



Metropolitan Waterfront Alliance

MWA Research and Policy Directions

# Retooling Waterfront Governance in the New York–New Jersey Harbor

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Case Studies From Waterfront Cities

April 2013



# Maximizing Ferries in New York City's Emergency Management Planning

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NEW WATERFRONT GOVERNANCE FOR NYC

The Metropolitan Waterfront Alliance works to transform the New York and New Jersey Harbor and Waterways to make them cleaner and more accessible, a vibrant place to play, learn and work with great parks, great jobs and great transportation for all. For more information, please visit [www.waterfrontalliance.org](http://www.waterfrontalliance.org).

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## Introduction

Who is in charge of the waterfront? Everybody and nobody. The scramble of commissions and task forces in the wake of Superstorm Sandy brought the challenge of waterfront governance into sharp relief. With literally dozens of city, state, and federal agencies regulating and protecting New York Harbor and the regional waterfront, it is high time to construct a new regime that will manage our waterways and shorelines holistically, efficiently, and with dedicated foresight. We are developing a 21st century waterfront, with great opportunities and grave challenges for our coastal city. We need governance to match.

The waterfront is the place where the city's economy can grow, be it through the preservation and growth of the working waterfront or putting in protections against coastal flooding and storm surge. A new governance model for the waterfront is the place where the City can capture the economic benefits of a revitalized waterfront and gain efficiencies and cost savings through long term planning, preventing duplication, and committing to comprehensive, standardized and prioritized maintenance of the waterfront infrastructure among many others.

The city needs a central entity to lead, track, manage, and coordinate the implementation of the New York City *Comprehensive Waterfront Plan and Waterfront Action Agenda*, released in 2011 and the soon-to-be released New York City report outlining how to make our waterfront more resilient to flooding and strong storms, known as the *Special Initiative for Rebuilding and Resiliency*. Both of these plans are ground-breaking, comprehensive, and provide a clear path forward for waterfront revitalization and the coastal protections and defenses that will allow New York City to continue to revitalize its waterfront.

As in New York, cities from around the world are reinventing their waterfronts. From Seattle to Sydney, other waterfront cities can provide valuable examples and innovative models for New York. This paper distills some of these examples into case studies meant to inform the discussion on how to improve waterfront governance in New York City.

It concludes with the recommendation that a Department of the Waterfront is necessary to realize the economic benefits of a revitalized waterfront, to capture the cost savings from better coordination and planning, and to implement the city's critical goals for protecting its waterfront.

## Deficiencies in the Current Waterfront Governance System

**“No integrated municipal policy exists for managing the New York City waterfront. Despite much rhetoric and many proposals to renew the city’s coast, the municipal government has done little to improve the city’s coastal shoreline. External organizations and citizens’ groups have been largely responsible for efforts to improve the use of the city’s coastal resources.”**

Mitchell Moss, *The Lost Waterfront of New York*, 1979

From the beginning of the Port’s transition from New York to New Jersey in the 1960’s, the city was faced with a governance challenge, which in many ways remains today. Though it has seen much development in the last decade, the New York City waterfront remains an underutilized resource for public access, recreation, and environmental remediation. Though New Yorkers are reconnecting with their waterfront now more than ever before, we have far to go.

From 2007 and 2012, MWA convened some of the region’s leading waterfront voices in a series of Task Forces dedicated to defining needs, synthesizing various agendas, prioritizing proposals and developing a comprehensive vision for the New York/New Jersey waterfront. Throughout these task force discussions, governance repeatedly came up as a barrier to innovation and engagement with the waterfront. An illustrative list of comments from MWA task force meetings follows.

### **No Home for the New York City *Comprehensive Waterfront Plan***

The newly updated *New York City Comprehensive Waterfront Plan* has received national attention, yet no single entity in the city is responsible for its implementation. Instead parts of the plan are shared by multiple agencies and the role of the Waterfront Management Advisory Board is unclear. A waterfront larger and more complex than almost any other in the world lacks a centralized, coordinated governance entity tasked with ensuring a full realization of its economic, environmental, and social potential.

### **Who will coordinate and implement the waterfront and coastal sections of the *Special Initiative for Rebuilding and Resiliency***

The soon-to-be released *Special Initiative for Rebuilding and Resiliency* will likely recommend important protections and resiliency strategies to make parts of the waterfront and inland areas either floodable or flood proof. Which agency will coordinate and take the lead in securing funding, implementation, and coordination is in question.

