

NORTH PARK: LEFT OUT & DENIED

**A Study of Remediation Efforts
Post Superstorm Sandy**

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RACISM

North Park Left Out and Denied: A Study of Remediation Efforts Post-Superstorm Sandy

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Last, but certainly not least, we thank and dedicate this report to the incredible residents of Channel Park Homes for participating in this study, voicing community concerns, and fighting for justice. May this report serve as a tool for community advocacy in the continued fight for equity.

This study was designed and implemented by ERASE Racism Organizer, Nuzhat Quaderi, MPH, CHES. Survey implementation and data analysis was completed with assistance from ERASE Racism intern, Tracy Portelli, a Hofstra University Master of Public Health 2015 graduate and Long Beach resident.

ERASE Racism staff member, Nuzhat Quaderi was responsible for the leadership and coordination of this project and was the primary author of this report, with assistance from other ERASE Racism staff, including Staff Attorney, Andrew Koldin. The report cover was designed by ERASE Racism Graphic Intern, Edward Confortin.

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V. Elaine Gross, President

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ABOUT ERASE RACISM

ERASE Racism is a regional organization based in Syosset, New York that leads public policy advocacy campaigns and related programmatic initiatives to promote racial equity in interconnected areas such as housing and community development, public school education, and public health. It engages in a variety of research, education, community organizing and legal activities to identify and address institutional and structural racism. It is ERASE Racism's mission to eliminate the barriers to racial equity in order to provide access to opportunity for all.

ERASE Racism has led a campaign since 2012 to encourage state agencies, including New York State Homes and Community Renewal (HCR) and the Governor's Office of Storm Recovery (GOSR), to adhere to fair housing laws and equity requirements in the allocation and distribution of funds pursuant to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Since Superstorm Sandy, ERASE Racism has articulated the critical need for the GOSR to ensure equal opportunities for everyone regarding Sandy relief, with emphasis on reaching low- and moderate-income households and African American and Hispanic households.

ERASE Racism activities with respect to the State's CDBG-DR program include: submitting written comments on the CDBG-DR Action Plan and its amendments addressing our fair housing and other equity concerns related to Superstorm Sandy; meeting with former HCR Commissioner Daryl Towns and selected staff on housing issues related to Sandy relief and affirmatively furthering fair housing; and submitting a joint FOIL request with NAACP LDF, filed on December 9, 2014, asking the GOSR to provide access to public records regarding the State's AFFH activities pertaining to the administration of the CDBG-DR program. The GOSR has responded to the FOIL request.

ABOUT NORTH PARK, LONG BEACH

The City of Long Beach (The City) on Long Island, NY is 2.14 square miles, bounded by Reynolds Channel on the north and the Atlantic Ocean on the south. Long Beach closely mirrors the demographics of Nassau County as a whole. According to the Census Bureau, the Long Beach population is approximately 83% white, 6% Black, and 14% Hispanic or Latino¹. The City includes recreational facilities, residential communities, and an industrial area. This industrial area is located within a .2 square mile community called North Park. The North Park community—bordered by Reynolds Channel, Long Beach Boulevard, Park Avenue, and Magnolia Boulevard—houses more than five industrial facilities, including a wastewater treatment plant. According to the vice-chair and various members of the Concerned Citizen of North Park, a community group fighting for equity in the area, North Park has a significantly large minority population². The area also lacks a bulkhead or any

¹ Census Bureau data does not add up to 100% due to overlap in demographic criteria.

² ERASE Racism was unable to obtain demographic data for the entire North Park community because the neighborhood is not recognized by the Census Bureau. However, according to the City of Long Beach Comprehensive Plan Technical Memorandum of 2005, "While Long Beach's Census Tracts are not necessarily coterminous with the City's ne

other flood protection along its coastline, is often flooded in heavy rains, and was devastated by Superstorm Sandy.

