

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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January 23, 2017  
Start: 1:07 p.m.  
Recess: 2:25 p.m.

HELD AT: 250 Broadway - Committee Rm.  
14<sup>th</sup> Fl

B E F O R E: COSTA G. CONSTANTINIDES  
Chairperson

COUNCIL MEMBERS: Stephen T. Levin  
Rory I. Lancman  
Donovan J. Richards  
Eric A. Ulrich

## A P P E A R A N C E S (CONTINUED)

Eric Landau, Deputy Commissioner  
Public Affairs and Communication  
NYC Department of Environmental Protection

Angelo Delillo, Director  
Capital Program Management  
Bureau of Water and Sewer Operations  
NYC Department of Environmental Protection

Eric McFarlane, Deputy Commissioner  
Department of Design and Construction  
NYC Department of Environmental Protection

William Scarborough  
Addison Park Civic Organization  
Also appearing for Andrea Scarborough

NYC Environmental Justice, NEJA

Kim Lawton, President  
Spring Jam Block Association

Veronica Hicks, Secretary  
Spring Jam Block Association

Louise Talbert, Treasurer  
Spring Jam Block Association



2 [sound check, pause]

3 CHAIRPERSON CONSTANTINIDES: Good

4 afternoon. I am Costa Constantinides, Chair of the  
5 Environmental Protection Committee, and today the  
6 committee will hold a hearing on Intro 1189, a Local  
7 Law in relation to flood mitigation in Southeast  
8 Queens sponsored by Chair Emeritus and a good friend  
9 from Queens Donovan Richards. There is a chronic  
10 longstanding flooding problem in Southeast Queens  
11 affecting over 400,000 city residents. The area has  
12 more 311 flooding and confirmed sewer backup  
13 complaints than any other area of the city in certain  
14 neighborhoods including Rosedale, Springfield  
15 Gardens, St. Albans, Jamaica, Queens Village and Far  
16 Rockaways experience recurring flooding conditions.  
17 In these neighborhood water floods streets,  
18 buildings, businesses and homes. There are a few  
19 factors contributing to the extraordinary flooding  
20 problem in Southeast Queens. Post World War II  
21 commercial and residential development in Southeast  
22 Queens outpaced the extensions of city sewer systems  
23 and many neighborhoods in the area are not equipped  
24 with storm sewers or catch basins to manage and drain  
25 the precipitation from roadways. In addition to

1 this, the ground water level in Southeast Queens is  
2 relatively close to the ground—to the ground surface  
3 and is rising. Prior to 1996, the Old Jamaica Water  
4 Supply Company pumped millions of gallons of water  
5 everyday out of the 68 wells to supply drinking water  
6 to Southeast Queens. In 1996, this groundwater  
7 pumping ended due to high cost association with  
8 operating the wells and treating the water to make it  
9 potable. The City bought the company and its wells  
10 and gradually began shutting them down transitioning  
11 Southeast Queens to—to drinking water from Upstate  
12 Reservoirs. Since the pumping ended, the groundwater  
13 level has significantly risen. According to reports,  
14 2012, the New York State Department of Environmental  
15 Conservation, DEC, temporarily pumped groundwater  
16 from Station 24 in Jamaica, which provide some relief  
17 to flooding in the area, but this pumping ceases and  
18 the flooding problems continued. In April of 2015,  
19 Mayor de Blasio's administration released One—OneNYC  
20 the Plan for a Strong and Just New York City, which  
21 is the city's comprehensive Sustainability Plan. The  
22 plan includes the initiative to alleviate flooding in  
23 Southeast Queens. According to OneNYC, the city's  
24 plan to alleviate flooding in Southeast Queens will  
25

2 consist of intensive and accelerated long-term sewer  
3 buildout, a complement to the innovative site's  
4 specific solution, such as Blue Belts and green  
5 infrastructure. In March 2016 during a preliminary  
6 budget hearing held by this committee, DEP officials  
7 testified that the department planned to spend \$1.5  
8 billion on measures to reduce flooding in Southeast  
9 Queens by pairing traditional sewer construction with  
10 green infrastructure throughout the region. It was  
11 very much welcomed, and thank you, Council Member.  
12 Big kudos goes to Council member Richards for making  
13 that happen. Southeast Queens communities have  
14 struggled with flooding and sewer backups in homes  
15 and business for decades with little relief. The  
16 Mayor's plans are intended to and hopefully will  
17 finally bring some relief to these flood burdened  
18 communities. Now, let's hear from Council Member  
19 Richards on this legislation, and then we look  
20 forward to hearing from the Administration.

