

New York City Economic Development Corporation Testimony

Oversight on LifeSci NYC Hearing

June 17, 2021

Good morning, Chair Vallone, and members of the Economic Development Committee. I am Susan Rosenthal, and I have the pleasure of serving as Senior Vice President of Life Sciences and Healthcare at New York City Economic Development Corporation. With me is Dr. Carlo Yuvienco, our Vice President of Life Sciences and Healthcare.

I am pleased and proud to be here to discuss **LifeSci NYC**, an initiative led by New York City Economic Development Corporation. We launched LifeSci NYC in 2016 to invest in life sciences research, development, and related innovation. Today I will lay out the initiative's accomplishments to date, our important pandemic response efforts, and the plans for the *\$500-million investment recently announced in the Mayor's Executive Budget for LifeSci NYC, bringing the City's total commitment to \$1 billion.*

Life Sciences is coming of age in New York City. Not long ago, we couldn't name a handful of NYC-based LifeSci companiesand now we have hundreds. My testimony will detail the story of life sciences here—its foundation, its rapid growth through our investment, and our exciting future.

About Life Sciences

First of all, what are Life Sciences in this context? We say Life Sciences are the *"combined applications of biology and technology for the advancement of humanity."* Sounds like a lofty goal – but really, it's a practical one—taking biology research and putting its outcomes to use.

In this definition, the word "applications" encompasses both the applied research activities within our academic institutions, as well as the commercial activities of large and small companies. The foundational research can be used in health or non-health applications. In non-

health, it may be used in consumer goods and foods, agriculture, and industrial chemicals. In health -- put simply -- think medicines, diagnostics, medical devices, and vaccines.

Life Sciences in NYC

None of this is new to New York City. For decades, we have had many of the essential building blocks for a thriving life sciences ecosystem.

Our advantages include an array of teaching hospitals, research facilities, universities, researchers, scientists, technicians, students, Nobel laureates, clinicians, and one of the world's largest city public health care systems.

Maybe you didn't know this – but New York has among the world, one of the highest concentrations of Nobel prizes attributed to its academic institutions. Maybe you didn't know this – but New York has among the world, one of the highest concentrations of Nobel prizes attributed to its academic institutions. This remarkable science spans fields from chemistry to physics to medicine.

Along with them, we have a deep and diverse talent pool with all levels of necessary skills.

Every year, 7,000 graduate students and postdocs in the life sciences study at premier academic and medical institutions, including nine academic medical centers. These world-class programs bring hundreds of years of experience and knowledge to the global scientific community. *And we'd like to keep that knowledge here.*

Beyond investments in new lab and office space, we are investing directly in talent. More than 400 undergraduate and graduate interns have been placed across over 100 host companies. In previous years, 47% of those internships have either been extended or transformed into full-time roles. This 5-year-old program supports NYCEDC's commitment to equity, diversity, and inclusion. Interns hail from every borough and a majority identify as Black, Asian, or Latino.

Beyond investments in new lab and office space, we are investing directly in talent. More than 400 undergraduate and graduate interns have been placed across over 100 host companies. In previous years, 47% of those internships have either been extended or transformed into full-time roles. This 5-year-old program supports NYCEDC's commitment to equity, diversity, and inclusion. Interns hail from every borough and a majority identify as Black, Asian, or Latino.

In addition, over a half-million healthcare workers make their living within the five boroughs. Our extensive healthcare system includes over 50 hospitals and 370 federally qualified healthcare centers. On top of this, 100 disease-specialty foundations drive research and advocacy for patients.

Our extensive healthcare system includes over 50 hospitals and 370 federally qualified healthcare centers. On top of this, 100 disease-specialty foundations drive research and advocacy for patients.

Together, these ingredients position New York City to take a leading role to advance the fundamental understanding of disease, develop cures, and deliver treatment—from discovery by bench scientists and innovators to patient care in our hospitals.

We want to make sure that the science that starts here *stays here*.

First \$500 Million Investment:

In recent years, New York City has experienced early growth in life sciences. We have:

- unlocked **two million square feet** of new life sciences innovation space
- **funded research labs** at our major academic institutions
- and seen the growth of **6 incubators** generating hundreds of **companies**

As part of that, NYCEDC established key early partnerships prior to the 2016 commitment to LifeSci NYC. Let's take a look at some of them:

- **The Alexandria Center for Life Science** on Manhattan's East Side is home to a diverse range of high-quality life sciences entities. They include multinational pharmaceutical firms as well as early-stage and growth-stage companies.
- **Harlem BioSpace** is one of the city's first biotech incubators to offer affordable shared wet-lab space for competitively selected entrants.
- Brooklyn's **BioBAT** offers research and manufacturing space to biotechnology and related companies, as well as work opportunities for SUNY Downstate scientists, clinicians, and students.

In addition to these early efforts, NYCEDC wanted to understand better how to bolster growth and position New York City as a global center of innovation in life sciences. We conducted fundamental research into the field to learn what can be further accomplished.

Our findings helped lay the groundwork for the first \$500 million for LifeSci NYC, which included:

- \$150 million in City Capital to support nonprofit R&D facilities to spur new research that translates to companies, jobs, and medicines
- \$300 million in City investments to seed the construction of needed commercial lab space and incubators; and
- \$50 million dedicated to investments in talent and early-stage companies.

In 2017, we established an **Advisory Council** to provide leadership and strategic direction. The Council is comprised of leaders spanning academia, the venture community, and industry. It is co-chaired by Dr. Harold Varmus, Professor of Medicine of the Weill Medical College of Cornell University, and Dr. Vicki Sato, Chairman of the Board of Vir Biotechnology.

Under the Council's leadership, we opened **BioLabs@NYULangone**, a premier coworking space for startups to test, develop, and grow innovative ideas. BioLabs offers exclusive events, programming, and activities to connect startups with industry partners. The facility can hold up

to 35 companies at a time. Among those which located their startups at BioLabs and recently shared they're expanding to larger spaces in NYC are:

- **C16 Biosciences**, a female-led company that manufactures environmentally friendly synthetic palm oil, and
- **Immunai**, which maps the immune system for better medicine development.

Through LifeSci NYC, we've also offered City investments to create new wet lab-capable space and incubators at **Deerfield Management's CURE**. It's where innovators from across the industry and around the world can work in a collaborative atmosphere.

The COVID-19 Pandemic and NYC Response

I just want to pause for a moment... and recognize the crisis we have all lived through:

As you can imagine -- we can't talk about the importance of life sciences without talking about COVID-19 and the pandemic that has swept the world. As we all know, New York City was hit early and hit hard! But the pandemic showed the world the potential of our robust life sciences industry. Together, we mobilized resources to help New Yorkers through one of the most severe crises our city has ever faced.

NYCEDC played an important role helping the city overcome early shortages of personal protective equipment. We leveraged our relationships in the advanced manufacturing, life sciences, and fashion industries to help quickly pivot businesses to create much-needed gowns, face shields and test kits.

One of our biggest challenges was to help address the shortage of life-saving ventilators. We convened a partnership with researchers, local innovators, and members of the medical and public health communities to develop a "bridge" ventilator called the Spiro-Wave; and did it in less than a month!

The manufacture of COVID testing kits was another challenge, which NYCEDC also helped overcome. With the assistance of experts across the country, local medical professionals, and City agencies, we refined the process and quickly found local manufacturers to go into production. These efforts ultimately produced 1.25 million test kits for use at New York City Health + Hospitals and community testing sites, as well as other sites within the City's Test + Trace program.

Knowing how critical testing would be to the health and economy of New York, in September, we also partnered with a Brooklyn-based company called **Opentrons**, to launch the **Pandemic Response Lab**. It has consistently delivered COVID-19 test results in under 24 hours at a cost-effective \$28 per test. Ultimately, the lab grew to process at least 40,000 tests per day.

To activate more testing innovation for quick results and to support NYC's access to rapid tests, we created the Rapid Testing Innovation Competition. From that, we awarded \$164,000 to Columbia University to Dr. David Ho's lab to support studies to accelerate the deployment of its Cov-SCAN rapid test.

Even in the midst of the chaos of COVID -- we knew we could not just concentrate on emergency response. We needed to focus on the future for New York City as well. So, we did.

In December, we announced the establishment of the **Pandemic Response Institute**. Its mission is to better prepare the city for future health emergencies and pandemics. It will help position the city as a leader in public health research and innovation. These efforts will not only improve NYC's health infrastructure but serve as a blueprint for the rest of the country, and perhaps, the world.

Despite the pandemic, *or maybe because of it*, funding for life sciences companies reached new levels. NIH funding and venture investment has reached new heights for New York City this past year. And now, over 2 million square feet of new life sciences spaces are anticipated to come

online by the end of this year. A total of over 3 million square feet by 2023. This acceleration illustrates New York City's unprecedented opportunity to create, produce, and deliver medical breakthroughs, and generate thousands of new jobs for New Yorkers—making our city a healthier and fairer place to live and work.

The Future of LifeSci NYC

So what's next?

The plan for the next half-billion-dollars calls for over \$200 million in City financial investment, and \$300 million in City Capital. It includes an Expansion Fund to invest in companies growing into wet-lab spaces from universities or incubators, and it further extends the LifeSci NYC Internship program.

We expect this total \$1Bn total \$1Bn investment to create **40,000 jobs**. So, whether someone is beginning their career, starting with an idea, expanding a company or planning its next phase of growth, we want to encourage them to do it here in NYC.

Mayor de Blasio kicked off this next chapter of LifeSci NYC by announcing the **Life Sciences Innovation Infrastructure RFP**. Mayor de Blasio kicked off this next chapter of LifeSci NYC by announcing the **Life Sciences Innovation Infrastructure RFP**. Its focus is to help advance the commercial research and development of new medicines, medical devices, diagnostics, and research tools. Selected projects will receive a maximum award of \$20 million.

Currently, the heart of the New York City life sciences ecosystem is what's been called **LifeSci Avenue**—the established industry corridor along the East Side of Manhattan. The stretch encompasses some of the country's premier institutions in biomedical research, clinical care, and commercial biotech.

This new investment will support this existing industry corridor and strengthen the development of other life sciences clusters in neighborhoods around the city. This new investment will support this existing industry corridor and strengthen the development of other life sciences clusters in neighborhoods around the city. This will contribute to a greater ecosystem and the dissemination of career-building jobs.

Manhattan's West Side is already home to multiple life sciences incubators and leading institutions. It's home to newer hubs like the Hudson Research Center in midtown and the Taystee Lab Building in the Manhattanville Factory District further uptown.

But there are important clusters in other boroughs, too.

In Morris Park, in the Bronx, the *Einstein-Montefiore Biotechnology Accelerated Research Center*, also known as EMBARC, will anchor a growing life sciences ecosystem with a new biomanufacturing facility. EMBARC will accelerate the growth of New York City companies by providing cells and proteins critical to commercializing patient therapies.

In Long Island City-Queens, Alexandria's Bindery is unlocking growth-stage lab and office space in a mixed-use neighborhood with a rich history of innovation. On the Brooklyn waterfront the core of the borough's growing biotech community is coming together and expanding. It is defined by early-stage companies, includes an established manufacturing base—some of it at the Brooklyn Navy Yard and the Brooklyn Army Terminal, and anchored by SUNY Downstate's *Advanced Biotechnology Incubator*.

To build this hearty Life Sciences ecosystem, we need companies and founders to be believers too. Just last week, we sponsored the Global Marketplace at the *International BIO Conference* which brings together industry giants and startups alike. This is just one step in a business attraction plan that is well underway. It's what EDC does – helps business form or come to New

York, stay in New York, and thrive in New York – all to help build a better, stronger, and more diversified economy.

Through the City's landmark \$1 billion total investment in LifeSci NYC, we are committed to early-stage discoveries, further development of life sciences spaces, more equitable health outcomes for communities, and supporting a valuable jobs pipeline to add to a stronger **recovery for all.**

Thank you for the opportunity to testify. I now welcome any questions you have.

Chair
ELIZABETH VELEZ*

Vice Chairs
LOUIS J. COLETTI*
CHERYL MCKISSACK DANIEL*
PETER DIMAGGIO*
SABRINA KANNER*
GREGORY A. KELLY*
RICHARD KENNEDY*
ELI R. KHOURY*
GARY LaBARBERA*
ANTHONY MANNARINO*
CHARLES F. MURPHY*
EDWARD V. PICCINICH*
FRANCES A. RESHESKE*
JONATHAN D. RESNICK*

President & CEO
CARLO A. SCISSURA*

Treasurer
CYRUS J. IZZO*

Secretary
CARL GALIOTO*

General Counsel
MICHAEL S. ZETLIN*

Past Chair
MILO E. RIVERSO*

Directors
JOSEPH J. ALIOTTA
FRANKLIN R. ALVARADO
VINCENT ALVAREZ
CHARLES AVOLIO
LYNNE P. BROWN
ANDREW CATAPANO
RICHARD CAVALLARO
VICTORIA J. CERAMI
EDWIN CHRISTIAN
RALPH J. ESPOSITO*
JOHN J. GILBERT III
DAVID M. GREENBERG
SHARON GREENBERGER
MAUREEN A. HENEGAN
JOSEPH A. IENUSO
JERRY IANNETTI
MARIAN KLEIN
JOSEPH KRAJCZEWSKI
JILL N. LERNER
GEORGE E. LEVENTIS
JEFFREY E. LEVINE
ANTHONY E. MANN
PETER A. MARCHETTO
VICKI MATCH SUNA
CHRIS McCARTIN
JOSEPH G. MIZZI
RICHARD T. MONOPOLI
TERRENCE E. O'NEAL
PATRICIA ORNST
RAYMOND M. POCINO
TODD RECHLER
MICHAEL F. RUSSO
TOM SCERBO
SCOTT SELTZ
EHAB SHEHATA
MITCHEL W. SIMPLER
STEVEN SOMMER
MARILISA STIGLIANO
MICHAEL J. SWEENEY
ELISE WAGNER
IRIS WEINSHALL
ELI ZAMEK
*Executive Committee Member

Directors Emeriti
RICHARD T. ANDERSON
AINE M. BRAZIL
RAYMOND P. DADDIZIO
JOHN M. DIONISIO
MARY-JEAN EASTMAN
PETER GOETZ
STUART E. GRAHAM
SUSAN L. HAYES
THOMAS IOVINO
JEFFREY M. LEVY
JOHN V. MAGLIANO
WILLIAM A. MARINO
MYSORE L. NAGARAJA
ROBERT S. PECKAR
LAWRENCE P. ROMAN
THOMAS Z. SCARANGELLO
ANTHONY P. SCHIRRIPIA
FRANK J. SCIAIME
ROBERT E. SELSAM
DOMINICK M. SERVADIO
MARILYN JORDAN TAYLOR
DANIEL R. TISHMAN
RICHARD L. TOMASETTI



June 24, 2021

TESTIMONY TO THE NEW YORK CITY COUNCIL COMMITTEE ON ECONOMIC DEVELOPMENT REGARDING OVERSIGHT OF LIFE SCIENCES

To Chair Vallone and members of the Committee on Economic Development, the New York Building Congress is excited to submit testimony regarding the burgeoning life sciences industry in New York City and the need to continue to support its expansion.

