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RE: North Brooklyn Parks Alliance Comments NEW YORK-NEW JERSEY HARBOR AND TRIBUTARIES COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY

North Brooklyn Parks Alliance (NBK Parks) thanks the US Army Corps of Engineers for the opportunity to comment on the Draft Integrated Feasibility Report and Tier 1 Environmental Impact Statement for the New York-New Jersey Harbor and Tributaries Coastal Storm Risk Management Feasibility Study. Thanks is also given for extending the public comment period, although we would like to note that with a proposal of this scope and magnitude, there should be even more time allowed for outreach and comments from the public.

The following comments outline several points that are important to NBK Parks, NYC’s only district-wide parks conservancy that serves all of Brooklyn’s Community Board 1. We formed in anticipation of the 2005 rezoning of the Williamsburg and Greenpoint waterfronts that led to contiguous parkland development on the East River from Greenpoint’s Box Street to Williamsburg’s Metropolitan Avenue.

NBK Parks has spent the last two decades working in collaboration with this community—Brooklyn’s Community Board 1, local stakeholders, the Department of City Planning, the Parks Department, the Department of Transportation, and many others—towards greater waterfront access through the creation of more parkland, and in striving for equity on behalf of and among all green and open spaces throughout Greenpoint and Williamsburg. In addition to championing our founding vision toward equity and accessibility, the impact of Hurricane Sandy on the shores of New York in 2012 created a greater sense of urgency and responsibility toward resiliency in park design and shoreline investments of the Greenpoint/Williamsburg waterfront.
The Tentatively Selected Plan (TSP), Alternative 3B, will undo much of those long fought for gains in waterfront access, as well as decades of park planning and development that has already implemented current resilient design practices. Moreover, the TSP has the potential to create additional and even catastrophic problems for our communities as we move into a century dominated by the Climate Crisis.

**Summarized Key Concerns and Comments**

1. Shoreline restoration investments have been implemented—or are currently in process—along the North Brooklyn Waterfront and with it, public access and water based activities have increased dramatically in recent years. The TSP Alternative 3B disregards recent waterfront investments that have resulted in a 21st Century renaissance for our waterways, this is done to the detriment of the region.

2. The seawalls and levees proposed for the Greenpoint waterfront disregard decades of community advocacy and collaborative City planning dedicated to developing accessible, resilient waterfront parks. Any proposals designed for our waterfront must first and continuously take into account neighborhood and community wide decision making capabilities and processes. Walling in an entire community is unacceptable.

3. TSP Alternative 3B includes no proposed protections for Williamsburg waterfront and surrounding communities, creating a sacrifice zone that counters multigenerational-long advocacy campaigns toward equitable social and environmental justice (EJ). The lack of any resilience protections will have massive impacts on North Brooklyn’s large EJ communities. The rationale behind this vast difference of treatment has not been clearly communicated to those that stand to be affected or, even worse, there is no meaningful rationale.

4. We are a formally industrialized and highly contaminated waterfront community with shallow groundwater tables, prone to basement and upland flooding. The compounded effects and risks associated with upland and groundwater flooding that may be a direct result of this TSP is not clearly understood nor sufficiently explained and presents many added risks.

5. North Brooklyn shares Newtown Creek as a border with western Queens to the north, the proposed sea gates at the mouth of the Creek stand to restrict water flow, exacerbate Combined Sewer Overflow and other hazardous pollution within the waterway, and complicate and slow the Superfund clean up which will increase human and environmental health risks; whether the gates are open or closed.
6. **Natural and Nature-Based Solutions couple community and ecological protections together in ways this plan appears to overlook or outright reject.** While many may consider cities to be devoid of nature we know the opposite to be true especially as it pertains to our waterways and shorelines, and the use of natural and nature-based solutions (NNBS) are key to a multitude of co-benefits that ensure true resilience for the City and beyond. We implore the Army Corps to look again at NNBS; ways to increase and protect remaining shorelines and natural floodplains in our area.

