

AFTER SANDY, PRIORITIZING THE VULNERABLE AND DISPLACED

Fixing Major Flaws in
City Hall's Disaster Recovery
Planning



**ALLIANCE FOR A
JUST REBUILDING**

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www.rebuildajustny.org

About the Alliance for a Just Rebuilding

The Alliance for a Just Rebuilding brings together labor unions and community, faith-based, environmental and policy organizations to address immediate relief and long-term rebuilding issues in the wake of Hurricane Sandy.

Alliance for a Just Rebuilding members are committed to a just, equitable and sustainable recovery and rebuilding process that makes infrastructure and regulation more equitable, prioritizes transparency and community inclusion, creates new economic opportunity for all New Yorkers – particularly low-income communities and communities of color – and includes a commitment to long-term climate sustainability and the elimination of environmental disparities across communities.

COALITION MEMBERS

- 350.org
- ALIGN: The Alliance for a Greater New York
- CAAAV: Organizing Asian Communities
- Center for Popular Democracy
- Center for Social Inclusion
- Community Development Project at the Urban Justice Center
- Community Voices Heard
- Consortium for Worker Education
- Families United for Racial and Economic Equality (FUREE)
- Good Jobs New York
- Greater New York Labor-Religion Coalition
- Hunger Action Network of New York State
- LiUNA Local 10
- LiUNA Local 78
- Long Island Civic Engagement Table
- Long Island Jobs with Justice
- Make the Road NY
- Mutual Aid Housing Association of NY
- National Domestic Workers Alliance
- NEDAP
- New York Committee for Occupational Safety & Health (NYCOSH)
- New York Communities for Change
- New Yorkers for Fiscal Fairness
- New York State Nurses Association (NYSNA)
- Occupy Sandy
- Participatory Budgeting Project
- Physicians for a National Health Program- NY Metro
- Pratt Center for Community Development
- Queens Congregations United for Action
- Respond & Rebuild
- Retail, Wholesale and Department Stores Union (RWDSU)
- SEIU 32BJ
- TWU Local 100
- VOCAL-NY

Introduction: From the Frontlines of Recovery and Rebuilding

Nearly six months after Sandy, community organizations across the city are still on the frontlines of recovery and rebuilding. They are providing essential support for the most vulnerable and displaced residents, helping people navigate city government and FEMA relief programs, document storm damage, reconstruct homes, and access vital services. Community, labor, environmental, and policy organizations have come together to form the Alliance for a Just Rebuilding to ensure that recovery and rebuilding efforts after Sandy address the short-term and long-term needs of low-income city residents, people of color and immigrants.

New York City's Action Plan for Disaster Recovery, released in draft form in late March, allocates \$1.77 billion in federal Sandy funds.¹ The federal money comes with standards that require the City to account for how its housing and recovery plans will support displaced residents.

This is the first report of its kind to identify a series of major flaws in the City's Action Plan, and to propose solutions that will help ensure a just and equitable rebuilding for all New Yorkers. It gathers together the most up-to-date evidence, data, and analysis to highlight previously underreported weaknesses in the City's disaster response after Sandy. And it offers a series of policy recommendations for the Bloomberg administration and 2013 mayoral candidates to adopt.

This report responds to the initial draft of the City's Action Plan released in late March 2013, and is designed to inform the final plan on disaster recovery that the Bloomberg administration is expected to release at the end of May 2013. It is also intended to shape in a nonpartisan way, the policy platforms of all the 2013 mayoral candidates.

At stake is much more than flood-zones. Across race, income, immigration status, geography, and other differences, Sandy revealed inequities and injustices that existed long before the storm hit, which should be addressed by the next mayor to make the city better and fairer. Those inequities and injustices have only deepened in the post-Sandy context, as the needs of vulnerable and displaced residents have gone unmet.² This report offers a way forward for New Yorkers who have felt invisible and forgotten.



Findings: Identifying and Fixing Flaws in the City's Disaster Recovery Plan

Below are the key findings of the report, organized according to major issues and policies that affect rebuilding and recovery after Sandy. Based on the latest evidence, data, documentation, and on-the-ground information, major flaws in the City's plan are presented, along with proposed solutions and recommendations for how to fix them.

