



*Growing*  
**FOOD**  
*Equity*

**IN NEW YORK CITY**

**A CITY COUNCIL AGENDA**

**AUGUST 2019**



**NEW YORK CITY COUNCIL SPEAKER**

**COREY JOHNSON**



# GROWING FOOD EQUITY IN NEW YORK CITY: A City Council Agenda

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# INTRODUCTION

Food has the power to connect us to the cultures of our past and present, to our neighbors, our communities, and our earth. In New York City, one of the richest cities in the world, everyone should have equitable access to healthy food, every community should have greater control over their food options, every person should have enough nutritious food to live a healthy life, and every neighborhood should have food businesses that reflect that community's cultures and diversity.

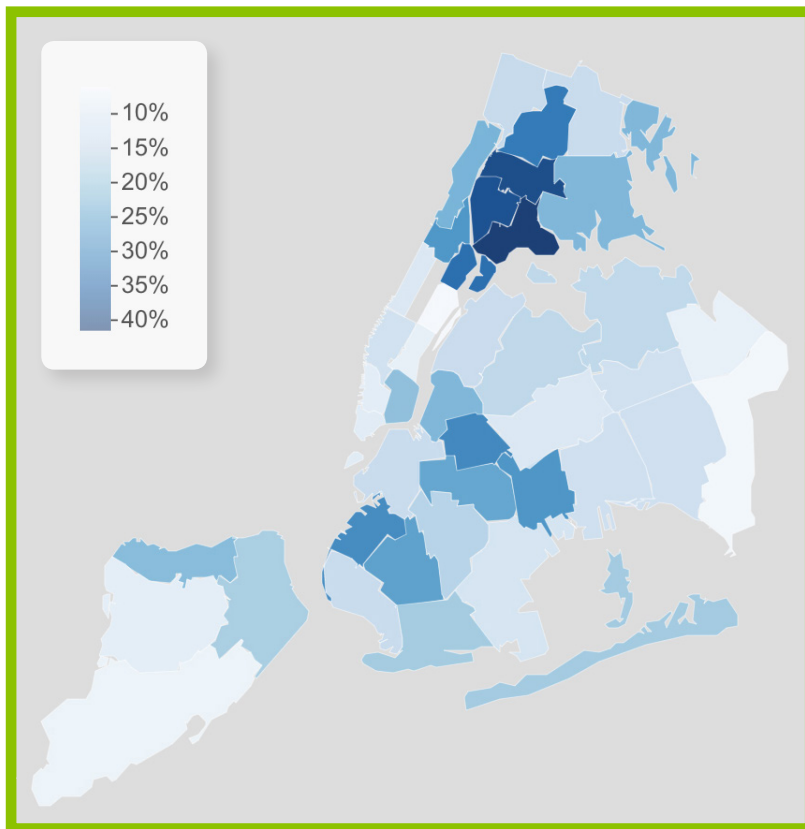
Food is also a fundamental human right, protected under international human rights and humanitarian law. Article 25 of the Universal Declaration on Human Rights<sup>1</sup> and Article 11 of the International Covenant on Economic, Social and Cultural Rights recognizes the right to food.<sup>2</sup> Thirty national constitutions also recognize food as a human right, including Brazil, Costa Rica, Mexico, Egypt, Kenya, South Africa, Ukraine, and Nepal.<sup>3</sup> As with other fundamental rights, the primary responsibility for ensuring the right to food lies with government.

In the United States, structural inequities can impede this right. A person's race, income, gender, age, immigration status, mental health condition, physical disability, and more affect the availability of food options, the quality and adequacy of food, and access to land and green spaces. This inequity has deep and historical roots in government policy, including in U.S. federal food and farm policies. For example, 93% of Black American farmers lost their land between 1940 and 1974 due in large part to the U.S. Department of Agriculture's (USDA) discriminatory practices regarding loans, credit, technical assistance, and

dissemination of information.<sup>4</sup> National labor laws enacted decades ago continue to lack adequate protection for U.S. and migrant farm workers.<sup>5</sup> Single mother-headed households face significantly greater food insecurity—a lack of consistent access to enough food for an active, healthy lifestyle<sup>6</sup>—than single father-headed households (31.6% compared to 21.7%).<sup>7</sup> Further, gender inequality—from access to land and credit, to employment and wage discrimination, to the burden of unpaid caregiving labor—has been shown to worsen overall hunger and poverty in the U.S.<sup>8</sup>

All low-income people, regardless of race, experience food insecurity. In New York City, structural inequities have contributed to neighborhoods that are predominantly low-income communities of color having less access to

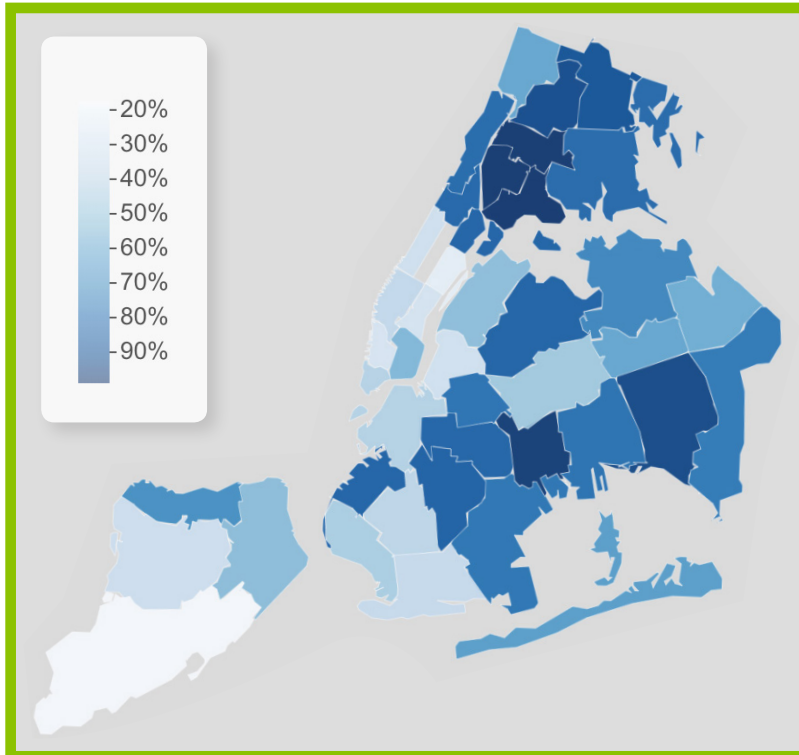
## PROPORTION OF ADULTS LIVING BELOW THE POVERTY LINE



Source: New York City Department of Health and Mental Hygiene. Environment and Health Data Portal-Poverty, 2013-2017. 7/15/2019. <http://nyc.gov/health/tracking>

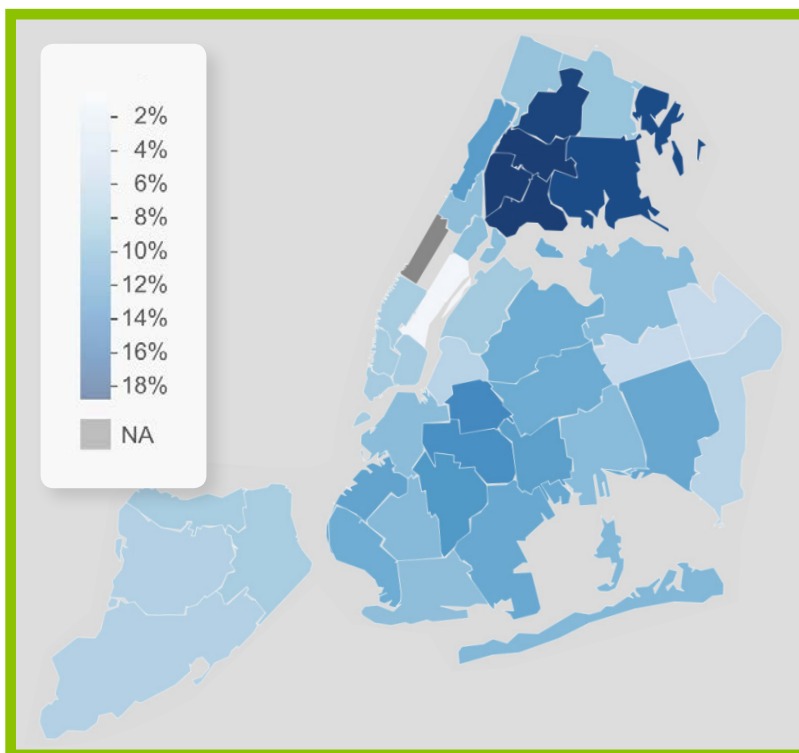


## PROPORTION OF NON-WHITE ADULTS



Source: New York City Department of Health and Mental Hygiene. Environment and Health Data Portal- Race, 2013-2017. 7/15/2019 <http://nyc.gov/health/tracking>

## PROPORTION OF RESPONDENTS THAT SOMETIMES/OFTEN DID NOT HAVE ENOUGH FOOD



Source: New York City Department of Health and Mental Hygiene. Epiquery: NYC Interactive Health Data System. Food insecurity, 2017 (Age adjusted). 7/15/2019. <https://nyc.gov/health/epiquery>

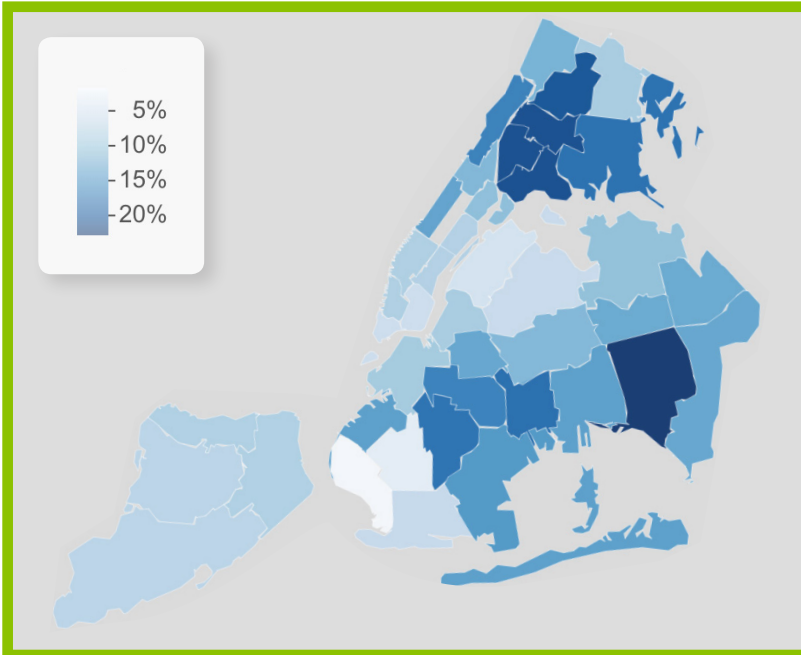
healthy food and experiencing greater food insecurity and food-related illnesses (see maps). These communities have long been on the front lines combating an unjust food system that harms the environment, negatively affects human health, and contributes to economic inequality.<sup>9</sup>

Food equity involves the just and fair inclusion of all people in our food system, and is essential to building vibrant and resilient economies and communities.<sup>10</sup> In an equitable food system, all people have adequate access to food and greater control over the quality and kinds of food available in their community.<sup>11</sup> This approach centers on food justice, a component of environmental justice in which all communities share in an equitable distribution of risks and benefits throughout our food system, including how food is grown, processed, distributed, accessed, and disposed.<sup>12</sup>

In order to improve food equity, we must advocate for changes at all levels of government. At the federal level, we must work to combat the threats to food justice and food security made by the Trump Administration.<sup>13</sup> As of 2017, food insecurity impacts an estimated 1.09 million of the City's 8.4 million residents, and our social safety net is under increasing federal attack.<sup>14</sup> Recently, a proposed rule change to the USDA's Supplemental Nutrition Assistance Program (SNAP), which provides nutrition assistance to eligible low-income individuals and families, endangers the food security of an additional

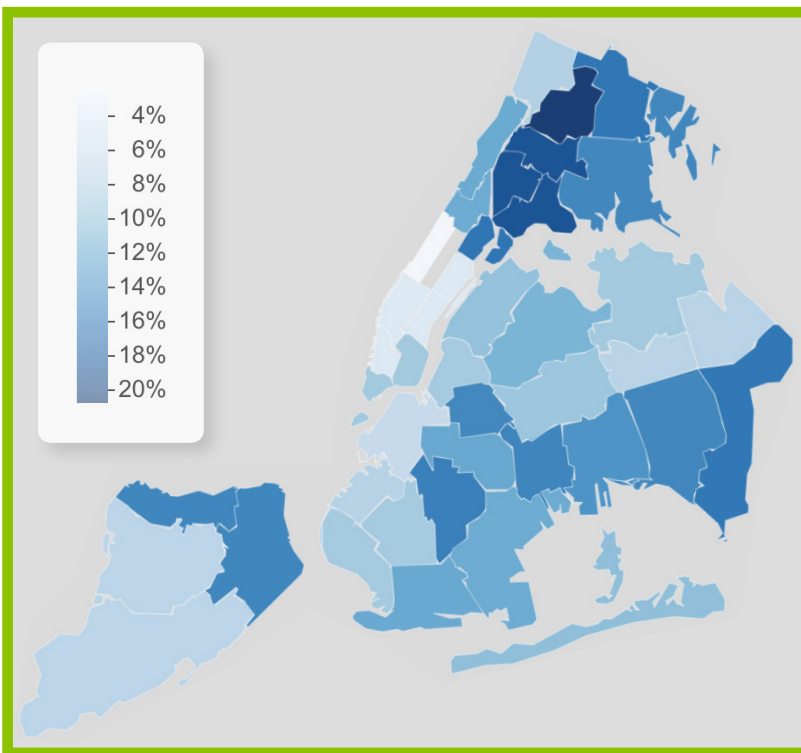


**PROPORTION OF RESPONDENTS WHO DID NOT HAVE ANY FRUITS OR VEGETABLES THE PRIOR DAY**



Source: New York City Department of Health and Mental Hygiene. Epiquery: NYC Interactive Health Data System. Fruit/vegetable consumption, 2017 (Age adjusted). 7/15/2019. <https://nyc.gov/health/epiquery>

**PROPORTION OF RESPONDENTS WHO REPORT EVER BEING TOLD BY A HEALTHCARE PROFESSIONAL THAT THEY HAVE DIABETES**



Source: New York City Department of Health and Mental Hygiene. Epiquery: NYC Interactive Health Data System. Diabetes ever, 2017 (Age adjusted). 7/15/2019. <https://nyc.gov/health/epiquery>

**NUTRITION, HEALTH AND HUNGER INEQUITY IN NEW YORK CITY**

The American Community Survey (CHS) is a telephone survey conducted annually by DOHMH's Division of Epidemiology, Bureau of Epidemiology Services. Strata are defined using the United Hospital Fund (UHF) neighborhood designation, modified slightly for the addition of new ZIP codes since UHF's initial definitions. There are 42 UHF neighborhoods in NYC, each defined by several adjoining ZIP codes.

According to data from the CHS, neighborhoods in the South Bronx, where the majority of residents are low-income and people of color, have the highest proportion of respondents who are not regularly eating fruits and vegetables and are sometimes/ often hungry and the highest proportion of respondents who have been told that they have diabetes. 95% of adults with diabetes have type 2 diabetes, a food-related illness.

Source: Centers for Disease Control and Prevention, <https://www.cdc.gov/diabetes/basics/type2.html> (last visited July 30, 2019)

estimated 80,000 New Yorkers.<sup>15</sup> Recently, the Trump Administration proposed cutting \$220 billion from the SNAP budget over the next decade, as well as reforms such as mandating work requirements and replacing cash benefits with a processed food box.<sup>16</sup> These proposed policies would do nothing to lift people out of poverty and would actively harm individuals who stand to lose these vital benefits.<sup>17</sup>

To combat these attacks, we need stronger food governance at both the local and the State level regarding food access, food and farm businesses, and farm labor rights. The Farm Laborers Fair Labor Practices Act, which finally passed the State Legislature in 2019, extends to farm workers the right to collective bargaining, a day of rest, workers compensation, unemployment insurance, and an overtime provision.<sup>18</sup> Advocates have expressed concerns that the threshold for overtime is set at 60 hours a week, and that the law bans worker strikes and work stoppages or slowdowns.<sup>19</sup> The State should increase support for farmland and farmers, and build upon this recent legislative victory to institute even more protections for agricultural workers across New York.

The State should also bolster support for sustainable agricultural businesses, especially among minority and women farmers and ranchers who continue to overcome the impacts of historical discrimination in access to farmland, credit, and other government assistance.

Furthermore, the State should support the creation of more processing and distribution facilities and healthy food retail outlets, all of which could create more jobs while providing New Yorkers with healthier food in our schools, senior centers, colleges, hospitals, and homes. In addition, it is important that the State be prepared to mobilize to fill in gaps if proposed federal cuts to anti-hunger and nutrition assistance programs come to fruition.

At the local level, the City Council is committed to every New Yorker's right to healthy food. In order to advance food equity and justice, we need stronger food governance and better school food. We need to increase nutrition and farming education. We need to end hunger in higher education. We need to make healthy food more accessible to all New Yorkers, regardless of where they live. We need more support for environmental stewardship and for those greening and growing food in our city. We need more urban agriculture to provide healthy food and education to our neighbors while combatting climate change and building resiliency. We need to reduce food waste. And we need to build community power by incubating and supporting hyper-local food economies, where residents can have successful food businesses and neighbors can eat healthily while keeping their food dollars in their neighborhoods. The proposals outlined in this paper are steps the City can take to make these needs, rights, and responsibilities a closer reality.



# SUMMARY OF FISCAL YEAR 2020 BUDGET WINS AND PROPOSED RECOMMENDATIONS

## FOOD GOVERNANCE

- **Improve and Institutionalize the Office of Food Policy:** The City Council will consider legislation to establish high-level coordination of the City's food activities through empowering and codifying the Mayor's Office of Food Policy as a Charter-mandated office. The Office should include increased resources for staff in order to lead the development and implementation of a citywide food plan, improve management of food metrics data and reporting, and expand community engagement across food system issues, particularly among low-income communities of color most affected by food inequities. The Office should also work with communities, and across City agencies, to identify food justice neighborhoods and target resources to achieve access to healthy foods in those areas.
- **Create a Multi-Year Food Policy Plan:** The City Council will consider legislation to establish a citywide food plan that brings a strategic framework, goal-oriented planning, and coordination to key areas of the food system, including hunger, nutrition, access to healthy food, food waste, food and farm economies, and urban agriculture and sustainability. The plan would bring cohesion, coordination, and time-bound targets to food policy goals and would be developed and implemented with multi-stakeholder community engagement.
- **Update Local Law 52 of 2011 (Food Metrics report):** The City Council will consider legislation to enhance Food Metrics reporting. The legislation will include

updating and creating new indicators and data sources. It will also ensure the inclusion of denominators for each numerator, and intended outcomes for each output. The legislation will further require geographical boundaries for data be considered at the most granular level possible, and create an online portal to help policymakers, academics, and advocates utilize food metrics on an ongoing basis.

## HUNGER

- **Continue to Support Emergency Food Providers:** The City Council has fought and will continue to fight to support food pantries and soup kitchens across the city.
  - After several years of one-time allocations and subsequent cuts, in Fiscal Year 2019, the City Council successfully advocated to increase the baseline Emergency Food Assistance Program (EFAP) budget to \$20.2 million, an increase of \$8.7 million from the previous year.
  - In Fiscal Year 2020, the Council continued funding the Food Access and Benefits initiative at \$725,000. This initiative supports capacity expansion efforts at food pantries citywide through the Food Bank for New York City; technical assistance for tax returns for low-income residents; SNAP eligibility screening; SNAP application and recertification assistance; and SNAP and emergency food assistance benefits education programs.
  - In Fiscal Year 2020, the Council also increased funding for the Access to Healthy Food and Nutritional Education initiative by \$1.2 million for a total of \$2.3 million to support programs that expand access to healthy food and improve understanding of nutrition and whole-





some food choices, while engaging communities to make positive changes related to food and lifestyle to improve health outcomes. This funding supports farmers' markets, youth markets, urban farms, community gardens, educational workshops, SNAP outreach, and a pilot program at the City University of New York (CUNY) to increase food access for students.

- o Additionally, the Council increased funding to the Food Pantries initiative by \$1 million for a total of \$5.66 million in Fiscal Year 2020. The Food Pantries initiative provides food to over 275 food pantries and soup kitchen citywide, and supports 25 food and hygiene pantries located in public schools in all five boroughs. This funding is vital for emergency food providers large and small.
- **Advocate for Expanded Use of SNAP:** The City Council will advocate for New York State to pass legislation to allow disabled, elderly, and homeless SNAP recipients to use their benefits for hot meals and other prepared foods at participating grocery stores, delis, and restaurants. This would have a clear and direct benefit for the thousands of New Yorkers who cannot easily cook for themselves or have no access to a kitchen.
- **Advocate Against Federal Funding Attacks on Anti-Hunger and Nutrition Programs:** The City Council will continue to combat efforts at the federal level to reduce, limit, and stigmatize vital nutrition programs. This includes advocating against any proposed funding cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and SNAP. This also encompasses fighting dangerous plans to limit SNAP-eligibility, such as the recently proposed “able bodied adults without dependents” or ABAWD regulations, and

hateful and destructive policy proposals to expand the circumstances under which certain immigrants might be considered a “public charge,” thereby causing fear-based disenrollment from SNAP.

- **Increased Funding for Senior Center and Home Delivered Meals:** Due to City Council's advocacy, the New York City Department for the Aging's (DFTA) budget will include \$10 million in funding for Fiscal Year 2020 to address the under-funding of senior meals. This new allocation will grow to \$15 million in Fiscal Year 2021 and the outyears for senior center congregate meals and kitchen staff salaries.
- **Support Seniors' Access to SNAP:** The City Council will consider legislation to require DFTA and Human Resources Administration (HRA) to develop a plan to identify and enroll isolated seniors in SNAP benefits. While DFTA and City Meals on Wheels help screen homebound elderly New Yorkers for SNAP benefits, there are many seniors who are not connected to City services and unaware of the program.
- **Advocate for Shorter, More Streamlined SNAP Application Form for Older Adults:** The City Council will advocate for the federal government to approve New York State's application to create an Elderly Simplified Application Process (ESAP), currently operating in nine states. Under ESAP, older citizens can be granted several waivers, including an extension of the certification period to 24 months from the current 6- or 12-month time frame; waiving the full interview for recertification; and generally waiving the requirement to verify unearned income, household size, residency, and shelter expenses. By streamlining the SNAP application process, it will be easier for eligible low-income seniors to apply for SNAP, thereby increasing their participation in the program.



- **Create Food Pantries in Senior Centers:** The City should fund a pilot program to create small food pantries at select senior centers to address food insecurity for seniors who are unable to access the city's network of emergency food pantries. The program will provide an opportunity for seniors to bring food home to cook meals when they are not attending a senior center. DFTA senior centers across the city provide congregate meals to participants, but many seniors still struggle to adequately feed themselves on a daily basis.
- **Tackle Higher Education Student Hunger:** In the Fiscal Year 2020 budget, the City Council allocated \$1 million under the Access to Healthy Food and Nutritional Education initiative to fund a pilot program to increase food access to CUNY students experiencing food insecurity. Hunger in higher education is a serious problem, with almost half of CUNY students recently surveyed indicating they were food insecure in the past month. The City Council will continue to fight for additional funding to address food insecurity among college students.
- **Advocate for Expanded Use of SNAP for College Students:** The City Council will advocate that New York join Pennsylvania, Massachusetts, Illinois, and New Jersey in taking state action to increase college students' eligibility for SNAP. Due to federal law, most able-bodied students who are enrolled in college at least half-time are not eligible for SNAP unless they meet certain criteria. However, states can expand the regulations addressing college students' eligibility for SNAP to include any program that qualifies as "career and technical education" under the Carl D. Perkins Career and Technical Education Act of 2006. This could include programs that provide a recognized postsecondary credential or certificate, or that provide skills needed to

prepare for further education and careers in current or emerging professions.

- **Increase City Funding for Health Bucks:** The City should expand funding for the Health Bucks program to increase the number of Health Bucks provided to community-based organizations. Health Bucks can leverage SNAP benefits and be used by community organizations to combat hunger, increase nutrition education, and provide access to healthy food. Currently, approximately \$150,000 in Health Bucks is available to these organizations to offer as incentives to buy fruits and vegetables at farmers' markets. This funding should be expanded to meet demand.
- **Increase Awareness of Health Bucks:** The City Council will consider legislation to require HRA to provide information to SNAP applicants and recipients about Health Bucks and the locations of farmers' markets where they may be redeemed, to ensure that more SNAP recipients are taking advantage of the Health Bucks program.

## FOOD WASTE

- **Food Waste Prevention Education Campaign:** The City should fund a robust educational campaign to raise awareness about how residents can contribute to food waste reduction in their daily habits. Food waste prevention campaigns provide information to consumers on how much wasted food costs household budgets per year, and on what small behaviors they can change to reduce household food waste.
- **Food Waste Prevention Plans:** The City Council will consider legislation to require City agencies with food procurement contracts to create food waste prevention plans. New York City government agencies feed tens of thousands of New Yorkers on a daily basis, including students in our schools, seniors at our



senior centers, and patients in our hospitals. These agencies should take an active role in combating food waste. Food waste prevention plans should include both edible food donation and non-edible organics collection, and identify methods to reduce the amount of surplus food along with procedures for safe, efficient donation. The bill would require each relevant agency to designate a coordinator to oversee implementation of the plan.

## HEALTHY SCHOOL FOOD AND NUTRITION EDUCATION

- **Breakfast in the Classroom:** The Mayoral Administration's Proposed Fiscal Year 2020 budget originally included reduced funding for Breakfast in the Classroom by \$6 million. However, due to City Council and stakeholder advocacy, the adopted budget ultimately restored the proposed cut to this important program.
- **Expand Deli-Style Cafeterias:** The City should work to expand deli-style cafeteria redesigns to more middle and high schools. In 2017, the Department of Education's (DOE) Office of School Food (SchoolFood) introduced new deli-style serving lines and student-friendly seating areas that serve the same school lunch foods in more appealing ways. In schools that have the redesign, there has been a significant increase in participation, along with increases in fruit and vegetable consumption. Expanding deli-style cafeterias will mean more of our students are eating a healthy lunch every day.
- **Scratch-Cooked Menus in Schools:** The City should study and create an implementation plan to ensure that every school child has access to scratch-cooked, healthy, delicious, and culturally-appropriate menu items. This requires funding capital upgrades in school kitchens and increasing the SchoolFood budget to purchase fresh foods.
- **Increase Awareness of the Summer Meals Program:** The City Council will consider legislation to build upon Local Law 4 of 2018 to require DOE to send targeted information home to families with the location of their closest Summer Meal Program sites. Although summer meals are available to every single person aged 18 and under across New York City, reports indicate that the program is under-utilized. Awareness of the program must be expanded.
- **Summer Companion Meals:** The City Council will work with the Mayoral Administration to launch a pilot program to offer summer companion meals to the Summer Meals Program. During the summer, children can get free breakfast and lunch at hundreds of public schools, parks, pools, libraries, and New York City Housing Authority (NYCHA) locations. Unfortunately, parents and guardians accompanying children to access the Summer Meals Program may be food insecure too, and cannot currently receive a free lunch due to funding eligibility constraints.
- **Food-Ed Resource Hub:** In the Fiscal Year 2020 budget, the City Council designated \$250,000 under the Support for Educators initiative to fund a Food-Ed Resource Hub based within the Tisch Food Center at Teachers College. This Hub will provide citywide coordination for program distribution across schools, convene stakeholders, advocate for policies to support nutrition education, align program evaluation, and bolster efficiencies through shared resources. The Hub will also provide technical assistance, tools, and training to nutrition education programs and educators.
- **Food-Ed Coordinators at DOE Office of School Wellness:** The City should create Food-Ed Coordinator positions in the Office of School Wellness to align food and nutrition education programming across schools and



grades, facilitate professional development, and help integrate wellness with sustainability and other academic subjects. The positions would coordinate with relevant DOE offices and programs related to school food, wellness, sustainability, Garden to Café, and Grow to Learn, and be informed by the Food-Ed Resource Hub.

