BQE Environmental Justice Coalition

May 8, 2026

Office of the Deputy Mayor for Housing, Economic Development and Workforce
Lead Agency, Brooklyn Marine Terminal EIS
Attn: Emily Spokowski, Senior Project Manager
Mayor's Office of Environmental Coordination
100 Gold Street, 2nd Floor, New York, NY 10038
Re: Draft Scope of Work — Brooklyn Marine Terminal Maritime and Mixed-Use Redevelopment Project (CEQR No. 25DME018K)

Dear Lead Agency and Environmental Review Team:

The BQE Environmental Justice Coalition submits these comments on behalf of our 20+ member organizations and community groups representing the neighborhoods that have lived in the shadow of the Brooklyn-Queens Expressway for generations. We are not primarily a planning organization. We are the people who breathe this air, drink from this watershed, and raise our children within one of the most polluted corridors in New York City. We submit these comments because the Brooklyn Marine Terminal redevelopment — as currently scoped — risks deepening those harms, and misses the opportunity to remedy them.

Our central concern is simple: the BMT Draft Scope of Work has been written as though the BQE will exist as a truck corridor into the future, dividing and harming our communities. The DSOW's entire freight and traffic model depends on BQE access remaining intact, even as the City's own planning process has placed BQE removal on the table as an option. When what is today the BQE is no longer a polluting and divisive highway, (and BQE EJC will keep pushing for the conditions to enable this future of connected, thriving neighborhoods), the infrastructure decisions embedded in this EIS will be stranded and our streets will bear the consequences. We are asking the lead agency to see the BMT and the BQE as what they are: one interconnected problem. And the reality is, neighborhoods have been offering holistic solutions to the BQE for years now.

Our scoping requests are threefold. First, the EIS must model what BMT looks like without depending on the BQE, including how freight moves and where trucks go – or if there are trucks at all – and what it means for Red Hook, Carroll Gardens, and the Columbia Street Waterfront District if highway access disappears. Second, with this context, the EIS must study a BMT that's as close to car- and truck-free as possible, in which cargo is intended to move by water or rail and residents to arrive by active or public transit. Third, the EIS must study a significant reduction of the proposed parking program, because a 630-space vehicle facility on the waterfront is incompatible with every goal the Vision Plan claims to hold. Public transit improvement is a current administration priority. Younger generations are not driving as much. Rideshare is

beginning to obviate the need for owned cars. This will hold especially true if the BQE capacity is reduced (or removed as a highway) and replaced with public transit on the right-of-way.

I. The DSOW Has Written the BQE Into Its Future. That Is Not the Future We Are Facing.

The DSOW's transportation assumptions are built around the BQE. The document explicitly states that the redesigned port entrance on Hamilton Avenue and exit on Bowne Street are intended to funnel port trucks toward the BQE. This is not incidental to the plan. Without BQE access, the proposed freight model has no release valve. Trucks would have to use Columbia Street, Van Brunt Street, Atlantic Avenue — the same already traffic-clogged residential streets our members walk their children to school on.

BQE EJC's position — shared with dozens of member organizations — is that the BQE is a massive environmental justice problem, and should not be worsened with the addition of more vehicles, especially trucks. Instead, we are fighting for a future in which dependency on it is reduced to have far fewer vehicle miles traveled; where we can envision the space the BQE currently occupies for housing, small business, parks, and transit.

The BQE Central triple cantilever is in advanced structural deterioration with no approved funding or a serious plan for rehabilitation. The City Council's Future of the BQE report, the BQE Expert Panel report, and an expanding coalition of officials and communities have called for removal to be seriously studied. It is increasingly difficult for a city administration facing severe fiscal constraints and a multi-billion-dollar budget deficit to justify a highway expansion and/or wholesale reconstruction project.

State environmental review law, both CEQR and SEQRA, requires the EIS to assess reasonably foreseeable future conditions, not just the comfortable baseline. A future in which the BQE is no longer is not a fringe scenario: it is the subject of active city planning and community advocacy. The EIS cannot assume away the question.

