written testimony. I am Roland Lewis, president of the Metropolitan Waterfront Alliance. The Metropolitan Waterfront Alliance is a coalition of over 540 organizations working together to transform the New York Harbor and its waterways into a world-class resource for work, play, transit and education.

The Metropolitan Waterfront Alliance commends the City Council, and specifically the Committee on Waterfronts, jointly with the Committee on Sanitation and Solid Waste Management for coming together to address this issue. Proper oversight of illegal dumping is a vital component of fostering and maintaining a clean, healthy and safe waterfront. Many of our Alliance Partners such as American Littoral Society, Riverkeeper and Rockaway Waterfront Alliance serve as watchdogs advocates and host volunteer clean ups but the City can’t rely on volunteer groups for this important sanitation and environmental function.

MWA applauds the passage of Local Law 4 (Int. No 54-A) but we still need to address abandon boats, allocating more money for enforcement, and waterfront governance.
Enforcement of the penalties in Local Law 4 will create a level playing field, rewarding
companies that follow the law while taking away the competitive advantage of those who break the law, and thereby investing in businesses who have the community and waterfront in mind. Our waterways are invaluable natural, commercial, and recreational resources which are often overlooked due to the tragedy of the commons.

The Metropolitan Waterfront Alliance’s platform, as outlined in the Waterfront Action Agenda, is organized around six major points of emphasis: 1) the working waterfront, 2) a green harbor, 3) waterfront recreation, 4) harbor education, 5) aquatecture and 6) water based mass transit. Each of these spheres is negatively impacted by illegal dumping. Debris can damage equipment and raise operating costs for water-based businesses struggling to survive as well as discourage public access to the waterfront. Debris such as abandoned boats can discourage recreational use of the Harbor by limiting public access points. The maintenance of and enforcement at public access points is crucial to encouraging recreational use and safety.

MWA would like to revisit Int. No. 53 to increase awareness about the TIPS pollution prevention program and the central source of contact otherwise known as the TIPS hotline. Once a centralized source of contact for reporting of illegal dumping is established, it should be consistently communicated through all outreach programs including signs and various agency websites. Section 22-112.3 b which says “creation of a public education program to increase awareness about illegal dumping and encourage local residents to report observed illegal dumping activities” should specifically mention
the centralized source of contact to clarify the mechanism for receiving and responding to complaints.

Finally we are concerned that it is not clear who has jurisdictional responsibility over debris in the water which causes inconsistent enforcement. There is an opportunity through the reinstatement of the Waterfront Management Advisory Board (WMAB) to begin to address jurisdictional responsibility regarding dumping and also for many other waterfront issues.

The WMAB should take up illegal dumping and enforcement as an issue and develop plans for interagency coordination to put into place the ideas found in this testimony and the testimony of many other organizations we are hearing from today.

While the WMAB is a step in the right direction and can be an effective tool for the City to use to stem illegal dumping, the WMAB is not yet functional. The current WMAB, while memorialized in the City Charter, has no membership, has no offices, no funding, and no dedicated staff. At present, it seems destined to repeat the history of the 1970s because responsibility for action remains with multiple City agencies that have limited formal requirements to plan and cooperate in a holistic manner. For these reasons MWA highly recommends the swift establishment of the WMAB and requests the City ensure the WMAB begins its work as soon as possible.

The WMAB should start its work by implementing the following:
1) Finalize and make public the WMAB membership by July 2010 and use MWA’s City of Water Day Event on July 16, 2011 to formally announce and broadcast this to hundreds of thousands of New Yorkers.

2) Inaugurate the WMAB by holding the first WMAB meeting in September 2011. The agenda for the first meeting should be developed by the New York City Economic Development Corporation (NYCEDC) and the New York City Department of City Planning (NYCDCP) staff and through consultation with MWA’s six waterfront Task Forces.

3) Establish that the purpose of the first WMAB meeting will be to set WMAB governance and management processes in place for the effective management and operation of the WMAB. At the first meeting the WMAB will determine and agree upon future meeting agendas, WMAB subcommittees and their tasks, WMAB and subcommittee reporting requirements, outreach to elected officials, and public outreach and communications methods.

4) Assign dedicated staff support from NYCEDC and NYCDCP to the WMAB and its subcommittees before September 2011 and coordinate with MWA waterfront Task Force co-chairs for subcommittee leadership and additional staff support.
5) Establish at the first WMAB meeting that the WMAB will develop its waterfront recommendations by gathering feedback in the following ways:

- Quarterly WMAB meetings.
- Meetings once every two month of WMAB subcommittees.
- Meetings with MWA waterfront Task Forces and their co-chairs.
- MWA’s soon-to-be-released Waterfront Governance White Paper.
- MWA’s Waterfront Conference transcripts and proceedings which can be found at:
  

- Public input gathered through the Department of City Planning website and input from elected officials and their constituents.
- Dedicated research done on past and future waterfront challenges through an analysis of the New York City Council’s Committee on Waterfronts hearings and benchmarking of other city’s waterfront management solutions.

5) Establish the following subcommittees at the first meeting, with chairpersons, membership, and staff support assigned to each:

- Design Guidelines for in-water projects
- Waterfront Permitting
- Working Waterfront
- Waterfront Planning
- Water Mass Transit/Ferries
- Waterfront Governance and WMAB Governance

Finally, Illegal dumping should be an agenda item of the Waterfront Advisory Board meeting every six months.

We invite the City and waterfront advocates to MWA’s follow-up to the 2010 Waterfront Conference which will be held on May 16, 2010. The future of waterfront governance in New York City using models from other parts of the country will be highlighted in a morning panel. The panel will feature waterfront cities around the world that have retooled their governance systems to provide better management, spur investment, and encourage redevelopment of waterfronts into accessible and inviting places. From redevelopment corporations, to new waterfront agencies and innovative interagency initiatives, this panel will present best practices from leaders who are successfully transforming their cities’ waterfronts and addressing challenging issues such as regional coordination, communication, implementation, financing and regulatory reform.

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