

Unlocking the potential of NYC's waterfront A progressive roadmap for the Sixth Borough

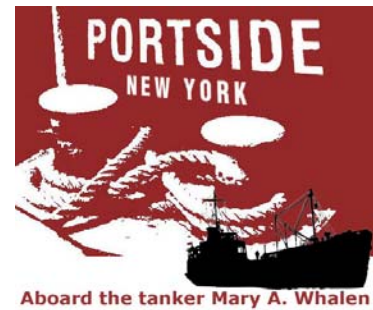


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EXECUTIVE SUMMARY – WHAT TO DO

The full potential of NYC's spectacular waterfront has yet to be leveraged because the past two decades of revitalization focused on the land along the water, not uses of the water itself, eg boats/ships/watercraft (which is the focus of this document). The new, comprehensive waterfront plan by the Department of City Planning [Vision 2020](#) is a great corrective. It declares a shift in focus to the waterways, what the plan calls the "Sixth Borough;" but change is needed to fulfill the vision.

The good news is that much Sixth Borough potential will be unleashed by just eliminating a choke-hold of red tape and installing management with maritime operational expertise. Give us a Carmen Fariña of the waterfront and things will take off! Some infrastructure changes will help as well. The following list covers our main recommendations for change, and the narrative explains the thinking behind them.

Fulfilling the Vision 2020 focus on activating the waterways means changing management style and infrastructure so both reflect vessel (boat) operator needs.

- Change waterfront management structure:
 - Create a Department of the Waterfront
 - Restructure the EDC Maritime Department to include personnel with experience in maritime operations, insurance, law
 - Expand the Harbor District to include underserved areas, and grow it from a tourism promotion service to an effort linked with economic development
- Change waterfront management rules and style
 - Create RFPs and permits which reflect market realities (applies to both commercial and non-profit entities)
 - Ensure that visiting vessel docking permits can be negotiated in hours and days not months (many are done in minutes by marine radio in other ports)
 - Revoke the concept "boats block the view" to allow boats at more locations
- Change waterfront design concepts and priorities
 - Mandate vessel-friendly waterfront designs
 - Create a NYC policy for pier fence designs
 - In waterfront parks, stress function and community service not just esthetics
- Affirm historic ship and maritime programs and lift impediments to them
- Reverse the "Tale of Two Cities" on the waterfront
- Seek models of success in coastal areas near NYC

EXECUTIVE SUMMARY – Why do this

Promote vessel operations of all types

The past two decades of NYC waterfront revitalization created a boat-unfriendly city. The working waterfront was devalued, and NYC built many park piers which were for pedestrians only or piers which were suited to a limited array of vessels (especially front-loading ferries of just one size), rather than piers adaptable to diverse watercraft.

Reversing this trend will prompt all sectors of the maritime economy to flourish including industrial users such as tugboats and workboats; the commercial sector of dinner, excursion, charter boats and ferries; educational and cultural vessels such as historic ships; corporate yachts and privately-owned recreational vessels of all sizes, as well as the maritime support services economy which caters to all of the above. (See Fact Sheet A for more about boat types and the maritime eco-system.)

Improve safety

First responder vessels suffer the consequences of a boat-unfriendly NYC. The FDNY has confronted boat-unfriendly pier management, and both the FDNY and NYPD can have a hard time getting rescues from the water to an ambulance due to the nature of NYC's piers, or an absence of piers in the right places.

Improve resiliency

Given the [9/11 waterborne evacuation](#) of Manhattan (350,000-500,000 people) and the one during the 2003 blackout, plus the 2012 lessons of Sandy, planners should bear in mind that the most resilient pier is one that can host many uses, particularly boats, and supports various emergency functions of evacuation and supply. (See Fact Sheet B)

Maximize use of public funds

NYC's waterfront represents significant direct losses from public monies spent on infrastructure designated for maritime uses which lie fallow due to design and management impediments described below. NYC's waterfront also represents millions of dollars of indirect losses because the waterfront has not been leveraged for maximal economic benefit; this includes piers, parks and the Brooklyn Cruise Terminal.

