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**Cc:** [Leslie, Catherine S. \(DOT\)](#)  
**Subject:** FW: NYCLU \_FEIS Public Comment Submission  
**Date:** Monday, May 16, 2022 9:16:27 AM  
**Attachments:** [NYCLU FEIS Public Comment.pdf](#)  
[Exhibit A Building Better Futures Report.pdf](#)  
[Exhibit B NYCLU I-81 Public Comments NYSDOT.pdf](#)

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**From:** Lanessa Chaplin <lchaplin@nyclu.org>  
**Sent:** Monday, May 16, 2022 9:08 AM  
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**Subject:** NYCLU \_FEIS Public Comment Submission

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Good Afternoon,

Please accept this email as the NYCLU's public comment submission in response to the FEIS.

Best,

*Lanessa L. Owens- Chaplin, Esq.*  
*Director, Environmental Justice Project*  
New York Civil Liberties Union  
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New York Civil Liberties Union  
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Syracuse, NY 13202

Date: May 16, 2022

**Comment of the New York Civil Liberties Union, The New York Affiliate of the American Civil Liberties Union, in Response to New York State Department of Transportation's 2022 Final Environmental Impact Statement for the redevelopment of Interstate 81**

Dear Mark Frechette,

We write following the NYSDOT's publication of the Final Environmental Impact Statement ("FEIS") on the I-81 viaduct project. The New York Civil Liberties Union (NYCLU) has been deeply involved in the I-81 public participation process to ensure that the Black community living in the shadow of the I-81 viaduct does not suffer further harms from its reconstruction and redevelopment. While we commend the NYSDOT on its adoption of several important recommendations advanced by the NYCLU and others, we have deep concerns that NYSDOT continues to ignore the health needs of the environmental justice community.

**NYCLU Advocacy History**

As we have identified in our previous communications to you regarding this project, the original construction of the I-81 highway razed a Black community, displacing thousands of people, and demolished over 500 homes and businesses. The NYCLU is committed to a reconciliation of past harms caused by the highway and ensuring equitable distribution of benefits to the most impacted community. See [Building A Better Future: The Structural Racism Built into I-81 and How to Tear it Down](#). (Attached Ex. A).

Our Report, *Building A Better Future*, is a comprehensive analysis of the multi-generational racial and environmental impact of the I-81 overpass in Syracuse and was written in deep collaboration with residents of the environmental justice community. The report expressly supports the removal of the viaduct and explains how the redevelopment proposal can avoid repeating the mistakes of the past.

In addition, the NYCLU submitted comments on the Draft Environmental Impact Statement ("NYCLU DEIS public comment"), see attached Ex. B, in which the NYCLU reiterated its support for the demolition of the raised viaduct. We also raised concerns with NYSDOT's conclusion that the environmental justice community—primarily Black

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*Executive Director*

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*President*



neighborhoods adjacent to the viaduct—will not be impacted by the I-81 Project. The impacts we highlighted include exposure to increased air pollution, lead, fugitive dust, and the disposition of land that will become usable as part of the reconstruction and its contribution to displacement in this predominantly Black and low-income neighborhood. Our public comment highlighted this confluence of indirect and direct effects that must be addressed to prevent the past from repeating itself. Addressing these direct and indirect effects is aligned with the Biden Administration’s renewed dedication to racial and environmental justice. As President Biden’s executive orders set forth, the administration is committed to undoing the harms of environmental racism and advancing racial equity and support to underserved communities.<sup>1</sup>

Throughout this process, the NYCLU worked with the environmental justice community to collect postcards that captured their concerns about the project. Our partnership with the community led to the submission of over 5,000 public comments via NYCLU postcards. These comments reiterated the need for protections for the communities most vulnerable during construction, the safeguarding of future land use in the footprint of the project, the prevention of displacement from this project, and ensuring jobs go to impacted residents.

#### **Community Advocacy Achievements**

We are pleased that the NYSDOT has responded to and adequately addressed many of our concerns in the FEIS. For example, in the DEIS public comment we raised concerns with air quality and monitoring in the environmental justice community. The NYSDOT committed in the FEIS to locate a monitor outdoors in the vicinity of STEAM at Dr. King elementary school. In addition, NYSDOT will create an outdoor ambient air quality monitoring program to be implemented during construction of the Project and overseen by NYSDOT. (Chapter 4 (Table 4-7), Section 6-2-3, and Section 6-4-4 of this FDR/FEIS).

The NYSDOT also reconsidered and moved the roundabout location as a result of the community’s sustained advocacy. (See NYCLU DEIS Part I Section c). The NYCLU, alongside coalition partners and community members, held a [march and rally](#) to protest the siting of the on and off ramp. In response to the community’s concerns, NYSDOT is no longer proposing a roundabout at MLK, Jr. East. The new roundabout proposed at Van Buren Street is sufficiently more than 600 feet from STEAM at Dr. King elementary school. Furthermore, we commend the NYSDOT moving the roadway further east, and it no longer intersects with MLK Jr., East. (See FEIS Sections 6-4-4.1 and 6-4-4.2). We appreciate this partnership and commend the NYSDOT reconsideration.

Finally, in response to the concerns over future land use highlighted in hundreds of public comments submitted by the NYCLU, we commend the NYSDOT for committing to establish a Land Use Working Group during final design prior to the start of the construction phases. (Appendix M-5 Responses, R 9-257A). The NYSDOT stated the purpose of the Land Use Working Group is to work with the community and interested stakeholders such as NYCLU, SHA, Syracuse School District, and others in developing the

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<sup>1</sup> Executive Order 14008, 86 FR 7619 and Executive Order 13985 86 FR 7009

framework for use of potential surplus property. (Id). This a good start toward achieving an equitable outcome of the I-81 Project.

We support the NYSDOT plan to review the surplus land and to divest its real property interest to a grantee. (R 9-257). Doing so will promote the equitable transfers of the four acres of land adjacent to STEAM at Dr. King elementary school, MLK into a Community Land Trust for the Black community. However, we reiterate the need for the NYSDOT to transfer these four acres of land to the City of Syracuse with a contingency that the land must be developed into a community land trust, and provide resources, oversight, and development by residents living adjacent to the I-81 viaduct.

### **More Work To Be Done**



There are some conclusions by the NYSDOT that remain unchanged and that will harm the community. We are gravely concerned about the NYSDOT's inexplicable conclusion that "the community will not be impacted by construction." The report and the comments submitted make clear that this is not based in fact. Only by ignoring the health needs of the environmental justice community could the NYSDOT come to this conclusion.

Numerous commentors are asking for more protections during construction. For example, "Pioneer Homes resident Tara Harris proceeded to say she has a doctor's note, which stated that her respiratory health would be negatively impacted by living so close to a construction site and her doctor advised her to relocate" to which NYSDOT responded: "considering health conditions of residents is outside the scope of this project." Similarly, the Syracuse Common Council President presented a question to NYSDOT representative "what is preventing the NYSDOT from doing a health needs assessment?" She went on to say, "the community needs health protections." The NYSDOT simply responded by saying "Highway law." This is not a satisfactory response when people's ability to protect themselves is compromised.

Specifically, we are concerned with lead exposure. Clearly, demolishing a viaduct with decades of embedded lead from paint and gasoline in conjunction with other particulate matter will exacerbate the already high rates of lead poisoning in this Black neighborhood. In the NYCLU's DEIS public comment, we identified that Black children in Syracuse have some of the highest rates of lead poisoning in the nation. (See NYCLU DEIS comments at Section I-part a). We raised concerns about protecting them from construction lead by conducting a health needs assessment. But the FEIS does not address any of these concerns, leaving all questions of lead protection to an unspecified "set of construction mitigation measures and best practices for the Project." (See, Appendix M5, R 9-254 (see Table 4-7 of this FDR/FEIS)).

Instead of the specific attention and mitigation to the predominately Black neighborhood adjacent to the viaduct required by Title VI, the NYSDOT relies on "the Contractors...Lead Exposure Plan". (See, Appendix M5, R 9-254). That plan focuses on practices and measures to ensure the safety and health of employees, not residents. To



claim that somehow by extension, this plan would protect the general public is a gross misstep by NYSDOT. This is not sufficient. We again are demanding the NYSDOT consider the cumulative disproportionate impact of lead on this community. To that end, the NYSDOT must first test the raised viaduct for the level of lead prior to demolition.

The NYSDOT should require the contractor to use a higher, more protective level of protection for residents during construction, and supply residents with lead resistant abatement technology while providing independent monitoring and oversight.

Furthermore, to fully understand the impact of lead or fugitive dust on this already over-exposed community the NYSDOT must conduct a health needs assessment. This assessment will serve as a baseline for meeting the mitigation needs required to prevent harm. This assessment will determine who must be relocated due to the fugitive dust and hazards of construction

In return, the health needs assessment would provide meaningful insight as to the need for a relocation effort. We previously raised concerns about NYSDOT failing to establish a relocation center for vulnerable residents who must relocate to protect their health or even their lives. The FEIS continues to ignore that request.

The one size fits all conclusion that a community living in an environmentally unjust neighborhood will not be impacted by construction in their backyards prevents the NYSDOT from taking adequate mitigation measures.

Furthermore, as highlighted in the NYCLU public comment on the DEIS, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., requires that the NYSDOT not impose disproportional adverse impacts on the basis of race. The goal of Title VI of the Civil Rights Act is to acknowledge the harm caused by federal agencies to Black communities and prevent further and/or disproportionate harm.

It is not too late for the NYSDOT to correct course and consider all of the impacts of the replacement of the I-81 viaduct, especially disproportionate impacts on the environmental justice community next to the viaduct. Thank you for your consideration and we look forward to continuing to collaborate with your office to ensure the I-81 redevelopment project is a model for the nation. Please contact Lanessa Owens-Chaplin at [lchaplin@nyclu.org](mailto:lchaplin@nyclu.org) with any questions or to set up a meeting.

Sincerely,

*Lanessa Owens-Chaplin*

Lanessa Owens-Chaplin  
Director, Environmental Justice Project  
New York Civil Liberties Union

# BUILDING A BETTER FUTURE:

The Structural Racism Built into I-81,  
and How to Tear it Down



## Acknowledgements

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This report was written by Lanessa Owens-Chaplin, Johanna Miller, and Simon McCormack, with contributions by Arthur Eisenberg, Toni Smith-Thompson, and Yusuf Abdul-Qadir, and support from Diana Lee, Katie Chmielewski, Kevin Atwater, and David Rufus. It was designed by Astrid Da Silva.

The NYCLU would like to thank the following individuals and groups who helped make this report possible: Ichtiyak Al-Badeh, Latoya Allen, Jackie Bean, Dewayne Comer, Barry Gordon, Sarah Hansen, Dianna Holland, Peter King, Charles Pierce-El, Danielle Smith, Dr. Lemir Teron, Carmen Viviano-Crafts, Rashida Richardson, and Thandeka Dancil and Aggie Lane of the Urban Jobs Task Force.

Finally, we must acknowledge every community member who participated in our workshops and forums and shared your stories, concerns, history and connections to the I-81 viaduct. We hope this report captures our conversations and does some justice to elevate your voice in this conversation.

## About the NYCLU

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The New York Civil Liberties Union (NYCLU) is one of the nation's foremost defenders of civil liberties and civil rights.

Founded in 1951 as the New York affiliate of the American Civil Liberties Union, we are a not-for-profit, nonpartisan organization with eight chapters and regional offices, and more than 160,000 members across the state. Our mission is to defend and promote the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, including freedom of speech and religion, and the right to privacy, equality and due process of law, with particular attention to the pervasive and persistent harms of racism.

The NYCLU works toward its mission by advocating for all New Yorkers to have equal access to opportunities and the equal ability to participate in government decisions that affect them. This includes planning and development decisions, which historically have excluded or intentionally discriminated against Black, Indigenous, and Latinx New Yorkers. The NYCLU is incorporated under the laws of the State of New York, with its principal place of business in New York, New York.

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# FOREWORD

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In 1960, approximately 11,000 Black people lived in the City of Syracuse, with as many as 90 percent living in the 15th Ward. That neighborhood became the focus of an urban renewal project that included the construction of the I-81 highway, which ripped through the heart of the 15th Ward. The result was displacement and the destruction of what had been an under-resourced, working-class, but still vibrant neighborhood. In all, 1,300 residents were displaced by the original construction of the 1.4 mile stretch of the I-81 viaduct.<sup>1</sup>

During this period in American history, highway construction served as one of the principal instruments in the pursuit of “slum clearance.” As the federal highway program expanded significantly in the 1950s and ’60s, state and local governments, with the acquiescence of federal officials, used this program to diminish Black neighborhoods, segregate Black people from white people, and decrease the population and vibrancy of Black urban communities.

Completed in 1968, I-81 has remained both a concrete and symbolic representation of false promises and

failed policies. The poorest and wealthiest parts of Syracuse are now physically separated by I-81.<sup>2</sup> But the viaduct has reached the end of its useful life; it is crumbling, does not comply with current highway regulations, and must be replaced. At the same time, Syracuse remains one of the most segregated cities in the country,<sup>3</sup> and it has the nation’s highest concentration of poverty among Black and Latinx communities.<sup>4</sup>

The I-81 project could be the catalyst for knitting back together what the highway destroyed. By taking a hard look at the harms done to people in the past, there is a real chance to improve housing conditions, health outcomes, and economic and educational opportunity for all people in Syracuse. This will require uncomfortable honesty about systemic racism. But if we ignore this history, city and state officials run the risk of displacing people all over again, further entrenching poverty and segregation.

# INTRODUCTION: PAVING A NEW PATH

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The removal and replacement of the I-81 highway is a public project so large and complicated that it is difficult to see the whole picture. It is not simple or obvious how a physical, asphalt-and-concrete infrastructure project implicates civil rights, access to education, economic justice, and freedom from environmental racism. In fact, even experts in municipal land use, highway construction, school zoning, and environmental protection don't always see how their roles are interconnected in the lives of real people.

This report will connect these dots, explaining how history has led us here, and make recommendations about how to move forward.

A variety of proposals have been suggested to replace the highway, and all will involve intensive, long-term construction. The people who will bear the greatest burden from the construction, whatever form it takes, are the largely Black and Brown residents living in the area that adjoins the current I-81 viaduct, locally known as “the bridge.” The New York State

Department of Transportation (“NYSDOT”) must take steps to protect the health and livelihoods of these residents.

Additionally, a highly racially segregated school, STEAM at Dr. King Elementary School, sits at the edge of the I-81 highway. The children attending this school are already vulnerable to environmental injuries from the viaduct, and this will be compounded during and after construction.

The removal of the viaduct presents a considerable challenge, but also offers a significant opportunity to restore a community that has lacked real investment. Better outcomes are possible, but getting there will require commitment to a bold vision. In this report, we present such a vision in a four-step path:

1. If NYSDOT moves forward with the community grid option, approximately 18 acres of developable land will become available. NYSDOT must transfer ownership of this land to the City of Syracuse, in particular the



eight acres adjacent to the viaduct, only on the condition that it be placed in a land trust that affords control to residents of the southeast community.

2. The NYSDOT is responsible for minimizing environmental and economic harms to those living along the I-81 viaduct during and after construction. This includes making sure people have a safe place to sleep, eat, and work, and access to transportation when they need it. If people need to be moved during construction, they must be offered a meaningful path back, and must not suffer economic injury as a result.
3. The NYSDOT must take a reparative, restorative approach to the I-81 project, to take advantage of the once-in-a-generation opportunity to close the wealth gap and increase access to hospitals, educational institutions, and jobs through redevelopment

and improved connections between different parts of Syracuse.

4. The NYSDOT must adopt measures to protect the children attending STEAM at Dr. King Elementary School from environmental harm during and after construction of the I-81 replacement. In addition, NYSDOT must not move forward with plans for an access ramp within 600 feet of the school.

These four proposals are based on direct input from people living in the most impacted community. As this process moves forward, it will be essential for public officials to be in two-way communication with those residents who live closest to the viaduct, and who have been politically marginalized. Given the historical injuries sustained by those who lived in the 15th Ward, and the proximity of the current community to the anticipated construction, it is particularly vital to address their needs.

# NEW YORK IS REQUIRED TO ACT

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Addressing the serious issues raised in this report is not just a matter of good policy – it is the law.

The community on the southeast side of the I-81 viaduct has been designated as an “environmental justice community” by the NYSDOT. This technical designation entitles local residents to participate in the decision-making process around the project, and to be protected from shouldering a disproportionate burden of its environmental and social consequences. Both state and federal laws provide specific protections for this community.

First, the **National Environmental Policy Act (“NEPA”)** mandates that all federal agencies prepare a detailed environmental impact statement (“EIS”) to analyze the adverse environmental effects of proposed agency actions. The EIS must address:

- The environmental impacts of the proposed action.
- Any adverse environmental effects that cannot be avoided, should the proposal be implemented.

- Alternatives to the proposed action.<sup>5</sup>

NEPA applies to all “major projects” designated by the Federal Highways Administration (FHWA). That collaboration means NYSDOT and FHWA must produce an EIS together.

