



UJTF Guide for DEIS Comments regarding Economic Justice

First, thank you SO MUCH for committing to fight for racial, economic, and environmental justice in our community. You will find below four sections: tips for preparing comments, accessing relevant parts of the DEIS, guidance on UJTF's concerns on jobs, and sample comments to guide you. Your act of thoughtful solidarity is critically important, and means very much to us!

- Deka Dancil, President, UJTF

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SECTION 1:

Useful Tips on Preparing Your Comment

To get started, here is a simple guide from the city level, which should work for us as a rough guide for the state-level DOT comment period:

Writing Your Comment

Brainstorm a list of the points you wish to make. If you represent a group, ask other people for ideas and add their points to the list. Here are things you should include:

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- Your name, address and phone number and/or email.
 - Your interest in the matter and who you represent. If you are speaking for yourself, say that.
 - What you want/don't want the hearing body to do (one or two sentences if you can).
 - Cite specific, measurable impacts.
 - Try to avoid hearsay or prophetic ("chicken little") statements.
 - Provide evidence for why the hearing body should make a particular decision, and if possible relate the evidence directly to the decision-making criteria.
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The most effective comments are short and to the point. For instance, "My name is Jane Smith, I live at 123 Main Street, and I live adjacent to the proposed development. I'm in favor/opposed to this development because of . . . x . . . y . . . z . . . which will cause the following impacts . . . and that's why I urge the council/commission/hearing examiner to approve/deny this project."

Source:

<https://www.cityofferndale.org/commdev/private-development-projects/tips-for-making-an-effective-public-comment/>

Additionally, experience shows that NYS DOT is most likely going to have to do something about comments that correspond to one of three things:

1. What is in the Draft Environmental Impact Statement (DEIS)
OR
 2. How this project will likely affect the person who comments
OR
 3. How this project will likely affect vulnerable residents (who you, as the author of the comment, are concerned about).
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Here is guidance on public comments from a federal source, the Environmental Protection Agency:

- Be concise but support your claims. Explain your views as clearly as possible, avoiding the use of profanity or personal threats. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes. Provide specific examples to illustrate your concerns and suggest alternatives.
- Base your comments on sound reasoning, scientific evidence, and/or how you [or others] will be impacted by the agency's proposal. Describe any assumptions and provide the technical information and/or data that you used. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Address trade-offs and opposing views.

Source: <https://www.epa.gov/dockets/commenting-epa-dockets>

Finally, here is how and when to submit comments:

1. For in-person comments you have two choices:

- Register for a virtual session on Tuesday, August 17 either at 11 am or 5pm** through the link below:
https://cscos.zoom.us/webinar/register/WN_uALJ5SbDQRK6lqnilPuYJA
- Come to the OnCenter (800 State Street, Syracuse) on Wednesday, August 18 at 4 or 6 pm** and sign up to make a comment. Doors open at 3:30 pm. Commenters are called in the order of their sign-up. Comments may be limited to 2/3 minutes so keep them short and to the point. See samples in Section 4.

c. For emailed or mailed comments, the deadline is September 14 and these comments can be as long as you want.

1. For emailed comments send to: l81opportunities@dot.ny.gov

2. For mailed comments, send to:

I-81 Viaduct Project
New York State Department of Transportation, Region 3
333 East Washington Street
Syracuse, NY 13202

SECTION 2: DEIS Specifics

Keeping the above guidance in mind, you may want to (but don't have to) read sections of the I-81 DEIS sections to pinpoint your comments.

Here is the complete list of the DEIS contents with links to the sections:

<https://static.parsons.com/I-81-DEIS/07-2021/>

For example, the UJTF was particularly interested in Chapter Four: Construct Means and Methods which discusses two key points: one, the construction trades needed to do the project and, two, the workhours for each trade per project phase.

Also, of interest to the UJTF were sections of Chapter Six: which covers Social, Economic and Environmental Considerations, namely:

- 6-2-2: Social Groups Benefited and Harmed,
- 6-2-3: Environmental Justice and
- 6-3-2: Local and Regional Economies.

Chapter Six also has sections covering:

- Land Acquisition,
- Displacement and Relocation,
- Air Quality and Noise, and
- Many other topics.

SECTION 3: Topics that matter to UJTF

I. Reasons Why Economic Equity on the I-81 project is Essential for impoverished Syracuse residents and Syracusans living in Environmental Justice Areas

Over its 50-year life, the original I-81 Viaduct project created conditions that exacerbated racial and economic disparities between the city and its surrounding suburbs by, first, destroying the 15th ward and scattering its cohesive community, and second, enabling “white flight” from the city to the suburbs as relocated Blacks moved into the Southside.