21 COUNCIL MEMBER RICHARDS: Thank you, Mr.  
22 Chairman, and I just want to say you must have some  
23 psychic abilities because you planned this hearing on  
24 a perfect day [laughter] when a Nor'easter is coming  
25 and winds are going to be high, you just could not

2 write this script, and I want to thank you for your  
3 leadership. And more importantly, not forgetting  
4 about Southeast Queens, and I know my constituents  
5 are deeply appreciative of—of your leadership and—and  
6 your—the work you've done around climate change and  
7 in particular our community. I'm here today as the  
8 prime sponsor of Intro 1198 and as a representative  
9 of Laurelton, Springfield Gardens in the Rockaways.  
10 Today, it is an honor to have legislation that would  
11 directly impact our communities. For decades  
12 residents of Southeast Queens have lived with the  
13 fact that a slight rain could end—end in their home  
14 being flooded, but in 2015, a historic 10-year plan  
15 by Mayor de Blasio committed \$1.5 billion more close  
16 to \$1.7 billion to build out a sewer system that  
17 never caught up with the population growth in the  
18 area. And don't ask me why homes were built in the  
19 first without infrastructure being put in, but that's  
20 another story for another day. Year after year  
21 homeowners have been forced to swallow flood—flooded  
22 lawns, streets and basements because proper drainage  
23 was never built for our communities. Administration  
24 after administration ignored their pleas for help.  
25 Thankfully, this administration answer the call and

2 came up with a real solution, that no plan will  
3 provide immediate solution for decades of systematic  
4 neglect, but several projects in the plan have  
5 already been completed and many more are in the  
6 process and I want to thank you. I know Twin Ponds  
7 is finishing up now. We're moving to Hook Creek  
8 Boulevard. That is why we are here today. This bill  
9 will ensure that the plan is implemented in a timely  
10 fashion, and the community can be updated on the  
11 progress on a regular basis. I've held several  
12 meetings in my district with the Department of  
13 Environmental Protection. I want to thank the  
14 Commissioner and then all and the Eric and all those  
15 who are involved everyday with listening and coming  
16 out and actually hitting the ground, and I know Karen  
17 is not here today as well, and I want to give her a  
18 special thanks for really being responsive to our  
19 community. Having a publicly available plan with a  
20 specific timeline for implementation and annual  
21 performance miles-milestones will allow the city to  
22 be more transparent with its residents and allow  
23 homeowners to check their status whenever they like  
24 rather than waiting for us to arrange a meeting or  
25 hearing through the grapevine that something is

2 coming down the pipeline. I'd like to send a special  
3 thank you to former DEP Commissioner Emily Lloyd, who  
4 took this issue seriously, rolled up her sleeves and  
5 spearheaded this huge undertaking and, of course,  
6 thank you to Mayor Bill de Blasio for delivering this  
7 victory to Southeast Queens as well as my colleagues  
8 Council Members Miller, Ulrich and Wills who  
9 introduced this legislation along with me and the  
10 Chairman. I'd like to also thank Samara Swanston and  
11 Bill Murray, the heart and soul of this great  
12 committee, and my Legislative Director Jordan Gibbons  
13 and, of course, we're joined by a few community  
14 people who really have—we would not gotten to this  
15 point although I give credit for this. It was really  
16 their shoulders I stand on and know we're joined—  
17 joined by Bill Scarborough today, Andrea Scarborough.  
18 I see Spring Jam Kim Lawton and her crew here, the  
19 community board, and I want to thank all of them for  
20 really fighting many years to get to this point, and  
21 we look forward to more progress as we move forward.  
22 With that being said, I'll turn it back over to our  
23 Chairman. Thank you, Mr. Chair.

24 CHAIRPERSON CONSTANTINIDES: Thank you,  
25 Council Member Richards and thank you for your

2 continued leadership, and with that, I'll turn it  
3 over to Eric Landau and—and DEP. Look forward to  
4 hearing from you.

