



NYS Senator José M. Serrano



U.S. Congressman José E. Serrano

May 16, 2012

Joan McDonald  
Commissioner, New York State Department of Transportation  
50 Wolf Road  
Albany, New York 12232

Dear Commissioner McDonald:

We are writing to express concerns we have received from community residents regarding the proposed relocation for online grocer FreshDirect to the Harlem River Yards in the South Bronx. Among the concerns brought to our attention are FreshDirect's lack of inclusion of South Bronx residents and low-income communities in their current business practices; the lack of a comprehensive environmental impact analysis; and the potential misuse of public land at the proposed site.

FreshDirect's proposed relocation will add close to 2,000 additional daily vehicle trips through one of the most congested traffic corridors of the South Bronx, increasing truck emissions in an area that already has the highest asthma rates in the country. For this reason, residents feel it is extremely important to consider the environmental impact, conduct an adequate analysis of the effects of increased traffic in an already vulnerable area, and explore how these effects can be mitigated.

The proposed area for FreshDirect's relocation is owned by the State of New York under the jurisdiction of the Department of Transportation (DOT) and has been leased by the State since 1991 for a term of 99 years to the Harlem River Yard Ventures, Inc. Under the terms of the lease agreement, Harlem River Yard Ventures was required to develop an intermodal rail on the land for the public benefit, which would reduce traffic congestion in the area. In 1993, the DOT prepared a Final Environmental Impact Statement (EIS), which generically analyzed the land-use plan attached to the lease. Nearly 20 years since the original lease was signed with Harlem River Yard Ventures, the Industrial Development Agency (IDA) relied upon the same 1993 EIS in conducting its environmental review of the FreshDirect plan.

However, the IDA's recent reliance upon the 1993 EIS does not take into account two decades of development and fails to contemplate the effects of the current and proposed uses of this property. Over the last 21 years, since the original lease was signed, Harlem River Yard Ventures has failed to develop the intermodal rail terminal, and instead has subleased the land to an array of manufacturing and waste process facilities that place a disproportionate impact of diesel truck traffic running in and through the South Bronx. Such development has exacerbated the health problems in the Bronx— asthma hospitalizations in the South Bronx are five times the national average, and an estimated one in every five children in the South Bronx has asthma.

In addition to the land use issues, FreshDirect does not currently serve the South Bronx, nor does the company accept food stamps or benefit cards. As the proposed site is located in an area that has long suffered a lack of healthy food options and has been coined a "food desert," community members are worried that there are no plans currently in place for Fresh Direct to help bridge the nutritional gap by serving the people in the very district where the company is headquartered.

As the elected officials for the area in question, we are relaying the aforementioned concerns of local residents in hopes that we are able to further discuss and address these issues. Therefore, we request that DOT review the lease for this property, and place a moratorium on all new development at Harlem River Yards, until a thorough assessment of the current uses of the land and the cumulative effects of such uses on the residents of the South Bronx can be done, taking full account of the socio-economic makeup of the neighborhood and the disproportionate impact to the area.

Thank you for your attention to this matter, and thank you in advance for working with our offices to ensure that this property is being put to uses that would further two decades of progress in the South Bronx and that such uses would be an asset to our constituents.

Sincerely,



Senator José M. Serrano



José E. Serrano  
Member of Congress