We therefore ask the Final Scope of Work to require modeling of a no-BQE transportation scenario that addresses:

- How port freight might be rethought without BQE highway access — specifically, what combination of water-to-water transfer, Bay Ridge Branch rail expansion, and last-mile electric delivery (including a cargo-bike corridor on the BQE right-of-way) can substitute for the truck trips the BQE currently absorbs;
- If the BMT is not rethought and built to current design specifications, where BMT-generated truck traffic would actually go in a no-BQE scenario, with street-by-street impact analysis on Columbia Street, Van Brunt Street, Hicks Street, Atlantic Avenue, Hamilton Avenue, and the Brooklyn-Battery Tunnel approaches;
- Whether those residential streets can physically accommodate projected truck volumes, or at what point they become impassable for ordinary neighborhood use; and

- The full air quality, noise, safety, and water quality implications of that rerouting on communities already documented as among the most pollution-burdened in the city.

II. The Port's Future and the Highway's Future Are the Same Question

The debate about the BQE's future cannot be separated from the debate about the nature of the port.

A truck-dependent port needs the BQE. A water-and-rail-and-micromobility port does not. If the EIS models both futures together, it may find what we believe to be true: that the transition to a genuinely freight-modern port actually makes highway removal easier, because the regional freight system is no longer dependent on a crumbling and outdated structure with heavy vehicles running through dense residential neighborhoods.

The DSOW itself points toward this possibility. It describes a barge service that would carry 150 containers per day, eliminating around 300 one-way truck trips and allowing freight to move without trucks ever leaving the port gate. DSOW at 10. We are asking the EIS to follow that logic to its conclusion: if one barge route achieves that, what does a comprehensive water-to-water freight system achieve? What does Bay Ridge Branch expansion add? What does the BQE right-of-way become — as a transit corridor, a cargo-bike superhighway, a linear park — when port freight no longer depends on it? These are not rhetorical questions. They are the planning questions this EIS should answer.

The BMT EIS and any future BQE review will eventually be read alongside each other by the same community boards, the same judges, and the same officials. If those documents make contradictory assumptions about whether the BQE will exist — one scoped for a highway-dependent port, the other potentially recommending removal of the highway — they will produce irreconcilable conflict on the question of surface street impacts. That conflict will not be resolved in a conference room. It will land on the streets.

We ask that the lead agency formally commit to coordinating the BMT transportation analysis and freight design with NYC DOT's rethought BQE planning process; that the transportation model treat the BQE as a variable with a plausible range of futures rather than a permanent fixed feature; and that the Final Scope of Work include a specific mechanism for updating the transportation analysis and freight design if BQE planning materially advances before the Draft EIS is published.

III. Our Neighborhoods Have Carried This Burden Long Enough

BQE EJC's member organizations represent people who have spent decades being told that diesel trucks, highway noise, and polluted air and water are simply the cost of living in Red Hook or Carroll Gardens or Sunset Park. They are not. They are the cost of decisions made without the consent or input of the people who live there. The BMT

redevelopment is a rare opportunity to make a different kind of decision. The current scoping document should be strengthened to ensure that opportunity is fully realized.

New York State's Green Amendment — Article I, Section 19 of the State Constitution, approved by 70% of voters in November 2021 — establishes that every New Yorker has a right to clean air and water. Our member communities are among the people that amendment was most urgently written for. The EIS must be scoped to determine whether the proposed project advances or retreats from that constitutional guarantee. A Monroe County court has already established that compliance with the Green Amendment is not discretionary for state agencies. Fresh Air for the Eastside v. State, Monroe Cty. Sup. Ct. (2022). That holding applies here.

A. What the Numbers Show About Our Neighborhoods

The City's own monitoring data confirms what BQE EJC members have known from lived experience for decades. The New York City Community Air Survey (NYCCAS), which has sampled street-level air quality across approximately 100 locations since 2008, consistently places Red Hook and Sunset Park at the top of the city's pollution rankings. Neighborhoods dense with warehouses and loading docks — the exact character of the current BMT — show the highest sustained concentrations of PM2.5, black carbon, and NO2, even as other parts of the city improve. NYC Dep't of Health and Mental Hygiene, New York City Community Air Survey: Neighborhood Air Quality (2023). Black carbon, the marker of diesel exhaust, is directly tied to lung disease, heart disease, cancer, and harm to developing fetuses. Id.

