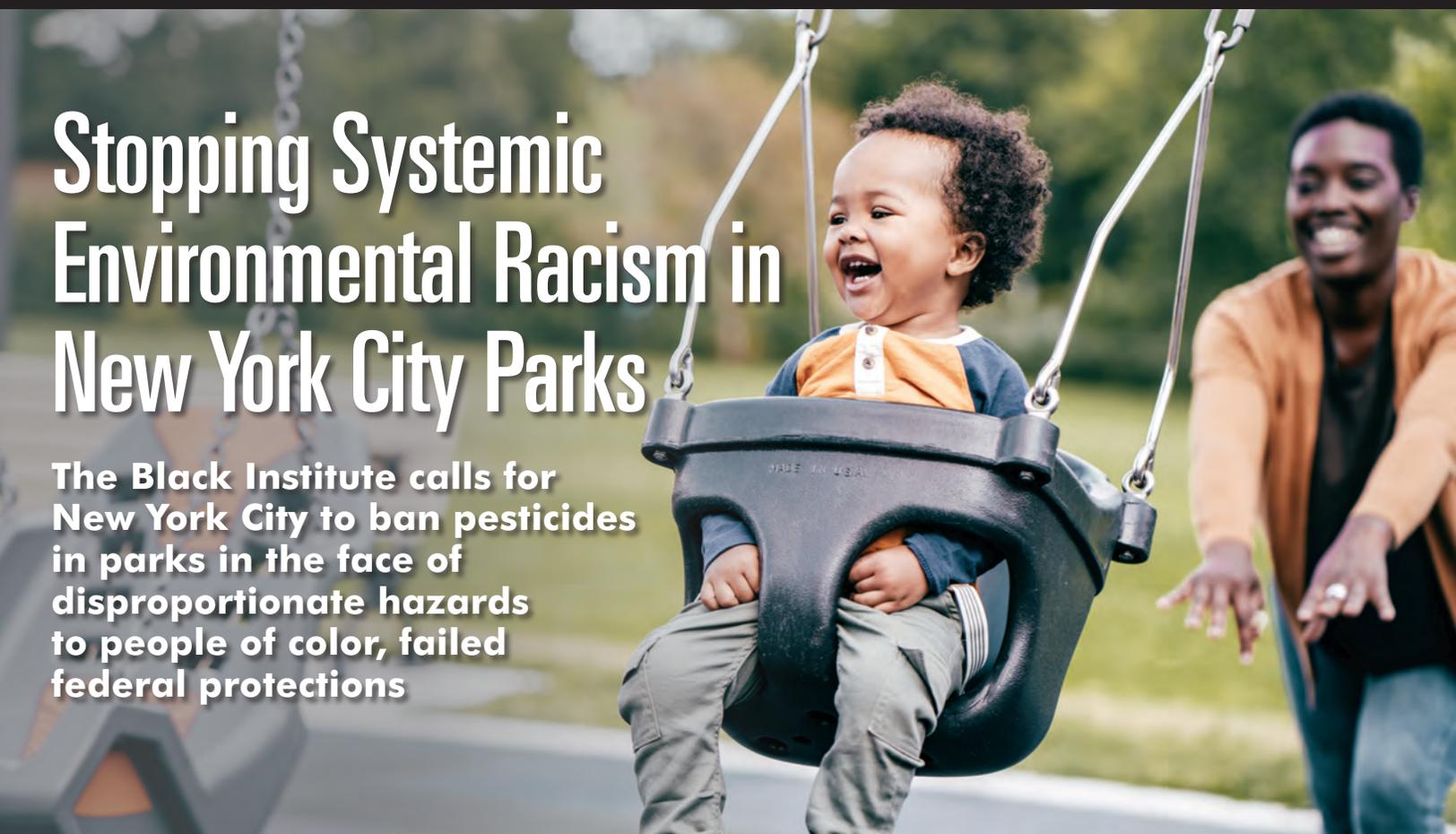


Stopping Systemic Environmental Racism in New York City Parks

The Black Institute calls for New York City to ban pesticides in parks in the face of disproportionate hazards to people of color, failed federal protections



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JAY FELDMAN

Those fighting for environmental justice understand that the harms inflicted by toxic chemical production and use cause disproportionate adverse effects on people of color—from fenceline communities near chemical production plants, to farmworkers facing hazardous and inhumane working conditions in agricultural fields, landscapers handling toxic pesticides, to black and brown people who suffer elevated risk factors that exacerbate pesticide hazards. In its report, *Poison Parks* (January 2020), The Black Institute documents New York City public spaces in low-income people of color neighborhoods being sprayed with the weed killer glyphosate (Roundup) at significantly higher rates than other parts of the city. The report notes, “Minority and low-income communities suffer from the use of this chemical [glyphosate] and have become victims of environmental racism.”