The second relevant law is **Executive Order (E.O.) 12898**. The E.O. recognizes that some communities have historically been overburdened by environmental hazards while being excluded from the decisions about who will endure those hazards. This pattern has created the environmental injustice and environmental racism we are grappling with in Syracuse today. To address this history, the E.O. calls on all federal agencies to identify and address programs, policies, and activities that adversely and disproportionately impact these communities, and to solicit meaningful public participation before starting any major project that could impact local conditions. It also directs those agencies to make environmental justice a part of their missions.

Third, **Title VI of the Civil Rights Act**, specifically

referenced in the E.O., prohibits practices that have the **effect** of discriminating on the basis of race, color, or national origin. This goes beyond intentional discrimination for federal agencies and is designed to ensure that federal funds are not being used for discriminatory purposes, even if intent cannot be proven.<sup>6</sup> The U.S. Department of Transportation recognizes these efforts to not only include pollution prevention and health and safety measures, but also measures to maintain community cohesion, economic vitality, and mitigation and compensatory measures. The southeast community must not be disproportionately impacted by this project and must share equitably in the improved economic, health, education, environmental, and housing conditions that result from the redevelopment.

Finally, the **New York State Environmental Quality Review Act (SEQR)** is a state law mandating that the existing community and neighborhood character be considered when new projects are planned.<sup>7</sup> Courts have also recognized that displacement of low-income people must be considered in planning new projects like this one.<sup>8</sup> SEQR actually requires the NYSDOT to address the potential displacement of current residents (either by covering the costs of relocation or offering alternatives), whereas NEPA only requires the EIS to consider those outcomes.

Understanding this community in Syracuse, and the laws that are in place to prevent recurring harm to it, is essential to understanding this project. People who have lived in this neighborhood for generations have experienced government discrimination and environmental burdens at every level. During America's "urban renewal" period and the original build of I-81, Black Syracuse residents lost ownership of about 101 tracts of land under the guise of

economic development.<sup>9</sup> Thousands of families were displaced, lost their property, and were increasingly concentrated in neighborhoods with very little opportunity or resources.

This has led to decades of harm, which could be exacerbated if the new I-81 project is not intentional about addressing these past harms.

# I-81's Legacy of Inequality



# THE WEALTH GAP

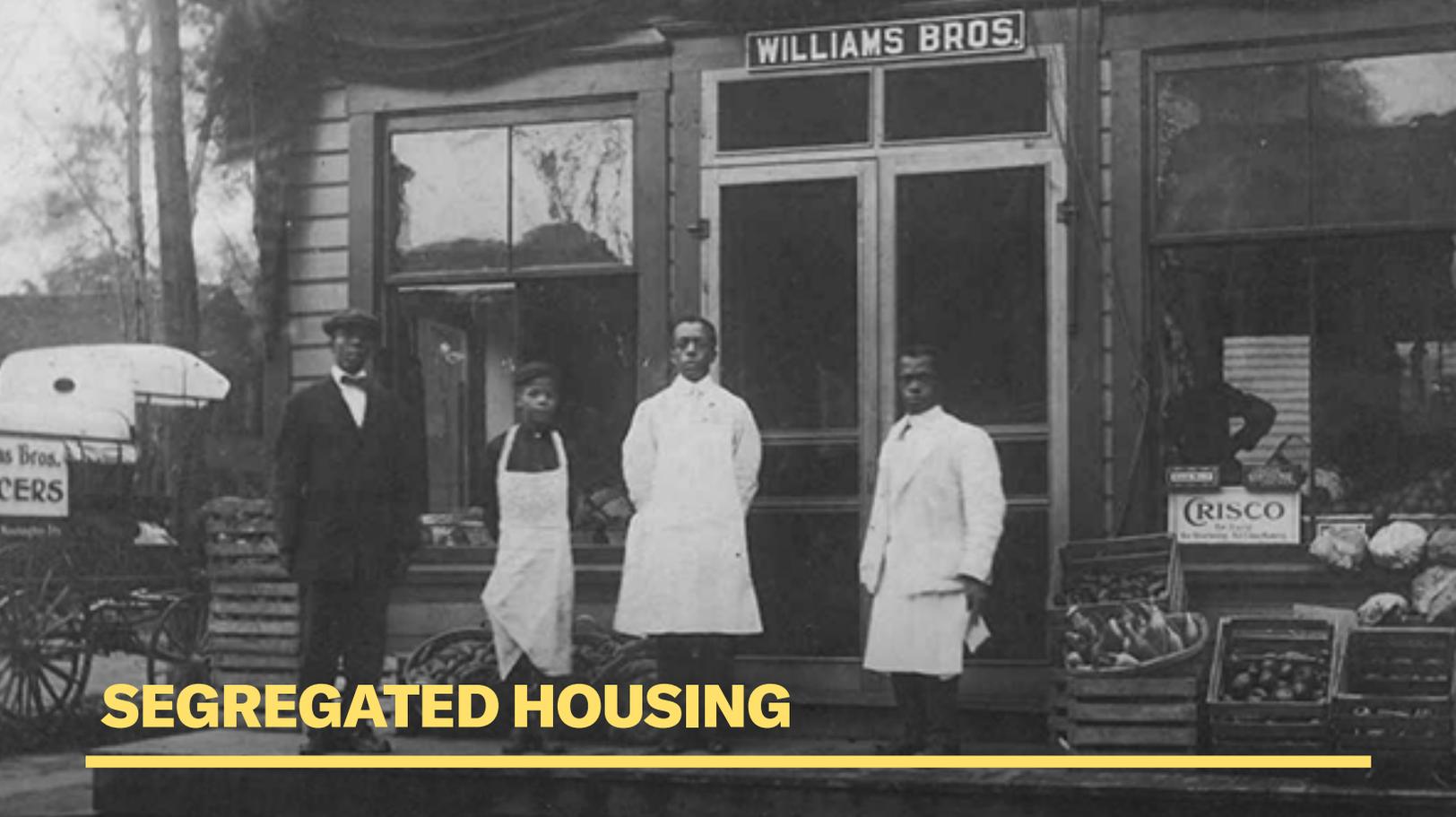
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Syracuse has one of the largest racial poverty gaps of any metropolitan area in the nation. An estimated 40 percent of Syracuse’s Black residents live below the poverty line, far more than the 11 percent of white residents living in poverty. It is a gap that is more than double the national average.<sup>10</sup> Of the nation’s 100 largest metropolitan areas, Syracuse has the highest level of poverty concentration among Black and Latinx communities.<sup>11</sup>

Much of that poverty can be traced back to decisions on government policies that were made decades ago. The 1937 redlining of Syracuse included the 15th Ward on the southeast edge of downtown.<sup>12</sup> Redlining was the government-backed policy of refusing mortgage insurance to buyers in communities of color. As a result, Black Syracuse residents who needed bank loans to buy property, fix their homes, and build equity were routinely denied such opportunities.<sup>13</sup> Additionally, displaced residents were paid less than market value for their properties when they were taken for the I-81 project.

Today, the homes in this community include concentrations of some of the oldest homes in the nation, making them more expensive to maintain and more difficult to provide security for loans.<sup>14</sup> This has resulted in stark racial disparities in home ownership rates, which accounts for significant disparities in accumulated capital and wealth.<sup>15</sup>

According to the U.S. Commission on Civil Rights, a massive number of Syracuse’s Black residents were additionally displaced in the 1960s through “urban renewal” projects, including clearing land for middle and higher income housing developments, university student housing, and a medical center.<sup>16</sup> Often this displacement meant the irreversible loss of property and business ownership, access to jobs, and social and community connections, all of which contributed to generational loss of wealth accumulation.



## SEGREGATED HOUSING

Residential segregation in Syracuse, as in many American cities, has been created and protected by the government. Beginning with the redlining of the 1930s and continuing through the original construction of I-81, Black Syracuse residents were consistently shut out of opportunities for improved housing and access to different neighborhoods. Once the roadway was put in, people who could afford to leave the area did so. But when the uprooted residents of the 15th Ward looked for new places to live, discriminatory housing practices severely limited their choices of new homes. Many ended up moving just south of the viaduct and forming a new Black neighborhood, one with even fewer resources than existed in the decimated 15th Ward.<sup>17</sup>

Property values fell at the onset of the original construction and continue to trend down today. The long-lasting impacts of the original construction of I-81 can still be seen in the neighborhood next to the viaduct, where its mostly Black residents have

limited access to very few resources, few options for reasonably priced food, and limited access to health care and public transportation.<sup>18</sup> As noted by Central New York Fair Housing, “the largest impediment to housing choice in Syracuse...is the self-sustaining effects of overtly discriminatory policies from the past.”<sup>19</sup>

Housing segregation is closely tied to school segregation. The Syracuse City School District is one of the most segregated school districts in the nation, and is home to the most segregated school district border in New York and some of the lowest performing schools in the state.<sup>20</sup> STEAM at Dr. King Elementary School, which sits within steps of the I-81 viaduct, ranked at the bottom one percent for academic performance in New York in 2018.<sup>21</sup> No development can take place in Syracuse without serious consideration of its potential to impact housing and school segregation for better or for worse.

# HEALTH IMPACTS

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The decision to build a major raised roadway through a residential area has both direct and cumulative health implications today. As the value of the land nearest the viaduct plummeted, and the mostly Black residents were politically marginalized, the City doubled down on its environmental burdening of the neighborhood, creating and worsening serious environmental inequities. For example, the siting of the Midland Avenue Regional (sewage) Treatment Facility and the Syracuse University Steam Plant on McBride Street both disproportionately impact Black residents and further depress land value.<sup>22 23 24 25</sup>

The area around the viaduct is also known as a hot spot for lead poisoning because of exposure to lead-based fuel from vehicles on the highway, lead paint and dust from the viaduct itself, and lead-based paint in aging homes.<sup>26</sup> Black residents have higher rates of both lead exposure and asthma than white people living in Syracuse.<sup>27</sup>

The harms of air pollution caused by highways are well studied. There is a causal link between exposure to traffic-related air pollution and impaired lung function, exacerbated asthma, the onset of childhood asthma, heart failure, and even death.<sup>28</sup> Despite this, the NYSDOT did not conduct targeted air tests in the residential areas closest to the I-81 viaduct or survey residents who have respiratory illnesses as a result of living in such close proximity to the viaduct.

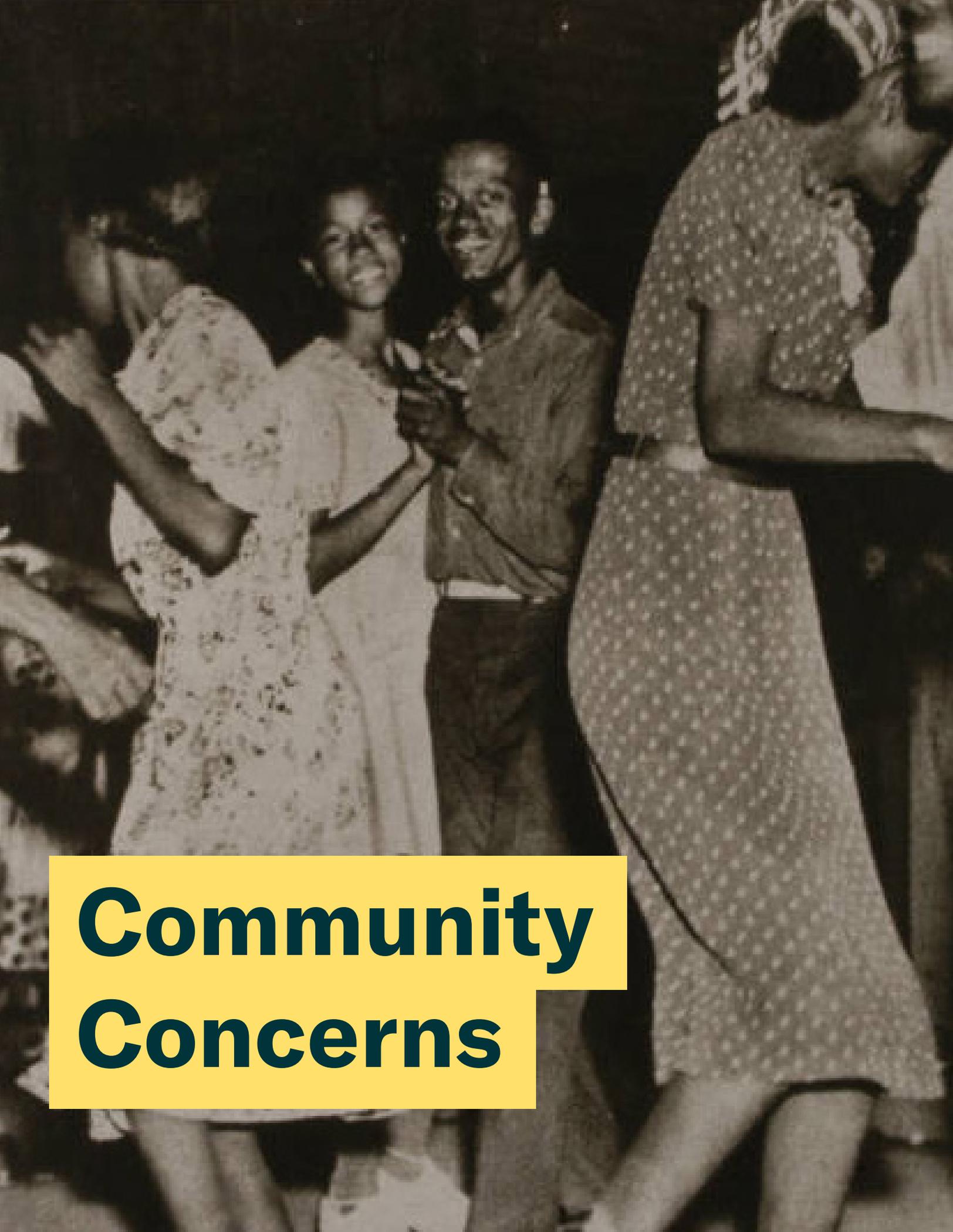
Air pollution also impacts people's ability to earn a living, as sick people miss more workdays. The communities closest to the viaduct are in a concentrated area of poverty, with 67 percent

of residents living below the poverty line and overwhelmingly employed in hourly wage jobs.<sup>29</sup> Hourly waged workers are less likely to have paid sick leave. The NYSDOT must weigh this when considering the impact of people living near the viaduct.

Finally, the effects of 50 years of traffic air pollution on the community are immense. Syracuse City School District asthma rates are higher than the state average, and respiratory disease is especially prevalent among Black people in the region.<sup>30</sup> Notably, asthma hospitalization rates in the Syracuse City School District were among the highest in New York.<sup>31</sup>

This should be of particular concern to the families, students, and teachers at STEAM at Dr. King Elementary School, which is less than one block from the I-81 viaduct.<sup>32</sup> Poor air quality in schools is linked to lower academic performance as well as a myriad of health effects.<sup>33</sup>

Since 2011, the EPA has issued guidance to school districts to lessen the harm of traffic pollution within 600 feet downwind of major roadways, but we do not believe that guidance has been implemented at STEAM at Dr. King Elementary School.<sup>34</sup> In fact, the current EIS proposes an access ramp adjacent to the school.



# **Community Concerns**

Beginning in 2018, the NYCLU committed resources and staff to work exclusively on the I-81 project. Our Central New York Chapter had been involved in conversations about I-81 since it was first constructed, and we recognized the need to bring our civil rights and racial justice lens to the current conversation.

We had three primary goals: First, to share information about the I-81 project with community members who are often left out of public conversations. Second, to listen to their concerns and questions and relay those comments to NYSDOT. And finally, to build trust with community members to help achieve their hopes for the neighborhood. We quickly realized that despite being legally recognized as environmental justice communities, residents who lived closest to the viaduct were not given adequate information about the specifications of the project, and they did not believe their voices would be heard.

The NYCLU embarked on a committed effort to engage community members who resided alongside the I-81 viaduct. Partnering with community leaders and parent engagement teams from STEAM at Dr. King Elementary School, we hosted community conversations, went door-to-door, and engaged in in-depth interviews of residents for two years. We used what we learned from our meetings to put together a list of concerns people wanted to share with the NYSDOT. Residents helped frame the issues and created the language for comment postcards that will be submitted to the NYSDOT during the public comment period. The comment cards were the beginning of a truly two-way conversation.

We also curated an interactive I-81 exhibit with support from the Onondaga Historical Association. The exhibit traveled to Brooklyn, Albany, and finally ended its tour in Syracuse with a weeklong gallery installation. The exhibit featured archival and current images of the 15th Ward to help tell the story of the neighborhood's past and to inspire attention to the current situation. Interactive screens with more than 500 scanned newspaper stories conveyed the story of the original construction, and included oral testimony from directly impacted residents.

Finally, we held a series of open meetings with members of the Onondaga Nation to understand how past and future construction on the highway impacts the Indigenous community.