Citywide, fine particulate pollution is estimated to kill approximately 2,000 New Yorkers prematurely every year — about one in twenty-five deaths per the NYC Community Air Survey: Real-Time Air Quality (2026). Those deaths are not evenly distributed. The BQE carries roughly 150,000 vehicles per day, including about 13,000 trucks per the NYC DOT, BQE Central Project (2024). The pollution plume from that traffic falls hardest on the people who live closest to it and have the least political power to fight it. That is the definition of environmental injustice, and it is the reality the EIS must take seriously.

B. The Science Is Not in Dispute

Decades of research have established the causal chain between highway proximity and serious harm to human health. The peer-reviewed studies in the index represent the scientific consensus that the EIS must treat as a baseline, not a contested claim. Specifically, they are clear that there's no safe level of exposure to PM2.5 and NO2. Particles smaller than 0.1 microns penetrate deeper into tissue than PM2.5 and can cross directly into the bloodstream and brain with no federal regulatory standard. Concentrations near highways can be many times higher than ambient background levels. There's a disparate impact on low-income communities and communities of color. Children who grow up within 500 meters of a freeway suffer permanent lung capacity deficits by the time they turn 18. The risk of dementia and heart attack increases meaningfully with near-highway exposure

C. Electric Trucks Are Not the Answer — Fewer Trucks Are

We anticipate that the EIS will point to port electrification as the solution to air quality concerns in surrounding communities. Electrification is necessary — but by itself, it is not sufficient, and BQE EJC member organizations do not agree that "clean trucks" alone constitute an adequate remedy for decades of diesel harm.

The reason is non-exhaust emissions (NEE): the particles shed by every vehicle from tire wear, brake friction, and road surface abrasion, regardless of what powers the engine. NEE are unregulated, present whether a vehicle is electric or diesel, and now constitute the dominant source of traffic-related particulate matter in cities with stringent emissions standards. Fussell JC, Franklin M, Green DC, Harrison RM, et al. Environmental Science & Technology. 2022;56(11):6813–6835. DOI: 10.1021/acs.est.2c01072.

Electric vehicles are actually heavier than equivalent diesel vehicles — typically by around 30% — because of their battery packs, which increases tire wear and the resulting particle load on nearby communities. Heaslip K, University of Tennessee Center for Transportation Research (cited in Politifact, 2023). The only way to meaningfully reduce NEE in the neighborhoods adjacent to this site is to dramatically reduce the size and weight and movement of the vehicles on-street, not simply swap the powertrain. Research modeling future zero-emission vehicle fleets has confirmed that EJ communities near freight corridors continue to experience disproportionate NEE exposure even under full electrification scenarios unless truck volumes are also reduced. Hu L, et al. Environmental Science & Technology. 2024. DOI: 10.1021/acs.est.4c04126. The truck-free or very-low-truck alternative must therefore be studied on its own terms, as a health intervention, not just as a transportation option.

D. Clean Water Rights and the Harbor Our Communities Deserve

Red Hook and the Columbia Street Waterfront District have been physically cut off from the Harbor by the BQE and the industrial port for two generations. The BMT Vision Plan promises to change that — to open the waterfront, to make it swimmable, to give these communities access to water that has been walled off from them. That promise would be undermined if the development simultaneously degrades the water quality of that same Harbor.

Every vehicle-intensive surface generates stormwater runoff carrying a mixture of toxins into receiving waters. The peer-reviewed record on this is clear. A study compiling highway runoff data across multiple jurisdictions found that copper, lead, and zinc — from brake pads, tire rubber, and vehicle coatings — appear in road stormwater at concentrations routinely exceeding EPA water quality criteria. Göbel P, Dierkes C, Coldewey WG. Journal of Contaminant Hydrology. 2007;91(1–2):26–42. DOI: 10.1016/j.jconhyd.2006.08.008. Polycyclic aromatic hydrocarbons (PAHs), which are carcinogenic and toxic to aquatic life, are a consistent companion contaminant. Id.