1. Rental Assistance and Temporary Shelter for Displaced Residents

- **THE FLAW:** There is no official estimate of displaced residents who need disaster housing assistance but haven't yet been able to register; and hundreds of families currently in hotels will become homeless if the City stops providing temporary shelter on April 30th as planned.
- **THE FIX:** The City must conduct and release a full estimate of displaced residents, and make rental assistance vouchers available to all displaced residents. Until this happens, temporary shelter must remain available to all families, and the City must reverse its decision to end hotel assistance for all evacuee families by April 30th.

2. More Effective Mold Remediation

- **THE FLAW:** Tens of thousands of residents have been left on their own to handle mold remediation. The City's privately-funded mold remediation program can only reach approximately 2,000 homes, and very few New Yorkers even know about it.
- **THE FIX:** The City should include expanded mold remediation in its allocation of federal Sandy recovery funds, and adopt the *Back Home, Back to Work* initiative. The initiative provides safe and effective mold assessment and remediation from qualified expert contractors and highly-trained union workers on a coordinated block-by-block basis.

3. Disaster Relief for Undocumented Immigrants

- **THE FLAW:** The City's disaster recovery plan leaves thousands of undocumented immigrants uncertain about their access to housing assistance and economic support in the future.
- **THE FIX:** The City should ensure that all New Yorkers, including undocumented immigrants, can access the full range of disaster rebuilding and recovery services that are available. Specifically, it should set a strong precedent by offering undocumented immigrants access to in-kind, short-term emergency disaster relief and rental housing vouchers.

4. Restoring Affordable Housing Units Lost During Sandy

- **THE FLAW:** The City's plan underestimates the affordable housing lost after Sandy by tens of thousands of units, and is not seeking to replace unregistered units, rent-stabilized units, and units lost to foreclosure and other factors. That will result in displacement and worsen the affordable housing crisis that was already severe before Sandy.
- **THE FIX:** The City must develop a true estimate of all the affordable housing lost during Sandy, including through foreclosures, deferred repairs and other factors. It should use federal Sandy recovery funds to restore or replace damaged housing and expand affordable housing for low-income families in the hardest-hit communities.

5. Giving Renters, Homeowners, and Small Businesses the Resources They Need

- **THE FLAW:** The City's plan doesn't account for the funding that low- and moderate-income homeowners need for repairs; it makes renters rely on landlords for repairs; and it forces small businesses to compete unfairly against each other for resources instead of addressing their needs.
- **THE FIX:** To prevent displacement of homeowners, the City must develop a better, more accurate assessment of their needs and the resources homeowners can expect from outside sources like insurance. The City must also fully support the recovery of renters by increasing access to mold remediation and requiring landlords to guarantee their tenants' right to return. And it must create grant programs that offer funds to help small businesses immediately reopen and rehire, instead of awarding funds through unfair competition.

6. Turning Recovery and Rebuilding Work into Good Jobs

- **THE FLAW:** Community advocates have witnessed and reported many cases of outside contractors exploiting workers and taking advantage of homeowners during the recovery process. The City's plan doesn't include provisions to ensure that \$1.77 billion in federal funds will create jobs that meet local hiring, prevailing wage, health and safety standards, and federal guidelines for hiring NYCHA residents.
- **THE FIX:** The City must create a transparent contracting process, minimally for contracts over \$1 million, that includes a Community RFP Taskforce to select contractors, and requires enforceable standards for local hiring, NYCHA hiring, and prevailing wages where applicable.

7. Strengthening NYCHA Developments as First Lines of Defense

- **THE FLAW:** The City is not strengthening the storm-readiness and resiliency of NYCHA developments, where horrific scenes of freezing darkness, hunger, lack of access to medical care, isolation and neglect unfolded after Sandy.

- **THE FIX:** The City should restore community centers (including those shuttered before the storm), parks and playgrounds on NYCHA property in affected zones, and install combined heat and power instead of just moving boilers to higher floors (and losing precious apartments in the process). Co-generation provides enormous benefits in terms of resiliency, cost-efficiency and climate change mitigation.