Through this process, the NYCLU learned that community members and directly impacted people are seeking more equitable and healthy outcomes for their neighborhoods. They are rightly afraid of being shut out of formal discussions. Many also fear that the expected redevelopment will have negative consequences for years to come. Community members want to see the harms from the original I-81 construction repaired, not just paved over. For example, community members want more Black-owned businesses in their neighborhood.

Broadly, community concerns fall into three categories: future land use and displacement through gentrification; environmental and health issues; and racial and restorative justice, including equal access to educational, economic and employment opportunities.

An aerial photograph of a city, likely Pittsburgh, showing a dense urban landscape with various buildings, streets, and a large wooded area in the upper portion. A dark green rectangular box is overlaid on the left side of the image, containing the text 'Building a Better Future' in a bold, yellow, sans-serif font. The text is split across two lines: 'Building a' on the top line and 'Better Future' on the bottom line. The background shows a mix of older, multi-story brick buildings and more modern structures, with a prominent tall skyscraper on the right side. A large, leafy tree-covered hillside is visible at the top of the frame.

# Building a Better Future

The I-81 highway has started to deteriorate and must be re-built or replaced. The construction plan that has emerged as the most likely solution is called the community grid. Under this proposal, a portion of the I-81 elevated highway will be removed and replaced by a surface road for local traffic.

The community grid plan<sup>35</sup> will remove a physical barrier that divides the lower-income southeast community from the wealthier University Hill area and suburban communities in the east, north, and west of the city. **It is a necessary step to start to unify Syracuse.**

## COMMUNITY GRID DESIGN

If the NYSDOT implements the community grid, they must ensure that previously segregated communities have physical access to the grid. Current designs must be updated to include access points that will allow residents in these segregated areas to easily travel to the business loop, local hospitals, educational institutions, and grocery stores.

The following should be added to the NYSDOT's construction plan:

- A roadway and walkable access points for community members who reside east of Martin Luther King Boulevard.
- A roadway and walkable access points for community members who reside south of Adams Street to Colvin.
- A pedestrian crossing at Almond Street and an extension of Monroe Street from south to east, so residents – including those who live in Syracuse Housing Authority buildings – can easily access wealthier communities as well as the aforementioned business loop, local hospitals, educational institutions, and grocery stores.

# FUTURE LAND USE: DISPLACEMENT AND OPPORTUNITIES

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The removal of the elevated portion of I-81 will result in the availability of up to 18 acres of vacant and developable land below the overpass, eight acres of which are in direct proximity to the environmental justice community. What is done with the newly available land will be of great consequence to the community.

This land should be managed in a way that ensures economic benefits will flow to the existing community. The area is in close proximity to Syracuse's rejuvenated business district, and there may be those with financial interests who see this as an ideal opportunity for commercial expansion.

A land trust could be established to give community members formal legal authority over future development and to protect it from economic pressures that result from gentrification. Similar land trusts have been established in Albany and Ithaca and could be used as models for the City of Syracuse. Without a land trust in place giving the community control of what happens to the land, those who have experienced disinvestment because of I-81 and who

will bear the brunt of construction could be unable to reap the economic benefits of the project.

Careful planning could ensure that people who have lived their lives in the neighborhood are able to stay, engage equitably in the rejuvenation of the community, and begin to build wealth. But without deliberate action, the community grid could also usher in a wave of gentrification that displaces long-time residents, most of whom are low-income families. This gentrification is likely to happen if the eight-acre parcel is devoted only to large commercial growth and market-rate housing. Community members should have control over the eight acres of land, so that they can direct its use for the benefit of their neighborhood. Another concern is that Syracuse University or University Medical Hospital will try to use the land, which could also spur gentrification, causing displacement.

Unfortunately, the NYSDOT's approach to the use of the 18-acre parcel is not encouraging. The preliminary report suggests the land can be used for one- and two-bedroom apartments.<sup>36</sup> This caters to young,

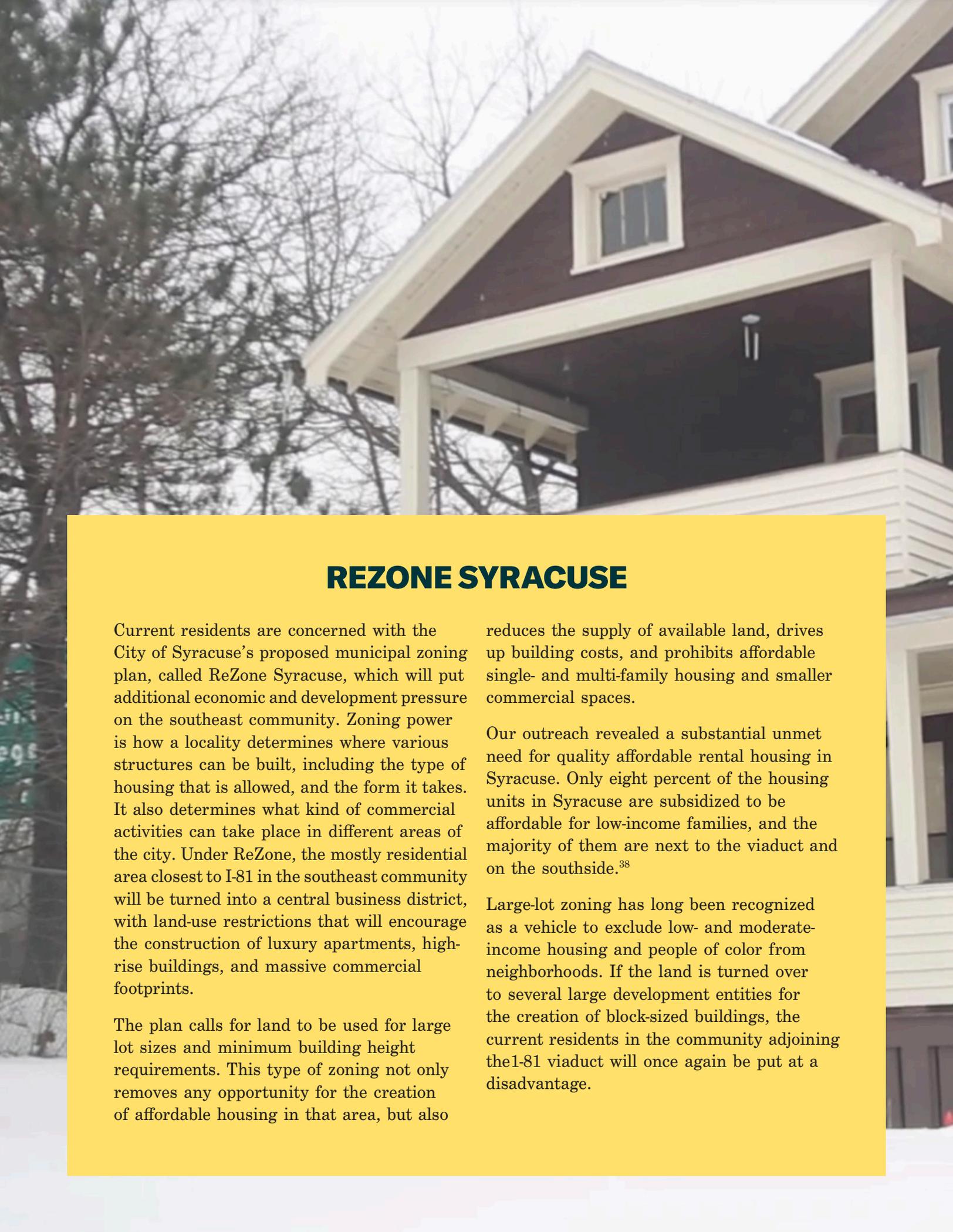
affluent people like professionals and college students, rather than the families who live there now. The land will be particularly attractive to developers because of its proximity to the center of the city – close to universities, hospitals, and a revitalized downtown. One other concern is that new development often brings increasing property values and higher property taxes for current owners, who then raise rents, making housing too expensive for current residents.

Unless this economic pressure is defused, it will force residents out of their homes and they will lose their familiar connections to neighbors. They will also be excluded from the economic development and opportunities in their old neighborhood.<sup>37</sup> Anti-gentrification and anti-displacement measures are critical to protect current owners and residents.

Unfortunately, gestures undertaken by the City and State reinforce the concerns of the community. The City of Syracuse proposes zoning the now-residential neighborhood into an area that only allows for high-density, commercial land use. And at the same time, NYSDOT is renaming the area near the viaduct, calling it a “Business Loop.” This sends a strong message to residents that they will be removed from their neighborhoods to make way for luxury high-end apartments and locked out of commercial development.

There is one critical way NYSDOT can help encourage equitable development: attaching conditions to any transfer of the 18-acre parcel of land. The NYSDOT owns this land, and could sell or transfer the land to the City of Syracuse after the project is complete. We recommend the State use this bargaining power to pressure the City to take anti-displacement measures. These measures should include:

- Adopting inclusionary zoning measures to promote the creation of affordable housing.
- Implementing tax abatements and other tools to facilitate homeownership opportunities in the impacted area.
- Creating incentives that require developers to maintain 20 percent of new units at 80 percent of the Area Median Income, with first priority to people residing close to the community grid.



## REZONE SYRACUSE

Current residents are concerned with the City of Syracuse's proposed municipal zoning plan, called ReZone Syracuse, which will put additional economic and development pressure on the southeast community. Zoning power is how a locality determines where various structures can be built, including the type of housing that is allowed, and the form it takes. It also determines what kind of commercial activities can take place in different areas of the city. Under ReZone, the mostly residential area closest to I-81 in the southeast community will be turned into a central business district, with land-use restrictions that will encourage the construction of luxury apartments, high-rise buildings, and massive commercial footprints.

The plan calls for land to be used for large lot sizes and minimum building height requirements. This type of zoning not only removes any opportunity for the creation of affordable housing in that area, but also

reduces the supply of available land, drives up building costs, and prohibits affordable single- and multi-family housing and smaller commercial spaces.

Our outreach revealed a substantial unmet need for quality affordable rental housing in Syracuse. Only eight percent of the housing units in Syracuse are subsidized to be affordable for low-income families, and the majority of them are next to the viaduct and on the southside.<sup>38</sup>

Large-lot zoning has long been recognized as a vehicle to exclude low- and moderate-income housing and people of color from neighborhoods. If the land is turned over to several large development entities for the creation of block-sized buildings, the current residents in the community adjoining the I-81 viaduct will once again be put at a disadvantage.

# Preventing More Environmental Racism



A major concern for residents who live near I-81 is the fear of spending the rest of their lives dealing with the environmental impacts of construction. This includes air and noise pollution, lead exposure, and other burdens of living close to, or directly in the path of, a major construction project. At the same time, residents have reason to believe they will be excluded from construction-related jobs and economic benefits.

This section covers both broad topics like air pollution, noise pollution, and job opportunities, as well as specific sites of concern, like STEAM at Dr. King Elementary School and Wilson Park. But each of these sections address critical areas of environmental injustice, where government decisions can play a major role in either repairing past wrongs or inflicting more pain on this community.

## AIR POLLUTION

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The presence of increased air pollution and exposure to airborne toxins is a primary concern for residents. The NYSDOT has concluded that regulatory limits for air pollution will not be exceeded.<sup>39</sup> But this should not be the standard to which the NYSDOT holds the I-81 project. The Department must instead make public whether the communities closest to the I-81 highway will be exposed to disproportionate or higher rates of air pollution compared to other communities.<sup>40</sup>

The City of Syracuse has asthma rates that are higher than the state average, and respiratory disease is especially prevalent for Black people in the region.<sup>41</sup> <sup>42</sup> This indisputable fact must be acknowledged when considering a massive construction project in a densely populated residential neighborhood.

The people who will be most impacted by the construction need a comprehensive and targeted analysis that goes beyond looking at the regulatory thresholds for harmful chemicals. Further guidance, abatement, and mitigation efforts need to be implemented in order to understand the impacts on highly vulnerable residents, including young people, the elderly, and those with respiratory illnesses.

# NOISE POLLUTION

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Southside residents will soon have to contend with near constant noise and disruption from the construction project. This noise is not merely an inconvenience; it will impact people’s health and well-being.

Noise pollution has a host of negative effects including sleep disturbance, increased heart rate, elevated blood pressure, cardiovascular disease, and hearing loss.<sup>43</sup> Chronic noise is also associated with non-health related impairments, including deficits in cognitive development in children, reduced reading comprehension, and classroom behavior problems.<sup>44</sup><sup>45</sup> <sup>46</sup> According to the EPA, inadequately controlled noise presents a growing danger to the health and welfare of people, particularly in urban areas.<sup>47</sup>

The City of Syracuse’s noise ordinance for construction allows for standard work operations to take place between 7 a.m. to 9 p.m. Monday through Saturday, with restrictions outside those times, including all day Sunday and holidays. While this is a standard local ordinance, it will not

adequately protect the residents who will be subject to construction during this period for up to 14 hours each day and six days a week.

Despite the well-documented harms of noise, residents know little about how noise will be abated when construction starts on the I-81 viaduct. And what the NYSDOT has said on this issue raises questions. For example, the NYSDOT preliminary report proposes a “hotel voucher program for adjacent residents when noise activities might occur at night or over the weekend.”<sup>48</sup> This implies that construction noise could violate even the very permissive Syracuse ordinance, and that residents could be relocated to hotels during those times. The NYSDOT also does not address what will be done to mitigate noise pollution during the peak hours of 7 a.m. to 9 p.m. This is especially concerning because many members of this community reported working service jobs and non-traditional hours, including nights and weekends. These are jobs that may require sleeping during the day.

Further, this hotel voucher proposal does not account for the burdens that come from abruptly moving families, including children, into hotels. The NYSDOT says nothing about how residents will get to school or work, especially if they rely on public transportation.

The NYSDOT has not done an in-depth, targeted analysis for noise abatement that accounts for these and other concerns that arise from a years-long, massive construction project. They have failed to educate the public about the importance of noise abatement or the options for achieving it.

In fact, on the question of a noise wall, the Department seems to have done the absolute least it could get away with: it sent a mailer to residents that included a ballot to vote “yes” or “no” for a dull grey concrete wall. The NYSDOT did not include context or information about the impacts of noise pollution. It didn’t present any other options for abatement, essentially making the decision for the community: take this wall or take nothing. This is a vivid example of NYSDOT’s lack of regard for community input.

The NYSDOT must work collaboratively to address and prevent harm from noise pollution. It must survey residents to determine the best hours for noisy construction. And it must propose meaningful noise abatement options based on community feedback.

# WILSON PARK

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The proposed construction plan's impact on Wilson Park is a major worry for residents. It is the only neighborhood park for people who live in the immediate vicinity of the I-81 viaduct, and it is the one place people can go to swim in the public pool, play basketball, or take part in neighborhood programs offered at the on-site community center.

According to the preliminary report, much of the park is slated to be used as a staging site for storing construction equipment and other hazardous material.<sup>49</sup> The NYSDOT plans to close a portion of the park, including the basketball courts and some of the grass area, while leaving the rest of the park open during construction. The NYSDOT also plans to construct a replacement recreational facility on the western edge of the park.

This plan devalues the people who live in this community by exposing them to harmful dust, debris, and other dangerous materials, with no governmental oversight. A park cannot remain open while it serves as the staging ground for a massive construction

project without putting people at risk. It is difficult to imagine children in a wealthy neighborhood being expected to play in the grass inches from a major \$2 billion multi-year construction project. But in this neighborhood, with a high concentration of poverty where the majority of residents are Black, that is exactly what the preliminary report is proposing.

Instead, the NYSDOT must provide government oversight of the entire project, ensure no one neighborhood is overburdened with staging sites, and offer a different staging site for the project. If that does not happen, Wilson Park must be completely closed, and another recreation area must be constructed within walking distance.



## STEAM AT DR. KING ELEMENTARY SCHOOL

Community members are concerned about what the I-81 project will mean for the students who attend STEAM at Dr. King Elementary School and, more broadly, how the I-81 project will impact the community's access to quality education.

First, the health, safety, and future of approximately 550 students who attend Syracuse's STEAM at Dr.

King Elementary School are in immediate risk of irreparable harm from the I-81 project. The school sits within feet of the viaduct and the NYSDOT plans to install an access ramp in close proximity to the school grounds.<sup>50</sup> Second, without careful planning, gentrification of the neighborhood may mean a wave of changes to the school community that comes at the expense of the needs of longtime residents.

# HEALTH AND SAFETY

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The viaduct created decades of pollution. Now the project to replace it threatens to once again fill the air surrounding STEAM at Dr. King Elementary School with environmental toxins.

It has long been established that schools with larger percentages of low-income students and students of color are exposed to greater respiratory hazards from air toxins than schools with more white students. This is a well-recognized form of environmental racism. One study showed that ZIP codes with majority Black residents tend to be close to sources of pollution like highways. Nationally, Black children are six times more likely to die from asthma than white children.<sup>51</sup> About 80 percent of the students at STEAM at Dr. King Elementary School are Black, and approximately 99 percent are economically disadvantaged.<sup>52</sup> This places the students at STEAM at Dr. King Elementary School in a particularly vulnerable spot.