**Expanded Discussion of Concerns and Comments**

1. **Waterfront and Upland Investments, Gains in Water Quality and Access**

   With the memory and legacy of damage and loss caused by Hurricane Sandy and more recently Hurricane Ida, we must acknowledge and welcome needed federal investments in resilience planning for the region. We know that coordinated efforts are required across the Harbor and Estuary system and that investments made solely by the City or the State or them both combined will not be enough. We are grateful for the level of demonstrated commitment to funding, planning and coordinating support provided by our federal leaders to date. While we welcome the investment in resiliency protections proposed by the Harbor and Tributary Study, we question the fiscal responsibility and wisdom in not integrating the hundreds of millions of dollars the City has already invested in recent years and plans to continue spending to improve the waterfront in any resilience plan put forward. The City’s investments in the waterfront over the last two decades has transformed shared waterways into an extension of our parks and open spaces, often referred to as the 6th Borough. This transformation was executed in tandem with the goals and vision of NYC’s Comprehensive Waterfront Plan, first released in 1992, and these plans have guided waterfront development across the NY/NJ Hudson River Estuary system ever since.

   We ask the Army Corps to formally acknowledge and integrate these enormous financial and cultural investments made to date, both along our waterfronts—where networks of waterfront parks, public access points, and esplanades have been built out—and also inland and upland as well, for the benefit of the waters across the estuary. We have seen dolphins swimming in the East River from our shorelines and we see in the news stories
of whales returning to our harbor—indicators of major gains that have been made. We must also acknowledge the projected costs of the proposed projects are exceedingly high by any measure and may be spent in more effective and integrated ways. For example, to further nature based solutions already being implemented across the region including expanding green infrastructure, the urban canopy, renewable energy retrofits and transitions, and the updating of outdated streets and transportation systems—all things that do and will continue to lower the City’s carbon footprint. These strategies will reduce greenhouse gasses in the City, region and the country as a whole, mitigating against the effects of climate change, protecting our region long term. Lastly, without buy-in from communities to support and willingly adopt any proposed plans, it is unlikely their implementation would be funded in the future by local Congressional representatives. Working alongside and with the community, recognizing and building off of previous investments—both social, environmental and financial—is key to ensuring a resilience plan would have the opportunity to succeed.

2. The Walling Off of Greenpoint

North Brooklyn’s communities of Greenpoint and Williamsburg are complex and dynamic communities with a long history of environmental injustices spanning generations. These historic injustices include severe pollution, degradation of our soils, waters, and air caused by high concentrations of dirty industries including oil and chemical refining, and waste transfer stations, as well as systemic disinvestment in affordable housing and lack of access to the important natural resource that is the waterfront. In recent decades, large scale rezonings have inequitably transformed large swaths of the formerly industrialized waterfronts and the surrounding community—triggering displacement, overdevelopment, and imbalances in open space and housing investments.

The proposed concrete seawalls and levees—as high as 17 feet—that are proposed for Greenpoint’s northwestern waterfronts are incompatible with decades of local efforts to rectify environmental injustices. Some of these community-led plans include the 197a Plans that embodied North Brooklyn’s first community planning vision, and the Greenpoint – Williamsburg Waterfront Open Space Master Plan, developed in response to the 2005 rezoning of the waterfront. The TSP is likewise incompatible with broad Citywide goals as exemplified by master plans of successive Mayoral administrations including PlaNYC, and One NYC 2050, the 1992, 2011, and 2021 Comprehensive Waterfront Plans—as well as by multiple Waterfront Zoning amendments that all clearly establish a mandate to create accessible waterfronts and protect community interests, while working to address rising sea level and storm surge concerns along the waterfront. We recognize that these plans are not yet universally protective, for there is still much to
be done to ensure the safety of all residents, but they continue to build upon ever growing understanding of the complexities of the threats facing frontline communities.

