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COMMUNITY GARDEN NEGOTIATIONS

Mayor Michael Bloomberg and New York State Attorney General Eliot Spitzer are in discussions to settle a lawsuit filed by the attorney general that has been blocking the city from developing community gardens on city-owned land. Mayor Bloomberg has made it a priority to settle the lawsuits left over from the Giuliani administration. The city's legal position may have been strengthened in April when a State Supreme Court judge ruled against a related lawsuit by the Green Guerillas, the garden advocacy organization. Observers expect that there will be a resolution soon.

About 400 community gardens could be affected. Many of them are in Harlem, the South Bronx, East New York, Bedford-Stuyvesant, and Brownsville, as well as other low-income, minority neighborhoods lacking green and recreational space.

The Giuliani administration was in the process of turning over the garden lots for both market-rate and subsidized housing. In 1999, just as the city was about to auction off 114 gardens, two non-profit organizations, the Trust for [Public Land](#) and the [New York Restoration Project](#) (Bette Midler's group), raised the money and bought them. Soon afterward, an injunction granted in a lawsuit filed by the Attorney General temporarily kept the bulldozers out of the remaining unprotected gardens. (Cabo Rojo Garden in the Bronx, which was recently destroyed, technically was not covered by the injunction.)

Lawyers for the mayor and attorney general will not comment on the discussions. It is expected that there will be a compromise that saves some gardens while allowing others to be developed. An article on the web site of the [Brooklyn Alliance of Neighborhood Gardens](#) (BANG) reports that one proposal under discussion would involve designating a number of gardens for development and transferring the rest to a land trust.

Joseph Pupello, president of the New York Restoration Project, said, "Our goal is the preservation and stewardship of open space in communities that are severely under-served for green space. We're set up as a land trust, we're in it for the long haul, and we are open to taking land into the trust." A spokeswoman for the Trust for Public Land, Susan Clark, said that the

by {ga=aschwartz}

Wednesday, May 01, 2002 12:00 AM - Last Updated Thursday, January 22, 2015 01:31 PM

trust would also like the opportunity to add more gardens to the land trust it is establishing to oversee the gardens it purchased in 1999.

Community garden advocates would like to see the settlement include the involvement of communities and the consideration of an area's open space and housing needs. "The way to work this out is to create some rational planning standards that would allow community gardens to make a case for their garden," said Steve Frillman, executive director of the Green Guerillas.

Civic and greening groups are working to quickly pass legislation in City Council to require a public process for determining the fate of a garden, hoping to encourage the mayor and attorney general to consider this approach in their negotiations. In the past, similar legislation has stalled in spite of wide grassroots support. The groups - New Yorkers for Parks, the Municipal Arts Society and the League of Conservation Voters - have been lining up support among council members. Mike Klein, deputy director of New Yorkers for Parks, believes there is a better chance of passing the legislation now because of the current "climate of seriousness on solving the problem."

AUDUBON IN THE PARK

An Audubon Center for environmental education opened in Prospect Park this spring, opening a window into nature for the six million people who visit the Brooklyn park each year.

For city kids (and adults as well), a park is one of the only places they can learn about nature first hand. New York City parks harbor a surprising abundance of wild animals and plants, and provide temporary stopovers for migratory birds. In Prospect Park, the wildlife population has increased since the park's interior woodland - Brooklyn's last forest - was restored. More than 200 different bird species were spotted in the park last year.

[The Prospect Park Audubon Center](#) , operating in the newly restored 1905 Beaux Arts-style Boathouse, is the first urban Audubon center in the country. It offers exhibits, hands-on indoor activities, bird watching and nature walks as well as programs for school classes developed with educators from nearby School District 17. The center also plans to enlist school groups and park visitors in gathering data for environmental research, like the upcoming July 4th butterfly count. The project is a joint effort of the non-profit Prospect Park Alliance, a public/private partnership that operates and raises funds for the park, and Audubon New York, the New York State branch of the National Audubon Society.

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There are other opportunities in all five boroughs to learn about nature in the parks. The New York City Department of Parks and Recreation operates a dozen nature centers with [weekend events and school programs](#) run by the department's urban park rangers.

BRIDGE PARK PROMISE KEPT

When the realization sunk in that the World Trade Center attack also was a huge hit to the city and state budgets, Brooklyn Bridge Park proponents feared that promised funding for an ambitious new park along the downtown Brooklyn waterfront would vanish. But on May 2, Governor George Pataki and Mayor Michael Bloomberg held to their promises, signing a memorandum of understanding setting guidelines for creating and running the park and pledging \$150 million for its construction. The agreement signaled a new era of city-state cooperation and gave the green light to a project that Brooklyn residents have been working toward for 15 years.

In the memorandum, the governor and mayor agreed that the [master plan](#) created through a public planning process by the Downtown Brooklyn Waterfront Local Development Corporation would guide the park's development. They specified that 80 percent of the land would be protected "in perpetuity" as parkland, and that the city and state-owned section of the park will be "developed and operated as a unified and seamless park." A subsidiary of the Empire State Development Corporation was set up to oversee the process. In addition to committing \$85 million in state funds and \$65 million in city funds, the state and city affirmed that revenues from any commercial activities in the park would be used for the maintenance and operation of the park.

The next step is to refine the plan and begin an environmental impact statement. But park advocates hope to expand interim uses of part of the site, including one of the piers. The [Brooklyn Bridge Park Coalition](#) sponsors a summer film festival in the Empire-Fulton Ferry State Park, which will become part of the larger park. The city plans to finish a playground and park this summer along the DUMBO waterfront at the foot of Main Street.



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Community Gardens; Prospect Park's Audubon Center; Brooklyn Bridge Park

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