Pollutants emitted from highways and construction sites pose a risk to anyone who breathes them, but

they are especially harmful to young people. Children exposed to vehicle pollution suffer higher rates of hospitalizations, impaired lung development and lung function, asthma, childhood leukemia, cardiovascular disease, and premature death.<sup>53 54 55 56</sup>

Air pollution does not just affect physical health; it is intimately tied to many aspects of academic performance as well. Children exposed to roadway pollution have a higher likelihood of performing worse on cognitive functioning tests, having impaired neurological functions, lower IQ scores, and missing more school days compared to other children. A recent study found that installing air filters in school buildings resulted in measurable math and reading improvements.<sup>57</sup>

The ailments brought on by air pollution can cause students to miss school, and those who are chronically absent are more likely to drop out. In a survey, 51 percent of New York school nurses felt asthma was more disruptive to school routines than any other chronic condition.<sup>58</sup>

Since at least 2011, the EPA has warned school districts about the dangers of traffic pollution to children. The EPA recommends that school districts think carefully before picking sites for schools near major roads or truck routes.<sup>59</sup> This is because, as the EPA explains, students who attend schools less than 500 to 600 feet downwind from heavily traveled roadways can suffer serious negative consequences from vehicle pollution.<sup>60</sup> As a result, 17 states now regulate the siting of schools near major roadways. Seven of them either prohibit building schools near major roadways, require extensive mitigation of noise and air pollution, or both.<sup>61</sup>

Until this year, STEAM at Dr. King Elementary School was designated a “struggling school” because of persistently low scores on state tests. The school has a math proficiency rating of five percent and a reading proficiency of four percent, compared to state averages of 49 and 46 percent respectively.<sup>62</sup> On all testing, only 25 percent of third graders, 21 percent of fourth graders, and 19 percent of fifth graders received passing scores.<sup>63</sup>

It is little wonder that the students attending the school and the educators working there have been deemed “failures” by the State. However, the true failure is that City and State governments allow young children to attend school next to a busy highway, putting their health and education at risk. Similarly, the NYSDOT has failed to develop a specific mitigation and protection plan for students, teachers, and families. Parents, faculty, and staff are especially concerned with the NYSDOT’s proposal to place a highway access ramp just 250 feet from the school.<sup>64</sup> Yet despite all of this, the NYSDOT incredibly claims no school will be impacted by the I-81 project.

Removing the viaduct and replacing it with the community grid is a good first step towards protecting students. However, the NYSDOT’s replacement plan ignores EPA guidance about school proximity to traffic pollution as well as decades of research about the negative effects suffered by students who attend schools near a major roadway.

The highway access ramp must be moved at least 600 feet from STEAM at Dr. King Elementary School, and a better plan must be developed that includes intensive mitigation strategies to protect students at the school. The school building must be provided with a high-quality air filtration system to ensure children have clean air to breathe now and in the future. There must also be noise mitigation strategies, insulated walls, and a plan to ensure children who walk to school will not have their pathways blocked by equipment or materials.

Finally, a serious plan for STEAM at Dr. King Elementary School must consider whether the student body would be safer and healthier being moved elsewhere for the duration of the project—and that question must be answered with heavy input from families.

It will take a lot of work to do this well, which is something the students deserve. They can no longer be an afterthought.

# SEGREGATION AND GENTRIFICATION

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Community members are concerned that commercial growth will result in changes to STEAM at Dr. King Elementary School that prioritize the desires of newly arriving families, instead of the needs of longstanding residents.

Currently, the Syracuse City School District has a student population of about 19,000 students, approximately 22 percent of whom are white and 49 percent are Black.<sup>65</sup> STEAM at Dr. King Elementary School has a student body that is 80 percent Black, but redevelopment and changes to the character of the neighborhood could drastically alter that composition.

There is an obvious need to undo the racial segregation created by redlining in Syracuse and enforced by the viaduct. However, integration should not be confused with gentrification. A more diverse neighborhood and school may give the appearance of integration but it will not necessarily level the playing field for Black students, or provide better access to a great education for everyone. Black students who attend STEAM at Dr. King Elementary School must

not be displaced from their school as white families move in.

It is essential that gentrification does not displace students or marginalize current residents' role in their community's education system. Current residents must retain priority access to STEAM at Dr. King Elementary School and have a substantial role in determining the policies, practices, and culture of the school and the broader school system. In addition, revenue generated from community development should be used to increase school funding. This should be done in an equitable manner, with an eye toward redressing the impacts of longstanding underfunding on current students and families.

Current students and residents are facing the brunt of the risk of the I-81 project. They must enjoy the benefits of its completion.

# ECONOMIC OPPORTUNITY

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The initial construction of I-81 contributed significantly to the loss of business in the southeast community. Now, the project to replace the highway will create good-paying jobs in an area that needs them the most. Those jobs must go to the people most impacted by the construction. These types of site-specific employment requirements have been used by Departments of Transportation in other parts of the country and must be implemented here.<sup>66</sup>

First on the list of those who should be prioritized for jobs should be Syracuse's Black residents, who live in close proximity to the I-81 viaduct. More broadly, these jobs must go to Syracuse residents – 45 percent of whom are people of color.<sup>67</sup>

Unfortunately, a look at who currently holds construction jobs in the Syracuse area is cause for concern. A report by the Urban Jobs Task Force and Legal Services of Central New York looked at recent construction projects in the Syracuse area and found that 88 percent of workers on the construction sites were white.<sup>68</sup> Additionally, the report found evidence that a very low percentage of workers lived

in Syracuse. Nearly all road construction jobs go to white people from outside the city.

For the I-81 project to be different, the NYSDOT must be intentional and innovative. The Urban Jobs Task Force released a set of recommendations with ideas for exactly how to do this.<sup>69</sup> The recommendations include increasing access to training and apprenticeships, and requiring construction unions to draw workers from among Syracuse residents, specifically communities of color. We cannot ask those who live close to the highway – who will have to endure all of the hardships of a major construction project – to navigate even more obstacles while the economic benefits of construction flow to white people who live outside of Syracuse.<sup>70</sup>

The NYSDOT must show preference to construction companies who are meeting set diversity markers such as employing and training residents who live in the impacted area, hiring a diverse staff including Black employees, and implementing training and hiring programs specifically for Syracuse residents.



**Recommendations**

The challenges that exist in the southeast community adjacent to the I-81 viaduct did not crop up because of singular decisions. They represent the concrete outcomes of widespread structural racism and environmental injustice. Actions by all levels of government have contributed to highway placement, school underperformance, food insecurity, respiratory disease, lead exposure, racial isolation, and concentrated poverty. These are examples of cumulative impacts and indirect effects that the NYSDOT is required to consider under NEPA, SEQR, Title VI and the Executive Order 12898.

In order to meet the legal standard of equity, efforts to remedy these issues must involve the removal – not just the management – of environmental and economic harms. Doing this will go a long way toward repairing the neighborhoods and families that have been discriminated against by the City of Syracuse for generations.

The following recommendations will help ensure compliance with federal and state laws that have been established to protect the environment and the people who live there.

## PROTECT FUTURE LAND USE

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It is imperative that the history of redlining, urban renewal, and displacement in Syracuse that has disproportionately hurt Black neighborhoods does not repeat itself. To this end, **land use and land transfer policies must be put in place to restore and enhance communities impacted by I-81 both during and after construction.**

NYSDOT must **create a land trust for the eight acres directly east of Martin Luther King Boulevard** giving preference for development to residents connected to the community, those who have a history in the neighborhood and those past residents impacted by the original construction of I-81.

Additionally, the **NYSDOT must conduct a new analysis of land use**, development patterns, and housing trends. The claim that the eight acres adjacent to Martin Luther King Boulevard will be best used for one- and two-bedroom apartments must be reassessed.

# PROTECT HEALTH AND WEALTH

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The NYSDOT must **create a meaningful solution for residents who will be impacted by lead exposure, and air and noise pollution.** Doing this will go a long way toward repairing the neighborhoods and families that have been overburdened by toxins in this community for generations.

The NYSDOT must **accommodate residents who would like to relocate** to avoid conditions that may be hazardous to their physical or mental health, or their ability to engage in essential functions. Vouchers that allow people to stay at a hotel are inadequate.

The NYSDOT must **conduct a cumulative exposure analysis for residents who live in the communities within 600 feet of the viaduct** to determine what environmental hazards have been embedded in their soil, houses, paint, and bodies. This analysis should look at air, noise, and lead pollution.

The NYSDOT must **work collaboratively with residents to ensure this community is not harmed by noise pollution.** It must survey the community to determine the best hours for disruptive

construction. And it must propose specific noise abatement techniques, based on community feedback including a variety of noise walls.

The NYSDOT **must not use Wilson Park as a staging site for construction.** Failing that, Wilson Park must be completely closed, and another recreation area must be constructed within walking distance.

The NYSDOT must **create a Community Restoration Fund** for communities that have had their health and wealth impacted by the decades of pollution from I-81. Portions of the fund must be used to eliminate existing environmental hazards.

# ACCESS TO OPPORTUNITY

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The **jobs generated by the project must go primarily to the people who live directly adjacent to the viaduct**, and those residents must receive the training necessary to perform those jobs. Preference for contracts should go to unions whose employees are at least 30 percent people of color and who show a preference for employees who live near the I-81 viaduct.

**All residents must have an automatic right to return** when the construction directly impacting their homes ends. Additionally residents must be provided with the necessary upgrades, if they decide to stay in their current homes, to protect from construction hazards, including insulation, new windows, and air conditioners.

With input from the community, the NYSDOT must **offer market-rate buyouts, rent subsidies, and/or temporary relocation assistance** to households in areas determined to be highly impacted by the construction.

**An easement reassessment must be conducted** so that renters receive easement payments if they lose access and partial enjoyment of their homes during construction. Nearly 84 percent of households in the community impacted by the project are occupied by renters.<sup>71</sup> But easement payments are offered only to homeowners. Payments must be given to anyone who loses use of their property—whether they are the owner or a renter.

Finally, NYSDOT must **provide governmental oversight on all aspects of this project**; it cannot leave day-to-day decisions to contractors. Additionally, disposal and staging sites must not overburden this community.

# PROTECT SCHOOL CHILDREN

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Perhaps no population will be impacted more directly by this project than the 550 students at STEAM at Dr. King Elementary School.

The NYSDOT must **provide oversight to create a comprehensive construction plan** in collaboration with parents, faculty and staff at the Syracuse City School District. It must contain specific ways to mitigate noise and air pollution both during and after construction, including:

- Installing air ventilation and filtration systems, soundproofing, and insulation.
- Creating safe walking and cycling zones.
- Implementing regulations on construction vehicles idling and parking near the school.
- Ensuring parking access for school busses, parents' vehicles, and public transportation.
- Limiting work during school hours.
- Removing hazards in a timely manner.
- Designating play zones during construction.

The NYSDOT must also **move the proposed highway access ramp so it is at least 600 feet from STEAM at Dr. King Elementary School.**

As part of the project, Syracuse City School District must work closely with the NYSDOT, parents, and students to **ensure that gentrification does not displace students at STEAM at Dr. King Elementary School.**



# Conclusion

Our recommendations will assist the NYSDOT in meeting its own stated goals for the project. These include enhancing economic growth and vitality in the City, re-connecting the Syracuse community, and providing better access to jobs, businesses, and services in downtown Syracuse and beyond.<sup>72</sup>

Overall, the path laid out in this report offers a chance to right a historic wrong and to create more equitable outcomes for the entire region.

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**Comment of the New York Civil Liberties Union, The New York Affiliate of the American Civil Liberties Union, in Response to New York State Department of Transportation’s 2021 Draft Environmental Impact Statement for the redevelopment of Interstate 81**

Mark Frechette, Project Director,

The New York Civil Liberties Union (“NYCLU”) submits this comment to the New York States Department of Transportation (“NYSDOT”) in response to the 2021 Draft Environmental Impact Statement (“2021 DEIS”) released July 2021.

The NYCLU supports, in part, the NYSDOT’s preferred option of the community grid, and in particular, the permanent removal of the 1.4-mile raised viaduct and supports its replacement with a walkable user-friendly street-grid option. The removal of the viaduct is the first step in restoring a community that the original construction of Interstate 81 (“I-81”) destroyed. However, we do not support the 2021 DEIS’s conclusion that the environmental justice community—primarily Black neighborhoods adjacent to the viaduct—will not be impacted by the I-81 Project. This conclusion is unsupported and the result of NYSDOT’s failure to adequately examine the impact of the Project on lead exposure, air quality, and the potential displacement on the largely Black residents adjacent to the I-81 Project. As set forth in the NYCLU report, *Building a Better Future: The Structural Racism Built in I-81, and How to Tear it Down* (“*Building a Better Future Report*”),<sup>1</sup> NYSDOT must take steps to protect the health and livelihoods of these residents.

The NYCLU is an important stakeholder in the environmental impact statement process because of our participation and advocacy for an equitable outcome of the I-81 Project. The NYCLU’s mission is to advocate for all New Yorkers to have equal access to opportunities and the equal ability to participate in government decisions that affect them. This includes planning and development decisions, which have historically excluded or intentionally discriminated against Black, Indigenous, and Latinx New Yorkers— much like the original design and construction of I-81. The NYCLU’s goal is to achieve racial and environmental equity by advocating that the I-81 Project improve educational, housing and health outcomes for Black communities living adjacent to the raised viaduct. Along with the submission of this written public comment, the NYCLU will be

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<sup>1</sup> NYCLU, *BUILDING A BETTER FUTURE: THE STRUCTURAL RACISM BUILT IN I-81, AND HOW TO TEAR IT DOWN* 12 (2021), <https://www.nyclu.org/en/publications/building-better-future>. See Attached Appendix A.

hand-delivering thousands of comments submitted by community members, advocating for an equitable outcome.<sup>2</sup>

## I. NYSDOT Must Address the Environmental Justice Impacts of the I-81 Construction Project

The Federal Highway Administration (“FWHA”) has delegated project review and oversight responsibilities to the NYSDOT, which accordingly must comply with the National Environmental Policy Act (“NEPA”) and other applicable state and federal regulations. NEPA requires state agencies “to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations.” 42 U.S.C § 4331(a). Under NEPA, NYSDOT is required to review the environmental impacts from its construction plan and to take the steps to address alternatives to any adverse effect from agency action through an Environmental Impact Statement. *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 348 (1989) (requiring agencies to provide a “detailed statement” on the adverse effects of and potential alternatives to the proposed action). In doing so, transit agencies such as NYSDOT must also consider discrimination as effects within the meaning of NEPA and eliminate discrimination when found to exist. 23 C.F.R. § 200.9(b)(14).

Like NEPA, the New York State Environmental Quality Review Act (“SEQR”) requires the agency to balance social, economic and environmental factors to be incorporated into the planning and decision-making processes of state, regional and local agencies. 6 N.Y.C.R.R. § 617.1(d). As part of this consideration, the Act defines “environment” as not only the physical conditions which will be affected by a proposed action, but existing neighborhood character as well. 6 N.Y.C.R.R. § 617.2(1); Env't. Conserv. § 8-0105(6). SEQR requires agencies to consider existing patterns of populations and distribution in the communities that will be impacted by agency action. *Ordonez v. City of N.Y.*, 60 Misc. 3d 1213 (N.Y. Sup. Ct. 2018).

Together, NEPA and SEQR require NYSDOT to take a “hard look” at the economic and social impacts of the I-81 Project. *See* 42 U.S.C. § 4321; *Marsh v. Or. Nat. Res. Council*, 490 U.S. 360, 374 (1989) (agencies must employ a “hard look” when reviewing the environmental impacts of a proposal, alternatives capable of achieving the objectives of the proposal, and any measures to mitigate adverse impacts). A “hard look” occurs when an agency “adequately considered and disclosed the environmental impact of its actions.” *Baltimore Gas & Elec. Co. v. Nat. Res. Def. Council, Inc.*, 462 U.S. 87, 98 (1983). But the 2021 DEIS does not take a “hard look” with respect to the lead exposure, air quality, and land use concerns of the predominately Black community that will be affected by the I-81 Project.

In addition to the procedural requirements of NEPA and SEQR, NYSDOT must actively ensure that the Project does not cause disproportionate and adverse impacts on the basis of race and ethnicity. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, mandates federal agencies and their designees to identify and address the disproportionate environmental impacts to



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environmental justice populations, defined as communities that are majority “minority” or majority low-income. Exec. Order No. 12898, 59 Fed. Reg. 7629 (Feb. 16. 1994) (“E.O. 12898”). E.O. 12898 requires agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority populations and low-income populations to the maximum extent practicable and permitted by law. *Id.*; see also *Coal. for Healthy Ports v. U.S. Coast Guard*, No. 13-CV-5347, 2015 WL 7460018, at \*2-\*3 (S.D.N.Y Nov. 24, 2015) (agencies must consider the environmental justice impacts from the proposed agency action).<sup>3</sup> The NYSDOT has identified the community adjacent to the viaduct as a majority Black community and therefore an environmental justice community. 2021 DEIS, Section 6-2-3 at 6-87 . As such, the NYSDOT has a heightened responsibility to this environmental justice community to ensure that the disproportionate impacts of the Project are remedied.



