

Draft Environmental Impact Statement Hearing
North/West Battery Park City Resiliency Project

Moderated by Nora Madonick
Wednesday, September 18, 2024
5:30 p.m.

Stuyvesant High School
345 Chambers Street
New York, NY 10282

Reported by: Thea Popko
JOB NO: 6888046

A P P E A R A N C E S

List of Attendees:

Raju Mann, Battery Park City Authority

Nora Madonick, Arch Street Communications

Robert White, AKRF

Bill Weidner (by videoconference)

Karie Parker Davidson (by videoconference)

Kathleen Keenan (by videoconference)

Michelle Ashkin (by videoconference)

David Caporale, Tribeca Sailing (by videoconference)

Tom Fox, Hudson River Park Advisory Committee / City

Club of New York (by videoconference)

Buff Kavelman (by videoconference)

Jeff Galloway (by videoconference)

Mark Greenwald (by videoconference)

Kate Smith (by videoconference)

Steve Dougherty

Ting Wu

Alice Blank, Environmental Protection Committee,

Manhattan Community Board 1

Helena Fisera

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P R O C E E D I N G S

MR. MANN: Good evening. Welcome to the North/West Battery Park City Resiliency EIS Hearing. In other words, where else would you be on a Wednesday night?

I'm Raju Mann, the president, and CEO of the Battery Park City Authority. I'm just here mostly to welcome you. Thanks for coming and thanks for those of you who are online. We appreciate you joining us.

So this is another milestone in a long set of milestones of public engagement on this project. Really, this one, as the name suggests, is really by getting public feedback on the environmental review documents, which are posted up online.

They're dense documents, but we hope you've had a chance to read through some of them. We've posted some summary PowerPoints as well so you can get the top lines of it. So really the point of today's hearing is just to get your feedback, both in person and online.

And then you have until October 7th to submit written comments to us as well. So obviously we'll be having a series of additional meetings over the course of the next months and years on the

1 project. This is another point to get your feedback.
2 So thanks again for joining us.

3 I want to turn over to Nora and Bob,
4 from AKRF to really walk us through what we want to
5 accomplish this evening. But thanks again for your
6 time. We appreciate it.

7 MS. MADONICK: Hi everyone. Glad
8 you're here tonight. So we appreciate your taking
9 your time to join us for the DEIS Public Hearing.
10 Tonight's public hearing is being live streamed and it
11 is being recorded.

12 Any testimony that we hear tonight will
13 go into the -- into the formal record. It will be
14 included in the project's formal and official
15 documentation.

16 I'm Nora Madonick from Arch Street
17 Communications. I'll be facilitating tonight's
18 hearings and the comments that we're going to receive
19 from folks here and online tonight. Tonight we're
20 also joined by Robert White from AKRF, who will be
21 providing a background on the project, after I go over
22 some rules of order.

23 If you need them -- if you haven't had
24 a chance to take a look at them. Materials related to
25 the DEIS are available online. If you take a look at

1 BPCA's website at bpcanyny.gov. Take a look at the
2 resiliency page -- the sustainability and resiliency
3 page, and you'll find them there.

4 So just a little bit of background on
5 the project. The North/West Battery Park City
6 Resiliency Project is an integrated coastal flood risk
7 management project in lower Manhattan.

8 BPCA developed the project in response
9 to the devastating impact of Superstorm Sandy in lower
10 Manhattan, and in anticipation of future severe storm
11 activity and sea level rise related to global climate
12 change.

13 As part of the State Environmental
14 Quality Review Act, also known as SEQRA, BPCA has
15 prepared a draft Environmental Impact Statement, also
16 known as a DEIS.

17 It analyzes the potential environmental
18 impacts of the proposed North/West Battery Park City
19 Project. BPCA has developed this DEIS after
20 considerable input and comment during the public
21 scoping process that began in late 2022.

22 So the DEIS covers four significant
23 areas and you may want to take a look at these when
24 you go pull the documents down, if you haven't done so
25 already.

1 One, is it provides information about
2 the project, the project's purpose, and the project's
3 need, in addition to the benefits of the project.

4 Second, it will provide information about the
5 project's potential environmental impacts.

6 Third, you'll find information about
7 the project's plans to mitigate any potential
8 significant, adverse environmental impacts that have
9 been identified. And fourth, you'll find information
10 about design alternatives that have been considered
11 for the project.

12 BPCA has made the North/West Battery
13 Park City Resiliency Project DEIS available for public
14 review and comment. Again, it's available on the
15 project website if you've not looked at that yet.

16 So let's take a look at how we're going
17 to comment tonight and I'm going to go over how we
18 comment and how we participate. I'll do that now, and
19 I'll come back after Bob finishes his section and does
20 the overview, and we'll go over that in detail so
21 everybody has a chance to participate.

22 So how to comment. The public review
23 and comment period on the DEIS started on August 28,
24 2024, and it will continue through October 7th. So
25 there are several ways to comment.

1 One is by being here tonight, you could
2 make a verbal comment here in this room, as well as by
3 our friends online. We have about -- I don't
4 know -- 30 or 35 people who are online right now, and
5 that may increase.

6 Each person who is attending and wishes
7 to make a comment will be invited to speak for up to
8 three minutes. The questions and comments that we
9 receive today will be entered into the final
10 Environmental Impact Statement and addressed there.

11 So it is important to recognize that
12 comments and questions that are raised tonight by
13 speakers -- this is a night for hearing from the
14 public, but comments and questions will not be
15 responded to tonight.

16 You can also mail or email your -- your
17 written comments; there are two ways. One is to the
18 North/West Battery Park City Resiliency Project Team
19 at 200 Liberty Street, 24th Floor, New York 10281 or
20 by email at nwbpcrinfo@bpca.ny.gov.

21 For those of you -- and I -- and I see
22 many familiar faces here and I know that there are
23 folks online who have joined in -- in many of the
24 public meetings -- the community meetings, which have
25 been opportunities for engagement, for conversation,

1 for discussion, for debate.

2 Tonight's public hearing will not
3 feature a question and answer session. Also, during
4 tonight's hearing, you're going to hear a range of
5 opinions.

6 And I like to suggest to people, at
7 each of these hearings, that every comment is welcome
8 and every comment is considered equally. I would ask
9 you to be polite to your neighbors and -- and other
10 community members who you may or may not agree with.
11 Every comment as well.

12 So let's talk about how to participate.
13 So after we hear from Robert White, and his overview
14 of the project, we'll open up for public comment.
15 We'll be doing -- we'll be rotating between in person
16 and online comment.

17 We'll take about five of each, and go
18 back and forth. As mentioned previously, there'll be
19 no response if you ask a question, but it will be
20 entered into the record and answered in the FEIS.

21 For anyone who has pre-registered to
22 make a comment, you'll have one opportunity and you
23 will have up to three minutes to speak. Elected
24 officials, if any are here, will receive up to five
25 minutes to state their comment or question.

1 Recognizing that they are speaking on behalf of a
2 larger set of constituents.

3 Also, the community board and
4 neighborhood organizations will also have the
5 opportunity for one representative to give testimony
6 of up to five minutes to, speak on behalf of the
7 organization.

8 So when you come up to speak, when you
9 get to about 30 seconds before the end of your time,
10 one of the facilitators will give you a heads up that
11 it's time to wrap up and we'll appreciate your -- your
12 comments and testimony and then move on.

13 So I'll be back after Robert shares his
14 presentation, and then we will hear from you. Thank
15 you.

16 MR. WHITE: Good evening. Thank you
17 all for coming and taking the time to join us. I'm
18 Robert or Bob White. I'm with AKRF. We were the lead
19 preparers assisting the Battery Park City Authority.

20 Who was the lead agency in the
21 preparation of the Environmental Impact Statement.
22 And we were joined by AECOM and Matrix, who were
23 engineering -- who were important participants in the
24 preparation as well.

25 So I'm just going to give you a

1 background -- four or five slides on the background of
2 the project and what the purpose is and then summarize
3 the content of the EIS.

4 And just so you all know, the EIS is
5 also posted online at the Battery Park City website
6 and that'll -- the -- that'll appear in the final
7 slide, the link.

8 So what are the project objectives?
9 First and foremost, is to provide a reliable coastal
10 flood barrier system that will reduce flood risk for
11 the residents in the protected area.