## EQUITABLE ACCESS TO HEALTHY FOOD

- **Expand the Food Retail Expansion to Support Health (FRESH) Eligibility Areas:** The City Council and the Department of City Planning (DCP) are working to expand the list of areas that are eligible to receive the FRESH zoning incentive. These parameters will be identified by a new supermarket needs index and more closely align with the areas of highest need. The Council will continue to work with DCP planners and economic experts to develop a proposal that will include an appropriate zoning text amendment to improve the program by the end of 2021, including the expansion of the eligibility area to high-need neighborhoods identified by more recent data on food access.
- **Support a Good Food Purchasing Program:** The City Council will consider legislation to improve and codify New York City's Good Food Purchasing Program (GFPP). The legislation would also establish a mechanism whereby stakeholders in the five GFPP value categories can give input on City food purchasing priorities and provide policy and metrics recommendations. By using its economic power, the City can further its food policy goals.
- **Local Outreach Materials for Farm-to-City Projects:** The City Council will consider legislation to require the

creation of neighborhood-scale awareness-raising materials for farm-to-city projects. It is important that New Yorkers know about the locations near their homes and workplaces where they can access farm-fresh healthy food and support local farmers and small food businesses. The City Council already created an online mapping tool of farm-to-city projects around the city, including farmers' markets, CSAs, fresh food pantries, and food boxes. This legislation would build off that work to make sure New Yorkers know where to find these programs in their neighborhoods.

- **Community Food Hub Incubator:** The City should fund a Community Food Hub Incubator to coordinate interested communities to develop more local food businesses and farm-to-city food projects. The incubator would help build a solidarity economic model that supports and connects growers, producers, community food projects, local small businesses, and existing infrastructure assets such as transportation, storage, and accessible kitchen space. The incubator could also provide technical assistance, tools, and training; convene stakeholders; and bolster efficiencies through shared resources. The goal of the incubator will be to develop community-scale healthy food economies, thereby increasing equitable access to healthy food throughout the city.

## URBAN AGRICULTURE

- **Establish an Office of Urban Agriculture:** The City Council will consider legislation creating an Office of Urban Agriculture. The Office will view urban growers as climate resilience stewards and recognize that parks, community gardens, urban farms, and green roofs are key tools in combatting and adapting to climate change. The Office will also ensure that the ecolog-



ical, economic, and health benefits of urban agriculture are given due value in our city planning.

- **Create an Urban Agriculture Plan:** The City Council will consider legislation creating an Urban Agriculture Plan coordinated by the Office of Urban Agriculture. The plan would include the following: (i) cataloguing existing and potential urban agriculture spaces; (ii) classification and prioritization of urban agriculture uses; (iii) potential land use policies to promote the expansion of agricultural uses in the city; (iv) an analysis of those portions of the zoning resolution, building code, and fire code that merit reconsideration to promote urban agriculture; (v) expanding the availability of healthy food in low-income neighborhoods; (vi) the integration of urban agriculture into the City's conservation and resiliency plans; (vii) youth development and education with regard to local food production; (viii) direct and indirect job creation and impacts from urban agriculture production; and (ix) policy recommendations for ensuring community garden protection.
- **Advance Permanence for Community Gardens:** The City Council will consider legislation to require the GreenThumb program of the Department of Parks and Recreation (DPR) to collect and maintain metrics on the ecological, resiliency, educational, cultural, health, and community development value of community gardens throughout the city. Additionally, the City should ensure that the Primary Land Use Tax Lot Output, or PLUTO, database maintained by DCP and the Department of Finance (DOF) no longer classifies community gardens as vacant lots. The City Council will work with DPR and DCP to establish strategies for ensur-

ing permanence for community gardens throughout the city.

- **Farming Education for School-Age Children:** The City should support organizations working to expand farming education to school-age children. When children learn how to grow food, they become more conscious and educated about the environment, earth science, nutrition, and healthy eating. Every child should have equitable access to agricultural education.
- **Adult Urban Agriculture Education:** The City should support adult urban agriculture training for local low-income residents, including on topics related to urban planting techniques, food justice, garden and farm planning and design, and small business development. Increased education and training can prepare adults for opportunities working in urban agriculture and increase equitable access to healthy foods.
- **Economic Empowerment for Community Gardeners:** The City Council will advocate for the City to make it easier for community gardeners to earn income from produce grown or education provided on community garden land. Along with their numerous other benefits, community gardens should be recognized as economic development assets for communities.
- **Create Borough-Based Youth Employment Initiatives for Community Gardens:** The City Council will partner with the Department of Youth and Community Development to create opportunities within the summer youth employment program (SYEP) for young people to work in community gardens. This initiative would increase the allocation of SYEP slots to community gardens starting in the summer of 2020.



## FOOD GOVERNANCE

Our food system affects the lives and wellbeing of every New Yorker, and governance of this system should address every segment of the food chain, including production, processing, distribution, access, and waste. The food and agriculture work being done across many different City agencies continues without a unified, comprehensive food plan with a formal community engagement strategy, or consistent and meaningful tools for measuring the impact of City agencies' efforts to address food issues. Without governance reforms, we are limiting the impact of City interventions to combat the social and economic food inequities that millions of our city's residents combat each day.

## OFFICE OF FOOD POLICY

In 2008, under the Bloomberg Administration, Mayoral Executive Order No. 122 formally created the position of Food Policy Coordinator within the Office of the Mayor.<sup>20</sup> The Coordinator's role was to develop and coordinate healthy food initiatives, increase access to and

utilization of food support programs, and help ensure that the meals and snacks procured and served by City contractors and agencies meet certain food standards.<sup>21</sup> The Coordinator was also responsible for convening a food policy taskforce.<sup>22</sup>

In 2014, Mayor Bill de Blasio renamed the position as Food Policy Director, located within the Office of the Deputy Mayor for Health and Human Services and reporting directly to the Deputy Mayor.<sup>23</sup> This Office, called the Mayor's Office of Food Policy (MOFP), states it currently "works to advance the City's efforts to increase food security, promote access to and awareness of healthy food, and support economic opportunity and environmental sustainability in the food system."<sup>24</sup> This includes coordination of the interagency food task force and the annual production of the food metrics report, as required by Local Law 52 of 2011.<sup>25</sup> The MOFP also helped establish and convenes the New York City Food Assistance Collaborative, a joint, coordinated effort to direct emergency food capacity and food supply equitably to the most underserved parts of the city.<sup>26</sup>



Unfortunately, over a decade after its inception, this office remains understaffed and under-resourced. To date, the MOFP has had, at its maximum, three full-time employees. Furthermore, the Office only exists as long as the current and future mayors support it, as there is no codification into law of a Mayoral entity responsible for food system issues.

### **Recommendation:**

- **Improve and Institutionalize the Office of Food Policy:** The City Council will consider legislation to establish high-level coordination of the City's food activities through empow-

ering and codifying the Mayor's Office of Food Policy as a Charter-mandated office. The Office should include increased resources for staff in order to lead the development and implementation of a citywide food plan, improve management of food metrics data and reporting, and expand community engagement across food system issues, particularly among low-income communities of color most affected by food inequities. The Office should also work with communities, and across City agencies, to identify food justice neighborhoods and target resources to achieve access to healthy foods in those areas.

### **Successful Food Governance : A Case Study**

A best practice in urban food governance is Belo Horizonte, Brazil, which acknowledged its' citizens right to food and the duty of government to guarantee this right in 1993.<sup>27</sup> In order to fulfill that right, the administration established the Secretariat for Food Policy and Supply, a city agency that includes a 20-member council consisting of representatives from other government sectors (municipal, state and federal), labor unions, food producers and distributors, consumer groups, research institutions, churches, and civil society to advise on the design and implementation of a new food system with the explicit mandate to increase access to healthy food for all as a measure of social justice.<sup>28</sup> The Secretariat developed dozens of innovations to promote the right to food, weaving together the interests of farmers and consumers, such as offering local family farmers dozens of choice spots of public space on which to sell to urban consumers via "Direct from the Countryside" farmer produce stands.<sup>29</sup>

Belo Horizonte also pioneered "People's Restaurants," government-supported (city-managed and administered) restaurants that offer inexpensive (\$1 or less) healthy and balanced meals made with ingredients purchased from local family farms at subsidized prices, open to all citizens.<sup>30</sup> Speaking to the concept of "food with dignity," People's Restaurants portray the image of a Brazilian pub—some of which offer live music on select nights—attracting residents from all socioeconomic backgrounds, helping to destigmatize poverty.<sup>31</sup> Furthermore, through participatory budgeting, citizens allocated municipal resources to ensure investment in traditionally neglected regions, like poor neighborhoods and rural areas.<sup>32</sup> Funded programs included the Green Basket program, which links hospitals, restaurants, and other big buyers directly to local, small, organic growers; four agro-ecological centers, which supply seeds and seedlings to its other projects and educate the public about eco-friendly farming techniques; and the promotion of community gardens as well as 40 school gardens, which function as "live labs" for teaching science and environmental studies.<sup>33</sup>

During the first six years of the food-as-a-right policy, the number of citizens engaging in the city's participatory budgeting process doubled to more than 31,000.<sup>34</sup> Moreover, as a result of the policy, 60% fewer children died in 2009 than 1999; 25% fewer people were in poverty; 75% fewer children under the age of five were hospitalized for malnutrition; 40% of the population directly benefited from a food security program; and 2 million farms had access to credit, 700,000 of whom had credit for the first time in their lives.<sup>35</sup>



## FOOD PLAN

Other major cities – including Los Angeles, Chicago, London, and Toronto – have developed citywide food plans that define food goals and strategies and keep implementation on track. Each of these plans has its own food and agriculture landscape, needs, and goals in mind. Although New York City has plans with time-bound targets on other issues such as an end to traffic-related deaths (Vision Zero), sending zero waste to landfill by 2030 (Zero Waste), and reducing greenhouse gas emissions by 80% by 2050 (80 x 50), the City currently does not have a food plan.<sup>1</sup>

While OneNYC 2050 – the City’s strategic plan released in April 2019 – includes some references to food system issues, these references are in the form of commitments, rather than detailed plans to reach specific targets (see box).<sup>36</sup> As a result, a number of New York City’s government interventions regarding food systems issues are



lacking clearly-defined goals with the necessary strategies, funding allocations, and benchmarks to reach these goals.

A comprehensive food plan for New York City could serve to coordinate and guide all City agencies towards overarching and interconnected goals addressing racial, economic, and environmental inequity in our food system. Such a plan would create a focal point to identify and address problems and monitor progress, provide a strategic framework with time-bound

### OneNYC 2050 food system related commitments include:

- **Expand food manufacturing and distribution (An Inclusive Economy, at page 12),**
- **Decrease the food insecurity rate (An Inclusive Economy, at pages 20 & 28),**
- **Expand GrowNYC's Greenmarkets in low-income neighborhoods (Thriving Neighborhoods, at page 8)**
- **Expand healthy food choices through expanding the Health Bucks program, continuing nutrition education programs, implementing a Good Food Purchasing Policy to improve food and beverages served by City government, updating the New York City Food Standards to replace processed meat with healthier proteins, offering plant-based options at public hospitals and serving vegetarian meals at public schools on Mondays, and continuing the Food Retail Expansion to Support Health (FRESH) program (Healthy Lives, at pages 8 & 22),**
- **Transition to mandatory organics collection citywide and develop regional organics processing capacity to handle one million tons of food and yard waste per year (A Livable Climate, at pages 19 & 21)**
- **End City purchasing of unnecessary single-use plastic foodware and reduce beef purchasing for public schools by 50% (A Livable Climate, at pages 19 & 21)**

<sup>1</sup> Notably, even these existing plans have varying levels of detail regarding how the City will reach each target.



targets for achieving identified goals, help prioritize food-related budget needs, and offer a common plan in which communities can engage and mobilize. The food plan should be developed through a transparent, multi-stakeholder engagement process that includes meaningful participation from communities most impacted by food inequities.

### **Recommendation:**

- **Create a Multi-Year Food Policy Plan:** The City Council will consider legislation to establish a citywide food plan that brings a strategic framework, goal-oriented planning, and coordination to key areas of the food system, including hunger, nutrition, access to healthy food, food waste, food and farm economies, and urban agriculture and sustainability. The plan would bring cohesion, coordination, and time-bound targets to food policy goals and would be developed and implemented with multi-stakeholder community engagement.

## **FOOD METRICS**

As part of former City Council Speaker Christine Quinn's FoodWorks initiative, the Council passed Local Law 52 in July 2011, establishing reporting requirements for many of the City's food-related initiatives.<sup>37</sup> This data is aggregated by the MOFP into an annual food metrics report that provides updates on a list of indicators, capturing a snapshot of the work agencies are doing within the city's food system. Such information includes the daily number of truck and rail trips to or through Hunts Point Market, the total number of meals served by City agencies or their contractors, the number of salad bars in public schools and in hospitals, and the location of each community garden located on City-owned property.<sup>38</sup>

While the existing annual reports have provided some useful insight into a selection of City inter-

ventions on food issues, the metrics should be improved to more successfully monitor progress towards advancing food equity goals. Most of the current indicators lack denominators for the total population the sample comes from, which limits how the indicators can assess the impact of the intervention.<sup>39</sup> For example, an indicator reporting on the number of school children participating in school lunch means little without understanding the total number of children enrolled in public schools each year.<sup>40</sup>

The food metrics should also better focus on outcomes as well as outputs.<sup>41</sup> For example, while it's useful to know how much money the City allocated for nutrition education at farmers' markets each year, and how many workshops and cooking demonstrations were held for how many participants, understanding the impact these programs have on identified goals, such as fruit and vegetable consumption or food-related health outcomes, would provide additional value. Further, the geographical presentation of the metrics data is often at the borough-level, making it difficult to gather a more localized understanding of how neighborhoods compare to each other, where problems are most acute, and where greater intervention is thus needed.

The metrics reporting should also include new indicators and data sources, along with an online platform where food-specific data can be combined with relevant secondary data, such as poverty levels and demographics related to gender and age. That way, food metrics data could be utilized more broadly by policymakers, academics, and advocates working to understand and track progress across food issues, demographics, and geographies. Local Law 60 of 2017 requires the City to, among other things, create an Environmental Justice Portal on the City's website with relevant maps, data, studies, and information about City agencies' programs.<sup>42</sup> A similar tool would be useful for understanding food equity and justice data within more appropriate geographical boundaries. Finally, once the Food Plan is created, food metrics can be aligned to measure progress towards meeting strategic policy goals.

## Recommendation:

- **Update Local Law 52 of 2011 (Food Metrics report):** The City Council will consider legislation to enhance Food Metrics reporting. The legislation will include updating and creating new indicators and data sources. It will also ensure the inclusion of denominators for each numerator, and intended outcomes for each output. The legislation will further require geographical boundaries for data be considered at the most granular level possible, and create an online portal to help policy-makers, academics, and advocates utilize food metrics on an ongoing basis.

## HUNGER

Hunger has no place in a just, healthy society. No person in New York City should go hungry; yet the City faces a “meal gap”—the number of missing meals that result from insufficient household resources to purchase food—of nearly 208 million meals.<sup>43</sup> Further, an estimated 1.09 million New Yorkers are “food insecure,” meaning that they had difficulty at some time during the year accessing enough food due to a lack of resources.<sup>44</sup> New York City’s food insecurity rate is 12% higher than the national rate, and 21% higher than New York State’s.<sup>45</sup> While New York City’s current rate of food insecurity is declining, it is still higher than prior to the 2008 recession.<sup>46</sup> From 2015-2017, 18% of all children, almost 9% of working adults, and almost 11% of seniors experienced food insecurity.<sup>47</sup>

## FOOD ASSISTANCE PROGRAMS: SNAP & EFAP

The Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp

Program, is the cornerstone of the nation’s safety net and nutrition assistance programs, assisting millions of eligible low-income people.<sup>48</sup> SNAP provides recipients with monthly electronic benefits that can be used to purchase food at authorized retailers.<sup>49</sup> Benefit levels for SNAP are based on criteria including, but not limited to, household size and income levels.<sup>50</sup> On average, SNAP households currently receive an estimated \$253 a month.<sup>51</sup> The average SNAP benefits per person is about \$126 a month, which is an average of \$1.40 per person, per meal.<sup>iii52</sup> As of May 2019, approximately 1.54 million New Yorkers – almost 20% of New York City’s population – relied on SNAP.<sup>53</sup>

In addition to combatting food insecurity, SNAP is an economic driver. According to the U.S. Department of Agriculture (USDA), every dollar of SNAP spending generates \$1.79 of economic activity, which is more than \$5.3 billion in New York City.<sup>54</sup> SNAP supports small businesses such as farmers’ markets, green carts, and local grocery stores, and accounts for 10% of all sales of food people buy for their homes.<sup>55</sup> Further, according to the USDA, every \$1 billion of SNAP benefits creates 9,000 full-time jobs.<sup>56</sup>

The number of individuals enrolled in SNAP in New York City has been declining since 2013, similar to SNAP enrollment trends across the country.<sup>57</sup> According to the Human Resources Administration (HRA), the agency responsible for administering public assistance benefits in New York City, the SNAP participation rate has decreased from 77% in 2013 to 70.9% in 2017.<sup>58</sup> Such a decline is expected as the local economy improves.<sup>59</sup> Additionally, HRA notes that despite the decline, SNAP participation rates in New York City are higher than the rates of the U.S. and New York State overall.<sup>iv60</sup>

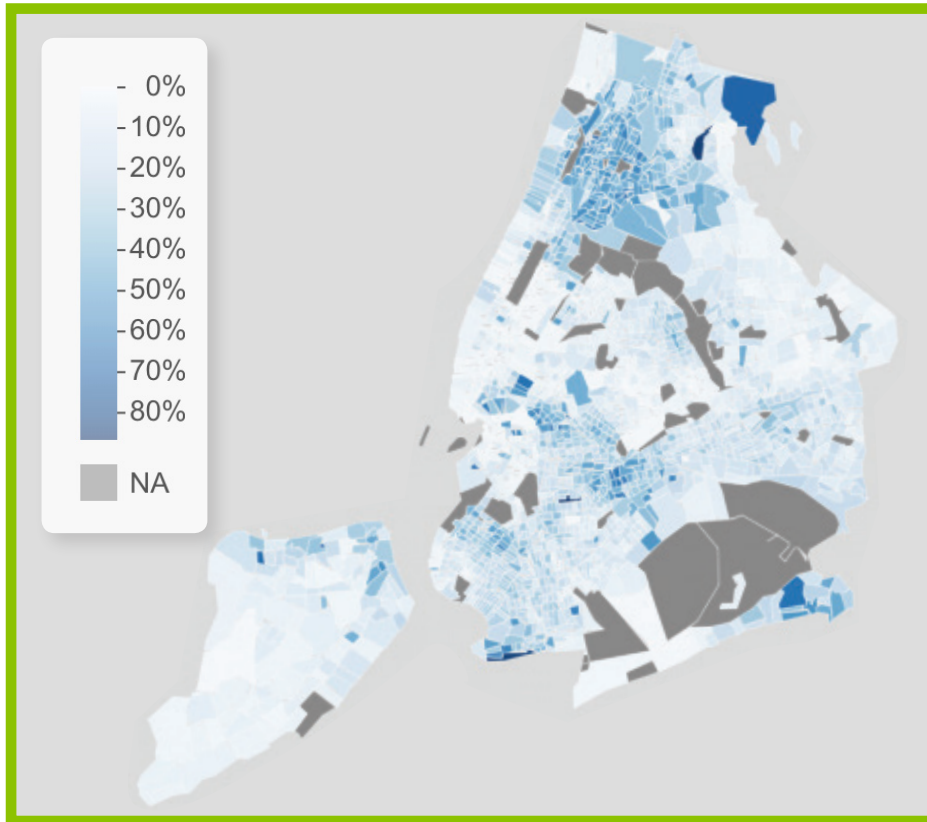
<sup>ii</sup> According to Hunger Free America, the food insecurity rates are as follows: 2015-17 (12.5%), 2012-14 (16.9%), 2005-07 (12.1%).

<sup>iii</sup> This is based on a households gross monthly income, which generally must be at or below 130% of the poverty line; net income, which must be at or below the poverty line; and assets, which must fall below \$2,250 for households without an elderly or disabled member and below \$3,500 for those with such a member.

<sup>iv</sup> According to HRA, the SNAP participation rates should not be compared to the state and national rates released by the federal government but instead using the Program Access Index (PAI), which is calculated by dividing the SNAP caseload by the number of people below 125% of the federal poverty line. Based on this metric, the NYC PAI was 85%, compared to 73% in the U.S. and 81% in New York State.



## PROPORTION OF HOUSEHOLDS RECEIVING SNAP



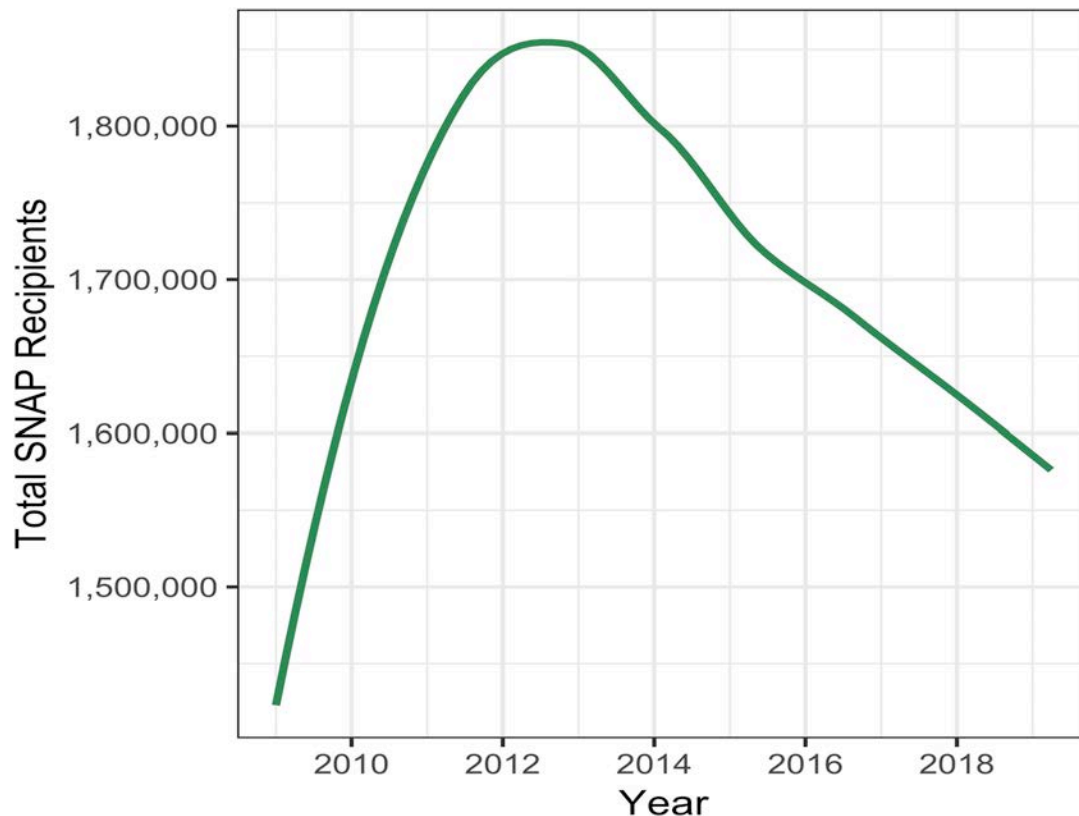
### SNAP DATA

The map shows the percent of households receiving SNAP by census tract. Areas in grey indicate that the population was too small to draw an estimate.

While overall SNAP utilization has decreased over time, SNAP utilization remains high in many parts of the city.

Source: U.S. Census Bureau; American Community Survey, 2017 American Community Survey 1-Year Estimates, Table S2201; generated by Brook Frye; using American FactFinder; (18 July 2019).

## SNAP PARTICIPATION OVER TIME



Source: U.S. Census Bureau; American Community Survey, 2010-2018 American Community Survey 1-Year Estimates, Table S2201; generated by Brook Frye; using American FactFinder; (18 July 2019).



## HOW TO APPLY FOR SNAP

In recent years, New York City has taken steps to improve the SNAP application and recertification process. Currently, New Yorkers can apply for benefits online through ACCESS HRA, a website that allows individuals to receive information and apply for benefits. SNAP applications can also be downloaded, mailed to applicants by calling the HRA Infoline at 718-557-1399 to request an application, or picked up at an HRA SNAP Center, where applicants can also submit their applications. After submitting an application, clients can call HRA to complete their interview and recertification.

Source: NYC Human Resources Administration, SNAP Benefits & Food Program, <https://www1.nyc.gov/site/hra/help/snap-benefits-food-program.page>.

Despite the importance of SNAP, the benefit levels are often insufficient to meet a household's needs. According to the Food Bank for New York City, SNAP only covers approximately 39 meals per month.<sup>61</sup> Because of the inadequacy of SNAP, emergency food assistance is an important tool in the fight against hunger.