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Further, as a recipient of federal funding, NYSDOT is required to comply with Title VI of the Civil Right Act of 1964.<sup>4</sup> 42 U.S.C. § 2000d; 49 C.F.R. § 21; Title VI provides that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” *Id.* But, as identified in this comment and in the Building a Better Future Report, and in the detailed analysis attached as Appendix B, NYSDOT has failed to meet the standards set in E.O. 12898 and Title VI to use all practicable means permitted by law to address disproportionate or adverse impacts that the I-81 Project will have on the adjacent Black communities, when a lessor option is available or without identifying and mitigating these impacts. NYSDOT has failed to meet the standards set in E.O. 12898 and Title VI to use all practicable means permitted by law to address disproportionate or adverse impacts that the I-81 Project will have on the adjacent a Black community, when a lessor option is available or without mitigating these impacts.

**a. The 2021 DEIS Fails to Address the Elevated Levels of Lead in the Black Community Adjacent to the I-81 Viaduct**

Under NEPA, the NYSDOT must present a “detailed statement by the responsible official” that enables the public to “weigh a project’s benefits against its environmental costs.” *Sierra Club v. U.S. Army Corps of Eng’rs (Sierra Club I)*, 772 F.2d 1043, 1049 (2d Cir. 1985). Yet, the NYSDOT has failed to do that with respect to the lead exposure

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<sup>3</sup> In accordance with 2011 Federal Highway Administration guidance on environmental justice and NEPA: “After defining the Environmental Justice Study Area, the assessment of the potential for disproportionately high and adverse effects to environmental justice communities must follow these steps (4)If effects would remain adverse after mitigation is considered, identify whether those effects would be predominately borne by the environmental justice communities or are appreciably more severe or greater in magnitude on the environmental justice community than the adverse effect suffered by the non-minority or non-low-income community (i.e., disproportionately high and adverse effects); and (5) if disproportionately high and adverse effects on environmental justice communities are anticipated, evaluate whether there is a further practicable mitigation measure or practicable alternative that would avoid or reduce the disproportionately high and adverse effects.” FED. HIGHWAY ADMIN., HEP-1, GUIDANCE ON ENVIRONMENTAL JUSTICE AND NEPA (2011), [https://www.environment.fhwa.dot.gov/env\\_topics/ej/guidance\\_ejustice-nepa.aspx](https://www.environment.fhwa.dot.gov/env_topics/ej/guidance_ejustice-nepa.aspx).

<sup>4</sup> See 2021 DEIS Section 4(f) Evaluation 1-1 (receipt of federal funds).

by the I-81 Project, even after the NYCLU and others raised this issue with respect to the 2019 Preliminary Draft Impact Statement (“2019 Preliminary Draft”). Remarkably, the NYSDOT failed to test the 1.4-mile viaduct for lead paint and specifically notes that “[n]one of the structures were analyzed for the presence of lead paint.” *Id.*; 2021 DEIS, Section 4(f) Evaluation 6-510.

Instead of analyzing lead on the 1.4-mile raised viaduct, the 2021 DEIS makes a perfunctory statement that painted structures constructed prior to 1988 “are considered hazardous.”<sup>5</sup> 2021 DEIS at 6-508. But this statement fails to account for lead embedded in the highway in addition to the lead paint, such as lead deposited from decades of leaded-gasoline use. The complete absence of data on lead levels prevents the public from being able to make a “reasoned decision” regarding the potential impacts of lead from the Project and thus fails to provide the type of detailed statement by a responsible official required by law. *Sierra Club v. U.S. Army Corps of Eng’rs (Sierra Club II)*, 701 F.2d 1011, 1029, 1031 (2d Cir. 1983). In *Sierra Club II*, three agencies submitted comments on the draft environmental impact statement raising concerns that it relied on incorrect data or outdated data regarding the impact of the project on fisheries. *Id.* at 1017. When the final environmental impact statement was issued, the agency purported to address those concerns, but “no new studies were performed, no additional information was collected, no further inquiry was made; and the FEIS essentially reiterated or adopted the statements in the DEIS.” *Id.* at 1030. The court held that the EIS was insufficient because the agency “could not have fully considered and balanced the environmental factors” because it relied on inaccurate data and outdated data. *Id.* at 1031. So too here, NYSDOT cannot fully consider and balance the environmental factors or inform the public if it does not have any data on the actual lead exposures to the environmental justice community adjacent to the viaduct. *See id.*

NEPA requires agencies to consider cumulative impacts, which are impacts on the environment that result from the “incremental impact of the action when added to other past, present, and reasonably foreseeable future actions,” 40 C.F.R. § 1508.7 (repealed 2020), as well as the direct and indirect effects, meaning effects that are “later in time or farther removed in distance, but are still reasonably foreseeable.” 40 C.F.R. § 1508.8(b). The areas in the Project zone is a “hot spot” for lead poisoning: more than 26 percent of children tested in this community have elevated lead levels, more than three times the national average.<sup>6</sup> *See Building Better Future Report* at 12. The 2021 DEIS does not consider the current lead problem in the evaluation of the cumulative or indirect impacts of lead exposure created by the demolition of the I-81 viaduct.

Again, this is another example of the NYSDOT failing to meet its obligations to identify and address the disproportionate environmental impacts to environmental justice populations related to the Project. *See E.O. 12898*. This predominately Black community is riddled with existing lead. Syracuse has one of the worst lead poisoning crises in the

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<sup>5</sup> Specifically, bridges constructed prior to 1988 and that have not previously received “100% abrasively blasted to a surface preparation standard of Steel Structures Painting Council (SSPC) Specification (SP) 10 near-white blast cleaning metal standard.” 2021 DEIS at 6-508. By contrast, the 2021 DEIS identified and tested 108 structures for asbestos and acknowledges in Appendix K which structures tested positive for asbestos.

<sup>6</sup> *Lead in CNY*, LEAD SAFE CNY, <https://www.lead safecny.org/lead-in-cny.html> (last visited Oct. 10, 2021) (“more than three times higher than the national average and the highest in the Syracuse area”).



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nation.<sup>7</sup> The Lead poisoning exists at the intersections of race and class. The neighborhoods with the highest rates of poisoning also have the highest populations of low-income children of color, specifically in the Black communities in the zone of the Project.<sup>8</sup> This is exactly the type of lack of consideration E.O. 12898 was enacted to mitigate. Therefore, it is especially important that NYSDOT undertake a full analysis so that this community can obtain the mitigation measures required to protect children's health.

**b. The DEIS Fails to Conduct Independent Air Quality Test Impacting the Black Community Closest to the Viaduct.**



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The 2021 DEIS concludes that there will be no adverse cumulative effects related to air quality because either the viaduct or community grid alternative will not exceed the National Ambient Air Quality Standards (“NAAQS”) limits.<sup>9</sup> But this conclusion is without any support in actual data. Without proper tests of the air quality within the footprint of the environmental justice community, the NYSDOT simply has no basis to arrive at this conclusion, and in any event, that is not the standard the NYSDOT must meet when proposing a project in an environmental justice community. Rather, the NYSDOT must determine if there will be a disproportionate impact on the environmental justice community, when compared to non-environmental justice communities. *See* E.O. 12898.

The NYSDOT responded to public concerns regarding air quality in the vicinity of I-81, and performed additional testing. However, the NYSDOT placed air monitors outside the environmental justice area, specifically at the cross section of Burt Avenue and Almond Street, arguably the closest residential community to the viaduct. The NYSDOT used the median average of those air monitoring test to draw the conclusion that the community will not be adversely impacted by increased air pollution. 2021 DEIS Section 6-4-4, at 6-249. Moreover, the NYSDOT failed to adequately consider the cumulative impacts of the I-81 project on air quality as this community is already overburdened with air pollution. 40 C.F.R. § 1508.7 (repealed 2020). In the footprint of the Project there is the Midland Avenue Regional (sewage) Treatment Facility and the Syracuse University Steam Plant. Shockingly, the NYSDOT failed to consider or address any of the existing air pollutants. In *City of Carmel v. U.S. Dept. of Transportation*, the Court of Appeals for the Ninth Circuit explained that an EIS must “catalogue adequately the relevant past projects in the area” and include a “useful analysis of the cumulative impacts of past, present, and future projects.” 123 F.3d 1142, 1160 (9th Cir. 1997). The 2021 DEIS does not do this and thus cannot adequately take a hard look at the cumulative effects of the I-81 Project on air quality.

Furthermore, as explained in the Building a Better Future Report, the Black communities in the footprint of the Project have elevated Asthma rates as compared to non-minority population in Syracuse. Building a Better Future Report 12. Again, the NYSDOT air

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<sup>7</sup> Sydney Gold, *Some Syracuse Families Suffer Generations of Lead Poisoning: First Report in Series on Lead Crisis*, WAER (Mar. 23, 2021), <https://www.waer.org/local-news/2021-03-23/some-syracuse-families-suffer-generations-of-lead-poisoning-first-report-in-series-on-lead-crisis>.

<sup>8</sup> *Id.*

<sup>9</sup>

quality test fails meet the standards set by Title VI and E.O. 12898 by failing to ensure federal dollars will not be used in a way that will disproportionately overburden the environmental justice community with higher rates of air pollution than non-minority populations in the footprint of the project.

The 2021 DEIS's cursory NAAQS review does not consider if there is a disproportionate impact on air quality for an environmental justice community, which is highly likely given the pollution burdens already present in the neighborhood. *See* Building a Better Future Report 22. The Court of Appeals for the Fourth Circuit's decision in *Friends of Buckingham v. State Air Pollution Control Board*, is instructive on the limits of reliance on the NAAQS. 947 F.3d 68, 88 (4th Cir. 2020). There, the court determined that the State Air Pollution Control Board of Virginia failed to ensure that the developers did not impose a disproportionate impact on the predominantly African American community because they simply relied upon the fact that the air quality surrounding the proposed project will fall within the NAAQS limits. *Id.* at 86. The court held that simply staying within the confines of the NAAQS does not mean that a disproportionate impact on minority or disadvantaged communities did not take place. *Id.* at 93.

The 2021 DEIS further contends that each of the alternatives, including the community grid, would be below the NAAQS limits. But this assertion is insufficient in two ways. First, the NAAQS is limited to reviewing 24-hour and annual average exposures, and thus misses the maximum exposure time periods that can have significant health impacts, specifically for school-aged children. Review of the National Ambient Air Quality Standards for Particulate Matter, 85 Fed. Reg. 82684 (Dec. 18, 2020). Periods of maximum exposure should not be ignored here because STEAM at Dr. King Elementary School and Toomey Abbott Towers, a senior residential building, are adjacent to where construction equipment, omitting harmful pollution into the air. 2021 DEIS Section 4(f) Evaluation 3-33. The NYSDOT must take a hard look at the air pollution exposure during prime traffic times in connection with school travel schedules, outdoor play time, and heavy travel times.

### **c. NYSDOT Must Move the Roundabout More than 600 feet from STEAM at Dr. King**

The 2021 DEIS, community grid alternative recommends a roundabout access ramp to be constructed at the end of Martin Luther King, Jr. East Steet, just past Leon Street. 2021 DEIS Section 4(f) Evaluation 3-33.<sup>10</sup> The roundabout will abut STEAM at Dr. King Elementary school and be less than 175 feet from where school-aged children learn and

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<sup>10</sup> We are pleased to learn that NYSDOT are considering these concerns and considering moving the Roundabout away from STEAM at Dr. King. Teri Weaver, *NY DOT hears 'loud and clear' almost no one wants I-81 roundabout near school*, SYRACUSE.COM (Sep. 10, 2021), <https://www.syracuse.com/state/2021/09/ny-dot-hears-loud-and-clear-almost-no-one-wants-i-81-roundabout-near-school.html> ("Mark Frechette, the state official overseeing the I-81 project, says the message is getting through. 'One of the things we've heard loud and clear from the public is concerns about the roundabout,' Frechette said. ...[E]ngineers are taking another look at what other alternatives would effectively slow down highway traffic and bring it to ground level along what is Almond Street now. 'More to come on the roundabout,' Frechette said. 'Give us a chance to do the appropriate analysis.'")



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play.<sup>11</sup> The 2021 DEIS does not evaluate the potential long-term health effects that emissions and exhaust from cars and trucks on the roundabout could have on the children who attend STEAM at Dr. King. The 2021 DEIS states that “there would be no appreciable difference in overall” Mobile Source Air Toxics between (“MSAT”) between the community grid alternative and the no build alternative. *Id.* at 6-250. However, the report does concede that “there may be localized areas of increased ambient concentrations of MSATs” in locations where “traffic volumes are predicted to increase, or re-designed roadway sections would be located closer to nearby residences, *schools*, and businesses.” *Id.* The blanket statement fails to provide *any* detail of what the impact may be. And again the 2021 DEIS reiterates that air quality will not exceed NAAQS, which is not the burden the NYSDOT must meet. The 2021 DEIS must determine if there is a disproportionate impact on air quality for the environmental justice community as compared to communities not defined as environmental justice communities. *See Buckingham*, 947 F.3d at 87.

While we recognize the benefits generally for a roundabout to calm traffic, the placement of any major roadway access within 200 feet of an elementary school is a major concern. *See Building a Better Future Report 25.* The negative impacts of air pollution on school-aged children, specifically from vehicle pollution, is well-documented. For example, the EPA’s Best Practices for Reducing Near-Road Pollution recommends schools be at least 500-600 feet away from a major roadway.<sup>12</sup> The 2021 DEIS estimates 38,000 per day will travel along the roundabout. Appendix M-5, R 4-14 pg. 79. The Centers for Disease Control’s Health Disparities and Inequalities Report makes clear that exposure to air pollution is greatest for communities that are within 500-600 feet of a major roadway, which is defined as 30,000 cars or more per day.<sup>13</sup>

The complete failure to analyze disproportionate impacts of air pollution to a majority Black student population at STEAM at Dr. King or utilize best practices is particularly problematic because the NYSDOT failed to meet the mandates set in E.O. 12898. In addition, the 2021 DEIS recognizes that there may be increases in ambient MSAT’s in localized areas, including schools, in close proximity to the redesigned roadway sections yet fails to provide the requisite “hard look” at how air pollution will impact the environmental justice community. The NYCLU provided a detailed explanation in the Building a Better Future Report for moving the roundabout or any access ramp at least 600 feet away from the STEAM at Dr. King, and the NYSDOT must reconsider its approach. Building a Better Future Report 25.

The NYSDOT must undo the harm the viaduct created by overexposing children to air pollution.<sup>14</sup> Shockingly, however the 2021 DEIS places a major roadway even closer than the current viaduct. Approximately 23 states regulate the placement of major roadways

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<sup>11</sup> A computer-generated visual rendering shows the distance between the proposed roundabout and STEAM at Dr. King Elementary School in 2021 DEIS, Figure 3-38.

<sup>12</sup> ENV’T. PROT. AGENCY, BEST PRACTICES FOR REDUCING NEAR-ROAD POLLUTION EXPOSURE AT SCHOOLS (2015), [https://www.epa.gov/sites/default/files/2015-10/documents/ochp\\_2015\\_near\\_road\\_pollution\\_booklet\\_v16\\_508.pdf](https://www.epa.gov/sites/default/files/2015-10/documents/ochp_2015_near_road_pollution_booklet_v16_508.pdf).

<sup>13</sup> CTR. DISEASE CONTROL, RESIDENTIAL PROXIMITY TO MAJOR HIGHWAYS — UNITED STATES (2013), <https://www.cdc.gov/mmwr/preview/mmwrhtml/su6203a8.htm>.

<sup>14</sup> NEPA COMM. AND FED. INTERAGENCY WORKING GRP. ENV’T. JUSTICE, PROMISING PRACTICES FOR EJ METHODOLOGIES IN NEPA REVIEWS 40 (2016), [https://www.epa.gov/sites/default/files/2016-08/documents/nepa\\_promising\\_practices\\_document\\_2016.pdf](https://www.epa.gov/sites/default/files/2016-08/documents/nepa_promising_practices_document_2016.pdf); 23 C.F.R. § 200.9(b)(14).



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near schools through legislation.<sup>15</sup> For example, California enacted a law prohibiting the construction of major highways within 500 feet of a school. The legislative intent is to address the "strong links between particulate and other pollutants and asthma, which is the most common chronic illness affecting children. Asthma causes more missed school days than any other chronic condition and is associated with poorer academic performance."<sup>16</sup> Similarly, The NYS legislatures introduced the SIGH act prohibiting the construction of major roadways within 600 feet of schools and vice versa. S.B. 6887, 2016 Leg. (N.Y. 2016); Assemb. B. 10998, 2020 Leg. (N.Y. 2020). The law has not passed but § 2 of the legislative intent demonstrates the need for the bill, stating, "The purpose of this act is to address the disproportionate impact of environmental hazards on Black and Brown communities, specifically to protect children and young adults from the health risks associated with long-term exposure to pollutants which derive from living and attending school in close proximity to major roadways and highway projects. Traffic is one of the most significant sources of air pollution in both the indoor and outdoor school."<sup>17</sup> NYSDOT is completely ignoring established best practices to undo acts that created disproportionate harm to the Black school community.<sup>18</sup>

## II. The NYSDOT Must Consider the Future Land Use: Displacement of Majority Black Residents in the Environmental Justice Community.