For 100 years, the New York Building Congress has advocated for infrastructure investment, pursued job creation and promoted preservation and growth in the New York region. Our association is made up of over 525 organizations comprised of more than 250,000 skilled professionals and tradespeople. Through our members, events and various committees, we seek to address the critical issues of the building industry and promote the economic and social advancement of our city and its residents.

With that in mind, the Building Congress applauds the \$500 million in city investments – now growing to \$1 billion – in life sciences with initiatives and developments that will not only create jobs today but will save lives tomorrow. In New York City we have experienced both the fortune of advanced planning and the pain when there is a lack thereof. Let us not forget that within one month of the first confirmed case of COVID-19 in New York City, we had nearly 100,000 total cases and 5,000 deaths. At the direction of State government, healthcare facilities were mandated to increase capacity by 50 to 100 percent. Acting at wartime speed, hospitals had to expand or convert underutilized space to conduct treatment and researchers had to develop a mechanism to diagnose patients quickly and effectively. The need for life science facilities to be located right here in the city, which was strong prior to the COVID-19 pandemic, now became essential for the fight against the virus.

The fight against COVID-19 has highlighted the fact that preparing for the next pandemic must begin now, long before another one starts. The speed at which the City was able to respond to the COVID-19 crisis is a testament to the strength of the healthcare, biotechnology and pharmaceutical industries in New York City and the power of global collaboration – within months an entirely new breathing assistance device was designed, federally approved and manufactured and over one million testing kits were prototyped, manufactured and assembled. For example, the City's Pandemic Response Lab, a public-private collaboration, was able to perform more than 30,000 COVID-19 tests per day, with a median turnaround time of less than 24 hours, costing less than a quarter of what hospitals pay nationally. Thankfully, today the emergency order in New York is no longer active, as cases and deaths are at the lowest point since the onset of the pandemic, and we can begin the road to a strong recovery. Now that we know what is achievable with proper preparation, we must not let our guard down or our full potential go unrealized.

The Building Congress' recent [NYC Checkup](#) report highlighted that New York City's healthcare and life sciences industry has a large physical and economic presence, encompassing over a thousand ambulatory healthcare centers, providing over half a million jobs and countless services to residents and visiting patients. In 2018, the private healthcare industry alone employed 557,700 workers who earned \$32.7 billion in wages – comparable in size to all government employment and nearly double that of financial services or private education employment. Simply put, the impact of the industry, in both health and economic terms, cannot be ignored. Investing in the growth of local Research & Development space, diagnostic centers and healthcare facilities protects the health of New Yorkers across the five boroughs and is key to our economic vitality.

Why is the Building Congress so invested in life sciences? Before March 2020, the building industry in New York City was thriving and a main contributor of jobs and revenue for the city and state economies. A recent report by State Comptroller Tom DiNapoli found our industry was the fastest-growing sector from 2011 to 2019 with a 43.5-percent jump in jobs. All of that was brought to a grinding halt when the pandemic began; most of that decade of progress has been wiped away and the industry cannot sustain another significant downturn.

Investments in new life science centers will help the industry and city recover from the loss of over 70,000 direct and indirect building industry jobs and \$5 billion in wages and simultaneously prevent another health crisis from devastating our economy. Further, New York's economy has constantly evolved through local and global changes. At one point we were the center of manufacturing, only to then lead the financial markets and now in technology. While New York City already boasts industry-leading life science institutions, it has yet to reach its full potential and is in a prime position at the center of world-class academic and medical centers, emerging life sciences companies and leading institutions in construction, design, finance and more to now lead in life sciences, as well.

According to a [report by CBRE](#), life science investments, leasing activity, asking rents and jobs were at all-time highs while we were still in the grip of the pandemic. Total life sciences venture capital funding in 2020 reached a record of \$900 million; availability of pre-built space was near zero percent; asking rents increased 12 percent year-over-year from 2019 to 2020; and employment reached over 14,600, a 67-percent increase since 2001. However, New York continues to lag Greater Boston, Raleigh-Durham, San Diego and the Washington, D.C.-Baltimore area. For instance, Boston and San Francisco have each built more than 20 million square feet of labs – 10 times more than New York's two million. Given the heightened need for expanded medical care following the COVID-19 pandemic, we must start now to build millions of square feet for centers of innovation so that future generations can benefit from the medical ingenuity created right here in New York.

That is why the Building Congress supports the City's collaboration with Deerfield Management and Columbia University and private projects such as the Taystee Lab Building and the Blood Center's Center East proposal, among others. Located in Manhattan, Deerfield's project would add 500,000 square feet and 1,500 jobs and the Blood Center's proposal would provide over 380,000 square feet of commercial labs, generating 1,500 construction jobs and \$1.1 billion in economic activity. Nevertheless, a handful of new projects in one borough is simply not enough. If we want to be the leader in life sciences and become the public health capital, we must embrace an aggressive agenda by expanding opportunities for the development of lab space across the five boroughs that creates good-paying jobs for all New Yorkers. In addition to adding new capacity, the City must continue to offer and expand turnkey solutions, affordable spaces, short-term leases, expandable square feet and customizable interiors for early-stage firms as well as evolve to meet the demands of more established tenants. These actions will send a signal that New York, once the epicenter of this pandemic, has learned from the last year and a half.

In closing, as we emerge from the COVID-19 pandemic, the life sciences sector will provide both immediate and long-term benefits to the economies of our city and state. Investments in life sciences will not only position New York as a leader in the development of biotechnology, medical devices and pharmaceuticals, but also create thousands of temporary and permanent jobs and inject billions of dollars into the broader economy – a boost to the city precisely when it needs it most.

Our road to recovery must follow a path based on public and private investments that will build New York back better and healthier and continue to make the city an attractive hub for all industries, including the life sciences sector.



Testimony of Maria Gotsch, President & CEO
New York City Council Committee on Economic Development
Life Sciences in New York City
June 21, 2021

Thank you Chair Vallone and members of the committee for the opportunity to testify on life sciences in New York City. The Partnership Fund for New York City (the “Fund”) is the \$175 million investment arm of the Partnership for New York City, New York’s leading business organization. The Fund’s mission is to engage the City’s business leaders to identify and support promising entrepreneurs—in both the for-profit and nonprofit sectors—to create jobs, spur new business and expand opportunities for New Yorkers to participate in the City’s economy.

The Fund was an early investor in life sciences, committing more than \$50 million over the past decade, and published a blueprint in 2016 ([New York’s Next Big Industry: Commercial Life Sciences](#)) detailing how New York could become a leader in life sciences and close the gap with California and Massachusetts. We recently released an update on the progress of the sector ([New York’s Life Sciences Industry Enters High-Growth Phase for Investment & Job Creation](#)).

The industry in New York has grown substantially in recent years. Spurred by commitments of \$1.2 billion in 2016 from the Cuomo and de Blasio administrations, venture capital nearly tripled its investment to \$2.3 billion between October 2019 and September 2020. As a result, New York ranks #3 in life sciences venture funding in the U.S. (up from ninth in 2015), a sign that the private sector views New York as a promising market. The metro area also attracted a record-high \$2.9 billion from the National Institutes of Health in 2020.

This investment has benefitted the city, creating a positive economic impact even during the downturn caused by the COVID-19 pandemic. Employment in life sciences has increased 3.6% per year since 2016, while citywide employment slightly declined during the same period. Job growth in the outer boroughs accounted for 24% of this growth. The average annual earnings for a life sciences employee in the city also increased 67% from \$85,000 in 2010 to \$142,000 in 2020. In the same time period, the number of life sciences companies increased 28%, contributing \$3.1 billion to the gross city product in 2020.

One of the key city programs places college students in paid summer internships at life science companies. Since 2017, more than 400 students have been placed at 113 companies, 40% of them were women, 24% were Black, Indigenous or multi-racial and 37% were from CUNY. Since a summer internship is often a path to a permanent job, this program is important for ensuring that New York’s life sciences sector provides employment opportunities for New Yorkers from all backgrounds.

Not only has the life sciences sector become a significant economic force in the city and state, it is likely to play a role in helping New York meet other goals such as improving the environment. For example, in 2020, the Fund and New York State supported the creation of Indiebio, a life sciences accelerator program. Indiebio provides pre-seed stage funding and expertise to help

scientists launch new ventures where biology is the underlying technology. This includes environmentally friendly biomaterials and remediation tools.

The city's investment to date in life sciences has been an important catalyst in attracting investment capital and jobs to New York. However, challenges remain—specifically ensuring there is adequate wet lab space to keep life science companies in the city as they grow. Last week, Mayor de Blasio announced that the city will commit an additional \$500 million to defray the costs of constructing expensive wet lab space, support nonprofit facilities and early-stage companies and expand the internship program. This investment will ensure that the momentum of the past five years continues, and New York City finally catches up with Massachusetts and California and becomes a leading center for life sciences. We hope the Council will work with us and the Administration to support additional space for companies to expand after the incubation stage, to increase innovation at the city's universities and to expand the pipeline of young professionals entering the industry.

Thank you.



Date: June 21, 2021

Topic: Life Sciences, Committee on Economic Development

Good morning and thank you for the opportunity to testify before this committee. On behalf of the Greater New York Laborers-Employers Cooperation and Education Trust, we express our support for the development of the life sciences industry in NYC. GNY LECET is a jointly managed trust fund of the Mason Tenders District Council of Greater New York; in New York City, LECET represents 17,000 hardworking men and women in construction and 1,200 signatory contractors.

We advocate for a life science industry that will not only support the recovery of NYC's communities because of the field's life-saving cures and treatments for disease, but also because it will create tens of thousands of good-paying jobs that CUNY students, young people, and New Yorkers from disadvantaged backgrounds can be trained for. We support development projects focused on growing the life sciences industry which can also improve the health and recovery of NYC's communities by building with union labor that provides family health benefits and family-sustaining wages.

One key life sciences development project city government should fully support is Center East – the planned expansion and renovation of the New York Blood Center on East 67th Street. The New York Blood Center is the leading supplier of blood to hospitals all around the city and also works on research and treatments for Sickle Cell and other diseases that disproportionately impact Black New Yorkers and other New Yorkers of color. The development partner Longfellow is a top life science developer committed to thoughtful, inclusive development, building with union labor, and creating jobs for New Yorkers of color and low-income households. Center East can uplift residents of East Harlem, South Bronx, Queensbridge, and other neighborhoods hit hard by COVID.

We stand against any opposition that seeks to keep our members—largely immigrants and People of Color—and any working New Yorkers out of the Upper East Side. We should be welcoming more people to career pathways here, like those Longfellow has committed to in union construction and in the life-sciences sector. Thank you again for the opportunity to express our support.



📍 266 West 37th Street, Suite 1100 | New York, NY 10018 📞 212.452.9300 📠 212.452.9318 💻 gnylecet.org

TRUSTEES: John O'Hare Management Trustee | Stephen Flanagan Co-Chair - Labor Trustee | Robert Bonanza Labor Trustee
John Virga Management Trustee | Raymond M. Pocino Labor Trustee | Michael Prohaska Labor Trustee | Patrick J. Purcell Jr. Executive Director

AFFILIATES: Mason Tenders District Council of Greater New York & Long Island | General Building Laborers Local 66
Asbestos, Lead & Hazardous Waste Laborers Local 78 | Construction & General Building Laborers Local 79
Waste Material, Recycling & General Industrial Laborers Local 108 | Laborers International Union of North America, AFL-CIO/CLC
Contractor Associations | Building Contractors Association (BCA)



CONSTRUCTION AND GENERAL BUILDING LABORERS' LOCAL79

Date: June 21, 2021

Topic: Life Sciences, Committee on Economic Development

JOHN NORBURY
President

CHAZ RYNKIEWICZ
Vice President

WENDY WEBB
Recording Secretary

ANTHONY VITA
Secretary-Treasurer

MICHAEL PROHASKA
Business Manager

BERNARD CALLEGARI
Sergeant-at-Arms

ANTHONY WILLIAMSON
Auditor

KENNETH ROBINSON, JR.
Auditor

STEVE ANDUJAR
Auditor

BARRIE SMITH
Executive Board Member

LUIS MONTALVO
Executive Board Member

Good morning and thank you for the opportunity to testify before this committee. My name is Infinite George and I am a member of the Laborers Local 79. I am here to express my strong support for the growth and development of the life sciences industry in NYC as part of our economic recovery.

As a life-long New Yorker who grew up in public housing, I believe our city would benefit from tens of thousands of good-paying jobs, career opportunities for New Yorkers from disadvantaged backgrounds, and life-saving cures and treatments for diseases that the life sciences industry will create.