HRA, through the Emergency Food Assistance Program (EFAP), administers funding and coordinates the distribution of shelf-stable food to more than 500 food pantries and soup kitchens citywide.<sup>65</sup> In Fiscal Year 2018, EFAP distributed more than 17.56 million pounds of food, and HRA expects this to grow to approximately 20 million pounds of food during Fiscal Year 2019.<sup>66</sup>

In Fiscal Year 2019, the Council successfully negotiated an \$8.7 million increase in EFAP funding from the City for a total of \$20.2 million for Fiscal Year 2019 and the outyears. This baselined funding amount is comprised of \$17.3 million in City tax-levy and the remaining \$2.9 million is federally funded. In addition, through three food initiatives, the Council allotted another \$8.6 million in Fiscal Year 2020 to support critical programs that assist low-income New Yorkers to access food and federal benefits, as well as increase awareness of healthy food options and nutrition.<sup>67</sup>

The need for food pantries and emergency food has continued to grow in recent years, despite an improving economy. According to

### Restaurant Meals Program:

- **Some disabled, elderly, or homeless SNAP recipients cannot easily cook meals or do not have access to needed kitchen facilities. For example, as of April 2019, the Department of Homeless Services (DHS) was sheltering about 11,200 individuals in commercial hotels, many of which do not have kitchen facilities. While DHS provides meals to these individuals, due to the lack of kitchen facilities these individuals can only use their SNAP benefits on limited items that do not require cooking. Allowing SNAP benefits to be used on prepared foods would give people the choice and flexibility around how to use their benefits to feed themselves and their families. Currently in New York State, SNAP recipients cannot use their benefits to purchase prepared foods. However, any state can allow for the purchase of prepared food by opting into the Restaurant Meals Program authorized under the 1977 Farm Bill.<sup>62</sup> Currently Illinois,<sup>63</sup> Arizona, 11 counties in California and one county in Rhode Island participate in the program.<sup>64</sup>**





a 2018 survey by Hunger Free America, New York City food pantries and soup kitchens fed 5% more people in 2018 than the previous year, compared to annual increases of 6% in 2017, 9% in 2016 and 5% in 2015.<sup>68</sup> Another survey by the Food Bank for New York indicates that since funding for SNAP benefits was cut in 2013,<sup>69</sup> 80% of emergency food providers in New York City have seen elevated traffic and 40% reported the number of visitors increased by more than half.<sup>70</sup> Additionally, the survey notes that over half of soup kitchens and food pantries reported running out of food, and 29% reported turning people away because of a lack of food.<sup>71</sup>

In addition to feeding the hungry, emergency food providers also serve a key role in connecting New Yorkers to benefits. Pursuant to Local Law 80 of 2005, all City-funded emergency food programs must distribute “applications for the food stamp program.”<sup>72</sup> According to the July 2019 report on Local Law 80, 545 emergency food programs in the EFAP network provide SNAP outreach services, with some pantries and soup kitchens providing additional services including SNAP eligibility prescreening and assistance with the SNAP application process.<sup>73</sup> Many emergency food providers also provide individuals with free income tax assistance services.<sup>74</sup>

<sup>68</sup> In order to help offset the economic downturn, The American Recovery and Reinvestment Act (ARRA) was passed in 2009 and included a temporary increase in federal funding for the SNAP program. Specifically, ARRA’s investment in the SNAP program: (i) increased the maximum benefit level by 13.6%, (ii) eased eligibility requirements for childless adults without jobs, and (iii) provided additional funding to state agencies responsible for administering the program. Prior to ARRA, benefits were indexed for food price inflation every year. ARRA replaced the inflation indexing with an across-the-board increase in benefits. According to the USDA, “households of four experienced a maximum increase in benefits of \$80 per month.” On November 1, 2013, ARRA funding for SNAP expired, which resulted in a decrease in benefits for all SNAP recipients.

## EMERGENCY FOOD - TERMINOLOGY

- **Emergency Food Assistance Program (EFAP):** A City program that provides monthly, pre-cut food orders to the Food Bank for New York City, which then distributes the items to food pantries and soup kitchens citywide. There are over 400 pantries and 100 soup kitchens in the EFAP network.
- **Food Bank:** A non-profit entity that stores food items to be delivered to emergency food providers, like food pantries. Food Bank for New York City, the city's largest hunger-relief organization, annually distributes approximately 58 million meals per year to New Yorkers. Since 1983, it has provided more than 1.2 billion meals.
- **Food Pantry:** A distribution center where individuals and families can receive food. Pantries can be housed in a variety of locations including schools, houses of worship, community centers, or mobile vans.
- **Soup Kitchen:** An organization that provides prepared meals to individuals. Similar to food pantries, soup kitchens are housed in a variety of locations and can be mobile, bringing prepared food directly to those in need.

Sources: Food Bank for New York City, Emergency Food Assistance Program (EFAP); Feeding America, What is the difference between a food bank and food pantry?

## FISCAL YEAR 2020 BUDGET WINS & RECOMMENDATIONS:

- **Continue to Support Emergency Food Providers:** The City Council has fought, and will continue to fight to support food pantries and soup kitchens across the city.
  - After several years of one-time allocations and subsequent cuts, in Fiscal Year 2019, the City Council successfully advocated to increase the baseline Emergency Food Assistance Program (EFAP) budget to \$20.2 million, an increase of \$8.7 million from the previous year.
  - In Fiscal Year 2020, the Council continued funding the Food Access and Benefits initiative at \$725,000. This initiative supports capacity expansion efforts at food pantries citywide through the Food Bank for New York City; technical assistance for tax returns for low-income residents; SNAP eligibility screening; SNAP application and recertification assistance; and SNAP and emergency food assistance benefits education programs.
  - In Fiscal Year 2020, the Council also increased funding for the Access to Healthy Food and Nutritional Education initiative by \$1.2 million for a total of \$2.3 million to support programs that expand access to healthy food and improve understanding of nutrition and wholesome food choices, while engaging communities to make positive changes related to food and lifestyle to improve health outcomes. This funding supports farmers' markets, youth markets, urban farms, community gardens, educational workshops, SNAP outreach, and a pilot program at the City University of New York's (CUNY) to increase food access for students.
  - Additionally, the Council increased funding to the Food Pantries initiative by \$1 million for a to-



tal of \$5.66 million in Fiscal Year 2020. The Food Pantries initiative provides food to over 275 food pantries and soup kitchen citywide, and supports 25 food and hygiene pantries located in public schools in all five boroughs. This funding is vital for emergency food providers large and small.

- **Advocate for Expanded Use of SNAP:** The City Council will advocate for New York State to pass legislation to allow disabled, elderly, and homeless SNAP recipients to use their benefits for hot meals and other prepared foods at participating grocery stores, delis, and restaurants. This would have a clear and direct benefit for the thousands of New Yorkers who cannot easily cook for themselves or have no access to a kitchen.

## ATTACKS FROM THE FEDERAL GOVERNMENT

Over the last few years, all public benefits, including SNAP, have been under constant attack at the federal level. Similar to previous budgets, the Trump Administration's Fiscal Year 2020 budget proposes cutting SNAP benefits by \$220 billion (about 30%) over 10 years.<sup>75</sup> It additionally proposes taking away benefits from individuals who do not meet stricter work requirements.<sup>76</sup> Research shows that taking away benefits when individuals do not meet work requirements has little effect on improving long-term employment outcomes and harms individuals when they lose the benefit.<sup>77</sup> According to the Center on Budget and Policy Priorities (CBPP), the Trump Administration's proposals would create hurdles to accessing benefits for almost 90% of SNAP recipients and cause at least four million individuals to lose their benefits.<sup>78</sup>



The federal Fiscal Year 2020 budget also includes a proposal for “America’s Harvest Box” program, first floated in the 2018 budget.<sup>79</sup> This program would replace part of recipients’ existing SNAP benefits with direct food deliveries.<sup>80</sup> The proposal was widely criticized because it would take away the option to buy fresh food and replace it with less healthy processed foods, and it would add stigma to the recipient of the benefit by placing a conspicuous box of government-supplied food on a person’s doorstep.<sup>81</sup> Further, the methods of assembly and delivery are unclear and it would add unnecessary administrative burdens to the states charged with administering the program.<sup>82</sup>

In February 2019, the Trump Administration proposed a cut to SNAP benefits through regulations regarding “able bodied adults without dependents” (ABAWD).<sup>83</sup> Federal law already requires states to limit SNAP eligibility to just three months out of every three years for unemployed and underemployed adults without dependent children unless they can document 20 hours of work a week. The proposed rule change would allow the USDA to make those time limits even harsher by undercutting a state’s ability to waive these severe time limits in many geographic areas where there are too few jobs. The USDA itself estimates that 755,000 people would lose benefits if adopted, and predicts a net reduction in spending on SNAP benefits of \$7.9 billion over five years.<sup>84</sup> In New York City, there are approximately 83,000 to 121,000 ABAWDs,<sup>85</sup> and of that group, it is estimated that up to 80,000 individuals receiving

an average of \$150 a month in SNAP benefits are at risk of losing this essential support.<sup>86</sup> In April 2019, Speaker Corey Johnson submitted a public comment urging the federal government to reject the proposed rule change.

Furthermore, in October 2018, the Trump Administration introduced a proposed rule to drastically expand the circumstances under which certain immigrants might be considered a “public charge” for immigration purposes.<sup>87</sup> This proposed rule would bar many immigrants from permanent residence or a visa if they receive certain non-cash federal public benefits such as SNAP, or if the federal government determines that they may use federal public benefits in the future.

The Urban Institute recently released data from a national survey that showed about 13.7%, or one in every seven adults from immigrant families, self-reported choosing to forgo noncash benefits for fear of immigration consequences related to the public charge rule proposal.<sup>88</sup> In New York City, according to a recent analysis conducted by HRA, in the past two years non-citizen immigrants who are eligible for SNAP have left or decided not to enroll in benefits at a higher rate than U.S. citizens, with this difference growing further in the past year.<sup>89</sup> While HRA cannot definitively conclude that the proposed public charge rule change directly resulted in these changes, the agency explains that there is “no other identifiable factor that has caused the magnitude of this drop among eligible non-citizens.”<sup>90</sup> The data suggests a chilling effect.

	NON-CITIZEN	CITIZEN
<b>1/16 - 1/17</b>	+1.1%	+1.2%
<b>1/17 - 1/18</b>	-6.2%	-3.2%
<b>1/18 - 1/19</b>	-10.9%	-2.8%

Source: NYC Department of Social Services and NYC Mayor’s Office of Immigrant Affairs, Fact Sheet: SNAP Enrollment Trends in New York City, June 2019 available at <https://www1.nyc.gov/assets/hra/downloads/pdf/Fact-Sheet-June-2019.pdf>



In November 2018, the City Council Committees on Immigration, General Welfare, and Health held a joint oversight hearing on “The Impact of the Proposed ‘Public Charge’ Rule on NYC.” At the hearing, the City Council had tablets available for members of the public to submit comments on the proposed rule. Speaker Johnson submitted a comment on behalf of the entire City Council to the federal government in opposition to this rule.<sup>91</sup> Furthermore, Council Member Carlos Menchaca, chair of the Immigration Committee, held town hall meetings in each borough to discuss this issue directly with New Yorkers. In October 2018, Speaker Johnson and Council Member Menchaca also wrote a joint op-ed in the New York Daily News entitled “Fight this immigration rule with all we’ve got: The ‘public charge’ regulation would do tremendous damage to New York” to highlight the danger of the proposed rule and encourage all New Yorkers to submit comments in opposition to the proposed rule change.

More recently, in May 2019, the Trump Administration proposed a rule to lower the poverty measure each year by basing the calculation on an alternative, lower threshold rate of inflation rather than the Consumer Price Index (CPI).<sup>92</sup> Using this lower threshold would result in a reduction in the number of individuals who are eligible for SNAP.<sup>93</sup> This change compounds the problem that the *current* poverty threshold is inadequate.<sup>94</sup> According to the CBPP, by the tenth year of using the proposed alternative “chained CPI,” hundreds of thousands of people would lose access to food assistance, including the following:<sup>95</sup>

- Nearly 200,000 people, mostly in working households, would lose SNAP benefits altogether.
- About 40,000 infants and young children would lose benefits through the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), which provides healthy foods, nutrition counseling, breastfeeding support, and referrals to families.<sup>vi96</sup>

In July 2019, the Trump Administration further proposed a rule change to impose stricter automatic eligibility requirements for SNAP.<sup>97</sup> Currently, people receiving minimal benefits from the Temporary Assistance for Needy Families (TANF) program are automatically eligible for SNAP. The rule change would eliminate this automatic eligibility and require people to undergo further checks on their income and assets before being able to access SNAP. It is estimated this proposed rule change could prevent 3.1 million people nationwide from receiving SNAP benefits.

### The New York City Poverty Measure

In 2008, the Bloomberg Administration developed a poverty measure specifically for New York City to address the inadequacies of the federal poverty measure. The federal measure bases poverty solely on the cost of food; since it was developed in 1969, the only change has been to adjust for the cost of living. The New York City Poverty Measure was created by the New York City Center for Economic Opportunity, using research developed by the National Academy of Sciences in 1995. The measure takes into account necessities beyond the cost of food, the high cost of living in New York City, and public assistance benefits.

In 2017, the New York City poverty threshold for a two-adult, two-child family was \$33,562, compared to the official U.S. threshold of \$24,845. In the same period, the New York City poverty rate was 19% based on the City’s poverty threshold, compared to 16.6% using the official U.S. metric.

Sources: NYC Center for Economic Opportunity, The CEO Poverty Measure, A Working Paper by The New York City Center for Economic Opportunity August 2008, available at [https://www1.nyc.gov/assets/opportunity/pdf/08\\_poverty\\_measure\\_report.pdf](https://www1.nyc.gov/assets/opportunity/pdf/08_poverty_measure_report.pdf); NYC Mayor’s Office for Economic Opportunity, New York City Government Poverty Measure 2017, available at [https://www1.nyc.gov/assets/opportunity/pdf/19\\_poverty\\_measure\\_report.pdf](https://www1.nyc.gov/assets/opportunity/pdf/19_poverty_measure_report.pdf).

<sup>vi</sup> The CBPP also explains that “more than 100,000 school-age children would lose eligibility for free or reduced-price school meals altogether. In addition, more than 100,000 children would lose eligibility for free meals, though they could pay the reduced price.” However, due to the success of universal school lunch, this would not affect New York City.



## Recommendation:

- **Advocate Against Federal Funding Attacks on Anti-Hunger and Nutrition Programs:** The City Council will continue to combat efforts at the federal level to reduce, limit, and stigmatize vital nutrition programs. This includes advocating against any proposed funding cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and SNAP. This also encompasses fighting dangerous plans to limit SNAP-eligibility, such as the recently proposed “able bodied adults without dependents” or ABAWD regulations, and hateful and destructive policy proposals to expand the circumstances under which certain immigrants might be considered a “public charge,” thereby causing fear-based disenrollment from SNAP.

## SENIORS

As of 2016 (the latest available data), there were 1.64 million adults in New York City over the age of 60, representing about 19.2% of the City’s total population.<sup>98</sup> By 2040, this population is expected to grow to 1.86 million, increasing over 48% from 2000.<sup>99</sup> According to an annual report produced by the Department for the Aging (DFTA), inadequate income continues to be a critical problem facing older adults.<sup>100</sup> Additionally, while the national poverty rate for older adults has declined in the U.S. overall, from 12.8% in 1990 to 9.2% in 2016, New York City’s older adults experienced an increase in poverty from 16.5% to 18.1% during the same period.<sup>vii101</sup>

### **Food Insecurity & SNAP Access**

According to Hunger Free America, between 2015 and 2017, approximately 183,290 seniors – or 10.9% of the entire senior population in New York City – lived in food insecure house-

holds.<sup>102</sup> Similar to the overall food insecurity rates, this represents a decrease from 2012-2014, but is still higher than pre-recession rates.<sup>viii103</sup> In Fiscal Year 2018, 331,337 seniors received SNAP benefits each month; however, there are many more seniors who qualify, but do not participate in the program.<sup>104</sup> Although higher than the national average, according to the 2018 Food Metrics report released by the MOFP, the City’s SNAP participation rate could be even higher among seniors were it not for several barriers, including limited mobility, lack of knowledge, and perceived stigma associated with accepting government assistance.<sup>105</sup> In 2017, about 73% of seniors who were eligible for SNAP participated in the program, up from 70.9% in 2016.<sup>106</sup> Additionally, approximately 204,000 (one out of every five) seniors rely on soup kitchens and food pantries.<sup>107</sup>

In order to increase senior participation in SNAP, the City Council passed Local Law 134 in 2017, which requires SNAP enrollment and recertification at senior centers.<sup>108</sup> This local law mandates that HRA coordinate with DFTA to increase awareness of SNAP through a public campaign targeted at seniors and their caregivers. In addition, the law requires HRA to provide an annual report to the Council on DFTA’s public campaign and SNAP enrollment and recertification activity for seniors. According to HRA’s 2018 annual report, on-site recurring SNAP assistance for seniors was provided at 37 community sites in 2018, including DFTA senior centers and unaffiliated senior centers.<sup>109</sup>

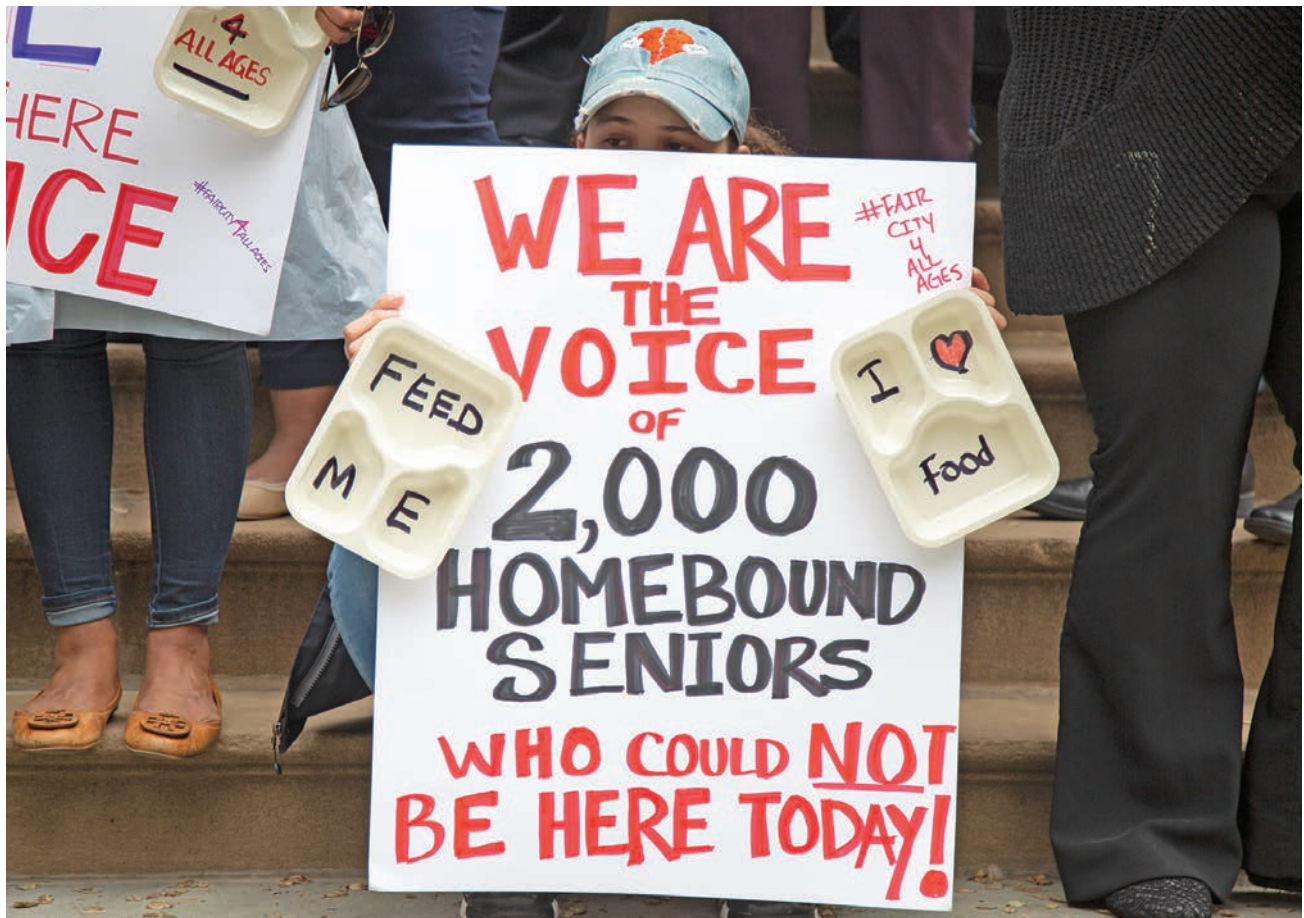
### **Congregate and Home-Delivered Meals**

One way food insecure seniors in New York City meet their food and nutrition needs is through congregate (group) and home-delivered meals. Across the five boroughs, DFTA funds nearly 250 senior centers that are open and free to anyone over the age of 60.<sup>110</sup> In Fiscal Year 2018, these centers served 7,186,486 congregate meals to

vii According to DFTA, one reason for this could be that the average Social Security benefit for a retired worker is \$1,368 per month and is inadequate considering the high cost of living in New York City, as Social Security represented more than 50% the income for senior headed households in New York City in 2015.

viii In 2012-14 209,892 (14.3%) seniors lived in food insecure households and in 2005-07 96,609 (8.5%).





seniors, including breakfast, lunch, and dinner.<sup>111</sup> Additionally, DFTA's Home Delivered Meals programs provide nutritional meals to older home-bound New Yorkers five days a week. These programs are designed for seniors who have difficulty preparing their own meals. To receive home-delivered meals, a senior must receive authorization from a DFTA case manager following an assessment. In Fiscal Year 2018, 4,551,394 home-delivered meals were served.<sup>112</sup>

Access to congregate and home-delivered meals can vary across the city. Recent reports have shown that senior centers are not funded equitably, and one of the largest areas where this manifests is in food costs.<sup>113</sup> For example, in Fiscal Year 2016, DFTA served 7.6 million meals; however, there were significant discrepancies in how the agency funded these meals.<sup>114</sup> In fact, as reported by New York State Comptroller Thomas DiNapoli, 37 senior centers were provided between \$3-\$6 per congregate meal, 108 were provided between \$6-\$9, 71 were provided

between \$9-\$12, and 30 were funded for \$12 or more per congregate meal.<sup>115</sup> Home-delivered meals show a similar disparity; DFTA reimburses \$8.42 per meal, while the national average cost of providing a home-delivered meal is \$11.06.<sup>116</sup>

Prior to this most recent budget, DFTA's last across-the-board increase in food reimbursements was in 2014, when regular meals received an additional 25 cents and kosher meals received an additional 50 cents.<sup>117</sup> Further, DFTA's recent model contracting budget made no adjustment to congregate or home-delivered meal rates.<sup>118</sup> The City's reimbursement rate for senior meals is 20% lower than the national average.<sup>119</sup> To begin to address these discrepancies, at the adoption of the Fiscal Year 2019 budget, the City Council successfully negotiated with the de Blasio Administration to add \$2.84 million on a one-time basis to increase investments in meals by 44 cents per home-delivered meal on average. This amount was restored in Fiscal Year 2020 on a one-time basis.

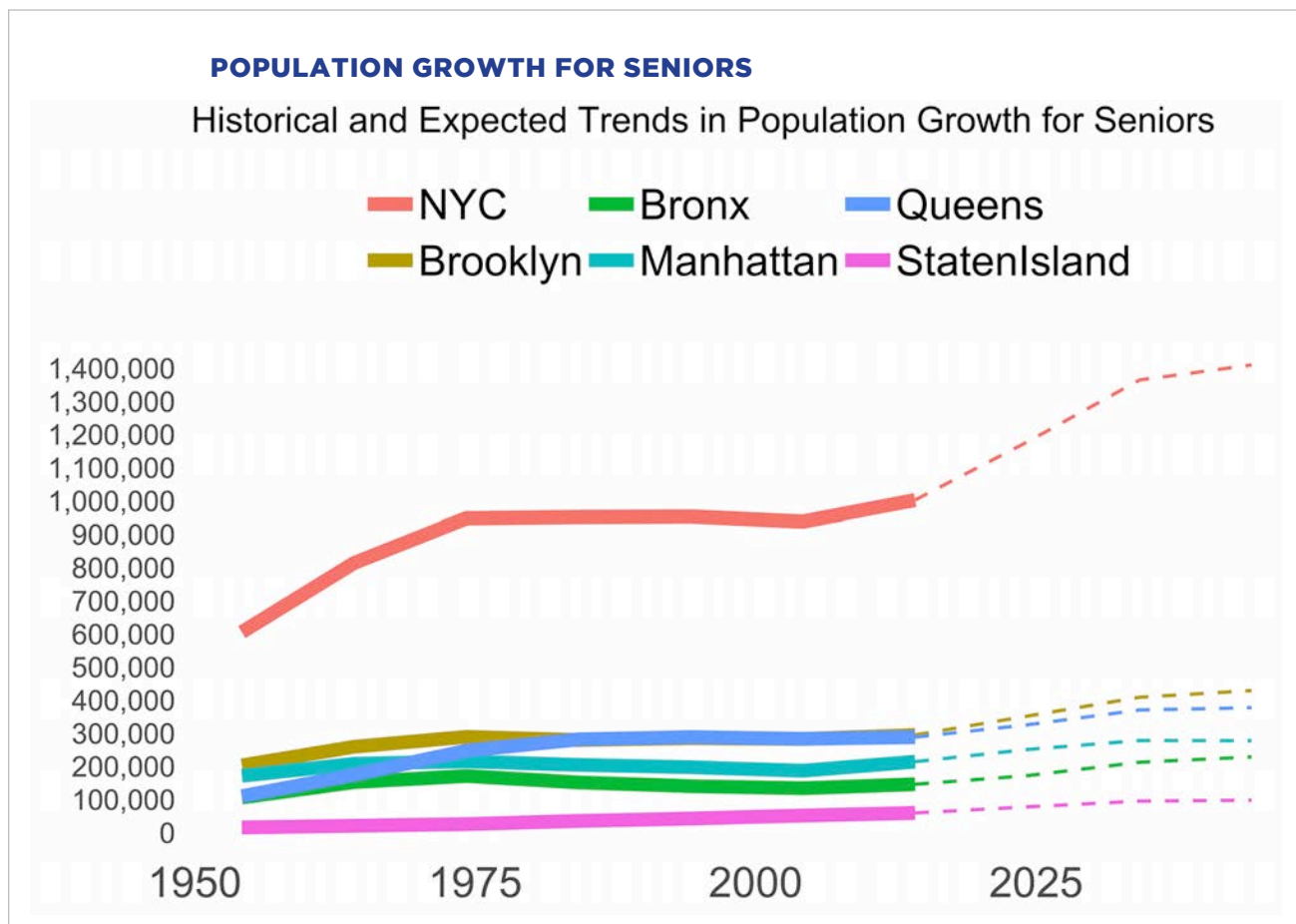


## FISCAL YEAR 2020 BUDGET WINS & RECOMMENDATIONS:

- Increased Funding for Senior Center and Home Delivered Meals:** Due to City Council's advocacy, DFTA's budget will include \$10 million in funding for Fiscal Year 2020 to address the under-funding of senior meals. This new allocation will grow to \$15 million in Fiscal Year 2021 and the outyears for senior center congregate meals and kitchen staff salaries.
- Support Seniors' Access to SNAP:** The City Council will consider legislation to require DFTA and HRA to develop a plan to identify and enroll isolated seniors in SNAP benefits. While DFTA and City Meals on Wheels help screen homebound elderly New Yorkers for

SNAP benefits, there are many seniors who are not connected to City services and unaware of the program.

- Advocate for Shorter, More Streamlined SNAP Application Form for Older Adults:** The City Council will advocate for the federal government to approve New York State's application to create an Elderly Simplified Application Process (ESAP), currently operating in nine states. Under ESAP, older citizens can be granted several waivers, including an extension of the certification period to 24 months from the current 6- or 12-month time frame; waiving the full interview for recertification; and generally waiving the requirement to verify unearned income, household size, residency, and shelter expenses. By streamlining the



Source: New York City Population Projections by Age/Sex & Borough, 2010-2040, [https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/projections\\_report\\_2010\\_2040.pdf](https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/projections_report_2010_2040.pdf)



SNAP application process, it will be easier for eligible low-income seniors to apply for SNAP, thereby increasing their participation in the program.