### **Limited Long Term Commitment to Progressive Economic Development on the Waterfront**

New York City's de facto economic development model for the waterfront is often a choice between large scale housing development or big box retail. The city is missing opportunities for waterfront development that spurs waterfront and upland economic development and encourages local investments for a mix of maritime, retail, and commercial uses. The city can and should have an economic development engine such as Granville Island in Vancouver – a maritime related tourist destination serving local and regional service and retail providers.

### **Lack of Coordination for Waterfront Parks Maintenance**

The costs of maintaining waterfront parks dwarf those of inland parks. Bulkheads, piers, and other structures require attention and repair on a continuous basis. Right now at least ten agencies have jurisdiction over the piers, wharves and bulkheads that line our waterfront. Each of these agencies has different levels of expertise, procedures and timelines for maintenance. At best this situation lends itself to duplication and confusion; at worst, structures fall into the water. Deferred maintenance is the definition of penny wise–pound foolish, nowhere more true than on our waterfront. A single entity dedicated to managing harbor resources would save money and allow the attention and coordination necessary for this complex and important resource.

### **Waterfront Permitting Administered By Multiple Agencies**

A new project on the waterfront requires permits from Federal, state, and city government. In some cases applicants must coordinate with over twelve agencies, five of which are New York City agencies. No city agency or other agency exists to help applicants coordinate and clarify the process. The cumbersome permitting process discourages smaller and more innovative waterfront projects as consultant fees for navigating the permitting process are prohibitive.

### **Lack Of Coordination For Conflicting Waterfront Uses**

Waterfront activities such as summer educational programs can be adversely affected by poorly timed construction. City agencies do not have a procedure in place to coordinate their construction schedules with waterfront programming in order to avoid conflict with existing waterfront activities.<sup>1</sup>

### **Permitting Requirements That Discourage Waterfront Events**

New York City hosts the country's largest marathon and a countless array of world-class events, but the permitting requirements for relatively small waterfront events are daunting for community groups. Many different city agencies have overlapping jurisdiction on the waterfront, but each has its own individual requirements and does not work with other agencies. Some city requirements, such as fire marshals on concrete piers are an illogical result of this disorganization.<sup>2</sup>

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1. 2010 Waterfront Recreation Task Force Minutes, [www.waterfrontalliance.org/sites/default/files/Recreation\\_Task\\_Force\\_Meeting\\_Notes\\_final\\_draft080210\\_doc.pdf](http://www.waterfrontalliance.org/sites/default/files/Recreation_Task_Force_Meeting_Notes_final_draft080210_doc.pdf)

2. 2010 Waterfront Recreation Task Force Minutes, [www.waterfrontalliance.org/sites/default/files/Recreation\\_Task\\_Force\\_Meeting\\_Notes\\_final\\_draft080210\\_doc.pdf](http://www.waterfrontalliance.org/sites/default/files/Recreation_Task_Force_Meeting_Notes_final_draft080210_doc.pdf)

### **Lack Of User Input In Waterfront Designs**

Investments in public waterfront infrastructure can be wasted if there is not meaningful community involvement from the inception of a project through to its completion. In Harlem, the idea for the Harlem Pier was well received, but a lack of user input led to a pier design that prevents cultural, educational, and historic boats from using it. The Pier is in fact relatively unusable for the wide variety of boats found in the New York Harbor. Large historic ships have few places to berth in New York Harbor and therefore end up passing by our harbor all together. And yet despite new waterfront development, piers are being retrofitted without usable maritime infrastructure such as accessible cleats and bollards.

### **Harbor Safety Rules Are Often Ignored**

Many have pointed out that restrictions on generating wakes in the harbor are sometimes ignored, especially at rush hour. As a result, infrastructure like the finger piers at Hudson River Park have been damaged or destroyed.<sup>3</sup>

### **Missed Opportunities on The Waterfront**

For too long, the city has been viewed as separate from its waterfront. This schism has led to waterfront parks with no boat access, waterfront schools with no rowing or sailing programs, and waterfront neighborhoods with no docks and landings.

### **Prohibitive Docking and Usage Fees**

Boats visiting New York harbor have few places to berth, and many boats, local and visiting alike, are unable to afford dropping off or picking up passengers at existing piers and marinas. This keeps the largest urban waterfront in the United States locked away from boating activity and unattractive as a boating destination.