12 To protect the property and the assets
13 within Battery Park City and the inland neighborhood.
14 And we have a graphic, later on, which will show you
15 the extent of the protection area.

16 In doing so, it's also a project
17 objective to enhance the open spaces and the
18 waterfront and important cultural resources of Battery
19 Park City. To preserve to the extent possible the
20 character or the accessibility, to enhance
21 accessibility and universal access.

22 And where possible enhance the open
23 space and design aesthetics of the neighborhood.
24 And -- and to avoid or minimize impacts to the
25 existing in-ground infrastructure, which is extensive.

1 Next slide, please.

2 This is a summary of what the project
3 benefits are. As I said earlier, you know, this is a
4 coastal flood risk reduction project. It is designed
5 through the 2050s to address storms and sea level rise
6 projected to the 2050s.

7 That sea level rise is a projection of
8 two and a half feet of the current surface water
9 elevation along the Hudson River. And also to prevent
10 ponding and drainage impacts along the inland streets
11 from a simultaneous rainstorm event, up to a depth of
12 one foot.

13 In doing so, it is also a project
14 objective, as I said earlier, to enhance the public
15 open spaces -- the vital and important open spaces of
16 the waterfront along Battery Park City.

17 There's an objective to increase or
18 enhance the landscaping, and there's nearly a 30
19 percent increase in total planting coverage with the
20 project. And that includes a nearly two times, or
21 double increase, of the open space and landscaping in
22 the ferry terminal area.

23 Also, simultaneous with that is
24 diversify the planting pallet to enhance or expand
25 the -- the tree planting and vegetation and -- and

1 herbaceous species within the park.

2 And to improve the -- in water
3 habitats, there's going to be a lot of work in the
4 water, because the substructure and the structure is
5 along the waterfront and along the Hudson River and
6 will be disturbed.

7 So when it is replaced, the objective
8 is to provide about 1,200 linear feet, or about a
9 fifth of a mile, of -- of environmental benefits and
10 enhancements within the ecological -- or the aquatic
11 zones.

12 And ultimately it's a -- the objective
13 of the project is to provide -- also to provide
14 homeowner cost savings through flood reduction; the
15 elimination of Battery Park City from the current
16 flood -- FEMA flood zone. That will reduce the rates
17 and eliminate the need for flood protection for
18 federally backed mortgages.

19 Next slide, please.

20 This slide shows you the area that's
21 protected, and gives you some of the specifics -- I'll
22 have to lean forward a little bit so you can all hear
23 me -- give you some of the -- provide some of the
24 specifics on the numbers of buildings. There's over a
25 hundred buildings; 63 the majority of -- are

1 residential, 22 commercial, and 20 public buildings.

2 There's approximately 25,000 residents
3 that are in the protected area. And a large number of
4 jobs, there's a large commercial core within Battery
5 Park City and the upland areas; 61,000 jobs.

6 The equivalent of 16 -- almost 16 and a
7 half billion dollars in property value. Major transit
8 centers including the World Trades -- World Trade
9 Center Hub.

10 Major and important community
11 facilities such as the Borough of Manhattan Community
12 College, the Museum of Jewish Heritage, the World
13 Trade Center Memorial, and other vital and
14 critical -- or important cultural institutions in
15 Lower Manhattan.

16 Next slide, please.

17 As I said earlier, this is a pretty
18 sizable, major construction project; it'll be
19 multi-year. So the -- the objective here is to
20 complete the project as quickly as possible and to
21 minimize the disruption to the extent possible.

22 Recognizing that this is, sort of,
23 weaving a -- you know, a flood protection project
24 through an existing community. How do you do that?
25 You try to avoid delay.

1 You also want to avoid delay in
2 implementing the flood protection, should a storm be
3 imminent. To shorten the overall duration of
4 construction impacts to the community. And to
5 stay -- not stay within budget -- but to contain
6 project costs and minimize escalation costs.

7 How -- how -- what will be the sequence
8 of construction? This construction will begin after
9 Wagner Park has reopened. It's projected to start
10 construction in the summer of next year.

11 It is also a project objective, and a
12 construction objective, to provide -- meaningful open
13 spaces throughout the course of construction. There
14 are sizable, extensive, and critical open spaces along
15 the waterfront. And the objective is to provide
16 compensatory open space.

17 The sequence of construction to advance
18 the protection of highest risk areas and the
19 continuous stretches of space that can be reopened the
20 soonest.

21 And to communicate consistently and
22 continually with the community throughout the
23 construction process, recognizing it's a large
24 construction project.

25 Next slide, please.

1 This slide breaks the project into its
2 different phases. For the purposes of the EIS we've
3 identified seven Reaches, they're shown here. And you
4 can see that the -- the range of construction by Reach
5 is the south neighborhood with about 27 months of
6 construction would be the -- the fastest and would be
7 the first back online.

8 And that's balanced with the north
9 neighborhood. So along the edge of Rockefeller Park
10 and -- and I should say that Rockefeller Park won't be
11 impacted, but the work is aligned along River Terrace
12 and in the areas of Route 9A in Tribeca.

13 And it works towards the center where I
14 think the Brookfield Place, or the commercial core has
15 the longest duration of construction -- it has the
16 most complexity.

17 Next slide, please.

18 This slide is, kind of, a bulleted or
19 summary of the -- of what the EIS impact analyses
20 disclosed, in a snapshot way. We used the SEQRA
21 technical manual as our guide in these analyses. It's
22 a very -- rigorous manual in terms of the way it
23 outlines procedures and methodologies and criteria for
24 impacts within the city of New York.

25 The first column here identifies

1 the -- the SEQRA technical areas that didn't have any
2 impacts, and didn't require any specific or detailed
3 analysis, because once this project is installed, it
4 won't have a population, it won't generate employment,
5 it'll be a static structure.

6 So areas of analysis such as
7 socioeconomic -- population based areas, such as
8 socioeconomics or community facilities, solid waste;
9 it won't generate any solid waste or energy needs.
10 And it's pretty low rise structure, so it won't have a
11 shadow impact or a shadow effect on -- on the park.

12 Post-construction technical areas where
13 we -- we did a deeper dive to look at -- at -- the
14 potential impacts are identified in column two. I
15 have some slides that follow -- that go into a little
16 more discussion of what we looked at, and what the EIS
17 contains.

18 And the third column is about
19 construction. Probably, you know, half of the
20 document -- the Environmental Impact Statement is
21 dedicated to an analysis of construction impacts.

22 And we tried to consolidate the impact
23 assessments into no significant impact and temporary
24 significant impacts. And you can see in this column
25 where it's, sort of, identified that during

1 construction, there would be these temporary,
2 significant adverse impacts that you'll find in the
3 Environmental Impact Statement.

4 Next slide, please.

5 So as I said, that second column had
6 some of these more detailed analyses. I'll just walk
7 you through what we looked at. We did a land use
8 analysis and policy analysis.

9 The system won't change land use, it
10 will be protecting land uses -- existing land uses.
11 And the -- did a policy analysis with respect to the
12 city's coastal zone management program and it -- it
13 meets the goals and objectives of the city's WRP, or
14 Waterfront Revitalization Program.

15 There would be no -- with respect to
16 open space, there'd be no quantitative change in open
17 space. It doesn't reduce the size of any open spaces
18 or recreational facilities -- facilities. And where
19 possible -- or where has been identified during the
20 outreach process, some of the recreation facilities
21 would be enhanced.

22 Hazardous materials. All projects are
23 required to do a -- a soil investigation, which was
24 done by our project team. Tested all the soils, and
25 as a result of that, there is a soil remediation and

1 management plan that would be implemented for the
2 handling of soils and that may be disposed of offsite.

3 There's a full analysis of water and
4 sewer infrastructure, which is looking at the -- the
5 sewer systems and the water supply systems within the
6 project area, that may be modified or need to be
7 upgraded as a result of the project.

8 And one the key items here is a pump
9 station, or pumping station, which would pump rain
10 water out or accumulated storm water from the
11 protected area to the Hudson River. Which relieves or
12 alleviates the -- the potential for any street
13 flooding or property flooding from a simultaneous rain
14 event.

15 Transportation. We looked at the
16 structure and its effects, or potential effects, on
17 sidewalks, particularly in the Tribeca area, where the
18 system is aligned along public streets, along Route 9A
19 and North Moore Street.

