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'Environmental racism': Bronx activists decry Fresh Direct's impact on air quality

White and minority Americans breathe different quality air, with the latter exposed to 38% higher levels of nitrogen dioxide. And it is decisions like the one to place trucking operations for Fresh Direct in the Bronx, says activist group South Bronx Unite, that exacerbate the problem

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Every morning and every evening, 58-year-old Danny Chervoni performs the same ritual. He retreats to the room he calls his man cave, making sure the house cat doesn't follow him, and hooks himself up to a nebulizer pump. It usually takes around 20 minutes on the device for his breathing to become somewhat normal.

Some days, the pump is not enough. The fumes from a passing diesel truck on the street can set off an attack. If he's lucky, the inhaler he always carries with him will get his lungs open again. If not, he will be rushed to the nearest emergency room for a shot of prednisone, a steroid that helps calm airway inflammation. "They inject it straight into your arm," he says, his voice slightly muffled by the nebulizer mask. "After a few minutes it feels like you've been hit by a baseball bat, but at least it gets you breathing again."

Fending off asthma attacks is a fact of life for many residents of the Mott Haven-Port Morris section of the south Bronx, where Chervoni has spent most of his life. The majority black and Hispanic population has one of the highest asthma rates in the US. One in four children suffers from the disease, and rates of hospitalization and death are respectively three and five times higher than the national average.

"Our elected officials are always mystified why so many blacks and Latinos just happen to have asthma," Chervoni says, as he struggles to catch his breath. "They don't think the polluted air we're breathing every day has anything to do with it?"

A comprehensive 2006 study carried out by NYU researchers found a direct correlation between the air pollution (diesel fumes in particular) in Chervoni's neighborhood and the high rates of asthma among residents. The densely populated area - there are over 90,000 people living within 2.2 sq miles - is surrounded by four major highways funneling commercial and other traffic in and out of Manhattan. And the waterfront, where as a child Chervoni and his friends used to swim in the river and pick fruit from the apple and pear trees, is now home to several fossil fuel plants, a 5,000-ton-a-day waste transfer station, a sewage treatment facility,

a FedEx hub and a Wall Street Journal/New York Post printing and distribution center.

One of the key recommendations of the NYU study was to curb pollution from truck exhaust. So when state and local officials proposed in 2012 to subsidize the relocation of Fresh Direct, a major trucking business, to one of the few remaining vacant lots on the waterfront - a move that would add an estimated 1,000 more truck trips through the neighborhood every day - a variety of community groups decided enough was enough. They joined together to form South Bronx Unite, and they've been fighting the proposal ever since.

The group contends that the levels of pollution their community is being subjected to is "environmental racism". It is a claim echoed by many low-income communities of color around the country, whom research has shown are disproportionately impacted by polluting industries - specifically trash incinerators, landfills and fossil fuel power plants.

A recent study by the University of Minnesota found that white and minority Americans actually breathe different quality air, with the latter being exposed to 38% higher levels of nitrogen dioxide, a pollutant associated with asthma and heart disease. Across the country, poor minority communities are fighting for environmental justice, and most are finding that it's not an easy fight to win.

"You don't have to look beyond this city to see that environmental racism is real," says South Bronx Unite co-founder A Mychal Johnson, who lives within a few blocks of the industrialized waterfront. "In Brooklyn Heights [a wealthier and whiter community], a fantastic public park sprung up along their waterfront overnight, but there's not a single quality-of-life improvement project slated for the south Bronx. All we get is everyone's garbage."

Since they got organized in 2012, South Bronx Unite has been fighting the proposed Fresh Direct relocation on multiple fronts: testifying at public hearings; protesting at the proposed location; lobbying elected officials and filing lawsuits. Late last year, they even took their claim of environmental racism all the way to the United Nations Climate Summit. But so far, their concerns are going mostly unanswered.

"It's often difficult for communities who are perceived to have less power to fight these sorts of proposals," says Mike Ewall, founder and director of the Energy Justice Network, which works with numerous groups around the country engaged in similar struggles.

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Since the early 1990s, residents of Chester, Pennsylvania, a small town with a majority African American population that suffers from high rates of lung disease, leukemia and cancer, have been waging battles against the unprecedented number of toxic industries that are located in their backyard.