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3. 2010 Waterfront Recreation Task Force Minutes, [www.waterfrontalliance.org/sites/default/files/Recreation\\_Task\\_Force\\_Meeting\\_Notes\\_final\\_draft080210\\_doc.pdf](http://www.waterfrontalliance.org/sites/default/files/Recreation_Task_Force_Meeting_Notes_final_draft080210_doc.pdf)

## Waterfront Governance Wish List

The perceived deficiencies in waterfront governance have led MWA to compile a “wish list” of items that need to be addressed to improve waterfront governance. It is MWA's desire that many of these items be housed under a single entity:

### Waterfront Governance and Management

- Comprehensive Waterfront Plan and Waterfront Action Agenda creation, coordination and implementation
- SIRR coordination and implementation
- Coastal Zone Management Plan
- Capture waterfront revenues for waterfront investment and ensure fee structures provide incentives for waterfront use
- Promote Blue Network that includes waterfront schools and education programs, sailing programs, historic vessels, permitting for recreational vessels and events
- Manage, lead, and staff Waterfront Management Advisory Board
- Serve as advocate for the waterfront within city government
- Operate and coordinate waterborne transit
- Maritime development and retention

### Maintenance

- Uniform maintenance of all public waterfront lands, bulkheads, and piers. Develop standard procedures and protocols for inspection, repair, and maintenance of city owned waterfront infrastructure

### Information and Coordination

- Coordination and management of inter-government and public information about the waterfront
- House One-Stop-Shop for permitting assistance
- Harbor safety rules for water quality, rules of the road, etc., among city agencies

### Waterfront Design

- Waterfront design guidelines and requirements
- Ensure user input in public access design and other public waterfront infrastructure
- Serve in a consultative capacity to review pier, dock, bulkhead, and waterfront walkway designs to ensure they maximize ecological, public access, maritime, and sea level rise design innovations

### Regional Coordination

- Provide regional coordination for Comprehensive Restoration Plan, Regional Sediment Management Plan, Harbor Operation of the Coast Guard, and federal funding
- Coordinate SIRR regionally

## Models Considered for this Study

After convening its task forces and compiling the waterfront governance wish list, MWA looked to other great waterfront cities for examples of how they were reinventing their waterfronts. MWA identified a series of case studies that serve as examples of potential governance models and tools. While the waterfronts in these cities cannot compare with the sheer size and diversity of the New York City waterfront, they can provide useful governance insights that can be scaled up and adapted to New York.

For each case study, MWA examined the organization's enabling legislation, corporate charter or other similar founding documents, its annual reports and website, and where possible, MWA interviewed representatives of the organization to gain insight and advice on improving waterfront governance.

The next section of this report presents case studies for the above models. Each case study examines the organization's areas of responsibility, mission, governance structure, and the feasibility for replicating the model in New York. The paper concludes with a discussion of lessons for New York, and some key areas for urgent action to improve waterfront governance.

## Governance Case Studies

### Portland, Oregon: Office of Healthy Working Rivers

Investments in public waterfront infrastructure can be wasted if there is not meaningful community involvement from the inception of a project through to its completion. In Harlem, the original design for the Harlem Pier was well received, but cutbacks forced design changes that were never approved by the community. The Pier is now relatively unusable for the wide variety of boats found in the New York Harbor. Large historic ships have few places to berth in New York Harbor and therefore end up passing by our harbor all together. And yet despite new waterfront development, piers are being retrofitted without usable maritime infrastructure such as accessible cleats and bollards.



#### Areas of Responsibility

Portland, Oregon's Rivers Office works in two broad areas: coordinating and collaborating with the city agencies that work on waterfront issues; and aggregating information to provide a one-stop waterfront shop for the community. The Rivers Office does not have regulatory authority over the waterfront, nor does it administer specific city programs. It does work to ensure that the city is implementing plans and programs designed to support overall watershed health and waterfront activities.

The Rivers Office reaches out not only to city agencies that are working on waterfront issues and projects, but also to community groups, non-profits, federal agencies, and industry groups. The goal is to move away from compartmentalized and bureaucratic management of the waterfront, to more holistic governance of the river as a whole system. The Office advocates for projects that benefit the waterfront and supports on-going efforts of other city bureaus. The Office also works on waterfront projects that are not clearly in the purview of other city agencies. The Office serves as a key point of contact between the city and the community by keeping the public informed of waterfront activities and linking community members to resources to support their projects.

