

**Waterfront Assets info  
for NY Rising Community Reconstruction Program (CRP) Red Hook Committee  
By Carolina Salguero, Director, PortSide NewYork  
10/23/13**

Understanding Red Hook waterfront options means understanding a lot of arcane regulation and policy, so I have written up the following observations and suggestions to help Red Hook committee members of the CRP who are not waterfront people.

**Reminder #1: The Waterfront is a Part of Red Hook:**

Understanding and capturing the potential of Red Hook's waterfront involves understanding and engaging a constituency that is not usually at the table in Red Hook planning discussions, the maritime community.

This constituency owns or operates a large swath of our waterfront; they have expertise in matters pertaining to water; their facilities (piers, boats, land areas) could be recovery and resiliency assets in cases of emergencies. Apart from times of crisis, these entities in Red Hook are engaged in work, largely invisible to most, which supplies us with imported products we eat, wear, watch or consume; fuel for our cars, buses, planes and home heating; the sand, gravel and asphalt to build our roads; and our growing waterborne transportation system, and include companies who build and maintain all the waterfront assets of those industries, as well as our waterfront parks, roadways and bridges.

If nothing else, consider the clout: the largest land owner in Red Hook looks to be the Port Authority, and Red Hook's relationship with the Port could be grown and improved. The Committee should be sitting down with the major property owners. The speed of this process has not allowed for time to check the block and lot map, but off the top of my head the top four property owners in Red Hook in order are:

- Port Authority of New York & New Jersey
- NYCHA
- Parks Department
- IKEA

I mention all this because the maritime sector has, since the revitalization of Red Hook picked up in the late 1990s, often felt unwanted in Red Hook. This vibe has caused a rift between the maritime and inland communities which historically did not exist. One of the reasons I founded PortSide NewYork was to mend those fences in Red Hook, and elsewhere in the harbor. One of my goals with PortSide was to turn the maritime industry into an attraction and educational opportunity, an economic engine for Red Hook and also a better neighbor by getting the industry more engaged in community

life. These entities are as interested in a resilient Red Hook as anyone, and their special assets – knowledge, resources, land – can easily be made available to the entire community in an emergency, and they might be persuaded to engage more fully with the neighborhood, provided the neighborhood shows a willingness to engage with them. I encourage this CRP process to operate in this spirit.

**Reminder #2: The Water is an Asset, Not a Problem**

Red Hook is a peninsula. Water is therefore our greatest resiliency challenge due to the risk of floods, but water is also the defining feature of this place and our greatest economic asset.

PortSide’s mission has always been to create change on the waterfront: more and better use of NYC’s Sixth Borough, the waterfront BlueSpace. Red Hook has yet to see the real PortSide because we have been reduced to being a cultural pop-up. Our intention is to create a place where people come by land and sea, a significant destination and attraction for visitors while offering many programs and services to Red Hook people at the same time. Red Hook would benefit from the kind of destination we have planned, we were to be one of the reasons people would come to the Red Hook waterfront instead of stopping at the southern edge of Brooklyn Bridge Park. We have developed cultural tourism programs to re-connect Red Hook to other parts of the original Red Hook South Brooklyn (the Columbia Waterfront District and Carroll Gardens), promoting “our” waterfront as “their” waterfront, too. Such programs foster retail growth, investment and grow relationships with “nearest high ground neighbors.” The latter is also a major principle in PortSide’s flood preparedness proposals for Red Hook.

**Action Items**

**Use CRP to improve NYS & NYC policy regarding pier design & use:**

1. Change State Dept of Environmental Conservation (DEC) policy regarding permits to install or repair a pier
2. Change NYC policy, to go beyond just “access to the waterfront” to promote use of the water itself.
3. Change NYC policy regarding pier design & management

Do this because the most resilient pier is one that can be used multiple ways by multiple users.

Post the 9/11 evacuation of Manhattan, the 2003 blackout evacuation of Manhattan, and Sandy in 2012, planners should bear in mind that the most resilient pier is a pier that can host many uses, particularly boats.