20 It was the conclusion that the -- the
21 system will -- it would occupy some portions of
22 the -- of the sidewalk. It wouldn't significantly
23 impact transportation operations or pedestrian
24 functions.

25 We did a full analysis of greenhouse

1 gas and climate change and also a neighborhood
2 character assessment, the summary of which was, when
3 in place this project will provide the benefit for
4 neighborhood character as a -- as a flood protection
5 system for the community.

6 Next slide, please.

7 I'll just do a quick dive into the
8 historic and cultural resource assessments. We did a
9 phase one archeology study along the entire project
10 corridor.

11 As a result of that study, there are
12 some specific areas that will need to be addressed
13 during construction. There might -- there will be
14 pre-construction, what they call phase 1B
15 investigations, and/or monitoring during construction
16 to ensure that there's no impacts on archeological
17 resources.

18 We also did an -- an assessment of
19 historic resources and an inventory of historic
20 resources along the project corridor. One of which is
21 the historic Bulkhead, which is visible within Hudson
22 River Park, but is actually buried along the edge of
23 Stuyvesant High School.

24 And it will -- there will be a need to
25 sort of shave a piece of that and cut a small portion

1 of it to install the flood protection system. But we
2 did an outreach with the state historic presentation
3 officer -- office, and it was concluded that
4 the -- the impact on the system would be minimal
5 enough, such that there was not a significant impact
6 of the project.

7 There's also approximately 30 visual
8 diagrams within the EIS that showed view corridors and
9 changes integrating the -- integrating the flood
10 system into existing views.

11 And you'll see within the -- within the
12 EIS that -- that these corridors are maintained and
13 the system is integrated into the existing visual
14 setting.

15 Next slide, please.

16 Natural resources, we looked at both on
17 land and in water potential impacts. The on land, the
18 primary focus is the trees and the trees along the
19 corridor, both the street trees and the trees within
20 the park; the waterfront parks at Battery Park City.

21 And there's approximately -- we
22 inventoried all the trees, approximately 420 of which
23 would need to be removed due to the construction and
24 installation of the flood wall system.

25 Twenty-one of these trees are park's

1 trees, they would be along Route 9A and/or North Moore
2 Street. Seventeen have been identified as potential
3 candidates for transplant.

4 And there is a -- a design -- a
5 landscape plan that is described in the EIS that
6 identifies 390 trees to be replanted as part of the
7 project. And the -- the authority is committed to
8 preserving the healthy trees.

9 And also to looking for additional
10 opportunities to expand that tree planting and that
11 will be described in the FEIS. And the FEIS -- I'll
12 skip ahead a little bit -- is scheduled for release
13 towards the end of the year.

14 Other areas of impact were related to
15 the aquatic zones in the river and the water quality.
16 We examined the effect of piles and in water
17 infrastructure there are several piles -- there's
18 hundreds of piles that will need to be installed to
19 support the flood barrier system.

20 So we looked at the effects of the
21 piles on the water and the fisheries and the aquatic
22 habitat and the water quality. Each of -- each of
23 those installations requires a Army Corps of Engineers
24 and DEC -- US -- USACE and DEC permit.

25 And they have -- they have been

1 analyzed and submitted as part of a joint permit
2 application and the impacts of the additional
3 structure in the water have been identified and
4 quantified.

5 And there is a proposal to -- to
6 purchase wetland mitigation credits at Saw Mill Creek,
7 which is a -- a wetland restoration site operated by
8 the City of New York, and through the New York City
9 Economic Development Corporation that's out in Staten
10 Island. So the mitigation would be by acquiring those
11 wetland banking or mitigation credits.

12 Next slide, please.

13 As I said about half of the document
14 is -- is related to the impacts of construction.
15 We've listed here the primary areas of focus. They
16 include the temporary open space.

17 And the temporary loss, and significant
18 impacts due to loss, of accessibility of open space.
19 It will all be restored post-construction, but there
20 will be a period of construction where there will be
21 closures.

22 Transportation, including
23 the -- bringing in the materials, the employees, and
24 the potential closures -- or the closures of streets
25 and sidewalks during the course of construction.

1 We did a very rigorous analysis of air
2 quality. I have another slide about that, that
3 follows. I'll go into more detail. Greenhouse gas
4 emissions, noise, which has been a -- a major area of
5 interest for us and concern.

6 So we wanted to make sure we did a full
7 and thorough analysis on the noise impacts and
8 neighborhood character, which is a summation of sort
9 of open space traffic and noise impacts.

10 And it's a conclusion of the EIS that
11 there would be -- because of these cumulative effects,
12 a temporary, significant impact on the neighborhood
13 character during the course of the construction
14 period.

15 Next slide, please.

16 So I mentioned air quality. We looked
17 at approximately 5,200 locations -- or monitoring
18 receptor locations where we analyze the -- the
19 dispersion of pollutants and emissions from tugboats
20 and trucks and vehicles that would be necessary to
21 construct the project.

22 We did a lot of thorough analysis
23 and -- with the construction team in terms of
24 understanding the operational characteristics of the
25 equipment.

1 And based on that work and the review
2 with the Department of Environmental Protection, it
3 was concluded that we wouldn't exceed any of the
4 standards for particulate matter.

5 Down to the lowest micron of 2.5, and
6 the PM 2.10 analysis, as well as other gaseous
7 emissions such as nitrogen -- nitrogen dioxide and
8 carbon dioxide that come from combustion engines.

9 Next slide please.

10 Open space. It's unavoidable
11 that -- that there will need to be work in open space
12 as a result of the project and there would be
13 temporary significant impacts due to the loss of this
14 space.

15 It's an extensive construction phasing
16 coordination between -- there was, I should say
17 extensive construction phasing and coordination
18 between the -- the Authority, the design and
19 environmental teams to make every effort to reduce
20 these impacts.

21 But they are unavoidable when needing
22 to install the flood protection system. So there will
23 be temporary closures of multiple open spaces.

24 Recognizing that the Rockefeller North -- North Lawn
25 is proposed to remain open through the course of

1 construction.

2 So there will be an open -- waterfront
3 open space available through the course of
4 construction. But as a result of our work, which
5 looks at the impacts both qualitatively and
6 quantitatively, there would be unavoidable temporary
7 significant adverse impacts that would peak in 2028.

8 I showed that phasing diagram earlier.
9 And 2028 is the year when the majority of open spaces
10 along the project corridor would be under
11 construction.

12 The Authority is looking at various
13 ways to mitigate these impacts and there will be
14 further analysis between the draft EIS and the FEIS,
15 which will be released in December. Ways to enhance
16 and expand upon or provide replacement open spaces.

17 Some of them are listed here, popup
18 parks, expanded use of the streets, closures and open
19 streets to expand upon open space, and recreational
20 opportunities during the course of construction.

21 Next slide, please.

22 Also want to recognize that there is a
23 large amount of open space in the -- in the
24 surrounding area. These include -- Wagner Park, as I
25 said, will be reopened before construction starts

1 along our project corridor.

2 But there are a number of open
3 space -- open spaces within Battery Park City that
4 would remain open; Rector Park, Teardrop Park. And in
5 the surrounding area that would also remain open,
6 including the battery, the adjacent Hudson River Park
7 to the north, Washington Market Park, and Liberty
8 Park.

9 Next slide, please.

10 Transportation. We did a thorough
11 examination. This graphic, on the right, shows the
12 study area and all the intersections that we analyzed.
13 We analyzed 14 intersections for the purposes of
14 understanding the impacts from construction workers
15 and truck activity during the course of construction.

16 So in total there were 14 intersections
17 that were analyzed. We identified impacts at two in
18 the morning and four in the afternoon. There's two
19 peaks, essentially, with construction worker traffic.

20 We also looked at the impacts of the
21 implementation of a maintenance and protection of
22 traffic plan, otherwise referred to in the EIS as an
23 MPT plan, which is the -- which is the -- the
24 barricades that you see in the street that reduce
25 either traffic lanes or pedestrian. So that

1 those -- those are -- those constraints are factored
2 into the, the flow of traffic.

3 And the result of that work was that
4 one of the two intersections in the a.m. and one of
5 two midday, all -- all analyze periods would be
6 significantly impacted, and pedestrians also in terms
7 of the MPT, because there will be sidewalk narrowings,
8 diversions, and some temporary closures.