#### Background

For years, Portlanders turned their back on the Willamette River. Years of industrial activity had left the waterfront degraded, and the EPA declared the harbor a Superfund site in December 2000.<sup>4</sup> But improvements in water quality, completion of the Portland Downtown Plan and construction of a riverside esplanade and redevelopment of the South Waterfront, helped Portlanders recognize that the Willamette River, as it flows through Portland is a community asset. The city created the River Renaissance Program to build on this momentum, and this evolved into the Office of Healthy Working Rivers.

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4. [yosemite.epa.gov/r10/cleanup.nsf/sites/ptldharbor](http://yosemite.epa.gov/r10/cleanup.nsf/sites/ptldharbor)

### Mission Statement

The Rivers Office helps to raise awareness of the diverse ecological, transportation and recreational values provided by the Willamette and Columbia Rivers as they flow through Portland.<sup>5</sup> The city's waterfront goals are to:

- assure a clean and healthy river
- maintain and enhance a prosperous working harbor
- embrace the river as Portland's front yard
- create vibrant waterfront neighborhoods
- promote partnerships, leadership and education

### Governance Structure

The Portland City Council established the Rivers Office in 2009 as an independent city office. The office is co-located within the Bureau of Environmental Services and is funded by City sewer rate-payers. The Office has a director and four employees. The director of the Rivers Office reports directly to city commissioner Amanda Fritz, a member of Portland's five-member City Council.<sup>6</sup> A key to the success of the Office is the support of the City Council and the accountability that comes with reporting directly to a Council member.

The Rivers Office has a twenty member advisory committee composed of representatives of state and federal government, waterfront commercial and industrial businesses and environmental organizations. The group serves as the Office's "eyes and ears" on the waterfront and helps identify issues and opportunities.

### Applicability to New York

Portland's Rivers Office has potential to inform New York's earliest attempts to institute cohesive waterfront governance. The Rivers Office works with existing city agencies to make them "rivers aware," but formation of the Office did not require that the city amend any legislation to take authority or resources away from existing city agencies. Rather, the Office provides more of an oversight function, ensuring that waterfront plans and projects are implemented. The Office also convenes City bureaus and others to solve waterfront issues that cut-across City bureaus such as issues related to maintenance dredging and river recreation. Additionally, the office serves as a single point of contact for the community, providing information on City actions on the waterfront and provides a clearinghouse for waterfront issues.

The Rivers Office is lean while still adding value to city government. It is not intended to replace other City bureaus but rather to enhance their effectiveness on waterfront issues. A single, visible point of contact for all city waterfront issues would be a useful starting point for improving waterfront governance in New York, and could be created quickly and simply through an executive order.

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5. [www.portlandonline.com/ohwr/index.cfm?c=51667](http://www.portlandonline.com/ohwr/index.cfm?c=51667)

6. [www.portlandonline.com/omf/index.cfm?c=51313&a=268836](http://www.portlandonline.com/omf/index.cfm?c=51313&a=268836)

## Portland in a Nutshell

The Rivers Office works with existing city agencies to make them “rivers aware,” but formation of the Office did not require that the city amend any legislation to take authority or resources away from existing city agencies. Rather, the Office provides more of an oversight function, ensuring that waterfront plans and projects are implemented. The Office also convenes City bureaus and others to solve waterfront issues that cut across City bureaus such as issues related to maintenance dredging and river recreation. Additionally, the office serves as a single point of contact for the community, providing information on City actions on the waterfront, and provides a clearinghouse for waterfront issues.

## Governance Case Studies

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### Seattle, Washington: Central Waterfront Partnerships Committee (CWPC)

Seattle's waterfront redevelopment project is as much a civic and cultural project as it is a public works project, so encouraging and integrating public participation into the project is the CWPC's main task. To this end, the CWPC advises the city on engaging the public and considers how the city can form partnerships with civic organizations to develop the project's vision. The CWPC is also mandated to develop a project framework to guide the design of public spaces along the waterfront, and recommend models for the management use and programming of those spaces. At present, the CWPC is considering the formation of a non-profit or conservancy to manage the waterfront after the redevelopment, and this entity may evolve into a public authority in time.