INTRODUCTION

On October 29th, 2012, Superstorm Sandy swept up the east coast and devastated communities across New York State. The storm resulted in severe flooding, downed power lines, and extensive destruction of homes leaving thousands of residents dislocated and in despair. In response to the devastation caused by Superstorm Sandy, the federal government set aside over \$15 billion of Community Development Block Grant Disaster Recovery (CDBG-DR) funds. These funds were allocated to affected states to provide recovery and relief and to mitigate future destruction from weather events.

Today, three years after Superstorm Sandy hit New York, coverage in the media regarding the devastation, destruction, and slow recovery in the aftermath of the storm has dwindled noticeably. News reports now tell stories of resiliency and completed rehabilitation or of emergency preparedness for the next great storm, but the significant story regarding inadequate recovery and environmental injustice has yet to be told.

In the summer of 2014, outreach from a local North Park resident brought ERASE Racism to examine damage sustained from Superstorm Sandy that had not yet been remediated. In tours of Pine Town Homes and the coastal area of the North Park community, ERASE Racism staff found visible evidence of mold on the outside of apartments, scaffolding, exposed insulation, and incomplete construction work. This prompted ERASE Racism to begin to actively assist the North Park residents in their advocacy efforts and to investigate whether Channel Park Homes, a public housing development in North Park, was in a similar state. In the fall of 2014, ERASE Racism undertook the planning and implementation of a study to assess the Superstorm Sandy damage sustained by Channel Park Homes during Sandy and the remediation efforts that followed. Results from ERASE Racism's work in Long Beach have been unsettling and are a cause for great concern.

According to the GOSR, "Channel Park Homes, a family development [located in North Park], experienced the greatest damage [from Superstorm Sandy] including flooding on the first floor of home and community facilities. The damage required mold remediation, replacement of floors and drywall, painting, replacement of appliances and kitchen cabinets, and repair or replacement of HVAC systems."³ Despite the State's statement that, based on November 2013 information from the Long Beach Public Housing Authority (PHA), Channel Park Homes had been repaired and reoccupied and that only "some" mitigation was now needed⁴, ERASE Racism's survey findings, from November 2014

neighborhoods, it is noteworthy that the black population is highly concentrated within Census Tract 4165. While the Hispanic population is also well represented in this Census Tract, their population is more evenly distributed throughout the City."

³ State of New York Action Plan Amendment Number 8: Consolidated Action Plan for Community Development Block Grant Disaster Recovery. Submitted to HUD on February 13, 2015. Page 18.

⁴ New York State Action Plan Amendment 6, pg. 8.

to February 2015, not only exposed the lack of proper remediation post Superstorm Sandy, but the disproportionate burdens suffered by North Park residents. Further, the response to ERASE Racism's FOIL request does not indicate that any CDBG-DR funds or other funds have been disbursed to the Long Beach PHA for rehabilitation of any units within the Channel Park development.

THE STUDY DESIGN

ERASE Racism conducted a study to help assess damage sustained from Superstorm Sandy in Channel Park Homes, the remediation efforts within those public housing units, and the correlation between remediation (or lack thereof) or other place-based factors and adverse health outcomes. The retrospective study was designed by ERASE Racism's Organizer, a MPH graduate and Certified Health Education Specialist, and involved conducting door-to-door in-person surveys using a non-probability convenience sample. Door-to-door surveys were implemented by trained ERASE Racism staff and by a graduate student from the Hofstra University Master of Public Health program. The sampling frame consisted of the 106 public housing units in Channel Park Homes. Of the 106 households, 66 completed the survey, 26 refused to complete the survey, 13 could not be reached, and 1 did not fit the criteria of the study⁵. Descriptive statistics were used to analyze the survey data and statistical tests were computed using Statistical Analysis Software Enterprise Guide. Due to lack of resources and capacity, analysis of the effects of remediation or place-based factors on adverse health outcomes was not conducted. Possible correlation of remediation or place-base factors to adverse health outcomes have been drawn from observational data and estimation based on general knowledge regarding public health. In addition, confounding factors were not controlled for when drawing possible correlations.