8. Reinvesting in Public Hospitals

- **THE FLAW:** The City’s plan does not address the fact that Sandy wiped out power and forced the evacuation of four hospitals in the city, two of which were HHC facilities. For these public hospitals, the reduction of services means a loss of much needed revenue for their facilities. The City’s plan only mentions that a waiver will be sought “if necessary” to recover losses sustained during the temporary closures.
- **THE FIX:** The City must do more to recover these funds, and prioritize reinvestment in public hospitals so they can remain open during future disasters and provide urgent care to residents. Public hospitals operate with very thin margins, and the City’s disaster planning must ensure the long-term financial health and solvency of these vital institutions.

9. Improving Our Local Power Supply and Energy Independence

- **THE FLAW:** The City has not developed a strategy for making communities less dependent on the unstable grid controlled by Con Edison. Instead, it is promoting a market-driven competition that “seeks technologies that improve the resiliency of NYC’s buildings and critical networks.” This competition is a poor substitute for providing the funding and support necessary to make local communities and neighborhoods energy independent.
- **THE FIX:** The City should expand its approach to energy planning and provide technical assistance and funding to help communities and neighborhoods pursue energy resiliency plans. A key goal should be decreasing dependence on the unstable grid.

10. Expanding Transit Service to Chronically Underserved Areas

- **THE FLAW:** The City’s plan fails to recognize that communities in “transit deserts,” such as Red Hook, Coney Island, and the Rockaways, were already underserved by the MTA before Sandy hit, and continue to be isolated and cut off from transit hubs.
- **THE FIX:** The City should expand its capital budget and economic development portfolios to expand transit service to underserved areas hit the hardest by Sandy. Increased access to transportation is essential to our city’s resilience and to a stronger economy in the future: transit deserts are storm-vulnerable and home to low-income residents who need better access to jobs and economic opportunity.

In Detail: Flaws and Solutions

Below are detailed the key flaws of the City's disaster planning and the ways to fix them. This section provides a fuller picture of what has gone awry with Sandy recovery and rebuilding nearly six months after the storm hit, and shows why the policy recommendations presented by the Alliance for a Just Rebuilding should be embraced by the Bloomberg administration and 2013 mayoral candidates.

1. Rental Assistance and Temporary Shelter for Displaced Residents

According to the latest available data, approximately 1,500 low-income families were registered in the NYC Department of Housing Preservation & Development (HPD) Housing Recovery Portal, seeking long-term housing options.³ Twelve hundred of these families are below 30% of Area Median Income (AMI). Recent estimates indicate that 700 families are in City hotels and 400 housed the FEMA system, though some in City hotels have already been evicted.

FEMA assistance is only available to displaced residents who were in the most traditional living situations and could provide clear documentation of their place of residence via leases or rent receipts. Many New Yorkers in non-traditional living situations before Sandy are ineligible for FEMA assistance: this population includes residents without leases or rent receipts, residents from illegal basement apartments or doubled-up rooming arrangements, and residents whose landlords didn't claim them as tenants.

The City's hotel program has generally been for the lowest-income people, who are the most likely to be displaced from non-traditional living situations and therefore ineligible for FEMA assistance.

Rental assistance for extremely low-income households as described in the City's action plan focuses on vouchers. With these vouchers, families pay up to 30 percent of their income toward rent; they receive assistance for first and last month's rent, which addresses a common hurdle for low-income families who do not have that cash on hand. The vouchers also serve as a bridge to the Disaster Housing Assistance Program (DHAP), allowing families to move from hotels to housing more quickly. This movement does not require eligibility for FEMA rental assistance or DHAP as a prerequisite. Most importantly, it is targeted to the lowest-income households (those below 50% and 30% of AMI) disproportionately in need of assistance.

Still, these vouchers will not help many of the families who are threatened with homelessness by the imminent closure of hotel assistance and disaster evacuation centers on April 30th. So far the City has allocated only 550 NYCHA apartments and existing Section 8 vouchers for these families, leaving many still in dire need of housing assistance.⁴ An unknown number of families are still living with family and friends and are very likely in need of rental assistance. If the City does not take further action, these families will soon be out on the streets or try to enter the City's homeless shelter system. Some may be turned away from shelter system, and there is no guarantee that those who are admitted can later access Sandy-related housing assistance. Those who are evicted from the City's hotels who don't end up in

shelters will be lost and may never get the assistance allocated for them. That scenario is one the City must avoid.