5 DEPUTY COMMISSIONER LANDAU: Thank you.

6 [coughs] Good afternoon, Chairman Constantinides and  
7 members of the committee. I am Eric Landau, Deputy  
8 Commissioner of Public Affairs and Communication for  
9 the New York City Department of Environmental  
10 Protection. With me this afternoon is Angelo  
11 Delillo, Director of Capital Program Management in  
12 our Bureau of Water and Sewer Operations. We're also  
13 joined today by Deputy Commissioner Eric Farlane, as  
14 well as other members of DEP and DDC. Eric is Deputy  
15 Commissioner at the Department of Design and  
16 Construction. Thank you for the opportunity to  
17 testify on mitigation and flooding in Southeast  
18 Queens and Introduction 1198. As the committee well  
19 knows, and as you both acknowledged in your opening  
20 remarks, for many decades the residential development  
21 of Southeast Queens outpaced the buildouts of  
22 critical support infrastructure including catch  
23 basins and storm sewers. As a result, many parts of  
24 the neighborhood suffer chronic roadway flooding and  
25 ponding during rain storms. In 2015, Mayor de Blasio

2 announced the OneNYC Plan, which among others  
3 included the goal to reduce the risks of flooding in  
4 the most affected communities. As part of the FY16  
5 Ten-Year Capital Budget, Mayor de Blasio allocated  
6 \$1.5 billion specifically to address flooding in  
7 Southeast Queens, which has been subsequently  
8 increased to a total of \$1.7 billion. Last month,  
9 DEP's Acting Commissioner Vincent Sapienza joined  
10 Council Member Richards to provide and update to  
11 local community residents and civic association  
12 leaders on our comprehensive plan, which includes a  
13 significant amount of green infrastructure, blue  
14 belts, trunk sewers and early action sewer  
15 connections. In addition the department continues to  
16 engage the community on steps that members of the  
17 public can also take to mitigate flooding and better  
18 protect their property. As the committee knows,  
19 green infrastructure uses the natural technique to  
20 detain, retain and absorb rainwater before it becomes  
21 a flooding problem in the street or on someone's  
22 property. The most notable type of green  
23 infrastructure is curbside rain garden commonly known  
24 as a bioswale, which looks like an enlarged and  
25 densely planted tree pit, but is designed with

specific plant species known to soak up a significant amount of water. And is engineered below grade to retain and infiltrate storm water. Rain gardens intercept storm water coming down the street preventing it from going into the sewer system. In addition, they provide other hugely important environmental benefits, including air quality and greening of the streets. DEP is proud to be partnering with the Department of Transportation, the Parks Department, the School Construction Authority, NYCHA and DDC on green infrastructure in Southeast Queens. We estimate that this work will result in the buildout of 200 curbside rain gardens as well as other green infrastructure investments at four city parks, two public schools, and two NYCHA developments. In addition, we're building blue belts to help manage storm water at Springfield Lake, Baisley Pond, Twin Ponds, and Brookville Triangle.

The bulk of the current funding, over \$900 million will go towards the construction of large trunk sewer spines on 150<sup>th</sup> Street, Guy Brewer Boulevard, the Farmers Boulevard and Springfield Boulevard. This work will take place through 18 separate projects, the first breaking ground as early

2 as next year. These projects will install and  
3 replace over 16 miles of storm sewers, five miles of  
4 combined sewers, seven miles of sanitary sewers and  
5 21 miles of water mains. In addition, over \$500  
6 million of current funding is dedicated to what we  
7 refer to as early action sewers. Early action sewers  
8 comprise neighborhood sewer construction projects as  
9 well as short sewer extension projects. Both—both of  
10 which will provide relief. Please not that we've  
11 broken ground on some of these projects already with  
12 more to begin construction this year and next. And  
13 members, we've provided a map of community boards 12  
14 and 13 what we commonly refer to as the Southeast  
15 Queens Plan that shows where this work is taking  
16 place. It also shows how we've done the analysis by  
17 breaking up Southeast Queens into a number of grids  
18 and prioritizing those into the 50 most needed to be  
19 addressed grids primarily based on complaints that we  
20 received a five-year period.

21 In addition to the new infrastructure,  
22 DEP has been working closely with elected officials,  
23 community boards, civic associations and local  
24 schools to discuss specific ways that homeowners can  
25 help alleviate flooding conditions. Attached to my

1 testimony today for each of you is a copy of our  
2 Homeowner's Guide to Rain Event Preparedness, which  
3 includes six specific things the property owners can  
4 consider. For example, check valves, softening of  
5 property or clearing nearby catch basins. In  
6 addition, we've done extensive outreach in education  
7 both in public schools and door-to-door in over  
8 50,000 homes in Southeast Queens about the proper  
9 disposal of grease, which is by far the leading cause  
10 of confirmed sewer backups across the city. We've  
11 provided all of you with some of the examples of the  
12 grease materials that we distribute broadly to homes  
13 and communities around the city.