One key life sciences project city council should fully support is Center East – the planned expansion and renovation of the New York Blood Center on East 67th Street. The New York Blood Center is the leading supplier of blood to area hospitals and works to develop cures and treatments for Sickle Cell and other diseases impacting Black New Yorkers and other New Yorkers of color. In addition to its public health mission, this project will generate thousands of construction jobs with area standard wages and benefits to support workers and their families. The development partner Longfellow is committed to thoughtful, inclusive development, building with union labor, and creating jobs for New Yorkers of color and low-income households, both in union construction and in the life-sciences sector.

Opponents of this project are complaining about new people crowding their neighborhood. Like many Local 79 members, I grew up in Queensbridge Houses, just across the bridge from the proposed Center East. I should hope that people like me looking to work in the Upper East Side medical corridor, or simply to seek medical care, would be welcomed, not kept out and excluded. Center East can boost wages for Queensbridge residents and residents of East Harlem, South Bronx, and other neighborhoods hit hard by COVID.

City government cannot afford to allow opposition from wealthy elites to stand in the way of thousands of family-sustaining jobs for our communities and life-saving treatments. Thank you again for the opportunity to express my support.

Infinite George
Laborers Local 79 member





CONSTRUCTION AND GENERAL BUILDING LABORERS' LOCAL79

Date: June 21, 2021

Topic: Life Sciences, Committee on Economic Development

JOHN NORBURY
President

CHAZ RYNKIEWICZ
Vice President

WENDY WEBB
Recording Secretary

ANTHONY VITA
Secretary-Treasurer

MICHAEL PROHASKA
Business Manager

BERNARD CALLEGARI
Sergeant-at-Arms

ANTHONY WILLIAMSON
Auditor

KENNETH ROBINSON, JR.
Auditor

STEVE ANDUJAR
Auditor

BARRIE SMITH
Executive Board Member

LUIS MONTALVO
Executive Board Member

Good morning and thank you for the opportunity to testify before this committee. I am testifying on behalf of Construction & General Building Laborers' Local 79 to express our strong support for the growth and development of the life sciences industry as part of NYC's economic recovery.

Laborers Local 79, which serves the 5 boroughs, has over 10,000 active and retired members and is the largest Laborers' Local in North America. We believe our city will benefit from an industry poised to create tens of thousands of good-paying jobs that CUNY students, young people, and New Yorkers from disadvantaged backgrounds can be trained for. In addition, as you know this industry creates life-saving cures and treatments for diseases. That's why we support development projects focused on growing the life sciences industry, which can also improve the health of NYC's communities by building with union jobs that provide family health benefits.

One key life sciences development project city government should fully support is Center East – the planned expansion and renovation of the New York Blood Center on East 67th Street. The New York Blood Center is the leading supplier of blood to area hospitals and has worked for decades on life-saving cures and treatments for Sickle Cell and other diseases impacting Black New Yorkers and other New Yorkers of color. The development partner Longfellow is a top life science developer committed to thoughtful, inclusive development, building with union labor, and creating jobs for New Yorkers of color and low-income households. They have committed to working with Local 79 to ensure local residents from disadvantaged communities have access to careers both in union construction and in the life-sciences sector.

Opponents of this project complain that new people will crowd their space. We think that people like our members—New Yorkers of color, public housing residents, and immigrants—looking to work in the Upper East Side medical corridor, or simply to seek medical care, should be welcomed, not kept out and excluded. Center East can boost wages for residents of East Harlem, South Bronx, Queensbridge, and other neighborhoods hit hard by COVID.

City government cannot afford to allow opposition from wealthy elites to stand in the way of thousands of family-sustaining jobs for communities and life-saving cures and treatments. Thank you again for the opportunity to express our support.





June 21, 2021

To: New York City Council Committee on Economic Development

From: Eastsiders for Responsible Zoning

Re: Oversight Hearing on Life Sciences in New York City

Dear Chairman Paul Vallone and the members of the Committee on Economic Development.

My name is Bill Angelos, a representative of Eastsiders for Responsible Zoning. Our coalition was formed to advocate against the scheme to rezone the New York Blood Center building in Manhattan's Upper East Side, located on 310 East 67th Street between first and second Avenues.

Expanding the life science sector in the city is a worthwhile goal; not only will it help the city's economy recover from the pandemic, but the important work these companies and institutions do to contribute to the well-being of hundreds of thousands of individuals in New York, and even across the country, will be enhanced.

However, the project currently going through ULURP – by the New York Blood Center and its Boston-based private developer Long Fellow Real Estate Partners – would severely undermine the quality of life residents and students have enjoyed in our Upper East Side community for decades. Despite our repeated attempts to try and have our concerns addressed, we and the entire community have been ignored every step of the way.

In essence, what is being proposed would be equivalent to a 33-story commercial building, with a floor plate larger than the Empire State Building, in the middle of a residential block. It would even have a large LED light signage in the front, similar to what we see in Times Square.

Directly across the street from the building is a large school complex, called Julia Richman, and a popular park. If erected, the new building would create shadows over the school and park, ruining the natural light that residents and students need to live healthy lives and learn. Some of these students also have special needs, making the ambient light they receive all the more important.

We are also talking about a narrow, one-way block, where teachers and administrators at the school need to stop traffic to make sure students can get on and off the buses safely. When trucks deliver or pick up materials from the Blood Center, these vehicles already take up the entire block and no other traffic can get through. No answers have been provided as to how the developers plan to supposedly mediate the increased hazards that include crane's swinging steel beams or even more trucks coming onto the block to serve more companies as tenants in the planned new building.

At no point in this process did the Blood Center claim it needed more space. Instead the additional 250 feet of the 334 feet of the new proposed building would be managed and leased out by Longfellow, so this out of state developer can make money. That is, if they can find any tenant, because so far it has none.

Before ULURP began, the New York Blood Center was given several alternatives locations where they can build a new building and not even have to rezone the area. They were Long Island City, where Amazon was looking to build their headquarters and the Blood Center already has a building on Vernon Blvd; East Harlem, where the Proton Center is and is zoned for manufacturing; and Kips Bay, which is not far away from the Upper East Side and also already zoned for manufacturing. They also could have looked in the South Bronx where there is zoned space to build what they are proposing, and in Jamaica, Queens, where the federal Food and Drug Administration has a building and there are several manufacturing companies already in the area.

Ultimately, as the city decides to go forward with expanding its life science sector, the legitimate concerns of a community needs to be considered. At no point has the Blood Center or Longfellow made any changes to address our apprehensions about what they want to do. Instead, they have actually expanded the area where the rezoning would occur, including the building I live in, without any prior notification and without our approval.

We ask that those responsible for the projects aimed at expanding life science do not make proposals that would severely undermine residents' quality of life, like what we are seeing with the New York Blood Center, and instead figure out ways that they can truly enhance our economy and communities.

Thank you,

Bill Angelos
Eastsiders for Responsible Zoning

June 18, 2021

GEORGE M.
JANES &
ASSOCIATES

250 EAST 87TH STREET
NEW YORK, NY 10128

www.georgejanes.com

T: 646.652.6498
E: george@georgejanes.com

Testimony to New York City Council Economic Development Committee

My name is George Janes. I'm an urban planner.

In 2016, New York City had a problem. Investing in life sciences was a priority, but zoning for life science research labs was Use Group 17, an industrial land use, which made them hard to site. Consequently, Deputy Mayor Alicia Glen had a memo produced that effectively changed research labs to UG 9, allowing them in most commercial districts.

Also in 2016, the Department of Health changed the health code to require that research labs register because "*[t]he Department is concerned that an accident in a New York City-based high-containment research laboratory could have catastrophic consequences, . . .*"

This year, I FOILED the listing of registered research laboratories. DOHMH rejected the request because "*[t]o release the names and addresses of these facilities would constitute an untenable security risk, . . .*"

So, on one hand, NYC is making these uses easier to site, saying they can co-locate with residences and elementary schools. While on the other hand, NYC is saying that these facilities are too dangerous to even disclose, and an accident could cause catastrophic consequences.

I don't know a lot about this industry, but I do know that we do NOT make land use policy by decree. I also know that siting a facility that could cause catastrophic harm alongside sensitive uses is land use malpractice. Deputy Mayor Glen's memo changing where these facilities may be sited was improper. While the DOB interprets zoning, if they change their interpretation after 50 years, that's changing law, and if an agency wants to change law, they must involve City Council. Considering the potential "catastrophic consequences," I hope Council will require the administration to go back and follow our land use process if they want to change the law. Thank you.

Attachments:

Life Sciences in Commercial Zoning Districts memo
NYCDOHMH Notice of Adoption
NYCDOHMH FOIL rejection

Life Sciences in Commercial Zoning Districts

To: Alicia Glen, Deputy Mayor for Housing and Economic Development
From: DOB: Thomas Fariello, First Deputy Commissioner
DCP: Carl Weisbrod, Commissioner
EDC: Maria Torres-Springer, President
Subject: Life Sciences in Commercial Zoning Districts
Date: December 13, 2016

This memo summarizes the conclusions based upon discussion among the Department of Buildings (DOB), the Department of City Planning (DCP) (collectively, “the agencies”) and the Economic Development Corporation (EDC) about the zoning implications of life sciences research, testing, and development (“Life Sciences”) in commercial zoning districts.

- A. Scope of research and testing: As stated in ZR 32-18 (Use Group 9A), “*Medical or dental laboratories for research or testing, or the custom manufacture of artificial teeth, dentures or plates....*” are permitted in C2, C4, C5, C6, C8, M1, M2, and M3 districts. The agencies and EDC are in agreement that the synthesis and manipulation of chemical substances, biological matter, and animal models (as described further below) are integral activities in commercial medical laboratories devoted to research and testing, as referenced in ZR 32-18. Activities in these laboratories may also include the assembly of medical technologies, diagnostic devices, and research instrumentation for use in prototype experimentation, pre-clinical studies or clinical testing.
- B. Regulation of objectionable effects: ZR 32-18 further defines Use Group 9A as “*not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare or other objectionable effects*”. Due to regulatory guidelines at the city, state and federal levels, commercial life sciences laboratories are not permitted to conduct operations that pose danger of objectionable effects, as cited in ZR 32-18. These laboratories must be designed and certified by licensed professionals and are subject to the same guidelines followed by non-profit medical laboratories. Accordingly, the agencies and EDC understand that commercial medical laboratories do not carry objectionable effects if, as applicable, they meet the necessary environmental health and safety guidelines of agencies such as:
- a. Fire Department of New York (FDNY)
 - b. National Fire Protection Association (NFPA)
 - c. NYC Department of Health and Mental Hygiene (DOHMH)
 - d. NY State Department of Health (DOH)
 - e. NYC Department of Environmental Protection (DEP),
 - f. NY State Department of Environmental Conservation (DEC)
 - g. Environmental Protection Agency (EPA)
 - h. National Institutes of Health (NIH)
 - i. Center for Disease Control (CDC)

C. Representative facilities and operations: Pursuant to item A. above, early-stage life sciences research and development is typically performed in facilities that may include offices, meeting rooms, common pantries, and medical laboratory space. With specialized and appropriate mechanical, electrical, plumbing and ventilation systems, these commercial laboratories accommodate the safe operation of research and testing protocols, including but not limited to:

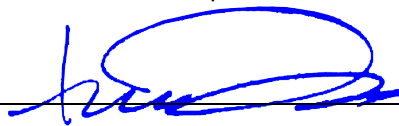
- Small-scale chemistry experimentation and synthesis
- Small-scale molecular biology and biotechnology experimentation or biological engineering
- Physical prototype development activities, such as 3D printing, assembly of devices or materials with medical or research applications
- Small animal husbandry for the production of animal testing models in pre-clinical trials

Such protocols constitute examples of pilot production activities that are integral to the principal use of research and testing, and meet the performance standards related to such principal use

D. Scope of principal use: The principal use of medical laboratories for research or testing may include research and development of technologies with commercialization potential or the development and piloting of processes to enable such research and development – e.g.:

- The creation and/or testing of therapeutics technologies, including but not limited to:
 - Small molecules
 - Biologics
 - Gene therapies
 - Cell therapies
 - Vaccines
- The creation and/or testing of non-therapeutics technologies, including but not limited to:
 - Mechanical/Electronic medical devices (e.g. prosthetics)
 - Diagnostic devices (e.g. EKG sensors)
 - Molecular diagnostics (e.g. genetic tests)
 - Treatment devices (e.g. intravenous pumps)
 - Research instrumentation (e.g. gene sequencing machines)
 - Bio-materials (e.g. artificial tissue)

E. Non-research life sciences facilities: Commercial life sciences establishments may also be seeking facilities primarily for the production, storage, and distribution of pharmaceutical or scientific products available for sale. The agencies and EDC are in agreement that these establishments are permitted to perform such activities in M-districts under Use Group 17, or in C6 districts by way of a Special Permit from DCP under ZR Section 74-48.



12/13/2016

Thomas Fariello, RA
First Deputy Commissioner
New York City Department of Buildings



12/13/2016

Maria Torres-Springer
President
New York City Economic Development Corporation



**Department of Health and Mental Hygiene
Board of Health**

**Notice of Adoption of
Amendments to Article 13 of the New York City Health Code**

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 13 of the New York City Health Code (the “Health Code”) was published in the City Record on March 25, 2016 and a public hearing was held on April 26, 2016. No one testified at the hearing, but five written comments were received. At its meeting on June 7, 2016 the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Background

The Charter provides the Department of Health and Mental Hygiene (the Department) with jurisdiction over all matters concerning health in the City of New York. The Department conducts disease surveillance and control activities for diseases reportable pursuant to Article 11 of the New York City Health Code (Health Code). The Department is also required to comply with various provisions of Part 2 of the New York State Sanitary Code, found in Title 10 of the Codes, Rules and Regulations of the State of New York (NYCRR), with respect to control of communicable diseases. Health Code Article 13 (“Clinical Laboratories”) requires clinical laboratories to report results of tests performed on human specimens to confirm or rule out a diagnosis. Clinical laboratories in New York State operate within parameters set by State Public Health Law and State Health Department rules, and are generally distinguishable from research laboratories, although both kinds of laboratories may be operated by institutions that both offer clinical care and conduct medical research.