THE SURVEY DESIGN

The survey consisted of 16 questions that addressed Superstorm Sandy damage and remediation, 10 questions that addressed adverse health outcomes, and 6 questions that focused on gathering demographic data such as race. Surveys were administered to one resident per household and were implemented at various times throughout the week, including evenings and weekends, from November 2014 to February 2015. At the end of each survey, educational flyers regarding mold formation and safety were distributed to inform members of the household and other residents about mold prevention, remediation, and safety. The survey included evidence-based questions from previous studies that assessed the correlation of flood remediation and adverse health outcomes.

KEY FINDINGS

Data analysis of the survey results show that despite the directives outlined in the Governor's Office of Storm Recovery Amendment 8 requiring mold remediation and replacement of floors, walls, and

⁵ One Household did not fit the survey criteria because household members moved into Channel Park Homes after Superstorm Sandy.

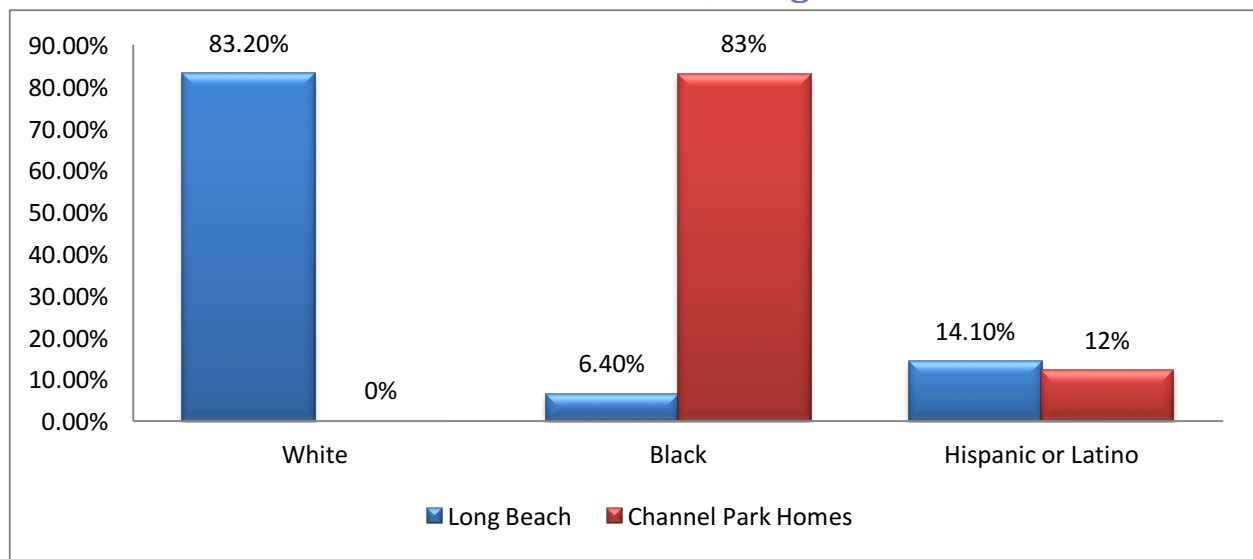
appliances, these remediation efforts had not actually occurred in a majority of apartments. ERASE Racism found the following:

- 92% of participants reported that the tiles in their home were not replaced;
- 82% of participants reported that their kitchen cabinets were not replaced; and
- 79% of participants reported that their appliances (refrigerator or stove) were not replaced.

In conversations with members of households throughout Channel Park Homes, ERASE Racism staff found that families were forced to use kitchen cabinets and appliances that once stood in contaminated flood waters. Residents feared that mold may be growing behind the walls, under the floors, and behind the kitchen cabinets, and were worried about the well-being and health of their families.