It is time to make NYC's magnificent harbor boat-friendly – as it once was – and fully develop it as an economic engine. A waterfront usable by vessels can provide economic, educational and cultural activity, recreation, transportation options; attractions and special events of a neighborhood, citywide and regional scale; workforce development; emergency supplies that come by water, and evacuation options. Piers, bulkheads, anchorages and mooring fields all over the city should be growing and humming with activity!

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BACKGROUND

Change waterfront management structure

NYC's waterfront spaces need the leadership of someone with a lifetime of maritime operations experience. Our waterfront sites are generally designed and managed by non-maritime personnel with management split between a welter of different entities (the EDC, NYCDOT Small Business Services, the Parks Department, and separate authorities for major parks such as Battery Park City Park, Hudson River Park, Brooklyn Bridge Park, Governors Island).

The result is that much of NYC's publicly-owned waterfront infrastructure has physical impediments to boat use and is run via RFPs and permits that often do not reflect market realities and make the infrastructure even harder to use. These RFP and permits contain many conditions, mandates and prohibitions making them hard to use by respondents/applicants. Exorbitant fees and insurance levels are common impediments. This applies to RFPs for industrial and commercial operators issued by the Economic Development Corporation (EDC) as well as waterfront park permits for historic ships.

Piers have often stood empty, not because there are no users in search of space, but because management has often made the sites hard to use. Boat operators are often expected to pay for missing infrastructure or to cover the cost of moving infrastructure out of the way (eg, moving fences out of the way of gangways). This would all be avoided if pier infrastructure were designed for boats in the first place. Some shoreside waterfront investments, such as the Brooklyn Cruise Terminal, face similar physical and permit obstacles to use.

Create a Department of the Waterfront

During the Vision 2020 planning process, many harbor voices called for a Department of the Waterfront. We support this, so that waterfront planning, permitting and supervisory functions are in one unified place staffed by seasoned maritime and waterfront personnel. At least, make the changes to the Economic Development Corporation (EDC) and Harbor District suggested below.

The Economic Development Corporation (EDC)

Among working waterfront operators, the EDC earned a reputation for writing RFPs with conditions hard to satisfy, or for not acting on RFP responses by saying "the numbers don't work." This has led to unused piers and frustrated RFP responders.

In 2012, the EDC recognized that it needed a better way to run the piers in its portfolio (industrial piers and park piers; new piers they had just built and older, existing ones) and issued a Dockmaster RFP. April 2013, BillyBey was announced as the new operator

of these piers under the brand name [DockNYC](#). This has led to boat use of many piers, but it is too early to judge the results of this program. Full disclosure, during early 2014, PortSide sought a home on a DockNYC pier, Brooklyn Army Terminal, Pier 4, in Sunset Park. When that option was not progressing, we shifted focus to another DockNYC pier in Atlantic Basin, where the EDC publicly promised us a home in 2008, 2009 and 2010. Our real estate situation remains unresolved at this time.

EDC practice also influences waterfront sites the EDC does not directly control. In late 2012, as part of a mandate in Vision 2020, the [EDC produced a permit for historic ships](#) which is a template for many parks. As with the RFPs described above, the permit does not reflect market realities and is an impediment to ships using the piers.

It would help the EDC's performance on the waterfront to have its Maritime staff be made more robust with the addition of personnel with experience in maritime operations, law and insurance. The EDC Maritime Department should also be charged with managing the assets. Maritime has been a planning and policy department, with Asset Management, a much larger and more powerful department, actually managing the locations. This created many left-hand vs. right-hand issues between the two departments. Further, given that maritime law, insurance, and regulation are often different from that ashore, it makes sense to have a Maritime Department run maritime assets. An analysis of the DockNYC contract could reveal the state of play on these issues.

The Harbor District

The Harbor District, created in 2008 to focus on a few sites near the tip of Manhattan, should promote NYC's whole waterfront to help intra-borough tourism, increase staycations, and attract visitors from outside NYC. Such a shift would help grow public, private, for-profit and not-for-profit waterfront activities around the city, and help Sandy recovery in many waterfront neighborhoods.

