

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON WATERFRONTS

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November 15, 2010

Start: 12:27pm

Recess: 12:33pm

HELD AT: 250 Broadway
Committee Room, 14th Fl.

B E F O R E:
MICHAEL C. NELSON
Chairperson

COUNCIL MEMBERS:
Gale A. Brewer
Peter F. Vallone, Jr.
Brad S. Lander

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2 CHAIRPERSON NELSON: Okay. Welcome
3 to today's hearing on the Waterfronts Committee.
4 Good afternoon and welcome. My name is Mike
5 Nelson, I chair this committee. Today we will be
6 voting on Resolution 414-A, calling upon the
7 United States Congress to pass H.R. 5967, which
8 updates the federal motor carrier statute in the
9 Federal Aviation Administration Authority Act of
10 1994 to empower America's ports to implement and
11 enforce innovative environmental solutions for
12 truck pollution, and upon the Port Authority of
13 New York and New Jersey to adopt a comprehensive
14 program modeled after the Los Angeles Clean Truck
15 Program, to ensure the ports of New York and New
16 Jersey are able to reach the highest standards of
17 efficiency, sustainability and safety.

18 Air quality is an important issue
19 for New York City, both because it has a direct
20 influence on residents' health, quality of life
21 and the enjoyment of the City's waterfronts. Poor
22 air quality leads to increased risk of asthma,
23 heart disease and of course all other ailments as
24 well. The emissions from trucks cause acute, and
25 chronic, aversive health effects in human due to

1 the constituents of diesel emissions.

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3 Furthermore, pollution emitted from trucks is an
4 important element of the City's contribution to
5 climate changing greenhouse gases, and contributes
6 to our ozone non-attainment status under the Clean
7 Air Act.

8 In 2009, the Port Authority of New
9 York and New Jersey announced their strategy to
10 reduce diesel and greenhouse gas emissions for the
11 port. This strategy includes replacing outdated
12 trucks with a regional truck replacement program.
13 At this time, however, the program is voluntary
14 because the Port Authority lacks the regulatory
15 authority to promulgate rules with respect to
16 environmental standards for trucks.

17 This resolution, 414-A, asks
18 congress to give our nation's ports the authority
19 to clean up their operations. Having said that, I
20 will turn it over to the lead sponsor of this
21 resolution, Brad Lander.

22 COUNCIL MEMBER LANDER: Thank you,
23 Mr. Chairman. I want to thank you for your
24 leadership on this, both on the bill and the
25 hearing that we had earlier this year on the

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2 broader issue of keeping our ports green and more
3 sustainable, and thank Jeff Baker and Colleen
4 Pagter for their work on the broader issue and on
5 this bill, and also Michael Friedman Schnapp
6 [phonetic] on my staff.

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8 You know, at the hearing that we
9 had on this we heard from some members of my
10 community, some constituents of mine and some
11 neighbors of other ports around the City and
12 actually around the region talking about the
13 challenges that they're facing in their
14 neighborhood as a result of truck emissions, and
15 very eager to phase out those old polluting
16 trucks. We also heard from some of the currently
17 classified as independent truckers serving the
18 port, three of whom testified before us, making
19 clear that while they have all of the burdens of
20 being classified as independent, of having to pay
21 for their trucks and pay for their insurance, they
22 essentially have none of their--they're told where
23 to go, they're told what they're picking up, and
24 that they would be much happier under an LA-like
25 program.

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There's a great bill in congress

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2 sponsored by Congressman Nadler that would simply
3 give ports the ability to set environmental
4 standards and to set labor standards in a way that
5 will help our ports move forward, in a way that
6 will make them more sustainable in better places.

7 I'm thrilled with the fact that
8 volumes are increasing in the Port of New York and
9 New Jersey, and give credit to EDC and the Port
10 Authority for their work. We are sure much better
11 off with things coming by ship rather than coming
12 by long haul truck, but as port volumes grow both
13 now and in the future, we've got to do more to
14 make sure that the neighborhoods around them and
15 our City as a whole have the environmental quality
16 and the job quality that we need.

17 So, thank you very much, and I hope
18 my colleagues will join me in voting for this
19 resolution and helping us move forward to get
20 congress to pass the bill.

21 CHAIRPERSON NELSON: Thank you.
22 And with us, of course, is Council Member Gale
23 Brewer, Peter Vallone Jr., and Erich Ulrich.
24 Thank you all for being here. I guess we can go
25 right to the vote? Where is...? Oh, thank you,

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2 sir.

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KEVIN PIN: Kevin Pin [phonetic]
Committee Clerk. Roll Call on the Committee on
Waterfronts. Councilman Nelson.

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CHAIRPERSON NELSON: Aye.

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COUNCIL MEMBER BREWER: I vote Aye,
and only wish it was an intro and not a
resolution. It's very frustrating to have to take
second place to the City of Los Angeles in terms
of environment and economic development at the
waterfront. I vote Aye.

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CHAIRPERSON NELSON: Well said.

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KEVIN PIN: Vallone.

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COUNCIL MEMBER VALLONE: I am going
to take a backseat to no one when it comes to the
environment, so I am going to abstain on this to
give proponents more of a chance to explain to me
why we can't gain the same environmental benefits
without a clause which essentially puts the
independent American trucker out of business. So,
I'm going to abstain and hopefully speak to some
people, including the sponsor--who has been
working all weekend trying to, well, actually
helping to get me to abstain as opposed to voting

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2 no. I commend your goals on this and look forward
3 to speaking with you. Thanks.

4 KEVIN PIN: Lander.

5 COUNCIL MEMBER LANDER: With thanks
6 to Council Member Vallone for the chance to keep
7 talking about it, I vote Aye.

8 KEVIN PIN: Ulrich.

9 COUNCIL MEMBER ULRICH: Aye.


10 KEVIN PIN: By a vote of four in
11 the affirmative, zero in the negative and one
12 abstention, the item has been adopted. Members,
13 please sign the Committee Report.

14 CHAIRPERSON NELSON: Thank you.

15 Having said that, this hearing is adjourned.

C E R T I F I C A T E

I, Erika Swyler, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date 11/29/2010_____