15 Turning now to the specifics of Intro  
16 1198, which requires DEP to publicly publish our plan  
17 to address chronic flooding conditions in Southeast  
18 Queens what we commonly call the Southeast Queens  
19 Plan, and to report on our progress annually. While  
20 we do not object to the requirements in this  
21 legislation as currently drafted, we have a couple of  
22 key points simply for the committee's awareness.  
23 [coughs] First, it's worth mentioning that DEP  
24 reports on this, and all capital work regularly.  
25 Even prior to the announcement of the \$1.7 billion in

2 funding, we've been meeting regularly with all  
3 Southeast Queens elected officials and Community  
4 Boards 12 and 13 to provide an update on the plan and  
5 our progress. In addition, we regularly provide  
6 community briefings similar to the one Acting  
7 Commissioner Sapienza provided last month to  
8 community leaders. DEP as well as DDC, which  
9 oversees the design and construction of this work,  
10 submits progress information through the Mayor's  
11 Management Report, and both report on projects at the  
12 borough budget consultations as well as borough board  
13 and Community District Service cabinet meetings.  
14 Finally, we report annually on the progress of all of  
15 our capital work in both our Preliminary Budget  
16 testimony in March and our Executive Budget testimony  
17 in May. Second, this legislation currently includes  
18 Community District 14 in the reporting requirements.  
19 While we are very aware of the flooding conditions in  
20 Community District 14, often they are more severe by  
21 the low lying nature of the Rockaways and Broad  
22 Channel. The Southeast Queens Plan and the  
23 associated \$1.7 billion in funding has been specific  
24 to Community Boards 12 and 13. Now, all of this is  
25 not to say that Community District 14 does not need

2 capital infrastructure investment. Nor is it to say  
3 that DEP is not doing work there. In fact, included  
4 in our Ten-Year Capital Budget is another \$188  
5 million for sewer projects specifically in Community  
6 District 14. We just want to continue to be clear  
7 that these projects are separate from what we  
8 commonly refer to as the Southeast Queens Plan, and  
9 its associated funding. Again, thank you for the  
10 opportunity to testify. My colleagues and I, of  
11 course, will be happy to answer any questions.

12 CHAIRPERSON CONSTANTINIDES: Thank you  
13 for your testimony. I have a few questions before I  
14 turn it over to Council Member Richards. I want to  
15 recognize that we have two members of the committee  
16 here both from Queens, Council Member Lancman and  
17 Ulrich. The first question I have is—is DEP  
18 confident that the total cost of the Southeast Queens  
19 Sewer Buildout and Flood Reduction Plan will remain  
20 at \$1.6 or \$1.7 billion?

21 DEPUTY COMMISSIONER LANDAU: So,  
22 Councilman, I—I think it's always—it's always been  
23 fair to say that this funding is sort of the initial  
24 funding that will be required to fully build out all  
25 of the infrastructure that's needed in Southeast

2 Queens. This is a massive step towards the  
3 inevitable goal, but-but yes, I think it's fair to  
4 say that there would need to be more funding to come  
5 many years from now, but yes, this funding is an  
6 unprecedented huge first step towards that.

7 CHAIRPERSON CONSTANTINIDES: And as we  
8 move forward we'll be able to at least count on this  
9 funding and no loess moving forward, correct?

10 DEPUTY COMMISSIONER LANDAU: Yes, that's  
11 correct.

12 CHAIRPERSON CONSTANTINIDES: So what is-  
13 what percentage has already been completed, and will  
14 be completed by end of this year, and what do we  
15 anticipate being done by the end of 2021 as we look  
16 to the future and to looking at administrations  
17 changing and so on? How-how do we sort of gain out  
18 the next five years?