A multi-agency U.S. Geological Survey study sampling stormwater at 21 sites across the country found a median of 73 distinct chemicals per site, with cumulative

concentrations reaching up to 263,000 ng/L — levels that rival daily wastewater plant discharges. Masoner JR, Kolpin DW, Cozzarelli IM, et al. Environmental Science & Technology. 2019;53(17):10070–10081. DOI: 10.1021/acs.est.9b02867.

In 2021, a University of Washington research team cracked a 20-year mystery: the annual die-off of coho salmon in Pacific Northwest urban streams was traced to a single chemical — 6PPD-quinone — formed when a common tire antioxidant reacts with ozone and washes off road surfaces in stormwater. Measured road runoff concentrations ranged from less than 0.3 to 19 micrograms per liter; the lethal dose for coho salmon is 0.8 micrograms per liter. Tian Z, et al. Science. 2021;371(6525): 185–189. DOI: 10.1126/science.abd6951. Every tire on every vehicle that uses the proposed BMT parking and truck facilities deposits 6PPD on the pavement. When it rains, it goes in the water. The harbor the Vision Plan is promising our communities is at further risk of toxicity from the parking program the DSOW is designing.

The EPA has opened a rulemaking on 6PPD-quinone in response to a petition from Tribal nations whose treaty fishing rights have been devastated by coho population collapses. U.S. EPA, 6PPD-Quinone (2025), https://www.epa.gov/chemical-research/6ppd-quinone. The compound is not a Pacific problem: it comes from the same tires on the same roads, and New York Harbor is already documented as impaired by PAHs, mercury, and cadmium from vehicle and stormwater sources. NYSDEC, Contaminant Assessment and Reduction Project, https://dec.ny.gov/environmental-protection/water/water-quality/new-york-new-jersey-harbor-contaminant-assessment-and-reduction-project.

The EIS must therefore scope a full water quality analysis that: quantifies vehicle-generated pollutant loading from the parking program and truck circulation into Buttermilk Channel and the Harbor; evaluates the cumulative burden relative to existing stormwater and combined sewer overflow inputs; models the water quality improvement achievable through the no-vehicle alternative; and assesses whether any feasible stormwater treatment measures can actually meet the Green Amendment's clean water standard. A clean waterfront is irreconcilable with a parking program of this scale.

IV. The Very-Low-Car, Very-Low-Truck Alternative Is the Benchmark the Vision Plan Requires

The BMT Vision Plan uses language our communities welcome: pedestrian-first, no parking minimums, significantly reduced truck burden. We are asking the EIS to interrogate its reality. The only way to test whether the Vision Plan's goals are achievable is to model a scenario that actually achieves them. That means studying a BMT in which:

- Private vehicles are largely excluded from BMT streets, with no on-street parking and very limited off-street parking in the residential, commercial, or port program;
- Port freight moves almost exclusively by water-to-water transfer; rail; or small, electric, last-mile vehicles;

- Residents, workers, and visitors arrive primarily by ferry, transit, cycling, or foot, with new bus rapid transit or light rail service on the BQE footprint connecting the site to the subway; and
- The new streets in BMT are designed as car-free or car-limited zones, enabling safe movement for families, pedestrians and cyclists.

This is not a utopian demand. It is a logical extension of what the Vision Plan already claims to want. If the EIS finds it fully achievable, that is an important result. If it finds that some elements require phasing or investment, that is also an important result — one that should inform the Preferred Alternative, not be dismissed as aspirational. The analysis should also quantify the air quality, water quality, and public health benefits to surrounding neighborhoods in concrete terms, not merely note them as positive.

It should also specifically assess: the cost and engineering feasibility of full water-to-water freight transfer; the case for expanding the Bay Ridge Branch as a freight rail connection; and the land use opportunities created by eliminating the parking program from the site entirely or nearly so.