In this context, The Black Institute, working with a coalition of organizations including Beyond Pesticides, is calling for the urgent passage of Intro 1524—a “A Local Law to amend the administrative code of the City of New York, in relation to the use of pesticides by City agencies.” The legislation only allows on public New York City (NYC) land (owned and leased) the use of substances that are permitted under federal organic law or meet EPA’s standard for exempt as nontoxic and disclose all ingredients on the product label. The bill sponsors

have secured cosponsorship from a majority of members of the New York City Council, but it is being held up by the Speaker’s office, at this writing.

LEGISLATION TO BAN TOXIC PESTICIDES

Toxic pesticide use in NYC parks would be prohibited if the legislation passes. The bill “would ban all city agencies from spraying highly toxic pesticides, such as glyphosate (Roundup), and be the most far-reaching legislation to implement pesticide-free land practices in New York City parks,” according to a press release from its sponsors, NYC Council Members Ben Kallos and Carlina Rivera. The bill was heard and passed out of the Committee on Health on January 29. Council Members Kallos and Rivera point out in their joint press release that Roundup is the pesticide most intensively used by city agencies, and that, “The use of this pesticide poses a health risk for anyone who frequents city parks and playgrounds, as well as city workers, including city parks employees who come into contact with glyphosate-containing chemicals while spraying.” Council Member Rivera said: “Our parks and open spaces are critical to our health when our communities have so few of them, so we have to make sure our city is pushing toward making them safer, greener, and more resilient. But no New Yorker should ever have to be exposed to toxic pesticides and it is long past time that our city ban these dangerous chemicals.” Council Member Kallos added, “Parks should be for playing, not

pesticides. All families should be able to enjoy our city parks without having to worry that they are being exposed to toxic pesticides that could give them and their families cancer.”

CALLING FOR AN END TO ENVIRONMENTAL RACISM IN MANAGING CITY PARKS

Poison Parks gives national and international context to the struggle for environment justice—the definition emerged from protests by North Carolina residents of a majority African American county, who had formed Warren County Citizens Concerned (WCCC) in the late 1970s to fight the toxic waste landfill siting for polychlorinated biphenyls (PCBs). The Rev. Dr. Benjamin F. Chavis Jr., a founder of the United Church of Christ Commission on Racial Justice, called the landfill siting environmental racism. *Poison Parks* notes at the beginning of the report Rev. Dr. Chavis’ definition: “Environmental racism is racial discrimination in environmental policy-making. It is racial discrimination in the enforcement of regulation and laws, in the deliberate targeting of communities of color for toxic waste disposal and the siting of polluting industries. It is racial discrimination in the official sanctioning of the life-threatening presence of poisons and pollutants in communities of color; and, it is racial discrimination in the history of excluding people of color from mainstream environmental groups, decision-making boards, commission, and regulatory bodies.”

The report delves into this in more detail:

Environmental racism or eco-racism has become an issue that disproportionately affects all communities of color and is defined as “practices that place African Americans, Latinos, and Native Americans at greater health and environmental risk than the rest of society.” (Bullard, 1993) Environmental racism describes the subjection of racially marginalized groups to disproportionate exposure to pollutants from industry, natural resource extraction, toxic waste, poor land management, and sometimes lack of access to clean water. This term also describes the disadvantaged ecological relationships between the industrialized West and developing nations which threaten the health, overall well-being, and safety of these populations. Communities of color also have higher exposure rates to air pollution compared to their white, non-Hispanic counterparts. There is an extensive and severe history of environmental racism in the United States dating back to the pre-Jim Crow Era. Marginalized groups in America suffered before these facts were labeled as such and environmentalism became a topic of discussion among academics. It was and continues to be through the efforts of community-based coalitions, alliances with national recognized organizations, and legal action that minorities have been able to confront individual industries’ racist tendencies.

DISPROPORTIONATE USE, EXPOSURE, AND HARM

With that as background, *Poison Parks* documents the use patterns of glyphosate (Roundup). The report states: “It is a



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terrifying reality that more than 500 gallons of this chemical were sprayed throughout New York City in 2016. Minority and low-income communities suffer from the use of this chemical and have become victims of environmental racism.

A Freedom of Information Law (FOIL) request disclosed that from 2017–2018, “[I]dlewild Park in Queens had higher application rates in 2017 and 2018 compared to surrounding locations. . . . According to census data, the communities surrounding Idlewild Park are approximately 90% African American. People of color that use this park are being hit with extraordinarily high amounts of glyphosate concentrate. Not to mention the impact this high concentration would have on pesticide applicators who are mostly men of color.”