9 We analyzed 14 sidewalk elements -- or
10 I should say 14 pedestrian elements. Pedestrians
11 include sidewalks and crosswalks. So it was a pretty
12 thorough analysis of all the sidewalk -- of all the
13 pedestrian routes within the area.

14 And several of them, up to five
15 in -- in the a.m. and p.m., would be impacted
16 and -- and approximately two in the weekday and the
17 Saturday would be impacted.

18 Next slide, please.

19 So given the -- the objective of the
20 SEQRA process is not just to disclose impacts but also
21 identified the mitigation. So we went through a full
22 mitigation analysis to as -- to document that these
23 impacts could be mitigated.

24 The traffic impacts at majority -- or
25 three of the five intersections, could be implemented

1 through signal timing changes. The pedestrian impacts
2 were a little more challenging.

3 But at -- at some -- through the
4 removal -- temporary removal, I should say, of
5 decorative elements that, kind of, constrained the
6 flow of pedestrians. That the impact that one of
7 those locations could be mitigated.

8 But as a result of the work that we
9 did, there are unmitigated, significant impacts
10 resulting along Route 9A, primarily because that's the
11 primary way in and out of the -- of the work zones.
12 And several of the pedestrian locations could not be
13 mitigated.

14 And also, we recognized in the EIS that
15 the waterfront and the -- will be closed in -- in
16 segments and that will be rerouting of a bicyclist
17 that is unavoidable and that -- that's a significant
18 impact due to the loss of the -- the waterfront for
19 the biking and jogging and walking.

20 Next slide, please.

21 Noise. We did a -- a really extensive
22 analysis on the noise impact. We did a lot of
23 modeling and iterative work with the design team to
24 understand the construction equipment, how it would be
25 operated, the times of day.

1 And the result of all that work was we
2 found these locations here that would be impacted. I
3 suppose, you know, in the context of this table,
4 there -- it's not particularly helpful except you see
5 there's different residences and addresses.

6 We do have in the EIS, a graphic that
7 shows this geographically -- where those locations
8 are. But I wanted you to know that, you know, we have
9 recognized that there would be potential significant
10 adverse impacts due to the noise emissions during the
11 course of construction -- construction.

12 I would say that our analysis was what
13 we call reasonable, worst case. And -- you know, so
14 it's looking at the -- the peak periods. So these
15 impacts aren't going to be throughout the duration of
16 the day or throughout the duration of a -- of the
17 entirety of construction, but we recognize that there
18 would be a peak period and that's what the
19 impact -- impacts are based upon.

20 And we also recognize that the
21 contractors and the construction teams will be
22 required to comply with the city's noise code and will
23 need to prepare and implement a noise mitigation plan,
24 that is reviewed by the Department of Environmental
25 Protection and -- and Department of Buildings before

1 initiating their construction.

2 The next slide shows, based on our
3 impact assessment we developed with the design team an
4 extensive list of noise mitigation measures that need
5 to be implemented. These are also described in
6 greater detail in the EIS in Chapter four, in the
7 mitigation chapter.

8 I'll just summarize quickly here for
9 you what they include. You know, it's limiting the
10 operations as much as possible. No weekend or after
11 hour work with the exception of Route 9A and special
12 deliveries and weather catch up. In each -- any work
13 outside of the standard work hours requires a permit
14 from the City of New York.

15 Replacing and upgrading equipment over
16 time. It is a five year project. They're -- we're
17 expecting that there will be advances in -- in
18 muffling noise and different types of equipment with
19 lower noise emissions, that's more state of the art.

20 And as the proper maintenance of
21 equipment and mufflers that are intended to reduce
22 that noise emission. And Battery Park City is going
23 to continue to examine what other options there may be
24 and that will also be described in the final
25 Environmental Impact Statement.

1 Next slide.

2 So this is a final slide just to give
3 you a sense of the schedule. The comment period is
4 open for written comments until October 7, 2024. It's
5 our intention to complete the FEIS in December of
6 2024.

7 The final step in the environmental
8 review process is SEQRA or State Environmental Quality
9 Review Act finding statement, which is also
10 anticipated for the middle of December of 2024. And
11 if you need the website where the DEIS can be found,
12 it's -- it's here -- it's on the Battery Park City
13 website and there's the link.

14 Next slide.

15 So thank you and thank you for taking
16 the time out to join us here tonight and for your
17 input on the environmental -- during the environmental
18 review process. I'm going to turn it back to Nora
19 to -- we'll -- and see the -- the next steps of the
20 hearing.

21 MS. MADONICK: Thank you, Bob.

22 All right. So let's get started. I'm
23 going to go back over a couple of things and then we
24 will start hearing from folks. We have a nice robust
25 list of -- of people both in -- on -- in person, as

1 well as online and we want to make sure we get to
2 everybody tonight.

3 So there are multiple ways to comment.
4 If you haven't registered and you prefer to not do so
5 orally, you can mail or email a written comment to the
6 North/West Battery Park City Resiliency Team at 200
7 Liberty Street, 24th Floor, New York, New York 10281.
8 Or you can email to nwbpcrinfo@bpca.ny.gov.

9 And as a reminder to everyone, there
10 won't be a response to comments or questions that are
11 heard tonight. They will be entered into the formal
12 record and will be responded to in the final
13 Environmental Impact Statement.

14 So for those who preregistered to speak
15 tonight, you'll be seeing your names appear on the
16 screen. We'll hear from -- from people in the order
17 in which they registered.

18 And we're going to rotate in groups
19 starting with a group from online. And then we'll go
20 to a group in person, and then we'll go back and we'll
21 go forth.

22 If you are attending virtually, to
23 those who are, and if you preregistered when
24 you -- when your name is called, we will unmute your
25 microphone.

1 For commenters who are attending in
2 person, when we call your name, we would ask that
3 either you stand and if you wish to come to the mic,
4 that's fine, or raise your hand and my colleague,
5 Jared -- Jared, waive at everybody -- will bring a
6 microphone to you and -- and you can provide your
7 comment.

8 We'd ask each commenter, whether you're
9 online or you're in person, to identify yourselves.
10 And if applicable, to tell us the organization on
11 whose behalf you are speaking at the beginning of your
12 comment.

13 I'll alert each commenter, or will do
14 so through Jared, when you have about 30 seconds left
15 in your three minute allocation for -- for comment.
16 I'll thank you for your comment at the end of the
17 three minutes and move on to the next commenter.

18 If time allows, at the conclusion of
19 hearing from all of the pre-registered speakers, we
20 may be able to hear additional comments from those who
21 did not pre-register.

22 But that doesn't mean you can't submit
23 your comment no matter what. You can do so via mail
24 and you can do so via email and I'll be repeating
25 those -- funnel those channels for you during the

1 night.

2 If you are attending virtually and
3 you'd like to submit a comment, but you didn't
4 preregister, just click on the link that's posted in
5 your Zoom chat.

6 The link will take you to a virtual
7 form and there you can submit your name to comment.
8 Your name will then come up on the -- on the
9 registered online list.

10 If you're attending in person and you'd
11 like to submit, but didn't pre-register, please use
12 your mobile device to scan the QR code on the screen
13 and submit your name to the virtual form.

14 You may also visit the registration
15 table that is just outside this room and sign up.
16 Once registered, your name will then appear in the
17 online list.

18 We'll hear comments in the order in
19 which they are posted. And if you don't have a
20 chance -- if your -- if your comment goes beyond the
21 three minutes -- I'm going to hold to three minutes
22 out of respect for all of the speakers, to give
23 everyone an equal opportunity to speak.

24 But if your comment isn't finished by
25 the end of three minutes, I would ask that you submit

1 your full comment after tonight's hearing, via email
2 or mail, to make sure that the fullness of it and
3 everything you had to say gets entered into the
4 record. So let's get started.

5 Hopefully a little technical snafu at
6 the beginning means smooth sailing the rest of the way
7 through. Technology being what it is. I'm just going
8 to go over how you can send things via mail and send
9 them via email one more time and hopefully we will
10 have this resolved.

11 You can mail or email a written comment
12 to North/West Battery Park City Resiliency Project
13 Team at 200 Liberty Street, 24th Floor, New York
14 10281, or you can email to nwbpcrinfo@bpca.ny.gov.

15 Okay. Great. Technology is your
16 friend until it's not your friend; right? So we're
17 going to start with Loni -- Loni Passage, she is
18 online. And if someone could unmute Loni, we'd be
19 happy to hear from her.

