

Community Stewardship on the New York City Waterfront: Best Practices and Lessons Learned

Workshop Summary

***Cornell University Art, Architecture & Planning NYC, 26 Broadway
January 10, 2020***

On January 10, 2020, more than 50 public and private sector community activists, planners, and funders gathered at Cornell University AAP NYC to identify barriers to improving and expanding community stewardship efforts. The workshop was organized by the New York-New Jersey Harbor & Estuary Program (NYNJHEP) in cooperation with the New York City Department of City Planning and Department of Parks & Recreation and the Waterfront Alliance.

The workshop had four goals:

- Understand current best practices for community stewardship and programming on waterfront access sites, at a variety of scales, land ownership, and partnership structures;
- Assess management challenges/opportunities relative to potential barriers, including capacity constraints, geographic constraints, land use conflicts, public safety concerns, institutional arrangement, liability or other issues
- Assess physical challenges/opportunities relative to the built environment at public waterfronts, including water accessibility and necessary utilities such as piers, boathouses, water and bathrooms.
- Identify possible actions for addressing these challenges/opportunities through the NYC Comprehensive Waterfront Plan, HEP Action Agenda, or other means.

A series of presentations and facilitated breakout discussions identified the following five sets of critical barriers toward advancing community stewardship. The summary of these conversations are in the pages that follow. Potential solutions were also discussed but additional consideration and discussion will be needed for these proposals to move forward. It is anticipated that these could take shape through the formulation of the Comprehensive Waterfront Plan as well as the NYNJHEP Public Access Work Group. The workshop agenda and list of participants are attached to this summary.

Background

Community-led stewardship, programming and partnerships can improve and enliven access to the waterfront. Boating programs, citizen science, habitat restoration, shoreline clean-ups, fishing and other on-water and shoreline activities get the public to the water and onto the water. They create public awareness of the value, current scientific understanding, and management challenges of the Estuary – including climate resiliency. This is particularly true in neighborhoods where existing public access is scarce, where there are limited financial resources, and/or where physical and environmental barriers add importance to every possible opportunity for community engagement.

Such community-led programs are distinct from other privately-led efforts to provide for the maintenance of public spaces. To be sure, there are basic infrastructure and management needs that have to be met before community groups can successfully provide additional stewardship and programming activities. But shoreline and in-water programs have distinct needs – including addressing safety, liability, and water quality issues – that are important to consider on their own. Given the looming impacts of sea level rise and other climate change related issues, these programs can be important touch points for public engagement campaigns.

New York City and its civic sector have a depth of experience to build on, at a variety of scales and involving a diverse array of partnerships and stakeholder interests. Sharing these best practices and lessons learned will elevate everyone's game, and inform the upcoming NYC Comprehensive Waterfront Plan, and other planning and funding efforts.

Workshop Discussion #1:

Funding and Other Capacity-Building Issues such as volunteers and grant restrictions

Prompt Questions

- What are common funding challenges facing your organization?
 - How do those challenges differ by funding source?
 - What are non-financial or capacity-related resources that your organization requires that are constrained? *Eg. Experience, volunteer recruitment/retention; operational space, platform for communication and outreach, other?*
- A. Grant purposes can be too specific / restrictive relative to community organization goals:
- This is particularly true for the quantitative goals associated with public money (as opposed to more qualitative goals set by private philanthropy);
 - Local groups can be caught off-guard and not feel involved in agenda setting. Funders should support community visions – not the other way around;
 - Requirements might focus too much on starting new projects vs supporting existing programs already in place;
 - Should diversify grants and funding recognizing best sources for programmatic needs (govt) from best sources for operational and capacity building (family trusts/philanthropy);
 - De-bunk myths of creating dependency relationships, particularly when there is a need to build capacity within orgs over time.
- B. Grant application/reporting requirements can be onerous / complicated for (especially smaller) organizations:
- Applications may require multiple forms and require numerous subcontracts that demand time and energy;
 - Grants can require metrics that are especially hard for smaller groups to measure as well as other difficult administrative burdens (eg match). These tilt grant making towards trusted/vetted orgs;
 - Hard to track how ongoing and constant educational work in the community has an impact over time;
 - Subcontracting from public agencies is burdensome;
 - Re-granting to smaller groups helps address challenges but raises issues of accountability
- C. Difficult to fund capacity constraints
- Support is available for events/activities but not the ongoing work required to support them;
 - Hard for community groups to ask for support from the community that are frequently underserved;

- Issues with small donations from the public. Many people don't carry cash anymore; if you direct them to the website they might not donate (out of sight out of mind); how do we overcome e technology barriers (do we have a QR code?);
- Volunteer programs still require coordinator and advocacy requires a lot of peoples' time and relationships .