A second phase would have the Harbor District grow beyond the marketing of sites, events and activities to foster the economic development of waterfront locations along a water theme. For example, promoting the Rockaways could be linked to fomenting watersports businesses and eco-tourism which would grow the boat repair and service sector as well as shore side dining, retail and accommodations. The under-used Brooklyn Cruise Terminal and Atlantic Basin in Red Hook should be brought to life with the energy of New Brooklyn, support Red Hook and be a bridge to Governors Island.

Change waterfront management rules and style

The issue of impedimentary permits is covered above and below in several sections. The concept that "boats block the view" is, according to City Planning's Waterfront and Open Space department, not a zoning regulation. Its genesis is unclear, even to that

department; it was not the result of any public protest or demand we can find. It is a concept separating people from the boats the public increasingly clamors to access.

Change waterfront design concepts and priorities

PortSide NewYork is glad that NYC's public sector construction has evolved from the drab, dreary institutional look of decades past; however, on the waterfront, the pendulum has swung too far to the point that 1) expensive, custom pier design elements often stand in the way of function, and/or 2) high-design architectural elements and a "starchitect" culture are favored over community programs and service.

Regarding 1) Creating a NYC pier fence policy would make a huge difference. Such a policy would mandate that a) all pier fences be made of an easily removable, sectional fence and that b) the fence [would never be put between the water](#) and the tie-up infrastructure – what a boat ties its dock lines to. These two fence changes would be a boon in evacuation and emergency situations and increase boat use in non-crisis conditions. Ideally, pier fences citywide would be of uniform design or segment dimension; this would also keep down the design and manufacturing costs of increasingly elaborate, custom fences.

Regarding 2) we propose adding "site as education and community development" to waterfront parks' stress on starchitects and "design as attraction." Consider the ["\\$15.5MM Waterfalls"](#) and the ["\\$8MM Tostito."](#) The Bloomberg administration facilitated and promoted an art project of artificial waterfalls on public property, touted as a boon to tourism; but historic ships are so devalued that they are not even listed on the Harbor District website, and waterfront-themed educational programs are underfunded rarities in harbor parks. Brooklyn Bridge Park is proposing an \$8MM architectural element dubbed the "Tostito" and praised by the New York Times, but the park has not facilitated facilitate historic ship visits and programs (including the installation of shorepower and the removal of obstructive fences) even though the park has promised historic ships, the community has asked for historic ships, and ship groups have expressed an interest in operating in the park – including PortSide NewYork. The park describes the 17' high Tostito as a viewing platform but told PortSide that our historic ship could not have a home there as because the ship would block the view of Manhattan.

Affirm historic ship and maritime programs, lift impediments

Historic ships and other educational vessels offer a varied array of programs which include tours of the ship, marine ecology, maritime-themed STEM education, interpretation of the working waterfront, volunteer programs and maritime training. Many historic ships serve as floating cultural venues and bring concerts, theatre, and art exhibits. Most have a strong focus on youth programs. (More in Fact Sheet D). Historic ship and maritime programs are not embraced in NYC. In 2000 and 2012, the national, tall ship extravaganza [OpSail](#) found NYC unwelcoming and their program stunted.

Local historic ships battle bad pier design and red tape described here and more.

- Historic ships are increasingly asked to pay to modify the infrastructure, pay rent AND offer free programming; an unsustainable combination.
- NYC's "visiting vessel" berth options are not sustainable for local historic ships. Few homeport berths (a permanent home) are being created, only "visiting vessel" spots. In the past twenty years, only three homeport berths were created on public piers in NYC, all three are in Tribeca in Manhattan on pier 25, Hudson River Park. Forcing historic vessels in NYC to have only "visiting vessel" berths condemns them to the stress of permanent itinerancy; and because it is so difficult to get a NYC pier permit, visits to multiple NYC piers are hard to accomplish in one season.

Reverse the "Tale of Two Cities" on the waterfront

Blue collar work was often devalued by the last administration, and the working waterfront was particularly beleaguered by many recent land-use decisions. Ship repair and docking facilities were reduced, and a growing maritime industry strained to find space. Enacting the proposals here will prompt the working waterfront to blossom.