- **Create Food Pantries in Senior Centers:** The City should fund a pilot program to create small food pantries at select senior centers to address food insecurity for seniors who are unable to

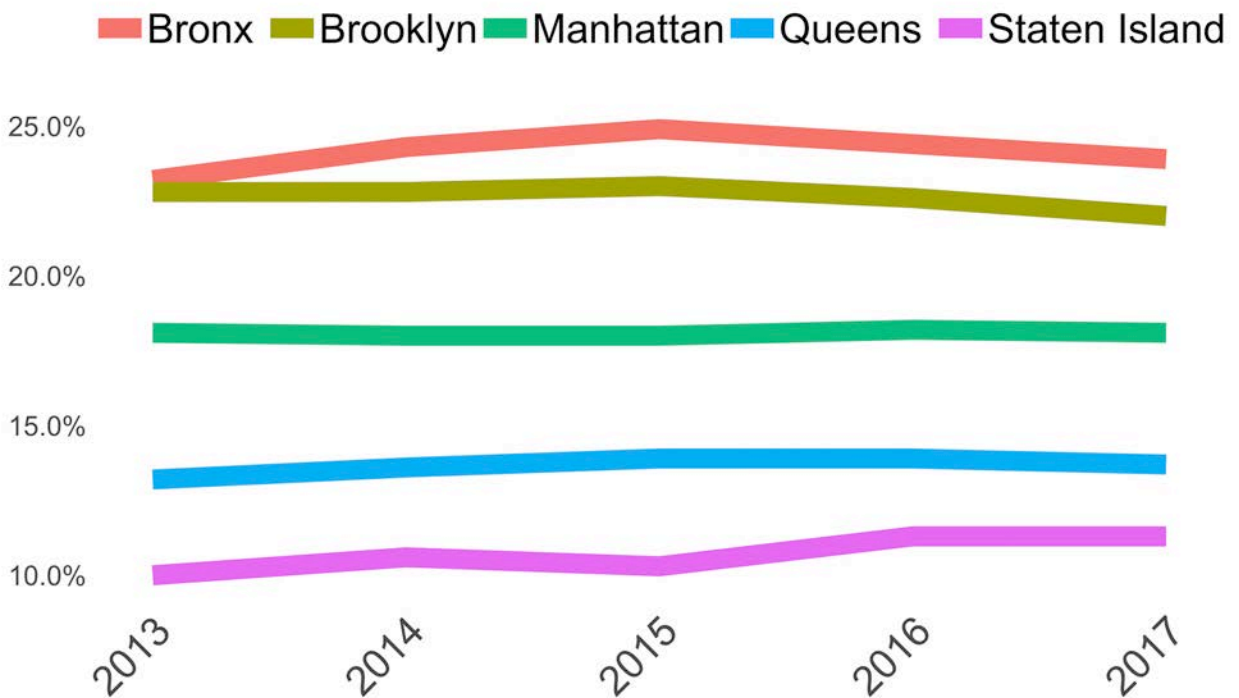
access the city's network of emergency food pantries. The program will provide an opportunity for seniors to bring food home to cook meals when they are not attending a senior center. DFTA senior centers across the city provide congregate meals to participants, but many seniors still struggle to adequately feed themselves on a daily basis.

### SENIOR POVERTY DATA

The 65-year-old and older population is expected to grow 40% from 2010 to 2040. A large proportion of seniors who reside in New York City live in poverty, including up to 25% of the senior population in the Bronx. If poverty continues to persist, more seniors will continue to face poverty-related issues, such as lack of access to food.

### SENIORS AND POVERTY

Percentage of Seniors Experiencing Poverty



U.S. Census Bureau; American Community Survey, 2013-2017 American Community Survey 5-Year Estimates, Table B17020; generated by Brook Frye; using American FactFinder; (18 July 2019).



## COLLEGE STUDENTS

Recent reports have highlighted the problem of food insecurity among college students. A study released in December 2018 by the U.S. Government Accountability Office (GAO), a fact-based, nonpartisan entity that provides information to Congress, highlighted that college students who experience food insecurity “may also experience decreased academic performance, symptoms of depression and anxiety, and other negative mental health indicators.”<sup>120</sup>

In response to a request from Congress, the GAO reviewed several nationwide studies and found that there is limited information about how prevalent food insecurity is among college students because studies on the issue are relatively nascent and do not provide reliable national estimates.<sup>121</sup> The GAO reviewed 31 studies that found food insecurity among college students ranging from 9% to well over 50%.<sup>122</sup> While these divergent findings reflected inherent limitations of survey samples and research methodologies,<sup>123</sup> they nonetheless shed light on the scope of food insecurity and draw needed attention to the issue.

According to the GAO, the most common risk factor for food insecurity among college students is having low income, which is often exacerbated by additional factors such as being a first-generation student or a single parent.<sup>124</sup> Because CUNY’s legislated mission is to elevate lower-income students and the disadvantaged, its student body is disproportionately representative of these factors. According to CUNY’s 2016 Student Experience Survey,<sup>ix125</sup> 42% of CUNY students have incomes lower than \$20,000 annually, 45% are first-generation students, and 12% of students are supporting children as parents or single parents.<sup>126</sup> Moreover, students at community colleges are more likely to come from low-income families than students at senior colleges.<sup>x127</sup>

Recent data highlights the problem of food insecurity among CUNY students. In March 2019, CUNY, the Jewish Foundation for Education of Women, and The Hope Center released the results of a survey of 22,000 CUNY students across 19 campuses.<sup>128</sup> Almost half (48%) of respondents indicated that they experienced food insecurity in the previous 30 days.<sup>129</sup>

To address food insecurity among college students, in August 2018, Governor Andrew Cuomo announced a comprehensive “No Student Goes Hungry Program” that set a goal of establishing a food pantry or stigma-free food access for students in need at every State University of New York (SUNY) and CUNY campus, setting a year-end deadline for 100% compliance.<sup>130</sup> At present, CUNY has food pantries at all seven of its community colleges and at 10 out of its 11 senior colleges except Baruch College, which utilizes an off-campus food voucher system.<sup>131</sup>

Additionally, CUNY offers a number of programs and services to address the needs of its food insecure student population. Single Stop USA (“Single Stop”), a national non-profit group that connects people with government benefits they might be eligible for, is one such resource.<sup>132</sup> Through a system-wide partnership with all seven CUNY community colleges and the John Jay College of Criminal Justice,<sup>133</sup> Single Stop provides students with campus-based free and comprehensive social, legal, and financial services to address financial barriers and family needs, which often pose the greatest challenge to degree completion.<sup>134</sup> Over a six-year period, Single Stop served more than 77,000 CUNY students and accessed benefits, legal services, financial counseling, and tax refunds valued at \$183 million.<sup>135</sup> Notably, the program also helps students apply for SNAP benefits.<sup>136</sup> As 37% of students at CUNY senior colleges are from families with incomes of \$20,000 or less, there are 54,000 senior college students who could potentially benefit from such services.<sup>137</sup>

<sup>ix</sup> Note that students voluntarily respond to the Student Experience Survey, and results from the 2016 survey are the most recent available online.

<sup>x</sup> Seventy-one percent of students at community colleges come from low-income families, versus 54% at senior colleges.



Despite the income needs of CUNY's student body, Single Stop reports that only 4,947 applications were approved for SNAP benefits over the entire period of 2009 through 2015.<sup>138</sup> Indeed, national income data from the U.S. Department of Education reviewed by the GAO suggested that nearly 57% of potentially SNAP-eligible college students did not receive the benefit in 2016,<sup>139</sup> suggesting that many students across the country may be unaware of or misinformed about their eligibility, or possibly deterred from seeking assistance due to the stigma associated with receiving aid.<sup>140</sup>

Further, some students enrolled in college half-time or more are not eligible for SNAP due to federal restrictions, but could become eligible with state action. Pennsylvania,<sup>141</sup> Massachusetts,<sup>142</sup> Illinois,<sup>143</sup> and New Jersey<sup>144</sup> have expanded the regulations addressing college students' eligibility for SNAP to include any program that qualifies as "career and technical education" under the Carl D. Perkins Career and Technical

Education Act of 2006.<sup>145</sup> This could include programs that provide a recognized postsecondary credential or certificate, or that provide skills needed to prepare for further education and careers in current or emerging professions.<sup>146</sup>

## FISCAL YEAR 2020 BUDGET WINS & RECOMMENDATIONS:

- **Tackle Higher Education Student Hunger:** In the Fiscal Year 2020 budget, the City Council allocated \$1 million under the Access to Healthy Food and Nutritional Education initiative to fund a pilot program to increase food access to CUNY students experiencing food insecurity. Hunger in higher education is a serious problem, with almost half of CUNY students recently surveyed indicating they were food insecure in the past month. The City Council will continue to fight for additional funding to address food insecurity among college students.

### COLLEGE STUDENTS AND SNAP

**Most full-time college students are not eligible for SNAP. To qualify, a student enrolled in college at least half time must meet the income eligibility for SNAP and one of the following criteria:**

- **Be employed for an average of 20 hours per week and be paid for such employment or, if self-employed, be employed for an average of 20 hours per week and receive weekly earnings at least equal to the federal minimum wage multiplied by 20 hours.**
- **Participate in a state- or federally-financed work study program during the regular school year.**
- **Provide more than half the physical care for one or more dependent household members under the age of six or provide more than half the physical care of a dependent household member who has reached the age of six but is under the age of 12 where adequate child care is not available.**
- **Be enrolled full-time in an institution of higher education and be a single parent with responsibility for the care of a dependent child under age 12.**
- **Receive benefits from Family Assistance or federally-funded Safety Net Assistance.**
- **Receive Unemployment Benefits.**

Source: Office of Temporary and Disability Assistance, "Supplemental Nutrition Assistance Program (SNAP)" available at <https://otda.ny.gov/programs/snap/>

- Advocate for Expanded Use of SNAP for College Students:** The City Council will advocate that New York join Pennsylvania, Massachusetts, Illinois, and New Jersey in taking state action to increase college students' eligibility for SNAP. Due to federal law, most able-bodied students who are enrolled in college at least half-time are not eligible for SNAP unless they meet certain criteria. However, states can ex-

pand the regulations addressing college students' eligibility for SNAP to include any program that qualifies as "career and technical education" under the Carl D. Perkins Career and Technical Education Act of 2006. This could include programs that provide a recognized postsecondary credential or certificate, or that provide skills needed to prepare for further education and careers in current or emerging professions.

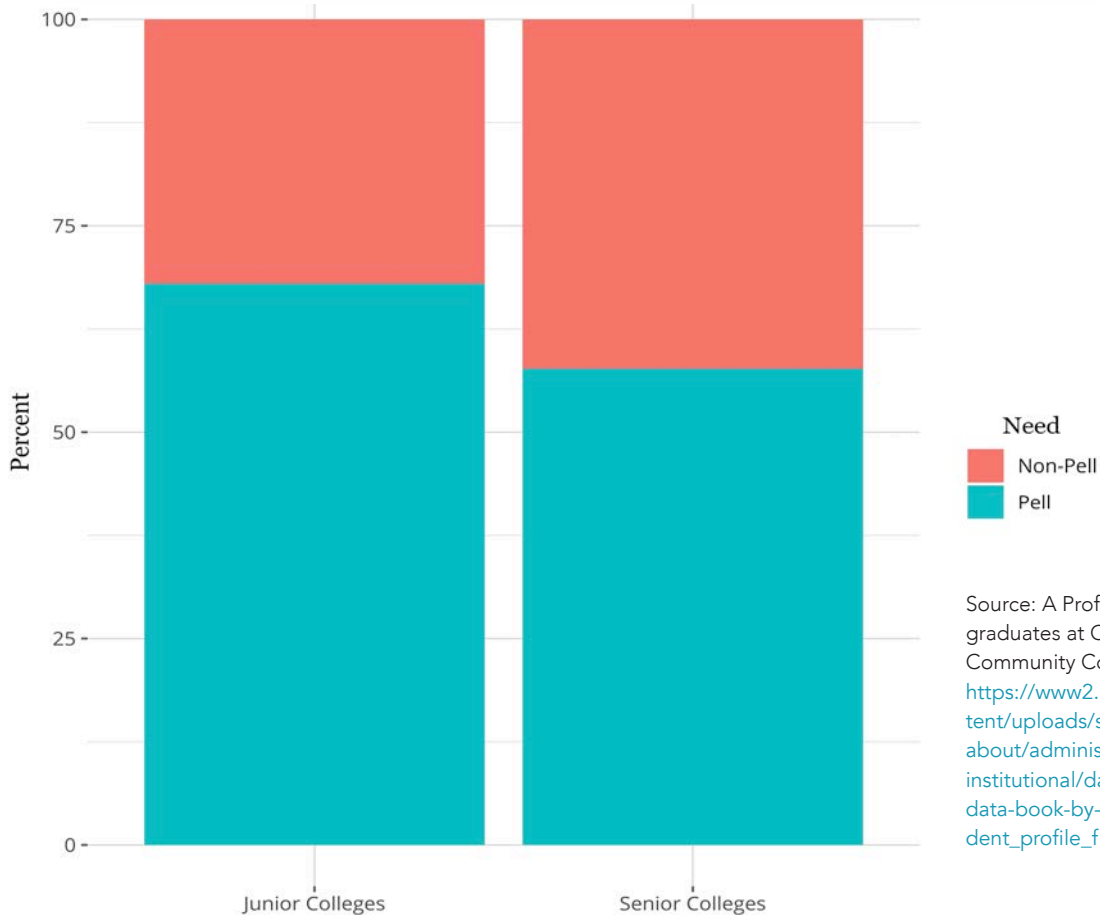
### CUNY HUNGER

Over 50% of undergraduates at CUNY Junior and Senior Colleges receive Pell Grants, a grant provided to students who are in need of financial assistance to pay for college. The amount of Pell assistance a student can receive is based off of the student's expected family contribution (EFC). A student must have an EFC of less than \$6,195 for 2019/2020 in order to receive a Pell grant.

Source: Federal Student Aid. <https://studentaid.ed.gov/sa/about/announcements/pell-2019-20>

### PELL ASSISTANCE

Percent of Students That Receive Pell Assistance



Source: A Profile of Undergraduates at CUNY Senior and Community Colleges: Fall 2017 [https://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/oira/institutional/data/current-student-data-book-by-subject/ug\\_student\\_profile\\_f17.pdf](https://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/oira/institutional/data/current-student-data-book-by-subject/ug_student_profile_f17.pdf)





## HEALTH BUCKS

To support SNAP use at farmers' markets, the City created the Health Bucks initiative in 2005. Health Bucks provide New Yorkers with additional purchasing power to buy fresh, locally-grown produce. For every \$5 spent at farmers' markets using SNAP on an Electronic Benefits Transfer (EBT) card, shoppers receive \$2 in Health Bucks that can be spent at participating farmers' markets across the city. In addition to being a SNAP incentive, community organizations may apply to receive Health Bucks to distribute to clients to support nutrition education and other health-related activities, such as attending a cooking demonstration or taking a group walk from a senior center to a farmers' market. According to the 2018 Food Metrics Report, in 2017 over 515,000 Health Bucks worth more than \$1,030,000 in fresh, locally-grown produce were distributed.<sup>147</sup> This included:

- Over 265,000 Health Bucks at over 111 farmers' markets;
- Over 80,000 distributed by more than 460 community-based organizations;
- Nearly 5,000 distributed through a pharmacy-based fruit and vegetable prescription pilot program; and
- Over 160,000 distributed by more than 20 organizations and elected officials.

Studies have shown that the Health Bucks program is effective. For example, when Health Bucks were distributed as a SNAP incentive, use of SNAP benefits increased at participating New York City farmers' markets, which had higher daily EBT sales than markets without the incentive (\$383.07 v. \$273.97).<sup>148</sup>

The Department of Health and Mental Hygiene (DOHMH) has built on the success of the Health Bucks program by expanding the ways it is used. In 2016, DOHMH received USDA Food Insecurity Nutrition Incentive (FINI) funding totaling \$3.37 million for several Health Bucks pilots that are only offered to SNAP recipients. These pilots expanded Health Bucks year round, up from five months. A portion of the funding for Health Bucks continues to come from FINI funding. In addition, another Health Bucks pilot includes a randomized, controlled trial to study the effectiveness of varying levels of incentives (\$2, \$4, or \$5 for every \$5 spent).<sup>149</sup> The pilot showed an average SNAP purchase of \$22 at the \$2 level, \$38 at the \$4 level, and \$41 at the \$5 level, showing an increase use of SNAP benefits when the Health Bucks incentive amount was larger.<sup>150</sup> Finally, as mentioned above, there is a pharmacy-based fruit and vegetable prescription pilot program, where those with high blood pressure and an EBT card are given \$30 in health bucks to spend at a nearby farmers' market. The pilot launched in 2017 at three pharmacies, and has since grown to include 10 pharmacies in 2018 and 16 in 2019.<sup>151</sup>



## Recommendations:

- **Increase City Funding for Health Bucks:** The City should expand funding for the Health Bucks program to increase the number of Health Bucks provided to community-based organizations. Health Bucks can leverage SNAP benefits and be used by community organizations to combat hunger, increase nutrition education, and provide access to healthy food. Currently, approximately \$150,000 in Health Bucks is available to these organizations to offer as incentives to buy fruit and vegetables at farmers' markets. This funding should be expanded to continue to meet demand.
- **Increase Awareness of Health Bucks:** The City Council will consider legislation to require HRA to provide information to SNAP applicants and recipients about Health Bucks and the locations of farmers' markets where they may be redeemed, to ensure that more SNAP recipients are taking advantage of the Health Bucks program.

## REDUCING FOOD WASTE

The inefficiency of our food system is staggering. While almost 41 million Americans do not have enough to eat, we also paradoxically waste food at alarming rates.<sup>152</sup> According to the Natural Resources Defense Council (NRDC), approximately 40% of all food grown in the U.S. is thrown away before it is eaten.<sup>153</sup> Saving just one-third of food from becoming waste would feed the 41 million Americans who face hunger.<sup>154</sup> In effect, farmers and farm workers are laboring to grow food that is transported throughout the country, only to wind up in our waste stream instead of nourishing our bodies. Meanwhile, this system also

contributes significantly to climate change. There is significant overproduction of certain foods, and certain meat, like beef, emits 20 times more greenhouse gas (GHG) emissions per gram of protein than common plant-based proteins.<sup>155</sup> Transporting our food long distances compounds our climate impact, making up 11% of food-related GHG emissions.<sup>156</sup> And according to the U.S. Environmental Protection Agency, landfilled food is a significant contributor to national methane emissions, a potent gas.<sup>157</sup>

In total, Americans throw away more than 400 pounds of food per person each year, which equates to over \$218 billion per year and approximately 53 million tons of food.<sup>158</sup> For perspective, all of New York City's residential garbage collection was 3.1 million tons in 2017, with 2.5 million tons disposed as refuse.<sup>159</sup> According to an October 2017 study by the NRDC, on average a New York City household wastes 8.7 pounds of food every week, while six pounds of this food is edible at the time it is thrown out.<sup>160</sup> About 54% of wasted food in New York City comes from the residential sector.<sup>161</sup>

While overproduction of certain foods is a structural problem in our food system that leads to food waste and is challenging for local intervention, there are things that states and municipalities can do to curb the waste we create. In March 2019, the Governor and New York State legislature passed a food waste bill through the budget process.<sup>xi</sup>

At the City level, Local Law 176 of 2017 required the NYC Department of Sanitation (DSNY) to create and maintain a web portal that allows prospective food donors and recipients to post notifications concerning the availability of food, including food that would otherwise go to waste, and to arrange for the transportation or retrieval of such food.<sup>162</sup> The donateNYC Food Portal was launched in March of 2019. Donors are matched first with the closest po-

<sup>xi</sup> The Food Donation and Food Scrap Recycling Act requires the State's largest generators of food waste, such as supermarkets, restaurants, hotels, universities, and sports stadiums, to donate wholesome, pre-consumer excess food to the extent practicable and to recycle food scraps if adequate processing capacity is within 25 miles.



tential recipient, to help ensure donations are hyper-local.<sup>163</sup> To further combat food waste, Local Law 171 of 2017 requires any City agency, when confiscating food deemed safe for human consumption by an agent of DOHMH, to notify at least one food rescue organization that it may retrieve such food at its own expense before disposing of the food.<sup>164</sup>

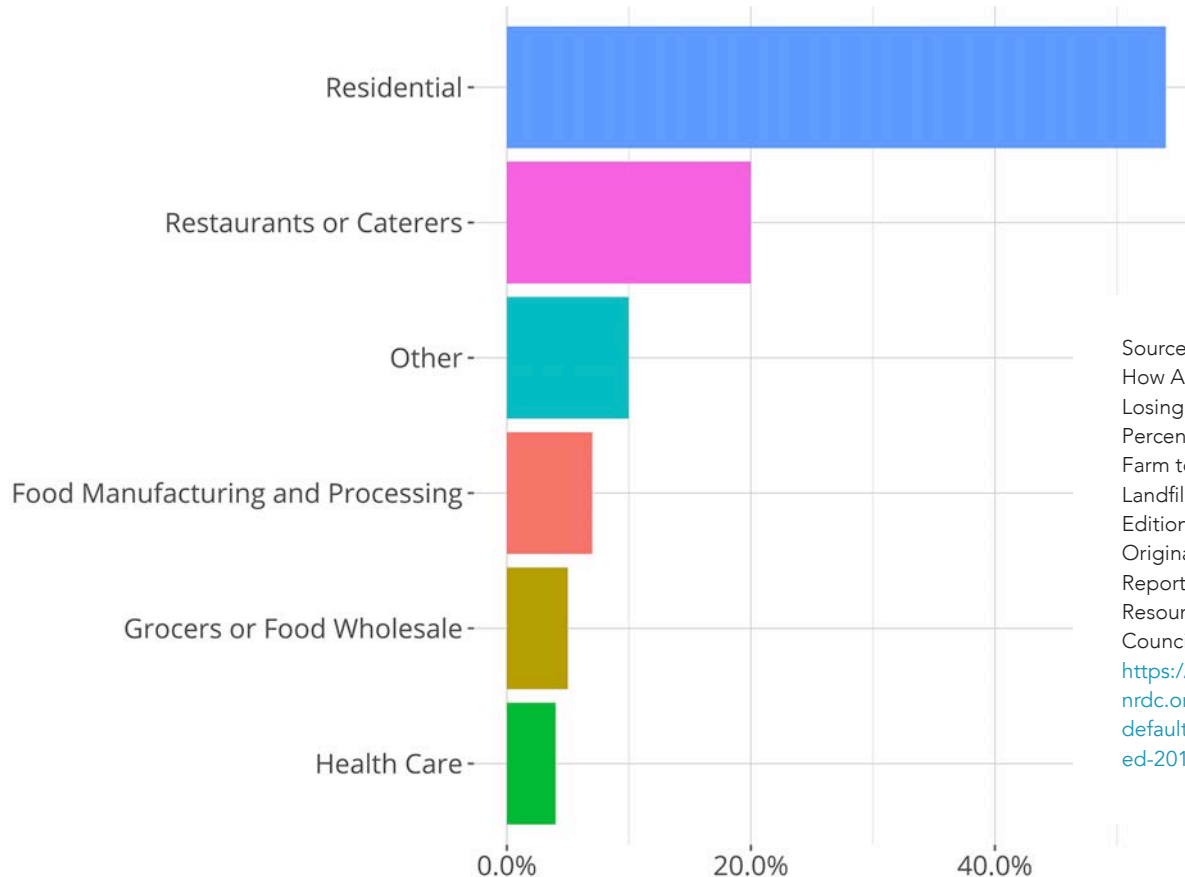
In order to reduce food waste, educational awareness campaigns about food waste prevention are important. Consumers may understand that food waste is a problem, but they tend to underestimate how they can contribute,<sup>165</sup> and large-scale consumer campaigns have proven to be an effective way of reducing food waste.<sup>166</sup> For example, in West London, a city-specific iteration of the Love Food Hate Waste campaign (a nationwide food waste prevention advertising and outreach effort) produced a 14% drop in

food waste per week per household over six months.<sup>167</sup> For households that claimed they were specifically aware of the campaign, the drop in total food waste was 43%.<sup>168</sup> In the U.S., in 2016 NRDC and the Ad Council launched the “Save the Food” national public service campaign to raise awareness around food waste reduction.<sup>169</sup> During the initial period of the campaign from 2016-2017, general awareness about food waste increased from 51% to 54%.<sup>170</sup>

Additionally, the City has an extraordinary amount of food buying power and could be a leader in food waste prevention. According to the MOFP, 11 City agencies serve more than 238 million meals and snacks each year.<sup>171</sup> The following are the agencies with the largest to fewest amount of meals and snacks served in Fiscal Year 2018 (in millions), with the exception of the Department of Citywide Administrative

## FOOD WASTE

Origin of Food Waste in New York City



Source: Wasted: How America is Losing Up To 40 Percent of its Food Farm to Fork to Landfill, Second Edition of NRDC's Original 2012 Report, National Resource Defense Council, (2017), <https://www.nrdc.org/sites/default/files/wasted-2017-report.pdf>.



Services whose food purchases are reflected by other agencies:

- Department of Education: 171.87
- Department of Homeless Services: 18.97
- Administration for Children’s Services: 15.5
- Department for the Aging: 10.64
- Department of Correction: 9.99
- Health + Hospitals: 7.67
- Department of Youth and Community Development: 2.36
- Department of Health & Mental Hygiene: 1.60
- Human Resources Administration’s HIV/AIDS Services Administration: 0.61
- Department of Parks and Recreation: 0.26<sup>172</sup>

### Recommendations:

- **Food Waste Prevention Education Campaign:** The City should fund a robust educational campaign to raise awareness about how residents can contribute to food waste reduction in their daily habits. Food waste prevention campaigns provide information to consumers on how much wasted food costs household budgets per year, and on what small behaviors they can change to reduce household food waste.
- **Food Waste Prevention Plans:** The City Council will consider legislation to require City agencies with food procurement contracts to create food waste prevention plans. New York City government agencies feed tens of thousands of New Yorkers on a daily basis, including students in our schools, seniors at our senior centers, and patients in our

hospitals. These agencies should take an active role in combating food waste. Food waste prevention plans should include both edible food donation and non-edible organics collection, and identify methods to reduce the amount of surplus food along with procedures for safe, efficient donation. The bill would require each relevant agency to designate a coordinator to oversee implementation of the plan.

## HEALTHY SCHOOL FOOD AND NUTRITION EDUCATION

Healthy food is vitally important to ensure student success in school. However, according to Feeding America, over 335,000, or just over 18% of all children across the five boroughs, are food insecure.<sup>173</sup> Studies have shown that adequate access to nutritious food can directly affect the mental, social, and behavioral development of school-aged children.<sup>174</sup> In the past several years, the NYC Department of Education (DOE) has made significant progress towards ensuring that all children have access to nutritious food during the school day. However, steps can be taken to build on this work to increase the number of students participating in school meals, as well as to improve the dissemination of information related to good food choices. Paired with nutrition education, access to healthy food during the school day can change eating behaviors in a way that decreases childhood obesity.<sup>175</sup>

### SCHOOL FOOD

DOE has the largest school food service in the U.S. The Office of School Food (SchoolFood) within DOE is responsible for providing over 950,000 meals to DOE's 1.1 million students each day. Through SchoolFood, DOE provides the following meals and programs:

- Breakfast, including breakfast in the classroom for elementary students;



- Universal school lunch;
- After-school meals;
- Saturday meals; and
- Summer meals.