Possible Solutions:

- Provide support for grant writing and administration;
- Provide multi-year grants;
- Provide technology and support for any required evaluative metrics;
- Provide/discount materials for programming (eg have agencies do purchase orders for smaller groups like Greenthumb for community gardens);
- Establish more public partnerships to enable agencies to bring more resources to the table/identify other sources of funding (eg Bronx River Alliance).

Workshop Discussion #2:

Cooperation Challenges: Public Sector Partners

Prompt Questions

- What are challenges to working as a community steward with public sector partners?
- City partners specifically? Eg. This could include any required permits and legal agreements, the length of those agreements, operational constraints, division of responsibilities.
- Are there distinct challenges related to operations on City-owned parkland or other open space as opposed to alongside City partners elsewhere?
- Are these challenges the same for working with State or Federal Partners?

A. Jurisdiction/responsibility is confusing for public and community partners;

- Process for assigning responsibility within the City is unclear, as is the process for permission once jurisdiction is determined;

B. Participatory budgeting process is flawed. While it helps getting attention and public support, projects are not well vetted and costs estimates are often optimistic. Has resulted in funding being unspent;

- Agencies have to be reactive to press and public pressure – can divert agency resources based on priorities of entrenched community members;

C. Lack of inter-agency and intra-agency coordination hampers implementation of big projects.

Possible Solutions:

- Convene high level conversation with City and partners about legal risks and benefits brought by community groups. Conservancies should prep for this through creation of a common case statement;

- Create and communicate process for assigning clear jurisdiction, responsive points of contact for community groups, process for permissions once jurisdiction is established. Process should allow for “blurriness” between city and community groups as well as “standardization with discretion” that recognizes every park is unique;
- Assign a manager within each agency to help projects/ideas get through participatory budgeting as well as other approval processes;
- Establish an interagency technical assistance team to help community organizations identify and advance waterfront stewardship projects and help coordinate agency participation.

Workshop Discussion #3:

Cooperation Challenges: Private Sector Partners

Prompt Questions:

- What are challenges associated with cooperation with private sector partners to steward waterfront open space or in-water access? *Eg. This could include legal agreements, the length of those agreements, operational constraints, division of responsibilities.*
 - Are there missing or ineffective mechanisms (legal, regulatory or otherwise) that limit effective cooperation
- A. There is a lack of formal engagement mechanisms/templates for partnering with the private sector;
- Need to clarify developer commitment/requirement. Private property owners lack interest or incentive in keeping spaces activated. Lack of platform for community groups to engage community. No incentives or guidance on what is required in terms of signage, education, programs;
 - Community partners are brought into the design process late if at all. Key design consideration, such as active recreation, get-downs for in water access and resiliency/ecology features are often absent. No sufficient incentives or requirements to incorporate community concerns;
 - Private property owners typically lack institutional continuity (as opposed to government). Much more contingent on personal relationships which are easily affected where there is frequent staff turnover;
- B. Liability concerns hamper interest by potential partners;
- Lack of clarity as to actual reality of liability. Little predictability;
 - Expensive to acquire professional expertise;
 - What is the role of public sector to facilitate stronger third-party partnerships between private and nonprofit communities?
 - Should public sector step-in directly to facilitate or provide liability coverage, or should serve more as a regulatory role for private- or non-profit sector product to be created?

- Provide more information on the actual actuarial costs of where real liability concerns are?
- C. Staff resources are drained to resolve diverse issues common to multiple organizations (nb I think this bullet and some of the solutions below might fit better under 1. Capacity and will move it once we all review?)
- Common growing pains as organizations grow capacity (eg professional staff, stewardship responsibilities);
 - Offsetting perceptions of working with and against city agencies;
 - Lack of two-way feedback for best practice to better align collective objectives and respond to strengths/weakness of property owners/grant makers and the community groups they work with.

Possible Solutions:

- Provide framework / guidance, incentives and possibly mandates for private sector to engage community organizations to provide stewardship activities. Need to ID private sector concerns. WEDG certification could possibly provide a vehicle for this;
- Provide guidance and standard easements to help ease acceptance by private sector partners;
- Assess possibility of indemnification methods for licensing use of the sites (eg community gardens);
- Provide access to professional networks that larger organizations can take advantage of;
- Identify/establish an entity who can help coordinate participation with diverse partnerships, including planning, organizational tactics, and sustaining contact and relationships.