CALL TO ACTION

- **The City must undertake a reasonable estimate of families in need, and include them in the plans for rental assistance vouchers. Until that happens, temporary shelter must remain available to all families.**
- **The City must also withdraw its announced April 30th end to hotel assistance for all evacuee families. Families should not be forced to live under the threat of homelessness while medium and long-term solutions are pending.**

2. More Effective Mold Remediation

The City’s plan is short on mold remediation efforts, but the need is enormous – and New Yorkers are getting sick. By the mayor’s own account, around 70,000 to 80,000 homes suffered water damage in New York City, although thousands more may still be uncounted.⁵ This puts tens of thousands of New Yorkers at risk of illness from dangerous mold exposure.⁶

To date, residents have been largely left on their own to handle mold remediation. Dangerous mold remediation work is being carried out by volunteers and workers with little training or protection. Homeowners are spending thousands of dollars to have mold remediated. The result is a recovery environment in which mold remediation work is often unsafe and home restoration is severely delayed.

The City took a step in the right direction in January when the Mayor’s Office of Community Affairs and the Mayor’s Fund for the City of NY partnered with Local Initiatives Support Corporation and private funders to create slots for mold remediation to 2,000 homes in the “Neighborhood Revitalization NYC” program.⁷ But it is an entirely private program, operating without transparency and often unresponsive to community needs. Poor outreach and limited hotline access have led to underutilization of this program to date. Although the need is enormous, just over half the slots have been filled. The Neighborhood Revitalization NYC program is only funded to remediate mold in 2,000 homes – a fraction of the total number of damaged homes.



Community-based organizations have been conducting canvasses in flooded areas that show the shortcomings of the City’s efforts. Queens Congregations United in Action/Faith in New York conducted approximately 200 surveys in the Rockaways in late March and early April. More than half of the houses surveyed reported mold, and a quarter of those reported respiratory issues following the storm that were likely related to mold. Fewer than 3% were aware that the City had a mold remediation program.

An on-the-ground coalition of community and labor groups has created an innovative initiative, called *Back Home Back to Work* (BHBW), to provide safe and effective mold assessment and remediation. The initiative taps into hundreds of qualified expert contractors and union workers with the training, skills and protections to properly remove mold. BHBW proposes to handle mold remediation in a systematic and cost-effective way that goes block by block rather than one business or house at a time. It also would create hundreds of family-sustaining jobs, providing safety and skills training to local residents and hard-to-hire populations.

CALL TO ACTION

- **The City should include expanded mold remediation in its allocation of federal Sandy recovery funds, and adopt the *Back Home, Back to Work* initiative.**
- **The City should create standards for mold remediation similar to those in the lead and asbestos industry to protect homeowners, building owners and workers.**

3. Disaster Relief for Undocumented Immigrants

Sandy devastated the homes and lives of immigrants and native New Yorkers alike. But the City's plan leaves thousands of undocumented immigrants uncertain about their access to housing assistance and economic support. Many also lost their jobs – mostly low-wage, hourly jobs – because their employers have been displaced by the storm. Undocumented immigrants are already closed out of FEMA assistance, making City programs a critical avenue of support.

The City has a precedent-setting opportunity to ensure that housing assistance, such as the vouchers described above, are available to all undocumented immigrants in disaster areas. The City's emergency rental assistance program is federally funded, and the rental subsidies would constitute "federal public benefits" as defined under the federal Personal Responsibility and Work opportunity Reconciliation Act (PRWORA). PRWORA does impose restrictions on the distribution of "federal public benefits" to immigrants who are not "qualified aliens"⁸ – but it exempts certain federal public benefits from these restrictions. In particular, "unqualified aliens" are indeed eligible for "short-term, no-cash, in kind emergency disaster relief."⁹

CALL TO ACTION

- **The City must support a comprehensive recovery effort that is open to all New Yorkers, including undocumented immigrants. One concrete way to do this is by establishing that "unqualified aliens" are eligible for "short-term, no-cash, in kind emergency disaster relief." We believe that the housing vouchers in the City plan are legally open to undocumented immigrants and encourage the City to adopt the same viewpoint as it moves forward with recovery and rebuilding.**

4. Restoring Affordable Housing Units Lost During Sandy

The City underestimates by tens of thousands of units how much affordable housing was lost after Sandy. As a result, it is only seeking to replace a small fraction of the affordable housing units that were lost. This undercount of lost affordable housing may cause significant long-term displacement and worsen the affordable housing crisis that was already evident before Sandy.