SchoolFood also manages, along with GrowNYC and GreenThumb, “Grow to Learn NYC,” a citywide school gardens initiative.<sup>176</sup> Grow to Learn includes a Garden to Café schools program, which connects students with opportunities to grow food and learn about nutrition and food education.<sup>177</sup> The program is currently at 140 schools.<sup>178</sup>

One of the biggest victories for school food advocates has been the implementation of “Free School Lunch for All.” The initiative was announced on September 6, 2017, by DOE and former City Council Speaker Melissa Mark-Viverito, and had been supported for years by the City Council and advocacy organizations, primarily organized by the “Lunch 4 Learning” Coalition. Under this initiative, all students are eligible to receive universal free school lunch, which is leveraged with federal funding. According to Community Food Advocates, in the 2016-2017 school year, prior to universal lunch, lunch participation was 59% across all school sites.<sup>179</sup> In 2017-2018, the first year with universal lunch, 26,000 more students ate lunch daily, on average.<sup>180</sup> In high schools, where participation is generally the lowest, 16.1% more students had school lunch.<sup>181</sup> Across all schools, participation increased by 5%.<sup>182</sup>

Also in 2017, SchoolFood introduced new “food court” or “deli-style” serving lines and student-friendly seating areas in middle and high schools that serve the same school lunch foods in more appealing ways. For example, food presentation was upgraded and rectangular tables with attached benches were changed to diner-style booths and round tables. In schools that currently have the redesign, there has been a significant increase in participation in the school lunch program. According to an analysis by Community Food Advocates, in

schools that received this enhancement, lunch participation increased 30.1% (for those upgraded in 2016-2017) and 33.1% (for those upgraded in 2017-2018).<sup>183</sup> This is almost double the increase in all high schools compared to the increased participation after universal lunch was implemented. In one Brooklyn high school, since enhancement in February 2017, participation went from 20% to 40%.<sup>184</sup> Furthermore, in schools with the redesign, wait times are significantly reduced, allowing students more time to eat and recharge.<sup>185</sup> Additionally, fruit and vegetable consumption changed dramatically for students at schools with the new food court style cafeterias compared to students in schools without the enhancement. Students with these enhanced cafeterias ate:

- 3 times more bananas, peppers, tomatoes;
- 4 times more apples, carrots, spinach;
- 4.9 times more broccoli;
- 11.3 times more grapes; and
- 30 times more lettuce.<sup>186</sup>

Between February 2017 and December 2018, the Office of Food and Nutrition Services enhanced 34 middle school and high school cafeterias throughout the city.<sup>187</sup>

SchoolFood continues to innovate. For example, SchoolFood has opened 1,503 salad bars in 1,121 of the City’s 1,500 school buildings. The program also includes purchasing foods grown in New York State and improving the quality of foods served, such as antibiotic-free chicken and 100% beef burgers.<sup>188</sup> The de Blasio Administration also announced that SchoolFood will be having Meatless Mondays starting in the 2019-2020 school year.<sup>189</sup>

Another way to increase access to fresh, healthy food in schools is to focus on scratch cooking. Scratch cooking refers to preparing meals from basic ingredients, rather than pre-prepared or processed foods. According





to the Pew Charitable Trust and Robert Wood Johnson Foundation, having scratch-cooked meals in schools would lead to healthier school meals, improve taste, teach students about

nutrition, and change the perception kids have about school food, thereby increasing the participation rate.<sup>190</sup> Schools across the country have started to move toward scratch-cooked meals as a way to improve the quality and appeal of school food. While the benefits of scratch-cooked food over processed meals are clear, a commonly-cited concern is the increased costs of preparing such food. In 2014, researchers looked to determine whether school lunch made from basic or raw USDA Foods ingredients can be healthier and less expensive to prepare than those sent to external processors, and found scratch cooking to be cost effective.<sup>191</sup>

### School Pantries

In Fiscal Year 2017, the City Council fought to open food pantries at schools located in districts with high concentrations of poverty. That year, the Council in its Budget Response called upon DOE to open pantries in 10 to 15 schools located in certain districts. The Council ultimately funded nine school pantries as part of the Food Pantries Initiative, for a total of \$595,000. This initiative has grown over the past several fiscal years and is now funded for \$1 million for pantries located in 25 schools. These pantries provide food and personal hygiene products that students and their families can take home with them when needed. The pantries are restocked monthly, and students and their families can access supplies with no stigma attached.

In the fall of 2018, SchoolFood began a pilot program to improve the taste of school food with a scratch-cooking program at six schools in the Bronx,<sup>192</sup> partnering with Brigaid, an organization that aims to put chefs in school kitchens and replace processed food with scratch cooking.<sup>193</sup> Early successes of the program include students eating more fresh fruit.<sup>194</sup> As apples served to meet the USDA guidelines were previously often thrown in

the trash, cafeteria staff now serve cut up strawberries, watermelon, pineapples, or other fruit.<sup>195</sup> Although the program acknowledges that these fruits cost slightly more, there is evidence more students will eat it.<sup>196</sup> An evaluation of this pilot is expected by the Tisch Food Center at Teachers College in August 2019.

## FISCAL YEAR 2020 BUDGET WINS & RECOMMENDATIONS:

- **Breakfast in the Classroom:** The Mayoral Administration's Proposed Fiscal Year 2020 budget originally included reduced funding for Breakfast in the Classroom by \$6 million. However, due to City Council and stakeholder advocacy, the adopted budget ultimately restored the proposed cut to this important program.
- **Expand Deli-Style Cafeterias:** The City should work to expand deli-style cafeteria redesigns to more middle and high schools. In 2017, SchoolFood introduced new deli-style serving lines and student-friendly seating areas that serve the same school lunch foods in more appealing ways. In schools that have the redesign, there has been a significant increase in participation, along with increases in fruit and vegetable consumption. Expanding deli-style cafeterias will mean more of our students are eating a healthy lunch every day.
- **Scratch-Cooked Menus in Schools:** The City should study and create an implementation plan to ensure that every school child has access to scratch-cooked, healthy, delicious, and culturally-appropriate menu items. This requires funding capital upgrades in school kitchens and increasing the SchoolFood budget to purchase fresh foods.

## SUMMER MEALS

As discussed above, DOE's SchoolFood programs provide children with breakfast, lunch, and afterschool meals during the school year. In order to ensure that children can continue to access nutritious meals when school is out, the City also operates the Summer Meals Program. Pursuant to this program, which is funded by the USDA, free breakfast and lunch is provided to all children 18 and younger citywide, and no identification is required to receive a meal.<sup>197</sup> For summer 2019, meals are available at hundreds of public schools, community pools, public parks, libraries, and other locations from June 27 to August 30. According to DOE, an average of 7 million meals are served each summer.

DOE provides a portal to find the location of nearby summer meal programs online, or families can text "NYCMEALS" (877-877) or call 311. In 2018, the City Council enacted Local Law 4, which requires DOE, by June 1 of each year, to post and distribute information about the availability of summer meals, including where and when such meals are available and eligibility requirements.<sup>198</sup> The information must be posted on DOE's website, the website of any City agency collaborating with DOE to provide meals, and the 311 website; and also distributed to Council Members, Borough Presidents, Community Boards, Community Education Councils, Parent Associations, and Parent Teacher Associations. Despite these efforts, according to recent reports, families are still unaware of the availability of summer meals and reports indicate that meals that are not served are being thrown away.<sup>199</sup>

### Recommendations:

- **Increase Awareness of the Summer Meals Program:** The City Council will consider legislation to build upon Local Law 4 of 2018 to require DOE to send targeted information home to families with the location of their closest Summer Meal Program sites. Although summer meals are available to every



single person aged 18 and under across New York City, reports indicate that the program is under-utilized. Awareness of the program must be expanded.

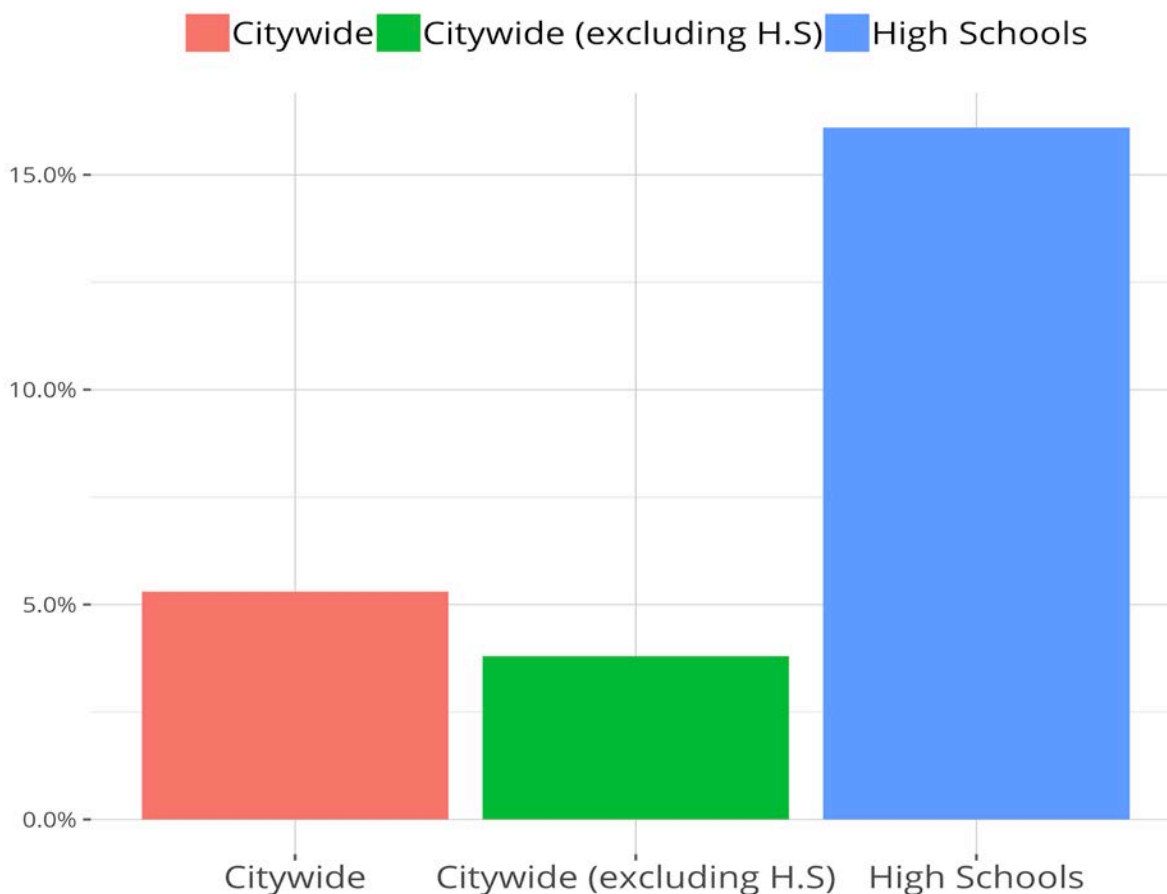
- **Summer Companion Meals:** The City Council will work with the Mayoral Administration to launch a pilot program to offer summer companion meals to the Summer Meals Program. During the

summer, children can get free breakfast and lunch at hundreds of public schools, parks, pools, libraries, and New York City Housing Authority (NYCHA) locations. Unfortunately, parents and guardians accompanying children to access the Summer Meals Program may be food insecure too, and cannot currently receive a free lunch due to funding eligibility constraints.

## SCHOOL LUNCH PARTICIPATION

### School Lunch Participation Pre and Post Universal School Lunch

% Change in Participation 2016-2017



Source: Community Food Advocates, Universal School Lunch in NYC Year One (March 2019), <http://nyf.issuelab.org/resources/34401/34401.pdf>

## SCHOOL LUNCH PARTICIPATION

School lunch participation has increased after universal school lunch was implemented across the city, with the highest percentage change in high schools (16%) from 2016 to 2017.







## NUTRITION EDUCATION

Studies also show that school-based nutrition education provides students with the ability to make healthy choices.<sup>200</sup> Engaging students in nutrition education in school cafeterias, classrooms, and gardens can help get students excited to eat school meals, which supports long-term health and wellbeing.<sup>201</sup> In Japan, lunchtime emphasizes shokuiku or “food and nutrition education” by teaching students, beginning in elementary school, that what one eats matters to how one thinks and feels throughout the day.<sup>202</sup>

Unfortunately, nutrition education is lacking in New York City public schools. According to a recent report from the Tisch Food Center at Teachers College, during the 2016-2017 school year, only a little over half, or almost 56% of the City’s 1,840 public schools, had one or more nutrition education programs (NEPs).<sup>203</sup> These programs also vary greatly in how often they occur and in the number of students they reach each school year.<sup>204</sup> Despite programming increasing in elementary schools from 39% in 2011-2012 to 71% in 2016-2017, high schools lag far behind

with only 32% having one or more programs.<sup>205</sup> NEPs are in more schools with the highest and the lowest proportions of students eligible for free or reduced price lunch.<sup>206</sup> In contrast, NEPs serve a smaller percentage of schools in the middle—fewer than half of schools have NEPs.<sup>207</sup> Examples of NEPs in schools include cooking, gardening, field trips, and classroom lessons.<sup>208</sup>

## FISCAL YEAR 2020 BUDGET WINS & RECOMMENDATIONS:

- Food-Ed Resource Hub:** In the Fiscal Year 2020 budget, the City Council designated \$250,000 under the Support for Educators initiative to fund a Food-Ed Resource Hub based within the Tisch Food Center at Teachers College. This Hub will provide citywide coordination for program distribution across schools, convene stakeholders, advocate for policies to support nutrition education, align program evaluation, and bolster efficiencies through shared resources. The Hub will also provide technical as-

sistance, tools, and training to nutrition education programs and educators.

- **Food-Ed Coordinators at DOE Office of School Wellness:** The City should create Food-Ed Coordinator positions in the Office of School Wellness to align food and nutrition education programming across schools and grades, facilitate professional development, and help integrate wellness with sustainability and other academic subjects. The positions would coordinate with relevant DOE offices and programs related to school food, wellness, sustainability, Garden to Café, and Grow to Learn, and be informed by the Food-Ed Resource Hub.

## EQUITABLE ACCESS TO HEALTHY FOOD

Everyone should have access to fresh, healthy food, which can come from many sources such as supermarkets, small grocers, non-profit stores, bodegas, restaurants, green carts, farmers' markets, Community Supported Agriculture (CSA) programs, fresh food boxes, and community gardens. Unfortunately, there is inequitable access to fresh and healthy food options in many neighborhoods throughout the city, particularly in low-income communities of color. The City, food businesses, and community members alike have attempted to combat this inequity through the development and funding of programs and incentives, several of which can be strengthened and expanded.

### ACCESS TO GROCERY STORES: THE FRESH PROGRAM

Many low-income areas continue to be underserved by affordable full-service grocery stores, and some gentrifying neighborhoods are losing affordable stores and gaining higher-priced ones. Studies have shown that full-service grocery stores that are affordable and accessi-

ble are essential to developing and sustaining healthy neighborhoods.<sup>209</sup> Evidence also suggests that access to fresh fruits and vegetables, in particular, is often lacking in communities with high rates of obesity and diabetes.<sup>210</sup> While it is difficult to pinpoint and address all of the reasons why access to healthy foods is limited in certain communities, it is clear that full-service grocery stores that offer affordable fresh foods deliver an essential public benefit.

In 2008, the City Council partnered with the Mayoral Administration to create the Food Retail Expansion to Support Health (FRESH) program to encourage the development of full-service grocery stores in underserved neighborhoods. FRESH provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in communities throughout the five boroughs with limited availability of fresh food.<sup>211</sup> The FRESH financial incentives are available to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator.<sup>212</sup> On December 9, 2009, the Council approved the zoning text changes necessary to implement the FRESH program.<sup>213</sup>

FRESH financial benefits are available to stores within designated eligible areas that meet the following minimum criteria: 5,000 square feet of retail space, 50% of retail space for general food products intended for home consumption and use, 30% of retail space for perishable foods, and 500 square feet for fresh produce.<sup>214</sup>

The FRESH program incentives include land tax abatement, sales tax exemption, mortgage recording tax deferral, and additional building/expansion rights. In some areas of the city, FRESH offers financial incentives, but not zoning incentives.<sup>215</sup>

Since 2009, 36 FRESH projects have been approved or are in the pipeline for zoning and/or financial incentives.<sup>216</sup> Western Beef, Food Bazaar, Key Food, and Associated are included





among FRESH grocery stores to date. A total of 14 of these projects have been completed and are now open to the public, including two last year. They provide approximately 884,000 square feet of new or renovated grocery store space, are estimated to retain more than 600 jobs and create over 1,800 new jobs, and represent an investment of approximately \$140 million across the city.<sup>217</sup>

In the years that followed the creation of FRESH, grocery stores faced new economic pressures due to rising real estate values and commercial rent increases. With these challenges in mind, the City Council established the FRESH Task Force (“Task Force”), which was first convened in the Spring of 2016 and led by Council Member Donovan Richards, with participation from the City Council’s Legislative, Finance, and Land Use divisions. The Task Force met with representatives from City Hall, the Economic Development Corporation (EDC), the Department of City Planning (DCP), and the Mayor’s Office of Food Policy, as well as several advocacy groups, to discuss a variety of potential solutions that would address issues faced by supermarket operators in

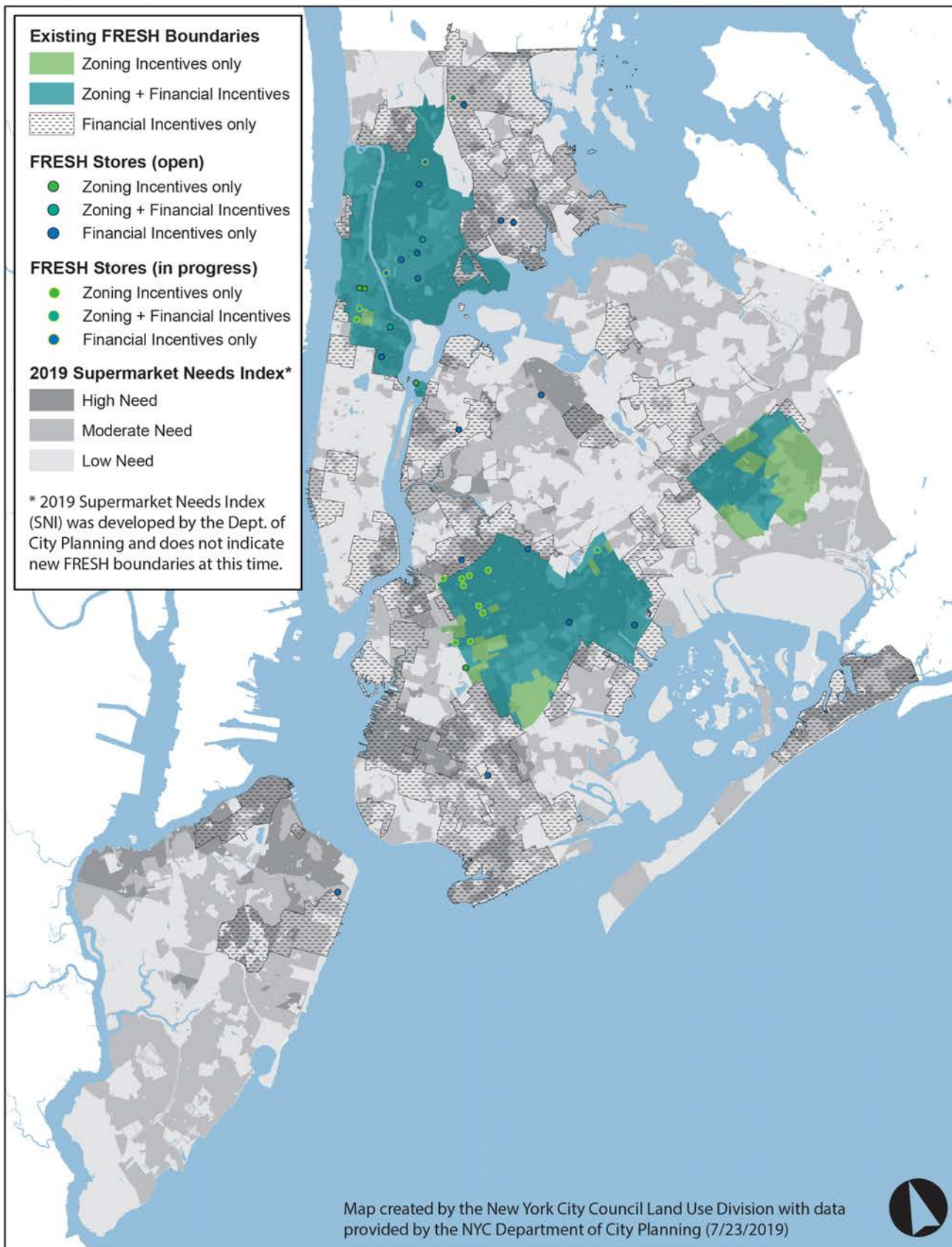
different real estate markets.

In 2017, EDC streamlined the NYC Industrial Development Agency procedures for FRESH financial assistance in two ways. First, it lowered the minimum square footage of an eligible FRESH store from 6,000 to 5,000 square feet.<sup>218</sup> Second, it established that designated FRESH stores would qualify for standardized benefits, providing more certainty for applicants.<sup>219</sup>

In June 2018, the City Council Committee on Economic Development and the Sub-Committee on Zoning and Franchising held a hearing on the FRESH program.<sup>220</sup> Since then, the City Council and the de Blasio Administration have worked on several areas where the program may be reformed or expanded. Among them, the City Council is working with DCP to expand the geographic area of eligibility for the FRESH zoning incentive. This includes updating the Supermarket Needs Index (SNI) and refining the number of districts considered for expansion based on this new SNI, which reflects four variables: walking distance to a grocery store, car ownership rates, families living in poverty, and supermarket trade area needs.



# FRESH (Food Retail Expansion to Support Health) Eligibility Areas + Updated Supermarket Needs Index



Map created by the New York City Council Land Use Division with data provided by the NYC Department of City Planning (7/23/2019)



## Recommendation:

- **Expand the Food Retail Expansion to Support Health (FRESH) Eligibility Areas:** The City Council and DCP are working to expand the list of areas that are eligible to receive the FRESH zoning incentive. These parameters will be identified by a new supermarket needs index and more closely align with the areas of highest need. The Council will continue to work with DCP planners and economic experts to develop a proposal that will include an appropriate zoning text amendment to improve the program by the end of 2021, including the expansion of the eligibility area to high-need neighborhoods identified by more recent data on food access.

## GOOD FOOD PURCHASING PROGRAM

The Good Food Purchasing Program (GFPP), an initiative of The Center for Good Food Purchasing (the Center), seeks to leverage the power of municipal food procurement to advance goals in five core value areas: local economies, nutrition, valued workforce, animal welfare, and environmental sustainability.<sup>221</sup> In 2012, Los Angeles became the first city to have a GFPP, followed by San Francisco, Oakland, Boston, Chicago, Washington D.C., Cincinnati, and Austin.<sup>222</sup> According to the Center, since the Los Angeles Unified School District adopted GFPP, its successes include redirecting \$12 million for locally-grown produce and procuring 45 million annual servings of bread and rolls made from wheat sustainably grown in Central California instead of coming from out of state.<sup>223</sup>

New York City has significant buying power. Each year, 11 City agencies serve almost 240 million meals and snacks in a variety of settings, including senior centers, schools, after school programs, public hospitals, and correctional facilities.<sup>224</sup> In April 2019, the updated OneNYC recognized that a GFPP will improve the qual-

### EDC FOOD ACCESS UPDATES

Following the June 2018 City Council Hearing on FRESH, in October 2018 EDC announced that it would include the Accelerated Sales Tax Exemption Program (A-STEP) to help some food retail businesses that do not qualify for FRESH. Pursuant to this program, up to \$100,000 in City and State sales tax can be exempted for the purchase of construction and building materials (glass, flooring, paint, plaster, etc.), equipment purchases (POS systems, refrigeration systems, display cases, etc.), and soft costs (architectural renderings, engineering consultants, etc.). Food retail projects are eligible for A-STEP based on the following criteria: highly distressed neighborhoods, small industrial projects, grocery retail projects, non-commercial retail projects, and annual revenues under \$10 million. EDC also announced it would be reducing application and closing fees for grocery stores seeking FRESH tax exemptions, especially for smaller FRESH projects.

Source: EDC, Accelerated Sales Tax Exemption Program, <https://www.nycedc.com/program/accelerated-sales-tax-exemption-program> (last visited July 23, 2019)

ity of food and beverages served by the City government.<sup>225</sup> A transparent GFPP will also help ensure our procurement meets standards rooted in equity, justice, and sustainability.

## Recommendation:

- **Support a Good Food Purchasing Program:** The City Council will consider legislation to improve and codify New York City's GFP). The legislation would also establish a mechanism whereby stakeholders in the five GFPP value categories can give input on City food purchasing priorities and provide policy and metrics recommendations. By using its economic power, the City can further its food policy goals.





## FARM-TO-CITY PROJECTS

Farmers' markets, CSAs, and Fresh Food Box programs are also all valuable models for bringing local, farm-fresh healthy food into communities around New York City. These local food projects are improving the health and wellbeing of New Yorkers while supporting our urban and regional farmers. Some partner with food pantries to increase local food access for those most in need. Several have social justice missions and seek to bring fresh, local food to low-income and communities of color that are fighting for equitable access to healthy food. Many of these programs accept public benefits, including SNAP, as a way to increase access for low-income communities.