“High-containment research laboratories” are facilities that store and handle infectious microorganisms or hazardous biological material and operate at biosafety level (BSL) 3 or 4, as defined by the US Centers for Disease Control and Prevention (CDC) and National Institutes for Health (NIH), in *Biosafety in Microbiological and Biomedical Laboratories* (BMBL), which delineates four BSLs based on the potential risks of working with infectious or hazardous agents.

Biosafety level 1 (BSL-1) is the basic level of protection and is appropriate for agents that are not known to cause disease in normal, healthy humans. Biosafety level 2 (BSL-2) is appropriate for handling moderate-risk agents that cause human disease of varying severity by ingestion or through percutaneous or mucous membrane exposure. Biosafety level 3 (BSL-3) is appropriate for agents with a known potential for aerosol transmission, for agents that may cause serious and potentially lethal infections and that are indigenous or exotic in origin. Exotic agents that pose a high individual risk of life-threatening disease by infectious aerosols and for which no treatment is available are

restricted to high containment laboratories that meet biosafety level 4 (BSL-4) standards.¹

Since 2001, hundreds of new high-containment research laboratories have been established in the United States. According to the U.S. Government Accountability Office (GAO), 1,495 BSL-3 and BSL-4 laboratories were registered with the Federal Select Agent Program (FSAP) in 2010 compared to 415 in 2004. This was considered an under-estimate, because it only addressed laboratories required to register with the FSAP.² With respect to those operating in New York City, the Department does not know when such facilities were or are being established, the total number operating in the City at any time, and the hazardous agents they store or handle.

Recent laboratory accidents, none of which occurred in New York City, have focused the Department's attention on this issue. In June and July 2014, CDC disclosed two potentially serious incidents involving H5N1 avian influenza³ and *Bacillus anthracis*,⁴ the bacterium that causes anthrax. A third incident at CDC involving an Ebola virus sample occurred in December 2014.⁵ In 2007, another potentially serious incident occurred at CDC when the main and backup power supplies failed during a lightning storm, shutting down the negative pressure system in a newly constructed, but not yet operational, BSL-4 laboratory.⁶

Two incidents in the past two years involving high-containment laboratories further demonstrate the potential public health risks stemming from research conducted in BSL-3 and BSL-4 laboratories. In November 2014, two primates in the Tulane National Primate Research Center were diagnosed with melioidosis, a severe disease of animals and humans caused by a potential biological threat agent, *Burkholderia pseudomallei*. The strain infecting the animals was identical to the strain used in a Tulane University laboratory registered with the FSAP. In March 2015, CDC and the U.S. Department of Agriculture's (USDA) Animal Plant Health Inspection Service (APHIS) concluded that a number of

¹ CDC (US) and NIH (US). Biosafety in Microbiological and Biomedical Laboratories. 5th ed. Washington (DC): Centers for Disease Control and Prevention (US) and National Institutes of Health (US). 2007; 409 p. Available from <http://www.cdc.gov/biosafety/publications/bmbl5/BMBL.pdf>

² GAO (US). High-Containment Laboratories: Assessment of the Nation's Need is Missing. Washington (DC): Government Accountability Office (US). 2013 Feb 25; 13 p. Report No.: GAO-13-466R. Available from <http://www.gao.gov/products/GAO-13-466R>

³ CDC (US). Report on the Inadvertent Cross-Contamination and Shipment of a Laboratory Specimen with Influenza Virus H5N1. 2014 August 15. <http://www.cdc.gov/about/pdf/lab-safety/investigationcdch5n1contaminationeventaugust15.pdf>

⁴ CDC (US). Report on the Potential Exposure to Anthrax. 2014 July 11. http://www.cdc.gov/about/pdf/lab-safety/Final_Anthrax_Report.pdf

⁵ CDC (US). Report on the Potential Exposure to Ebola Virus. 2015 February 4. <http://www.cdc.gov/about/pdf/lab-safety/investigation-into-dec-22-2014-cdc-ebola-event.pdf>

⁶ Government Accountability Office (US). High Containment Laboratories—National Strategy for Oversight is Needed. Washington (DC): Government Accountability Office (US); 2009 Sep. 99 p. Report No.: GAO-09-574. Available from <http://www.gao.gov/products/GAO-09-574>

biosafety deficiencies could have led to transmission of *B. pseudomallei* from the laboratory to the animals in the primate center.⁷

In May 2015, CDC started an investigation of a report that a U.S. Department of Defense high-containment laboratory might have inadvertently shipped live *B. anthracis* spores (the causative agent of anthrax) to a laboratory that was anticipating only deactivated spores. Ultimately, CDC concluded that this laboratory unknowingly shipped live *B. anthracis* spores on 575 separate occasions to laboratories worldwide over the course of a decade.⁸

As serious as these incidents have been, of even greater concern have been laboratory incidents over past decades that have caused outbreaks of contagious virus diseases, including smallpox, SARS, and foot and mouth disease.⁹ The Department is concerned that an accident in a New York City-based high-containment research laboratory could have catastrophic consequences, given the population density of nearly 70,000 per square mile in Manhattan and the many other areas of high population density throughout the City.

Work performed in a BSL-3 or BSL-4 facility would present the greatest potential risk to public health if an incident occurs. Research laboratories that handle biological agents and toxins and hold government contracts or grants are required to adhere to the BMBL. Most, but not all, of the agents that are stored and handled in high-containment research laboratories and that represent potential public health risks are regulated by the FSAP. Federal regulations require reporting of certain incidents involving select agents to the CDC and local, state and federal law enforcement agencies only; timely notification to local public health authorities of these incidents is not always required by the federal regulations. Federal agencies are also constrained from disclosing to local or state health departments which laboratories within a local jurisdiction are registered to handle and work with select agents. The Department has been informed by the CDC that, with the proper safeguards, information identifying the registered laboratories can be made available to the Department. However, no other information about these laboratories or the biological agents they work with would be regularly available from CDC.

Several federal agencies exercise varying degrees of oversight over academic and private high-containment research laboratories. CDC and USDA APHIS regulate laboratories working with certain biological agents and toxins that have the potential to pose a severe risk to public health and safety, known as “select agents,” pursuant to 42 CFR Part 73 (CDC regulations), and 9 CFR Part 121 and 7 CFR Part 331 (USDA regulations).

⁷ CDC (US). Conclusion of select agent inquiry into *Burkholderia pseudomallei* release at Tulane National Primate Research Center. 2015 Mar 13. Available from <http://www.cdc.gov/media/releases/2015/s0313-burkholderia-pseudomallei.html>

⁸ HHS (US). Testimony of Daniel M. Sosin, MD, MPH, FACP, before the Subcommittee on Oversight and Investigations, Committee on Energy and Commerce, U.S. House of Representatives. Review of Department of Defense Anthrax Specimens. 2015 Jul 28. Available from <http://docs.house.gov/meetings/IF/IF02/20150728/103816/HHRG-114-IF02-Wstate-SosinD-20150728.pdf>

⁹ Furmanski M. Threatened pandemics and laboratory escapes: self-fulfilling prophecies. Bulletin of the Atomic Scientists. 2014 Mar 31. Available from <http://thebulletin.org/rened-pandemics-and-laboratory-escapes-self-fulfilling-prophecies7016>

According to the GAO, “While some federal agencies do have a mission to track a subset of BSL-3 and -4 laboratories that work with select agents and know the number of those laboratories, no single regulatory agency has specific responsibility for biosafety in all high-containment laboratories in the United States.”⁶ If a laboratory is not working with a select agent or not operating with government funding or under a government contract, it is not bound by the federal regulatory scheme, and, unless there is applicable state or local law, a laboratory may be totally unregulated.

Because of this regulatory structure, the Department does not have any means of knowing the number of high-containment research laboratories operating in New York City, their locations, or the potentially hazardous biological agents that are stored and/or handled within them. Although clinical laboratories hold permits issued by the State Department of Health,¹⁰ non-clinical research laboratories storing and/or handling biological agents are not currently regulated by the City or State. They do not currently need to hold permits, notify local authorities of their existence, or report incidents of public health concern to the Department, such as loss or theft of agents or suspected transmission of diseases caused by agents stored and/or handled in the laboratories. Unless high-containment research laboratories that store or use biological agents that could potentially threaten public health are required to register with the Department, pre-event planning between the Department and laboratories to mitigate the public health risks and to protect public health cannot take place.

Several state and local US jurisdictions currently regulate research laboratories working with biological agents. In 1996, Connecticut, which had already required all laboratories to register and be inspected before conducting any examination, determination, or test, enacted additional reporting requirements specifically applicable to BSL-3 laboratories, requiring reporting of any infection or injury relating to work with such agents or resulting in recommendations that employees or members of the public be tested or monitored for potential public health problems.¹¹ Since 2002, Maryland has had a Biological Agent Registration Program, which is nearly identical to the FSAP. The Boston Public Health Commission adopted its Biological Laboratory Regulations in 2006. These regulations establish operational biosafety requirements and require permitting, inspections and reporting of human exposures and other incidents to the Commission in research laboratories that work with select agents and other “high risk agents,” as determined by the Commission’s director. In 2009, Cambridge, Massachusetts adopted biosafety laboratory regulations and formed the Cambridge Biosafety Committee to enforce them.

The Board of Health is amending Article 13 to require registration of and reporting by all high-containment research laboratories in New York City. The registration form will identify and provide the contact information of owners, managers, operators, and other persons responsible for biosafety and list the biological agents stored and/or used onsite. The amendment also requires registered laboratories to report to the Department any loss or theft of, or exposure by a person to, the biological agents of concern so that the Department can, if necessary, investigate and limit public health risks from these agents. Registered laboratories will also be required to report changes in the information in their registration forms that pertain to any select agent or high-risk agent of public health concern.

¹⁰ See, e.g., New York Public Health Law Article 5-Laboratories.

¹¹ CONN. GEN. STAT. §19a-31a; CONN. AGENCIES REGS. §§ 19a-36-A1 to A56.

Laboratories that are currently operating solely as clinical laboratories, blood and tissue banks and those that conduct recombinant DNA experiments pursuant to Title 5 of Article 5, or Articles 43-B or 32-A, of the New York Public Health Law are excluded from these registration and reporting requirements.

Statutory Authority

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rule-making authority. Section 556(c)(2) of the Charter authorizes the Department to “supervise the reporting and control of communicable and chronic disease and conditions hazardous to life and health...”

The proposal is as follows:

“Shall” and “must” denote mandatory requirements and may be used interchangeably unless otherwise specified or unless the context clearly indicates otherwise.

New material is underlined.

[Deleted material is in brackets.]

RESOLVED, that Section 13.01 of the New York City Health Code, set forth in Title 24 of the Rules of New York City is amended, to be printed together with explanatory notes, effective 180 days after adoption, to read as follows:

§13.01 [Definition] Definitions.

When used in this article [“laboratory”]:

(a) “Laboratory” or “clinical laboratory” [shall mean] means a facility, including a blood bank, regulated pursuant to Title 5 of Article 5 of the Public Health Law[, Title V, Article 5,] holding a permit issued by the New York State Department of Health, and operating in the City or testing a specimen taken from a City resident.

(b) “Research laboratory” means a laboratory used primarily for research, development, storage, examination or testing of one or more biological agents by or under the direct supervision of a technically qualified individual, but does not include: (i) clinical laboratories and blood banks holding permits issued pursuant to Title 5 of Article 5 of the Public Health Law; (ii) laboratories where recombinant DNA experiments are conducted pursuant to Article 32-A of the Public Health Law; (iii) tissue or organ banks holding permits issued pursuant to Article 43-B of the Public Health Law; and (iv) laboratory facilities operated by New York State or federal governments.

(c) “Biological agent” means an infectious microorganism or hazardous biological material, such as a bacterium, virus, fungus, parasite, or biological toxin that is associated with human disease.

(d) “High-containment research laboratory” means any research laboratory that operates at biosafety level 3 or biosafety level 4, as defined by the Centers for Disease Control and Prevention and National Institutes for Health in *Biosafety in Microbiological and Biomedical Laboratories*, or successor document available at <http://www.cdc.gov/biosafety/publications/bmbl5/BMBL.pdf>.

(e) “High-risk agent” means Middle East respiratory coronavirus (MERS-CoV), all *Mycobacterium tuberculosis* strains and any other biological agent that the Commissioner, upon notice, determines would be a severe risk to public health if released into the environment and could result in severe morbidity or high mortality.

(f) “Select agent” means a biological agent or toxin listed in 42 CFR §§ 73.3 or 73.4 or 9 CFR § 121.4, or any successor provisions, which requires laboratories that possess, use or transfer such agent to register with the Federal Select Agent Program, as described in 42 CFR Part 73, 9 CFR 121 and 7 CFR Part 331.

(g) “Exposure” means the ingestion, inhalation, inoculation, or contamination of skin or mucous membranes with a biological agent.

Notes: Section 13.01 was amended by resolution adopted by the Board of Health at its meeting on June 7, 2016, to be effective 180 days after adoption, to add definitions applicable to certain high-containment research laboratories.

RESOLVED, that Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of New York City, is hereby amended, to add new sections 13.11 and 13.13, effective 180 days after adoption, to be printed together with explanatory notes, to read as follows:

§13.11 High-containment research laboratories: registration.

(a) *Registration.* Every person operating a high-containment research laboratory in the City of New York must register such laboratory with the Department. Registrations will expire and must be renewed every three years. An entity or person registering with the Department must provide all the information requested by the Department on the registration form, including but not limited to:

(1) Name, address and other contact information for the officers or persons in control of the operating entity;

(2) Locations and biosafety level rating or ratings for each research laboratory operated by the registering entity;

(3) Name, title and contact information of at least two designated persons who are individuals at the research laboratory designated to submit to the Department the reports required by §13.13 of this Article,

provided that one such designated person is the manager or other person in control of the research laboratory biosafety committee; and

(4) A listing of all biological agents stored or used in each high-containment research laboratory at the time of registration. The listing must include the parent strain of the agent and any derivative strains identified by the high-containment research laboratory as having unique virulence or pathogenic potential.