Demographics, Economic Health and Spatial Mismatch measure those disparities or divides.

a. **Demographics**

In 2019 the UJTF and Legal Services of CNY created *Building Equity in the Construction Trades: a Racial Equity Impact Statement* <https://www.ujtf.org/reis> and reported:

- 50% of our city's population is minority vs. 23% of the County's (which includes the city).
- Blacks, alone, make up 29% of the Syracuse population vs. 12% of Onondaga county's population and most (i.e., three-quarters) of that 12% live in Syracuse.

b. **Economic Health –**

In 2015 Paul Jargowsky in *Architecture of Segregation* (<https://tcf.org/content/report/architecture-of-segregation/>) reported that Syracuse led the nation in concentrated poverty for Blacks and Hispanics.

- In 2017 the City of Syracuse reported in *Below the Line: An Analysis of Barriers to Opportunity in Syracuse* that 43% of the city's Blacks and Hispanics live in poverty.
- In 2019, statistics measuring economic health showed:
 - the county median household income was \$61,000
 - the Syracuse median household income was \$38,000
 - Pioneer Homes' census tract 42 reports median household income below \$18,000 (less than half of \$38,000)
- **VERY IMPORTANT:** DEIS Section 6-2-3 states that of the 166 census tracts affected by its proposed project, 91 are environmental justice communities (50% of population is minority and/or 31% live below the poverty line). All 91 of these Environmental Justice Communities are in the city of Syracuse.

c. **Spatial Mismatch as Reported in DEIS Section 6-3-2**

- Suburbanites fill 89% of the jobs in the Syracuse Central City [defined by zip codes 13202, 13205, 13205, and 13210]. Only 10% of Central City jobs go to people living in those zip codes.
- Meanwhile, 67% of the people living in the Syracuse Central City commute to the suburbs.

- In 2017 the city reports in *Below the Line* that in 2016 over 60% of Syracusans used public transportation to go to work because their households had no vehicle.

Consequently, the proposed \$2 Billion project must benefit Syracuse residents economically by mitigating (that is, reducing):

- 1) the above-mentioned disparities, and*
- 2) the disruption to their neighborhoods.*

According to the DEIS, most of I-81's construction and demotion phases will be done within the city limits, making benefits to city residents both practical and the right thing to do.

II. What must the NYSDOT do to deliver economic benefits to Syracuse residents, to reduce harm to Syracuse environmental justice communities, and to prevent causing new economic and racial injustices from occurring.

As the lead agency on the I-81 project, the NYSDOT must demonstrate that it is serious about creating an equitable I-81 project by:

a. Setting Inclusive, Local Hire Workforce Goals Where:

1. A percentage of the I-81 workhours are for Syracuse residents. The I-81 Project is forecasted to require over 7.7 million workhours for several thousand individual workers. A percentage must go to Syracuse residents who are ready now or have been trained for a job on I-81. The reasons are listed above in section I a, b, and c.
2. A percentage of the I-81 workhours should go to workers in our city's immediately surrounding suburbs. Including the nearby suburbs in the local hire goal acknowledges that the city's outlying areas are also affected by the project.
3. A percentage of the I-81 workhours for disadvantaged workers in Onondaga County, including the city. A "disadvantaged worker" should be defined as someone who has barriers to employment, namely, two or more of the following: was previously incarcerated, is a single custodial parent, receives public assistance, lacks a GED or High School diploma, or is homeless. This goal recognizes that there are pockets of poverty outside the city in Onondaga County. Additionally, a disadvantaged worker

category makes it more likely that county residents who are often shut out of these jobs could be trained and placed in a job.

4. A percentage of the I-81 workhours for NYSDOT trainees. Through its On-the-Job (OJT) program NYSDOT would train and then place its trainees on the project, guaranteeing that they receive on-the-job training in highway work. UJTF would like this opportunity for disadvantaged workers, city residents, and primarily for those living in the project-affected census tracts 42 (Pioneer Homes) and 53 (just south of Pioneer Homes).
5. A percentage of the I-81 workhours for apprentices. The UJTF noticed the low use of apprentices on the I-690 Teall-Beech project – it was only 4.4 %, a terribly low number. Without establishing an apprentice goal in the governing documents, journeypersons will do most of the work. Other cities and projects often set the apprentice goal at 20%, a goal that doesn't violate the required journeyperson to apprentice ratio. An established goal will help Syracuse residents currently being trained as apprentices to get work close to home on an I-81 project site.

The goals will work together. For example, for a disadvantaged person who resides in the city and is an apprentice, his or her workhours would be counted towards three out of the five categories above.