With that in mind, New York City and State have been working on a number of initiatives aimed at reducing greenhouse gas emissions, promoting renewable energy, and improving air and water quality. Whereas the construction of concrete walls increases the carbon emissions that cause sea level rise and more extreme storms, and therefore is counterproductive to protecting the region. Concrete production is a major source of carbon dioxide emissions, as it releases significant amounts of CO2 into the atmosphere during the manufacturing process. In addition, the construction of concrete walls often involves the use of heavy machinery and other energy-intensive processes, which can further contribute to greenhouse gas emissions. Finally, the proposed sea gates and sea walls may not be able to withstand the increased water levels, leaving the area vulnerable to future flooding. We urge the Army Corps to incorporate all relevant community, City, and State planning efforts in this or any future proposal.

3. *Williamsburg Sacrifice Zone*

The historic rezonings of Brooklyn’s waterfront have dramatically changed the built environment in both Greenpoint and Williamsburg, making these neighborhoods more vulnerable to rising sea levels and increased flooding. The large-scale development of the waterfront and surrounding areas has resulted in an influx of many new residents—all of whom are now also vulnerable in the event of a Sandy-like storm as well as in the face of rising seas. To suggest through the TSP that from Greenpoint Avenue in the north to the Navy Yard in the south, no protections at all are recommended, is a terrifying prospect to all who live and work in these low lying areas. Large swaths of land are expected to flood in projected 100 year flood events. North Brooklyn waterfront communities have been historically marginalized, facing long-term environmental racism and neglect. These areas, and most of North Brooklyn, are defined as an “Environmental Justice Areas”—defined by NYC's environmental justice law as *low-income or minority communities located in the City of New York*, based on US Census data. Therefore priority and great care must be given to evaluate and consider land based flood mitigation strategies through the lens of Environmental Justice to avoid further exacerbating these longstanding patterns of neglect.
4. **Increased Risk of Flooding**

As sea levels continue to rise, storm surges or sunny-day are not the only potential causes for coastal flooding. Rising groundwater levels have been a growing concern for many areas in New York City, including Greenpoint and Williamsburg, as they are built on glacial sediment deposits which are highly permeable. Groundwater levels rise laterally alongside sea levels, increasing the saturation of the vadose zone—the area that extends from the top of the ground surface to the top of the water table. As a result, flooding in low lying areas will continue to increase in these neighborhoods during heavy rainfall. The TSP may in fact trap upland floodwaters behind seawalls and levees. Adequate modeling and a complete understanding of the interrelated surface, ground, and ocean waters in the event of storm surge vs. non-storm surge flooding is paramount to any mitigation plan. More frequent incidences of upland flooding due to increasingly heavy precipitation and cloudburst scenarios further complicate needed models. Additionally, increased impervious surfaces (i.e. more concrete and asphalt)—a result of ongoing development—reduces the natural absorption of rainfall and increases runoff. Furthermore, construction of new buildings and infrastructure continuously disrupt natural drainage patterns.

The proposed structures will not prevent the rising groundwater levels, and they could even exacerbate the problem. This could lead to increased basement flooding—damaging homes and businesses as well as exposing local residents to contaminated groundwater. The groundwater in these areas is contaminated with hazardous chemicals, including petroleum and its by-products, heavy metals, chlorinated solvents and other CVOCs, VOCs and SVOCs, phthalates, and many other toxic chemicals that pose a significant threat to human health and the environment. The potential for increased exposure to contaminated groundwater is of major concern as these proposed structures may increase the risk of exposure to hazardous chemicals, rather than providing protection from rising sea levels. The TSP does not include an environmental impact assessment, therefore it is unclear if the proposal is feasible or safe. The risk of increased localized flooding as a result of construction is as of yet unexplored and therefore unknown. A proposal that doesn’t fully integrate these compounding risk factors is not one to invest in.