(b) *New facilities.* Any person intending to operate a new high-containment research laboratory must register such laboratory according to this section before such laboratory commences operation.

(c) *Changes in registration information.* The registrant must notify the Department within thirty (30) calendar days of any changes to the information provided on the registration form that pertains to any select agent or high-risk agent.

Notes: Section 13.11 was added to Article 13 by resolution adopted by the Board of Health at its meeting on June 7, 2016 to be effective 180 days after adoption, to require registration by high-containment research laboratories keeping or working with certain biological agents that pose a risk to public health. High-containment research laboratories in operation on the effective date of the resolution must register with the Department no later than one hundred eighty (180) calendar days after the effective date.

§13.13 High-containment research laboratories; required reports.

(a) *Loss or theft of a biological agent.* No later than four hours after determining that there has been a theft or loss of a biological agent from a high-containment research laboratory, the laboratory operator or a person designated on the registration form of such laboratory must notify the Department of such theft or loss at a telephone number designated by the Department. Any theft or loss must be reported even if the lost or stolen biological agent is subsequently recovered and/or the responsible parties are identified. The following information must be provided:

(1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);

(2) The quantity or an estimate of the quantity of the biological agent that was lost or stolen;

(3) The time or an estimate of the time during which the theft or loss occurred;

(4) The location (building, room) from which the theft or loss occurred.

(b) *Exposure to or unintentional release of biological agents.* Within one hour of determining that a person may have been exposed to a biological agent stored or used in a high-containment research laboratory, or of any unintentional release of a biological agent, or of an illness associated with exposure to a biological agent used or stored in a high-containment research laboratory, the laboratory operator or a person designated on the registration form of such laboratory must notify the Department of the actual or

potential exposure at a telephone number designated by the Department. The following information must be provided:

- (1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);
- (2) An estimate of the number of persons potentially exposed to the biological agent in or by the research laboratory and within the entity;
- (3) An estimate of the quantity of biological agent that was released;
- (4) An estimate of the time and duration of the release of the biological agent;
- (5) The environment into which the biological agent was released (e.g., within vs. outside building, into a waste system);
- (6) The location (building, room) from which the release of the biological agent occurred;
- (7) Identification and contact information for all persons known to be exposed to the biological agent;
- (8) Actions taken to respond to the release of the biological agent; and
- (9) Hazards posed by the release of the biological agent.

(c) No requirement of this section affects any other obligation under any other law or regulation for a high-containment laboratory to report the loss, theft or release of a biological agent to any other law enforcement or regulatory agency.

(d) All information, records and reports required by this section shall be kept confidential, provided that the Commissioner may disclose to a city, state or federal agency information necessary to respond to an emergency after determining such an emergency exists.

Notes: Section 13.13 was added to Article 13 by resolution of the Board of Health adopted at its meeting on June 7, 2016, to be effective 180 days after adoption. The section requires reporting of incidents involving theft, loss, release of certain biological agents or exposure of persons to such agents.

RESOLVED, that the list of section titles in Article 13 of the New York City Health Code be, and the same hereby is, amended to be effective 180 days after adoption of this resolution, to be printed together with explanatory notes to read as follows:

ARTICLE 13 LABORATORIES

§13.01 [Definition] Definitions.

§13.03 Report of positive findings.

§13.05 Testing for tuberculosis.

§13.07 Reporting of Hemoglobin A1C.

§13.09 Neonatal herpes simplex specimens.

§13.11 High-containment research laboratories; registration.

§13.13 High-containment research laboratories; required reports.

Notes: Article 13 was amended by resolution of the Board of Health adopted at its meeting on June 7, 2016, to be effective 180 days after adoption of the resolution, to add new sections 13.11 and 13.13, requiring registration of high-containment research laboratories that work with certain biological agents and reporting of incidents involving loss or theft of, or exposures to such agents.

Subject: FOIL Control No. 2021FR00250 response
From: Bernadette O'Donnell <bodonnell1@health.nyc.gov>
Date: 5/7/2021, 5:44 PM
To: "George M. Janes" <george@georgejanes.com>
CC: Svetlana Burdeynik <sburdeyn@health.nyc.gov>

Dear Mr. Janes:

I apologize for the delay. The NYC Department of Health and Mental Hygiene denies your Freedom of Information Law (FOIL) request with the above-referenced control number. If released, the information you have requested could endanger the life or safety of any person and is therefore exempt pursuant to FOIL §87(2)(f).

As defined by the NYC Health Code, a high containment laboratory is "any research laboratory that operates at biosafety level 3 or biosafety level 4, as defined by the Centers for Disease Control and Prevention and National Institutes for Health in Biosafety in Microbiological and Biomedical Laboratories." The CDC describes laboratories with a biosafety level of 3 as appropriate "for agents that may cause serious and potentially lethal infections and that are indigenous or exotic in origin." A biosafety level of 4 is appropriate for "[e]xotic agents that pose a high individual risk of life-threatening disease by infectious aerosols and for which no treatment is available." <https://www.cdc.gov/labs/pdf/CDC-BiosafetymicrobiologicalBiomedicalLaboratories-2009-P.pdf> (page 4). To release the names and addresses of these facilities would constitute an untenable security risk, particularly after a year of living through the deadliest global pandemic in a century.

You may file a written appeal of this denial within 30 days of the date of this message. The appeal should be addressed to:

Chari Anhouse, Esquire
Appeals Officer & Associate General Counsel
recordsaccess@health.nyc.gov

The notice of appeal should include the request control number, the date of this letter, a description of the records that were the subject of the request, the specific legal grounds for your appeal, and the full name and address of the original requester.

I apologize again for the delay.

Sincerely,

Bernadette O'Donnell
Records Access Officer / Agency Attorney
NYC Department of Health and Mental Hygiene
42-09 28th St., CN 14-29
Long Island City, NY 11101

Sent from the New York City Department of Health & Mental Hygiene. This email and any files transmitted with it may contain confidential information and are intended solely for the use of the individual or entity to whom they are addressed. This footnote also confirms that this email message has been swept for the presence of computer viruses.

New York City Council

Committee on Economic Development

June 21, 2021

Good afternoon, Chair Vallone and members of the Economic Development Committee. My name is Sam Sia and I am the Founder of Harlem Biospace.

Harlem Biospace is an NYCEDC-sponsored initiative that opened its doors in 2013 as the first shared lab incubator in New York City. At the time, there was a lack of commercial lab space for startup companies – almost none in Manhattan. Because of NYCEDC's support, we opened up a shared wet-lab space to allow innovative companies to pursue new diagnostics, therapeutics, and medical devices, and to do so at an affordable rate of less than \$1000/month. We opened to a full roster of companies on day one, and have been full over the last 8 years of operation. We are proud to have incubated over 60 biotech companies that have raised many millions of dollars in investment.

Today, eight years later, the life-science landscape today is dramatically different. Not everyone is aware, but New York City is an international pillar in basic research in life sciences. The prestigious scientific journal Nature has ranked New York City #1 in the world in basic life-science productivity, but that basic research needs to be commercialized to improve health and medicine. I have worked with NYCEDC Life Sciences over the last eight years, and seen their efforts to open up more commercial lab spaces and attract leading life-science investors to the city. But there are still important needs for the life sciences community, such as growth spaces for medium-sized biotech companies, and mechanisms to share ideas and infrastructure across research centers.

With the pandemic, we are all aware that biotech innovation will be critical to sustain the health of people and communities. Biotech innovation is happening at a fast and furious pace, and it is a large and growing component of tomorrow's economy. New York City has all the ingredients – intellectual, people, capital, and a growing infrastructure – to be the #1 biotech city in the world. As such, the announcement that New York City is investing \$1 billion in LifeSci NYC is most exciting and timely. Thank you.

James Flynn Testimony in support of NYC EDC

To: City Council hearing on LifeSci NYC

Date: Monday, June 21

Time: 11 a.m. Committee on Economic Development

Approx. 2 minutes

- Good morning, it is a pleasure to be here with you today and share how Deerfield's Cure is driving important aspects of New York City's ascent in healthcare innovation.
- Deerfield has been advancing healthcare through investment, information, and philanthropy for more than 25 years.
- Today, because of our strong partnership with NYC, the Cure, NYC's new multidisciplinary Healthcare Innovation Campus located here at 345 Park Avenue South in Midtown Manhattan, was made possible.
- Backed by the experience, resources and strength of Deerfield, the flexible real estate of the *Cure* is more than just a physical space to collaborate. It empowers innovators through state-of-the-art technology and extensive programming. As examples, it fosters interactions to support nascent companies, provides professional development and opportunities to learn for entrepreneurs and managers and cultivates synergies between large and small healthcare companies.
- Each floor at the Cure is lab ready and digitally cabled in order to support all types of healthcare-focused companies.
- And with these 12 floors including the collaboration residency, a space where we all come together, Cure has capacity for at least 80+ companies. We are truly bringing together innovators across academia, government, private, and not-for-profit organizations – scientists, engineers, patients, students and researchers – within one campus to achieve the singular mission of revealing the innovative solutions to enable everyone to lead a healthy life.

- The Cure has five classrooms which can convert to a large hybrid-enabled conference space large enough for almost 500 people and will provide an egalitarian learning environment where one can be in the far Bronx or Brooklyn and have the same experience as sitting in the room.
- Through the programming, Women will feel heard and supported through initiatives such as Break Into the Boardroom and Women in Science — programs committed to addressing the gender gap in life science. And the collective diversity of the healthcare ecosystem will be adapted to reflect NYC's own population through programs like the Deerfield Fellow's program and companies such as Humanity Health.
- With the Cure's unique structure of having all stakeholders in one place it can pare for and not for profit efforts together to create unique opportunities for not-for-profits to benefit from the state-of-the-art technology. For examples, Deerfield Catalyst, the Cures' for profit medtech incubator will support CobiCure, a public charity focused on developing children's cardiovascular devices, that would not normally be able to make it to the market.
- We have a lofty goal with a powerful mission: During the next decade, we will create a life science and healthcare ecosystem based in NYC which will educate more than 100,000 people and include more than 500,000 members. Cure's start-ups are enabled to turn their innovations into reality. And our voices are amplified in a collective purpose — to end disease.

Draft for City Council Testimony

Morais Brown

6/21/21

Hello, I'm Morais Brown. I'm a Biochemistry PhD student at the Albert Einstein College of Medicine in the Bronx, and currently interning as an Analyst at Hibiscus BioVentures, a position I obtained through the LifeSci NYC Internship Program.

I'd like to thank the City Council for welcoming me today, as well as the New York City Economic Development Corporation for launching and supporting the internship program. Thank you, Carlo and Sue, as well as the rest of the LifeSci NYC Team.

I grew up in Brooklyn, New York, attending Brooklyn Technical High School, followed by Florida International University for my undergrad studies. I was thrilled to return home to New York City to attend Einstein.

For a long time, I felt that the way to have the largest impact on eliminating or at least stymying modern diseases was through scientific hard work by my own hands. This led to my decision to pursue a PhD in Biochemistry. Along my scientific journey, I became inspired by non-scientists like Elon Musk in the energy sector and Ken Frazier at Merck who have made impacts in their respective STEM fields without being the scientists themselves. Their work made me realize that, for my own goals, contributing to global improvement in health doesn't necessarily mean creating the effective drug. Expertise in other areas such as business development, market research, and marketing are necessary for that successful drug to have its largest global impact. I feel like LifeSci NYC recognizes this as well and seeks to provide interns with the opportunities needed to develop these skills.

As a science student, there are well marked pathways that guide one towards medical school or to pursue the research path via a PhD. However, at any level of science education, it is not always clear how to pursue other pathways within the life science industry, or even what many of those alternate pathways might be.

The LifeSci NYC Internship Program addresses this issue by providing New York City students with one place where they can learn about opportunities at dozens of companies -- many of them startups that would otherwise be under the radar. Then, via a single application, students can apply for these positions via a centralized process. I would not have known about most of the opportunities listed by the program without this setup, and these companies would not have known how to find me either.

Having gained my internship through the program, I have also had the opportunity to attend its 3-day Boot Camp, where I met and connected with many of the other 120+ students participating in the program this summer, and heard from industry leaders who presented on a range of important topics.

I feel that by participating in this internship program, I will develop a much more well-rounded skillset in my ultimate pursuit to eradicate the worst of the diseases affecting humanity -- AND I will get to do that here in New York City.

Thank you for supporting LifeSci NYC.

Testimony for 6-21-201 Economic Development Hearing

While we're all in favor of advancing medical research, facilities that work with dangerous pathogens and especially those requiring Biosafety Level 3 clearance should not be allowed in the midst of residential neighborhoods and/or near schools.

Whatever the upshot of the Wuhan Virology lab turns out to be, I urge you to read this impeccably documented and respectably sourced article on the history of lab leaks that have caused pandemics.

[https://thebulletin.org/2014/03/threatened-pandemics-and-laboratory-escapes-self-fulfilling-prophecies/?utm_source=Newsletter&utm_medium=Email&utm_campaign=MondayNewsletter03312014&utm_content=COVID_GainofFunctionTests_03312014&fbclid=IwAR3bPaiEvWYuprP-jchayJbpwwTA2Pt8yHIQI7AP_VUkNHWxuUTT-475oo\)](https://thebulletin.org/2014/03/threatened-pandemics-and-laboratory-escapes-self-fulfilling-prophecies/?utm_source=Newsletter&utm_medium=Email&utm_campaign=MondayNewsletter03312014&utm_content=COVID_GainofFunctionTests_03312014&fbclid=IwAR3bPaiEvWYuprP-jchayJbpwwTA2Pt8yHIQI7AP_VUkNHWxuUTT-475oo)

E-Line e-line@earthlink.net

June 21, 2021

NY Economic Development/ Life Science Initiative
New York Blood Center Comments

Dear Council Member and Presiding Chair, Keith Powers

I am on the Board of 301 East 66th Street the adjacent 200 unit condominium building immediately West to the proposed re-development of the NY Blood Center.