New York City's farmers' markets are diverse, and may be run by a large, centrally-managed

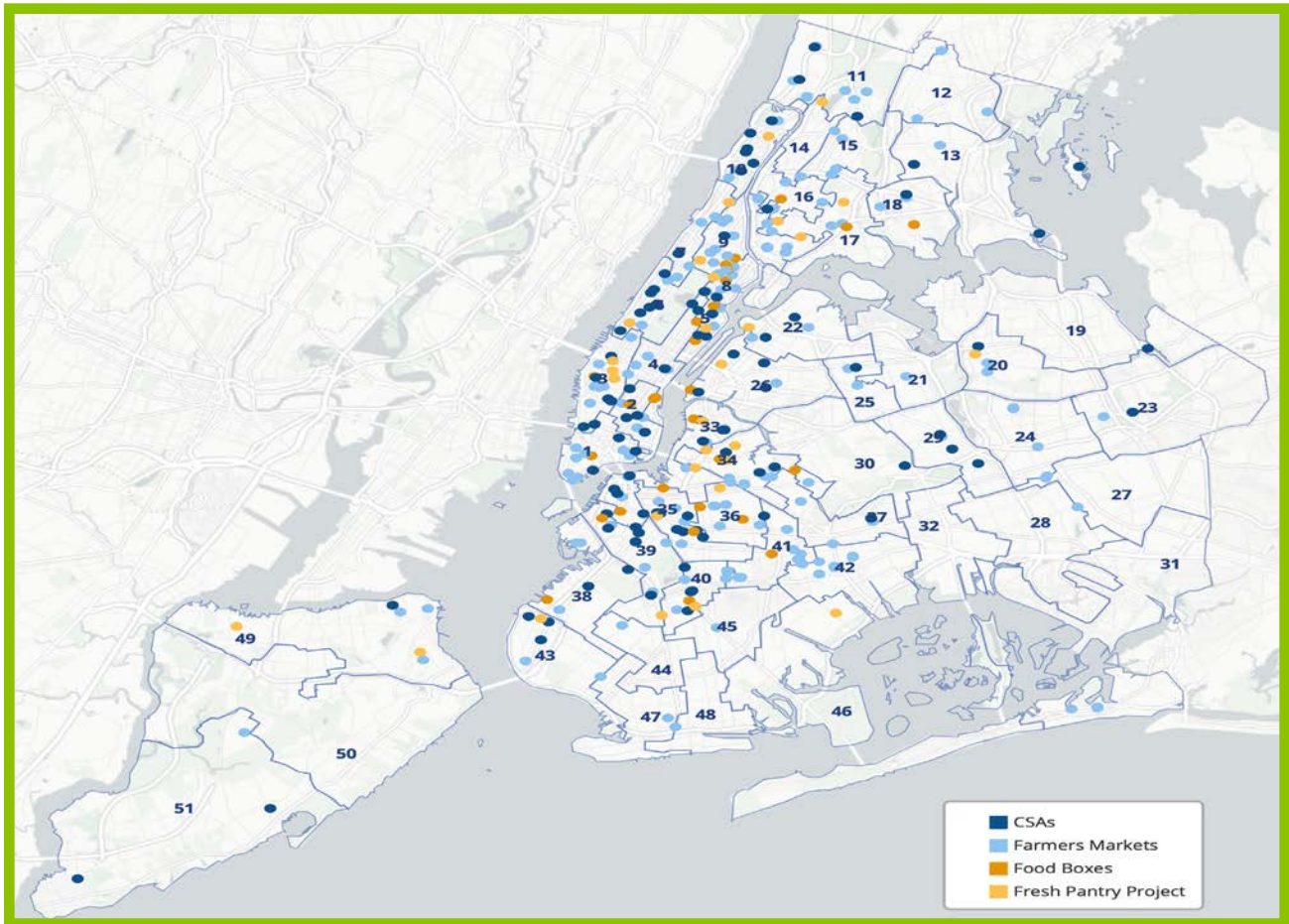
network or by a single community organization, a garden group, or impassioned neighbors. Most markets operate seasonally, although some operate year-round. Almost all farmers' markets accept benefits such as SNAP, WIC, seniors Farmers Market Nutrition Program (FMNP) checks,<sup>xii</sup> and the Health Bucks incentive. In Fiscal Year 2018, 120 of the 141 farmers' markets across the five boroughs accepted SNAP benefits.<sup>226</sup> In 2019, there are 143 farmers' markets and farm stands registered to accept WIC and senior FMNP benefits.<sup>227</sup>

CSAs are partnerships between a farm and a community that allow neighbors to invest in the farm at the beginning of the growing season when farms need support the most, in exchange for weekly distribution of the farms' produce from June to November. Some CSAs even offer winter shares. CSAs are created by neighbors

<sup>xii</sup> FMNP is a federally-funded program that provides coupons for WIC clients and low-income seniors to buy farm-fresh produce at farmers' markets around the city. Coupons are distributed each summer at WIC and senior centers to be used at any NYC farmers markets through the end of November. The current coupon amount per market season is typically \$24 for WIC FMNP and \$20 for Senior FMNP.

## Farm-to-City Food Map

In February 2019, New York City Council Speaker and then-Acting Public Advocate Corey Johnson created an interactive [Farm-To-City Food map](#) of the five boroughs, highlighting the importance of access to fresh and healthy food for all New Yorkers. The interactive map allows viewers to find and learn more about all 307 locations of farmers' markets, CSAs, food boxes, and fresh pantries, including payment programs that help make fruits and vegetables and other healthy options more affordable.



Source: New York City Council. Farm-to-City Food, <https://council.nyc.gov/data/farm-to-city-food/> (last visited July 30, 2019)

coming together to form a "core group" that organize neighbor sign-ups and coordinate with the farm. Some CSAs have SNAP access, and most CSAs have subsidized shares, where higher income households pay more and lower income households pay less.

Fresh Food Box programs aggregate produce from participating farms and enable under-served communities to purchase a box of fresh, healthy, primarily regionally-grown produce. Through the power of collaborative

purchasing, Food Box customers sign-up for a fresh food box a week in advance and for a set price that is well below traditional retail prices. These programs are run by a variety of groups, such as the Hattie Carthan Community Farmers' Market in Bedford-Stuyvesant in Brooklyn and GrowNYC, which operates 13 distribution sites in four boroughs.<sup>228</sup> Many Food Box sites accept SNAP and Health Bucks.

In addition to providing funding for SNAP and the Health Bucks incentive, elected officials



have supported farm-to-city food projects. In 2010, the Council's FoodWorks report called for all Greenmarket farmers' markets to have EBT, and for one season a CSA operated out of City Hall.<sup>229</sup> In 2012, then-Council Member Brewer partnered with GrowNYC, DFTA, and more than two dozen senior centers to deliver fresh, locally-grown fruit and vegetables for just \$8 a bag.<sup>230</sup> This well-loved program for seniors had 96.7% of participants surveyed in 2018 stating they would participate again the next year.<sup>231</sup> This program continues through the Manhattan Borough President's office and includes other elected officials, providing access to locally-grown produce at an affordable price to their council district residents.<sup>xiii232</sup>

Lifting up projects like farmers' markets, CSAs, and fresh food boxes that support both equitable healthy food access across New York City and the local farm economy is a win-win proposition. However, recent changes to the food market such as an influx of grocery and meal-delivery businesses, mean there is more competition.<sup>233</sup> A growing number of programs can also be hard to sustain without more farmers.<sup>234</sup> And as profit

margins are often low for farm businesses trying to have competitive prices with other food retailers, both farm-to-city farmers and city residents running some of these programs are increasingly facing struggles.<sup>235</sup>

### Recommendations:

- **Local Outreach Materials for Farm-to-City Projects:** The City Council will consider legislation to require the creation of neighborhood-scale awareness-raising materials for farm-to-city projects. It is important that New Yorkers know about the locations near their homes and workplaces where they can access farm-fresh healthy food and support local farmers and small food businesses. The City Council already created an online mapping tool of farm-to-city projects around the city, including farmers' markets, CSAs, fresh food pantries, and food boxes. This legislation would build off that work to make sure New Yorkers know where to find these programs in their neighborhoods.



<sup>xiii</sup> City Council Speaker Johnson and Council Members Helen Rosenthal and Ben Kallos support fresh food box programs in their districts.





- Community Food Hub Incubator:** The City should fund a Community Food Hub Incubator to coordinate interested communities to develop more local food businesses and farm-to-city food projects. The incubator would help build a solidarity economic model that supports and connects growers, producers, community food projects, local small businesses, and existing infrastructure assets such as transportation, storage, and accessible kitchen space. The incubator could also provide technical assistance, tools, and training; convene stakeholders; and bolster efficiencies through shared resources. The goal of the incubator will be to develop community-scale healthy food economies, thereby increasing equitable access to healthy food throughout the city.

## URBAN AGRICULTURE

Urban agriculture in New York City is diverse. It includes a rich history of community gardens, and newer food production and greening mod-

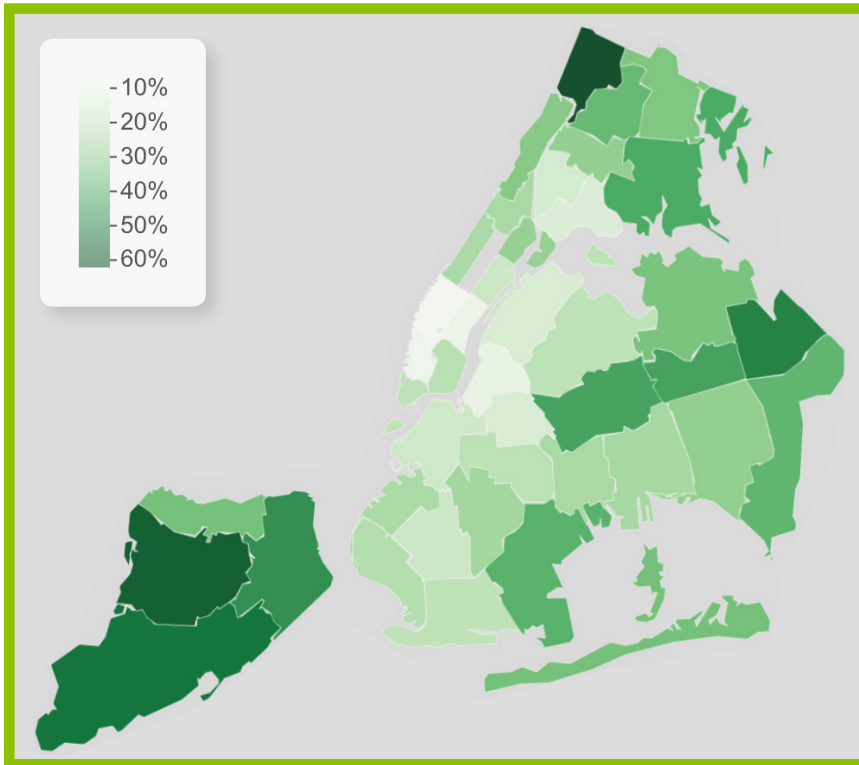
els, such as green roofs, and rooftop and vertical farms. Urban agriculture can include aquaculture, horticulture, agroforestry, beekeeping, and animal husbandry. With the environmental, health, educational, and green jobs benefits that urban agriculture brings to the city, we must work to ensure that urban agriculture spaces are preserved and can thrive, all New Yorkers have access to urban agriculture education, and that urban agriculture is a key component of City climate and resiliency plans.

## HEAT ISLANDS AND CLIMATE CHANGE

Urban agriculture is one important tool cities have in the fight against climate change. There are a myriad of public health concerns that follow rising temperatures, such as asthma attacks and heat-related illnesses. In fact, extreme heat is the leading weather-related killer in the U.S. each year.<sup>236</sup> Due to the “urban heat island effect,” cities are often two to eight degrees warmer than their neighboring suburban and rural areas.<sup>237</sup> This is due to a combination of factors, including tall buildings, dark roofs and

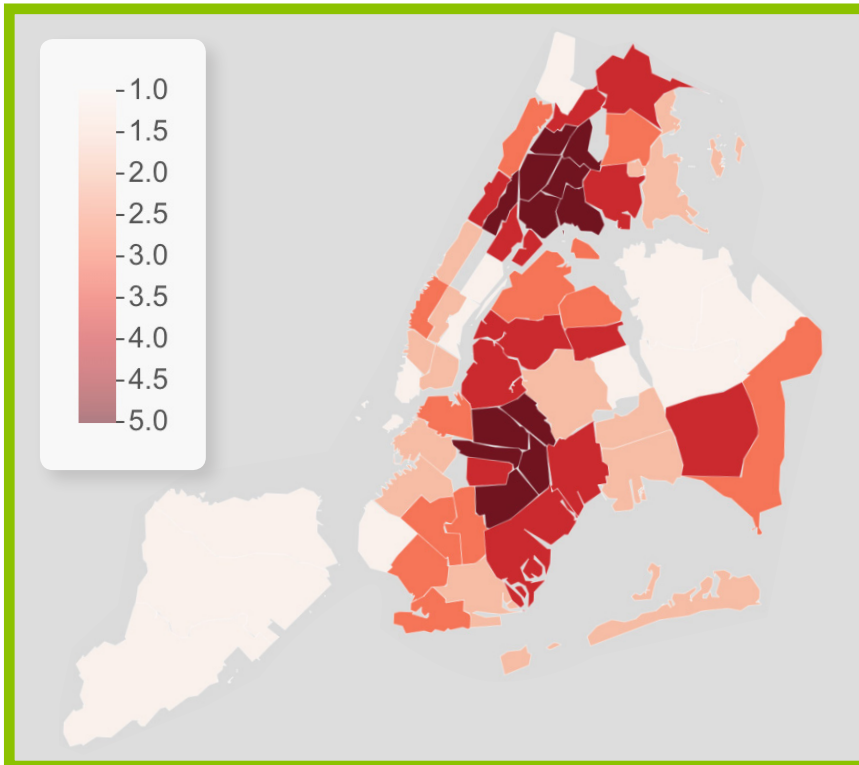


## PROPORTION OF VEGETATIVE COVER



New York City Department of Health and Mental Hygiene. Environment and Health Data Portal- Green Space, 2013-2017. 7/15/2019. <http://nyc.gov/health/tracking>

## HEAT VULNERABILITY INDEX



New York City Department of Health and Mental Hygiene. Environment and Health Data Portal- Heat Vulnerability Index, 2010. 7/25/2019. <http://nyc.gov/health/tracking>

## GREEN SPACE COVER & HEAT VULNERABILITY INDEX

The heat vulnerability index (HVI) is a measure of how vulnerable a community is to the effects of heat, compared to other communities. The higher the HVI, the more at-risk a neighborhood is of heat-related illness and death. Green space cover mitigates the dangers of high temperatures. The green space cover map is broken down by United Hospital Fund (UHF) neighborhood designations and the HVI map is broken down by community district. Grey areas indicate areas with no population.



pavement that absorb heat, and lack of green space.<sup>238</sup> The heat island effect is exacerbated in low-income communities of color that have long faced disinvestment and have less access to green space.<sup>239</sup> People of color are significantly more likely to live in urban heat islands than White people, with Black people 52%, Asians 32%, and Latinx 21% more likely.<sup>240</sup> In New York City, African-Americans are less than 25% of the population, but account for 49.4% of the city's heat-related fatalities.<sup>241</sup>

Green spaces at ground level, such as parks and community gardens, can help capture carbon and mitigate climate change impacts such as extreme heat, flooding, and poor air quality.<sup>242</sup> Green roofs can also help combat rising temperatures and increased precipitation. Green roofs are partially or fully covered in vegetation and have the potential to provide better insulation compared to a previously barren surface.<sup>243</sup> They can also conserve energy and reduce noise and air pollution.<sup>244</sup> In order to combat extreme heat, the City launched the "Cool Neighborhoods" initiative in June 2017. However, ground-level urban agricultural components are limited to street tree planting expansions and include no mention of community gardens.<sup>245</sup> Green roofs are included in the initiative.<sup>246</sup>

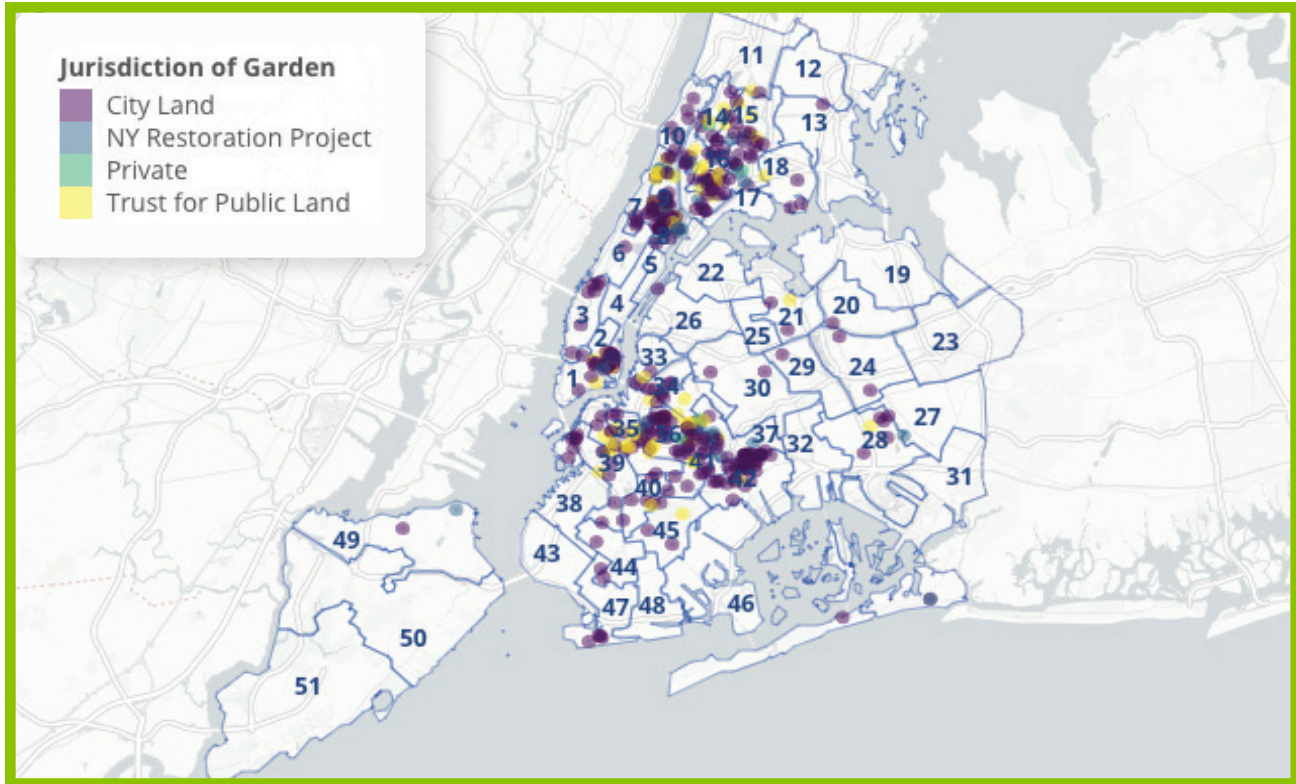
Urban agriculture projects, including community gardens and green roofs, have received important support in recent years from local and state government. The Council's 2010 FoodWorks report included urban agriculture proposals to increase community garden protection and urban agriculture education, and to expand green roofs.<sup>247</sup> Local Law 46 of 2018<sup>248</sup> requires the City to create an urban agriculture advisory website.<sup>249</sup> In April of 2019, the Council passed legislation mandating that all new residential and commercial buildings in the city be covered in green roofs or solar photovoltaic electricity generating systems.<sup>250</sup> New legislation also requires the Department of Buildings to post comprehensive information about green roofs on its website.<sup>251</sup> In 2018, Governor Cuomo

pledged \$3.1 million to support 22 community gardens in Central Brooklyn as part of his larger \$1.4 billion "Vital Brooklyn" initiative.<sup>252</sup> These efforts recognize that urban agriculture makes our neighborhoods more resilient against climate change and mitigates the public health crises that result from rising temperatures.

## Recommendations:

- **Establish an Office of Urban Agriculture:** The City Council will consider legislation creating an Office of Urban Agriculture. The Office will view urban growers as climate resilience stewards and recognize that parks, community gardens, urban farms, and green roofs are key tools in combatting and adapting to climate change. The Office will also ensure that the ecological, economic, and health benefits of urban agriculture are given due value in our city planning.
- **Create an Urban Agriculture Plan:** The City Council will consider legislation creating an Urban Agriculture Plan coordinated by the Office of Urban Agriculture. The plan would include the following: (i) cataloguing existing and potential urban agriculture spaces; (ii) classification and prioritization of urban agriculture uses; (iii) potential land use policies to promote the expansion of agricultural uses in the city; (iv) an analysis of those portions of the zoning resolution, building code, and fire code that merit reconsideration to promote urban agriculture; (v) expanding the availability of healthy food in low-income neighborhoods; (vi) the integration of urban agriculture into the City's conservation and resiliency plans; (vii) youth development and education with regard to local food production; (viii) direct and indirect job creation and impacts from urban agriculture production; and (ix) policy recommendations for ensuring community garden protection.

## COMMUNITY GARDEN JURISDICTION IN NEW YORK CITY



Source: NYC Open Data, NYC Greenthumb Community Gardens, <https://data.cityofnewyork.us/Environment/NYC-Greenthumb-Community-Gardens/ajxm-kzmj> (last visited July 25, 2019).

### COMMUNITY GARDENS

Community gardens are on both public and private land across the city. This Map shows the distribution of gardens across the city, broken down by the various owners.

JURISDICTION	N
DEPT OF PARKS AND REC	270
DEPT OF EDUCATION	100
TRUST FOR PUBLIC LAND	72
NY RESTORATION PROJECT	46
HOUSING AND PRESERVATION DEPT.	18
PRIVATE	11
DEPT OF TRANSPORTATION	6
DEPT OF PARKS AND REC/HOUSING AND PRESERVATION DEPT.	3
MTA	2
DEPT OF PARKS AND REC/DEPT OF TRANSPORTATION	2
DEPT OF PARKS AND REC/PRIVATE	1
HUMAN RESOURCES ADMIN	1
DEPT OF ENVIRONMENTAL PROTECTION	1
NY RESTORATION PROJECT/DEPT PARKS AND REC	1
DEPT OF CONSUMER AFFAIRS	1
DEPT OF PARKS AND REC/DEPT OF ENVIRONMENTAL PROTECTION	1
<b>TOTAL</b>	<b>536</b>

## COMMUNITY GARDEN PERMANENCE

Developing and preserving community gardens has been an ongoing struggle in the city for decades. Community gardens became a fixture in New York City during the 1970s, in large part due to the fiscal crisis, which left an abundance of City and private land abandoned and unmaintained.<sup>253</sup> Individuals and grassroots organizations like the Green Guerillas began lobbying abandoned buildings and vacant lots with “seed bombs”—fertilizer, seed, and water—in neighborhoods such as Hell’s Kitchen, East Harlem, and the Lower East Side.<sup>254</sup> In 1978, the City initiated GreenThumb, a Department of Parks and Recreation (DPR) program to assist and coordinate these neighborhood revitalization efforts by supporting volunteers to renovate vacant lots into community gardens.<sup>255</sup> GreenThumb is the largest community garden program in the country and currently provides programming and material support to around 550 community gardens in all five boroughs.<sup>256</sup>

There are currently more than 600 community gardens in New York City.<sup>257</sup> These gardens improve our urban environment, bringing community-led green spaces; improved air quality; increased opportunities to grow fruits, vegetables, flowers and herbs; and hands-on food education to neighborhood children, adults, and seniors. Community gardens can also increase nearby property values, with the positive real estate impact expanding over time.<sup>258</sup> Community gardens can also mean economic empowerment for gardeners who provide farm-fresh produce or education services for their neighborhoods, ensure New Yorkers have access to urban agriculture education, and help the City’s efforts to combat climate change and build resiliency.

The New York City Community Garden Coalition (NYCCGC) was founded in 1996 to promote the preservation, creation, and empowerment of community gardens through education, advocacy, and grassroots organizing.<sup>259</sup> This came at a time when Mayor Rudy Giuliani was selling off community garden lots for private development.



In 1998, Mayor Giuliani placed all 700+ community gardens up for disposition to private interests, and in May 1999, 114 were selected to be auctioned off to developers.<sup>260</sup> On the eve of a scheduled auction, the Trust for Public Land (TLP) and New York Restoration Project (NYRP) negotiated purchase of the 114 community gardens from demolition, transferring them from publicly- to privately-owned entities.<sup>261</sup> Since then, TLP has enabled these gardeners to own and control their garden plots by organizing and training leadership for three land trusts in Manhattan, Brooklyn-Queens, and the Bronx.<sup>262</sup> Land trusts are often non-profit organizations that acquire land or conservation easements to ensure land is used for greening and conservation purposes.<sup>263</sup> Further, in 2002 and with intervention from State Attorney General Eliot Spitzer, the City and community garden advocates reached an agreement for the preservation of 500 community gardens, with the other gardens being converted to affordable housing developments.<sup>264</sup>

Nearly two decades later, it remains important to ensure that New York City retains its vital community gardens. And while gardeners certainly know community gardens' value, there remains limited data and metrics documenting the various ways these gardens improve neighborhoods.

### **Recommendation:**

- **Advance Permanence for Community Gardens:** The City Council will consider legislation to require the GreenThumb program of the DPR to collect and maintain metrics on the ecological, resiliency, educational, cultural, health, and community development value of community gardens throughout the city. Additionally, the City should ensure that the Primary Land Use Tax Lot Output, or PLUTO, database maintained by DCP and the Department of Finance no longer classifies community gardens as vacant lots. The City Council will work with DPR and DCP to establish strategies for ensuring permanence for community gardens throughout the city.

## **EDUCATION AND SKILLS**

Urban agriculture provides opportunities for communities to gain knowledge and valuable skills. Education on urban growing, food, and nutrition provide the necessary foundation for school-age children and adults alike to connect with healthy food and the environment. In addition, urban agriculture provides neighborhood jobs.

There are several groups that support urban agriculture education. GreenThumb provides programming and material support to over 550 community gardens and 22,000 community gardeners in New York City.<sup>265</sup> GreenThumb's programs include various workshops on farming, gardening, and urban agriculture, and the annual GreenThumb GrowTogether conference. Similarly, Farm School NYC was founded in 2011 and offers urban agriculture training through two certificate programs and individual courses, and aims to cultivate future leaders in the movement for food justice.<sup>266</sup> Farm School NYC courses are taught by experts in the field and focus on a wide range of topics from urban planting techniques, to food justice, to planning and design.<sup>267</sup>

Edible Schoolyard and GrowNYC's Grow to Learn program, along with numerous individual gardens, provide agricultural education to school-age children.<sup>268</sup> Oko Farms provides aquaponics education through workshops and an intensive training program, and several community gardens share animal husbandry education with youth through chicken- and bee-keeping.<sup>269</sup> GrowNYC's Project Farmhouse and the Horticultural Society of New York, along with community gardens and urban farms around the city, provide physical spaces for urban agriculture learning.<sup>270</sup>

### **Recommendations:**

- **Farming Education for School-Age Children:** The City should support organizations working to expand farming education to school-age children. When children learn how to grow food, they





become more conscious and educated about the environment, earth science, nutrition, and healthy eating. Every child should have equitable access to agricultural education.

- **Adult Urban Agriculture Education:** The City should support adult urban agriculture training for local low-income residents, including on topics related to urban planting techniques, food justice, garden and farm planning and design, and small business development. Increased education and training can prepare adults for opportunities working in urban agriculture and increase equitable access to healthy foods.

## ECONOMIC EMPOWERMENT

Community gardens also provide neighborhoods with fresh, healthy food. Farming Concrete was founded in 2012 and measures how much food is grown in New York City's com-

munity gardens and urban farms.<sup>271</sup> The total amount of food harvested in New York City's community gardens and urban farms was 850 pounds in 2014, 994 pounds in 2015, and 1,320 pounds in 2016.<sup>272</sup> While these are Farming Concrete's estimates—based only on data input by gardens and farms that chose to report—GreenThumb estimates its community gardens produce over a combined 87,000 pounds of food every year.<sup>273</sup>

Some of this produce is sold at farmers' markets at the community garden or nearby; however, City rules make it complicated for people farming on City-owned land to retain any income earned.<sup>274</sup> Community gardens have and continue to be places where the sweat equity of largely low-income, people of color have turned vacant lots into valuable green spaces. Gardens should be places where urban farmers and educators who give so much to their community are able to earn income by bettering their neighborhoods. There should also be greater opportunities for youth employment at community gardens.

## Recommendations:

- **Economic Empowerment for Community Gardeners:** The City Council will advocate for the City to make it easier for community gardeners to earn income from produce grown or education provided on community garden land. Along with their numerous other benefits, community gardens should be recognized as economic development assets for communities.
- **Create Borough-Based Youth Employment Initiatives for Community Gardens:** The Council will partner with the Department of Youth and Community Development to create opportunities within the summer youth employment program (SYEP) for young people to work in community gardens. This initiative would increase the allocation of SYEP slots to community gardens starting in the summer of 2020.

## CONCLUSION

Every person regardless of their income, race, gender, education, age, birthplace, or neighborhood should have equitable access to healthy food. This paper, *Growing Food Equity in New York City*, is the City Council's agenda to help reach that vision.