V. 630 Parking Spaces at the Water's Edge Is Not a Waterfront Plan — It Is a Contradiction

The DSOW proposes to build approximately 130 surface parking spaces at Pier 11 and a ~500-space structured garage at Pier 12 — described as maintaining "current BCT parking capacity." DSOW at 9. We ask the EIS to study complete elimination of the on-site parking program. Four grounds support this request.

1. Traffic generation. Every parking space attracts a vehicle, and vehicle miles traveled. This is not a theory of transportation planning — it is one of the most consistently replicated findings in the field. Six hundred and thirty spaces at BMT will produce thousands of additional vehicle movements per year on residential streets that numerous neighbors and partner orgs are simultaneously fighting to make safer for children and pedestrians. The EIS cannot assert a pedestrian-first design philosophy and a 630-space vehicle facility in the same document without resolving the contradiction analytically.

2. Water contamination. The proposed parking sits on the waterfront. Stormwater from vehicle-intensive impervious surfaces carries a documented load of heavy metals, PAHs, and tire-derived chemicals — including 6PPD-quinone — into receiving waters. The Pier 12 garage is at the water's edge. There is no meaningful distance between the parking surface and Buttermilk Channel. The Vision Plan promises our communities a cleaner Harbor. The parking plan degrades it. The EIS must study the alternative that eliminates this source.

3. Highway dependency. The cruise terminal's parking supply is sized for a world in which the BQE makes driving to Red Hook quick and convenient. In a world without the BQE — the world BQE EJC is working toward — the drive-to-cruise market collapses regardless of available spaces. Building 500 spaces for a trip

pattern that depends on an outdated highway is poor planning under any scenario analysis. The EIS should model cruise terminal access without the BQE before a single structural column is poured.

4. Opportunity cost. The Vision Plan commits to no parking minimums for housing and most commercial uses. That commitment should extend logically to every use on the site, including cruise operations. The square footage currently allocated to vehicle storage on this irreplaceable waterfront could instead serve public open space — green space our neighborhoods desperately lack — community facilities, affordable housing, expanded maritime operations, or micromobility infrastructure. The EIS is required under CEQR to analyze alternatives that reduce significant adverse impacts. Eliminating the parking program reduces traffic generation, water quality impairment, and opportunity cost simultaneously.

VI. Our Ask Is Simple

BQE EJC's member organizations span a wide range of perspectives on how the waterfront should develop. Some prioritize jobs. Some prioritize parks. Some prioritize transit. Some prioritize clean water. What they agree on is this: they deserve a planning process that takes seriously the possibility of a future without the BQE as a high-traffic highway, and that does not foreclose that future by building a truck-dependent, parking-saturated port infrastructure that will be obsolete before it is finished.

Our communities have already paid the price of planning built around the wrong assumptions. The BQE was built through neighborhoods that were told it was progress. Seventy years later their children have damaged lungs and their waterfront is a fence. We are asking for a different kind of planning — one that models the future we are working toward, not the one we are trying to escape.

Specifically, BQE EJC asks the Final Scope of Work to direct the EIS to:

- Model a full BQE removal scenario as a transportation baseline alternative for BMT — showing where freight goes, what port operations look like, and what surface streets absorb when the highway is gone;
- Study a nearly car-free, truck-free BMT alternative built around water-to-water freight transfer, Bay Ridge Branch rail, and transit-served residential access, with very limited on-site vehicle parking;
- Analyze the higher-value uses that could occupy the waterfront land currently devoted to parking;
- Conduct a full water quality analysis of vehicle-generated stormwater inputs to Buttermilk Channel and the Harbor, including quantification of 6PPD-quinone, heavy metals, and PAH loading, and model the improvement achievable under the very-low-vehicle alternative; and
- Establish a formal coordination mechanism between the BMT EIS and NYC DOT's BQE planning process.

The waterfront belongs to our communities. So does the right to breathe clean air and drink clean water. This EIS should be scoped to find out what it would actually take to deliver on both.

Respectfully submitted,

BQE Environmental Justice Coalition

Citations

Constitutional and Legal Authority

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