Piers that can be used by boats can provide economic, educational & cultural activity, transportation options, attractions/special events, emergency supplies, evacuation options that come by water, on boats of many types.

Red Hook's pier options, or lack thereof, are part of a larger citywide situation. I have provided some context below so the Red Hook situation can be better understood. Changing pier policy for Red Hook surely means changing City policy. PortSide has considerable information about the issues at the NYC level and can provide more info for anyone who wants it.

NYC, especially the Economic Development Corporation (EDC), built a generation of new piers "for pedestrians" or "for views." These are not multi-purpose or maximally resilient piers. Red Hook has such a pier in Valentino Park. It can be retrofitted, and policy limiting its use can be changed.

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**Info on waterborne evacuation**

- 9/11 boatlift (<http://youtu.be/MDOrzF7B2Kg>)
- <http://online.wsj.com/article/SB10001424052748704421104575463893788843412.html>
- [http://www.its.dot.gov/its\\_publicsafety/pedevac/3\\_interviews.htm](http://www.its.dot.gov/its_publicsafety/pedevac/3_interviews.htm)
- I photographed the waterborne evacuation of 9/11 and curated PortSide's exhibit on the [Mariners' Response to 9/11](#) and can provide more info on the role of piers in emergencies.

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**1) "(DEC) policy regarding permits to install or repair a pier."**

Since this CRP is a state process, it is an appropriate context to address DEC policies which have prevented pier maintenance in Red Hook and caused the neighborhood to lose a lot of docking capacity.

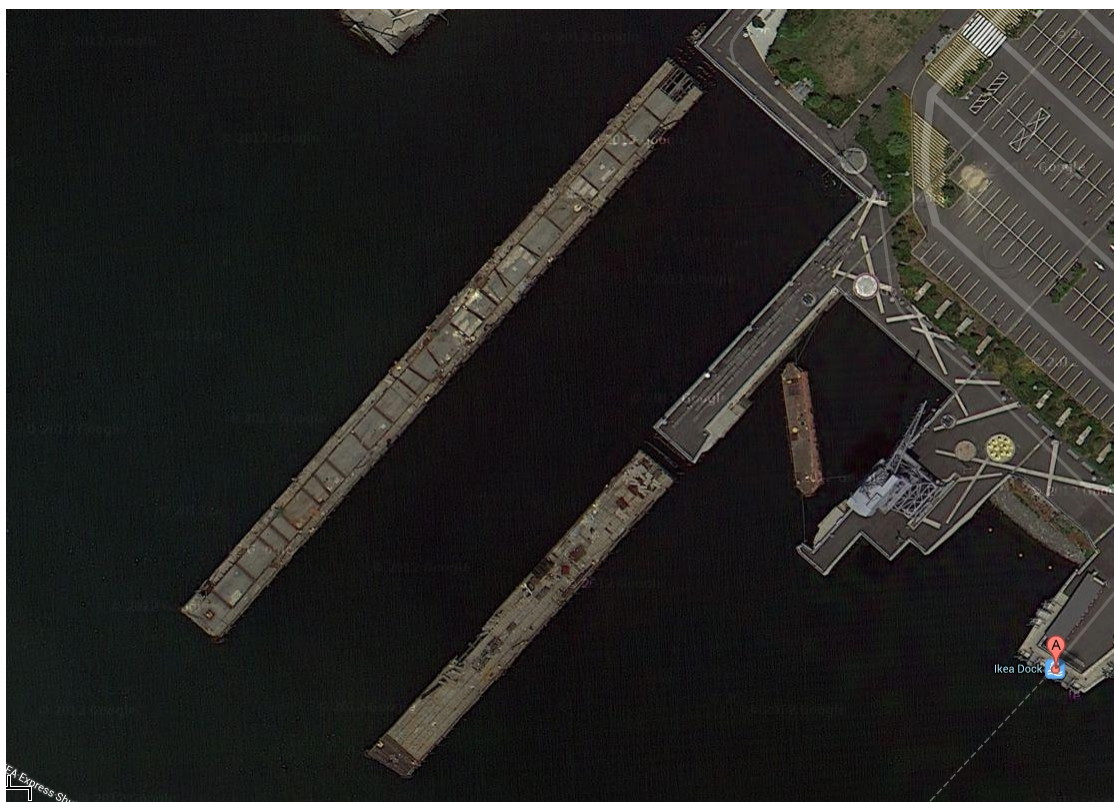
DEC policy sees shade as detrimental to marine life, largely based on one study done by Ken Able in the early 80s that found there was little marine life at the center of Pier 40 at Houston Street in Manhattan. That pier covers MORE THAN 14 ACRES. The study is seen by many as flawed. Last year, the Port Authority was working on a "shade" study which sent Red Hook's own Museum Barge to Brooklyn Bridge Park to study the shade it created. We should get the results of this study

