

Book Review by Tom Angotti
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*Fighting Westway: Environmental Law, Citizen Activism, and the
Regulatory War that Transformed New York City*

By William W. Buzbee
Cornell University Press, 2014

Who said you can't stop megaprojects, even when they have big-time economic backing and political support? And in New York City, of all places?

In 1971, the federal government proposed replacing Manhattan's old elevated West Side Highway with a giant new highway that would have fueled real estate speculation and brought a pile of federal dollars to the city. While at first it looked like a done deal, opposition by a broad coalition of environmental and community groups escalated over time and by 1985 a judge issued a permanent injunction that effectively killed the project.

Written by a law professor, *Fighting Westway* is a carefully researched and clear narrative for a broad audience. For community and environmental activists as well as professionals, it is well worth the read because it vividly illustrates the depth and complexity of the struggle that was needed in order to beat back the giant deal.

Perhaps the most important lesson to draw from the long Westway struggle is the necessity for persistence, and in Buzbee's story this is embodied in the person of Marcy Benstock, founder of the Clean Air Campaign and its Open Rivers Project. She (and many others, including Friends of the Earth, NYPIRG and the Sierra Club) refused to go away after suffering serious setbacks. Another key lesson is that it takes a combination of tactics at different levels: organized protest, lobbying elected and government officials and a legal campaign. Over time the trick is to balance the tactics, never letting one of them overwhelm the others, and using them all to sustain a clear long-term strategy.

The Importance of Allies

Some of today's activists might look back at the Westway fight and dismiss it because of the pivotal roles played by a few elected officials, elite organizations and lawyers. This would force us to deny a clear truth in the history of community battles: victory always requires a broad array of allies in and out of government as well as a strong and diverse grassroots base. The real question is who ultimately gains and who remains in charge. If Westway had been built, property interests and elites would have been the greatest beneficiaries; residents and local businesses at all income levels would have been the losers. While those in the opposition who have access to funding may try to have the loudest voices, to be seriously heard they need a large chorus. In the Westway story we can also see how wavering by some allies and posturing by politicians comes with the territory. We can also appreciate the need to have these allies there at the right place and the right time.

Another important lesson of the Westway fight is the importance of understanding and working within the historic moment. Westway was proposed at a time when opposition to other big-city expressways was mounting — in Boston and San Francisco, for example. New York City's fiscal crisis was underway and transit advocates decried the lack of investment in the subway system — which eventually got a hefty portion of the funds that would have been spent on Westway. The city's master builder, Robert Moses, was losing his grip and did not come out with his bulldozer to rescue Westway. And this was the decade in which the federal government launched its major environmental laws. Westway required environmental impact reviews, and the 1985 court ruling that proved to be decisive rejected a review that failed to take into account the impact of the highway on fish populations in the Hudson River. However, none of these

historic shifts — the fiscal crisis, the decline of Moses and the advent of environmental laws — would have been sufficient by themselves to kill Westway. It took the conscious agency of astute community organizers.

New Schemes

The most lasting lesson, however, is that the struggle continues. After Westway's defeat, the Hudson River Park Trust was established in 1998 as a joint partnership between the state and city. Its current chair is Diana Taylor, girlfriend of former Mayor Michael Bloomberg. A 501(c)(3) nonprofit was also created to funnel contributions from wealthy philanthropists who have gained increasing influence over the park's direction as they make up for shortfalls in public funding.

The professed objective of creating the trust was to preserve the waterfront as a public park. However, since the demise of Westway, communities have faced a constant assault by developers anxious to get waterfront views. Deals like the Chelsea Piers were justified under the state's constitutional obligation to manage the land in the public trust, but that only works if you swallow the neoliberal pill that makes the public the junior partner.

The latest waterfront scam advanced by the trust is a proposal by billionaire media mogul Barry Diller to build a privately managed 2.4-acre waterfront park and entertainment center in place of a pair of crumbling piers off West 14th Street. This would realize every developer's dream of creating new real estate by building in the water. We can only gasp at the folly of fulfilling some rich man's fantasy while the sea level rises and there is no comprehensive plan to protect the city's waterfront neighborhoods — especially the most vulnerable. It is heartening to see people like Marcy Benstock, the Clean Air Campaign and other groups lining up against this latest megaproject. They are still in there working to sustain our waterfront, and the truth.

Tom Angotti is professor of urban affairs and planning at Hunter College and the Graduate Center, City University of New York. He is the author of New York For Sale: Community Planning Confronts Global Real Estate (MIT Press, 2008). For more information, see westwaythenandnow.org. The Clean Air Campaign can be reached at 212-582-2578.