Community development needs to be added to the goals of major developments. The Brooklyn Cruise Terminal is an example of change needed; it does nothing economically for Red Hook and Brooklyn. The terminal should promote the area as a destination, seek suppliers locally, be available as an event center (as promised by the EDC) and more.

Opportunities for recreational/educational uses of the waterfront, especially boat experiences, should be grown in low-income neighborhoods.

- Provide homeport berths for historic ships around the city. Community programs are negatively affected by NYC's lack of homeport berths for historic ships. Visiting vessels do not offer a sustained community relationship and the kinds of educational enrichment and after-school programs, shipboard summer camps, and maritime training experiences which would be so beneficial to underserved communities.
- Much of NYC's underserved population is concentrated at the water's edge due to the location of NYCHA housing, industrial zones, and decades of urban planning choices. There is no historic ship programming on a public pier in any such community.

Expand waterfront promotion beyond privileged areas. The 2008 creation of the "[Harbor District](#)" focused on wealthy areas near lower Manhattan which already benefitted from high levels of waterfront investment (Brooklyn Heights, Wall Street to South Street Seaport area, Battery Park City) and linked those with attractions

(Governors Island, the Statue of Liberty). It did not promote waterfront developments or attractions in underserved communities.

Investigate Nearby Models of Success

There is a NYC trend in looking to the Dutch for waterfront solutions, a planning industry intensely promoted by the Dutch consulate. The Dutch have excellent waterfront management skills; however, their political, funding, and regulatory systems are so different, we believe that more time should be spent looking at domestic and nearby coastal communities for examples of what works. There are positive examples in Baltimore, San Francisco, and nearby New England towns and cities.

Additionally, many vessels from our regional neighbors are interested in visiting or operating in NYC but are shut out by the issues described in this document, so studying their homeports so as to understand their needs and operations would help bring them here. The development of a [Marine Highway](#), a national endeavor to relieve highway traffic on land and create a greener system for cargo delivery, also depends on domestic partners. Looking to our coastal neighbors could rapidly grow NYC's waterfront partners and our own waterfront activity.

Fact Sheet A
Vessel categories and the maritime eco-system

This paper focuses on the watercraft issues that can be affected by City policy and as such does not cover containerports and international seagoing or “bluewater” vessels. This document is about vessels which work close to shore or “brownwater” vessels. However, it is worth mentioning that the maritime eco-system is not divided so absolutely into “working” and “recreational,” or bluewater and brownwater activity the way land-use zoning would have one believe.

For example, the same commercial diver can untangle junk from the propellers of containerships and recreational boats. Dockbuilders work on infrastructure servicing a wide array of watercraft. Over a lifetime, a Coast Guard-licensed crewmember could move between Navy vessels, commercial fishing boats, tugboats, ferries, dinner boats and tall ships.

A healthy maritime economy has a synergistic relationship between many users, with many elements and people bridging the categories of “industrial,” “commercial” and “recreational,” especially as most professional mariners are also pleasure boaters.

“**Industrial**” brownwater boats or “workboats” include tugboats, oil spill response vessels, crew supply vessels, barges, dredges, fireboats and police boats. The maritime industry puts ferries in this class for operational reasons, though non-mariners don’t generally think of ferries as industrial, possibly because non-mariners see ferries in parks and are able to ride on them. Like other workboats, ferries need homeports, repair facilities and a service support system, eg, they need more than the ferry stop the public sees.

The “**commercial**” sector of dinner, excursion, charter boats (with ferries also often put in this class) represent a wide diversity of size, propulsion and customer experience.

- Dinner boats are floating restaurants that sell you a ticket for a meal and a ride.
- Excursion boats sell you a ticket for a trip.
- Charter boats are boats you rent in their entirety, either with crew or without.