The DEC "shade" concept has prevented several property owners in Red Hook from building back piers which dated to the 19<sup>th</sup> century, and obliged them to install rip rap (rocks), which prevents docking by boats. This has also prevented the Museum Barge

from having a landing barge along side the Lehigh Valley 79, and has prevented Brooklyn Bridge Park from having floating walkways connecting the pier ends.

PortSide argues that, in Red Hook, at least, DEC policy has amounted to “economic injustice”, similar to “environmental injustice” in how it unfairly penalizes disadvantaged neighborhoods. See my testimony to City Council on behalf of PortSide in Appendix B.

Repair and activation of two severed piers at IKEA has been mentioned by the community during the CRP process, but under current DEC rules, those piers will not be repairable unless they are repaired soon. They need to be repaired before they are 50% gone – at that point, DEC regulations prevent them from ever being repaired!



The pier at the Snapple warehouse on Wolcott Street is also at risk of being lost due to the 50% rule.

## **2) “Change NYC policy, to go beyond just “access to the waterfront”**

Change policy to encourage use of the water itself not just access to the land edge overlooking the waterfront. This is a major advocacy goal for PortSide. A solution is to mandate that, when waterfront property owners are obliged to put in an esplanade, they are also obliged to provide for use for the water part of their waterfront, what PortSide calls the BlueSpace. The new comprehensive waterfront plan [Vision 2020](#) is a

step forward in this way of thinking. City Planning's [Waterfront Revitalization Plan](#) (WRP) also had such a concept under review. (Ask Michael Marrella of DCP.)

**3) "Change NYC policy regarding pier design & management"**

Address two main impediments to boat use of piers in NYC: pier design and pier management. A list of frequent NYC pier design impediments is Appendix C.

- a) Pier design refers to piers that were not built well for boats (even when they have been declared as for maritime use) and/or piers which were built for "views", where boats are deemed to block the view. (We think boats add to the view!)
- b) Pier management refers to the rules and demands, the permits/protocols as well as some management practices not codified in permits that often leave NYC unfriendly to boats.

**Pier Design**

Below is just a basic introduction to some of the impediments to boat use of piers. I can offer more if a subgroup wants to drill down on this. The shed of the Brooklyn Cruise Terminal faces impediments to special event use for similar reasons of design limitations coupled with management expectations. More on that below.

In Red Hook, Valentino Park has a pier designated for "views" (one reason that PortSide was not been able to get a home there and that no historic ships visit that park).

The notion behind this is that a boat blocks the view. In most coastal towns and cities, boats are considered to be part of, and assets to, the waterfront view, but not in NYC. A view of the harbor would be available from any boat on Valentino Pier open to the public.

During the 12 years of the Bloomberg administration and all its waterfront revitalization, only 3 homeport berths for historic ships were created on public piers in all of NYC. All three of those berths are in Manhattan, on one pier, Pier 25 in the Tribeca section of Hudson River Park.