19 DEPUTY COMMISSIONER LANDAU: Sure. So,  
20 for example, with the-with the trunk sewer projects  
21 that we talked about which on the-on the map are-I'm  
22 sorry. I can't-I can't see the map from exactly  
23 where I am so. [pause] Thank you. So on the-on the  
24 truck sewer projects, which are on Guy Brewer,  
25 Springfield, 150<sup>th</sup> Street and-I'm having a hard time

1 seeing it and on Farmers Boulevard, there are 18  
2 projects that make up these trunk sewers, which are--  
3 the trunks sewers are the really, really big sewers.  
4 Twelve of those 18 projects are currently at DDC in  
5 various stages of the process. Some of them are  
6 expected to begin construction as early as 2018.  
7 Some in 19, 20, 21, 22 and even a couple that are  
8 currently expected in 23 and 25, but again 12 of the  
9 18 are already at DDC.

11 CHAIRPERSON CONSTANTINIDES: Okay, and by  
12 20 and 21 how do we--?

13 DEPUTY COMMISSIONER LANDAU: So there is  
14 one currently on Farmers Boulevard that expected in  
15 construction in 2021, and all of these will continue.  
16 This is sort of a rolling process, right. As-as we  
17 continue to move down the design work of each of  
18 these working with DDC, more of those dates will  
19 become more identified, but I--what I think is--is key  
20 about this piece of legislation, and what I think is  
21 the point of the legislation, Council Member, not to  
22 presume all of your intention, but what I think is--is  
23 the--the point of this legislation is to get to your  
24 exact point. Is that year in and year out to know  
25 the exactly progress--

2 CHAIRPERSON CONSTANTINIDES:

3 [interposing] Uh-huh.

4 DEPUTY COMMISSIONER LANDAU: --and the  
5 status of all of these projects that we will be  
6 formally announcing as part of the plan as required  
7 by this bill.

8 CHAIRPERSON CONSTANTINIDES: I just want  
9 to make--is there any concern about future  
10 administrations not continuing in this--in this plan,  
11 and how do we sort of put this in a lockbox to make  
12 sure that we can continue that?

13 DEPUTY COMMISSIONER LANDAU: So I believe  
14 the Capital Budget has--has done so by putting in a  
15 lockbox, and--and again by taking that unprecedented  
16 step of allocation \$1.7 billion to address a long-  
17 standing product--problem.

18 CHAIRPERSON CONSTANTINIDES: So this is  
19 a--this is an issue that as--as you said a longstanding  
20 issue for the residents of Southeast Queens that--and--  
21 and people in our--in our job come and go, but we have  
22 to make sure the work gets done for the people.  
23 That's the ultimate goal, right?

24 DEPUTY COMMISSIONER LANDAU: I agree  
25 100%.

2 CHAIRPERSON CONSTANTINIDES: So making  
3 sure that that funding is there in the long-term is  
4 always unable to be touched as we go from a-a few  
5 changes, whatever those changes those are, and  
6 whenever they do happen to occur. So just making  
7 sure that's the case, and with that, I'll turn it  
8 over to Council Member Richards.

9 COUNCIL MEMBER RICHARDS: Thank you so  
10 much, Mr. Chairman and I thank--so I'm sure you saw  
11 the Daily News article this morning. I mean you  
12 could not beat this time--timing. On 147<sup>th</sup> Avenue a  
13 young lady by the name of Clara Smith, who has sort  
14 of been dealing with and--and I think we get it. We  
15 understand that there's just no infrastructure over  
16 there. So the question is so how much of the sewer  
17 buildup do you anticipate to be completed this fiscal  
18 year and next fiscal year?

19 ANGELA DELILLO: [pause] Um--

20 COUNCIL MEMBER RICHARDS. [interposing]  
21 And I understand that we just got this money rolling,  
22 and things have to go through design, so I'm but I'm  
23 just interested in knowing how many processed.

24 ANGELA DELILLO: So--so there were a  
25 couple of standalone contracts that we were able to

2 get started on because they were already in the  
3 pipeline, but unfunded. And once we were able to get  
4 the funding in place, we could move forward. I'm  
5 going to call it from a later point in the process.

6 COUNCIL MEMBER RICHARDS: Uh-huh.

7 ANGELA DELILLO: The other project--

8 COUNCIL MEMBER RICHARDS: [interposing]

9 Can you--and can you speak to the projects?

10 ANGELA DELILLO: [interposing] The  
11 projects that we have--

12 COUNCIL MEMBER RICHARDS: The particular  
13 projects. Do we have a list of--?

14 ANGELA DELILLO: We--we can get those. Do  
15 you--which ones. Which ones are those that we've  
16 already broken ground with? [background comments]  
17 Glen Oaks, 183<sup>rd</sup> Street, 119<sup>th</sup> Avenue I believe.  
18 [pause] Yeah, and we have South Jamaica area. These  
19 have received notices to proceed by this date. 208<sup>th</sup>  
20 Street--