The report continues, “The same FOIL document shows that in Manhattan, Harlem was disproportionately sprayed in comparison with the rest of Manhattan. When analyzing this data, only locations that included parks, playgrounds, or recreation centers on park land were considered.”

WORKERS IN HARM’S WAY

In reference to worker exposure to glyphosate (Roundup) use, the report states, “This exposure uniquely affects people of color working for NYC. The NYC Parks Department is 64% people of color, including all positions in the department. However, when broken down further, building services employees are 96% people of color, laborers are 56% people of color, farmers are 78% people of color, and transportation service workers are 77% people of color. Combined, an average of 77% of these employees are people of color.”

LOCAL LAWS ARE REQUIRED TO ADDRESS ENVIRONMENTAL RACISM

After making the case that EPA is not adequately protective, *Poison Parks* calls for:

- Stop the routine use of dangerous toxic pesticides,
- Only allow safe products. . . with. . . ingredients approved by the National Organics Standards Board,

- Immediately adopt an official Integrated Pest Management (IPM) measure that requires public monitoring, record-keeping, and use of non-chemical methods and safer pesticides before using other treatments. [Note that Beyond Pesticides defines this as Organic Land Management.]

BEYOND PESTICIDES CALLS FOR ACTION

In offering testimony in support of the ban bill, Beyond Pesticides executive director Jay Feldman said: “By restricting pesticide use on its own property, the City will provide critical protections for community health, particularly for children, the elderly, and vulnerable population groups that suffer from compromised immune and neurological systems, cancer, reproductive problems, respiratory illness and asthma, Parkinson’s, Alzheimer’s, diabetes, or learning disabilities and autism. We urge this Committee and the New York City Council to adopt Intro 1524, a measure that meets the urgent need for hazard reduction at a time of increasing awareness of the dangers that pesticides pose to human health and the environment, while the federal regulatory system is undergoing a severe reduction in programmatic work, adequate scientific assessment, and, in many cases, a reversal of safety decisions that had been made by the EPA previously.”

THERE IS AN URGENT NEED FOR NYC TO ACT

The issue is made more urgent for New York City and for many municipalities and states because most environmental regulation below the federal level in the U.S relies heavily on the determinations of EPA that support environmental racism. Under the Trump administration, federal environmental regulation generally, and regulation of pesticides in particular, have been dramatically weakened, which elevates the health threat. The failure of EPA requires localities to step up and protect local and regional residents and environments.

The bill was first proposed in 2015 after Council Member Kallos heard concerns from elementary students at NYC Public School 290 about the danger and health impacts of pesticides on people and animals.

Mr. Feldman’s comments at the Committee on Health hearing included: “With glyphosate being the poster child for unacceptable, hazardous pesticide use around our children and families, this legislation is critically needed to protect the residents and the environment of New York City, and advance the adoption of organic land management practices in parks and playing fields. . . . The approach to land care specified by this legislation identifies an allowed substance list to ensure that the products and practices used are compatible with the organic systems that protect people and local ecology. It is this approach to pesticide reform that will effectively stop the unnecessary use of hazardous pesticides applied in parks and public spaces throughout the city. While addressing urgent local concerns related to public and worker health and the environment, passage of this law in New York City will make an important contribution to reversing the

escalating crises in biodiversity, including pollinator declines, and the climate crisis—which are exacerbated by petroleum-based, synthetic pesticides, the release of carbon into the environment, and the lost opportunity to sequester carbon in organic soil systems.”

CONCLUSION

The increased general awareness of the need to address disproportionate risk in people of color communities extends to toxic chemical use and the adverse effects that pesticides have caused among people with preexisting or underlying conditions of respiratory illness, like asthma, and immune system diseases. Given that these health conditions are elevated in people of color communities, a failure to remove toxic pesticides from NYC parks is a failure to address systemic racism. Adding to this is the fact that there are clear disparities of risk from the Covid-19 virus, which have been documented as disproportionately affecting people of color with effects that cause the same adverse health outcomes as pesticides—breathing problems and immune system effects.

The reality of disproportionate impact of Covid-19 among people of color, coupled with elevated exposure to pesticides, which exacerbate the very same adverse health conditions as the virus, is alarming, systemically racist, and requires immediate action. The good news is that we have an opportunity to take action now and eliminate an exposure pattern to hazardous pesticides that disproportionately affects people of color. Beyond Pesticides, with communities across the country, has demonstrated that we can have beautiful parks and playing fields with organic land management practices and without the use of toxic pesticides, so why wouldn’t we eliminate this disparity immediately. The time is now.



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