Valentino Pier is designed in a boat unfriendly way for not having docking amenities on the pier (cleats to tie to, fendering to protect the boat and the pier), for having pilings protruding from the sides and more.

PortSide has installed infrastructure in the MARY WHALEN (spudwells or tubes) which would enable us to dock next to such piers by deploying spuds ("steel tubes which act like pilings, internal to the ship). We don't even have to be alongside the pier; we can

spud in another part of the Valentino park water space. I mention this both as a general example as well as to advocate for a home for PortSide NewYork.

### **Pier Management**

- **Infrastructure**
- **Permitting**

**Infrastructure:** Regarding issues of management, boats are often expected to pay for the missing infrastructure or to cover the cost of moving infrastructure out of the way (eg, fences in the way of gangways). Much of this problem would never exist if pier infrastructure were designed to facilitate boats in the first place.

At a minimum, NYC needs to mandate that all pier fences be made of an easily removable, sectional fence, if only for evacuation and emergency purposes. Ideally, fences would be of uniform design or segment dimensions to facilitate this. Currently, fences are custom designs by architects, sometimes with a manufacturer warrantee that is voided if anyone else but them moves a fence segment. In one waterfront park, a fence manufacturer reportedly charges \$4,500 to move a gate.

There is a growing demand by NYC that historic ships pay for infrastructure changes AND offer free public programs AND pay rent. That is not sustainable for the non-profit historic ships. A food concessionaire in the park is not required to give his food and beverages away; why should the non-profit boats have to pay to perform for free?

**Permitting:** The Vision 2020 Comprehensive Waterfront Plan had a companion piece in [WAVES](#), presenting mandates for the EDC. One of those was that EDC create “a uniform docking protocol for historic ships on city owned property.” The mandate was to do that by end of 2012. More at <http://www.nyc.gov/html/waves/html/historic-docking/docking.shtml>

The EDC did create the document, but it does not reflect operational realities and instead presents impediments to ships using piers. PortSide has had a senior partner at a law firm review the document. We can provide details on his and PortSide’s review of it for anyone who is interested.

### **Longer Term Improvement Opportunities**

- **PANYNJ**
- **Brooklyn Cruise Terminal Shed**
- **Brooklyn Cruise Terminal Parking Lot**
- **Atlantic Basin**
  - **Reality Check: limitations on Atlantic Basin waterspace use**
- **Valentino Park**

- **A Home for PortSide NewYork**

**As this is a state process, use the CRP as an introduction to a conversation with the bi-state Port Authority**

The goal here is to create a better relationship between the PANYNJ and the community, some community improvements to PANYNJ property and some better uses of PANYNJ property:

The maritime uses of PANYNJ waterfront should and could be retained while also having port property become more of an asset to the adjoining community. PortSide has developed multiple ideas. Here are some themes:

**Immediate near term improvements:**

- Improve the edge of their property
  - have sidewalks abutting PANYNJ property meet cleanliness standards required of private property owners. Garbage is rampant along their fences along Imlay and Pioneer Street, Ferris, Sullivan and Wolcott.
- Turn the port inside the fence into an educational asset.
  - PortSide has developed plans for special tours of the whole port or smaller sections of it for the general public and school groups. An annual, local version of [OHNY](#)-type tours would turn the port into an attraction and create greater understanding of port activities.

Given the post-Sandy discussion of alternative energy issues, there is a lot of space for renewable power generation on PANYNJ property:

- solar power on the massive shed roofs
- wind power generation, possibly in the BCT passenger parking lot
- tidal power generation south of Pier 12 in the Buttermilk Channel, which has the second fastest currents in New York harbor. The fastest currents are next to Roosevelt Island where Verdant Power has a tidal power pilot project now.

**Better use of the Brooklyn Cruise Terminal (BCT):**

I describe some of the impediments below to make visioning process by others more informed and can meet with people who want to discuss possibilities in greater detail.

As with the pier issues described above, the Brooklyn Cruise Terminal (BCT) in Red Hook shed faces design and management impediments to special event use.

