



**Testimony to the NYC Economic Development Corporation and
the Mayor's Office of Environmental Coordination on
the Proposed Four Sparrow Marsh Retail Center
Thursday, February 17, 2011
Kings Plaza Community Room, 5100 Kings Plaza, Brooklyn, New York**

Introduction

New Yorkers for Parks (NY4P) is a citywide, independent organization dedicated to ensuring that all New Yorkers enjoy a world class parks system. NY4P achieves its purpose through an integrated framework of advocacy, research and a coalition of parks, open space, recreation, advocacy and civic organizations.

Through our *Natural Areas Initiative*, a joint project conducted with NYC Audubon, New Yorkers for Parks has documented the 12,000 acres of natural areas located within the five boroughs and the important services that they provide to New York City. The *Natural Areas Initiative* identified a need for improved cooperation among non-profit groups, community advocates and government agencies to raise public awareness about the values of natural areas and ensure their protection. Such coordination is essential to protect the city's limited natural areas from the threats of commercial development.

NY4P strongly opposes the proposed retail development within the Four Sparrow Marsh Natural Area and Preserve. This site, identified as a valuable natural resource by Federal, State and City authorities, provides our city with a number of environmental and ecological functions. Allowing retail development to infringe upon and fragment one of the two remaining salt marshes within northern Jamaica Bay is a dangerous precedent to set. All 67 acres of this valuable natural resource should be mapped parkland and protected in perpetuity. The following environmental designations should be considered in the Draft Environmental Impact Statement, especially since the Impact Category of Open Space is omitted from the Draft Scope of Work and the Environmental Assessment Statement.

Background

As an integral component of Jamaica Bay, Four Sparrow Marsh has been designated for protection and restoration at Federal, State and City levels. It is included in the EPA's National Wetlands Inventory, and in 1998, Congress recognized the New York-New Jersey Harbor as an estuary of national importance and accepted it into the National Estuary Program. The US Army Corps of Engineers and the Port Authority of New York & New Jersey have created a Comprehensive Restoration Plan, which identifies sites for restoration and protection, including Four Sparrow Marsh.



The New York State Department of Environmental Conservation (DEC) identifies both the Mill Basin, which is just north of Four Sparrow Marsh, and Jamaica Bay's Brooklyn tributaries as "impacted segment(s)," which are waterbodies with documented water quality problems. As part of State compliance with the Federal Clean Water Act, the DEC must provide regular, periodic assessments of the quality of the water resources in the state and track progress towards their improvements. Commercial development in the vicinity of these ecologically sensitive waterbodies would compromise state and federal efforts to improve water quality.

The Jamaica Bay Watershed Protection Plan (JBWPP), drafted by the New York City Department of Environmental Protection, notes that environmental conditions in the watershed are affected by the human population within the basin. As the population increases, the stress on these natural resources increases accordingly. Commercial development located within or adjacent to this environmentally sensitive area could potentially disturb the tidal wetlands and the overall ecology of the area. According to the JBWPP, urban development has had a "direct impact on water quality in the receiving waters of the Jamaica Bay estuary and the health of upland, wetland and estuarine ecosystems, which in time have resulted in impaired human uses of the local environment. The primary impact of urbanizing environments -- the covering of soils with impervious concrete and asphalt surfaces -- decreases ground water infiltration, while increasing the volume and rate of stormwater runoff." The impervious surfaces that the proposed plan seeks to introduce next to and atop this fragile environment will most certainly have an impact on the Four Sparrow Marsh and the quality of the bay more generally. Although the Environmental Assessment Statement (EAS) will consider the New York City Waterfront Revitalization Program (WRP) and the project's consistencies with this program, the EAS must also examine impacts on the JBWPP.

The New York City Department of Parks and Recreation lists the Four Sparrow Marsh as part of its Forever Wild Program, which is an initiative to protect and preserve the most ecologically valuable lands within the five boroughs. The Department lists 51 Forever Wild Nature Preserves, a select few among the thousands of acres of natural areas in the City. As the larger and older of the two remaining salt marshes on the north shore of the Jamaica Bay estuary system, Four Sparrow Marsh serves three critical environmental roles: nest habitat, a rest-stop for migrating birds and an essential filter for pollution and excess nutrients in the Bay. Although it is not currently accessible to the public, the marsh provides numerous benefits to the estuary and to the City overall. As proof of its ecological importance, the Parks Department recently restored 3.4 acres of the site to further buffer proximal development sites. Yet the EAS will not include an Open Space assessment because the threshold for a detailed analysis is not met.

Recommendations

We disagree with the Screening Analysis which concluded that the potential impacts on Open Space do not require a detailed analysis. There will be a multitude of direct and indirect effects on Four Sparrow Marsh, ranging from change in the use of open space to increased noise and air pollution and more. The suggested absence of quantitative impacts used to excuse an Open Space



assessment do not compensate for the qualitative impacts that will resound throughout Four Sparrow Marsh, Jamaica Bay and Mill Basin.

Therefore, New Yorkers for Parks feel that Four Sparrow Marsh should be universally protected from commercial development. Due to the fact that it is not “mapped” parkland, 15 acres of critical natural area are at risk of being destroyed for the purposes of retail development. This sets a dangerous precedent of removing parkland that, although not mapped, is widely recognized for providing extensive environmental and ecological benefits to this city. Furthermore, an action such as this seems to be in direct conflict with the Mayor’s efforts, through PlaNYC, to create a more sustainable city in the face of long-term climate change.

Additional comments on the Draft Scope of Work and the Environmental Assessment Statement will be formally submitted by NY4P by February 28th. Thank you.