Complicating these definitions is that, for the right price, operators will make most any boat available as a charter boat -- you can rent the whole thing and its crew – and that the same boat can also offer several kinds of “products” or experiences, including emergency service:

- A [SeaStreak](#) ferry can be a commuter boat and offer fall leaf-viewing excursions.
- The sailboat [AMERICA 2.0](#) can run as an excursion boat “headboat” selling single tickets, or be chartered for a wedding.
- On 9/11, [Spirit Cruises](#) dinner boats evacuated 25,000 people and then served as a floating dining hall for Ground Zero workers for some seven weeks, serving 400,000 meals -- and also provided dormitories and showers.
- Sailboats can be private pleasure boats, commercial charter vessels, and also cargo vessels given the growth of the sustainable shipping movement.
- "Environmental advocacy vessels" include the replica Hudson River sloop [CLEARWATER](#) and powerboats operated the non-profits Baykeeper, Soundkeeper, and Riverkeeper. The Baykeeper has made their boats available to NYC's own Dockmasters since their Department of Small Business Services has no boats.
- “Market vessels” such as [CERES](#) of Vermont Sail Freight which wants to sail down the Hudson setting up farmers markets at each stop. This was welcomed by small towns upriver; but had a hard time in NYC. The thinking in NYC parks is that market commerce is not appropriate for parks; and more industrial locations don't want to admit the public, the buyers.

The lack of firm category boundaries demonstrated above argues for a waterfront governed with more flexibility and less segregation than NYC's. Boats are moveable, adaptable assets whose potential in NYC is limited by bureaucratic rigidity.

“**Educational and cultural vessels**” is a “category” with similar vessel diversity and shape-shifting. Programs are offered on old or replica ships. Historic boat types typical in NYC are much [more diverse than tall ships](#), they also include tugboat, barge, fireboat, lightship, buoy tender, oil tanker, police boat, and more. If the boat programming occurs while moving (underway), the boat is treated as a passenger vessel from a regulatory point of view or, if at the dock, as an “attraction vessel.” Some vessels are “dead ship” (their engine no longer works), and some have no engine at all.

The operators are usually non-profits, but they can be for profit (eg, the tall ship [PICTON CASTLE](#)). Government vessels will often offer programming that explains the work performed on board if there is a host institution (which usually implies a non-profit) to arrange the contact with the public.

The “Recreational” sector of privately-owned vessels also range in size from “human-powered” and small motorized craft such as jet skis to large sail and motorized vessels.

If all this is confusing, it makes our point that maritime people should be designing and managing the infrastructure used by such a diverse array of watercraft.

Fact Sheet B
Waterborne evacuations and disaster response

Multiple events in the past 15 years or so underline the need for a more boat-friendly water's edge and the development of a more vessel-oriented NYC.

- 9/11 spontaneous waterborne evacuation of over 350,000 [12 minute video "Boatlift"](#)
- The limited edition book "[All Available Boats](#)" covers the 9/11 boatlift available used on Amazon
- PortSide's Director Carolina Salguero photographed the waterborne evacuation of 9/11 and curated PortSide's exhibit the [Mariners' Response to 9/11](#) and can provide more info on the role of piers in emergencies.
- "City Evac Plan: Flotilla To Jersey" [NY Post 1/20/08](#)
- NYC Ferries as evacuation and emergency aids [Capital New York 10/10/10](#)
- The 2009 landing of US Airways Flight 1549 "The Miracle on the Hudson" prompted a maritime rescue response from a [diverse array of vessels](#).
- Not planning for waterborne evacuation can be costly in unexpected ways. Since 1999, MTA workers threatened three strikes. The City came up with emergency ferry contingency plans for the first two (the Decembers of 1999 and 2002). The city did not prepare a ferry plan for the third strike thinking "we didn't need it before;" but the MTA workers struck from 3:00am December 20 to 2:35 p.m. December 22, 2005 which led to many costs. We can introduce you to the ferry consultant who worked on those plans.

FACT SHEET C**Frequent infrastructure impediments to boat use of NYC piers**

These apply to publicly-owned piers and affect boats of most types, for-profit and not-for-profit.