The EDC promised the community that BCT would be used for conventions, special events and have a Water Taxi dock linking it to trade shows which occur in Manhattan's passenger ship terminal. That has not happened.

Unless the situation has changed since an EDC RFP to select a special event planner for BCT a few years ago, here are some infrastructure and management impediments to events at the Cruise Terminal. The special event planners discovered that BCT had not been built to facilitate their uses. I asked most of them if they planned to respond to the RFP, and they said no. Here was what they cited as being the impediments:

- there was no loading dock entrance for large items; everything had to come in the glass doors. One planner said "I use 23' high palm trees, we can't get them in those doors."
- There was no kitchen or space to use as a catering kitchen. There was only a slop sink.
- The site was advertised as having water views but there were no windows affording a water view, and planners were told that party tents could not be set up in the parking lot.
- There were some shortfall in the overhead structure making it hard for them to rig lights; I don't have the details at hand.
- The fees the EDC wanted them to pay were higher than market rates, on top of the unappealing physical aspects.
- As part of the RFP, the EDC said the site would be available for non-profit use, my reason for attending. The EDC wanted a non-profit using the facility on a Saturday night to pay \$10,000. When I asked if they meant large national non-profits such as the Cancer Society or local, community-based non-profits, they said they were thinking about the latter. Most local CBOs are not paying \$10,000 a night for a location.

This RFP was for use of the passenger ticketing and waiting areas, the "finished" spaces. Subsequent to this RFP, there were one or two instances of a large convention of 5,000 rabbis who used the cargo spaces of the terminal.

The terminal has had very few special events since it opened, none of them, to my memory, were open to the public the way an expo or convention would be. I believe they were all by-invitation only events.

Management of the BCT was initially shared by the Port Authority and the EDC. The EDC took it over sometime in 2012, though the Port Authority owns the property.

## **Better use of the cruise terminal parking lot**



Large parts of the cruise terminal parking lot could be made available to other uses as it is rarely filled with parked cars even when it has cruise passenger cars, and most of the year it has no passenger cars at all.

The Atlantic Basin parking lot could serve as a post emergency staging area, but that needs to be worked out before a disaster. Post Sandy, PortSide tried to access that space for a tool share, volunteer dispatch and center for orgs providing aid and recovery assistance after Sandy but the layering of Port Authority and EDC management made the approval process too slow to get into business in the time needed.

The southern end of the parking lot, along the Buttermilk Channel (below), with an exit onto Wolcott Street, never hosts any parked vehicles at all. With the Snapple warehouse across Wolcott Street having been bought by developers, the west end of Wolcott is poised for change. A decrepit, corrugated metal maintenance garage (the larger structure in photo below) is barely used, and a small masonry garage which connects to Wolcott Street, and whose roof was badly deteriorated, was not used at all last we looked. PortSide could repurpose these buildings for maritime program use.





### **Better use of Atlantic Basin**

The term “Atlantic Basin” includes a space from Pier 12 to the waterspace, Pier 11 shed and parking lot abutting Imlay and Pioneer Street, owned by the Port Authority but operated by the EDC. This layering of bureaucracy makes things complicated. The PANYNJ-EDC relationship could be improved.

The Atlantic Basin waterspace is a special maritime asset, but its use is limited by land-use decisions that were made before a water-space plan was created.