#### Background

In 2003, Seattle began a process for developing a community vision for its central waterfront, and held a series of public forums to establish its vision. These principles were adopted as city resolutions, and led to the creation of the city's Waterfront Concept Plan in 2008. Building on this plan, the Governor, County Executive and Mayor arrived at a consensus to work together on what became known as the Alaskan Way Viaduct and Seawall Replacement Program (AWVSRP) for the central waterfront, and signed a Memorandum of Understanding reaffirming this commitment.<sup>7</sup>

#### Mission Statement

The Central Waterfront Partnerships Committee (CWPC) advises the City of Seattle on the strategies and partnerships necessary to successfully design, develop, and manage the public spaces along the Central Waterfront in connection with its waterfront redevelopment program.<sup>8</sup>

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7. See Seattle City Council Ordinance 123142

8. Seattle City Council Ordinance 123142, §1(B)

### Governance Structure

The CWPC is a formal partnership created by the Seattle City Council in 2009.<sup>9</sup> The partnership is headed by a chair and composed of nearly forty members, including representatives from a variety of city agencies and a number of civic leaders.

The CWPC is staffed by the Department of Planning and Development, which works in collaboration with the Department of Parks and Recreation and the Department of Transportation. Ordinance 123142 directs CWPC to report regularly and as requested to the Mayor and City Council. To ensure continued progress, the ordinance also contains a sunset provision terminating the partnership.

### Applicability to New York

Seattle's Central Waterfront Partnerships Committee is focused on promoting stakeholder involvement in redevelopment which can apply to New York City's work on waterfront projects around the city. One benefit of such public participation is how it builds long term public constituencies' support for waterfront projects, and the waterfront in general. Seattle's project framework to guide the design of public spaces along the waterfront and models for management and programming of those spaces could serve as resources or models for New York City, specifically with regard to waterfront park planning. The Seattle Partnership also offers a model for the New York City Waterfront Management Advisory Board and the integration of the board's work to lead and advise decision making in the City.

### Seattle in a Nutshell

Seattle's Central Waterfront Partnerships Committee is focused on promoting stakeholder involvement in redevelopment which can apply to New York City's work on waterfront projects around the city. One benefit of such public participation is how it builds long term public constituencies' support for waterfront projects, and the waterfront in general. Seattle's project framework to guide the design of public spaces along the waterfront and models for management and programming of those spaces could serve as resources or models for New York City.

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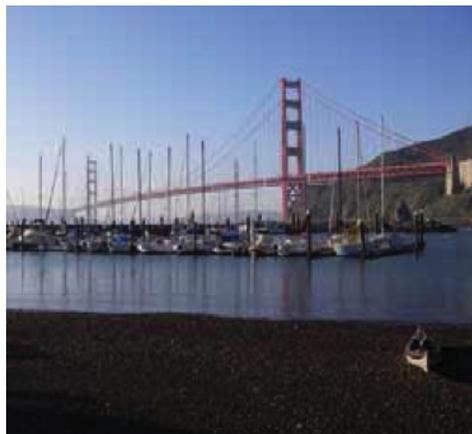
9. Ordinance 123142

## Governance Case Studies

### San Francisco, California: San Francisco Bay Conservation & Development Commission

The Bay Conservation and Development Commission's (BCDC) responsibilities are wide-ranging and diverse, covering nearly every activity on the bay. In addition to serving as one of the two state coastal zone management commissions under the federal Coastal Zone Management Act (CZMA), BCDC also has a variety of planning and regulatory responsibilities. BCDC conducts planning for climate change; dredge material management, airport regional planning, and developing amendments to the San Francisco Bay Plan.

BCDC also has regulatory authority over all development in the Bay or within 100 feet of the shoreline. In cases such as dredging, where legal authority for permitting is actually vested in authorities such as the Army Corps of Engineers or the EPA, BCDC helps applicants coordinate their permit applications. BCDC participates in the Joint Aquatic Resources Permit Application (JARPA) a general permit application that is completed by the applicant and then considered by the requisite government agencies. While those agencies grant their own permits individually, this helps consolidate the permitting process for the applicant by providing a single application.



#### Background

For decades, municipalities around San Francisco Bay viewed the bay as a free dump and as potential land for new development. By the middle of the twentieth century, the bay was a third smaller than it was in 1850. As the bay shrunk, citizens grew concerned, and mobilized the state legislature to protect the bay. In response, the state created the San Francisco Bay Planning and Development Commission, the country's first coastal management commission and a model for the future federal-state partnerships under the Coastal Zone Management Act.

