On behalf of Gowanus Canal Conservancy (GCC), please accept these comments regarding ULURP actions Gowanus Neighborhood Rezoning and Related Actions and the Gowanus Canal CSO Facility - Owls Head.

Gowanus Canal Conservancy is the lead community-based environmental steward for the neighborhood and is spearheading the Gowanus Lowlands community-based planning process for the public realm, which builds upon existing remediation and planning processes to identify actionable steps towards a vibrant, accessible, and resilient network of parks and public spaces centered on the Gowanus Canal.

We are a proud member of Gowanus Neighborhood Coalition for Justice (GNCJ), a diverse coalition of residents and community organizations that advocates for a just, inclusive, and resilient Gowanus neighborhood and planning process. We stand with our GNCJ partners to demand that the City invest in the full capital needs of Gowanus Houses and Wyckoff Gardens, ensure Net Zero CSO, and establish a community-based Task Force to hold the City and developers accountable for all commitments made through the Gowanus Rezoning. We additionally work closely with and support numerous other organizations, stakeholders, businesses, and residents in the Gowanus neighborhood, who have informed the comments below. We firmly believe that robust, comprehensive planning for the future of the neighborhood is contingent on engagement of the people who know it best.

We believe that, if done right, a district-wide Gowanus rezoning offers an opportunity to make progress towards a more just and sustainable neighborhood. The proposed Waterfront Access Plan and mitigation of CSO through the new Stormwater Rule are good starting points to address “green and blue” concerns, but there are additional commitments needed for investment in public space, infrastructure, restoration and planning for a changing climate. This Council must ensure that all of these commitments are transparently reported to a community-based Task Force, so that the incoming Council Members have the tools to hold the City accountable.

**Water and Sewer Infrastructure**

GCC and our GNCJ partners have demanded a Net Zero CSO Rezoning to ensure future development in the neighborhood does not contribute additional Combined Sewer Overflow (CSO) to the historically burdened and polluted Gowanus Canal. As part of this demand, we have repeatedly requested that the City provide accurate and up-to-date modeling of the sewer system that utilizes best available data to realistically account for the reasonable worst case development scenario and increased precipitation as a result of climate change.

The FEIS shows CSO reductions to the Gowanus Canal by 5 million gallons per year with the forthcoming Unified Stormwater Rule in place as new development installs stormwater management practices required under the new rule. Absent the new rule, the City concedes that CSO would actually increase by 3 million gallons per year. While we commend DEP for their work on adopting new citywide stormwater policy that will undoubtedly improve stormwater management in the neighborhood and across the City, their assessment is based on complex sewer models that are only
as reliable as the data that informs them. Our community has looked to EPA to review these models, but they are not able to assess net CSO impacts of the rezoning primarily due to the use of outdated rainfall data.

Given EPA's inconclusive assessment and the local impacts of recent storms, the City must commit to additional measures to track implementation and plan for a changing climate. To effectively meet our Net Zero CSO demand, the City must commit to the following prior to the approval of the Gowanus Rezoning:

1. **The Unified Stormwater Rule must be in effect prior to the first site sewer connection in the Rezoning Area** - if not the City must include a stipulation in the zoning text that the any development enabled by the rezoning complies with the Rule and the City must provide transparent reporting on implementation as described in #3 below.

2. **The Gowanus neighborhood must be included as one of the 10 neighborhoods that the City advances for its upcoming Cloudburst Study.** As outlined in the Mayor’s recent report, DEP will select 10 at-risk neighborhoods for the implementation of a cloudburst design study by the end of 2021. We need a firm commitment from the City to identify the Gowanus neighborhood and adjacent drainage areas in the Red Hook Sewershed as one of these areas in order to make good on the flood resiliency or hydrology study that the Gowanus community has been requesting for years.

3. **DEP must commit to annual monitoring of net changes in sanitary and stormwater loading within the Gowanus Sewershed as mandated by EPA’s Executive Administrative Order.** The City must agree to comply with the monitoring and reporting requirements for Stormwater Controls outlined in Paragraph 73c of EPA’s Executive Administrative Order (EAO) from March 29, 2021. As per this mandate, the City must commit to annual monitoring of net changes in sanitary and stormwater loading, to be reported as modeled volumes, within the Gowanus Sewershed in order to assess incremental impact of sewer hookups and ensure these do not result in a net increase.

4. **DEP must commit to assess future drainage investments in Gowanus as the City develops a new drainage standard, using new rainfall intensity projections that account for climate change in their update of the Long-Term Control Plan by 2023,** as outlined in the Mayor’s recent weather report.
Parks and Public Space

The Gowanus Neighborhood is lacking in open space - currently there are just 0.336 acres of open space per 1,000 residents, which is far below the recommended NYC guidelines of 2.5 acres of total open space per 1,000 residents. Beyond that low ratio, very little of the existing open space in the ¼ mile study area is actually in the low-lying area adjacent to the Canal.

The Gowanus rezoning will add critical open space resources to the local neighborhood. However, with the increased population, the FEIS shows that the park ratio will decrease to even further below the ideal ratio, to 0.336 acres of open space per 1,000 residents. Of particular concern is a reduction in the active public space ratio, which is critical to supporting a more residential neighborhood.