20 We are obviously having a computer
21 challenge. I'll be back in one second. All right.
22 I'm going to switch to in person, while they're trying
23 to figure out whatever technology is happening.

24 So let's start with Suzanne Ring [ph].
25 Suzanne? No?

1 All right. Maybe Suzanne will join us
2 a little later.

3 Seema [ph] Wadwa [ph]. Seema [ph]?

4 Okay. Helena Fisera. Helena, would
5 you like it brought to you or would you like to come
6 down? Up to you. Just please say your name and if
7 you are representing an organization, please say that
8 as well.

9 MS. FISERA: I'm Helena Fisera. I'm
10 just a long time resident of Battery Park. Okay.
11 Right. I was obviously extremely concerned by what
12 happened --

13 MS. MADONICK: Jared, I can't hear her.
14 Okay. Could you please make sure that microphone is
15 working?

16 MS. FISERA: Thank you. I'm -- I was
17 extremely concerned about what happened at Wagner Park
18 and my main question would be what's going to happen
19 to those 420 trees that are going to be, I guess,
20 uprooted and do you plan on replanting them?

21 I mean, what is the -- they're just
22 being discarded. What is the idea and what does
23 actually increasing or enhancing landscaping
24 afterwards mean? Those was are both my concerns.
25 Thank you.

1 MS. MADONICK: Thank you for your
2 comment.

3 Okay. Steven [ph] Gerzowitz [ph].
4 Steven [ph]?

5 Okay. Yoshimasa [ph] Payara [ph]?

6 Okay. Hopefully they will send us
7 their comments in writing. Okay. We're going to go
8 back online to Lonnie Passage. Would you unmute
9 Lonnie, please?

10 Paul Rekoff [ph]?

11 Are you able to unmute Paul Rekoff
12 [ph], if he's attending? Okay. Paul is not here.

13 Tom Radinov [ph]?

14 Is Tom online? All right. Tom is not
15 here.

16 Is Vittoria [ph] Feterelo [ph] here?
17 Vittoria [ph] Feterelo [ph]?

18 Okay, I'll try one more in that group.
19 Kate Smith? Is Kate Smith attending?

20 Okay. We'll switch back to in person
21 and see if some of our friends online decide would
22 like to speak.

23 Ting Wu?

24 MS. WU: No comment. Thank you.

25 MS. MADONICK: No comment. Okay.

1 Alice Blank?

2 MS. BLANK: You can count on me. Okay.
3 Thank you. My name is Alice Blank and many of you
4 know me. I'm Vice Chair of Manhattan Community Board
5 1, and I'm chair of the Board's Environmental
6 Protection Committee.

7 MS. MADONICK: Alice, may I ask you,
8 are you speaking for?

9 MS. BLANK: Yes, I am.

10 MS. MADONICK: Okay. So you have five
11 minutes.

12 MS. BLANK: Okay. Well I only -- was
13 told I need three, and I hopefully going under, so
14 thank you. Manhattan Community Board 1 has been
15 reviewing the Battery Park City Resiliency Plans for
16 around nine years, issuing numerous resolutions on all
17 aspects of the south and north projects, including the
18 project's need, planning, design and community
19 impacts.

20 This past week, both Community Board
21 1's Battery Park City and Environmental Protection
22 Committees have reviewed the draft Environmental
23 Impact Statement, DEIS, for the North/West section of
24 the park. And will issue our final comments on the
25 document by the deadline on October 7th.

1 CB 1 is aligned with the principle
2 objectives of the proposed project as stated in the
3 DEIS, which include the Battery Park City Authority's
4 commitment to one, provide a system that relies on
5 passive flood control rather than mechanical. Two, to
6 minimize the urban heat island effect. And three,
7 that the project's construction and operation be
8 achieved in an environmentally responsible matter.

9 CB 1 would like to ensure that the
10 final Environmental Impact Statement, elaborate and
11 clarifies with much detail -- more detail how these
12 principle objectives will be achieved.

13 For example, with regard to reviewing
14 the project's effects on climate change, the DEIS
15 addresses the impacts of construction. Estimating the
16 project's addition of over 44,000 metric -- tons
17 rather of CO2 into the environment. But there seems
18 to be no estimate of the effects demolition has on the
19 carbon footprint.

20 The FEIS should take into account both
21 the construction and demolition associated with the
22 project and should detail with -- what specific
23 measures are being taken and materials used to reduce
24 the project's impactful greenhouse gas emissions.

25 The FEIS should also clarify how the

1 removal of the 420 trees and the addition of the large
2 quantity of concrete walls, benches, and paving will
3 impact the urban heat island effect and how long it
4 will take to mitigate these effects.

5 The community has long asked that a
6 federal variance for the removal of the trees be
7 reconsidered and looks forward to a confirmation that
8 this can in fact be done.

9 The community also requests that the
10 Battery Park City Authority schedule the promised
11 meeting with all stakeholders to review how the
12 project will be integrated into the city,
13 state -- city, state, and federal plans that are
14 proposed along Route 9A.

15 Lastly, the community urges that the
16 final EIS include information that ensures that the
17 Battery Park City Authority Project will have no
18 harmful effects on the resiliency of neighboring areas
19 in our community.

20 Particularly those that were, unlike
21 most of Battery Park City, flooded and acutely
22 affected during Superstorm Sandy on the west side
23 north of the proposed tie-ins in North Moore Street
24 and Tribeca Canal Street.

25 Community Board 1 looks forward to

1 providing full written comments of all aspects of the
2 DEIS and thanks the Battery Park City Authority very
3 much for their engagement with the community on this
4 critically important issue. Thank you.

5 MS. MADONICK: Thank you, Ms. Blank.
6 Steve Dougherty?

7 MR. DOUGHERTY: Hello. I just
8 have -- I have -- I -- mine's going to be a very
9 informal -- after this very like, kind of, boring
10 production we've had so far today, but --

11 MS. MADONICK: Would you just repeat
12 your name, please, for us, and your affiliation, if
13 you have any.

14 MR. DOUGHERTY: Steve
15 Dougherty -- Steve Dougherty and I'm just a resident
16 representing my own self.

17 MS. MADONICK: Thank you.

18 MR. DOUGHERTY: And I've been a long
19 time resident down here, and I was going to say that
20 this is the first time I've been in Stuyvesant High
21 School since two nights after 911.

22 I had run from my apartment to get my
23 daughter out of -- in her school and then ran back to
24 try to get my dog and could not. So I was, like, for
25 three days -- so two -- two days and two nights I was

1 struggling to get back here.

2 I was a nervous wreck, I was shaking,
3 and it was completely insane and I was outside of this
4 high school at four in the morning and finally came in
5 here to look for help.

6 Somebody to get down and get my dog.
7 And there was a Rabbi here and he was here from New
8 Jersey to help survivors and there weren't any. And
9 so he went and got my dog for me.

10 And it was like, you know, my hands are
11 still shaking from that experience that week. And
12 that's what -- the impact that wasn't analyzed in your
13 report here, was the effect on the people who lived
14 here.

15 And that the scars are gone -- you
16 know, not visible, but the trauma is still very
17 present. And we were suddenly faced with this
18 new -- are we going to have another trauma, where
19 people are going to have to really decide whether they
20 don't want us continue to living here anymore.

21 And a lot of people moved, some of the
22 stayed and we revived this neighborhood, and there was
23 no consideration of that. An official said that any
24 protest about what was planned for Wagner Park, which
25 was the -- it's demolition -- and we've seen what is

1 replaced now this giant iron wall that the -- there
2 was no indication of in the very pretty renderings
3 that we saw of it.

4 But I'm getting off topic now because
5 it's -- it upsets me. And just seems that there was
6 nothing -- like the stakeholders -- you know, I'm sure
7 that if Goldman Sachs had some trees that had to be
8 removed, they'd be asked about it.

9 We were told these trees -- well they
10 say they're being removed, but I saw them, they were
11 cut down. Like living trees are just chopped off and
12 there's no -- I'm sorry, madam, but there's no
13 removing them. They're dead, they're gone.

14 And I would like to think that -- I'm
15 sorry? 30 seconds. Okay. Sorry. But I wish
16 I -- I'd also like to know who's profiting from this.
17 Were there bids let out to -- for the development of
18 this park or this reboot. And I guess that's it.
19 Thank you very much.