Government is uniquely positioned to partner with communities in the fight for a just and fair food system. Policy makers must ensure that systems are designed with food justice goals in mind to protect those most impacted by food inequities, and that more resources are reaching the communities where neighbors are engaged in this work. Government must also coordinate actions across agencies and systems, since we know that decisions we make in areas like housing, environmental protection, climate change, criminal justice, education, transportation, and more, have a direct impact on hunger, healthy food access, food business development, and green space.

*Growing Food Equity in New York City* includes tangible steps the City can take to make a difference in how our food system is run and ensure its shared risks and rewards. The legislation, budget priorities, and policy proposals outlined in this paper reflect the City Council's commitment to tackling the challenges of achieving food equity. The City Council thanks all the advocates who have guided our proposals, and the local government officials committed to removing barriers to achieving food equity. Together, we can work with shared purpose and commitment to implement these strategies towards building a more just food system.

## Acknowledgments

*Growing Food Equity in New York City* was produced by the New York City Council Legislative Division. This report was written by Nadia Johnson, Andrea Vazquez, Crystal Pond, Chloë Rivera, and Laura Popa. Research, data, and cartography were provided by Brooke Frye of the Council's Data Operations Unit and Chelsea Kelley of the Council's Land Use Division. Budget analysis was provided by Julia Haramis, Dohini Sompura, and Regina Poreda Ryan of the Council's Finance Division. Additional editing support was provided by Smita Deshmukh, Aminta Kilawan, Tonya Cyrus, Cristy Dwyer, Natalie Omary, and Sara Sucher. Thanks go to the food justice advocates who have been working on these issues for many years. This report was designed by Antonio Rodriguez in the Council's Event and Production Services Division. Photography was provided by Emil Cohen.



## End Notes

- <sup>1</sup> The Universal Declaration of Human Rights, (Dec. 10, 1948), available at <http://www.un.org/en/documents/udhr>.
- <sup>2</sup> International Covenant on Economic, Social and Cultural Rights, (Jan. 3, 1976), available at <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>.
- <sup>3</sup> The Food and Agricultural Organization of the United Nations, The Right to Food Timeline: National Recognition of the Right to Food, available at <http://www.fao.org/right-to-food-timeline/national-recognition-of-the-right-to-food> (last visited July 15, 2019).
- <sup>4</sup> Pete Daniel, Dispossession: Discrimination against African American Farmers in the Age of Civil Rights, University of North Carolina Press (2013); Nathan Rosenberg and Bryce Wilson Stucki, How USDA Distorted Data to Conceal Decades of Discrimination Against Black Farmers, The New Food Economy (June 26, 2019), available at <https://newfoodeconomy.org/usda-black-farmers-discrimination-tom-vilsack-reparations-civil-rights>.
- <sup>5</sup> Farmworker Justice, Immigration and Labor, available at <https://www.farmworkerjustice.org/advocacy-and-programs/immigration-and-labor> (last visited July 8, 2019).
- <sup>6</sup> United States Department of Agriculture: Economic Research Service, Definitions of Food Security, available at <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx> (last visited July 15, 2019).
- <sup>7</sup> Maris Feeley, Ending Hunger is a Gender Equity Issue, Food Research & Action Center, <https://frac.org/blog/ending-hunger-gender-equity-issue> (last visited July 12, 2019); Shaye DiPasquale, The Links Between Hunger and the Gender Gap, Move for Hunger, (Aug. 1, 2018), available at <https://www.moveforhunger.org/the-links-between-hunger-and-the-gender-gap>.
- <sup>8</sup> Bread for the World, Gender Inequality Worsens Hunger and Poverty, (Mar. 16, 2016), <https://www.bread.org/news/gender-in-equality-worsens-hunger-and-poverty>.
- <sup>9</sup> Kim Kessler and Emily Chen, Food Equity, Social Justice, and the Role of Law Schools: A Call to Action, Global Food Initiative, University of California and Resnick Program for Food Law and Policy, UCLA School of Law, (Nov. 2015), available at <https://law.ucla.edu/~media/Files/UCLA/Law/Pages/Publications/Resnick%20Global%20Food%20Initiative%20Report.ashx>.
- <sup>10</sup> Policy Link, Marguerite Casey Foundation, An Equitable Food System: Good Food for Families, Communities, and the Economy, (2016), available at <https://www.policylink.org/sites/default/files/Equitable-Food-Systems-FINAL-03-11-16.pdf>.
- <sup>11</sup> Farmland Information Center, A Primer on Community Food Systems: Linking Food, Nutrition and Agriculture, available at [https://www.farmlandinfo.org/sites/default/files/Primer\\_1.pdf](https://www.farmlandinfo.org/sites/default/files/Primer_1.pdf) (last visited July 2, 2019).
- <sup>12</sup> Naomi Cornman, Environmental justice meets the food we eat, Peninsula Press, (Mar. 2, 2015), available at <http://peninsulapress.com/2015/03/02/environmental-justice-food>.
- <sup>13</sup> Nevin Cohen, Nicholas Freudenberg and Janet Poppendieck, Food Justice in the Trump Age: Priorities for NYC Advocates, CUNY Urban Food Policy Institute, (Dec. 10, 2016), available at <https://www.cunyurbanfoodpolicy.org/news/2016/12/12/food-justice-in-the-trump-age-priorities-for-nyc-advocates>.
- <sup>14</sup> Hunger Free America, The Uneaten Big Apple: Hunger's High Cost in NYC, New York City Hunger Report, 2018, Hunger Free America, available at [https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018\\_0.pdf](https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018_0.pdf) (hereinafter, Hunger Free America, The Uneaten Big Apple).
- <sup>15</sup> New York City Council Speaker Corey Johnson, Public Comment for Proposed Rule - Supplemental Nutritional Assistance Program: Requirements for Able-Bodied Adults without Dependents, (Apr. 2, 2019), available at <https://www.regulations.gov/document?D=FNS-2018-0004-18087>.
- <sup>16</sup> Kate Rabinowitz and Kevin Uhrmacher, What Trump Proposed in His 2020 Budget, The Washington Post, (Mar. 12, 2019), available at [https://www.washingtonpost.com/graphics/2019/politics/trump-budget-2020/?utm\\_term=.12d71a72c759](https://www.washingtonpost.com/graphics/2019/politics/trump-budget-2020/?utm_term=.12d71a72c759).
- <sup>17</sup> Food Research & Action Center, USDA's Proposed SNAP Rule Will Arbitrarily Limit States' Ability to Provide Benefits, Increasing Hunger and Poverty, (Feb. 6, 2019), available at <https://frac.org/news/usda-proposed-snap-rule>.
- <sup>18</sup> Food Chain Workers Alliance, FCWA Statement on Farmworkers Bill in NY State, (Mar. 8 2019), available at <http://foodchainworkers.org/?p=5063> (last visited July 15, 2019).
- <sup>19</sup> *Id.*
- <sup>20</sup> Mayor Michael R. Bloomberg, Executive Order No. 122 – Food Policy Coordinator for the City of New York and City Agency Food Standards, (Sept. 19, 2008), available at [http://www.nyc.gov/html/om/pdf/eo/eo\\_122.pdf](http://www.nyc.gov/html/om/pdf/eo/eo_122.pdf).
- <sup>21</sup> *Id.*
- <sup>22</sup> *Id.*
- <sup>23</sup> C. Willingham, A. Rafalow, L. Lindstrom, N. Freudenberg, The CUNY Urban Food Policy Institute Guide to Food Governance in New York City, CUNY Graduate School of Public Health and Health Policy, (2017), available at <https://static1.squarespace.com/static/572d0fcc2b8dde9e10ab59d4/t/5a0390059140b748e0e14a78/1510182924235/The-CUNY-Urban-Food-Policy-Institute-Guide-to-Food-Governance-2017.pdf>.
- <sup>24</sup> Mayor's Office of Food Policy, NYC Food Policy, available at <https://www1.nyc.gov/site/foodpolicy/about/nyc-food-policy.page> (last visited July 1, 2019).
- <sup>25</sup> New York City Council, Local Law 52 of 2011, (enacted Aug. 17, 2011), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=917941&GUID=52DAF6BB-3710-4840-98ED-07AE-A1EFC9AD&Options=ID|TextI>.
- <sup>26</sup> Helmsley Charitable Trust, New York City Food Assistance Collaborative, available at <https://helmsleytrust.org/programs/place-based-new-york-city-new-york-city-food-assistance-collaborative> (last visited July 1, 2019).
- <sup>27</sup> Future Policy, Belo Horizonte's Food Security Policy, available at <https://www.futurepolicy.org/food-and-water/belo-horizontes-food-security-policy> (last visited July 15, 2019).
- <sup>28</sup> *Id.*
- <sup>29</sup> *Id.*
- <sup>30</sup> Hunter College New York City Food Policy Center, Popular Restaurants, Belo Horizonte: Urban Food Policy Snapshot, (Jan. 2, 2017), available at <https://www.nycfoodpolicy.org/popular-restaurants-belo-horizonte-urban-food-policy-snapshot>.
- <sup>31</sup> *Id.*
- <sup>32</sup> Yves Cabannes and Barbara Lipietz., Revisiting the Democratic Promise of Participatory Budgeting in Light of Competing Political, Good Governance and Technocratic Logics, Environment and Urbanization, (Apr. 2018), available at <https://journals.sagepub.com/doi/full/10.1177/0956247817746279>.
- <sup>33</sup> Herbert Giradet et al., Surviving the Century: Facing Climate Chaos and Other Global Challenges, Earthscan (2007).
- <sup>34</sup> Frances Moore Lappé, The City that Ended Hunger, The Change Agent, (Sept. 2009), available at <https://changeagent.nelrc.org/wp-content/uploads/2018/04/The-City-that-Ended-Hunger.pdf>.
- <sup>35</sup> World Future Council, Future Policy Award 2009: Solutions for the Food Crisis, (2009), available at [https://www.worldfuturecouncil.org/wp-content/uploads/2016/01/WFC\\_2009\\_Future\\_Policy\\_Award.pdf](https://www.worldfuturecouncil.org/wp-content/uploads/2016/01/WFC_2009_Future_Policy_Award.pdf).



- <sup>36</sup> City of New York, OneNYC 2050: Building a Strong and Fair City, (Apr. 2019), available at <https://onenyc.cityofnewyork.us/wp-content/uploads/2019/05/OneNYC-2050-Full-Report.pdf>.
- <sup>37</sup> New York City Council, Local Law 52 of 2011, (enacted Aug. 17, 2011), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=917941&GUID=52DAF6BB-3710-4840-98ED-07AE-A1EFC9AD&Options=IDITextl>.
- <sup>38</sup> *Id.*
- <sup>39</sup> Nicholas Freudenberg et al., The Role of Metrics in Food Policy: Lessons from a Decade of Experience in New York City, *Journal of Agriculture, Food Systems, and Community Development*, (Oct. 17, 2018), available at <https://www.foodsystemsjournal.org/index.php/fsj/article/view/636/621>.
- <sup>40</sup> *Id.* at 200.
- <sup>41</sup> *Id.* at 202.
- <sup>42</sup> New York City Council, Local Law 60 of 2017, (enacted Apr. 25, 2017), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1805815&GUID=8901A89B-078E-4D47-88D8-EA3E48E715A1&Options=IDITextl&Search=60>.
- <sup>43</sup> Food Bank For New York City, Research, Reports and Financials: Fast Facts, available at <https://www.foodbanknyc.org/research-reports> (last visited June 25, 2019), (hereinafter, Food Bank for New York City, Fast Facts).
- <sup>44</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 14.
- <sup>45</sup> Food Bank For New York City, Fast Facts, *supra* note 43.
- <sup>46</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 14.
- <sup>47</sup> *Id.*
- <sup>48</sup> Dottie Rosenbaum, SNAP is Effective and Efficient, Center on Budget and Policy Priorities, (Mar. 11, 2013), available at <http://www.cbpp.org/research/snap-is-effective-and-efficient>.
- <sup>49</sup> Office of Temporary and Disability Assistance, Supplemental Nutrition Assistance Program (SNAP), available at <https://otda.ny.gov/programs/snap> (last visited July 15, 2019).
- <sup>50</sup> *Id.*
- <sup>51</sup> Center on Budget and Policy Priorities, A Quick Guide to SNAP Eligibility and Benefits, (Oct. 16, 2018), available at <http://www.cbpp.org/research/a-quick-guide-to-snap-eligibility-and-benefits>.
- <sup>52</sup> *Id.*
- <sup>53</sup> NYC Department of Social Services, Human Resources Administration, HRA Facts: May 2019, (May 2019), available at [https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra\\_facts/2019/hra\\_facts\\_2019\\_05.pdf](https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra_facts/2019/hra_facts_2019_05.pdf).
- <sup>54</sup> Food Bank For New York City, Trade-Offs at the Dinner Table: The Impacts of Unwanted Compromises, (Nov. 2017), available at [http://www.foodbanknyc.org/wp-content/uploads/Trade-Offs-at-the-Dinner-Table\\_FB-Research-Brief\\_Nov2017.pdf](http://www.foodbanknyc.org/wp-content/uploads/Trade-Offs-at-the-Dinner-Table_FB-Research-Brief_Nov2017.pdf).
- <sup>55</sup> Elizabeth Wolkomir, SNAP Boosts Retailers and Local Economies, Center for Budget and Policy Priorities, (Apr. 6, 2018), available at <https://www.cbpp.org/research/food-assistance/snap-boosts-retailers-and-local-economies>.
- <sup>56</sup> Kenneth Hanson, The Food Assistance National Input-Output Multiplier Model and Stimulus Effects of SNAP, USDA: Economic Research Service, (Oct. 2010), available at <https://www.ers.usda.gov/publications/pub-details/?pubid=44749>.
- <sup>57</sup> Testimony of Lisa Patrick, Chief Program Officer, NYC Human Resources Administration, before the Committee on General Welfare, New York City Council, (Jan. 25, 2017), available at [https://www1.nyc.gov/assets/hra/downloads/pdf/news/testimonies/2017/jan/2017%20Hunger%20Hearing%20Testimony\\_012517\\_FINAL.pdf](https://www1.nyc.gov/assets/hra/downloads/pdf/news/testimonies/2017/jan/2017%20Hunger%20Hearing%20Testimony_012517_FINAL.pdf).
- <sup>58</sup> Testimony of Grace Bonilla, Administrator, NYC Human Resources Administration, before the Committee on General Welfare, New York City Council, (Feb. 14, 2019), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3837919&GUID=6355A60A-F719-4C56-8B11-F93545DE5FF1&Options=&Search=>.
- <sup>59</sup> *Id.*
- <sup>60</sup> *Id.*
- <sup>61</sup> Food Bank for NYC, Reflections of Hunger, (Nov. 2018) at 5, available at <https://www.foodbanknyc.org/state-of-hunger-in-nyc-new-data-from-food-bank-for-new-york-city/> (hereinafter, Food Bank for NYC, Reflections of Hunger).
- <sup>62</sup> The United States Food and Agriculture Act of 1977 (P.L. 95-113, also known as the 1977 U.S. Farm Bill).
- <sup>63</sup> 305 ILCS 5/12-4.13c, available at <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=101-0110>.
- <sup>64</sup> Alexia Elejalde-Ruiz, Dining out on food stamps: Bill to let some recipients spend SNAP benefits at restaurants heads to Pritzker's desk, *Chicago Tribune*, (May 17, 2019), available at <https://www.chicagotribune.com/business/ct-food-stamps-restaurant-meals-20190515-story.html>.
- <sup>65</sup> NYC Human Resources Administration, Annual Reporting Updates FY 2017-2019 to date, Emergency Food Nutrition Assistance Program, available at [https://www1.nyc.gov/assets/hra/downloads/pdf/facts/efap/efap\\_report.pdf](https://www1.nyc.gov/assets/hra/downloads/pdf/facts/efap/efap_report.pdf) (last visited July 15, 2019).
- <sup>66</sup> *Id.*
- <sup>67</sup> The Council of the City of New York, Fiscal Year 2019 Adopted Expense Budget, Adjustment Summary / Schedule C, p. 3 (June 19, 2019), available at <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/07/Fiscal-2020-Schedule-C-Final-8.pdf>.
- <sup>68</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 14.
- <sup>69</sup> New York City Council, Committee on General Welfare, Committee Report, Oversight: Hunger in New York City, (Nov. 25, 2013), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1518900&GUID=275156BD-44F1-4922-86E0-99AC84400B-5B&Options=&Search=>.
- <sup>70</sup> Food Bank for NYC, Reflections of Hunger, *supra* note 61.
- <sup>71</sup> *Id.*
- <sup>72</sup> New York City Council, Local Law 80 of 2005, (enacted Aug. 17, 2005), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=443809&GUID=A6403FCD-6A50-4A78-8132-B68F-8DEA456F&Options=IDITextl&Search=80>.
- <sup>73</sup> HRA Food Insecurity Assistance Team, Emergency Food Nutrition Assistance Program, July 2019 Report (on file with the New York City Council).
- <sup>74</sup> New York City Council, Fiscal Year 2020 – Adopted Expense Budget, Adjustment Summary / Schedule C, p. 94, (June 19, 2019), available at <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/07/Fiscal-2020-Schedule-C-Final-8.pdf>.
- <sup>75</sup> Paul N. Van de Water et al., 2020 Trump Budget: A Disturbing Vision, Center on Budget and Policy Priorities, (Mar. 11, 2019), available at <https://www.cbpp.org/research/federal-budget/2020-trump-budget-a-disturbing-vision>.
- <sup>76</sup> *Id.*
- <sup>77</sup> *Id.*
- <sup>78</sup> Richard Kogan et al., Cuts to Low-Income Assistance Programs in President Trump's 2020 Budget Are Wide-Ranging, Center on Budget and Policy Priorities, (May 15, 2019), available at <https://www.cbpp.org/research/federal-budget/cuts-to-low-income-assistance-programs-in-president-trumps-2020-budget-are>.
- <sup>79</sup> Stephanie Ebbs, Trump's New Budget Resurrects Controversial 'Harvest Box' Proposal for Food Stamps As Part of Broader Welfare Reform, *ABC News*, (Mar. 12, 2019), available at <https://abcnews.go.com/Politics/trumps-budget-resurrects-harvest-box-proposal-food-stamps/story?id=61627707>.
- <sup>80</sup> *Id.*
- <sup>81</sup> *Id.*



<sup>82</sup> *Id.*

<sup>83</sup> Food and Nutrition Service, Proposed Rule - Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents, Food and Nutrition Services, (Feb. 2, 2019), available at <https://www.federalregister.gov/documents/2019/02/01/2018-28059/supplemental-nutrition-assistance-program-requirements-for-able-bodied-adults-without-dependents>.

<sup>84</sup> *Id.*

<sup>85</sup> NYC Open Data, District Resource Statement - SNAP Population, (Oct. 30, 2018), available at <https://data.cityofnewyork.us/Social-Services/District-Resource-Statement-SNAP-Population/4ggh-um8t>; Kathryn Cronquist and Sarah Lauffer, Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2017, United States Department of Agriculture, (2019), available at <https://fns-prod.azureedge.net/sites/default/files/ops/Characteristics2017.pdf>.

<sup>86</sup> City Harvest, SNAP Time Limits Public Comment, (Mar. 2019), available at <https://www.cityharvest.org/2019/03/snap-time-limits>; Leslie Gersing, City Grocers Could Lose Millions Monthly in Federal Food-Stamp Proposal, Crain's New York Business, (Mar. 14, 2019), available at <https://www.craigslist.com/politics/city-grocers-could-lose-millions-monthly-federal-food-stamp-proposal>.

<sup>87</sup> U.S. Citizenship and Immigration Services, DHS, Inadmissibility on Public Charge Grounds, (Oct. 10, 2018), available at <https://www.federalregister.gov/documents/2018/10/10/2018-21106/inadmissibility-on-public-charge-grounds>.

<sup>88</sup> Hamutal Bernstein et al., One in Seven Adults in Immigrant Families Reported Avoiding Public Benefit Programs in 2018, Urban Institute, (May 2019), available at <https://www.urban.org/research/publication/one-seven-adults-immigrant-families-reported-avoiding-public-benefit-programs-2018>.

<sup>89</sup> NYC Department of Social Services and NYC Mayor's Office of Immigrant Affairs, Fact Sheet: SNAP Enrollment Trends in New York City, (June 2019), available at <https://www1.nyc.gov/assets/hra/downloads/pdf/Fact-Sheet-June-2019.pdf>.

<sup>90</sup> *Id.*

<sup>91</sup> New York City Council, Press Release, City Council Submits Public Comment Against Proposed Rule Change to Public Charge, (Dec. 10, 2018), <https://council.nyc.gov/press/2018/12/10/1674/>.

<sup>92</sup> Sharon Parrot, Trump Administration Floating Changes to Poverty Measure That Would Reduce or Eliminate Assistance to Millions of Lower-Income Americans, Center on Budget and Policy Priorities, (May 7, 2019) <https://www.cbpp.org/press/statements/trump-administration-floating-changes-to-poverty-measure-that-would-reduce-or>.

<sup>93</sup> *Id.*

<sup>94</sup> *Id.*

<sup>95</sup> Aviva Aron-Dine, Matt Braoddu, Zoe Neuberger and Arloc Sherman, Administration's Poverty Line Proposal Would Cut Health, Food Assistance for Millions Over Time, Center on Budget and Policy Priorities, (June 18, 2019), <https://www.cbpp.org/research/poverty-and-inequality/administrations-poverty-line-proposal-would-cut-health-food>.

<sup>96</sup> *Id.*

<sup>97</sup> Carole Feldman, USDA rule would cut food stamp benefits for 3.1 million, ABC News, (July 23, 2019), <https://www.apnews.com/9f98d78a3c214c22bf0100ef9c153917>.

<sup>98</sup> NYC Department for the Aging, Annual Plan Summary, April 1 2019 – March 31, 2020, (Sept. 2018), <https://www1.nyc.gov/assets/dfta/downloads/pdf/reports/DFTAAnnualPlanSummary2018.pdf> (hereinafter DFTA, Annual Plan Summary).

<sup>99</sup> *Id.*

<sup>100</sup> *Id.*

<sup>101</sup> NYC Department for the Aging, Plan 2025: Aging Services in an Era of Rapid Population Growth, (May 2018), available at <https://www1.nyc.gov/assets/dfta/downloads/pdf/reports/Plan2025-092018.pdf>.

<sup>102</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 14.

<sup>103</sup> *Id.*

<sup>104</sup> NYC Food Policy, Food Metrics Report 2018, <https://www1.nyc.gov/assets/foodpolicy/downloads/pdf/2018-Food-Metrics-Report.pdf> (hereinafter, 2018 Food Metrics Report).

<sup>105</sup> *Id.*

<sup>106</sup> HRA 2018 Annual Report, pursuant to Local Law 134 of 2017.

<sup>107</sup> Food Bank for NYC, Fast Facts, *supra* note 43.

<sup>108</sup> New York City Council, Local Law 134 of 2017 (enacted Aug. 8, 2017), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2984630&GUID=CA0D8D-AF-64B1-4CAE-8B62-CA9FF9139818&Options=IDText&Search=134>.

<sup>109</sup> *Supra* note 106.

<sup>110</sup> NYC Department for the Aging, Senior Centers, available at <https://www1.nyc.gov/site/dfta/services/senior-centers.page> (last visited July 15, 2019).

<sup>111</sup> Fiscal 2019 Preliminary Mayor's Management Report, Department for the Aging, available at <https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2019/dfta.pdf>.

<sup>112</sup> *Id.*

<sup>113</sup> Union Settlement, Separate and Unequal, (Jan. 16, 2017), available at [https://unionsettlement.org/wp-content/uploads/2017/01/Separate.and\\_.Unequal.Report.pdf](https://unionsettlement.org/wp-content/uploads/2017/01/Separate.and_.Unequal.Report.pdf) (hereinafter, Union Settlement, Separate and Unequal).

<sup>114</sup> Office of Comptroller Thomas P. DiNapoli, Congregate Meal Services for the Elderly, (Jan. 2018), <http://osc.state.ny.us/audits/allaudits/093018/sga-2018-16n5.pdf>.

<sup>115</sup> *Id.*

<sup>116</sup> Union Settlement, Separate and Unequal, *supra* note 113.

<sup>117</sup> New York City Council, Fiscal Year 2020 Preliminary Budget Response, available at [https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/04/Fiscal-2020-Preliminary-Budget-Response\\_FINAL.pdf](https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/04/Fiscal-2020-Preliminary-Budget-Response_FINAL.pdf).

<sup>118</sup> *Id.*

<sup>119</sup> *Id.*

<sup>120</sup> United States Government Accountability Office, Report to Congressional Requesters, Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits, (Dec. 2018) (referencing See Suzanna M. Martinez, Edward A. Frongillo, Cindy Leung, and Lorrene Ritchie, "No Food for Thought: Food Insecurity is Related to Poor Mental Health and Lower Academic Performance among Students in California's Public University System," *Journal of Health Psychology* (June 25, 2018); Maya E. Maroto, Anastasia Snelling, and Henry Linck, "Food Insecurity among Community College Students: Prevalence and Association with Grade Point Average," *Community College Journal of Research and Practice*, vol. 39, no. 6 (2015); Megan M. Patton-López, Daniel F. López-Cevallos, Doris I. Cancel-Tirado, and Leticia Vazquez, "Prevalence and Correlates of Food Insecurity among Students Attending a Midsize Rural University in Oregon," *Journal of Nutrition Education and Behavior*, vol. 46, no. 3 (2014); Meg Bruening, Stephanie Brennhofner, Irene van Woerden, Michael Todd, and Melissa Laska, "Factors Related to the High Rates of Food Insecurity among Diverse, Urban College Freshmen," *Journal of the Academy of Nutrition and Dietetics*, vol. 116, no. 9 (2016)) available at <https://www.gao.gov/assets/700/696254.pdf> (hereinafter GAO, Food Insecurity).