The City must ensure that there is no adverse impact to the open space ratio, by creating and supporting more open space in the immediate neighborhood, investing in existing open spaces, restoring damages to natural resources, and supporting active, engaging use of public spaces. The Points of Agreement should provide a clear timeline, process, and funding commitments for 10 acres of new parks, and for needed improvements in existing parks to support a growing population as described below:

1. Parks Improvement District: Commit to supporting development of Parks Improvement District for Gowanus open spaces.
3. Thomas Greene Park shadow mitigation: Identify ways to reduce shadows on Thomas Greene Park through modified massing on 549 Sackett St, 270 Nevins St, and 495 Sackett St.
4. Thomas Greene Park: Commit to investments and timelines for park improvements in addition to work being done under the brownfield clean-up
5. Gowanus Green Park: Commit to investments and timelines for new park
6. Head of Canal Park: Commit to investments and timelines for new public space.
7. The Salt Lot: Commit to GCC temporary space and return to the site, timeline and public process for long-term facilities and public space.
8. **Smith/9th Transit Plaza**: Commit to creating public open space on MTA property that connects the Smith/9th Street train station to the waterfront esplanade.

9. **Gowanus Underpass**: Commit to public space, including pedestrian safety and stormwater improvements in the area under the Gowanus Expressway between Court Street and West 9th Street that connects Red Hook and Gowanus.

10. **Greenspace on 4th Extension**: Commit to investments and timelines for new public space on the DEP property at Sackett St. and 4th Avenue

11. **Under the Tracks**: Commit to investments and timelines for new public space on the MTA property at 10th Street between 2nd and 3rd Avenues

12. **St Mary’s Park**: Commit to constructing a comfort station.

13. **Schoolyards to Playgrounds**: Commit to making 5 schoolyards accessible to the public after school hours through the Schoolyards to Playground program, providing 2.85 acres of active public space.

**The Salt Lot**

In addition to the overall Gowanus Rezoning, the Council is also currently reviewing the Gowanus Canal CSO Facility, an important component of the Gowanus Superfund remedy. As the current occupants of the site that will be displaced by this action, we support the construction of this critical infrastructure to reduce CSO into the Canal but firmly request that the City make commitments to public space, restoration, access and community outreach as part of this ULURP approval.

Since 2010, GCC has headquartered community stewardship and education programs, and a native plant nursery at the BK6 Salt Lot, the location of the proposed Gowanus CSO Facility. We understand that DEP is currently planning for 1) the construction of the 2nd Avenue and Salt Lot bulkhead between 2022 and 2023, required by the EPA as part of the Gowanus Canal Superfund and 2) the construction, between 2023 and 2028, and subsequent operation of the OH-007 Combined Sewage Overflow (CSO) detention tank. As a condition of ULURP approval, the City must:

1. **Provide support for relocation and a temporary site for Gowanus Canal Conservancy’s 8,200 sq ft facility for any period of time that operations and programs are displaced.**
   a. Given GCC’s imminent displacement at the end of 2021 due to bulkhead work, we ask DEP to help us secure and pay for a lease on a private site or provide us with use of a public site, such as the MTA site at 9th Street and the Canal or the water tunnel site located at 4th Ave. and Sackett St. A suitable site will need to accommodate GCC’s 8,200 SF operations footprint for the entire time we will be displaced - our understanding is that this is a period of 2 years, from January 2022 through the end of 2024.
   b. We understand that the City is planning to establish a temporary site for DSNY operations on a parcel south of 5th Street during the period of tank construction from 2024-2028. We request that the City commits to accommodating both GCC and Big Reuse operations on this site with a minimum allocation of 18,200 sf, in line with existing space allocations.

2. **Commit to funding and a timeline for a long-term site design that includes the existing programs and facilities that the community relies on: a landscape maintenance facility and native plant nursery, a compost facility, an outdoor classroom, and biodiverse coastal habitats as well as new public space, salt marsh restoration, a stewardship and education center, and interpretation for the new CSO facility.**

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1 EPA CSO Administrative Order for Remedial Action to the City of New York, March, 29 2021, Appendix
a. Facilities: Salt Storage, CSO Tank and Head House, Community Compost Facility, Stewardship & Education Center, Small Business Incubator for Green Industries, Native Plant Nursery

b. Public Spaces: 2nd Avenue Street End Garden, Biodiverse Plantings and GI Demonstration Gardens Intertidal Marsh, Turning Basin Boat Launch, Connection via Pedestrian Bridges

Salt Lot: Proposed Site Plan (Gowanus Canal Conservancy and SCAPE)

3. Commit to work closely with site occupants for the duration of construction and design of the new facility and a public engagement process to get feedback on the design.

a. Per the Facility Plan, public outreach should be used to inform planning and design decisions.² This outreach should specifically elicit feedback about replacement of current operations, public space design and programming, water access, and educational interpretation of grey and green infrastructure. Outreach to current occupants should be frequent and transparent, to ensure that the final site design supports ongoing operations. Additionally, particular attention should be paid to gathering feedback from ecosystem restoration experts, local teachers who use the Gowanus as a classroom, industrial businesses in the IBZ, boaters, and other local neighbors.

Thanks for your time and consideration.

Attached:
211008_GCC Memo_City Commitments needed to ensure Net Zero CSO Rezoning
210917_GCC Comments to CPC_Gowanus Canal CSO Facility
210810_GCC Comments to CPC_Gowanus Rezoning and DEIS

² CSO-GC-SFS DES Facility Plan Report - OH-007, September 2017, Section 7.5