- Pier shapes that are not boat-friendly (curvy sides, cut-outs on the sides, overhead obstructions, pilings in obstructive places, and more).
- Lack of fender piles (what protects boat from hurting the pier or being hurt itself).
- Lack of tie-up infrastructure (what the boat attaches dock lines to).
- Fences installed in the way of tie-up infrastructure that does exist (typically, when old, industrial piers are turned into a park).
- Fences in the way of gangways (either totally unmovable fences, or fences with insufficiently modular or removable design. The trend to use pre-installed gates rather than removable fence segments does not allow maximum flexibility and prevents the pier being used by the greatest number of boats).
- Piers where pilings or park benches block where gangways could go through the pre-established gates in the obstructive fence.
- Piers where gangways cannot go on the pier due to design choices, eg the non-boat activities were programmed before, or prioritized over, boat needs.
- Piers designated for maritime use with no provision to load heavy ship supplies in and out, eg, no vehicles are allowed on the pier, or the pier lacks parking area and/or loading dock
- Repurposed industrial piers where the renovation did not step down the infrastructure and utilities to the new public-access users (eg, shorepower is too high voltage, the pier side or “freeboard” is too high for the visiting vessels).
- Lack of shore power.
- Lack of sewage and water connection.

See following page for analysis of physical impediments at Pier 25 in Hudson River Park, the only new public pier in NYC designated “for historic ships.”

NYC Pier Impediments to Boat Use – the example of one pier

Pier 25 Hudson River Park

Designated “Historic ship pier” on north side, the only 3 historic ship homeport berths created on public property in NYC.

Challenges for historic ship use:
Physical design presents impediments

Cost impediment: HRPT required tenant vessels to install final electric, water and wastewater hook-ups.

Operational impediments: Hard to load heavy ship supplies in and out. No vehicles allowed on pier, no parking/loading dock available. HRPT rules present other challenges.



5' wide Yokohama fender, scaled to larger ships than most intended under “historic ship” RFP designation, so custom gangways or rigs are needed to span them adding more cost.



Gangway gate aligns with piling and cleat so gate cannot be used for gangway



Gangway gate aligns with electrical grounding cord (dark line towards right side of gate aperture) so gangway cannot go there.



Park design and rules do not allow gangways of homeported vessels to rest on the walkway of the pier, so vessels are obliged to create structures that keep their gangways outboard of the fence. This cantilevered platform was designed and fabricated by ship LILAC, an additional cost.



Another view of LILAC cantilevered platform.

When the homeported vessels leave, these platforms are in the way of visiting vessels, limiting the usability of the pier. This NYC rule is highly unusual; gangways always rest on piers, that is their function.

Fact Sheet D

Historic ships & maritime programs

Educational and cultural programming is usually offered by vessels managed by non-profits. Most of these are historic vessels of many types, not just tall ships. Occasionally for-profit vessels offer these experiences, and many government vessels will make themselves available for public programs if there is a host organization to set this up and a site where this can occur.

Historic ships offer a varied array of programs. Typical offerings include tours of the ship, marine ecology, maritime-themed STEM education, interpretation of the working waterfront, volunteer programs and maritime training. Many captains in NYC got their start on the schooner [PIONEER](#) in the South Street Seaport. Many historic ships serve as floating cultural venues and bring concerts, theatre, and art exhibits. Most historic ships have a strong focus on youth programs.

The term “historic ship” has rising visibility in NYC. It increasingly appears on architects’ plans for private esplanades and public parks, but the operating conditions in NYC are oppressive to historic ships.

Several have left the city, including the famous Coast Guard cutter [TAMAROA](#), the Liberty Ship [JOHN BROWN](#) which had housed a high school, the Navy destroyer escort [USS SLATER](#), the yawl [KLANG](#), the tug [GOWANUS BAY](#). The tug [PEGASUS](#) chooses to dock in New Jersey and come to NYC for her programming. PortSide NewYork has looked for eight years for a NYC spot for our home, the tanker [MARY A. WHALEN](#).

The programs of the ships that are here are stunted by the challenging operating conditions and the time spent on haggling for permits and appropriate infrastructure.

Programs are also stunted by the lack of homeport berths, meaning that there are few places where ships can be based a long period of time and grow a deep relationship to a community. NYC’s stress on visiting vessel berths/programs impedes the kind of long-term relationships so beneficial to underserved communities, and the water’s edge is where so many of those communities are concentrated.

Historic ships that offer visiting programs/events as they move up and down the eastern seaboard mostly skip NYC because it is too hard to get a berth and a permit here.

Similarly, water-based special events not about boats such as triathalons and swimming events have found NYC infrastructure and red tape to be an impediment.