Over the years, they have resorted to drastic tactics, such as using human blockades to physically prevent waste trucks from entering their town, and have chalked up a series of victories, including closing down a clean metal incinerator ash plant, defeating plans to build the world's largest tire incinerator and preventing a local sewage treatment plant from

accepting toxic and radioactive waste from hydrofracking operations. But a recent effort to stop the expansion of the country's largest trash incinerator, which will soon be accepting 500,000 tons a year of New York City's waste, failed.

"Many times the outcome simply comes down to political will," Ewall says. In the south Bronx, at the moment, political will seems to favor Fresh Direct over fresh air.

When the project was announced in 2012 by Governor Andrew Cuomo, former New York City mayor Michael Bloomberg and Bronx borough president Ruben Diaz Jr, it was presented as an economic development plan that would create almost 1,000 new jobs. But the enormous incentive package, valued at close to $130m, angered many people, including then mayoral candidate, Bill de Blasio, who made ending subsidies to private companies like Fresh Direct a feature of his election campaign. (Since becoming mayor, however, de Blasio has been largely silent on the subsidy issue. The mayor's office did not respond to request for comment on this article.)

The number and quality of the jobs the project would generate has also been a contentious issue, particularly when it emerged that Fresh Direct would be exempt from the Fair Wages for New Yorkers Act, signed into law in 2012, that requires companies that receive more than $1m in city subsidies to pay workers a living wage. Critics say Fresh Direct already pays far too many of its employees the lowest wage they can get away with and that subsidizing them to create more minimum wage jobs is simply wrong.

Fresh Direct declined to comment on the subsidy package or the living wage exemption, but the company did enter into an agreement with the Bronx borough president's office to make its best effort to ensure that a minimum of 30% of all new hires reside in the Bronx. The agreement is non-binding and applies only to non-union positions.

The major sticking point for South Bronx Unite members is the fear that the only takeaway for the community from this multimillion-dollar deal will be more pollution.

"Of course we want jobs," Johnson says, "but we should not have to choose between having a job and having clean air. If you can't breathe, you can't work. Why is that not obvious?"

In November last year, the community got a chance to raise this and other concerns at a public hearing on an additional $10m in grants and loans to help with the construction of the proposed new Fresh Direct facility by Empire State Development (ESD). They showed up in droves, accompanied by doctors, nurses, lawyers and emergency services personnel to make the case that the city and state should not be subsidizing what they see as an attack on their collective health.

"That day we won," Chervoni says smiling, noting that the hours of testimony compelled the board to order a re-vote on the additional subsidies. But the victory was short-lived. Just over two weeks ago, at a follow-up hearing, the board voted unanimously to approve the subsidies. In their response the ESD acknowledged the high incidence of childhood asthma but said the "reasons for this are not well understood". The ESD also noted that Fresh Direct is committed to greening its fleet. Fresh Direct declined to comment on any specifics of how it intends to do

this, however.

“Of course we’re disappointed,” Johnson said, after the re-vote hearing. “But we wanted them to hear our impassioned plea to do something different, to think about kids in this community who keep missing school and who can’t play outdoors because they have asthma.” The group still hopes to stop the project, which had a ceremonial groundbreaking in December, with a lawsuit challenging the sublease of public land to Fresh Direct on constitutional grounds.

Twenty-one years ago, the publicly owned 106-acre waterfront plot was leased by the New York state department of transportation to a private developer, the Galesi Group, for 99 years. Under the terms of that lease, an intermodal rail yard was to be built on the land which would reduce truck traffic in the area. The rail yard never materialized, and the lawsuit contends that if the Fresh Direct project goes ahead, it will no longer be possible to incorporate a rail service into the site, thereby eliminating the public benefit that was a condition of the original lease.

Whatever happens with Fresh Direct, South Bronx Unite is pressing forward with its own plan to revitalize the waterfront by transforming six parcels into parks, building boat hubs, restoring a historic gantry and pier and installing a waterfront trail. The proposal is opposed by borough president Diaz, according to his office, because it includes industrial sites they do not feel are appropriate for park development. But the plan got a boost last October when it was nominated for addition to a statewide list of land conservation projects.

“One way or another, we are going to clean things up around here,” Chervoni says, as he removes his nebulizer and puts it away for another day. “It might be too late for me, but we have to do it for the children. They deserve better.”

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