In addition, demographic data from the survey show that over 83% of the households in Channel Park Homes are Black, 12% are Hispanic, and 5% are multi-racial. The demographic make-up of this community is drastically different from Long Beach as a whole, and it can be concluded from ERASE Racism’s data that this heavily segregated minority community has not only endured a greater burden of potential environmental health hazards, but has been denied basic flood protections and proper Superstorm Sandy remediation.

Demographic Data of Long Beach, NY in Comparison to Channel Park Homes in North Park, Long Beach



(Source: 2010 Census Data and ERASE Racism Survey Data)

It is important to note that although the community of North Park does not have any infrastructure to protect it from flooding, all other coastal areas across Long Beach have bulkheads already in place. In

addition, the community has limited pervious surfaces that would allow for the absorption of flood waters and has what seems to be an outdated drainage system. As a result, ERASE Racism found that 50% of survey participants reported that their community experienced flooding not only during severe storms like Superstorm Sandy but also often when there are heavy rains.

After speaking with a mold expert⁶, ERASE Racism learned that the appropriate height to remove and replace flood damaged drywall is two feet above the water level. Survey findings show that only 18% of participants reported having had their walls removed at a higher height than the water level. In addition, many participants reported having only some walls removed while other walls with the same exposure to flood waters were not. These inconsistencies in post-Sandy remediation are a cause for a number of public health concerns, including mold growth and contamination from microbes.

Perhaps most concerning, the survey found that 46% of participants reported that at least one household member had asthma. In comparison, according to the Centers for Disease Control and Prevention, the prevalence of asthma in the United States is 7.3%. Assuming a household of 4⁷, the prevalence of asthma in North Park can be calculated to be 11.5%, which is higher than the national rate.

CONCLUSION AND RECOMMENDATIONS

The survey conducted by ERASE Racism revealed that, according to residents, the Long Beach North Park community has not received the necessary post-Sandy remediation and is in urgent need of both remediation and new infrastructure to ensure safe and healthy living conditions. It is also essential that GOSR and/or the Long Beach PHA provide transparency in the amount and types of funds they disbursed and received, respectively, concerning remediation and mitigation at Channel Park Homes. ERASE Racism is concerned about how CDBG-DR funds are being disbursed. Federal law and the US Department of Housing and Urban Development (HUD) regulations provide requirements for the use of CDBG-DR funds. A state's use of CDBG-DR funds must meet at least one of the three National Objectives: (1) address urgent need; (2) primarily benefit low- and moderate-income persons; or (3) address slums and blighted conditions, as identified in the Housing and Community Development Act of 1974.⁸ Additionally, federal law requires that at least 51% of CDBG-DR funds be expended for the benefit of low- and moderate-income ("LMI") individuals.⁹ This requirement not only applies to a state, but also extends to its grantees, and sub-recipients.¹⁰ Relevant HUD Notices reiterate this requirement

⁶ According to an unofficial consultant who is a Certified Industrial Hygienist and a widely recognized expert on indoor environment assessments and remediation issues, walls should be cut two feet above the water level and removed. Sources such as the American Institute of Architects suggest that walls should be removed at least 12 inches above the water line. Although standards may vary a bit, according to all sources, walls are required to be cut above the water line.

⁷ We assume a four person household as a conservative estimate. Many units visited had an occupancy of less than three occupants.

⁸ New York State Action Plan Amendment 8, pg. 97.

⁹ See Disaster Relief Appropriations Act, 2013, Public Law 113-2 ("Appropriations Act").

¹⁰ See New York State Action Plan Amendment 8, pg. 8 ("HUD requires that 51% of total allocations must be spent on persons determined to be low- and moderate- income.").

while also mandating that CDBG-DR grantees, such as a state and sub-recipients comply with civil rights and fair housing requirements, including the obligation to affirmatively further fair housing (AFFH).¹¹ Pursuant to a HUD directive, a state must also target vulnerable populations in providing preservation assistance, which includes assistance offered through Superstorm Sandy recovery programs.¹² The Governor's Office of Storm Recovery (GOSR), which administers New York State's CDBG-DR allocation outside of New York City, is responsible for such oversight and supervision of its operations and that of its sub-contractors to provide for nondiscriminatory Superstorm Sandy relief.¹³

ERASE Racism's mission focuses on equity issues and we are deeply concerned that the residents of Channel Park Homes—a majority-minority population of low- and moderate-income persons—have not received the appropriate remediation to address basic housing and public health needs in the wake of Superstorm Sandy.