The City doesn't account for the informal and unregistered units that are a significant portion of the affordable housing stock. Many of these apartments are basements apartments that were damaged or destroyed.¹⁰ Neither does the City consider the potential loss of thousands more affordable homes to foreclosure, as well as the loss of rent-stabilized units. By the City's own estimates, 63,000 units were damaged in total, which undercounts tens of thousands of unregistered rental units. But the City only earmarks funding to restore just 9,300 Sandy-damaged homes and 13,000 Sandy-damaged apartments. That small amount of funding falls woefully short of what is needed to restore and repair damaged homes and apartments. Clearly more funding should be available to help renters and homeowners rebuild.

Replacing affordable housing is a critical post-disaster need. According to research by NYU's Furman Center, a great majority of the people displaced by Sandy were low-income, and over 55% of people displaced had annual incomes averaging just \$18,000.¹¹ New York City's affordable housing needs already far outstripped the availability of housing, and the City has long focused on constructing affordable housing for middle-income households rather than low-income families.¹²

CALL TO ACTION

- **The City should conduct a true estimate of the affordable housing lost, including informal units, foreclosures, deferred repairs and others. And it should use federal Sandy recovery funds to restore or replace damaged housing, and expand housing for low-income families.**

5. Giving Renters, Homeowners, and Small Businesses the Resources They Need

Months after Sandy, communities are at ongoing risk of being displaced if repair programs aren't calibrated to their needs and recovery planning does not address their urgent concerns. HUD requires the City's disaster plan to account for how it would change the map of low- and moderate-income residents, minorities and businesses¹³, but the City so far has fallen far short of that requirement.

The City doesn't account for how much funding most homeowners need for repairs, or whether low- and moderate-income homeowners who lack outside resources like insurance will lose their homes. Also, the

City says it will not reimburse homeowners for repair work paid for out of pocket, despite the fact that New Jersey and New York State will offer such reimbursements.¹⁴

When it comes to renters, the City's plan provides little support or protection, aside from rental assistance vouchers, despite evidence that 90% of housing units impacted by Sandy were rented, not owned.¹⁵ Under the current plan, renters will have to depend on their landlords to remediate mold and repair housing. If landlords lack the will or means to make the repairs, renters will either be forced to live in unsafe housing, or will flood the already tight housing market with new demand for affordable housing.

Finally, the City's plan doesn't address the needs of most small businesses. It estimates that 23,400 firms with approximately 245,000 employees were impacted by Sandy. 95% of them had 50 employees or fewer. Small businesses often drive job growth, hire locally, and nearly half are immigrant-owned.¹⁶ Yet the City has not assessed the needs of these small firms, and is relying on race-to-the-top style competitions and un-transparent loan and grant programs rather than offering direct and immediate relief. The City's plan fails to prioritize hard-hit service, retail and manufacturing sectors, endangering firms' ability to return to productivity and growth.

CALL TO ACTION

- **To prevent displacement of homeowners, the City must reimburse homeowners for repairs, and develop a better account of homeowner needs and what homeowners can expect from outside resources like insurance. The HUD rules clearly require this for disaster recovery and rebuilding. It is essential to post-Sandy recovery and rebuilding.**
- **The City must support the recovery of renters. That means directing much greater resources to the recovery of rental housing, making paths for renters to access important programs like mold remediation, protecting tenants by setting deadlines for landlords to complete repairs, and requiring landlords to guarantee their tenants' right to return.**
- **The City must do more to help small businesses recover. Grant programs that help small businesses reopen and rehire are fairer and more effective than competitions for funds. To help recover the nearly \$10 billion in economic losses, the City should partner with impacted small businesses to develop an accountable and transparent grant program that can provide relief.**

6. Turning Recovery and Rebuilding Work into Good Jobs

Using Sandy funds efficiently, so that recovery work addresses economic vulnerabilities that jeopardize the city's resilience, should be a priority. But the City's plan doesn't include provisions to make sure that \$1.77 billion in federal funds creates good jobs, and it doesn't meet federal guidelines for hiring NYCHA community residents with Sandy funds.