20 MS. MADONICK: Thank you,
21 Mr. Dougherty.

22 Okay. We're going to go back online.
23 Let's start with Kate Smith. Kate?

24 MS. SMITH: Yes, I'm here. Just a
25 moment. Can you -- can you confirm you hear me?

1 MS. MADONICK: Yes, we can hear you.

2 MS. SMITH: Okay. Fantastic. All
3 right. Yes, I -- I don't know if you addressed this
4 already, but I -- I live at 70 Battery Place and 70
5 Battery and 50 Battery and it's a couple -- several of
6 the buildings we -- the area, where -- with
7 this -- also referred to as the blue lights, because
8 it's just so pretty.

9 And last time I -- at your last meeting
10 I had asked about the plan for the area immediately
11 behind 50 Battery and 70 Battery, leading all the way
12 up to the -- and then making that corner and leading
13 up to -- to the -- goodness. I'm sorry -- it's -- or
14 basically behind these two buildings.

15 I'm -- I'm very concerned that it's
16 going to be ripped out and it's absolutely beautiful.
17 It's -- obviously a lot of attention was paid to its
18 design and it attracts tourists here all the time.
19 I -- I, again, I'm here right now and the place is
20 teeming with activity.

21 If -- can you tell me is there a plan
22 to redesign this area as well? Because right now it's
23 already multilevel. I -- I think it probably already
24 meets the form the criteria that you're looking to
25 achieve elsewhere. But the -- I am asking the

1 question. Thank you.

2 MS. MADONICK: Thank you.

3 Let's go to Anthony Capola [ph], also
4 online.

5 Mark Greenwald? Is Mark available
6 online?

7 Jeff Galloway?

8 MR. GALLOWAY: Can you hear me now?

9 MS. MADONICK: Yes, we can hear you
10 Jeff.

11 MR. GALLOWAY: Thank you. My name's
12 Jeff Galloway. I'm resident of the Gateway Apartments
13 that are immediately adjacent to Reaches 5 and 6.
14 Although I serve on Community Board 1, as well as
15 Gateway Tenants Association. I'm speaking only on
16 behalf of myself and not on behalf of these
17 organizations.

18 The project description, as well as
19 some of the supporting materials such as the Coastal
20 Modeling Report and the appendices, do a very good job
21 of setting out the need for the project and the
22 technical basis for some of the physical aspects of
23 the project, including the flood wall.

24 And I'd like to thank the Authority for
25 taking leadership role in protecting lower Manhattan

1 from the increased risks of coastal storms and sea
2 level rise.

3 I wanted to address two comments -- or
4 two subjects on the draft EIS tonight, one is the
5 construction impacts and the other is the element of
6 operations.

7 Regarding the construction impacts, the
8 draft EIS does a good job of identifying impacts, but
9 it has considerably less detail on how those impacts
10 are going to be mitigated. And those -- and -- and
11 detailed descriptions of mitigation really needs to be
12 in the final EIS.

13 The construction impacts have at least
14 two broad categories and one is just the duration of
15 the project and the other is the intensity of the
16 impacts. And in particular noise and vibration is
17 going to be very significant for all of the
18 residential buildings that are adjacent to the
19 project.

20 And so really every conceivable measure
21 needs to be taken to mitigate noise and vibration
22 impacts. And those mitigation measures need to be
23 described in detail in the final EIS.

24 Also during construction, residents and
25 visitors made a -- a point of contact with the project

1 with a phone number, and some means of getting into
2 contact online in a real time basis.

3 So that residents can reach out if they
4 have any issues during construction, or if they
5 believe that some of the promised mitigation measures
6 are not being implemented.

7 We also need constant communication
8 from the project team, during construction giving
9 notice in advance of disruptive work so that people
10 can take steps to deal with it.

11 Yes, people may know there's going to
12 be pile driving or whatever it is in theory, but they
13 may not know that it's going to be next week. So
14 continual updates are very important.

15 In terms of the duration, I want to
16 state the obvious, five years is a long time and
17 certain aspects will take five years. And when you
18 think of it in terms of the children living in Battery
19 Park City or for that matter of the seniors. The
20 kids, five years is a significant chunk of the rest of
21 their childhood. And for seniors like me, it's a
22 significant chunk of the rest of your life.

23 And so any and everything that can be
24 done to, to try to shrink that duration time, without
25 intensifying the impact along the way, really should

1 be done.

2 And in terms of the public park space
3 that's being consumed during construction, I -- I
4 commend the Authority in trying to use imaginative
5 measures to look for other alternative spaces for
6 public use. And that needs to be --

7 MS. MADONICK: Mr. Galloway, I want to
8 thank you for your comment, but we're going to close
9 and you -- you've gotten to your three minutes. We
10 really appreciate your comment. If you would like to
11 submit the remainder of your comment, please do so
12 either by mail or via email. Thank you.

13 Is Carolyn Cartwright [ph] available?

14 It's another online. I should say we
15 have no other in-person registrants to speak. I want
16 to make sure that's correct. We have none in the
17 system.

18 Buff Kavelman?

19 Okay. I'm going to keep going with the
20 online that we have registered. That -- was that
21 Caroline -- Carolyn?

22 MS. KAVELMAN: No, this is Buff
23 Kavelman.

24 MS. MADONICK: Great. Okay. Buff,
25 you're on.

1 MS. KAVELMAN: I really appreciated
2 Jeff Galloway's questions and I'd like to add one that
3 I think relates to them. I'd like to understand what
4 is the impact on transportation for this neighborhood
5 during the period.

6 Especially the M9 and M20 buses and the
7 Downtown Alliance Connection bus, as well as any car
8 services and means that we have to get in and out of
9 the area. Thank you.

10 MS. MADONICK: Thank you. Is that the
11 end of your comment as well?

12 MS. KAVELMAN: Yeah.

13 MS. MADONICK: All right.

14 MS. KAVELMAN: That's it for now.

15 MS. MADONICK: Thank you.

16 So let me go on to Beth Coleman. Beth?

17 Okay. I'm going to keep going. Just
18 want you to know that the people that were calling on
19 are people who registered to speak and so we make
20 available this time.

21 They may have chosen to switch to
22 submitting their comment in writing or via email or in
23 some other way, but we just go through the list and
24 make sure everybody has the -- the time that they
25 asked for.

1 Tom Fox, also online. Affiliated with
2 the Hudson River Park Advisory Committee and the City
3 Club of New York. Tom Fox, are you available online?

4 MR. FOX: I am here. Can you hear me?

5 MS. MADONICK: Welcome.

6 MR. FOX: Thank you for the opportunity
7 to speak.

8 MS. MADONICK: Tom, are you speaking
9 for the organization?

10 MR. FOX: I'm -- yes, because the
11 resolution will be coming from Hudson River Park
12 Advisory Council and one from the City Club of New
13 York regarding this variation.

14 MS. MADONICK: All right. Understood.
15 You have, then, five minutes.

16 MR. FOX: Thank you. I don't think I
17 need as much, but I appreciate that. The -- we find
18 the DEIS basically insufficient, it that it neglects
19 to look at water quality.

20 And water quality, I mean water quality
21 in the Hudson River Park Estuarine Sanctuary. You did
22 assess the sewer water impacts, but you looked at the
23 piles -- the construction piles and the impact of that
24 on fisheries and such, and was no -- no significant
25 impact.

1 However, the pumping station that
2 you're putting in is designed to transport the surface
3 water that falls behind the resiliency, that you're
4 putting in. And as the gentleman said, in the case of
5 a dual effect that have rain water and tidal surges.

6 It's going to flush that into the
7 Hudson River Park Estuarine Sanctuary, which we worked
8 for 20 years to get to be a protected estuarine
9 sanctuary through New York State.

10 And I didn't see any assessments of the
11 water quality long term. The -- the impact on
12 fisheries or water quality in that bay or the impact
13 on the sailing vessels that have now moored there.
14 How many will have to be relocated?

15 The impact of water quality surge, if
16 you will, or surface water contaminated with oil and
17 detritus off the street, would have -- it's coming out
18 in -- I think it's -- and it's again, 078, the sewer
19 outfall, right into the estuary.

20 And this part of the sanctuary is in
21 the corner. There's not a lot of circulation. So I
22 think it's the worst place to be vacating all of this
23 water into the Hudson River. And I'm wondering if the
24 final EIS might look at this impact, because I think
25 it was omitted -- not on purpose, I'm sure.