On behalf of the Board of the building, I would like to reiterate that we fully support the NY Blood Center as our neighbor to redevelop and rebuild their property within the existing zoning envelope. They have over and over showed that their space requirements can be met within the existing zoning regulations.

The Board also fully supports NYC life science initiative as discussed in the meeting. There will be the same number of union jobs created if the proposed life science Tower is built at any of the more appropriate sites offered by the City, or anywhere else. The opportunity for kids to work and get 'life science' experience will also be available in any of the alternate more appropriate locations. This is a chance to create a life science center in a location that otherwise would not have that opportunity.

This is NOT a NIMBY argument. The NY Blood Center's mid-block site on East 67th St., opposite Julia Richman Education Complex and St. Catherine's Park, in a residential neighborhood, is simply the wrong location for a 600,000 sf, 33 story equivalent, life science hub. 66th and 67th Street are both narrow one lane traffic streets that provide critical access from the major emergency medical centers (Weil/ Cornell, NY Presbyterian, HSS, and MSK) as well as a major East/West Bus route. The traffic implications of this size development mid-block will be nothing less than catastrophic.

Thank you for your consideration.

Anthony Barrett
Board Member
301 East 66th Street
NY NY 10065

The proposed Blood Center 334', 34 story tower, mid block on its small side street is directly across the street from the 2,000 students at Julia Richman Education Complex putting the schools in 100% darkness all day. Exactly what the existing 75' height zoning law protects against.

The tower's commercial sized mechanicals, on the roof and the 7th floor, include high velocity "enhanced" exhaust fans blowing contaminated air from its high risk labs experimenting with infectious, dangerous pathogens onto the schools and the adjacent St. Catherine's park.

The tower's four commercial sized loading bays on this side street, will receive seven trucks every hour transporting large quantities of high risk unidentified material and its subsequent waste.

This damage and safety risk to the kids at the school and in the park isn't necessary because there are so many available, appropriately zoned-for-life-sciences sites all over the City as per NYC's own website that identifies locations ready for life science development. They aren't next to a school or a park.

Importantly — all those sites would provide the same life sciences opportunities to our students.

Also, all those locations would expand life science hubs throughout the City in many districts, creating not only the same opportunities for kids, but also provide for the same union jobs, and spreading economic benefits throughout all our districts and our boroughs, no matter where the tower would be built. That is what our City needs.

If the Blood Center doesn't want to leave its E 67 St. address, it could demolish its building, build its own new life science building within the existing zoning law, (rather than the Longfellow Real Estate tower) and this, too, would provide the same opportunities to kids and of course, union jobs.

I have worked in medical research since 1997 starting out as a research technician in Boston and currently as a veterinarian here on the UES. I have lived and worked in this neighborhood over 6 years, and currently my 4 year old son and 4 year old daughter attend Pre-K at Ella Baker School, across E 67th St. from the NYBC. I understand the importance of the NYBC, their mission, and the need for the research ongoing, but I must stand up for the quality of life and education my children, and all neighborhood and school children, that would be negatively impacted by these rezoning efforts.

My children started their education during a pandemic. Initially it was alternating days at home in "Zoom school", and some days actually in school. They learned to wear masks all the time, and bundle up throughout the cold months even during in-school learning, to accommodate the opening of windows to help with ventilation. They hated going to school because it was unpredictable day to day, and they needed a set routine. I became frustrated thinking back to how I loved going to school when I was little. Why did they hate it? Fast forward to 2021 when they started going 5 days a week. Now they love school, have made great friendships with the other students, and talk lovingly of their teachers.

This new building will take ~5 years to build. That is longer than my children have been on this earth. How will that 5 years on top of the 1 year during the pandemic affect their development and their education? That is a very long time in the life of a child. Unfortunately all I can see are negatives for them and I don't want any of our children to be involved in this experiment. The noise pollution, especially if windows in classrooms are open every day, the air pollution; I've lived in apartment buildings during construction and the quality of the air is so poor you can see the wall paint blacken over time; the shadows in the park at the optimal time when children emerge from school to bee-line straight to the columpios (swings) in the park as my daughter calls them.

I would like to know if any of the NYBC employees live in this neighborhood and have children that play at St. Catherine's Park and/or go to school at JREC. How do they feel about this rezoning project? If they aren't directly affected, how do they think this will impact the children of the neighborhood and JREC schools? Are we supposed to find alternate places to live and go to school? That is the alternative I am facing. I do not want my children to suffer for the sake of the NYBC Tower. I work extremely hard to provide for my children and pay a pretty penny to live near my work and the high quality schools in this neighborhood. It will be hard to justify if this project is approved. At a time when families are already leaving the city, this will just add to the exodus.

There are several other reasons to oppose this project that others have eloquently laid out including the dangerous precedent this would set for other neighborhoods.

June 24, 2021

Dear Committee on Economic Development:

My child attends the Ella Baker School, one of 6 schools located in the Julia Richmond Educational Complex (JREC) at 317 East 67th Street. I have serious concerns about New York Blood Center-Longfellow's proposed 334' mid-block tower.

This particular proposal of the New York Blood Center to build a 334' mid-block tower will bring harm to the many students, now and in the future, who attend the JREC and who use St. Catherine's Park, which is across from this proposed Tower.

- The New York Blood Center is proposing to build a 334' Tower in its mid-block site which is zoned for buildings no higher than 75'.
- The proposed Tower would put JREC -- which currently enjoys full sunshine all day long -- into permanent darkness. Children need sunlight and the proposed Tower would take that away from them forever.
- The site of the proposed Tower is on what's already one of the busiest side streets in the city, with the school and MTA buses all day long. These crowded conditions already make it difficult for parents and students to navigate drop-off and pick-up safely and quickly.
- Students from all boroughs attend schools in the JREC. The proposed Tower would increase the number of people working at the site from 230 per day to over 2,600.
- The pollution from the construction would be harmful to all of the children in JREC and St. Catherine's Park.

Please consider how your actions will affect the students and families of the Julia Richmond Educational Complex.

Thank you for your time and consideration.

Sincerely,

Maryann Macias

Martin A. Bell
ICW Healthcare Ventures LLC
641 Lexington Avenue, 13th Floor
New York, NY 10022

June 23, 2021

Committee on Economic Development
New York City Council

Re: New York Blood Center:
Proposed Massive 334' Mid-Block Tower Opposite
Julia Richman Educational Complex and
St. Catherine's Park

Dear Chairperson Vallone and Committee Members,

I support life sciences.

I am an attorney, but for the past two decades I have worked in the field of life science research. Three weeks ago, I presented to the Coalition for Epidemic Preparedness (CEPI) about a pan-corona virus that my company is developing to prevent a future corona virus pandemic. I am a co-inventor of one of the leading cancer treatments being developed at the Mayo Clinic. And next week my company will be filing an application with the FDA for a clinical trial of a potential treatment for resistant hypertension which affects twice as many African Americans as sickle cell anemia.

While I support life sciences, I am violently opposed to the massive (floor plate larger than the Empire State Building), 334' mid-block Tower that the New York Blood Center is attempting to get approved by jumping on the life science bandwagon and partnering with a Boston developer to get a free new facility. Two decades ago, the very same Blood Center attempted to partner with a different developer to build a luxury condo tower on its site in exchange for a free new facility at the base of the tower. Now, with "life science" being the flavor de jure, the Blood Center is using a proposed life science tower as a Trojan Horse to get a free new facility. The filings with the City show that the Blood Center will occupy less space in the proposed Tower than it could build "as of right" within the current 75' mid-block zoning, but they would have to use their endowment and raise money for that, just like every other hospital and medical facility in the neighborhood has done, but the Blood Center pays its CEO more than \$1.8 million per year (more than the CEO of the American Red Cross and more than the CEO of Rockefeller University), so finding a scheme to get themselves a free new facility is music to their ears, which would be fine if it didn't also destroy a residential neighborhood and annually harm thousands upon thousands of school children from throughout the City.

As the Members of this Committee know, and as Ms. Rosenthal expertly testified, life science buildings can – and should! – be located in many locations.

But not every location.

If someone suggested putting a life science lab building on Liberty Island, you would think they were crazy.

The Blood Center's site on East 67th Street is just as crazy and should be dismissed just as quickly as you would if they were proposing to build next to Lady Liberty. The Blood Center mid-block site on East 67th Street is perhaps the worst possible site one could think of for a massive 334' Tower, and needs to be rejected.

The Blood Center mid-block site on East 67th Street is directly across the street from the Julia Richman Educational Complex ("JREC"). JREC is actually six different schools, including a "District 75" school for children with autism, a pre-K school with children as young as 3 months old, and one school for children who are recent immigrants to this country). JREC draws its total 2,000 plus students from throughout the City (the current student body includes students from 50 of the 51 City Council Districts). JREC currently basks in full natural sunlight throughout the school day. The proposed Blood Center Tower would throw JREC into permanent darkness, affecting the students attending the six schools there for generations to come. Please view this short video of several JREC principals explaining the devastating effect the proposed Blood Center Tower would have on the Julia Richman schools (which video is incorporated herein and deemed part of my filed testimony):
<https://www.youtube.com/watch?v=fqhtkVvGtYg>

In addition to stealing all sunlight from the six Julia Richman schools, the proposed 334' mid-block Tower would create horrendous traffic congestion on East 67th Street, making it difficult if not impossible for the school to function normally. East 67th Street is already one of the most crowded side streets in the City – with fleets of school buses bringing the 2,000 students to JREC from throughout the City, and with the M66 Crosstown Bus going down the Street up to fifteen times an hour (the M66 Crosstown Bus has won the Straphangers' "Pokey" Award as the slowest bus in the City, attesting to the already congested conditions along East 67th Street!). The proposed Blood Center Tower would increase the number of people working at the location each day from the present 230 to 2,630, an increase of 2,400 people per day, plus a proportionate increase in FedEx, Postal and United Parcel and other deliveries, and a similarly proportionate increase in visitors to the site. It only takes common sense to realize what this 10x increase in the number of people going to and from the Blood Center Tower each day would do to the already congested street! And, it needs to be pointed out, with a pre-K school with children as young as three months old, and a school for children with autism, many students need to be dropped off and picked up at the front door and not at the corner or a block or two away. With the 10x increase in traffic to the Blood Center site, it will impossible for students to get to school on time, destroying the consistency they need for a quality education.

Finally, the damage that the proposed Blood Center Tower would do to our students isn't confined to the Julia Richman schools. Adjacent to JREC is St. Catherine's Park, the only park north of the 59th Street Bridge and south of John Jay, between the River and Fifth Avenue. St. Catherine's is used by the students of JREC as well as the students of P.S. 183, directly across First Avenue from the Park, both for recess during the school day, and particularly in the afternoon once school is let out. The proposed Blood Center Tower would cast most of St. Catherine's Park in shadows for the full afternoon when the Park is most used by families with school-aged children (as well as when it's most used by local seniors). Please view this short video about the damaging consequences the proposed Blood Center Tower would have on St. Catherine's Park and the school children who use it (which video is also incorporated herein and deemed part of my filed testimony): <https://www.youtube.com/watch?v=51RkxsiX87Q>

The proposed Blood Center Tower is intended to include a Bio Safety Level 3 ("BSL3") Lab which is where research is done on very dangerous pathogens such as SARS-CoV-2, and should not be located so close to a large public school complex. The Blood Center attempts to justify the inclusion of a BSL3 Lab in the proposed Tower by saying that there is a BSL3 Lab in their current facility and they've never had a problem with any pathogens escaping the Lab. That response does not withstand close scrutiny. First, the current facility is relatively secure, with guests not allowed past the guard by the front door and the building occupied solely by Blood Center personnel. Compare that to the proposed Tower, which would have a café open to the public on the ground floor, with most of the Tower occupied by unrelated companies with no check on who comes or goes to those companies. Attesting to the dangers of the BSL3 Lab, when a land use consultant made a FOIL request to the City seeking the location of all BSL3 Labs in the City, he was told that they could not provide that information as it would risk national security, so having such a Lab in a relatively open facility just 60 feet across the street from a large Educational Complex seems to be unnecessarily putting our school children at grave risk. Additionally, since the Blood Center opened its BSL3 Lab, the CDC has issued (in 2013) the "Biosafety in Microbiological and Biological Laboratories" handbook which provides that a BSL3 Lab's "exhaust air [should be] dispersed away from occupied areas." Certainly a school with more than 2,000 students, plus hundreds of faculty and staff, should qualify as an "occupied area", which should make the inclusion of a BSL3 Lab just 60 feet from Julia Richman unacceptable under any circumstance. Finally, the Blood Center's statement that the BSL3 Lab is safe because there hasn't been an accident in 35 years doesn't mean we shouldn't be concerned about a future accident. Just last month, the Indian Point nuclear plant was shut down, and they never had an accident, but people were concerned about the possibility of a future accident at the plant which is just 75 miles from NYC, and, similarly, despite there never having been an accident at the Blood Center's current BSL3 Lab doesn't mean that we shouldn't be concerned about the possibility of there being an accident sometime in the future and an incredibly dangerous pathogen being released into the air directly across East 67th Street from the 2000 students at Julia Richman.

The proposed Blood Center Tower was unanimously opposed by Community Board 8. This is the first time in anyone's memory that the Community Board, which includes various pro-business, pro-development members, has ever voted unanimously against a development project. Listen for example, to Community Board Member Adam Wald at the April meeting of the

Zoning Committee say, “People who know me know I’m generally one of the more pro-development people on the Board, if not the most pro-development person on this Board, and this project makes no sense to me”: (at 2:00:50)

<https://www.youtube.com/watch?v=MGO7WoxcW-0> .