Already during the recovery and rebuilding process, outside contractors and workers handling repairs and other jobs have come from as far away as Texas.¹⁷ Community advocates have heard many cases of these contractors exploiting workers and taking advantage of homeowners.¹⁸ The City plan does not address these issues by providing job training, or giving work to contractors who can provide apprenticeship training for local workers. The plan does not affirm that local hiring, prevailing wage, and health and safety standards will be enforced.

CALL TO ACTION

- **The City should create a transparent contracting process that includes a Community RFP Taskforce to select contractors from affected communities, and establish enforceable agreements for local hiring, prevailing wages where applicable, and inclusion of low-income units in housing construction.**
- **The City should extend the terms of HUD’s Section 3 hiring standard to recovery and rebuilding jobs. This way, 30% of wages, rather than the current City standard of 30% of new hires, will be paid to eligible workers from NYCHA developments. Recruitment and training centers should be located in affected neighborhoods, because contractors are required to draw from those centers if they can’t meet hiring goals. And contractors should participate in state-approved apprenticeship programs.**

7. Strengthening NYCHA Developments as First Lines of Defense



The City’s proposed repair of NYCHA properties rightly focuses on resiliency. But it misses important opportunities to strengthen the resiliency and storm-readiness of NYCHA communities. In the future, the City must avoid a repeat of the horrific scenes of freezing darkness, hunger, lack of access to medical care, isolation and administrative neglect NYCHA developments endured after Sandy. The City should recognize that strong resident communities are the first line of defense against disaster.

CALL TO ACTION

- **The city’s plan should restore community centers (including those shuttered before the storm) and bring back parks and playgrounds on NYCHA properties in affected zones. These public spaces are not a luxury, but a crucial way for communities to participate in their own resilience.**
- **The city should also install combined heat and power instead of just moving boilers to higher floors (and losing precious apartments in the process). Cogeneration provides enormous benefits in terms of cost-efficiency and climate change mitigation. It can also draw funding into NYCHA from New York State Public Service Commission-administrated funds and from the New York Power Authority.**

8. Reinvesting in Public Hospitals

Public hospitals have thin operating margins that make it difficult to handle huge public health emergencies and major disasters like Sandy. During Sandy, nurses at Kings County Hospital in Brooklyn reported that the average wait time from arrival until admission rose to an average of about 24 hours – meaning that some patients were forced to wait for 36 or 48 or more hours to get a bed after arriving at the emergency room. The evacuation of health care facilities left Manhattan without any Level I trauma centers below 57th Street, causing major overcrowding at other hospitals, and disrupting the continuity of care for chronically ill patients across the city.

On the other side of the coin, Sandy wiped out power and forced the evacuation of four hospitals in the city – two of which were NYC Health and Hospitals Corporation (HHC) HHC facilities. For these public hospitals the reduction of services means a loss of much needed revenue for their facilities. But the City’s plan only mentions that a waiver will be sought, “if necessary,” to recover losses sustained during the temporary closures. It must go further to support public hospitals.

CALL TO ACTION

- **The City needs to make a stronger commitment to recovering lost public hospital funds, and reprioritizing funding for public hospitals in the future.**
- **The City must go further in its recovery and rebuilding planning to guarantee that hospitals remain open during emergencies like Sandy and have the necessary infrastructure and support to meet the most urgent care needs of residents.**

9. Improving Our Local Power Supply and Energy Independence

Building better infrastructure to protect New Yorkers' access to energy is critical. Sandy was exacerbated by the failure of the power grid. The Utility Workers Union of America released a post-Sandy report¹⁹ detailing the chronically poor state of the Con Edison grid: the utility's policy of "running till it fails;" the substandard repairs made immediately after Sandy by outside contractors; and the fact that Con Edison does not have documentation of where substandard fixes were installed, making it difficult to repair them. The City is not in control of Con Edison's practice of driving the grid into disrepair, but it is responsible for supporting the resilience of our communities – which means developing independence from Con Edison's precarious services in times of crisis.