Note: Currently the City, UJTF and the NYSDOT are attempting to define what the percentages should realistically be. All parties are in general agreement that the goals need to be realistic and reflect the current capacity of the local workforce. **But we need your voice to push NYSDOT to take UJTF's proposals seriously – demanding that NYSDOT puts money, managers, and resources behind the goals!**

b. Creating Equitable Governing Documents: SEP-14 and CWA-PLAs

Equitable governing documents will determine how many local Syracuse residents get jobs on I-81 construction. Currently, after a great deal of negotiation and in collaboration with the City and the UJTF, the NYSDOT is creating a SEP-14 application which would set local hire goals. Prior to this May, NYSDOT could not set goals as laid out in 1 thru 4. Before the Obama-era SEP-14 local hire pilot program, federal restrictions from the Ronald Reagan-era prevented any local hire goals on federal projects. Mr. Trump revoked Obama's SEP-14 program. Just in time, USDOT Secretary Pete Buttigieg in May re-instated the SEP-14 program. The question is: how good will the SEP-14 language be? Will it set realistic but aspirational Local Hire Workforce goals (above) that we are championing?

Whether I-81 governing documents are RFPs (Request for Proposals) or PLAs (Project Labor Agreement with the trade unions) the SEP-14 goals will be inserted into for the

eight subprojects – but possibly without an apprentice goal. It is not clear whether the apprentice goal would be inserted in the SEP-14 application or just be added to a RFP/PLA but it is important that NYSDOT establishes an apprentice goal.

For the last two years the UJTF has also been championing PLAs with **Community Workforce Provisions**, often referred to by us as a CWA-PLA. Over the last year, the UJTF has observed how six local trade unions embraced Syracuse Build, the city’s workforce development initiative.

These unions are helping Syracuse Build train city residents through its pre-apprenticeship program Pathway to Apprenticeships. Having CWA-PLAs with an apprentice goal would encourage I-81 contractors to hire these newly apprenticed union members.

c. Fostering goal attainment. The NYSDOT must:

1. Contract a third party to monitor the goals, often called an “Independent Compliance Officer” or ICO. An ICO is a common practice in construction. NYSDOT has the power to do this, but has not said if it would. However, an ICO is critical to goal monitoring and overall transparency.
2. Report quarterly to the community on goal attainment or its lack. This could be through a website, or at the Mayor’s I-81 Jobs Big Table.
3. Contract a third party to be a Jobs Coordinator. With respect to goal attainment, the Jobs Coordinator would troubleshoot whenever it was discovered that the project’s workhours fell short of its goal(s) and would help match available newly-trained or skilled workers from the local hire area with contractors.

SECTION 4:

Simple, Sample Comments You Can Personalize and Build On

SAMPLE COMMENT #1: “My name is _____ and I am a resident of Dewitt. As a citizen of Onondaga County, I regret the untold harm that I-81 has caused to low-income communities of color in Syracuse. These environmental justice communities must be given their due through equity initiatives in local hiring. And that means monitoring of the data. Since the use of an Independent Compliance Officer is a general practice in construction projects, I strongly urge NYSDOT to hire an ICO so local hire goals are effectively monitored.

Further, this ICO should not only meticulously collect data on workforce hours and demographics, but it should regularly provide full disclosure of this workforce data to the public, including the Urban Jobs Task Force.”

SAMPLE COMMENT #2: “My name is _____. I reside in Syracuse and as a citizen of a nation that professes equal opportunity for all, and the right to life, liberty, and the pursuit of happiness, I strongly urge NYSDOT to address the serious inequities and economic harms from I-81 for the surrounding environmental justice communities.

Specifically, a local advocate, Urban Jobs Task Force, is demanding that a percentage of the I-81 construction workhours be reserved for available Syracuse residents, to the greatest extent possible. I fully support this demand. At least 15% of the workhours should go to hiring local Syracuse residents who are trained for work on I-81. Now that the SEP-14 program has been re-instated by President Biden’s Administration, there is no excuse: high paying jobs that are going to happen in the city of Syracuse deserve to go to capable people who live in the city.”

SAMPLE COMMENT #3: “My name is _____ and I am a member of _____. My group is also a member of Urban Jobs Task Force who believes that projects using public money should benefit all stakeholders and particularly, underserved Syracuse communities. Many of Syracuse’s neighborhoods struggle today with quality of life and economic health issues. Many of these issues can be traced to I-81: its destruction of the 15th ward and its enabling of “white flight” to the suburbs. To acknowledge the past wrongs and to set up a fair distribution of benefits, it is imperative that NYSDOT reserves a percentage of I-81 construction and demolition jobs for city residents. These jobs may be the beginning of a viable trades career for many.”

SAMPLE COMMENT #4: “My name is _____ and I live on the Southside of Syracuse. I am grandmother and I am concerned about my grandson. He has taken a few times construction training at SUNY-EOC but he feels that he is only collecting training certificates without getting construction work. This highway project coming through our neighborhood must provide jobs for people like my grandson. It is only fair!