#### Mission Statement

The BCDC was originally created to prevent haphazard filling of San Francisco Bay, but its mission has evolved into a dual mandate to protect and enhance San Francisco Bay while encouraging its responsible use.

### **Governance Structure**

The California State Legislature created BCDC in 1965 through the McAteer–Petris Act. After the passage of the Coastal Zone Management Act, BCDC became one of two California state coastal commissions that partner with the federal government for coastal management under the CZMA. BCDC's commissioner members represent stakeholder interests from nearly every stakeholder group on the bay, and are supported by a staff of nearly forty. Funding is provided primarily through the state budget, but also through federal grants and various other sources.

### **Applicability to New York**

The San Francisco model provides an innovative example of an organization that is empowered to comprehensively manage and regulate a large waterfront area. The JARPA allows an applicant to complete a single application for a number of different permits, which serves as an excellent model for waterfront permitting reform. The JARPA, BCDC's role as a one-stop permitting shop, and integration of coastal zone management in California with environmental protections are areas of potential applicability to New York. The San Francisco model shows it is possible for one agency to fulfill multiple waterfront management responsibilities that in New York are organized under disparate agencies.

### **San Francisco in a Nutshell**

The San Francisco model provides an innovative example of an organization that is empowered to comprehensively manage and regulate a large waterfront area. The JARPA, BCDC's role as a one-stop permitting shop, and integration of coastal zone management in California with environmental protections are areas of potential applicability to New York.

## Governance Case Studies

### Baltimore, Maryland: Waterfront Partnership of Baltimore, Inc.

The Partnership was founded to supply a portfolio of supplemental services for the waterfront to maintain its status as a world-class destination. While the city still provides a baseline of municipal services like police and public works, the Partnership is responsible for landscaping, planting gardens, watering, mowing, cleaning the waterfront promenade, providing safety and hospitality guides, programming and promoting waterfront events, and working with the city to reduce traffic congestion and introduce shuttles to the waterfront.



#### Background

In the 1970s, the Baltimore Inner Harbor redevelopment project transformed the city's waterfront from a post-industrial eyesore to a destination for locals and tourists alike. The waterfront soon became an economic engine for the city, and now generates nearly \$60 million in annual tax revenue for the city.<sup>10</sup> However, by the mid 2000s, concerns about maintenance and leadership began to grow. In response, the Mayor's Inner Harbor task force recommended the creation of the Waterfront Partnership of Baltimore.

#### Mission Statement

The Waterfront Partnership, Inc. is dedicated to improving maintenance, beautification, and visitor services for the Baltimore waterfront.<sup>11</sup>

#### Governance Structure

Created by Baltimore City Ordinance 07-417, the Partnership has two main operative elements. First, it creates a defined Community Benefits District entitled the "Waterfront Management District" in which private landowners agree to pay additional taxes for supplemental maintenance and management services. Second, the ordinance created an Authority called the Waterfront Partnership of Baltimore, Inc. to oversee and manage the district.

The Partnership is funded by a fee for service contract with the City of Baltimore, as well as through revenues from docking fees, wharfage agreements and leases, and private funding calculated by a formula based on property assessments in the Waterfront Management District. The Partnership is governed by a 25-member board with representatives from the broad spectrum of waterfront stakeholders, including developers, the local aquarium, non-profit organizations, residents, retailers, hoteliers, the Mayor's office and the city Parks department.

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10. Waterfront Partnership of Baltimore, Inc. Waterfront Management District Frequently Asked Questions. Available online at [www.waterfrontpartnership.org/faq.aspx](http://www.waterfrontpartnership.org/faq.aspx)

11. Waterfront Partnership of Baltimore, Inc. Homepage. Available online at [www.waterfrontpartnership.org](http://www.waterfrontpartnership.org)

### Applicability to New York

The Baltimore model demonstrates what a commitment to long-term planning and broader views of revenue generation can mean for economic development and city revenues along the waterfront. A special purpose corporation and a community benefits district at a smaller scale, the Baltimore model is also an example of what could be required or considered for key waterfront properties in the City such as South Street Seaport and other important waterfront areas. The New York City Waterfront Management Advisory Board should conduct an analysis of all potential waterfront partnership districts in the City.