The City addresses utility upgrades through a competition that "seeks technologies that improve the resiliency of NYC's buildings and critical networks." In doing so, the City does not account for how such technologies will reach renters, homeowners, or businesses. It does not provide funding or incentives for community-generated initiatives that could do a far better and more efficient job of reducing dependence on the unstable grid. No funding is available for communities to drive and meet their own needs when it comes to power and energy. Similar to the competition for small business relief, this competition for utility upgrades is a recipe for unfairness and fails to address immediate needs.

CALL TO ACTION

- **The City should expand its approach to energy planning to include communities, and support them with technical assistance and funding to pursue locally-generated resiliency plans that reduce dependence on the Con Edison grid. It should also recognize that a competition for new technologies is a recipe for unfairness and will exclude the concerns and viewpoints of many renters and homeowners.**



10. Expanding Transit Service to Chronically Underserved Areas

In the days following Sandy, the loss of transit service brought the city's economy to a halt. Transit workers labored diligently to pump water out of the subways, inspect flooded depots and stations, and restore services line by line. Even before taking care of their own family's needs, in many cases, transit workers worked around the clock to get transportation up and running again. Their work has been celebrated as the highlight of New York City's post-disaster response ²⁰.

When most bus and subway services were restored, communities in "transit deserts," such as Red Hook, Coney Island and the Rockaways, were still just as isolated and underserved as before. The City needs to reprioritize investment in transit for the long-term, and recognize that expanded access to transit to these areas will boost economic growth and development. More funding in the City's capital budget and from Albany is essential for expanding transit access.

CALL TO ACTION

- **The City should expand its capital budget and economic development portfolios to expand transit service to the most underserved areas. Increased access to transportation is essential to our city's resiliency and to a stronger economy: transit deserts are storm-vulnerable and home to low-income residents who need better access to jobs and opportunity. The next mayor must make it priority to put more resources into expanded transit service.**

Conclusion: Ensuring Community-Driven Rebuilding and Resiliency

Community participation is critical to recovery and rebuilding. Without a transparent and inclusive process that integrates all of the city's diverse stakeholders and prioritizes the needs of the most vulnerable and displaced residents, the results will not be good. Critical information will be missing, and poorly thought-out proposals will be implemented. By contrast, a strong participatory process will yield effective infrastructure, a stronger economy, and a better relationship between local communities and city government.

Most rebuilding and resiliency planning is being coordinated through Mayor Bloomberg's Special Initiative for Rebuilding and Resiliency (SIRR) at the New York City Economic Development Corporation. The SIRR is already drawing heavy criticism from Sandy-affected communities for its closed planning process as it makes major proposals for changing land use and city infrastructure. This report is designed to help bring those communities more meaningfully into the rebuilding process and ensure that their short-term and long-term needs are addressed. The voices of vulnerable and displaced residents must be heard. Their viewpoints and experiences should inform the recovery and rebuilding process.

Endnotes

¹ The City of New York Community Development Block Grant – Disaster Recovery Partial Action Plan A, available at http://www.nyc.gov/html/cdbg/downloads/pdf/cdbg-dr_full.pdf.

² For examples, see Ray Sanchez, *Undocumented Immigrants Still In Post-Storm Limbo*, City Limits, Feb. 2, 2013, available at <http://www.citylimits.org/news/articles/4738/undocumented-immigrants-still-in-post-storm-limbo#.UWs9QsoQNLf>; see also Matt Kozar, *Still No Heat in Parts of Rockaways After Sandy*, ABC News, Jan. 21, 2013, available at http://abclocal.go.com/wabc/story?section=news/local/new_york&id=8962656.

³ NYC Housing Recovery Portal, available at <https://mtprawvwhpdhlo1.nyc.gov/NycHousingRecovery/Housing.html#home>.

⁴ Josh Dawsey, *City Will End the Post-Sandy Hotel Program*, Wall Street Journal, Mar. 22, 2013, available at <http://online.wsj.com/article/SB10001424127887324557804578376852731563268.html>.

⁵ Natasha Ghoneim, *City Organizes Day of Service to Help Sandy Recovery*, NY1, Nov. 10, 2012, available at http://www.ny1.com/content/top_stories/172118/city-organizes-day-of-service-to-help-sandy-recovery.

⁶ Alliance for a Just Rebuilding, *MOLD: NYC's Health Crisis Post-Sandy*, Jan. 2013, available at <http://www.rebuildajustny.org/mold-nycs-health-crisis-post-sandy/>.