Workshop Discussion #4:

Safety/Liability Issues including water quality and insurance

Prompt Questions:

- What are some safety or liability issues that your organization deals with acting as public space stewards? *Eg. This could include insurance requirements and/or the availability/cost of insurance?*
 - What are the key barriers to creating a wider culture that understands how your safety procedures are appropriate?
 - What are the risks you mitigate for?
 - Is water quality/public health a specific concern?
- A. There is general concern / understanding about risks issues but limited common understanding about what safety and public health means in this context;
- Unclear how real or perceived liability affects design – in particular the assumption that physical barriers to the water are necessary for public safety can impede public access, resilient design and reduces the safety of those on water;

- Risk of drowning due to lack of access / safe exit, vessel collision, and shoreline conditions (e.g. trash/needles/slippery surfaces) /type considered more important in terms of safety than water quality (ie slip and fall risks more important to plan for than long term health risks);
 - Limited understanding/communication for impacts of water quality issues, including evidence of risk to exposure to contaminated sediment, fish consumption and risks of contact recreation in polluted waters;
 - No consideration of public health benefits of access;
- B. Cost of insurance is high and can prevent or limit scope of recreational activities;
- C. Unclear who assumes liability of activities of informal neighborhood groups;
- D. Physical design of shoreline does not reflect need for small boat safety;
- Need to consider boat traffic, human behavior, tides, network of safe egress/exit points on changing shoreline;
 - Need for signage at launch / landing sites, indicating closest launch, harbor hazards and concerns in addition to emergency call phones, throw rings and first aid kits

Possible Solutions:

- Provide central/universally accepted source for water quality, water use, and related safety information;
- Establish accessible public notification system for real-time water quality information;
- Plan for current and increased public use of the water, including opportunities for improving design of barriers/railings that limit safe exits, and ensuring access to emergency landings with call boxes and appropriate lighting and signage.
- Provide educational opportunities for First Aid / CPR training for recreational boaters and training for “rules of the road” for recreational use of NY/NJ Harbor

Workshop Discussion #5:

Physical Challenges including Water Accessibility and Necessary Utilities.

Prompt Questions:

- What are common physical constraints that limit your organization’s effectiveness? *Eg. Could include public access, maritime infrastructure, utilities, and equipment storage.*
- Are there specific challenges related more to sites with natural shorelines as opposed to engineered shorelines (bulkheaded or stabilized revetment)?
- Are there specific challenges related to access across the shoreline (in and out of water)?

A. Shorelines need to be accessible and resilient;

- Design changes need to enable present public uses as well as future resiliency needs;

- Shoreline spaces are exposed to harsh winter weather. There are limits to the creation of shoreline structures that would allow for year-round engagement with the harbor

B. Waterways belong to the public;

- Jurisdictional responsibilities of city, feds, state and landowners make it difficult to navigate underlying public trust mandate;
- Access sites are limited in waterfront communities defined by HEP as having higher needs.

C. There are a number of practical physical challenges and capacity issues around the City;

- Limits on comfort stations, storage (both in-season and end of season), utilities including drinking water stations, signage, proper launch sites, boat hazards including rip/rap and rebar, fishing, competing uses, roadways, safety, shade, etc;
- Equity issues for industrial neighborhoods;
- ADA accessibility;
- Appropriate access to natural areas;
- Safe access to *and* from the water, in particular requirements for railings that interfere with safe water entry / exit;
- Use conflicts especially RE: Ferry landings and federal navigation channels;
- Siting of boathouses and water dependent uses at distance from shorelines;
- Ensuring flood proofed, resilient design.

D. There are gaps in knowledge and information about safe access to the water and boating resources.

Possible Solutions:

- Create city-wide management structure for human powered boats similar to bike / ped goals with goal of establishing safe human powered passageways on water and performance goals (e.g. 10,000 users per year, able to exit water within 5 minutes);
- Develop design strategies for maintaining access in context of sea level rise including shoreline treatments;
- Better and up-to-date information for users about existing and planner water access locations, available site utilities and amenities, and transit connections;
- Waterfront zoning should promote safe in-water access in additional to current standards for upland access and connectivity;
- There should be design and maintenance standards for unpaved trails/access points in natural areas. These improvements should be capital eligible;

- Allow more flexibility / create pilots for resolving utility issues including composting toilets and other “off the grid” solutions;
- Consider methods for crowd sourcing information/data from user groups including kayakers;
- School curriculum should include lessons specific to and should utilize NY/NJ harbor for educational programming.