The 2021 DEIS estimates the project will result in "approximately 10 to 12.5 acres" of surplus property located mostly near Almond Street and Erie Boulevard, where the raised viaduct currently is located, and where other ramps will be removed. 2021 DEIS, Appendix M-5 at 92. In response to the submission of public comments the NYSDOT has committed to creating a "land use working group" to evaluate the transfer and development of these surplus parcels. Appendix M-5 at 92. This land use working group is a great first step in achieving an equitable outcome in the I-81 Project, but there are additional steps the NYSDOT should do to protect and restore the community adjacent to the I-81 Project.

The 2021 DEIS states any new use or development of the land would be subject to the city's zoning ordinances, which are currently being updated through the city's "Rezone Syracuse" project. *Id.* at 93. However, the NYSDOT cannot avoid its obligations simply by stating the land is subject to zoning ordinances. The NYSDOT must take active steps and attach conditions to the transfer of the land, creating a land trust to prevent disruption to the character of the community. Attaching conditions to the transfer of the 10-12-acre parcel of land to the City of Syracuse will prevent negative and disproportionate adverse impacts from the I-81 Project and also ensure the Black community benefits from the Project. So, while the preferred community grid option does not create immediate displacement of residents, there are significant community concerns regarding future land

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<sup>15</sup> THE NEW SCH.: THE TISHMAN ENV'T. & DESIGN CTR., LOCAL POLICIES FOR ENVIRONMENTAL JUSTICE: A NATIONAL SCAN (2019), <https://doi.org/doi:10.7282/t3-pywf-p055>.

<sup>16</sup> S.B. 352, 2003 Leg. (Cal. 2003).

<sup>17</sup> Assemb. B. 10998, 2020 Leg. (N.Y. 2020).

<sup>18</sup> For further details on the impact of the original build of I-81 please refer to BUILDING A BETTER FUTURE REPORT 4.

use and potential for displacement that have not been considered by the 2021 DEIS. *See Building a Better Future Report 17 for in depth analysis on future land use.*

### III. Conclusion

The 2021 DEIS's conclusion that the environmental justice community will not be impacted by construction and post construction is inaccurate and a result of NYSDOT's failure to evaluate the environmental justice community's exposure to lead, air quality and future land use properly. As a result of this failure, the NYSDOT did not take a hard look at the impacts faced by the environmental justice community and fails to meet its obligations. NYSDOT is not able to provide the necessary protections, avoidance, and mitigations required to have an equitable outcome from I-81 Project.

For reasons discussed above, the Building a Better Future Report, and the comments submitted by community members, and other attachments, the 2021 DEIS does not satisfy the standards to address the environmental, economic, and social impacts to the Black community in the footprint of construction, identified in the 2021 DEIS as an environmental justice community. It is crucial to the health, safety, and long-term quality of life of the Black community that the NYSDOT re-evaluate its proposed plan of action to sufficiently consider and mitigate environmental, social, cultural, and impacts to the environmental justice community.

Regards,

Lanessa L. Owens- Chaplin  
Assistant Director, Education Policy Center  
[Lchaplin@nyclu.org](mailto:Lchaplin@nyclu.org)



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*President*



NYS Department of Transportation, Region 3  
333 East Washington Street  
Syracuse, NY 13202

More than 50 years ago, Interstate 81 ripped through a working-class Black neighborhood in Syracuse. It displaced long-time residents and ensured that poverty, pollution, and a lack of resources would hurt the community that lived in the highway's shadow. These problems persist today. Removing the I-81 viaduct is a great first step toward racial justice, but more must be done.

We need environmental, racial, and economic justice to ensure the fair and equitable treatment of community members who live in the shadow of the viaduct.



The removal of the I-81 viaduct must be conducted with environmental, racial, and economic justice at the forefront to ensure the fair and equitable treatment of community members who live in the shadow of the highway. To do this, the NYS Department of Transportation must:

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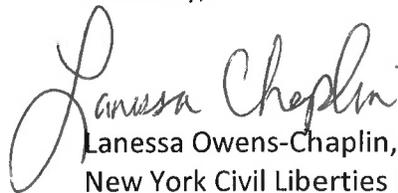
Wendy Stryker  
President

- Reserve and transfer the four acres of land to the City of Syracuse adjacent to STEAM at Dr. King Elementary School with a contingency that the land must be developed into a community land trust, and provide resources, oversight, and development by residents living adjacent to I-81 viaduct.
- Protect residents by conducting a health needs assessment to determine who is best suited to be relocated due to the fugitive dust and hazards of construction. A health care access center must be placed within walking distance to Martin Luther King W. The State DOT must also ensure there are independent monitors of daily air quality, lead exposure, and compliance with federal regulations.
- Conduct testing of the raised viaduct prior to demolition, to assess health risks from leaded paint, leaded gasoline, and housing dust. The State DOT should implement stronger safety standards to protect residents from fugitive dust. This should include requiring construction contractors to provide higher levels of protection for residents, and supplying residents with lead-resistant abatement technology.
- Reduce the speed limit for the business loop to 20 miles per hour in and around STEAM at Dr. King Elementary School and within 50 feet of residential neighborhoods.

Reg. Dir.	Asst. Reg. D.
IT	Construction
Design	Fleet Admin.
Admin. Svcs.	PPM
RECEIVED REG. DIRECTOR R-3	
MAY 16 2022	
Real Estate	Safety
Traffic	Operations
All GDS	All REs
	Linda

These recommendations are crucial to righting a historic wrong and creating more equitable outcomes for the entire Syracuse region.

Sincerely,

  
Lanessa Owens-Chaplin,  
New York Civil Liberties Union  
Union

  
David Rufus,  
New York Civil Liberties

### Electronic Signatures

Kymesha Edwards , Ally/Supporter  
Kevin Atwater , Ally/Supporter  
Tara Harris , Syracuse Resident  
Aggie Lane , Syracuse Resident  
Kira Moodliar , Syracuse Resident  
Suren Moodliar , Syracuse Resident  
Robert Sarason , Ally/Supporter  
Carol Baum , Syracuse Resident  
Barbara Gordon , Ally/Supporter  
Barry Gordon , Ally/Supporter  
Branwen Drew , Ally/Supporter  
Walter Putter , Syracuse Resident  
Marianna Pernia , Ally/Supporter  
Thandekah Dancil , Syracuse Resident  
Bertha Simmons , Syracuse Resident  
Andy Mager , Syracuse Resident  
Constance Nyman , Syracuse Resident  
Coran Klaver , Syracuse Resident  
Mark Cass , Syracuse Resident  
Jessica Maxwell , Organization  
Carolon Dunlap , Ally/Supporter  
Jeremy Zhe-Heimerman , Syracuse Resident  
Mark Rupert , Syracuse Resident  
Becky Howard , Ally/Supporter  
Kevan Edwards , Syracuse Resident  
Bonnie Shoultz , Syracuse Resident  
Robert Haley , Syracuse Resident  
Philip Prehn , Syracuse Resident  
Diane Berry , Ally/Supporter  
Caroline Nagy , Ally/Supporter  
Catherine Golden , Syracuse Resident  
Katherine Polhamus , Ally/Supporter  
Bonita Siegel , Ally/Supporter  
Ed Griffin-Nolan , Ally/Supporter  
John Sheridan , Ally/Supporter

**NYCLU**  
ACLU of New York

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### Petition to the NYSDOT

We demand the NYSDOT Reserve and transfer the four acres of land to the City of Syracuse adjacent to STEAM at Dr. King elementary school with a contingency the land must be developed into a community land trust, and provide resources, oversight, and development by residents living adjacent to I-81 viaduct.

We demand the NYSDOT protect residents by conducting a health needs assessment for community needs to determine who is best suited to be relocated due to the fugitive dust and hazards of construction. We demand a health care access center within walking distance to Martin Luther King W. We demand independent monitors of daily air quality, lead exposure and compliance with federal regulations.

Considering the lead in the raised viaduct, from the leaded paint, leaded gasoline, and housing dust, we demand testing of the raised viaduct prior to demolition. We demand stronger safety standards to protect residents from fugitive dust. The NYSDOT should require the contractor to use a higher, more protective level of protection for residents and supply residents with lead resistant abatement technology.

We demand a reduction in speed for the business loop to 20 miles per hour in and around STEAM at Dr. King and within 50 feet of a residential neighborhood.

Name	Signature	Address
Hail Beart	Hail Beart	1207 Almond St 1011
Alfreda Johnson	Alfreda Johnson	1207 Almond 1208
RONNIE GLOVER	Ronnie Glover	300 BURST ST - 4YR
Nicole Ballard	Nicole Ballard	1207 Almond Street
Sally Neilon	Sally Neilon	602 Almond St, #1203 Syr., N.Y. 13210
Harmon Hayes	Harmon Hayes	1207 Almond St #201 Spr.
Daniel Ballard	Daniel Ballard	1207 Almond St #514 Spr.
Richard Stackhouse	Richard Stackhouse	1207 Almond St - #205 Spr.
GLEN LUCKMAN	Glen Luckman	1207 ALMOND ST.
India Threatchill	India Threatchill	1207 Almond ST APT #108
Hazel Henderson	Hazel Henderson	1207 Almond St #1611
Mary Leonard	MARY LEONARD	512 Almond St.
Wesley Hatcher	Wesley Hatcher	1207 Almond St
GEROME DEXTER	Gerome Dexter	1207 ALMOND ST #1213

Brian Montgomery  
Crystal Jones  
Tina Dooke

Brian Matney  
Crystal Jones  
Dana Dooke

720 Hickory Street.  
1207 Almond St  
1207 Almond St

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Name	Signature	Address
Abeile Princeton	A. Princeton	1108 S. McBride St. 13202
Diane Scott	Diane Scott	108 Radisson Ct
Karla J Rice	Karla Rice	106 RADISSON CT
Amonie Mcgloun	Amonie Mcgloun	100 radisson ct
Aucie Mcgloun	Aucie Mcgloun	100 radisson, ct
Destiny Gregory	Destiny Gregory	
Malik Ogletree	Malik Ogletree	
FUAN FONTAINE	Fuan Fontaine	122 weiser Ct
KARLA FONTAINE	Karla Fontaine	122 weiser Ct
Joreem Mahmah	Joreem Mahmah	216 Chavez Terrace.
Jerrin Spann	Jerrin Spann	217 Chavez Terrace
Jennif Wynn	Jennif Wynn	219 Chavez Terrace
Shynice Fagg	Shynice Fagg	219 Chavez Terrace
Kahari Thomas	Kahari Thomas	100 Bertram Pl
David flagg	David flagg	219 Chavez

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Name	Signature	Address
Fatim Ali		Mariam Sharif 111 Stewart Ct
Mohamud Hussein		112 Stewart Ct Syracuse NY
Roberto Clark		114 Stewart Ct
Ronald Pepp		1106 S McBride St
Shanie Walton		107 Radisson Ct.
Tony Hernandez		1034 Radisson Ct.
Jaira glovee		118 Radisson Ct
Audrey Benton		215 Chavez Terr
Annie Annie		215 Chavez Terr
Kashalon Sweet		209 Chavez Terr



Tara



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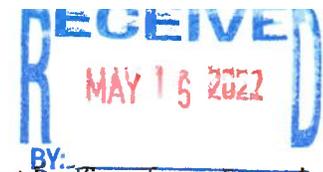
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Name	Signature	Address
Derek Bethencourt	Derek Bethencourt	1207 Almond Street
Michael Williams	Michael Williams	1207 Almond Street
John Nicholas	John Nicholas	1207 Almond Street
Amy Skibong	Amy Skibong	300 Bent St
Juanita Rivera	Juanita Rivera	1040 S McBride St
Heana Rivera	Heana Rivera	Ruddison Court
Julia Berneto	Julia Berneto	1119 S Townsend St
Marcy Washburn	Marcy Washburn	122 Stead Ct
Tara Washburn	Tara Washburn	122 Stead Ct
Shameka Davis	Shameka Davis	106 Weiser Ct
Breana Huggins	Breana Huggins	1045 S McBride St
Angelique Aldamuy	Angelique Aldamuy	104 Bablon Court
Peter Aldamuy Sr	Peter Aldamuy Sr	319 Lexington Ave
Cynthia Aldamuy	Cynthia Aldamuy	319 Lexington Ave
Peter Aldamuy Jr	Peter Aldamuy Jr	319 Lexington Ave

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Name	Signature	Address
Shayek Lawrence		925 South McBride
Diane Scott		108 Radisson Ct
Duran Jackson		1039 S. McBride St.
Ashley Myers		1046 S McBride St
Patricia Davis		917 S McBride St.
Samuel Coleman		917 S McBride St
Alice Dangle		902 S McBride
Quadasia Cawthon		904 S. McBride St
Cassandra Gunn		104 West Wieser Court
Gabriela Belant		1102 S McBride St
Tamisha Green		1411 N. Townsend
Sonyia Williams		715 W Onondaga Ave # 5
Francine Heyward		415 Crescent Ave
Sandra Jones		CORTLAND AVE
Ken Brown		300 BURT ST C-305



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Name	Signature	Address
Jamell Howington	Jamell Howington	170 Burger Ave
Terese Harper	Terese Harper	120 P Almond St
Ulysses Malley	Ulysses Malley	80 Bart
Lynn Piccrotto	Lynn Piccrotto	1111 S Townsend St
Kelvia Jones	Kelvia Jones	112 Tyler Ct.
William Madley	William Madley	113 Chenye St
Altha Hawkins	Altha Hawkins	108 Tyler Court Syr. NY 13202
Thomas Collie	Thomas Collie	4320 S. Salina St 13205 Syr NY
Marna Grace	Marna Grace	916 S Mcbride
Gerald Williams	Gerald Williams	123 Weiser court Apt J
Dr. BECARRA	Dr. BECARRA	125 Weiser Ct J
Ahana Robinson	Ahana Robinson	117 Weiser court
Tony Comer	Tony Comer	122 WEISER CT
Karla Fontaine	Karla Fontaine	122 Weiser Court Apt B
David Floyd	David Floyd	102 Dyer court Apt E

## Petition to the NYSDOT



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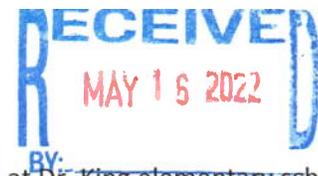
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We demand a reduction in speed for the business loop to 20 miles per hour in and around STEAM at Dr. King and within 50 feet of a residential neighborhood.