1 And secondarily, if the plan might
2 include -- you are extending the Bulkhead of the wall
3 over Battery Park City, at Stuyvesant on the
4 north -- northend, would it be possible rather than
5 just dumping this sewage into Hudson River Park
6 Estuarine Sanctuary, to run a pipe to the Hudson
7 River?

8 Well, first they would send it to the
9 sewer treatment plant to be properly treated before
10 it's disposed of in our water, but that would be
11 a -- a primary mitigation. But secondarily, if you're
12 going to vacate the water into the Hudson River, don't
13 do it in this uncirculating, corner of the Estuarine
14 Sanctuary.

15 Run the pipe out to the Bulkhead of
16 Battery Park City and vacate in the main flow of the
17 Hudson River, where it can be distributed more quickly
18 and deluded more -- and not affect the Estuarine
19 Sanctuary, which is --

20 MS. MADONICK: Thank you.

21 MR. FOX: -- designated as a sanctuary
22 for a reason. Thank you very much for the
23 opportunity.

24 MS. MADONICK: Thank you.

25 I'm going to move on to David Caparale,

1 affiliated with Tribeca Sailing. David?

2 MR. CAPORALE: Hi. How are you? Can
3 you hear me?

4 MS. MADONICK: Yes. David, can you
5 tell me, are you representing Tribeca Sailing?

6 MR. CAPORALE: I'm -- I'm a business
7 owner in North Cove Marina and I live in Gateway, so
8 yes.

9 MS. MADONICK: Okay. So representing
10 an organization you have five minutes to speak. So
11 thank you.

12 MR. CAPORALE: Okay. I won't need it,
13 but thank you.

14 MS. MADONICK: Yep, you have the floor.

15 MR. CAPORALE: I'm also
16 officially -- unofficially representing seven maritime
17 businesses North Cove Marina. My question is very
18 simple, will we be able to get another season in North
19 Cove for 2025? A full season is from April until
20 November or October. And that's my whole question.
21 Thank you.

22 MS. MADONICK: Thank you.

23 Move on to Michelle Ashkin. Michelle?
24 Also online.

25 MS. ASHKIN: Hello.

1 MS. MADONICK: Good evening, Michelle.
2 Happy to have you.

3 MS. ASHKIN: Hi -- hi. Thank you for
4 the opportunity. I have a few -- just a few quick
5 things. Regarding the trees I've been -- I've been
6 discussing the trees for -- at all the meetings, but
7 one of the speakers did bring up the variance issue.

8 And I would like to say that I have
9 personally gone and looked at all of the trees, in
10 this area -- I live on Rector Place -- all the trees
11 from -- I guess, from -- that -- that lined the
12 promenade along Rector and beyond.

13 There are many trees, not all of them
14 of course, but there are many trees that, at the
15 moment, are 15 feet -- are well beyond -- probably
16 beyond maybe -- I have to go measure, but they're
17 beyond the 15 feet.

18 And when I brought this point up on one
19 of the walks, it became, kind of, clear to me that
20 while that might be the case, it is difficult to get
21 machinery in and that the -- if -- you know, if you
22 have a tree here and there.

23 And so my understanding when -- when I
24 walked away from that was that, you know what they're
25 doing the equivalent of a clear cut to make it

1 easy -- to make it easier to get machinery in.

2 And while I understand that, you're
3 taking out unnecessarily, I think, a number of trees
4 that are mature, beautiful, healthy trees, which we
5 love and covet in this area.

6 So I think that's something we need
7 to -- to revisit. If they are not within the 15 foot
8 variance -- you know, area, then why -- why can't we
9 keep them? Why can't we figure out a way to at least
10 keep some of them in place without destroying all of
11 them?

12 I also wanted to make a comment about
13 the wildlife, because of course nobody speaks about
14 the wildlife. And I'm very concerned about what's
15 going to happen to the animals that live here when we
16 take away every tree that they need, all the food
17 sources that they need, all the areas that they need
18 to either bury or find food.

19 What are we going to do? We have
20 many -- many squirrels and of course tons of birds.
21 Birds hopefully they can fly off and find other places
22 to nest. Squirrels have no place to go.

23 I don't know who else lives here, but
24 certainly we have squirrels. And while people may not
25 care about squirrels when they say they're just

1 squirrels, they're living beings. They are our
2 wildlife. They gave many of us solace after 911 when
3 they finally returned.

4 And we have no -- we have, sort of, a
5 moral obligation I think, not to destroy everything.
6 There are ways we can mitigate some of this for them.
7 I would like to -- I'll write that into my comments.

8 And the last thing I want say, very
9 quickly, is that what I don't understand is
10 it -- how -- how are we doing -- and I really don't
11 understand how are we doing -- how are we doing any
12 work, like the work that's being done right now at
13 Archer Place or -- to prep for the pump, when we don't
14 even have a final Environmental Impact Statement;
15 right?

16 So we -- we don't even know if -- I
17 mean, I don't understand all the legalities, but I
18 would think that we shouldn't have gone forward with
19 the work now, until we have a final Environmental
20 Impact Statement for the whole project.

21 And that's, kind of, where I'll leave
22 it. Thank you very much.

23 MS. MADONICK: Thank you, Ms. Ashkin.

24 That concludes the registered speakers,
25 but it doesn't conclude your opportunity to speak. So

1 if you are attending in person and you would like to
2 submit a comment and did not pre-register.

3 You have two choices. We have a table
4 outside this hearing room where you can go register
5 and we will be happy to hear what you have to say or
6 you can scan the QR code that's on the screen and
7 submit your name in the virtual room.

8 If you are attending online and you
9 also did not pre-register, you can just click on the
10 link that's posted in the Zoom chat and that link will
11 take you to a virtual form where you can submit your
12 name to comment.

13 Your name will then appear on the
14 online list. We'll keep checking to see if any of the
15 folks who had registered to speak come on online. And
16 then we will of course go to hear them speak.

17 So other than that, I am going to come
18 back every so often and tell you how to submit your
19 comment in writing or whether you want to do it via
20 mail or you want to do it via email. And we will
21 start -- if I can find my list.

22 If you wish to send your written
23 comment by mail, you can do so to North/West Battery
24 Park City Resiliency Project Team at 200 Liberty
25 Street, 24th Floor, New York, New York 10281. Or you

1 can email it, if you prefer, to
2 nwbpcrinfo@bpca.ny.gov.

3 So again, there's a registration table
4 outside of this hearing room, and if you would like to
5 speak, please go register and we will be happy to
6 listen to what you have to say.

7 So to anyone who's online, there's
8 plenty of time to -- to come in and speak. Even if
9 you were registered before but weren't available then
10 if you become available, we'd be happy to hear from
11 you.

12 We will be keeping the lines open until
13 eight o'clock when this is -- this hearing is
14 scheduled to close. Feel free to -- to place a -- a
15 registration in the link. If you click the link in
16 the chat, we can get you online.

17 So we have an online registrant. I'd
18 like to hear from Kathleen Keenan. Kathleen?

19 MS. KEENAN: Hi. Can you hear me?

20 MS. MADONICK: Yes, we can.

21 MS. KEENAN: You can? I have a comment
22 about noise, because this is a very big construction
23 project. And I was thinking about what kind of noise
24 are we going to hear? Jack hammers, compressors, pile
25 drivers, truck noise -- that wonderful sound when

1 they're backing up "Beep, beep, beep."

2 There's going to be a lot of dust,
3 they're going to be vibrations, and if -- if this is
4 going to be years, then the people who live anywhere
5 near River Terrace, it sounds like it -- it's going to
6 make living there practically unlivable with such high
7 noise levels every day.

8 I don't know if that's going to happen,
9 but that's what it sounds like. So I'm hoping that
10 there's some -- there's going to be some comments
11 about the noise levels.

12 And what kind of construction equipment
13 are going to be out there over this extended period
14 and whether there's any compensation for the people
15 who live near River Terrace. Thank you. That's my
16 comment.

17 MS. MADONICK: Thank you.

18 So just a reminder for those online and
19 anyone in person who wants to comment. Comments that
20 are made tonight, questions that are raised tonight,
21 will be addressed in the final Environmental Impact
22 Statement.