21 DEPUTY COMMISSIONER LANDAU: If it's  
22 helpful, Council Member, we're happy to get that.

23 COUNCIL MEMBER RICHARDS: [interposing]

24 Yeah, we'll just--don't--don't worry because I  
25 understand. You have DDC's map and I've seen, and.

2 ANGELA DELILLO: [interposing] Yeah, I'm  
3 going to have to go out for that. (sic)

4 DEPUTY COMMISSIONER LANDAU: I-I-I would  
5 if I-if I could just take a moment to-you-you made  
6 reference to this morning's Daily News article. This  
7 morning's daily news article we were expecting it.  
8 When the reporter called us, he talked about sewer  
9 backups specifically, and so we spent a lot of time  
10 trying to explain sewer backups and that the majority  
11 of sewer backups over 7% of them citywide are the  
12 result of people pouring grease down the sink, which  
13 Councilman, you and I have had longstanding  
14 conversations about, and how we try to work very  
15 closely with property owners to spread the word about  
16 proper disposal of grease and, in fact, this year in  
17 addition to normally working with NYCHA developments,  
18 community boards, we went door to door over 50,000  
19 homes within Southeast Queens providing information  
20 that-that you have in front of you as well as some in  
21 the kitchen reminders about that.

22 COUNCIL MEMBER RICHARDS: Yeah, and I'm-  
23 and I'm familiar with that, and I have a law  
24 obviously to sort of curb on that businesses, but  
25 what I am interested and-and because Council Member

2 Williams and myself did pass a bill that requires  
3 catch basins in cities to be cleaned out. So--

4 DEPUTY COMMISSIONER LANDAU: Uh-huh.

5 COUNCIL MEMBER RICHARDS: --I'm sort of a  
6 little perturbed on how she called so many times,  
7 and--but I don't know the specifics of it, but I'm  
8 interested in hearing a little bit more.

9 DEPUTY COMMISSIONER LANDAU: Sure. So,  
10 the--the first thing I'll mention is so your bill  
11 obviously requires that all 150,000 catch basins be  
12 inspected annually. That is a significant change  
13 from the three-year programmatic inspection cycle we  
14 were previously. We have every expectation and full  
15 confidence that by the end of this fiscal year, which  
16 is the first year that that--that local law has been  
17 in effect, we have every confidence that we will take  
18 that 100,000--that 200% goal of all 150,000 catch  
19 basin inspected.

20 COUNCIL MEMBER RICHARDS: [interposing]

21 And I will say that I have seen your trucks out  
22 definitely doing it--

23 DEPUTY COMMISSIONER LANDAU: [interposing]

24 Thank you.

2 COUNCIL MEMBER RICHARDS: --more  
3 frequently. So I won't argue that.

4 DEPUTY COMMISSIONER LANDAU: So we—we  
5 have every expectation of—of meeting that goal. The  
6 other thing that I would mention related to the  
7 specific that was raised in the article is that  
8 they're not—that specific location is not a catch  
9 basin. It's a seepage basin, and as you know, but  
10 for the benefit of others, seepage basins work  
11 somewhat different than catch basins. Is that  
12 seepage basins are placed in locations that don't  
13 have a sewer pipe to connect you, and so it retains  
14 water in the ground depending on the type of material  
15 in the ground, sand, clay, what have you. Soil  
16 determines the level in which that water absorbs and  
17 the speed in which that water absorbs. So it is  
18 impossible that seepage basins can take upwards of 48  
19 hours to fully absorb all the water as opposed to a  
20 catch basin where it's going to work much faster.  
21 Again, catch—huge basins—basins were an innovative  
22 solution to locations that did not have the same  
23 level of infrastructure.

24 COUNCIL MEMBER RICHARDS: So let me  
25 highlight just a few first. So I believe this area

2 is the Brookville Triangle area. When do we  
3 anticipate this project to begin? I've named three  
4 projects. So that project I know we're joined by  
5 Spring Jam today. They had—I'm interested in knowing  
6 if the 150<sup>th</sup> Street is a connection to 157<sup>th</sup> Street,  
7 which I believe it is, and then lastly Auburn, Derby  
8 (sp?) Avenue, which I think is slated for 2021, which  
9 I'm not too happy about, and I think we should have  
10 more discussions about that particular site.