Name	Signature	Address
Diana Bryant	<i>[Signature]</i>	1016 S. McBride
Vickie Dennis	<i>[Signature]</i>	1012 S McBride
GREG ROBINSON	<i>[Signature]</i>	1811 E. FAUSTUS
Margaret Upshur	<i>[Signature]</i>	818 Salt Springs Rd
Robert K. Robinson	<i>[Signature]</i>	1016 S Mc Bride St
Katoya Collins	<i>[Signature]</i>	1018 S Mc Bride St
Monique Mitchell	<i>[Signature]</i>	1036 S, McBride st
Delmar Robinson	<i>[Signature]</i>	1236 S McBride st
Sandra Stackhouse	<i>[Signature]</i>	1130 S McBride st
Pamella Perry	<i>[Signature]</i>	1044 S McBride ST
Faith William Simpson	<i>[Signature]</i>	2156 GRACE ST
Bessie Smith	<i>[Signature]</i>	354 Hawley AVE
KIM SWAN	<i>[Signature]</i>	1033 S McBride St
Katye ASKew	<i>[Signature]</i>	116 Stewart Ct
Tara Glover	<i>[Signature]</i>	118 Radsson Ct

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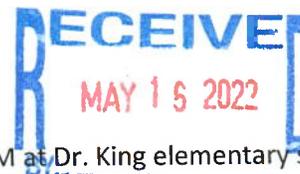
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Name	Signature	Address
Orlando Meddoo	<i>Orlando Meddoo</i>	104 Stewart Court
Shirley M. M. M.	<i>Shirley M. M. M.</i>	1040 S. McBride St
Courtney Swann	<i>Courtney Swann</i>	1033 S. McBride St
Tyrena Johnson	<i>1043 Tyrena Johnson</i>	1043 S. McBride St
Tara Harris	<i>Tara Harris</i>	1043 S. McBride St
Baara Gaspard	<i>Baara Gaspard</i>	3648 Doyle Rd
Shakyla Williams	<i>Shakyla Williams</i>	1047 S. Townsend St
Ashley Peter	<i>Ashley Peter</i>	120 Weiser Ct Apt A
JANE LAWSON	<i>Jane Lawson</i>	117 Weiser Ct B
Larry Hayes	<i>Larry Hayes</i>	1123 S. Townsend St.
Margo Hanlet	<i>Margo Hanlet</i>	123 Tyler Ct # J
Kathy Royal	<i>931 S. McBride St</i>	<i>Kathy Royal</i>
Herberto Medina	<i>119 R Addison Ct</i>	<i>Herberto Medina</i>
Kimble Royal	<i>131 Dablon Ct</i>	<i>Kimble Royal</i>
Michelle V-	<i>120 Dablon Ct</i>	<i>Michelle V-</i>

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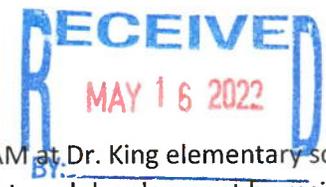
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Name	Signature	Address
Evan Kaptur	[Signature]	122 Weistes Ct
Kaptury Brown	[Signature]	128 Wiman ave
Hlexis Davis	[Signature]	107 Light Court
Lisa Warren	[Signature]	Lisa Warren
Starlease Moore	[Signature]	100 Angelou terrace
Deise Hollis	[Signature]	101 Gage Court
Deonayla Smart	[Signature]	Rescue Mission
[Signature]	[Signature]	347 Gettrude AVE
Jacquanne Dixon	[Signature]	203 Highland Ave
Antwanette Johnson	[Signature]	103 Dyer Ct APT R 84
Ernestine Spellman	[Signature]	1207 Almond St
Maiya Haston	[Signature]	213 Otisb Street
Naipriesha anderson	[Signature]	118 Radisson Ct
Nicole Ballard	[Signature]	1207 Almond Street
NIANA PARKS	[Signature]	1207 Almond St

14/11/2022



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Name	Signature	Address
Christopher Perry		1044 South Mc Bride St.
Adrian Neal		1026 South Mcbride St
Roderick Robinson		1016 S Mc B R
Devin Hutchins		450 Burt St
Cynthia Hart		923 MacBride St
Chantrel Gally		923 MacBride St
James Jones		338 Kenwick Ave
Quenzell Smith		135 Dabben Court
Carissa Single		1907 Midland Ave
Prettie Alexander		1317 Midland Ave
Mandria Linn		501 Catherine
Quincy Durham		110 Angelou Terr
Alexis Davis		107 Light Court
Skira Grover		118 Radisson Ct
Veronis Burke		1116 McBride

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Name	Signature	Address
Charles Pierce - El	Charles Pierce - El	104 Elk St. Syr. NY. 13205
Henry Thomas	Henry Thomas	103 Dyer Ct #15 13210
<del>Samuel Cole</del>	<del>Samuel Cole</del>	<del>103 Mabride Street</del>
Carol Huddick-Honey	Carol Huddick-Honey	103 Dyer Ct Syr 13206
Demara Holland	Demara Holland	351 Oakwood Ave Syr NY 13202
MICHAEL COOPER	Michael Cooper	1207 ALMOND ST 214 SYR NY 13210 405
Carol Driscoll	Carol Driscoll	1209 Almond St # 1212 1212
IASHMIA Lindsey	Iashmia Lindsey	110 GAGE CT Syracuse NY 13210
Marissa Holland	Marissa Holland	101 Gage Ct Syracuse NY 13210
Rashad Williams	Rashad Williams	122 Tidal Court NY 13202
Deziree Walker	Deziree Walker	103 Gage Court, Syracuse NY, 13210
Gwendolyn Thomas	Gwendolyn Thomas	1207 Almond St. 1708 13210
Shaunteena Jones	Shaunteena Jones	124 Gage Ct Syracuse NY 13210
Sheila Tull	Sheila Tull	112 Frisbie Ct Syracuse NY-13210
Carlton Holland	Carlton Holland	101 Gage Ct Syracuse NY 1320

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Name	Signature	Address
Lynn Roberts		198 Anderson Avenue Syracuse, NY
Sam Roberts		Genesee Pk Dr
Sonya Kittle		Kirk Ave
Davon Hunter		139 Hanson Rd Syr NY 13207
Hillary Warner		123 Lincoln Park Dr Syr. NY 13203
Sharon Copers		320 Montgomery St 13202
Michael Arthur		PO Box 131 Syr - New York
Charmain Smith		3644 Midland Avenue
Bishop Abraham Israel	Abraham Israel	123 Tyler Ct Apt F Syr, NY 13202
First Lady Sarah Israel	Sarah Israel	123 Tyler Ct Apt F Syr, NY 13202
Jahsiene Ellis		335 Gardiner Ave Syr 13205
Isayah Mitchell		19 Drumlins Terr Sy NY 13224
Rosemary Welch	Rosemary Welch	109 Enfield Pl, Syr NY 13214
Craig Challenger		100 Enfield Pl S, 13214
Amir Chatterjee	Amir Chatterjee	129 A CROYDEN N. SYRACUSE 13224

## Petition to the NYSDOT

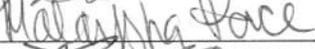
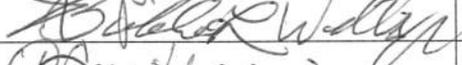
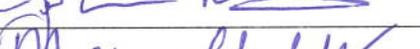
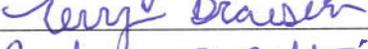
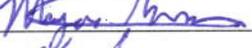
**RECEIVED**  
MAY 15 2022  
BY: \_\_\_\_\_

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Name	Signature	Address
Pamela Williams		2121 S. State Street 13205
Keisha Franklin		1004 S. McBride St. 13202
Malaysha Pace		938 S. McBride St 13202
Robbie Ledwille		115 Weiser St. 13202
Glendasia Cawthon		904 S. McBride St Syracuse NY 13202
R. Ev. Aiken		1812 Midland Ave Syracuse NY 13205
John McCoy		1430 SunCrest Rd
Merry Chubbly		100 Polk St Syracuse NY 13224
Terry Brauser		316 W Brighton Ave, Syr 13205
Andrew Mathis		106 W Boeden Ave Syr 13205
James Hughes		41 Lincoln Ave Binghamton N.Y. 13905
Major Thomas		119 Pattison St
K. Mayne		1206 W. Colvin Syr. NY. 13210
Brian Barr		1236 Midland
Keith Cannon		2590 S. Salina St. SYR NY

## Petition to the NYSDOT

Done  
May 16 2022

RECEIVED  
MAY 16 2022

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Name	Signature	Address
John... Bates		300 BURT ST C-407 SYRACUSE NY 13207
Willie Johnson	Willie E Johnson	300 BURT ST - C 710 SYRACUSE
EARLY HAYS	Peggy Jones	310 WAMONT 13205 NY
Mary... Thomas	Mary... Thomas	300 BURT ST SYR 13205
Peggy Jones	Peggy Jones	310 BURT ST. A604
Jessie Whitcomb	Jessie Whitcomb	300 BURT ST
Sherry Hill	Sherry Hill	300 BURT ST Apt 501C
UNIQUE COLEMAN	UNIQUE COLEMAN	300 BURT ST Apt 903 C
Arena Gilliam	Arena Gilliam	300 BURT ST Apt C1205
Micelle Knight	Micelle Knight	300 BURT ST Apt - C-701
CARLENE PERTILLA JR	402 B 300 BURT	CARLENE
Yolanda Moore	Yolanda N Moore	4314 Wetzel Rd
ISAIAH WILLIAMS	ISAIAH WILLIAMS	4705 BROAD RD
GARY BRUNETT	GARY BRUNETT	7182 STATE FAIR BLVD
ANTHONY JOHNSON		257 MILLER WEST

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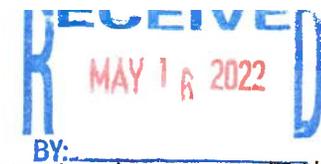
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Name	Signature	Address
CARMELO CASTRO	<i>[Signature]</i>	110 Towers lane
Jaikeon Gonzalez	<i>[Signature]</i>	1231 South State Street
Jerome Jackson	<i>[Signature]</i>	1239 South State Street
Kassandra Ortiz Arce	<i>[Signature]</i>	103 Grape Terrace Street
Hillie Williams	<i>[Signature]</i>	358 Oakwood Ave
Teri Y Killins	<i>[Signature]</i>	104 Truth Ter.
Jaira Caraballo	<i>[Signature]</i>	108 Truth Ter
Rhadija Kulmiya	<i>[Signature]</i>	110 Truth terrace
Mahamed Kulmiya	<i>[Signature]</i>	112 Truth terrace
Mans Kulmiya	<i>[Signature]</i>	110 Truth terrace
Abdikadir Abdi	<i>[Signature]</i>	118 Truth terrace
Kimberly Ortiz	<i>[Signature]</i>	
Catherine Fudge	<i>[Signature]</i>	104 Danforth Terrace

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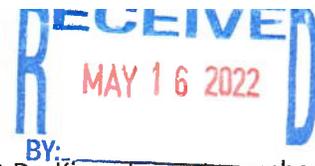
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Name	Signature	Address
Aden osman	Adenosman	105 thurgood ter
Halima Aweys	Halima A	109 Thurgood terrace
Fabio Ayres	Fabio	121 Croton Ten Syrn
Danna Greene	Danna Greene	420 Oakwood Ave
halima nekama	halima nekama	416 oakwood Ave
Benny Curry	Benny Curry	105 Croton Terrace
Fabian Bran	Fabian Bran	128 Albert Terr.
FRANK WILLIAMS	Frank Williams	518 OAKWOOD AVE
Maher Yusuf	Maher Yusuf	117 Maple Terrace
Melissa Mediculla	Melissa	113 Albert Terrace
Kenya Green	Kenya Green	109 Albert terrace
Annita Rankin	Annita Rankin	101 Albert Terrace
Lat		
Lat	Donforth Terr	Donforth Terr

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Name	Signature	Address
ANTWANETTE JOHNSON	<i>Antwanette Johnson</i>	103 Dyer Ct APT # K SYR
EMANUEL B HENDERSON	<i>Emanuel B Henderson</i>	207 Boston Rd
JIMMIE L REESE	<i>Jimmie L Reese</i>	6105 Bethelham Ln.
MONTAL RUFFLES	<i>Montal Ruffles</i>	257 Martin Luther King West
JOSEPH HARRIS	<i>Joseph Harris</i>	254 Martin Luther King W. Apt 1
HELEN T. WAGNER	<i>Helen T. Wagner</i>	360 Cortland Ave
OFIS TILKE	<i>Ofis Tille</i>	367 Pilliam Ave SYR
JAMES JACKSON	<i>James R Jackson</i>	2123 SO Geddes St SYR NY 13207
JOHN WAGNER	<i>John Wagner</i>	360 Cortland ave. SYR. N.Y. 13203
BARBARA JOHNSON	<i>Barbara Johnson</i>	257 MARTIN LUTHER KING W SYR
VYNCE WATSON	<i>Vynce Watson</i>	1605 MEDVAND AVS, SYR, NY
DOYUCE KEARSE	<i>Doyuce Kears</i>	915 S Townsend St
<i>She Hon Granger</i>	<i>She Hon Granger</i>	1603 McManis Ave
<i>She Hon Granger</i>	<i>She Hon Granger</i>	5150 SABBATA ST
<i>She Hon Granger</i>	<i>She Hon Granger</i>	408 Synder Ave

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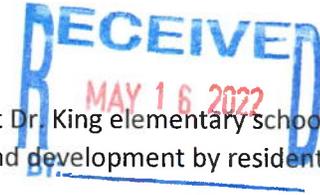
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Bessie Pope	Bessie Pope	101 Danforth Terr.
Cathy	Cathy	217 Grape terr
Wendie Anthony	Wendie Anthony	109 Danforth Terr.
Peggy Jones	Peggy Jones	300 Burt St A. 604
Michael Caesar	Michael Caesar	401 Br Almus Tower
Carl Partick	Carl Partick	1307 Almond ST 1802 13011
Shirley Randal	Shirley Randal	300 Burt St Apt C-403
Gerline Stroman	Gerline Stroman	942 Bellevue ave
George Stroman	George Stroman	942 Bellevue ave
Dobby RAY	Dobby RAY	125 STEWART CT
Desheonna Boatwright	D. Boatwright	316 Oakwood Ave
Denise Freeman	Denise Freeman	108 Danforth Terrace
Rena Owens	Rena Owens	
Clairice Reaves	Clairice Reaves	
Cathy	Cathy	Grape Terrace

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Name	Signature	Address
Luther Wynn	Luther Wynn	40 Danforth Terrace
BETH CHEEVES	Beth Cheeves	201 GRape TERRACE
Carmen Cruz	Carmen Cruz	211 Grape Terrace
Andres Gonzales	Andres Gonzales	200 Towers Lane
Caitly Biceband	Caitly Biceband	207 GRape TERRACE
Destiny Velazquez	D. Velazquez	113 Mulberry Terrace.
Deonita Smokes	Deonita Smokes	115 mulberry terrace
Bethy Davis	Bethy Davis	112 mulberry terrace
Nurijo Robo	Nurijo Robo	107 thurgood terrace
DHOWLEY Abdi	D. Abdi	1257 S. State Street
SHANSA	SHANSA	1313 S. State St
Gloria Hills	Gloria Hills	109 mulberry Ter
Mary Renee	Mary Renee	316 Davenport Ave,
Shirley Ratcliff	Shirley Ratcliff	118 DANFORTH TERR.
Hope Reese	Hope Reese	114 Towers Lane.

## Petition to the NYSDOT



We demand the NYSDOT Reserve and transfer the four acres of land to the City of Syracuse adjacent to STEAM at Dr. King elementary school with a contingency the land must be developed into a community land trust, and provide resources, oversight, and development by residents living adjacent to I-81 viaduct.

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We demand a reduction in speed for the business loop to 20 miles per hour in and around STEAM at Dr. King and within 50 feet of a residential neighborhood.

Name	Signature	Address
Shirley Robinson	<i>Shirley Robinson</i>	217 West Newell
M/A Hlop J Golley	<i>M/A Hlop J Golley</i>	P.O. Box 568 S. York 1324
Winnona Monaghan	<i>Winnona Monaghan</i>	118 Sheldon Ave
Julie Mc	<i>Julie Mc</i>	139 Michigan
Jungwon Tille	<i>Jungwon Tille</i>	112 Kenwood ave
Dawn Weather	<i>Dawn Weather</i>	3512 James
Muhammed Selimovic	<i>Muhammed Selimovic</i>	6043 Mantios Town Line Rd
Kiamesha Cotton	<i>Kiamesha Cotton</i>	152 Albert terrace
Tazir Hawkins	<i>Tazir Hawkins</i>	316 Newark Ave
Jahrell Ferguson	<i>Jahrell Ferguson</i>	120 Woodland Ave
Chevella Givens	<i>Chevella Givens</i>	320 Martin Luther King
Hemel Sanders	<i>Hemel Sanders</i>	165 Ballantyne Rd
Mark Comlan	<i>Mark Comlan</i>	530 Clinton St. Apt. 1009 13209
Shannon Hines	<i>Shannon Hines</i>	135 Stewart Court Apt J

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Name	Signature	Address
Joseph Kelly	Joseph Kelly	163 Holland st
ERIC M PITAS	ERIC M PITAS	1267 Almaden st
J. Lawrence J. Camp	J. Lawrence J. Camp	
Pat McMiller	Pat McMiller	139 Albert Terrace
William Felt		555 RED ST
Eric Allen	ERIC ALLEN	315 - 398 - 9770
Anthony [unclear]	Anthony [unclear]	315 380-8830
J. I. CARSON	J. I. Carson	116 - WEST NEWELL
James Blakeslee	James Blakeslee	450 Port St apt 311
John Miko	John Miko	353 BAKER AVE #2
Kestey R. Dean	Kestey R. Dean	210 Melanore ST
Laquan Brown	Laquan Brown	320 Martin Luther King east
Melasia Graham	Melasia Graham	101 Grape Terrace
Kayjunique Baxter	Kayjunique Baxter	414 east brighton Ave



## Petition to the NYSDOT



BY: \_\_\_\_\_

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Name	Signature	Address
HARRY ELLIS	[Signature]	126 Densborn pl
SHARIF GUNN	[Signature]	123 Tyler Ct
John Battey	John Battey	1207 Almond
Nooreldin	[Signature]	500 Oakwood ave
Priscilla	[Signature]	500 Oakwood ave
* Teeshay Banna	Teeshay Banna	905 Townsend Street
Aaron Jones	[Signature]	Holland st 130
Jung Pae	[Signature]	235 Kimber-ave
[Signature]	[Signature]	100 Dger Court
Jamil Bruscell	[Signature]	416 Englewood
Jerking carr	[Signature]	108 Thrut reverse
Dimone Davis	[Signature]	816 South Ave
Uwete Singletary	Uwete Singletary	227 Evaleen Ave
Mark Lopez	Mark Lopez	110 Tyler Court S/R 13202
Denise Halls	Denise Halls	101 Grace Court