1. West side of Pier 12 (the cruise ship pier) is in a TWIC zone when a cruise ship is out, and does not allow any passenger disembarking when a cruise ship is in because the trucks supplying the cruise ship drive down the apron (the flat deck of the pier).
2. Public access or event use of Pier 11 apron is prohibited when a cruise ship is in. This seems unduly restrictive. All of West Street in Manhattan does not shut down when cruise ships are at the Passenger Ship Terminal.
3. Pier 11 shed was rented to Phoenix before a docking plan was created so the apron is divided in two, with the northern half being in Phoenix leasehold, meaning that vessels tied up there cannot access the apron, eg use a gangway or leave the boat at that location by land. That makes the northern half of the waterspace only useful for water-in, water-out uses. Also note that the shed use is not maritime related.
4. As of 2010, Cruise terminal operators wanted not vessels docked south of the gate on the pier 11 apron since they wanted to keep line of sight from the truck staging area to the freight entrance on pier 12.
5. The new dockmaster program for the south half of the Pier 11 stringpiece “DockNYC” has turned that into a TWIC zone to comply with [MTSA regulations](#) for larger vessels. BillyBey, the dockmaster of DockNYC, can be asked to explain those regs.

Proposed Solutions to items 2, 3 and 4:

2. find ways to enable access to Pier 11 when a cruise ship is in.
3. If and when Phoenix exits the Pier 11 shed, take down the fence bisecting the apron and allow vessels docked along the entire pier to have gangway access to it.
4. Use walkie talkies to communicate between Pier 11 and the truck loading dock rather than line of sight to allow for docking at southernmost part of Pier 11.

**Reality Check: unlikely-to-change limitations on Atlantic Basin waterspace use**

Red Hook voices have called for a marina and recreational boating in Atlantic Basin. Approval for those uses, despite high community and market demand, is unlikely due to a layering of federal Homeland Security regulations, preferences of the Port Authority, and concerns of the operators of large commercial vessels (cruise ships, container ships, tugs, barges, tankers).

Transient boating and hand-powered boating are unlikely to be approved due to the [TWIC card](#) zones of Pier 12 on one side and the containerport on two sides. There are also safety concerns about the risk of small boats operated by unlicensed recreational boaters entering and exiting the Buttermilk between the large vessels of the commercial operators. There is no NYS or federal mandate that recreational boaters have a license, so there are no guaranteed competency standards on these waterways as there is with roadways. The result is that major commercial operators and, at times, even the Coast Guard, resist recreational boating uses in close proximity to very large commercial traffic.

**Valentino Park**

After the public meeting, the Red Hook recommendations included a maritime safety corps. Hats off to whoever came up with that. I support the idea of a CERT team with a [zodiac/inflatable boat](#). PortSide's two business plans included hosting dockspace for a AAA of the water such as TowBoatUS, SeaTow or a smaller operator. That would put such a boat in Red Hook.

Another solution would be a community boathouse for Valentino Park that could house such a vessel. Below is some history which could be useful in advocating for such a structure.

The proposed community boathouse would be akin to the Downtown Boathouse in the Tribeca section of Hudson River Park in hosting a free kayak program as well as renting space for privately owned boats. Red Hook residents have requested a boathouse since the Park opened. I was part of the Red Hook Navy which advocated for such a boathouse circa 1998-2000. We hoped to capture [ISTEA funds](#) (related to transportation) for a boathouse. Most of those funds went for park replanting and an

irrigation system, with the transportation component being a bike rack and some signage.

After that (circa 2006) Brooklyn Parks Commissioner Julius Spiegel invited three groups (PortSide NewYork, Red Hook Boaters, Urban Divers) doing waterfront programs in Valentino to a meeting to discuss our programs and needs. This prompted me to make a doodle of a boathouse design of three containers that one of the Red Hook Boaters turned into the more handsome rendering below. Commissioner Spiegel shot this down as “ugly” and granted permission for the one container which services the Boaters on Coffey Street now. That left PortSide without the program space we sought (one container) in the 3-container design which had been rejected.



In 2011, PortSide got a DesignNYC grant to improve the extent container and grow it into an educational amenity, better space for boating programs, and seating area for the general public. See our BoatBox designs at <http://portsidenewyork.org/boatbox/>

That design effort was warmly received by Councilwoman Sara Gonzalez and members of the Parks Department and was something of a trigger for some improvements in the park. Gonzalez secured some funding (\$1.1 MM comes to mind) to create a Parks administrative center building. Such a building could possibly provide a space for the CERT boat and a related water safety program.