11 Alright, while we wait for him to get those  
12 particular things together, so you mentioned green  
13 infrastructure and bioswales. So 200 bioswales being  
14 installed across Southeast Queens. When do we  
15 anticipate this process and these projects to be gin?  
16 I'm also interested in knowing about maintenance of  
17 our green infrastructure. And then lastly what is  
18 your job strategy on green infrastructure? I would  
19 love to see local Southeast Queens people actually  
20 working on green infrastructure jobs, and if we're  
21 going to do 200 bioswales, I'm interested in knowing  
22 what your hiring strategy, outreach strategy to make  
23 sure residents have access to these jobs.

24 DEPUTY COMMISSIONER LANDAU: [coughs]

25 So, the—the right-of-way bioswales are currently in

2 design, and we hope to go-be going into construction  
3 in them I believe this fiscal.

4 COUNCIL MEMBER RICHARDS: Okay.

5 DEPUTY COMMISSIONER LANDAU: But those  
6 are currently in design. In terms of the maintenance  
7 and the hiring because I see those questions related,  
8 the-the maintenance plan is that DEP will be  
9 maintaining all green infrastructure with in-house  
10 staff. We are adding new positions to maintain all  
11 of our green infrastructure as well as any DEP  
12 facility that has a landscape area. For example,  
13 some of our wastewater treatment plants have  
14 landscaped areas around them. And so this in-house-  
15 in-house team will maintain not just all of the  
16 bioswales, but any place where we have landscape  
17 needs. And we bioswales recently-recently reached out  
18 just a few weeks ago to your staff as well as your  
19 colleagues' staff to let you know that we are about  
20 to have a-a-a day of interviewing for about 40 new  
21 green infrastructure positions. We anticipate  
22 getting a lot of applicants are these are entry level  
23 positions for the maintenance season, but we have 40  
24 positions that we will be having a screening day in  
25 February, and we've reached out to your staff to let

2 them know that so that they could the job link to  
3 people in the community, anyone that--The only people  
4 that will be getting it--that will be invited to the  
5 screening day will be those that have applied through  
6 the--the online process. We'll be happy to re-forward  
7 you that information if it's helpful.

8 COUNCIL MEMBER RICHARDS: If you can just  
9 get to the project, and then my last question. I'm  
10 sure my colleagues have questions. So on strategy,  
11 on outreach will all of this information related to  
12 this bill be online? Will--will the public have  
13 access to search it publicly? And I know DDC has a  
14 website. It's not updated properly. I mean I go in  
15 and I look to look at projects that are in the  
16 pipeline and I don't think they--they maintain their  
17 website to the greatest degree as well. So I think  
18 that's it. So I'll just--

19 DEPUTY COMMISSIONER LANDAU: [interposing]  
20 So I--

21 COUNCIL MEMBER RICHARDS: --the three  
22 projects I mentioned--

23 DEPUTY COMMISSIONER LANDAU: [interposing]  
24 So I've got two of them right here. The third one  
25 I'll have to get back to you if that's okay? But so

2 the Rosedale project estimated cost is \$40 million.  
3 The project's construction anticipated to start in  
4 2018.

5 COUNCIL MEMBER RICHARDS: Fiscal 2018.

6 DEPUTY COMMISSIONER LANDAU: October of  
7 2018.

8 COUNCIL MEMBER RICHARDS: October of  
9 2018.

10 DEPUTY COMMISSIONER LANDAU: Is the  
11 current estimated start date, and Brookville  
12 Triangle, which is a \$60 million project is estimated  
13 to start in September of 2018, and I would have to  
14 get back to you on Auburn, but we—I know we've had  
15 some conversations with Auburn as it relates to all  
16 of the work that has happened there, not just DEP,  
17 and I'm happy to continue that conversation with you.