Workshop Agenda

- 9:00 AM Registration
- 9:15 AM Welcome, Agenda, and Introductions
Robert Pirani, NY/NJ Harbor & Estuary Program
- 9:45 AM Opportunities to Advance Community Stewardship in the Comprehensive Waterfront Plan
Allan Zaretsky, NYC Department of City Planning
- 10:00 AM Lessons Learned from Community Stewardship Throughout the City
Maggie Greenfield - Bronx River Alliance
Lisa Bloodgood - Newtown Creek Alliance
Jaquelyn Krogh - Kayak Staten Island
- 10:45 AM Barriers to Effective Community Stewardship and Programming
- Group exercise to identify and prioritize, based on case studies and experience, critical barriers to Community Stewardship and Programming. You will have an opportunity to participate in three of five stations to list/prioritize key issues as to:*
- *Funding and Other Capacity-Building Issues such as volunteers and grant restrictions;*
 - *Safety/Liability Issues including water quality and insurance;*
 - *Cooperation Challenges: Public Sector Partners;*
 - *Cooperation Challenges: Private Sector Partners; and*
 - *Physical Challenges including Water Accessibility and Necessary Utilities.*
- 11:45 AM Opportunities for Advancing Community Stewardship and Programming
- Plenary sessions to report out and start to identify and prioritize opportunities for Community Stewardship and Programming.*
- 12:45 PM Next Steps and Network Lunch

List of Participants (affiliation for identification purposes only)

Name	Organization
Alex Zablocki	Jamaica Bay - Rockaway Parks Conservancy
Allan Zaretsky	New York City Department of City Planning
Andy Juele	Friends of Governors Island
Bill Tai	New York City Parks
Brendan Pillar	New York City Department of City Planning
Casey Chamberlain	Hunters Point Park
Chrissy Ward	Partnership for Parks/City Parks Foundation
Christopher Girgenti	Randalls Island Park Alliance
Christopher Wassif	New York City Department of City Planning
Cody Herrmann	Guardian of Flushing Bay
Cory Mann	New York City Department of City Planning
Elizabeth Balladares	NYNJ Harbor & Estuary Program
Erika Svendsen	US Forest Service Urban Field Station
Frances Dunwell	NYS Hudson River Estuary Program
Gaelen Hadlett	Sunset Spark
Graeme Birchall	Downtown Boat Club
Isabelle Stinette	NYNJ Harbor & Estuary Program
James Cataldi	Manhattan Wetlands & Wildlife Association
Jaquelyn Krogh	Kayak Staten Island
Jason Smith	New York Restoration Project
Kathryn Prybylski	NYC Economic Development Corporation
Katie Denny Horowitz	North Brooklyn Park Alliance
Leslie Wright	NYS Parks, Recreation and Historic Preservation
Lindsey Strehlau	NYNJ Harbor & Estuary Program
Lisa Bloodgood	Newtown Creek Alliance
Lisa Schepcke	Guardians of Jamaica Bay
Lucrecia Montemayor	New York City Department of City Planning
Lucy Robson	New Yorkers for Parks
Lynn Dwyer	National Fish and Wildlife Foundation
Maggie Greenfield	Bronx River Alliance
Margaret Flanagan	Waterfront Alliance
Maura Lout	Central Park Conservancy
Michael Marrella	New York City Department of City Planning
Miku Otagari	Manhattan Wetlands & Wildlife Association
Nancy W Beard	NYS Hudson River Estuary Program
Natasia Sidarta	Gowanus Canal Conservancy
Nate Grove	New York City Parks
Owen Foote	Gowanus Dredgers Canoe Club
Pamela Pettyjohn	Coney Island Beautification
Rob Pirani	NYNJ Harbor & Estuary Program
Robert William Balder	Cornell University
Roland Lewis	Waterfront Alliance
Samuel Hersh	NYC Economic Development Corporation
Sara Powell	Bronx/Harlem River Urban Waters Partnership

Sarah Charlop-Powers
Sarah Murphy
Sarah Neilson
Shanna Blanchard
Sheldon Kelly
Ted Wright
Zoe Piccolo

Natural Areas Conservancy
NYC Economic Development Corporation
Jamaica Bay Rockaway Conservancy
NYC Economic Development Corporation
The Downtown Boathouse
New York City Department of Transportation
New York City Parks

