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New York City Environmental Justice Alliance testimony to the New York City Council Committees on Economic Development and Small Business on Resolution No. 228 – “Resolution calling upon the Mayor to revitalize the Mayor’s Office of Industrial and Manufacturing Business and to expand the technical assistance the Office would offer manufacturing and industrial businesses in the City.”

June 19th, 2014

Good afternoon Committee Chairs Garodnick and Cornegy, and Members of the City Council. My name is Juan Camilo Osorio and I am here to testify on behalf of the NYC Environmental Justice Alliance (NYC-EJA) in strong support of Resolution No. 228. Founded in 1991, NYC-EJA is a non-profit city-wide membership network linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. Through our efforts, member organizations coalesce around specific common issues that threaten the ability of low-income and communities of color to thrive, and coordinate campaigns designed to affect City and State policies -- where the sustainability and resilience of industrial waterfront communities is central to our mission.

In 2010, NYC-EJA launched the Waterfront Justice Project, New York City’s first citywide community resiliency campaign to advocate for the reform of waterfront zones designated as Significant Maritime and Industrial Areas (SMIAs.) These are zones designed to encourage the clustering and concentration of heavy industrial and polluting infrastructure uses. There are only six SMIAs in the City – all are located in classic “environmental justice” communities (the South Bronx, Sunset Park, Red Hook, Newtown Creek, Brooklyn Navy Yard & the North Shore of Staten Island) and predominantly low-income communities of color. As part of these efforts, NYC-EJA discovered that the six SMIAs are all in hurricane storm surge zones, and that the City of New York had not analyzed the cumulative contamination exposure risks associated with clusters of heavy industrial use in such vulnerable locations.

In order to address this concern, NYC-EJA and the NYC-EJA member organizations launched the Waterfront Justice Project to assess facilities that use, transport, or store hazardous or toxic substances in order to identify community vulnerability for those working and living in and around SMIAs in the event of severe weather. NYC-EJA’s research has led to the conclusion that local businesses and industry organizations must play a key role in implementing disaster risk reduction and community resiliency strategies. As documented by the Mayor’s Special Initiative of Rebuilding and Resiliency (SIRR), approximately 800 industrial companies in the Brooklyn

and Queens waterfronts alone (half of the total impacted in these areas) were industrial business. These companies are a critical source of stable employment for working class New Yorkers who depend on well-paying jobs. However, heavy industrial activity has also negatively impacted industrial waterfront communities -- impacts that have the potential to worsen with climate change. Environmental regulatory compliance can be seen as costly, creating fears that local businesses will flee to less well-regulated areas, increasing unemployment and leaving brownfields and other toxic risks behind.

In order to protect these jobs and businesses, and protect the health and safety of those working and living in and around the SMIA's, NYC-EJA's Waterfront Justice Project is advocating for technical and financial strategies to help industrial businesses comply with environmental regulations that respond to the potential impact of climate change in order to build a more sustainable and resilient working waterfront. We commend the City Council for taking an important step in this direction, "calling upon the Mayor to revitalize the Mayor's Office of Industrial and Manufacturing Business, and to expand the technical assistance the Office would offer manufacturing and industrial businesses in the City."

However, in order to maximize the impact of these initiatives, we strongly recommend that you consider including the following recommendations developed in partnership with the NYC-EJA member organization, UPROSE:

Recommendations:

1. Appoint a City-wide advisory board to the Mayor's Office of Industrial and Manufacturing Business. An advisory board which includes the representation of local community stakeholders will help establish a transparent and inclusive planning process for the design and negotiation of economic development strategies to re-invigorate New York City's industrial policy.

While strengthening the City's industrial policy, services and workforce development, a revitalized Mayoral Office of Industrial and Manufacturing Businesses should also be tasked with the coordination of inter-agency work affecting industrial neighborhoods (at all levels of government) -- with an emphasis on facilitating the dialogue between the public and private sectors, with local communities (workers and residents). For this reason we strongly encourage to call upon the appointment of an advisory board to the mayoral Office, that includes representation of local communities.

This City-wide advisory board should represent the needs and priorities of local stakeholders, including community boards, local community-based and environmental justice organizations. In addition, the advisory board should have the opportunity to inform and comment on industrial policy, improve the engagement of local communities in the design and negotiation of industrial and economic development proposals affecting their neighborhoods. An inclusive planning and decision-making process will help reinvigorate the support to industrial zones in zoning and land use policy discussions -- for example, to prevent zoning changes in manufacturing districts, and create tougher standards for zoning variances sought through hardship applications before the Board of Standards and Appeals (BSA).

2. Create a citywide industrial policy agenda to guide the work of the Mayor's Office of Industrial and Manufacturing Businesses that prioritizes: a) community resiliency in industrial neighborhoods; b) climate change adaptation & post-disaster planning; and c) and the inclusion of local industrial jobs and businesses in recovery and resiliency building projects.

Industrial and economic development policy should interweave and build-on the City's strategies to build climate resiliency in areas like the SMIA's, where many local industrial businesses are vulnerable to flooding, storm surge, high winds, and sea-level rise -- and the accidental release of hazardous chemicals threatens the health and safety of workers and residents alike. Given the limitations of these businesses, the Mayoral Office should be tasked with the identification, strengthening and targeting of private and public sector (from all levels of government) technical and financial resources to support them. Resources should focus on capital improvements, workforce development and strategic planning for climate adaptation.

These resources should come in the form of grants and other innovative financing (as compared to just low-interest loans) to help existing and new local industrial businesses implement climate adaptation, energy efficiency and pollution prevention strategies. In addition, the Office should ensure that Post-Sandy recovery and resiliency-building projects prioritize local job creation and workforce development in the manufacturing sector, and provide support to local industrial businesses -- through the incorporation of hiring provisions like those included in HUD Section 3.

3. Create a Blueprint to structure the work of the Mayor's Office of Industrial and Manufacturing Business in order to consolidate and implement recommendations for industrial development that have been articulated in previous community-based planning efforts.

The proposed Mayoral Office of Industrial and Manufacturing Businesses should ensure that the City's industrial policy agenda incorporates local priorities articulated in community-based 197-A and NYS-funded Brownfield Opportunity Area (BOA) plans -- including the Sunset Park 197-A Plan¹ and the Sunset Park BOA², among multiple other community-based planning initiatives.

NYC-EJA commends the New York City Council Committees on Economic Development and Small Businesses for holding a hearing to discuss the urgent need to revitalize the Mayor's Office of Industrial and Manufacturing Businesses. This creates an opportunity for public comment on an important milestone toward a stronger, more sustainable and resilient industrial sector.

¹ New Connections/New Opportunities: Sunset Park 197-A Plan. 2009. Prepared by Jocelyne Chait for Brooklyn Community Board 7. Retrieved from: http://www.nyc.gov/html/dcp/pdf/community_planning/bk7_sunset_park_197a.pdf

² Sunset Park Brownfield Opportunity Area Nomination Report. 2013. Prepared by WXY architecture + urban design for UPROSE. Retrieved from: <http://bit.ly/1gVubNB>