**A home for PortSide NewYork:**

I recommend a home for PortSide NewYork because we have proven to be a resource to the community, and we are not sustainable where we are. PortSide wants to stay in Red Hook.

PortSide survival through eight years of real estate challenges is a testament to our own resiliency. Being on a ship makes us flood resistant. Our recovery work skills developed in the wake of Sandy, and the flood preparedness programs we are developing, are resiliency assets for Red Hook. Lastly, Red Hook revitalization is embedded in our founding DNA and many programs, so we are an asset for recovery work in general. More about PortSide in Appendix A

Appendix A

PortSide NewYork [www.portsidenewyork.org](http://www.portsidenewyork.org) was founded to be a place to which people came by land and water, a major year-round, cultural destination, hosting and serving a combination of vessels (workboats, historic boats, government vessels offering educational programs, charter & excursion vessels). Space in an adjoining building ashore would house additional activities. Our services would include business-to-business services to the workboats, a small museum, cultural and educational programs for the public (adults & students) on a water theme, a marine career center, a special event space, and a museum store & café, and promotion of all things Red Hook.

PortSide would generate revenue for itself with this blend while creating a lively attraction of significant scale that would add to Red Hook's list of destinations. PortSide would be a place larger than our tanker MARY A. WHALEN so she could leave for visiting program elsewhere, and "PortSide the place" would still be there.

Eight years after a city-funded business plan, after responding to a 2006 EDC RFP for Atlantic Basin and a 2007 RFP for Atlantic Basin, a 2013 award from the White House and State Senate recognition, PortSide still seeks a home.

During the past eight years, PortSide has been forced to operate as a pop-up and has been largely reduced during this time to being just a ship, as opposed to place with building space and space to accommodate other vessels. The real estate situation has stunted our growth and our ability to serve.

Nonetheless, PortSide has created some of NYC's most innovative and distinctive waterfront-themed programs in various sites in Brooklyn and Manhattan. PortSide programs fulfill the vision of Vision 2020, NYC's new comprehensive waterfront plan. There are a noteworthy number of photos of our programs in that plan.

There are several Red Hook private property locations which could work for us. In terms of public sector property, Valentino Park could have possibilities, and Atlantic Basin, a PortSide home promised to us and the community over three years, was perfect from a physical point of view. The current operational restrictions on Atlantic Basin, a layering of Port Authority, EDC and Homeland Security rules complicated by inter agency conflict and a new dockmaster under the DockNYC program, present challenges. What services and programs PortSide can offer will vary according to physical properties and management rules of each site.



Appendix B

DEC Impediments to pier repair and construction

**Testimony to New York City Council  
Committee on Waterfronts  
Re: 6/15/05 Regulatory Obstacles to Waterfront Development**

My name is Carolina Salguero. I am the founder and Director of PortSide New York, a new not-for-profit, water-oriented organization. We are located in Red Hook, Brooklyn but serve a constituency harbor wide.

I've been told that the focus of today's session is DEC policy regarding waterfront development. I'd like to focus on one issue, the DEC principle on pier permits that says "once it's 50% gone, you can't get it back." Note that I'll use "pier" as shorthand for the various types of waterfront infrastructure that exist in New York City.

I'd like to compare this policy with the issue of environmental justice. By now we are all aware of the argument which says that concentrating noxious developments in low-income neighborhoods constitutes an injustice; the "DEC's 50% gone rule" can create injustice by blocking good development in disadvantaged neighborhoods. Areas that have hit the skids and had their waterfront infrastructure collapse are penalized by a 50% rule that prevents pier rebuilding. Under the 50% scheme, future development is determined by an area's economic low point. Can this be the best, fairest, most sustainable policy?

This 50% rule can work quite capriciously, making an area's history evolve in ways far from the planner's ideal. I provide some examples from Red Hook which has many universals – its future will be shaped by what development is allowed on its waterfront.