### Baltimore in a Nutshell

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## Governance Case Studies

### Toronto, Canada: Waterfront Toronto

Waterfront Toronto is the planner and developer of Toronto's waterfront, and the corporation will dissolve once the project has been completed. It works to design and build amenities with a long "shelf life," but it is largely not designed to manage the waterfront once the development has been completed. It is empowered to buy and sell property, but it is not empowered to borrow money or issue bonds for its project.

As pieces of the project are completed, they are turned over to the city. One exception to this rule is Waterfront Toronto's recent attempt to create some sort of legacy funding to assist the city in maintaining the waterfront. Waterfront Toronto and the three levels of government it serves are still developing the details of this project.



#### Background

Toronto had been interested in waterfront redevelopment for over 100 years, but it took a bid for the 2008 Olympics to galvanize action. While Toronto eventually lost out to Beijing on hosting the Olympics, the independent task force organizing the city's bid decided that the waterfront was too important to put off any longer. It recommended redevelopment of the waterfront even absent the Olympic bid, and the government of Toronto agreed.

#### Mission Statement

Waterfront Toronto, formally known as the Toronto Waterfront Revitalization Corporation, is a redevelopment corporation tasked with transforming the 2,000-acre postindustrial waterfront into an inviting and environmentally sustainable space for the people and tourists of Toronto.

#### Governance Structure

Waterfront Toronto was formed by a tripartite collaborative agreement between the City of Toronto, Province of Ontario, and the federal government. This innovative arrangement was deemed necessary for Waterfront Toronto to have the requisite control over all waterfront land within the project area, but maintaining continuity with three different levels of government with their own election cycles can be challenging.

WaterfrontToronto has a small office within city government, but at the provincial level it works with an office within the Ministry of Infrastructure that is responsible for all projects that receive federal and provincial funding. At the federal level, WaterfrontToronto reports to whichever minister represents the Toronto area. At present, this representative is also Canada's Finance Minister, who has many responsibilities in addition to this waterfront redevelopment project.

### Applicability New York

The Toronto model is an example of how temporary jurisdiction can be a model for comprehensive planning and development of a waterfront area that is currently controlled by multiple agencies or authorities. The WaterfrontToronto website and communication materials, research and planning process offer excellent examples of a comprehensive communication and decision making vision for a complex endeavor.

### Toronto In a Nutshell

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## Governance Case Studies

### Sydney, Australia: Sydney Harbour Foreshore Authority

Sydney Harbour Foreshore Authority (SHFA) is an Australian special purpose corporation that owns and manages a variety of property on the Sydney waterfront on behalf of the state of New South Wales, including parklands, promenades, a power station and a railway yard. In addition to regulatory authority over development in the waterfront area, SHFA also manages commercial and retail leases for property in the waterfront area.



SHFA owns and manages a patchwork of precincts, parklands, promenades and wharves around the Sydney waterfront. SHFA manages commercial and retail leases, is responsible for property and facility maintenance, and provides security, landscaping, tourism, event planning and marketing services. SHFA also manages property owned by other governmental organizations, including a number of wharves and a promenade owned by the New South Wales Maritime Authority.

#### Background

The Sydney waterfront is the site of some of the most culturally and historically significant land in all of Australia. However, as in many cities, poorly managed industrialization and development blighted the waterfront. A variety of organizations were created over the years to help redevelop and manage the waterfront, and the SHFA consolidated a number of these organizations, including replacing the Sydney Cove Redevelopment Authority, City West Development Corporation and Darling Harbour Authority.

#### Mission Statement

To protect and enhance the natural and cultural heritage of the waterfront area, and to promote, coordinate, manage, and conduct cultural, educational, commercial, tourist, recreational, entertainment and transport activities and facilities.