23 They're all being entered into
24 the -- the document documentation. The final
25 Environmental Impact Statement is expected to be

1 released in early 2025, but they will not be responded
2 to tonight.

3 So again, if anyone else online would
4 like -- and has not preregistered and would like to
5 make a comment as our last commenter did, just click
6 on the link that's posted in the Zoom chat.

7 It will take you to a virtual form and
8 you'll be able to submit your name in order to comment
9 and your name and will then show up in the -- in the
10 queue.

11 So online we have a commentor, Karie
12 Parker Davidson. Karie, if we've unmuted you, could
13 you announce yourself?

14 MS. PARKER DAVIDSON: Thank you. I
15 noticed in the transportation exhibit that the
16 analysis on the impact of narrowing sidewalks and the
17 volume of use of cycles and pedestrians in
18 their -- in -- in that space.

19 The analysis talks about the fact that
20 there's still a smaller but clear path provided, but
21 it does not share what the density of usage is within
22 those clear paths.

23 So if you are reducing the operative
24 area for mobility, it's not enough to just say what
25 the revised clear path is. It needs to have a density

1 analysis. So I would like to see the impact on -- the
2 Environmental Impact Study address the density of
3 traffic within those narrowed paths. Thank you.

4 MS. MADONICK: Thank you, Ms. Parker
5 Davidson.

6 Another online commentator. We have
7 Bill Weidner. Bill, if you're unmuted, could you
8 announce yourself please? Bill Weidner? Bill, you've
9 been -- you are unmuted on the system, but we're not
10 able to hear you.

11 You know, sometimes if you turn your
12 sound off and then on again, that helps. And if not,
13 then jumping off and logging back in can help. And we
14 certainly will be here to hear from you.

15 MR. WEIDNER: Can you hear me now?

16 MS. MADONICK: Yes, we can hear you.

17 MR. WEIDNER: Yeah, I -- I had my -- I
18 had the microphone hooked up, I don't know why you
19 couldn't hear me when I talked.

20 MS. MADONICK: That's okay.

21 MS. SMITH: So I changed it to a
22 different microphone. All right. So my names Bill
23 Weidner. I live in Gateway for the last forty years.
24 And I'm talking about this from a residential
25 occupancy point of view.

1 Residential occupancy in the area is
2 either rental, condominium, or co-op -- condominium
3 and co-op meaning ownerships and rentals of course
4 being tenancy.

5 Now without even looking at the
6 business side, which it should be included on some
7 level as well. This project should include a
8 significant tax abatement for co-ops and condominiums.

9 And it also should include some kind of
10 subsidy for what everyone who's going to be dealing
11 with now, with their rental property. And it should
12 not be borne, for the rental properties, by the owner
13 of the rental property.

14 It should be borne by the city, state,
15 or the federal government or -- or whoever it is that
16 would be doing such -- such a -- an abatement. So
17 that it could be passed along to the tenants and we
18 can continue to live here and deal with the
19 significant noise and the significant time that this
20 is going to take.

21 And what's happening is it's pretty
22 much taking away every aspect of why we live here and
23 so we need to be compensated for that. That's my
24 time. Thank you.

25 MS. MADONICK: Thank you.

1 So we've added a few previously, not
2 registered online commenters. And if others who are
3 online are thinking they'd like to share a comment or
4 a question, all you need to do is to click on the link
5 that's posted in the Zoom chat.

6 The link will take you to a virtual
7 form where you can submit your information to comment.
8 Your name will then show up in the queue that is on
9 the screen and we will get your comment entered.

10 For anyone who has provided comments or
11 asked questions during tonight's public hearing, they
12 will be addressed in the FEIS, the final Environmental
13 Impact Statement and will be entered into the
14 documentation.

15 We had many registrants to speak, who
16 perhaps have chosen not to speak tonight, but they may
17 still want to submit their comment. And you can do so
18 in writing.

19 If you prefer, you can mail your
20 comment to the North/West Battery Park City Resiliency
21 Project Team at 200 Liberty Street, 24th Floor, New
22 York, New York 10281. Or if you prefer to use email,
23 you can email it at nwbpcrinfo@bpca.ny.gov.

24 So we still have about 35 people
25 online. And if any of you would like to comment but

1 you didn't pre-register, please just click on the link
2 that's posted in the Zoom chat and it will take you to
3 a virtual form, where you can submit your name to
4 comment. Your name will then appear in the online
5 list. And we'll work with you to help you with you
6 microphone if you have a challenge with it.

7 So we have about ten minutes left in
8 this hearing to hear verbal comments, but I want to
9 remind you that the comment period will close October
10 7th. The public review and comment period on the DEIS
11 started August 28, 2004, and will close October 7,
12 2004.

13 If you don't wish to comment verbally
14 tonight, you can certainly do so by mailing or
15 emailing a written comment to North/West Battery Park
16 City Resiliency Project Team at 200 Liberty Street,
17 24th Floor, New York, New York 10281, or by email at
18 nwbpcrinfo@bpca.ny.gov.

19 And again, if you change your mind and
20 would like to get your comment in verbally tonight,
21 all you need to do, if you're attending virtually, is
22 to click on the link that's posted in the Zoom chat
23 and submit your name to the online form. It will then
24 appear in the online list and we will get you online
25 right -- right away to speak.

1 I want to correct myself, I understand
2 I misspoke on a year. The public review and comment
3 period on this DEIS began August 28, 2024. And will
4 close on October 7, 2024.

5 So we have about five minutes left
6 until eight o'clock, when we'll close this
7 portion -- the -- this public hearing. I want to make
8 sure if anyone wants to speak, we still have time for
9 comments.

10 And if you'd like -- if you'd like to
11 speak tonight, just click on the link that's posted in
12 the Zoom chat. It will take you to a virtual form
13 where you can submit your name to comment. Your name
14 will then appear in the queue and we'll get you
15 online.

16 If your preference is to submit your
17 comments in writing, you can do so either by mail or
18 by email. If you do so by mail, please send them to
19 North/West Battery Park City Resiliency Project Team
20 200 Liberty Street, 24th Floor, New York, New York
21 10281.

22 Or you can send it via email at
23 nybpcrinfo@bpca.ny.gov. You can also review the DIS
24 and other project documents on the website at
25 bpca.ny.gov.

1 I understand there's a person by the
2 name of MG, online, who would like to speak. Would
3 you please enter your full name so that we can get you
4 online? Mark Greenwald. Is that Mark Greenwald?

5 MR. GREENWALD: Okay. Can you hear me
6 now?

7 MS. MADONICK: Yes, we can.
8 Mr. Greenwald, you get the last comment tonight.

9 MR. GREENWALD: Good. Okay. I had
10 trouble trying to figure out how unmute, but anyway.
11 I'm concerned about the restaurants in the marina area
12 and how they will be impacted if they stay open.

13 And I want to -- in support of what
14 other members said, I'm a shareholder, we purchased
15 here two years ago on River Terrace -- 20 River
16 Terrace, and very concerned about the quality of life
17 in the next five years.

18 I'm a senior, it is a significant part
19 of my life. And I moved here for the beauty. No idea
20 of what I was buying into with this project. And I
21 feel also that in terms of abatements and costs of
22 maintaining our property, with the quality of life
23 coming down to the spirit of life.

24 I would like that to be addressed and I
25 think that's about it for now. I'll continue to

1 attend meetings and see where else we go from here.

2 Thank you.

3 MS. MADONICK: Thank you,
4 Mr. Greenwald.

5 So we're at eight o'clock, at the close
6 of tonight's hearing. I want to remind you that if
7 you would like to submit comments, you can do so in
8 writing after the hearing via email at
9 nwbpcrinfo@bpca.ny.gov.

10 Or by mail to North/West Battery Park
11 City Resiliency Project Team at 200 Liberty Street,
12 24th Floor, New York, New York 10281. I want to thank
13 you for attending tonight's hearing. Comments will be
14 accepted until October 7, 2024. This hearings now
15 closed.

16 (Whereupon, the hearing concluded at
17 8:01 p.m.)

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CERTIFICATE

I, THEA POPKO, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



THEA POPKO

Notary Public in and for the
State of New York

CERTIFICATE OF TRANSCRIBER

I, KATHERINE CARTER, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

A handwritten signature in black ink, appearing to read 'Katherine Carter', with a stylized flourish at the end.

KATHERINE CARTER

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