For decades, much of Red Hook's waterfront was controlled by the Port Authority. After containerization, the PA let the piers go dark. By the late 70s, Red Hook's shore was rimmed with abandoned parcels. This was a major factor in driving the neighborhood down until it became a poster child for urban woes with rampant gang violence, drug dealing, illegal dumping, arson and abandonment. The US Army Corps then removed many piers as part of the drift prevention program. According to the EDC's Andrew Genn, New York received no credits for those piers, meaning a newly resurgent Red Hook has no credit to rebuild what it lost during the dark days.

Then consider how private owners ruined some other major Red Hook waterfront properties including the largest privately owned piece of waterfront property in Brooklyn. New York Shipyard purchased this 22 acre parcel, the Todd Shipyard, but went bankrupt. The company limped on in bankruptcy for a dozen years and dropped all maintenance. During that time, two steel dry docks sank on site and two of the five piers collapsed.

Their future maritime use by Hughes Brothers as a tenant of a planned Ikea is seriously constrained by this decay.

The adjoining parcel, also quite large, presents another vivid example. This is the former Revere/Sucrest Sugar Refinery. After the collapse of the Marcos dictatorship in the Philippines, this property remained in the hands of one of their cronies, a resident of New Jersey. Marcos-scale greed seems to have extended to the crony, as evidenced by an untouchably high for-sale price. This price kept the property from being purchased for many years. During this time, many of the piers collapsed beyond 50%. Is it reasonable to have a policy where our waterfront's future could be determined by an out-of-state owner, the crony of a corrupt, foreign dictator?

The new Red Hook landowner who is lucky enough to have piers more than 50% intact faces another DEC principle that can present some hardships – “like must be replaced with like,” meaning one has to rebuild exactly what's there. Much of Red Hook's waterfront infrastructure is Victorian technology: cribbing (interlocking logs filled with dirt and gravel) or relieving platform (cement shelf overhanging the water on top of wooden pilings). New landowners often prefer steel bulkheads as rebuilding the old way can be cost prohibitive, and the wooden piles are prone to immediate worm damage due to our now-clean waters. Many have cited an inconsistency here, how is it that the DEC prefers a relieving platform that casts shade, while rejecting a pier permit on the grounds that it casts shade?

The net effect of the regulatory situation is that Red Hook's waterfront users are very constrained by permit issues. Red Hook is now home to industrial maritime, non-profit waterfront groups including a historic attraction vessel, and private recreation. All of these sectors would like to grow.

In closing, I'd like to acknowledge the historically positive role of the DEC and celebrate the hard work of many environmentalists, elected officials and agencies that brought us our cleaner waters. These groups faced resistance to change and cleanup at the outset. Environmentalists had to fight much conventional thinking at the dawn of the clean water movement thirty years ago. Now, however, the balance has swung. The water is clean, and we are moving from waterfront neglect to development. We have found new uses for the waterfront, old ones like maritime are resurgent, we know more about our environment and have learned how to be better stewards of it. Shouldn't we rethink how we think about the water as we approach it anew? Could now be the time for us to re-assess some of the regulatory practices that have existed for some time?

Thank you for your time and consideration.

Carolina Salguero



Appendix C

Frequent impediments to boat use of piers include the following:

- lack of shore power
- lack of water and sewage connection
- lack of tie-up infrastructure (what the boat attaches to)
- lack of fendering (what protects the bumping boat from hurting the pier or being hurt itself)
- Fences in the way of gangways (either totally unmovable fences, or fences with not-sufficiently modular or removable design, eg architecture in the way of utility)
- Piers where gangways cannot go on the pier due to design choices, eg the pier non-boat activities were programmed before or prioritized over boat needs
- Piers where pilings or park benches were installed in places that block where gangways would go to fit through the pre-made gate in the fence
- Pier shapes that are not boat friendly (curvy sides, cut-outs on the sides, overhead obstructions, pilings in obstructive places, no space to drive vehicles onto the pier to load in and out, etc)