#### Governance Structure

The SHFA was established in 1999 by the government of New South Wales through the Sydney Harbour Foreshore Act of 1998. In March 2010, SFHA was transferred under the auspices of the New South Wales Land and Property Management Authority.<sup>13</sup> The board is now composed of a Chief Executive Officer and the Director General of the Department of Planning, who report to the New South Wales Minister for Lands.<sup>14</sup> SHFA is funded primarily through rental and other property income.<sup>15</sup>

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13. See p. 36 of the 09–10 annual report

14. [www.shfa.nsw.gov.au/sydney-About\\_us-Our\\_organisation.htm](http://www.shfa.nsw.gov.au/sydney-About_us-Our_organisation.htm)

15. [www.shfa.nsw.gov.au/sydney-Resource\\_centre-Frequently\\_asked\\_questions-Sydney\\_Harbour\\_Foreshore\\_Authority\\_FAQ.htm](http://www.shfa.nsw.gov.au/sydney-Resource_centre-Frequently_asked_questions-Sydney_Harbour_Foreshore_Authority_FAQ.htm)

### Feasibility for New York

Sydney's model is another example of an organization that is empowered to manage and regulate large areas of the city's waterfront. This is a model that New York City could work towards incrementally for a section of the waterfront with a commitment to long-term revenue generation.

### Sydney in a Nutshell

Sydney's model is another example of an organization that is empowered to manage and regulate large areas of the city's waterfront. This is a model that New York City could work towards incrementally for a section of the waterfront with a commitment to long-term revenue generation.

## Lessons from the Case Studies

Each of the cities in the case studies above developed its own individual waterfront governance structure based on its unique geography, ecology, politics and public sentiment. The resulting governance structures are as unique as the waterfronts themselves. To be successful, a governance model for New York must be similarly tailored to the unique environment and politics of the city and must leverage existing resources and momentum rather than starting from scratch.

Despite New York's unique situation, the case studies presented above all share some key general lessons for New York City:

- Nearly all of the case studies above started with a comprehensive plan and action agenda similar to Vision 2020, WAVES, New York City's *Comprehensive Waterfront Plan*, and *Waterfront Action Agenda*.
- It is not always necessary to create a new agency or department to effect change.
- The waterfront should be the responsibility of a single advocate that reports to the top.
- It is important to recognize that sometimes there is no direct correlation between size of impact and size of staff.
- Nearly all case studies show a fundamental commitment to extensive comments and user input processes.
- Interagency coordination is one of the benefits common to all case studies.
- The waterfront is notoriously complex and time and dedication are required to ensure it is managed and developed properly.
- The waterfront entity should receive predictable, adequate and regular funding.
- Structures and communications strategies should be in place to ensure continuity between administrations and over time.
- The waterfront entity should have a clear mandate and well-defined areas of responsibility.
- The waterfront entity should seek continued involvement of all key waterfront stakeholders in nearly all aspects of its work.

## Conclusion

### New Waterfront Governance for New York City

As described above, the duplication, gaps, and inefficiencies in the current system result in wasted effort and resources with ineffective results for the New York City waterfront. It is clear that the future of New York City's waterfront depends on a new model for waterfront governance. The primary goals of a Department of the Waterfront will be prioritizing and coordinating waterfront maintenance, waterfront information coordination, promoting innovative and effective waterfront design, and waterfront coordination at the state and federal levels, and providing waterfront leadership to achieve long term waterfront goals – in particular the goals and objectives articulated in the newly updated *New York City Comprehensive Waterfront Plan* and the *Special Initiative for Rebuilding and Resiliency*.

MWA urges the next city administration to commit to a three step process toward the ultimate goal of the establishment of a Department of the Waterfront dedicated to the New York City waterfront.

**1. Establish a Mayor's Office of the Waterfront within the first month of the new 2014 city administration.**

**2. Task the Mayor's Office of the Waterfront with conducting a high level study to provide final recommendations for the development of Department of the Waterfront for New York City.**

**3. Task the Mayor's Office of the Waterfront with the following:**

Work in the early months of its establishment to gather input and reach consensus among civic stakeholders, the Waterfront Management Advisory Board, and city agencies on the following issues:

- What waterfront responsibilities should be included within a new entity, what should stay within existing governance.
- Provide strategies to eliminate duplication and inefficiencies in waterfront management throughout city agencies.
- Identifying programs and projects in the Comprehensive Waterfront Plan (along with its companion the New York City Waterfront Action Agenda) and the Special Initiative for Rebuilding and Resiliency that are not on track for completion and the role better governance could play in completion.
- Determining which waterfront issues are currently going unaddressed due to the current system.
- What revitalization and coastal protection goals will most benefit from improved waterfront governance.

Staff the New York City Waterfront Management Advisory Board

Serve as the official voice of the city government on all waterfront issues similar to the way the Portland Office of Healthy Working Rivers and the BCDC's JARPA program serve that role.

MWA looks forward to comments and feedback on this analysis and recommendations.