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Name	Signature	Address
Dezi Walker	<i>[Signature]</i>	103 Gaag Court Syracuse NY
Ahasia Pulley	<i>[Signature]</i>	2712 East Fayette Street
Sade Whitlock	<i>[Signature]</i>	923 James St Syracuse NY
JANCE Drexton	<i>[Signature]</i>	1707 State " " "
Tamika Jeter	<i>[Signature]</i>	7 Grayhill Ct Liverpool NY
Colvin Broadwater	<i>[Signature]</i>	1450 S. State St
Jennette	<i>[Signature]</i>	102 Walter Terr
Edgar Pace Jr	<i>[Signature]</i>	223 ELIZABETH ST SYR NY 13206
Dhawa F Ahmed	<i>[Signature]</i>	101 Santa Saun Dr
Alida	<i>[Signature]</i>	201 State Street
Madina Sharif	<i>[Signature]</i>	109 Mary Street Apt 2. 13208 SYR, NY
Samina Ali	<i>[Signature]</i>	109 Mary St Apt 2 13208 SYR, NY
N Russell	<i>[Signature]</i>	248 Garfield Ave 13205
Thomas Bayaruge	<i>[Signature]</i>	304 Kenwick Ave Syracuse NY
Deput n. Gayle	<i>[Signature]</i>	2371 Middle Ave

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Name	Signature	Address
Katrina Callahan	<i>[Signature]</i>	755 - Jane - st
Macy Carrasquillo	<i>[Signature]</i>	205 grape terrare
Alicia	Lisa Russell	205 grape terrare
JOSE ROSARIO	JOSE ROSARIO	321 E. KENNEDY ST. RM 3
Charles Hudson	Charles S. Hudson	420 oak wood ave
Anthony T	<i>[Signature]</i>	203 Grape +
Emily Overend	<i>[Signature]</i>	904 County Rt 37 Central Sq. NY 13036
Yalala	<i>[Signature]</i>	1207 Almond
Josephine	<i>[Signature]</i>	132 Hartson
Josephine Watkins	Josephine Watkins	211 M L King E
Johanne C	Johanne Ellis	735 gartley ave
Charles Zicker	<i>[Signature]</i>	101 Waldorf Parkway
Donald Prugh	Donald Prugh	223 E Kennedy St
Yelena Bellet	Yelena Bellet	1509 S State St

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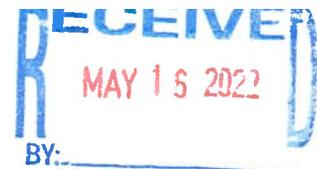
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Name	Signature	Address
Larry Holmes	<i>Larry Holmes</i>	2126 S State St.
Shirley Sherman	<i>Shirley Sherman</i>	110 Angelou Terr
Thelma	<i>Thelma</i>	Po Box 2605 Syr. NY 13205
Temeka R	<i>Temeka</i>	117 Blaine St
Donald Middleton	<i>Donald Middleton</i>	3415 Oakwood Ave.
Kobe Long	<i>Kobe Long</i>	107 Woodale
Joshua	<i>Joshua</i>	1629 W Onondaga St
Quan	<i>Quan</i>	1629 W Onondaga St
Jarek	<i>Jarek</i>	257 Fernman St.
Raheed Davis	<i>Raheed Davis</i>	116 COMUND
Gerert Sheed	<i>Gerert Sheed</i>	152 Fernwood Ave
LIM Green	<i>LIM Green</i>	152 Fernwood Ave
Dyan Dine	<i>Dyan Dine</i>	451 Midland
Anthony L. Sheed	<i>Anthony L. Sheed</i>	108 DIER ET # F.
Jameson Venham	<i>Jameson Venham</i>	225 MIDLAND AVE

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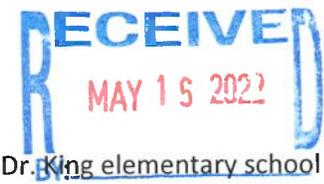
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Name	Signature	Address
Riccolizza	Riccolizza	
<del>Dawkins</del>	<del>[Signature]</del>	
Chamber Riffers	Chamber Riffers	107 E. Kennedy 155 S. Salina St
Judy Williams	Judy Williams	100MEY Abbott Apt #207
Yvonne English	[Signature]	614 Oakwood Ave
Sayce Johnson	[Signature]	612 Oakwood
Todd Frazier	Todd Frazier	1011 South McBride St
Sharon [unclear]	[Signature]	614 Oakwood ave
Todd [unclear]	Todd [unclear]	300 Remwick ave
Dejour Hamilton	Dejour Hamilton	701 Stanley
Jenice A	Jenice A	150 S Clinton St
Devon J. Adams	Devon J. Adams	151 S Clinton St
James [unclear]	James [unclear]	1207 Amarel St #313
Darren Valentino	Darren Valentino	215 Salgwick St
Shannon Burke	Shannon Burke	145 W. Florence Ave 13205

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Name	Signature	Address
Haywood Richardson	<i>Haywood Richardson</i>	220 BAKER AVE
Shomel Montague	<i>Shomel Montague</i>	529 Garfield Ave
Khan Odom	<i>Khan Odom</i>	Baker Ave
Queen Howard	<i>Queen Howard</i>	log rider
Ali Mohamed	<i>Ali Mohamed</i>	708 James St
<del>Richard</del> Kyle Lower	<i>Kyle Lower</i>	702 James St
Omar Ali	<i>Omar Ali</i>	708 James St
Johnny Gaston	<i>Johnny Gaston</i>	349 Garfield AVE
MORRIS COTTON	<i>Morris Cotton</i>	621 W. Lafayette Ave
Karen Starling	<i>Karen Starling</i>	308 Remick Ave
Phyllis Jones	<i>Phyllis Jones</i>	115 Elmwood Ave
Mural Jones	<i>Mural Jones</i>	313 E Ellis St
Brian Montgomery	<i>Brian Montgomery</i>	720 Hickory Street
Averi Marshall	<i>Averi Marshall</i>	328 Baker Ave
Carlisha Senior	<i>Carlisha Senior</i>	328 Baker Ave

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Name	Signature	Address
[Handwritten Name]	[Handwritten Signature]	135 Osterlee
[Handwritten Name]	[Handwritten Signature]	292 Farmington
[Handwritten Name]	[Handwritten Signature]	1445 Gating Street
[Handwritten Name]	[Handwritten Signature]	133 [Handwritten]
[Handwritten Name]	[Handwritten Signature]	105 [Handwritten]
[Handwritten Name]	[Handwritten Signature]	115 [Handwritten]
[Handwritten Name]	[Handwritten Signature]	175 W WATSON
[Handwritten Name]	[Handwritten Signature]	216 Bell Ave
[Handwritten Name]	[Handwritten Signature]	103 Smith Ln
[Handwritten Name]	[Handwritten Signature]	1412 Bitternut Str Apt #3
[Handwritten Name]	[Handwritten Signature]	2404 E. Fayette St. 13224
[Handwritten Name]	[Handwritten Signature]	144 Albert ter
[Handwritten Name]	[Handwritten Signature]	136 Hatch st 13205
[Handwritten Name]	[Handwritten Signature]	West Newell



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Name	Signature	Address
JAMES TALAR	JAMES TALAR	1324 ELISS ST
Walter Deard	Walter Deard	SYRACUSE NY
JOHN TENNINGS	John Tennings	206 HORTON ST
Robert Herring	Robert Herring	300 BURT ST
DAVID HOLMS	David Holms	220 MIDLAND
Tomell Graham	Tomell Graham	131 ALBERT TERRACE
Shameka Oliver	Shameka Oliver	
CARZEN BROWN	Carzen Brown	114 BAKER AVE
EVAN JONES	Evan Jones	122 WILSON CT
CAROL RIDDICK	Carol Riddick	103 DYER CT SYR NY 13210
MICHEL BRANCH	Michelle Branch	113 VINE ST AVE
Amar Shabazz	Amar Shabazz	10 North St Cem. NY 13031
WALANDA HOPE	Walanda Hope	240 MOORE AVE
Mary Carcedo	Mary Carcedo	1445 S SAUNDERS ST 13205
Shondra Connor	Shondra Connor	1445 S SAUNDERS ST



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Name	Signature	Address
TAYLOR HANBY		220 CLAYTON MANOR DR. S #8
Joelle Bradford		161 Fernwood ave
Rachael Junious		431 Hawley Ave
CARTER, James		101 Corton Ter I Live Right
Jacqueline Archa		405 E Baymor Ave
Uge Dedea		1508 S. state st.
EYair Holland		101 Gage Ct Syracuse ny
Vasey Scott		202 state st. Syracuse NY
E Duchey		1450 Sstate St
Tatiana februz		1626 S. State St.
Thomas Jenkins		722 Merrill Street Syracuse NY
Beverly Cruz		214 Ken mosew Ave
Kirel weather		1315 S. state St. Syracuse NY 13202
Mike Smith		500 oakwood

Where

## Petition to the NYSDOT

RECEIVED  
MAY 13 2022  
 BY: \_\_\_\_\_

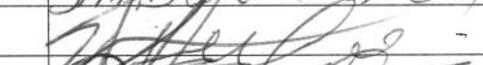
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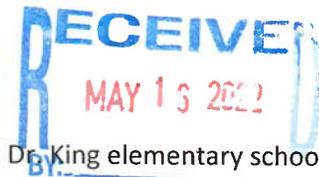
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Name	Signature	Address
Diamond Adams		
Harry Hayes	Harry Hayes Sr.	1123 Townsend
Rakeem Hill	Rakeem Hill	
Merwin Davis	Merwin Davis	1107 <sup>s</sup> Townsend St
Eddie Lee Williams III	Eddie Williams	
Shahneem Fawcett		119 Richardson Ave.
Eddie Monroe	Eddie Monroe	300 Audubon Pkwy
Brooke Davis		107 Light Ct.
Rakeem Hill	Rakeem Hill	136 Dabler Court
Tawasha Works	Tawasha Works	1035 S. Townsend St.
Kashalon Sweet	Kashalon Sweet	209. Chavez Ten.
Shantel Sims	Shantel Sims	123 Wersan Ct
Melissa Colon		122 Weiger Ct
Alexis Davis		107 Light Court
Deondra Walker	Deondra Walker	107 Light Court Ct

②  
②



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Name	Signature	Address
DELEVON SCOTT	Delevon Scott	124 Armstrong Pl.
CHARLENE HACKETT	Charlene Hackett	199 Lincoln Ave
JAMMY RUFAS	Jammy Rufas	118 Sheldon Ave
Sigau-dell Mike	Smarslee Mike	124 Armstrong Pl.
Keturah Hicks	Keturah Hicks	5537 Trastevere Rd.
Kerry Walker	Kerry Walker	5537 Trastevere Rd
MICHAEL CHATMAN	Michael Chatman	126 Armstrong Pl 13207
SEAN RATHLE	Sean Rathle	126 Ames Jelle Ave
LATASHA CURRY	Latasha Curry	128 Armstrong Pl. Sept. 13207
<del>SHERRY TURNER WILLIAMS</del>	<del>Sherry Turner Williams</del>	106 St. Louis Ave 13207
Sherry Turner Williams	Sherry Turner Williams	1024 Cannon St.
Stanley Williams	Stanley Williams	1024 Cannon St.
Jai'Nid Turner	Jai'Nid Turner	101 <del>Elm Street</del> Elliot Street
Serenity Lewis	Serenity Lewis	105 East O'Sullivan
Nevach A Jackson	Nevach A Jackson	194 W Cathrap Ave

## Petition to the NYSDOT



*Handwritten mark*

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Name	Signature	Address
Reginald Brown	Reginald Brown	141 W Pleasant Ave
<del>Reginald</del> Jason C. Allen	Jason C. Allen	818 Tallman Ave.
LEON D. SHORTER	Leon D. Shorter	818 Tallman St.
CACHEL WOODMAN	Cachel Woodman	300 Lyndal Ave. Syr. NY 13207
Clinton Hill Jr	Clinton Hill Jr.	105 Holden St Syracuse NY
J. Middlebrook	J. Middlebrook	607 Wolf St. Syracuse N.Y.
WUKE JOHNSON	Wuke Johnson	9 2nd St 12th E
Tiffany Jackson	Tiffany Jackson	144 W. Calthrop Ave.
Darlene Dow	Darlene Dow	319 W. Matson Ave
Diane Stromen	Diane Stromen	199 W. Calthrop Ave
Linda Mc Millan	Linda Mc Millan	197 W. Calthrop Ave
Charles Mike	Charles Mike	124 Armstrongs Place
Leslie Henderson	Leslie Henderson	1022 N. State St
Lamar Dorsey	Lamar Dorsey	129 Blaine Street
Raymundo EVANS	Raymundo Evans	450 Bart Street
Madeline M. Ori	Madeline M. Ori	450 Bart Street

## Petition to the NYSDOT



We demand the NYSDOT Reserve and transfer the four acres of land to the City of Syracuse adjacent to STEAM at Dr. King elementary school with a contingency the land must be developed into a community land trust, and provide resources, oversight, and development by residents living adjacent to I-81 viaduct.

We demand the NYSDOT protect residents by conducting a health needs assessment for community needs to determine who is best suited to be relocated due to the fugitive dust and hazards of construction. We demand a health care access center within walking distance to Martin Luther King W. We demand independent monitors of daily air quality, lead exposure and compliance with federal regulations.

Considering the lead in the raised viaduct, from the leaded paint, leaded gasoline, and housing dust, we demand testing of the raised viaduct prior to demolition. We demand stronger safety standards to protect residents from fugitive dust. The NYSDOT should require the contractor to use a higher, more protective level of protection for residents and supply residents with lead resistant abatement technology.

We demand a reduction in speed for the business loop to 20 miles per hour in and around STEAM at Dr. King and within 50 feet of a residential neighborhood.

Name	Signature	Address
Marilyn Braswell	Marilyn Braswell	416 Engelwood Ave.
Bernard Cannon	Bernard Cannon	132 M.L.K west apt 6
<del>Row</del>		
Barbadu Racecha	Barbadu Racecha	108 East Kennedy St
<del>Samuel West</del>	<del>Samuel West</del>	312 E. Kennedy St + Syrac. NY
Khyri Bloodworth	Khyri Bloodworth	545 South Ave
Diane Hunter	Diane Hunter	202 JAMESVILLE AVE 13310
Eshella Haygood	Eshella Haygood	372 OAKWOOD AVE 13202
Wilson Stewart	Wilson Stewart	
April A. Stewart	April A. Stewart	1030 S. McBrude St
April H. Stewart	April H. Stewart	1020 S. McBrude St 13202
Victoria Johnson	Victoria Johnson	1020 S. McBrude St
Anthony Johnson	Anthony Johnson	1020 S. McBrude St
Samuel Everitt	Samuel Everitt	320 MLK E APT 2 Syrac NY 13202
Bruce W. Land	Bruce W. Land	102 Oyer Ct APT D



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Name	Signature	Address
ARTHUR HOGAN	<i>Arthur Hogan</i>	363 Oakwood av
Antonette Robinson	<i>Antonette D Robinson</i>	1051 S Townsend St
DESTINY HILL	<i>DESTINY HILL</i>	1031 S. TOWNSEND
Theresa Smith	<i>Theresa Smith</i>	1031 S. TOWNSEND St
AARON WHITE	<i>Aaron White</i>	222 Bennington DR.
Lance Johnson	<i>Lance Johnson</i>	119 Radisson Ct
Alexander Thurman	<i>Alexander Thurman</i>	146. Bishop Ave
Robert Crenshaw	<i>Robert Crenshaw</i>	407 Valley Dr
Marion Smith	<i>Marion Smith</i>	135 Dablon Ct.
Ron Harley	<i>Ron Harley</i>	564 OAKWOOD AVE
Bonnie Days	<i>Bonnie Days</i>	1711 Meadowbrook DR.
Yashira Soto	<i>Yashira Soto</i>	101 Latimer Ter
Quinn-terwon Nevith	<i>Quinn-terwon Nevith</i>	120 Latimer Ter
Alliant Pines	<i>Alliant Pines</i>	117 Latimer Ter
Emery Kinsey	<i>Emery Kinsey</i>	118 Fall Ave 13205





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Name	Signature	Address
ALEXANDER WILLIAMS	Alexander Williams	2121 South STATE ST 13205
Valerie Taylor	Valerie Taylor	2223 S. Sclera St 13205
CORRIN BRYANT	Corrin Bryant	2935 S. Galina St 13205
JANQUELINE CASIDE	Janqueline Caside	2221 S. SALMA ST 13205
CHARLUS AURETREN	Charlus Auretren	3001 S. SALVA St NY 13205
CURTIS AURETREN	Curtis Auretren	3001 - S SALMA ST 13205
IDA STEWART	Ida Stewart	232 W. LAFAYETTE AVE SYR 13205
TOD D GORDON	Tod Gordon	349 MONTGOMERY ST. 618
Shameka Davis	Shameka Davis	106 Weiser Ct SYR. NY 13202
WYOMER RIVERS	Wyomer Rivers	1127 S Townsend St 13202
Hector Lopez	Hector Lopez	131 STEWART COURT 13202

