



**July 26, 2023**

## **New York City Environmental Justice Alliance's Testimony to the City Planning Commission on City of Yes for Carbon Neutrality, Part 1**

Good afternoon. I am Kevin Garcia, the Transportation Planner with the New York City Environmental Justice Alliance. Thank you to the City Planning Commission for the opportunity to share comments today.

Founded in 1991, the New York City Environmental Justice Alliance (NYC-EJA) is a non-profit, 501(c)3 citywide membership network linking grassroots organizations from low-income communities of color in their struggle for environmental justice.

NYC-EJA is also part of the Last-Mile Coalition, a citywide coalition working to regulate last-mile warehouses in New York City.

While the intention of the City of Yes for Carbon Neutrality is ambitious in removing zoning barriers to address climate change, these amendments lack requirements and incentives to also address environmental injustice and center equity. As it stands, this proposal will enable certain communities to make investments and widen the gap between those who are well-resourced and those who are under-resourced.

The City aims to reduce greenhouse gas emissions and achieve net-zero emissions by 2050. The NYC Community Air Survey indicates that annual average levels of four key pollutants have decreased citywide. However, in recent years, we have seen evidence that areas with a higher density of last-mile warehouses, such as the Newtown Creek area in Queens and Brooklyn, near JFK airport, Sunset Park in Brooklyn, and Hunts Point in the Bronx, have higher pollution levels.

Last-mile warehouses are different from traditional warehouses due to the high volume of product loading and unloading and product flow velocity, involving a massive increase in truck trips compared to traditional warehouses. However, last-mile warehouses are not distinguished from traditional warehouses in the City's Zoning Resolution and can be constructed in all manufacturing districts and C8 commercial districts as-of-right. As a result, the City cannot plan for the placement of these facilities. The locations where these facilities can be sited and are clustered tend to abut environmental justice communities and pose a public health risk because of increased vehicular congestion and idling emissions.

By omitting a zoning text amendment around last-mile warehouse siting and operations in the City of Yes, the City will overlook a profound health disparity impacting New Yorkers of color and low-income New Yorkers. We urge DCP and the City Planning Commission to include a zoning text amendment to define last-mile warehouses, create a public review process, and address the siting and operation of these facilities, vehicular traffic, and tailpipe emissions associated with these facilities.

We plan to submit a longer list of comments on this proposal, but here is a preview of other suggestions the City of Yes should include, such as:

- Establishing green zones in EJ communities with specific requirements and incentives to achieve “carbon neutrality.”
- Require EV charging station installation along heavy vehicular traffic corridors.
- Eliminate burdensome approval process for renewable energy or energy storage.
- Ensure eligible energy systems complies with NYS’s Climate Act.
- Reduce land use restrictions on microgrids and transmission development.
- Further expand height limits for solar to incorporate co-beneficial energy or environmental systems underneath.
- Prevent trade-offs between green infrastructure, such as rain gardens, permeable pavement, trees, and solar panels.
- And assess design and bulk configurations to add language for shading and cooling requirements to minimize the urban heat island effect.

Thank you for your time.