5. **Newtown Creek**

Newtown Creek is a Superfund site and has been heavily polluted for decades due to industrial activities in the area. As such, any impacts to the Creek, including its water quality and sediments, must be evaluated and considered with care and in coordination with the Environmental Protection Agency and the Newtown Creek Community Advisory Group. We could find no acknowledgement of the Creek’s status as a Federal Superfund site within the Tier 1 EIS. The recommendations to use dredged sediments from the Creek in projects requiring fill, both alarming oversights. Additionally, installing
sea gates at the mouth of Newtown Creek will both exacerbate water pollution and on-land contamination, leading to increased risk of exposure to chemical toxins and exposure to pathogens from CSO.

It is deeply concerning that the proposed sea gate may increase the risk of exposure to hazardous chemicals and pathogens while doing little to protect against rising sea levels. The cleanup of contaminated sites is crucial for the long-term health and well-being of the local community and the environment. The TSP may delay or even prevent such cleanups, leading to increased health and safety risks for local residents.

The sea gates and walls could have a significantly negative impact on the Creek's water quality, both through disruptions of water flows, turbidity, and dissolved oxygen levels as well as in Combined Sewage Overflow. If constructed, these structures will also have a detrimental effect on the local wildlife and ecosystems. The cascade of environmental impacts such as alterations to tidal flows, water circulation, and velocity will lead to changes in water temperature, salinity, turbidity, and sedimentation—reducing water quality in the Creek and the East River. This in turn would adversely affect ecosystems and habitats critical for the survival of wildlife including fish, shellfish, and other aquatic species. Additionally, existing soft shorelines will be obliterated, destroying critical habitat for birds, plants, and many other species.

6. **Natural and Nature Based Solutions**

   Our final comment underscores every point above: we ask that the Army Corps of Engineers seriously consider the value and effectiveness of Natural and Nature Based Solutions (NNBS). NNBS are needed to both protect human life and investment and to ensure a future for valuable ecosystems and non-human life. Also, as previously mentioned, City and State investments in improving the shoreline have been underway for years, including some the USACE is also a decades-long participant in—namely the Hudson-Raritan Estuary Comprehensive Restoration Plan. It is our belief that any resilience plan should prioritize NNBS first and foremost for land and water—only resorting to the use of hard or gray solutions only when no other option is available. NNBS often have many co-benefits, including reducing the vulnerabilities associated with the Urban Heat Island Effect, lowering temperatures, improving air quality—thereby improving human health, sequestering carbon in living systems, and improving and
supporting biodiversity—which is constantly threatened by human activities. NNBS can also create long term jobs and foster greater inter-community resilience and cohesion.

In summary and conclusion, the North Brooklyn Parks Alliance feels it is incumbent on the US Army Corps of Engineers plans to fully incorporate community feedback and visions; employ an environmental justice framework; consider the potential impacts of past, current, and future New York City and State projects; and clearly address existing environmental conditions—especially where hazardous toxins, contaminated sites, and greater risk of flooding are involved. Finally, we urge the Corps to reevaluate Natural and Nature Based Solutions and their many benefits to the residents and wildlife of North Brooklyn and the region. Additionally, the City and State must be engaged in a collaborative process with the Army Corps to ensure that all projects are aligned, shared goals are included, and that all unintended consequences are thoroughly understood and minimized. We are grateful this is an ongoing process and that the Corps has already demonstrated a willingness and flexibility to evolve their proposals and we hope these comments are helpful in doing so further.

Sincerely,

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CC:

The Honorable Chuck Schumer
US State Senate

The Honorable Nydia Velázquez
U.S. House of Representatives

The Honorable Kristen Gonzalez
New York State Senate

The Honorable Emily Gallagher
New York State Assembly

The Honorable Antonio Reynoso
Brooklyn Borough President

The Honorable Lincoln Restler
New York City Council, 33rd District

The Honorable Jennifer Gutiérrez
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