<sup>121</sup> *Id.*

<sup>122</sup> *Id.*



- <sup>123</sup> *Id.*
- <sup>124</sup> *Id.*
- <sup>125</sup> CUNY Office of Institutional Research and Assessment, Student Experience Survey 2016, available at <https://public.tableau.com/profile/oira.cuny#!/vizhome/2016StudentExperienceSurvey/MainMenu>.
- <sup>126</sup> CUNY Office of Institutional Research, A Profile of Undergraduates at CUNY Senior and Community Colleges (Fall 2015), available at [http://www2.cuny.edu/wp-content/uploads/sites/4/media-assets/ug\\_student\\_profile\\_f15.pdf](http://www2.cuny.edu/wp-content/uploads/sites/4/media-assets/ug_student_profile_f15.pdf); CUNY Office of Institutional Research and Assessment, Student Experience Survey 2016, available at <https://public.tableau.com/profile/oira.cuny#!/vizhome/2016StudentExperienceSurvey/MainMenu>.
- <sup>127</sup> *Id.*
- <sup>128</sup> Sara Goldrick-Rab, Vanessa Coca, Christine Baker-Smita and Elizabeth Looker, City University of New York #RealCollege Survey, (Mar. 2019), available at [https://hope4college.com/wpcontent/uploads/2019/03/HOPE\\_realcollege\\_CUNY\\_report\\_final\\_webversion.pdf](https://hope4college.com/wpcontent/uploads/2019/03/HOPE_realcollege_CUNY_report_final_webversion.pdf).
- <sup>129</sup> *Id.*
- <sup>130</sup> Governor Andrew Cuomo, Pressroom, Governor Cuomo Announces SUNY and CUNY Campuses Statewide to Have Food Pantries by End of Fall Semester, (Aug. 29, 2018), available at <https://www.governor.ny.gov/news/governor-cuomo-announces-suny-and-cuny-campuses-statewide-have-food-pantries-end-fall-semester>.
- <sup>131</sup> Information was provided by the CUNY Office of City Relations on February 11, 2019.
- <sup>132</sup> CUNY, Special Program, Single Stop, available at <http://www.cuny.edu/about/administration/offices/sa/specialprograms/SingleStopCCI.html> (last visited July 15, 2019).
- <sup>133</sup> *Id.*
- <sup>134</sup> Single Stop, The Resource Edition, CUNY Vets Newsletter, CUNY Council on Veterans Affairs (Spring 2013), available at <http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/university-resources/veterans-affairs/Fall-2016-CUNY-Vets-Newsletter.pdf>.
- <sup>135</sup> City University of New York, 2019-2020 Operating Budget Request and Four-Year Financial Plan DRAFT, 10, available at [http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/trustees/meetings-of-the-board/Draft-FY2020-Budget-Request\\_1-2-19.pdf](http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/trustees/meetings-of-the-board/Draft-FY2020-Budget-Request_1-2-19.pdf).
- <sup>136</sup> *Id.*
- <sup>137</sup> *Id.*
- <sup>138</sup> CUNY, Single Stop Data Report, available at <https://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/current-students/student-affairs/special-programs/single-stop/Data-Report-CUNY-2009-2016-Q1.pdf> (last visited July 23, 2019).
- <sup>139</sup> GAO, Food Insecurity, *supra* note 120.
- <sup>140</sup> *Id.*
- <sup>141</sup> Most Pa. community college students now eligible for SNAP, Just Harvest, (Mar. 26, 2018), <https://www.justharvest.org/most-pa-community-college-students-now-eligible-for-snap/>.
- <sup>142</sup> More MA Low Income College Students Eligible for SNAP! Major Policy Changes Released TODAY!! MassLegal Services, (Aug. 25, 2017), <https://www.masslegalservices.org/content/more-ma-low-income-college-students-eligible-snap-major-policy-changes-released-today>.
- <sup>143</sup> Beginning Jan. 1, more community college students in Illinois are eligible for the SNAP food program, Chicago Coalition for the Homeless, (Jan. 5, 2018), <https://www.chicagohomeless.org/beginning-jan-1-community-college-students-will-eligible-snap-food-stamp-program/>.
- <sup>144</sup> Susan Loyer, Career and Technical Education Students to be eligible for SNAP Food Assistance Benefits, Bridgewater Courier News, (Nov. 23, 2018), <https://www.mycentraljersey.com/story/news/local/middlesex-county/2018/11/23/snap-benefits-eligibility-career-technical-education-students/2057984002/>.
- <sup>145</sup> Carl D. Perkins Career and Technical Education Act of 2006, at 4-5, [https://legcounsel.house.gov/Comps/Carl%20D.%20Perkins%20Career%20And%20Technical%20Education%20Act%20Of%202006\(not-in-effect\).pdf](https://legcounsel.house.gov/Comps/Carl%20D.%20Perkins%20Career%20And%20Technical%20Education%20Act%20Of%202006(not-in-effect).pdf).
- <sup>146</sup> *Id.*
- <sup>147</sup> 2018 Food Metrics Report, *supra* note 104.
- <sup>148</sup> S Baronberg S, Dunn L, Nonas C, Dannefer R, Sacks R., The Impact of New York City's Health Bucks Program on Electronic Benefit Transfer Spending at Farmers Markets, 2006–2009. *Prev Chronic Dis* 2013;10:130113. DOI, available at <http://dx.doi.org/10.5888/pcd10.130113>.
- <sup>149</sup> Fund for Public Health in New York, Inc., Incentivizing Fruit and Vegetable Consumption in the Big Apple: NYC's Strategy to Increase Access and Improve Health in High Need Neighborhoods, (2016), available at <https://reeis.usda.gov/web/crisprojectpages/1009429-incentivizing-fruit-and-vegetable-consumption-in-the-big-apple-nycs-strategy-to-increase-access-and-improve-health-in-high-need-neighborhoods.html>.
- <sup>150</sup> *Id.*
- <sup>151</sup> NYC Department of Health and Mental Hygiene, Pharmacies Partner With Health Department to "Prescribe" Fruits and Vegetables to Low-income New Yorkers With High Blood Pressure, (Jul. 17, 2019), available at <https://www1.nyc.gov/site/doh/about/press/pr2019/pharmacy-to-farm.page>.
- <sup>152</sup> Feeding America, Food Insecurity in the United States, available at <https://map.feedingamerica.org/> (last visited June 29, 2019).
- <sup>153</sup> Wasted: How America is Losing Up To 40 Percent of its food Farm to Fork to Landfill, Second Edition of NRDC's Original 2012 Report, National Resource Defense Council, (2017), available at <https://www.nrdc.org/sites/default/files/wasted-2017-report.pdf>.
- <sup>154</sup> *Id.*
- <sup>155</sup> World Resources Institute, 6 Pressing Questions About Beef and Climate Change, Answered, (Apr. 8, 2019), available at <https://www.wri.org/blog/2019/04/6-pressing-questions-about-beef-and-climate-change-answered>.
- <sup>156</sup> Christopher Weber and H. Scott Matthews, Food miles and the Relative Climate Impacts of Food Choices in the United States, *Environmental Science & Technology*, 42(10): 3508-3513 (2008), available at <https://pubs.acs.org/doi/abs/10.1021/es702969f>.
- <sup>157</sup> U.S. Environmental Protection Agency, Landfill Methane Outreach Program (LMOP), available at <https://www.epa.gov/lmop/basic-information-about-landfill-gas> (last visited July 24, 2019).
- <sup>158</sup> Chad Frischmann, The climate impact of the food in the back of your fridge, *The Washington Post*, (July 31, 2018), available at [https://www.washingtonpost.com/news/worldpost/wp/2018/07/31/food-waste/?noredirect=on&utm\\_term=.a25ac94f8d27](https://www.washingtonpost.com/news/worldpost/wp/2018/07/31/food-waste/?noredirect=on&utm_term=.a25ac94f8d27).
- <sup>159</sup> NYC Department of Sanitation, 2017 NYC Waste Characterization Study, available at <https://dsny.cityofnewyork.us/wp-content/uploads/2018/04/2017-Waste-Characterization-Study.pdf>.
- <sup>160</sup> NRDC, Estimating Quantities and Types of Food Waste at the City Level, (Oct. 2017), available at <https://www.nrdc.org/sites/default/files/food-waste-city-level-report.pdf>.
- <sup>161</sup> *Id.*
- <sup>162</sup> New York City Council, Local Law 176 of 2017 (enacted Sept. 8, 2017), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2984602&GUID=5268FF91-55DD-4407-BF0A-53B7E330EF3E&Options=IDIText&Search=176>.
- <sup>163</sup> NYC Department of Sanitation, 2016 Strategic Plan: 2019 Prog-



ress Report, (July 2019), available at [https://dsny.cityofnewyork.us/wp-content/uploads/2019/07/Strategy\\_Plan\\_Update\\_2019\\_Final-1.pdf](https://dsny.cityofnewyork.us/wp-content/uploads/2019/07/Strategy_Plan_Update_2019_Final-1.pdf).

**164** New York City Council, Local Law 171 of 2017 (enacted Feb. 15, 2017), available at <https://legistar.council.nyc.gov/Legislation-Detail.aspx?ID=2694006&GUID=EC211FD9-E10F-45A9-9DC6-DED828FEB1C0&Options=ID|Text|&Search=171>.

**165** NRDC, Food Matters: What Food We Waste and How We Can Expand the Amount of Food We Rescue, (Oct. 2017), available at <https://www.nrdc.org/sites/default/files/food-matters-ib.pdf>.

**166** ReFED, Consumer Education Campaigns, available at <https://www.refed.com/solutions/consumer-education-campaigns> (last visited July 22, 2019).

**167** The Wrap, The Impact of Love Food Hate Waste, (2013), available at [http://www.wrap.org.uk/sites/files/wrap/West%20London%20LFHW%20Impact%20case%20study\\_0.pdf](http://www.wrap.org.uk/sites/files/wrap/West%20London%20LFHW%20Impact%20case%20study_0.pdf).

**168** *Id.*

**169** Ad Council, NRDC and Ad Council Launch New “Save the Food” National Public Service Campaign, (Apr. 20, 2016), available at <https://www.adcouncil.org/News-Events/Press-Releases/NRDC-and-Ad-Council-Launch-New-Save-the-Food-National-Public-Service-Campaign>.

**170** Cole Rosengren, Survey: Save the Food campaign successfully raised waste awareness in first year, WasteDive, (June 30, 2017) <https://www.wastedive.com/news/survey-save-the-food-campaign-successfully-raised-waste-awareness-in-first/446200/>.

**171** 2018 Food Metrics Report, *supra* note 104.

**172** *Id.*

**173** Feeding America, Map the Meal Gap 2019, [https://www.feedingamerica.org/sites/default/files/2019-05/2017-map-the-meal-gap-executive-summary\\_0.pdf](https://www.feedingamerica.org/sites/default/files/2019-05/2017-map-the-meal-gap-executive-summary_0.pdf).

**174** American Psychological Association, Effects of Poverty, Hunger and Homelessness on Children and Youth, <https://www.apa.org/pi/families/poverty> (last visited June 26, 2019); Feeding America, What happens when a child faces hunger?, <https://www.feedingamerica.org/hunger-in-america/child-hunger-facts> (last visited June 26, 2019).

**175** Laurie M. Tisch Center for Food, Education & Policy Program in Nutrition at Teachers College, Columbia University, Expanding Nutrition Education Programs in New York City Elementary Schools Understanding Practice to Inform Policy, Executive Summary, (Mar. 2014), <https://www.tc.columbia.edu/media/media-library-2014/centers/tisch-center/NEP-Report-Executive-Summary.pdf>.

**176** Grow to Learn, <http://www.growtolearn.org/> (last visited July 23, 2019).

**177** 2018 Food Metrics Report, *supra* note 104.

**178** *Id.*

**179** Community Food Advocates, Universal School Lunch in NYC Year One, Insights from High School Cafeterias, (Mar. 2019), <http://nyf.issuelab.org/resources/34401/34401.pdf>.

**180** *Id.*

**181** *Id.*

**182** *Id.*

**183** Community Food Advocates, Universal School Lunch in NYC: Year One Insights from High School Cafeterias, (2019), <http://nyf.issuelab.org/resources/34401/34401.pdf>.

**184** Community Food Advocates, Analysis of Department of Education data provided by Community Food Advocates, (2019).

**185** Community Food Advocates, Universal School Lunch in NYC: Year One Insights from High School Cafeterias, (2019), available at <http://nyf.issuelab.org/resources/34401/34401.pdf>.

**186** Community Food Advocates, Transforming the School Meal Experience: The Case for A Major Expansion of Enhanced Cafeterias in NYC, (2019), available at <https://docs.wixstatic.com/ugd/>

[f5e5d8\\_7f86f5119aa9448493ed6e37d5567652.pdf](f5e5d8_7f86f5119aa9448493ed6e37d5567652.pdf).

**187** *Id.*

**188** 2018 Food Metrics Report, *supra* note 104.

**189** Mayor Bill de Blasio, Mayor de Blasio, Chancellor Carranza, and Brooklyn Borough President Adams Announce Citywide Meatless Mondays, (Mar. 11, 2019), available at <https://www1.nyc.gov/office-of-the-mayor/news/135-19/mayor-de-blasio-chancellor-carranza-brooklyn-borough-president-adams-citywide#/0>.

**190** The Pew Charitable Trusts and Robert Wood Johnson Foundation, School Meals Programs Innovate to Improve Student Nutrition, (Dec. 2016), available at [https://www.pewtrusts.org/-/media/assets/2016/12/school\\_meal\\_programs\\_innovate\\_to\\_improve\\_student\\_nutrition.pdf](https://www.pewtrusts.org/-/media/assets/2016/12/school_meal_programs_innovate_to_improve_student_nutrition.pdf).

**191** Woodward-Lopez G, Kao J, Kiesel K, Lewis Miller M, et. al., Is scratch-cooking a cost-effective way to prepare healthy school meals with US Department of Agriculture foods?, J Acad Nutr Diet. 2014 Sep;114(9):1349-58. doi: 10.1016/j.jand.2014.05.002. Epub 2014 Jul 17, available at <https://www.ncbi.nlm.nih.gov/pub-med/?term=25043447>.

**192** 2018 Food Metrics Report, *supra* note 104.

**193** Amy Thomas, In the Bronx, an Elite Chef Is Trying to Engineer a Better School Lunch, The New York Times (May 14, 2019), available at <https://www.nytimes.com/2019/05/14/dining/brigaid-school-lunch-bronx.html>.

**194** *Id.*

**195** *Id.*

**196** *Id.*

**197** NYC Department of Parks and Recreation, Free Summer Meals, available at <https://www.nycgovparks.org/programs/summer-meals> (last visited July 15, 2019).

**198** New York City Council, Local Law 4 of 2018, (enacted Dec. 31, 2017), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1891015&GUID=D-5C30A40-E775-4781-B666-19BFBD1E3B-C&Options=ID|Text|&Search=summer+meals>.

**199** Zipporah Osei, NYC children out of school for summer struggle to access free meals – as food, federal dollars go to waste, Chalkbeat, (July 3, 2019), available at <https://www.chalkbeat.org/posts/ny/2019/07/03/nyc-children-out-of-school-for-summer-struggle-to-access-free-meals-as-food-federal-dollars-go-to-waste/>.

**200** Koch PA, McCarthy JE, Uno C, Gray HL, Simatou G., A is for Apple: The State of Nutrition Education Programs in New York City Schools. Laurie M. Tisch Center for Food, Education & Policy, Program in Nutrition at Teachers College, Columbia University, March 2018, available at <https://www.tc.columbia.edu/media/centers/tisch/NEP-Report-March-22-2018.pdf> (hereinafter, Tisch Food Center, A is for Apple).

**201** *Id.*

**202** Japan Inside, Photos & information: Japan’s amazing school lunch program is about more than just eating, available at <https://japaninsides.com/photos-information-japans-amazing-school-lunch-program-is-about-more-than-just-eating/> (last visited July 2, 2019).

**203** Tisch Food Center, A is for Apple, *supra* note 200.

**204** *Id.*

**205** *Id.*

**206** *Id.*

**207** *Id.*

**208** *Id.*

**209** Smith, L., Goranson, C., Bryon, J., Kerker, B., and Nonas, C. (2011). Developing a Supermarket Need Index, Geospatial Analysis of Environmental Health, 205-221. doi:10.1007/978-94-007-0329-2\_10.

- <sup>210</sup> Policy Link, Access to Healthy Foods (Issue brief), (Jan. 2010), available at [http://www.policylink.org/sites/default/files/access-to-healthy-food\\_0.pdf](http://www.policylink.org/sites/default/files/access-to-healthy-food_0.pdf).
- <sup>211</sup> 2018 Food Metrics Report, *supra* note 104.
- <sup>212</sup> NYC Economic Development Corporation, Financing & Incentives, Food Retail Expansion to Support Health (FRESH), available at <https://www.nycedc.com/program/food-retail-expansion-support-health-fresh> (last visited July 15, 2019).
- <sup>213</sup> Application no. N 090412 ZRY by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution relating to Article VI, Chapter 3, concerning provisions related to the establishment of FRESH Food Stores. New York City Council Stated Meeting, (Dec. 9, 2019), available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=90484&GUID=076EDB40-588A-48CC-82B3-498C64E5CAD2&Options=info&Search=>.
- <sup>214</sup> *Id.*
- <sup>215</sup> *Id.*
- <sup>216</sup> 2018 Food Metrics Report, *supra* note 104.
- <sup>217</sup> *Id.*
- <sup>218</sup> EDC, Testimony to the New York City Council, (June 21, 2018), available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=611263&GUID=CBE889E7-8A6A-41F8-9049-CD9EB-04CFE4F&Options=info&Search=>.
- <sup>219</sup> *Id.*
- <sup>220</sup> New York City Council, Committee on Economic Development and Subcommittee on Zoning and Franchises, "Oversight: REFRESH: Assessing the zoning and financial incentives of the Food Retail Expansion to Support Health program." (June 21, 2018), available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=611263&GUID=CBE889E7-8A6A-41F8-9049-CD9EB-04CFE4F&Options=info&Search=>.
- <sup>221</sup> Kylie Repasy, Rositsa T. Ilieva, and Craig Willingham, Brining the Good Food Purchasing Program to NYC: Barriers and Facilitators for Selected Institutions, (Jan. 24, 2019) CUNY Urban Food Policy Institute, available at <https://www.cunyurbanfoodpolicy.org/news/2019/5/23/bringing-the-good-food-purchasing-program-to-nyc>.
- <sup>222</sup> *Id.*
- <sup>223</sup> Center for Good Food Purchasing, Measuring Impact, available at <https://goodfoodpurchasing.org/impact/> (last visited July 15, 2019).
- <sup>224</sup> 2018 Food Metrics Report, *supra* note 104.
- <sup>225</sup> City of New York, "OneNYC 2050: Building a Strong and Fair City" (Apr. 2019), available at <https://onenyc.cityofnewyork.us/wp-content/uploads/2019/05/OneNYC-2050-Full-Report.pdf>.
- <sup>226</sup> 2018 Food Metrics Report, *supra* note 104.
- <sup>227</sup> New York State Department of Agriculture and Markets, The Farmers' Market Nutrition Program Authorized Markets and Farmers, (2019), available at <https://www.agriculture.ny.gov/AP/ag-services/fmnp/fm/Farmers%20Markets%20NYC%20Bronx%20and%20Manhattan.pdf> and <https://www.agriculture.ny.gov/AP/ag-services/fmnp/fm/Farmers%20Markets%20NYC%20Brooklyn%20Queens%20and%20Staten%20Island.pdf>.
- <sup>228</sup> Hattie Carthan Community Market, Mixed Basket Program, available at <https://www.hattiecarthancommunitymarket.com/mixed-basket-program> (last visited July 24, 2019); GrowNYC, Fresh Food Box, available at <https://www.grownyc.org/greenmarketco/foodbox> (last visited July 24, 2019).
- <sup>229</sup> New York City Council, Food Works, A Vision to Improve NYC's Food System, available at [http://www.ngfn.org/resources/ngfn-database/knowledge/foodworks\\_fullreport\\_11\\_22\\_10.pdf](http://www.ngfn.org/resources/ngfn-database/knowledge/foodworks_fullreport_11_22_10.pdf).
- <sup>230</sup> Manhattan Borough President Gale Brewer, Fresh Food for Seniors, available at <https://www.manhattanbp.nyc.gov/issues/senior-food-program/> (last visited July 24, 2019).
- <sup>231</sup> Manhattan Borough President Gale Brewer, Fresh Food for Seniors program delivers 5,500 bags of affordable produce, (Feb. 13, 2019), available at <https://www.manhattanbp.nyc.gov/fresh-food-for-seniors-program-delivers-5500-bags-of-local-produce/> (last visited July 24, 2019).
- <sup>232</sup> *Id.*
- <sup>233</sup> Kyle Lawson, Membership groups offering farm fresh food on Staten Island struggle with declining participation, Staten Island Live, (June 11, 2019), available at <https://www.silive.com/news/2019/06/membership-groups-offering-farm-fresh-food-on-staten-island-struggle-with-declining-participation.html>; Jodi Helmer, Why Are So Many Farmers Markets Failing? Because The Market Is Saturated, NPR (Mar. 17, 2019), available at <https://www.npr.org/sections/the-salt/2019/03/17/700715793/why-are-so-many-farmers-markets-failing-because-the-market-is-saturated>.
- <sup>234</sup> *Id.*
- <sup>235</sup> *Id.*
- <sup>236</sup> U.S. Environmental Protection Agency, Heat-Related Deaths, (Aug. 2016), available at [https://www.epa.gov/sites/production/files/2016-08/documents/print\\_heat-deaths-2016.pdf](https://www.epa.gov/sites/production/files/2016-08/documents/print_heat-deaths-2016.pdf).
- <sup>237</sup> Calma, Justine, How New York City Is Tackling Extreme Heat in a Warming World, Grist, (July 16, 2018), available at <https://www.wired.com/story/how-new-york-city-is-tackling-extreme-heat-in-a-warming-world/>.
- <sup>238</sup> *Id.*
- <sup>239</sup> Richard Florida, The Inequality of America's Parks and Green Space, CityLab, (Mar. 19, 2019), available at <https://www.citylab.com/equity/2019/03/inequality-parks-and-green-space-income-race-research/585166/>.
- <sup>240</sup> Tony Barboza, Minorities more likely to live in 'urban heat islands,' study finds, Los Angeles Times (July 9, 2013), available at <https://www.latimes.com/science/sciencenow/la-sci-sn-minorities-urban-heat-islands-20130709-story.html>.
- <sup>241</sup> NYC Department of Health and Mental Hygiene, Heat-related Deaths in New York City, 2013, (Aug. 2014), available at <https://www1.nyc.gov/assets/doh/downloads/pdf/epi/datatable47.pdf>.
- <sup>242</sup> Sarah Gibbens, As the climate crisis worsens, cities turn to parks, National Geographic, (May 21, 2019), available at <https://www.nationalgeographic.com/environment/2019/05/climate-crisis-cities-turn-to-parks/>.
- <sup>243</sup> NYC Department of Design and Construction, Green Roofs, available at <https://www1.nyc.gov/site/ddc/resources/features/july-2016-green-roofs.page> (last visited July 24, 2019).
- <sup>244</sup> *Id.*
- <sup>245</sup> City of New York, Mayor Announces Program to Help Curb Effects of Extreme Summer Heat, (June 14, 2017), available at <https://www1.nyc.gov/office-of-the-mayor/news/411-17/mayor-program-help-curb-effects-extreme-summer-heat>.
- <sup>246</sup> *Id.*
- <sup>247</sup> *Supra* note 229.
- <sup>248</sup> New York City Council, Local Law 46 of 2018, (enacted Jan. 11, 2018), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3106769&GUID=C1DA662E-E6E5-471D-91FF-170F1B12332A&Options=ID|Text&Search=46>.
- <sup>249</sup> City of New York, NYC Urban Agriculture, available at <https://www1.nyc.gov/site/agriculture/index.page> (last visited July 12, 2019).
- <sup>250</sup> New York City Council, Local Law 94 of 2019, (2019), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3557657&GUID=B4C3A822-2FBB-45FD-8A74-C59D-D95246C1&Options=&Search=>.
- <sup>251</sup> New York City Council, Local Law 93 of 2019, (2019), available



at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3557664&GUID=9AE78AF4-EEE1-40BE-A1FB-14A3B00EA9C8&Options=&Search=>.

<sup>252</sup> New York State Governor's Office, Governor Cuomo Announces Next Step in \$1.4 Billion Vital Brooklyn Initiative, (July 19, 2018), available at <https://www.governor.ny.gov/news/governor-cuomo-announces-next-step-14-billion-vital-brooklyn-initiative>.

<sup>253</sup> NYC Parks Department, History of the Community Garden Movement, available at <https://www.nycgovparks.org/about/history/community-gardens/movement> (last visited July 12, 2019).

<sup>254</sup> *Id.*

<sup>255</sup> *Id.*

<sup>256</sup> GreenThumb, About, available at <https://greenthumb.nycgovparks.org/about.html> (last visited July 24, 2019).

<sup>257</sup> Green Guerillas, Our History, available at <http://www.greenguerillas.org/history> (last visited July 12, 2019).

<sup>258</sup> Ioan Voicu and Vicki Been, The Effect of Community Gardens on Neighboring Property Values, *Real Estate Economics*, V36:2 p. 241-283 (2008), available at [https://furmancenter.org/files/publications/The\\_Effect\\_of\\_Community\\_Gardens.pdf](https://furmancenter.org/files/publications/The_Effect_of_Community_Gardens.pdf).

<sup>259</sup> Magali Regis, Standing Our Ground: A history of grass-roots activism & advocacy to create, protect and preserve community gardens in New York City, NYCCGC, (2017), available at <https://nyccgc.org/wp-content/uploads/2017/02/NYCCGC-Gateway-Greening-2017.pdf>.

<sup>260</sup> New York City Community Garden Coalition, Where We Stand and How We Got Here, available at <https://nyccgc.org/about/history/> (last visited July 12, 2019).

<sup>261</sup> *Id.*

<sup>262</sup> The Trust for Public Land, NYC Community Gardens Turned Over to Local Land Trusts, (June 28, 2011), available at <https://www.tpl.org/media-room/nyc-community-gardens-turned-over-local-land-trusts>.

<sup>263</sup> Brooklyn Queens Land Trust, About, available at <https://bqlt.org/about> (last visited July 24, 2019); Pennsylvania Land Trust Association, What Is a Land Trust, available at <https://conservationtools.org/guides/150-what-is-a-land-trust> (last visited July 24, 2019).

<sup>264</sup> Jennifer Steinhauer, Ending a Long Battle, New York Lets Housing and Gardens Grow, *New York Times* (Sept. 19, 2002) <https://www.nytimes.com/2002/09/19/nyregion/ending-a-long-battle-new-york-lets-housing-and-gardens-grow.html>.

<sup>265</sup> City of New York, GreenThumb, available at <https://greenthumb.nycgovparks.org/> (last visited July 12, 2019).

<sup>266</sup> Farm School NYC, Our Story, available at <http://www.farmschoolnyc.org/our-story> (last visited July 12, 2019).

<sup>267</sup> *Id.*

<sup>268</sup> Edible Schoolyard NYC, available at <https://www.edibleschoolyardnyc.org/>; GrowNYC, Grow to Learn, available at <https://www.grownyc.org/grow-to-learn> (last visited July 12, 2019).

<sup>269</sup> Oko Farms, Oko Farms Aquaponics Production and Education Center (last visited July 12, 2019), available at <http://www.okofarms.com/>; Cait Etherington, Raising chickens in NYC: Laws, tips, and everything else you need to know, 6sqft (May 22, 2019), available at <https://www.6sqft.com/raising-chickens-in-new-york-city-laws-tips-and-everything-else-you-need-to-know/>; City of New York, Beekeeper Registration, available at <https://www1.nyc.gov/nycbusiness/description/beekeeper-registration> (last visited July 12, 2019).

<sup>270</sup> GrowNYC, Project Farmhouse, available at <https://www.projectfarmhouse.org/>; Horticultural Society of New York, available at <https://www.thehort.org/nydigs/> (last visited July 12, 2019).

<sup>271</sup> Farming Concrete, available at <https://farmingconcrete.org/> (last visited July 15, 2019).

<sup>272</sup> *Id.*

<sup>273</sup> GreenThumb, GreenThumb by the Numbers, (2014), available at [https://greenthumb.nycgovparks.org/pdf/greenthumb-brochure\\_3-10-14.pdf](https://greenthumb.nycgovparks.org/pdf/greenthumb-brochure_3-10-14.pdf) City of New York Department of Parks & Recreation, GreenThumb Community Garden License, (2019), available at <https://nyccgc.org/wp-content/uploads/2019/04/GreenThumb-License-Agreement-2019-002.pdf>.

