



**INTRODUCTION**

The Hudson River Park was established in 1998 through the Hudson River Park Act. The Act established the Hudson River Park Trust (HRPT) as a public benefit corporation and aimed to “promote the health, safety and welfare of the people of the state and increase the quality of life in the adjoining community and the state as a whole”.

Safe public space refers to space that is available to all people regardless of age, income, or identity. It is developed with the input of all community stakeholders and maintained to meet the needs of those who use it while ensuring accessibility to all people without fear of discrimination or violence.

This legislation was designed to facilitate broad public access to safe public space. However, once translated into practice, this has not been the case for many in the surrounding community including LGBTQ youth, who are in need of the safe space provided by the Hudson River Park and its piers. For these communities the park is a place where there is no threat of the violence that they experience in their homes and schools. Despite the critical need for safe space for all New Yorkers, the HRPT has rejected the development proposals that would create such space. Access to a park that responds to the needs of the surrounding community is imperative. The Hudson River Park Trust and the Act that governs the management and development of the Park, have a critical role in facilitating broad access to safe public space.

A previous report issued by FIERCE and the Urban Justice Center in January 2008 provided a brief overview of some issues lesbian, gay, bisexual, transgender and queer (LGBTQ) youth are facing and challenges in finding relevant programming and services for LGBTQ youth in the West Village. The report provided a viable recommendation for creating public space and community uses for all users of Pier 40. This White Paper will follow up with the previous report by outlining and illustrating the gaps between the language of the Hudson River Park Act (HRPA) and the reality of how the Hudson River Park is being developed. It will also recommend specific action items for lawmakers to take towards improving the community’s access to safe public space, and ensure that the park is fulfilling its intended purpose.

**THE PROBLEM**

The HRPA aims to expand the public’s access to the waterfront, increase the quality of life in the adjoining community, and ensure community participation in decision-making. However, the Trust is falling short of these objectives. As a result, the HRPT is creating a park that is not equally accessible to the surrounding communities or meeting the needs of all New Yorkers and the surrounding community. This, in turn, creates the following issues for the community:

Objective of HRPA	How HRPT Diverges from the Act
<p><b>Expand the public’s access to the waterfront and increase the quality of life for the surrounding community.</b></p>	<ul style="list-style-type: none"> <li>•The development of the piers creates limited access to safe public space in the park based on income, age, and identity by closing public bathrooms prior to 1am and by favoring large-scale development over appropriate community use.</li> <li>•Restriction of cultural expression to only those that can afford a \$25,000 permit fee for community events on the piers and park;</li> <li>•Displacement of communities due to large-scale development that lack affordable concessions and safe community space, and threaten to displace small businesses from the surrounding community.</li> </ul>
<p><b>The Hudson River Park Trust will ensure community participation in decision-making about the park.</b></p>	<ul style="list-style-type: none"> <li>•The act has vague language specifying community participation in decision-making thereby limiting community involvement;</li> <li>•Lack of transparency and accountability to the community in the development process because the Trust has no mandate to cooperate with the community and accept their recommendations.</li> </ul>

## THE SOLUTION

In order to effectively address the problem of lack of community access to public space and involvement in decision-making, New York City and State officials need to amend the Hudson River Park Act to include specific language that ensures the public's access to the park; the inclusion of the community in decision-making, and the prioritization of community uses for the park. The legislation should be amended to include the following objectives and principles:

Objective of HRP A	Recommended Amendments to the Act
<p><b>Expand the public's access to the waterfront and increase quality of life for the surrounding community.</b></p>	<ul style="list-style-type: none"> <li>•Expand and prioritize the development of public space and reserve 50% of Floor Area Ratio (FAR) on commercial revenue generating piers for community uses.</li> <li>•HRPT must manage piers to ensure accountability to the public.</li> <li>•Maintain pier 40 lease term at 30 years to protect the park from over-development.</li> </ul>
<p><b>The Hudson River Park Trust is to ensure community participation in decision-making about the park.</b></p>	<ul style="list-style-type: none"> <li>•Increase community representation on the HRPT board by two members from the surrounding community.</li> <li>•Expand the powers of the Community Boards and HRPT Advisory Council to include voting and veto power in decisions about the Park.</li> </ul>

These changes would increase participation of the community in development processes, accountability of the Trust and the Board towards the community, and access to safe public space for the entire community to enjoy.

## NEXT STEPS

Based on the policy recommendations included in this White Paper, New York City and State officials and the members of the Hudson River Park Trust Board should work with community members to do the following:

“[T]he city could have channeled its zeal for economic development by instead contributing money to pay for needed infrastructure repairs at Pier 40, so that a community-friendly redevelopment of the pier would already be underway. It is an insult for the city to hand over taxpayer dollars to the Yankees for their field of dreams, when they cannot help us save ours.” Assemblymember Deborah Glick.  
*Talking Point: Paying for Stadium is a major league error. The Villager. January 28, 2009*

- Use the principles outlined in this white paper to amend the Hudson River Park Act to include more specific measures to expand public access to the Park and ensure that the Park is operated, maintained and developed in the interest of the community.
- Advocate with the Federal Government to ensure that federal funds that come to NYC via President Obama's \$787 Billion economic recovery bill are used to improve access to public space at the Hudson River Park. This will both provide much needed improvements to public space as well as create desperately needed jobs for local residents.
- Restore Funding for Critical Services for LGBTQ Youth and other community's in need of services. At a time of economic crisis, services should be expanded not reduced. Rather than spending billions of dollars on financing the construction of Yankee stadium, the city should allocate resources to those most in need such as LGBT youth. Additionally, these services should be available to youth in spaces where they feel safe such as the Hudson River Park.