⁷ Office of the Mayor, *Mayor Bloomberg Announce News Program to Address Water Damage and Mold in Neighborhoods Hardest Hit by Hurricane Sandy*, Jan. 31, 2013, available at http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2013a%2Fp1046-13.html&cc=unused1978&rc=1194&ndi=1.

⁸ Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), 8 U.S.C. § 16118 U.S.C. § 1611

⁹ *Ibid* (b).

¹⁰ Pratt Center for Community Development and Chhaya Community Development Corporation, *New York's Housing Underground: A Refuge and Resource*, Mar. 2008, available at <http://prattcenter.net/sites/default/files/publications/Housing%20Underground.pdf>.

¹¹ NYU Furman Center for Real Estate and Urban Policy, *Sandy's Effects on Housing in New York City*, Mar. 2013, available at <http://furmancenter.org/files/publications/SandysEffectsOnHousingInNYC.pdf>.

¹² Association for Neighborhood and Housing Development, *Real Affordability: An Evaluation of the Bloomberg Housing program and Recommendations to Strengthen Affordable Housing Policy*, p. 22, available at <http://www.anhd.org/wp-content/uploads/2011/07/Real-Affordability-Evaluation-of-the-Bloomberg-Housing-Program2.pdf>.

¹³ “The assessment must also take into account the various forms of assistance available to, or likely to be available to, affected communities and individuals (including estimated insurance and eligible FEMA, SBA, or other Federal assistance) to identify disaster recovery needs that are not likely to be addressed by other sources of funds. Grantees must use the best, most recent available data (e.g., from FEMA and SBA), cite data sources, and estimate the portion of need likely to be addressed by insurance proceeds, other Federal assistance, or any other funding source,” U.S. Department of Housing and Urban Development, *Allocations, Common Application, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy*, Federal Register, Mar. 5, 2013. (78 FR 14329)

¹⁴ Jenny Anderson, *Schumer Says Storm Victims Deserve Aid for Self-Help*, New York Times, Apr. 9, 2013, available at http://www.nytimes.com/2013/04/10/nyregion/schumer-urges-storm-aid-for-nyc-do-it-yourselfers.html?_r=1&.

¹⁵ NYU Furman *supra* note 11

¹⁶ Jonathan Bowles, *Immigrant Entrepreneurism: An Engine for Economic Recovery*, Center for an Urban Future, Dec. 2009, available at <http://nycfuture.org/research/publications/immigrant-entrepreneurism-an-engine-for-economic-recovery>.

¹⁷ Robert Lewis, *Disaster Inc: Some Companies Win Big Post-Sandy*, WNYC Radio, Jan. 29, 2013, available at <http://www.wnyc.org/articles/wnyc-news/2013/jan/29/disaster-inc-some-companies-win-big-post-sandy/>.

¹⁸ Although most such abuses are not documented in published sources, communities are beginning to push back on contractors. For example, see Nicole Fuller, *Probe Sought Into Fire Island Cleanup Pay*, Newsday, Apr. 1, 2013 available at <http://www.newsday.com/long-island/towns/probe-sought-into-fire-island-cleanup-pay-1.4988485>.

¹⁹ Utility Workers Union of America, *The Impact of Hurricane Sandy on Consolidated Edison of New York: Assessment of Restoration Efforts and Recommendations for the Future*, Feb. 2013, available at <http://uwua1-2.org/wp-content/uploads/2013/02/CLICK-HERE-to-read-the-Position-Paper-of-the-Local-1-2-on-Hurricane-Sandy.pdf>.

²⁰ See Matt Flegenheimer, *New York Subways Find Magic in Speedy Hurricane Recovery*, New York Times, Nov. 8, 2012, available at http://www.nytimes.com/2012/11/09/nyregion/new-york-subways-find-magic-in-speedy-hurricane-recovery.html?pagewanted=all&_r=0; see also: Katherine Bindley and Janell Ross, *New York Subways Hide Depth of Sandy’s Destruction as Recovery Progresses*, Nov. 2, 2012, available at http://www.huffingtonpost.com/2012/11/02/new-york-subways-sandy-recovery_n_2065937.html.

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