ERASE Racism recommends that the GOSR and/or the City of Long Beach assess: (1) whether the funding that the Long Beach PHA received has been appropriately used; and (2) whether additional funding is necessary to complete remediation at Channel Park Homes. In addition, the GOSR should investigate why, particularly in light of its statement in Amendment 6 that all repairs had been completed at Channel Park Homes, there are still, to this day, homes in Channel Park that have not had their floors and tiles replaced, that have not had their major appliances replaced, and that have not had their kitchen cabinets replaced. Further, ERASE Racism has found that the cutting of walls to prevent mold growth was incomplete and inadequate, based on the in-person responses of surveyed residents. Through anecdotal evidence, ERASE Racism found that due to the lack of proper remediation, walls were exposed to infestation by roaches, mice and other vermin/rodents. It is the responsibility of the Long Beach PHA to exterminate these vermin and rodents and prevent future infestation.

Aside from our issues regarding remediation, ERASE Racism is concerned with mitigation efforts to protect the North Park community from catastrophic damage and environmental health hazards from future weather events. To date, there are no bulkheads on the portion of Reynolds Channel bordering North Park, which was a major source of flooding during Superstorm Sandy. While it appears that the City has begun the process to “repair[], replac[e] and elevat[e]” bulkheads on the North Shore¹⁴ as part of the North Shore Bulkhead Project, this process does not include the North Park Community. The residents of North Park deserve to receive documentation in writing specifying plans to provide bulkheads where they currently do not exist and a timeline for the implementation of such a project. It is imperative that the City provide bulkheads where they are clearly needed and do not currently

¹¹ See generally, FR-5696-N-01: Jan. 29, 2013; FR-5696-N-06: Nov. 25, 2013; FR-5696-N-11: Oct. 16, 2014.

¹² See New York State Action Plan Amendment 8, pg. 57. See also New York State Action Plan Amendment 8, pg. 9, defining “vulnerable populations” as “displaced low income households, substantially damaged low and moderate income areas, and households with special needs.”

¹³ See generally, Amendment 8, pg. 95.

¹⁴ Calendar for Regular Meeting of the Council of the City of Long Beach, October 20, 2015.

exist in order to protect all Long Beach residents, especially those residents who endured the most devastation from Superstorm Sandy.¹⁵

ERASE Racism has held community meetings in North Park, which were in addition and unrelated to our survey. In those meetings, community members identified huge long-term needs, including: (1) increased drainage infrastructure in the North Park community to prevent flooding from routine rain events; (2) removal of the industrial facilities disproportionately located in North Park; (3) construction of a full-service hospital in the City; (4) unification of the North Park community which is physically divided by the Long Island Railroad tracks; and (5) development of mixed-income housing in the North Park neighborhood.

ERASE Racism's efforts in the City of Long Beach have (1) brought to light serious injustices that have plagued the North Park community and (2) called into question how funding provided for remediation has been utilized. ERASE Racism continues to work with North Park residents in their advocacy activities, helping to create tools for self-advocacy and assisting with community organizing initiatives. Further information about ERASE Racism's work with North Park residents can be found on the ERASE Racism website, www.eraseracismny.org.

¹⁵ The U.S. Army Corps of Engineers issued a public notice on September 9, 2015 of the City of Long Beach's permit application to construct new bulkhead that extends approximately 2,500 feet along the south shore of Reynolds Channel from Waterfront Park, eastward to the existing bulkhead at the north end of Monroe Boulevard, covering part of the northern boundary of North Park. There is no indication that the U.S. Army Corps of Engineers has issued the permit or that funding has been secured for construction.