November 17, 2015

Ms. Nilda Mesa  
Director  
Mayor’s Office of Sustainability  
253 Broadway, 7th Floor  
New York, New York 10007

Re: Comments on Flushing West Rezoning Proposal, Draft Scope of Work for Environmental Impact Statement (CEQR No. 16DCP045Q)

Dear Ms. Mesa,

On behalf of the Waterfront Alliance, I submit these comments on the Draft Scope of Work for an Environmental Impact Statement (Draft Scope) for the Flushing West Rezoning Proposal (CEQR No. 16DCP045Q) and thank you for your review of public feedback. We are a bi-state coalition of over 850 community and recreational groups, educational institutions, businesses, and other stakeholders committed to restoring and revitalizing the New York and New Jersey waterways.

Flushing Creek is an underutilized, marginal waterway with great potential for recreational and educational use by future generations. The creation of a Special Flushing West District (SFWD), establishing a mixed-use district with mandatory affordable housing requirements, must encourage the preservation and improvement of public access to the waterways, increased resiliency to storm events and flooding, while also producing ecological benefits.

We urge that best practices from our Waterfront Edge Design Guidelines (WEDG) program, which address these issues directly, be thoroughly considered throughout this process. Similar in concept to LEED, WEDG is a ratings system, developed in close cooperation with regulators and technical experts, to evaluate the design of waterfront projects, promoting access, resiliency, and ecology. WEDG metrics and best practices can be used to “screen” certain aspects of future design alternatives.

We recommend that this project incorporate the principles and tools outlined by our WEDG program, and offer the following comments on the Draft Scope, including references to the WEDG Manual, where applicable:

Proposed Action
We applaud replacement of the Flushing Waterfront Access Plan with the analogous provisions of the SFWD, including increasing the minimum width of the shore public walkway from 20 feet to 40 feet. However, additional provisions should be added to the SFWD to require a waterfront edge treatment that goes above and beyond a wider esplanade. As referenced in the Draft Scope, the stated purposes of the City’s Waterfront Zoning Regulations are, among others, “to encourage water-dependent uses along the City’s waterfront,” and “to protect natural resources in environmentally sensitive areas along the shore.” These regulations were adopted to support the Comprehensive Waterfront Plan (CWP) and the Waterfront Revitalization Program (WRP). The rezoning presents an opportunity to create a waterfront edge that reflects current best practices in waterfront design and is consistent with principles of the CWP and WRP that encourage multiple uses along our waterfront.
The waterfront edge should include areas that facilitate water-dependent uses and improve the environment better than a hardened bulkhead and esplanade. An example of such a design is included in the rendering on slide 40 of the presentation on the New York City Department of City Planning’s website for the project. The rendering portrays at least two docks, water-dependent recreational boating, and a naturalized edge with a variety of habitat. With the SFWD and in support of CWP and WRP, the City should honor the spirit of the rendering.

**Task 5: Open Space**

New York’s waterways have become an increasingly desirable space for recreational use and continue to be a source of economic activity. The adjacent waterbody, Flushing Bay, is home to not only commercial maritime traffic—approximately 1.4 million tons of cargo annually, according to the U.S. Army Corps of Engineers—but a host of water-based recreational activity. At the World’s Fair Marina, high demand for berthing space suggests potentially unmet demand in the district; a number of “dragon boat” groups also operate there, including the Empire Dragon Boat Team, “New York City’s first and only breast cancer survivor racing team.” The Hong Kong Dragon Boat Festival, held annually in Flushing Meadows Corona Park, has become a local institution in its 25 years of operations.

While CEQR does not contemplate water-based recreation, the Open Space analysis should nonetheless document considerations allowing for increased recreational uses in these areas. This includes not only the impact to existing uses, but also the potential to develop facilities that may increase on-water uses, such as docking, ramps, storage space, and comfort stations.

**Task 9: Natural Resources**

A “do no harm” approach should be used when addressing the natural resources of the area and evaluation of existing habitats in the study area. As referenced in the Draft Scope, the natural resources of Block 4963, Lot 85 (37-02 College Point Blvd), may be potentially impacted by the proposed action. Natural resource impacts should be avoided, including no net loss of natural resources, by retaining the lot’s existing natural resources and/or incorporating natural features into the waterfront edge treatment and design for the entire affected area. For example, rather than a hardened edge with a bulkhead, the edge treatment could be more naturalized and include small wetlands and habitat for plants and animals. If wetlands are present, a functional assessment should be conducted to assess the ability to preserve and potentially enhance the presence of suitable and high-quality habitats.

**Task 11: Water and Sewer Infrastructure**

The WEDG Manual provides specific guidance for waterfront projects that should be incorporated into this project, where applicable. Within individual sites, separate sewage and sanitary to avoid CSO events, to avoid further pollution to Flushing Creek and Bay

**Other Comments**

This area was affected by Superstorm Sandy, and some of the proposed sites within the rezoning area are within the 100-year flood plain. The WEDG Manual provides specific guidance for waterfront projects that should be incorporated into this project, where applicable. Sites should be flood-proofed and exceed existing requirements.

- Where possible buildings should be sited outside the floodplain (page 15 of WEDG Manual).
- Design for highest expected service life: The redesign of the shoreline provides an opportunity to build for the highest expected service life, which should be at least 100 years. Designs and strategies should be built with consideration of rising sea levels and changing floodplains, with the potential to be adapted in the future with modifications (pages 12 and 30).
• Address resiliency through shoreline stabilization: Incorporate shoreline stabilization techniques that provide a more graduated edge, provide more complexity, and avoid net fill. Sloped shorelines, rather than a hardened or more vertical shoreline, can progressively dissipate wave energy, reducing reflection and amplification while improving the aquatic habitat within the intertidal zone. WEDG promotes strategies that enhance shoreline design to resist flooding and storm surge events, while also balancing access and supporting habitat (page 29).

• Support resilient ecosystems: Design landscapes, green infrastructure, and ecosystems to withstand harsh coastal conditions, floods, and storm. Designs should seek the preservation of upland migration areas for wetlands where possible. Integrate designs and strategies that enhance complexity and performance through results-based objectives (page 36).

We urge that this environmental review determine the extent to which public access to and onto the water can be preserved and enhanced by the proposed action, to not only meet the goals of the Administration’s housing plan, but also to incorporate the principles of the CWP and WRP. We thank you once again for your review of public comments on the Draft Scope, and look forward to the next phase of this process.

Sincerely,

Roland Lewis
President and CEO

CC: Sen. Tony Avella, New York State Senate, District 11
    Sen. Jose Peralta, New York State Senate, District 13
    Hon. Ron Kim, Member, New York State Assembly, District 40
    Hon. Michael Simanowitz, Member, New York State Assembly, District 27
    Hon. Peter Koo, Member, New York City Council, District 20
    Hon. Julissa Ferreras, Member, New York City Council, District 21