Finally, I want to respond to the public testimony of various union member who spoke at the Committee hearing on June 21st. They argued that the City needs the union jobs to build the proposed Blood Center Tower, and the high-paying life science jobs that would presumably be available with the companies that might someday occupy the proposed Tower (please note that the Tower is projected to take five years to build, so, forgetting the disruption that would cause to the Julia Richman schools and the neighborhood, also means that there is no guarantee that it will ever be occupied by life science companies, and, if the proposed rezoning is granted, the Tower could just as easily be used for a myriad of commercial or luxury residential uses, but with the same devastating impact of Julia Richman being cast into permanent darkness and most of St. Catherine’s being in shadow all afternoon). The issue is that this mid-block location opposite a school and a park is simply the wrong location for this project. It could be built in a much more appropriate location, including any of the three locations offered by the City in its 2018 NYC Life Science Initiative, and building the Tower in any of those locations would require the very same number of union laborers and would generate the very same number of high-paying life science jobs, so the complaints of those union members is a red-herring being pushed by the Blood Center’s high priced lobbyist. Like a magician doing some mis-direction, they want to take the focus off of the fact that the issue isn’t life science, it isn’t about development of life science labs, it’s that this mid-block location, on a congested side street opposite a school and a park, is just wrong.

You cannot say you are “for” school children and also support the proposed Blood Center Tower. The two are mutually exclusive.

I would request that his Committee qualify any support of life science projects by requiring that they take into account the direct impact of the project on the neighborhood where it’s being proposed and the sentiment of the community. It sounds so simple, “impact on the neighborhood” and “sentiment of the community”. If so, then you must reject the proposed Blood Center Tower.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink that reads "Martin A. Bell". The signature is written in a cursive, flowing style with a large initial 'M'.

Martin A. Bell

Ninon Rogers and Dan Truman
34-40 79th Street, #5F
Jackson Heights, NY 11372

Wednesday, June 23, 2021

Re: Letter in strong opposition to New York Blood Center-Longfellow proposed 334' mid-block Tower

To Whom It May Concern:

Our children attend the Ella Baker School, a Pre-K through 8th grade school, one of six schools located at the Julia Richmond Educational Complex (JREC) located at 317 East 67th Street. We are writing in opposition to the New York Blood Center/Longfellow Developers proposal to build a 334' Tower mid-block at the current Blood Center site on East 67th Street. The proposed Tower requires a significant exception to local zoning by at least 240 feet and will not only adversely affect students, neighbors, doctors, and medical staff at surrounding hospitals, but has failed to make any changes to their proposal in response to numerous public expressions of community concern.

Please consider the detrimental impact to all the students of the Julia Richmond Educational Complex (JREC) when considering the proposal for the 334' Tower as JREC is located directly across the street from the proposed mid-block site. Students from the ages of 2-19 come from all five boroughs and include high schoolers who have been in the country for less than four years and require English-as-a new-language services (Manhattan International) and students ages 12-15 who have autism, many of them severely (P226M Junior High Annex).

Please take seriously the drastic disruption in education the proposed 334' Tower would have on some of the most vulnerable of our city.

- The shadow from the proposed Tower would put JREC – which currently enjoys full sunshine all day long – into permanent darkness. Students need sunlight and the proposed Tower would take that away from them forever. It would also significantly decrease the amount of sunlight in the neighboring St. Catherine's park, enjoyed by not only students and teachers, but medical professionals working in the area and residents.
- Noise and changes in routine are proven to be disastrous for children with autism. The Tower's timeline of construction would dangerously disrupt the education and well being of the students of P226M Junior High Annex.
- The site of the proposed Tower is on what's already one of the busiest side streets in the city, with a cross-town bus route mingled with school buses all day long. These crowded conditions already make it difficult for families and students to safely get to drop-off and pick-up. The proposed Tower would increase the number of people working at and around the site from 230 per day to over 2,600.

Further, no reassurances have been given regarding the potential increased firefighting challenges and hazards posed by the proposed Tower which vastly exceeds the usual and customary building height for this neighborhood. No traffic impact assessment on response time has been offered and it is unclear what the effects will be to local Engine Company 39/Ladder 16.

The New York Blood Center and the Boston-based Longfellow developers have not worked with the community on this 334' Tower proposal. Despite numerous parent and neighbor concerns shared at community meetings, they have not altered the project in any way to take in community comments, input, or criticism shared with them over the course of the last year.

We support the work of the New York Blood Center and their pursuit for updated space for themselves for medical research. However, the 334' Tower proposal vastly exceeds their own needs and at too great a community cost. The New York Blood Center could build a new complex under the approved 75' zoning and have sufficient space for their offices and labs. They will only take up the first three floors of the proposed 334' Tower so they are not gaining anything from the additional vertical space other than a free building. And with an executive that makes upwards of \$1 million and little to no effort made on their part to fundraise for a smaller project, they are asking students, educators, doctors, and neighbors to sacrifice their well-being and education so they can have a free building.

Please consider how your actions will affect the students and families of the Julia Richmond Educational Complex and the surrounding neighborhood. The New York Blood Center can prosper and function in a building of reasonable size.

The children, their parents, and history are watching. Thank you.

Sincerely,

Ninon Rogers & Dan Truman

Subject: I strongly OPPOSE the proposed rezoning of the NY Blood Center

I strongly oppose the proposed rezoning of the New York Blood Center to allow the construction of a 334-foot-tall building between East 66th-67th Streets. This huge mid-block building will be vastly out of scale and completely out of character for this residential community. Additionally, it will cast enormous shadows on the surrounding area, including a school of 2500 students from all over the city, including a program for middle-school autistic students, and an active park where community children and elderly currently enjoy bright green space. This massive tower project is clearly harmful to our community and our children.

Additionally, the increased commercial tenancy will escalate local foot and automotive traffic, a problem further compounded by the fact that this affects one of the few vital crosstown bus routes and critical ambulance access to the surrounding hospitals. Additionally, the light pollution from the 24/7 operation of this massive tower will further harm the area.

The NY Blood Center has admitted that they could build their new facility, as of right, adhering to the mid-block 75' height restrictions, and it would actually provide more space than they need – 10% more - so it is clear that the Blood Center does not need this massive tower. But they are partnering with a developer who plans to build a 260' commercial life sciences tower on top of the Blood Center space, for a total building height of 334' on a mid-block currently zoned with height restrictions of 75'. If this dramatic up-zoning is permitted, it will be the first time that our protective R8B zoning would be breached since its inception 36 years ago – and it would be an extremely dangerous precedent for R8B midblock zoning throughout the city.

Several alternative sites which are much more appropriate for this research center project, than our densely-populated residential area, were offered by the City but the developer refused. All the suggested city-owned parcels are located in medical/life sciences areas so such a project would enhance the area as a life sciences hub, offering the local community valued jobs at all levels.

Furthermore, regardless of where throughout the city that this tower is constructed, it will provide construction jobs and local opportunities – it is

not appropriate for the current Blood Center site which is in a densely-populated residential area.

If the New York Blood Center proposal is approved, I am deeply concerned that it will hugely harm the neighborhood, by altering residential mid-block zoning to allow towering commercial space, with a size and height normally reserved for avenue locations. This proposal is truly 'zoning for dollars', and should be rejected.

Alida Camp

Testimony for New York City Council Hearing on Life Sciences, June 21, 2021

My name is Alida Camp. Although I was Chair of Community Board 8 when the Blood Center, in conjunction with Longfellow a for-profit developer, first brought the proposal for a 334' foot building to the Community Board, I am writing as a resident in Community District 8.

I write to support life sciences hubs in appropriate areas. They are good for the City economically, during construction and during operation. They are good for the City's students and interns to increase the value and excitement of STEM education. They are good for the City's reputation as a world-class research and academic center. They are good for luring scientific brains, with the enrichment they bring, to our City. New York City should be competing with other life science hubs.

I support the creation of New York City as a life sciences hub. However, life sciences facilities should be sited in areas that make sense for their construction and operation. As the DEIS for the Blood Center/Longfellow project makes clear, there will be hazardous materials, operation around the clock, and other negative impacts of the building on the residential community into which they want to cram this out-of-scale building.

While the Blood Center is an esteemed member of New York's science community, an expanded facility as a commercial venture does not belong in its residential location.

I oppose the Blood Center/Longfellow plan in no uncertain terms. The proposed building is inappropriate for the densest residential neighborhood in the City. The plan would place a building with for-profit laboratories working with hazardous materials across the street from St Catherine's Park, the only park within a one-half mile radius, and the Julia Richman Educational Complex ("JREC") housing six schools that serve children from pre-K through high school. The students include children with cognitive disabilities such as autism.

The proposed building would cast the Park and JREC in shadows, shadows that cannot be mitigated. The applicant recognizes the shadows, but stresses that it need consider only the shadow's impact on plants. While negative impacts will be persistent and permanent, accidents happen too.

The DEIS acknowledges use of toxins and radioactive materials. These require sophisticated ventilation and exhaust systems and equally sophisticated waste disposal. Indeed, the DEIS mentions two types of storage and disposal for radioactive waste—one where the radioactive waste has a short half-life (without defining short half-life) and one where the half-life is not short.

Do these belong across the street from JREC and adjacent to a residential building? No, I urge, not when the City is positioning itself as a life sciences hub, with facilities spread throughout the five boroughs.

The community supports the Blood Center. Indeed, it could build an as-of-right building that would give it more space than it would get in the project it, with Longfellow, seeks to build. We support modernization. But, should it be at the expense of the elderly and the children who use the Park and children that attend the school when there are three sites the City offered, and many other sites recognized by the Administration as suitable for life sciences construction?

Please consider that not all projects are suitable for all areas. The Blood Center/Longfellow applicant states that construction will not take much longer for the whole building than it would be for an as-of-right Blood Center re-build/modernization, meaning that construction workers will have jobs for years even were the Blood Center to build as-of-right. The Blood Center will continue to employ diversely. We would hope to see children of color given the opportunity for internships.

While New York City should strengthen as a life sciences center, it must include the needs of its residents in its plans.

The Mayor's recent press release announcing that the City is doubling its investment in life sciences did not include or mention either the Blood Center/Longfellow project or the Upper East Side. Let this be a suitable reminder that life sciences should be sited where appropriate.

David Jacoby
67-66 108th Street
Forest Hills, NY 11375

June 23, 2021

Re: Life Science Lab for Children at the JREC (New York Blood Center-Longfellow proposed 334' mid-block tower)

To Whom It May Concern:

Our son attends the Ella Baker School, one of 6 schools located in the Julia Richmond Educational Complex (JREC) at 317 East 67th Street. We would like to make a distinction regarding the benefit of building Life Science Labs in the city.

While Life Science Labs can benefit both students and union workers here in NYC, we are opposed to the particular proposal of the New York Blood Center to build a 334' mid-block tower that will bring harm to the many students, now and in the future, who attend the JREC and who use St. Catherine's Park, which is across this proposed Tower.

- The New York Blood Center is proposing to build a 334' Tower in its mid-block site which is zoned for buildings no higher than 75'
- The proposed Tower would put JREC -- which currently enjoys full sunshine all day long -- into permanent darkness. Students need sunlight and the proposed Tower would take that away from them forever.
- The site of the proposed Tower is on what's already one of the busiest side streets in the city, with the school buses all day long. These crowded conditions already make it difficult for parents and students to get to drop-off and pick-up. Students from all boroughs attend schools in the JREC. The proposed Tower would increase the number of people working at the site from 230 per day to over 2,600.

Please consider how your actions will affect the students and families of the Julia Richmond Educational Complex. Thank you.

Sincerely,

Beata & David Jacoby

June 21, 2021

NY Economic Development/ Life Science Initiative
New York Blood Center Comments

Dear Council Member and Presiding Chair, Keith Powers

I am on the Board of 301 East 66th Street the adjacent 200 unit condominium building immediately West to the proposed re-development of the NY Blood Center.

On behalf of the Board of the building, I would like to reiterate that we fully support the NY Blood Center as our neighbor to redevelop and rebuild their property within the existing zoning envelope. They have over and over showed that their space requirements can be met within the existing zoning regulations.

The Board also fully supports NYC life science initiative as discussed in the meeting. There will be the same number of union jobs created if the proposed life science Tower is built at any of the more appropriate sites offered by the City, or anywhere else. The opportunity for kids to work and get 'life science' experience will also be available in any of the alternate more appropriate locations. This is a chance to create a life science center in a location that otherwise would not have that opportunity.

This is NOT a NIMBY argument. The NY Blood Center's mid-block site on East 67th St., opposite Julia Richman Education Complex and St. Catherine's Park, in a residential neighborhood, is simply the wrong location for a 600,000 sf, 33 story equivalent, life science hub. 66th and 67th Street are both narrow one lane traffic streets that provide critical access from the major emergency medical centers (Weil/ Cornell, NY Presbyterian, HSS, and MSK) as well as a major East/West Bus route. The traffic implications of this size development mid-block will be nothing less than catastrophic.

Thank you for your consideration.

Anthony Barrett
Board Member
301 East 66th Street
NY NY 10065

I strongly oppose the proposed rezoning of the New York Blood Center to allow the construction of a 334-foot-tall building between East 66th-67th Streets. This huge mid-block building will be vastly out of scale and completely out of character for this residential community. Additionally, it will cast enormous shadows on the surrounding area, including a school of 2500 students from all over the city, including a program for middle-school autistic students, and an active park where community children and elderly currently enjoy bright green space. This massive tower project is clearly harmful to our community and our children.

Additionally, the increased commercial tenancy will escalate local foot and automotive traffic, a problem further compounded by the fact that this affects one of the few vital crosstown bus routes and critical ambulance access to the surrounding hospitals. Additionally, the light pollution from the 24/7 operation of this massive tower will further harm the area.

The NY Blood Center has admitted that they could build their new facility, as of right, adhering to the mid-block 75' height restrictions, and it would actually provide more space than they need – 10% more - so it is clear that the Blood Center does not need this massive tower. But they are partnering with a developer who plans to build a 260' commercial life sciences tower on top of the Blood Center space, for a total building height of 334' on a mid-block currently zoned with height restrictions of 75'. If this dramatic up-zoning is permitted, it will be the first time that our protective R8B zoning would be breached since its inception 36 years ago – and it would be an extremely dangerous precedent for R8B midblock zoning throughout the city.

Several alternative sites which are much more appropriate for this research center project, than our densely-populated residential area, were offered by the City but the developer refused. All the suggested city-owned parcels are located in medical/life sciences areas so such a project would enhance the area as a life sciences hub, offering the local community valued jobs at all levels.

Furthermore, regardless of where throughout the city that this tower is constructed, it will provide construction jobs and local opportunities – it is not appropriate for the current Blood Center site which is in a densely-populated residential area.

If the New York Blood Center proposal is approved, I am deeply concerned that it will hugely harm the neighborhood, by altering residential mid-block zoning to allow towering commercial space, with a size and height normally reserved for avenue locations. This proposal is truly 'zoning for dollars', and should be rejected.

Lydia Canizares

.....

Lydia Canizares
East 72nd Street
New York, NY. 10021

lydiacanizares@gmail.com

The proposed Blood Center's 334', 34 story commercial complex and tower, mid block on the small side streets of E. 67 and 66 sts., is directly across the street from the 2,000 plus students at Julia Richman Education Complex putting its 6 schools in 100% darkness all day; and putting the adjacent, crowded St. Catherine's park predominantly in shadow each afternoon. Exactly what the existing 75' height limit zoning law protects against.

The tower's commercial sized mechanicals, both on the roof and on the 7th floor, include high-velocity "enhanced" exhaust fans blowing contaminated air — at high speed from its risky labs which will experiment with infectious, dangerous pathogens — onto the schools and the park and this entire residential neighborhood. Precisely because these are small, narrow side streets, this air will be trapped and scatter slowly. Small side streets don't have the air flow found on wide avenues and in more open spaces. That combined with the increased temperature directly caused by the tower's height, will trap both the spewed-out air and the increased heat on these two narrow streets.

That is why commercial life science towers are not built on small side streets. They are on the City's East River, the Hudson River, wide avenues in commercial and manufacturing areas because those locations do not pose the health and safety risks to kids and residents that the Blood Center's development will.

The proposed tower's four commercial loading bays on the small side street, will receive seven commercial trucks every hour transporting large quantities of high risk unidentified material and its subsequent waste.

The noise from the tower's high velocity "enhanced" exhaust fans is also enhanced. It is loud and these fans run 24 hours a day; immediately across the small street from the 6 schools and the public park. The lights throughout the entire tower will be lit 24 hours a day, 7 days a week, shining electric light directly into the 6 schools even as it completely blocks all natural sunlight during the day and lights up the night all night as people are trying to sleep.

The damage and safety risk to the kids at the school and in the park, and to the people who live there should never be allowed to happen. That is why we have the protection of zoning law. And, it isn't even necessary because there is an embarrassment of riches of appropriately zoned-for-life-sciences sites, ripe for development all over the City as per NYC's very own website that identifies one after another specific location shovel ready for life science development. None — not one — is in a residential neighborhood. None is next to a school or a park or a public library as is this proposed development at this location.

And none of them would be built at the expense of children and people who live there.

Importantly — all those available sites would provide exactly the same life sciences career opportunities to our students, the same internships, the same science projects. Of course they would. These opportunities are not restricted to the 67th st. location.

Importantly — all those locations would expand life science hubs throughout the City equitably dispersed throughout many districts, providing the same union jobs and creating economic benefits throughout all our districts and our boroughs, (no matter where the tower would be built.) That is what our City needs; not trying to stuff a massive tower on a too-small-street that requires not only a huge rezoning to be allowed to do so, but multiple zoning waivers and amendments to zoning law.

Granting a rezoning is always supposed to thoroughly, honestly, and reasonably balance any destructive impact on the surrounding neighborhood with a demonstrated need and purpose of the applicant. The Blood Center has shown no such need or purposed because the benefits it wants from this rezoning can be achieved at any of the other ready and willing sites—three of which have already been offered to the Blood Center which it dismissed out of hand.

If the Blood Center doesn't want to leave its E 67 St. address, it could demolish its building, build its own new modern life science building within the existing zoning law, (rather than with a rezoned Longfellow Real Estate tower built on top of it) and this, too, would provide the same opportunities to students, and of course, union jobs.

Martin A. Bell
ICW Healthcare Ventures LLC
641 Lexington Avenue, 13th Floor
New York, NY 10022

June 23, 2021

Committee on Economic Development
New York City Council

Re: New York Blood Center:
Proposed Massive 334' Mid-Block Tower Opposite
Julia Richman Educational Complex and
St. Catherine's Park

Dear Chairperson Vallone and Committee Members,

I support life sciences.

I am an attorney, but for the past two decades I have worked in the field of life science research. Three weeks ago, I presented to the Coalition for Epidemic Preparedness (CEPI) about a pan-corona virus that my company is developing to prevent a future corona virus pandemic. I am a co-inventor of one of the leading cancer treatments being developed at the Mayo Clinic. And next week my company will be filing an application with the FDA for a clinical trial of a potential treatment for resistant hypertension which affects twice as many African Americans as sickle cell anemia.

While I support life sciences, I am violently opposed to the massive (floor plate larger than the Empire State Building), 334' mid-block Tower that the New York Blood Center is attempting to get approved by jumping on the life science bandwagon and partnering with a Boston developer to get a free new facility. Two decades ago, the very same Blood Center attempted to partner with a different developer to build a luxury condo tower on its site in exchange for a free new facility at the base of the tower. Now, with "life science" being the flavor de jure, the Blood Center is using a proposed life science tower as a Trojan Horse to get a free new facility. The filings with the City show that the Blood Center will occupy less space in the proposed Tower than it could build "as of right" within the current 75' mid-block zoning, but they would have to use their endowment and raise money for that, just like every other hospital and medical facility in the neighborhood has done, but the Blood Center pays its CEO more than \$1.8 million per year (more than the CEO of the American Red Cross and more than the CEO of Rockefeller University), so finding a scheme to get themselves a free new facility is music to their ears, which would be fine if it didn't also destroy a residential neighborhood and annually harm thousands upon thousands of school children from throughout the City.

As the Members of this Committee know, and as Ms. Rosenthal expertly testified, life science buildings can – and should! – be located in many locations.

But not every location.

If someone suggested putting a life science lab building on Liberty Island, you would think they were crazy.

The Blood Center's site on East 67th Street is just as crazy and should be dismissed just as quickly as you would if they were proposing to build next to Lady Liberty. The Blood Center mid-block site on East 67th Street is perhaps the worst possible site one could think of for a massive 334' Tower, and needs to be rejected.

The Blood Center mid-block site on East 67th Street is directly across the street from the Julia Richman Educational Complex ("JREC"). JREC is actually six different schools, including a "District 75" school for children with autism, a pre-K school with children as young as 3 months old, and one school for children who are recent immigrants to this country). JREC draws its total 2,000 plus students from throughout the City (the current student body includes students from 50 of the 51 City Council Districts). JREC currently basks in full natural sunlight throughout the school day. The proposed Blood Center Tower would throw JREC into permanent darkness, affecting the students attending the six schools there for generations to come. Please view this short video of several JREC principals explaining the devastating effect the proposed Blood Center Tower would have on the Julia Richman schools (which video is incorporated herein and deemed part of my filed testimony):
<https://www.youtube.com/watch?v=fqhtkVvGtYg>

In addition to stealing all sunlight from the six Julia Richman schools, the proposed 334' mid-block Tower would create horrendous traffic congestion on East 67th Street, making it difficult if not impossible for the school to function normally. East 67th Street is already one of the most crowded side streets in the City – with fleets of school buses bringing the 2,000 students to JREC from throughout the City, and with the M66 Crosstown Bus going down the Street up to fifteen times an hour (the M66 Crosstown Bus has won the Straphangers' "Pokey" Award as the slowest bus in the City, attesting to the already congested conditions along East 67th Street!). The proposed Blood Center Tower would increase the number of people working at the location each day from the present 230 to 2,630, an increase of 2,400 people per day, plus a proportionate increase in FedEx, Postal and United Parcel and other deliveries, and a similarly proportionate increase in visitors to the site. It only takes common sense to realize what this 10x increase in the number of people going to and from the Blood Center Tower each day would do to the already congested street! And, it needs to be pointed out, with a pre-K school with children as young as three months old, and a school for children with autism, many students need to be dropped off and picked up at the front door and not at the corner or a block or two away. With the 10x increase in traffic to the Blood Center site, it will impossible for students to get to school on time, destroying the consistency they need for a quality education.

Finally, the damage that the proposed Blood Center Tower would do to our students isn't confined to the Julia Richman schools. Adjacent to JREC is St. Catherine's Park, the only park north of the 59th Street Bridge and south of John Jay, between the River and Fifth Avenue. St. Catherine's is used by the students of JREC as well as the students of P.S. 183, directly across First Avenue from the Park, both for recess during the school day, and particularly in the afternoon once school is let out. The proposed Blood Center Tower would cast most of St. Catherine's Park in shadows for the full afternoon when the Park is most used by families with school-aged children (as well as when it's most used by local seniors). Please view this short video about the damaging consequences the proposed Blood Center Tower would have on St. Catherine's Park and the school children who use it (which video is also incorporated herein and deemed part of my filed testimony): <https://www.youtube.com/watch?v=51RkxsiX87Q>

The proposed Blood Center Tower is intended to include a Bio Safety Level 3 ("BSL3") Lab which is where research is done on very dangerous pathogens such as SARS-CoV-2, and should not be located so close to a large public school complex. The Blood Center attempts to justify the inclusion of a BSL3 Lab in the proposed Tower by saying that there is a BSL3 Lab in their current facility and they've never had a problem with any pathogens escaping the Lab. That response does not withstand close scrutiny. First, the current facility is relatively secure, with guests not allowed past the guard by the front door and the building occupied solely by Blood Center personnel. Compare that to the proposed Tower, which would have a café open to the public on the ground floor, with most of the Tower occupied by unrelated companies with no check on who comes or goes to those companies. Attesting to the dangers of the BSL3 Lab, when a land use consultant made a FOIL request to the City seeking the location of all BSL3 Labs in the City, he was told that they could not provide that information as it would risk national security, so having such a Lab in a relatively open facility just 60 feet across the street from a large Educational Complex seems to be unnecessarily putting our school children at grave risk. Additionally, since the Blood Center opened its BSL3 Lab, the CDC has issued (in 2013) the "Biosafety in Microbiological and Biological Laboratories" handbook which provides that a BSL3 Lab's "exhaust air [should be] dispersed away from occupied areas." Certainly a school with more than 2,000 students, plus hundreds of faculty and staff, should qualify as an "occupied area", which should make the inclusion of a BSL3 Lab just 60 feet from Julia Richman unacceptable under any circumstance. Finally, the Blood Center's statement that the BSL3 Lab is safe because there hasn't been an accident in 35 years doesn't mean we shouldn't be concerned about a future accident. Just last month, the Indian Point nuclear plant was shut down, and they never had an accident, but people were concerned about the possibility of a future accident at the plant which is just 75 miles from NYC, and, similarly, despite there never having been an accident at the Blood Center's current BSL3 Lab doesn't mean that we shouldn't be concerned about the possibility of there being an accident sometime in the future and an incredibly dangerous pathogen being released into the air directly across East 67th Street from the 2000 students at Julia Richman.

The proposed Blood Center Tower was unanimously opposed by Community Board 8. This is the first time in anyone's memory that the Community Board, which includes various pro-business, pro-development members, has ever voted unanimously against a development project. Listen for example, to Community Board Member Adam Wald at the April meeting of the

Zoning Committee say, “People who know me know I’m generally one of the more pro-development people on the Board, if not the most pro-development person on this Board, and this project makes no sense to me”: (at 2:00:50)

<https://www.youtube.com/watch?v=MGO7WoxcW-0> .

Finally, I want to respond to the public testimony of various union member who spoke at the Committee hearing on June 21st. They argued that the City needs the union jobs to build the proposed Blood Center Tower, and the high-paying life science jobs that would presumably be available with the companies that might someday occupy the proposed Tower (please note that the Tower is projected to take five years to build, so, forgetting the disruption that would cause to the Julia Richman schools and the neighborhood, also means that there is no guarantee that it will ever be occupied by life science companies, and, if the proposed rezoning is granted, the Tower could just as easily be used for a myriad of commercial or luxury residential uses, but with the same devastating impact of Julia Richman being cast into permanent darkness and most of St. Catherine’s being in shadow all afternoon). The issue is that this mid-block location opposite a school and a park is simply the wrong location for this project. It could be built in a much more appropriate location, including any of the three locations offered by the City in its 2018 NYC Life Science Initiative, and building the Tower in any of those locations would require the very same number of union laborers and would generate the very same number of high-paying life science jobs, so the complaints of those union members is a red-herring being pushed by the Blood Center’s high priced lobbyist. Like a magician doing some mis-direction, they want to take the focus off of the fact that the issue isn’t life science, it isn’t about development of life science labs, it’s that this mid-block location, on a congested side street opposite a school and a park, is just wrong.

You cannot say you are “for” school children and also support the proposed Blood Center Tower. The two are mutually exclusive.

I would request that his Committee qualify any support of life science projects by requiring that they take into account the direct impact of the project on the neighborhood where it’s being proposed and the sentiment of the community. It sounds so simple, “impact on the neighborhood” and “sentiment of the community”. If so, then you must reject the proposed Blood Center Tower.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink that reads "Martin A. Bell". The signature is written in a cursive, flowing style with a large initial 'M'.

Martin A. Bell