18 COUNCIL MEMBER RICHARDS: Okay, so I'm  
19 must going to circle back, and say that, you know,  
20 these three areas are areas that were hit hard by  
21 Sandy, but forget Sandy. They—they still  
22 overwhelmingly flood even prior to Sandy. So I want  
23 to make sure that we're not pushing that. So if we  
24 say September 2018, we need to really be clear, and—  
25 and that should be a definitive date, and I'm really

1 not going to want to hear that it's going to move to  
2 2019 or 2020. So just making sure that clear. I  
3 also just want to weigh in on obviously groundwater,  
4 and—and let's not forget about the conversation that  
5 we're joined by the Scarboroughs, and they'll  
6 definitely touch on that today. But we should still  
7 be studying and looking to ensure that we're looking  
8 at an overall bigger picture of pumping again, and  
9 ensuring that groundwater obviously is dealt with as  
10 well.  
11

12 DEPUTY COMMISSIONER LANDAU: So, you  
13 know, obviously and—and thank you for that.  
14 Obviously groundwater is a—is a complicated topic as  
15 you very, very well know as the State Department of  
16 Environmental Conservation is responsible for  
17 permitting any sort of use of—of—of groundwater or  
18 pumping groundwater. The City of New York has not  
19 used groundwater in its drinking system for many  
20 years. However, we do have a permit with the State  
21 of Environmental Conservation. That permit is coming  
22 to a close, but we will be applying for a new permit  
23 so that the wells that we have in Queens if the need  
24 ever arose where we were ever in any sort of  
25 emergency where we needed to start using that water

1 again, we would be going for that permit again. We-  
2 though is not often the case, and is certainly not  
3 required by the state. DEP has agreed to do an  
4 environmental review of the-the pumping of the Queens  
5 groundwater wells. The timeline on that  
6 environmental review for your information is that we  
7 plan to issue the draft scope of that environmental  
8 review this February with public hearings on that  
9 draft scope in late March or early April with a final  
10 scope in June of 2017 to be followed by a draft  
11 environmental review in October of '17. Hearings on  
12 that draft DIS in December/January, December/January  
13 '17, '18 with a final environmental review to be  
14 issued in March 2018. Additionally, because  
15 groundwater is such a complicated area, and it's  
16 clearly not a city only issues as-as it relates to  
17 state, as I know you know. We have been in  
18 conversations with others. There is a conversation  
19 that's taking place right now over what is known as  
20 radio collection, and a series of pipes that would,  
21 as I understand it, lead into-in today's new pond,  
22 collecting that groundwater reading in today's new  
23 pond. We believe that that is a-a very, very  
24 interesting proposal and agree that it needs to be  
25

2 studied. It needs to be studied and are supportive  
3 of that set.

4 COUNCIL MEMBER RICHARDS: Okay.

5 Alrighty, I think just the last thing I think I  
6 raised was will all this information be publicly  
7 accessible. So on my--

8 DEPUTY COMMISSIONER LANDAU: [interposing]  
9 That's my understanding of the point of the bill.

10 COUNCIL MEMBER RICHARDS: Okay, got it.

11 So I just wanted to make sure. Okay, got it. Okay.

12 So I didn't hear you mention that part in the bill.

13 But that's okay because you're supporting that.

14 Okay. Alrighty, I think that's it for now.

15 CHAIRPERSON CONSTANTINIDES: Alright,  
16 quickly before I pass it over to my colleagues, I saw  
17 that DOT, DDC they will be another number of city  
18 agencies according to that. Who—who is going to be  
19 sort of leading the charge here? Will it be DEP?  
20 How do we make—how do we see this coordination  
21 working, and making sure that we're—we're constantly  
22 in that step?

23 DEPUTY COMMISSIONER LANDAU: So thank

24 you. That's a—that's a great question, and that's a

25 good point that—So DEP is sometimes the answer to the

2 solution. Sometimes it is a--it's a--a pipe that needs  
3 to be put in the ground. Sometimes it is a street  
4 condition whether it's a road surface or a regrade.  
5 Sometimes it is both a pipe and a road surface  
6 regrade issue together. Sometimes it is things that--  
7 that we need the property owners to help us with. So  
8 all of t hat needs to be closely coordinated, and we  
9 have regular meetings with--with our partners in  
10 government, with DDC to make sure that that  
11 coordination is happening and that we are in lock  
12 step as you say.

13 CHAIRPERSON CONSTANTINIDES: So we'll  
14 make sure that--that there's no, you know, permit that  
15 we're waiting for from some other agency to get the  
16 work done that needs happen.

17 DEPUTY COMMISSIONER LANDAU: That's  
18 correct.

19 CHAIRPERSON CONSTANTINIDES: Alright,  
20 with that I'll turn it over to Council Member Ulrich.

21 COUNCIL MEMBER ULRICH. Thank you, Mr.  
22 Chairman. Thank you, Commissioner, for your  
23 testimony, and for you office's follow up on several  
24 local issues related to my district. I'm glad that  
25 we're actually talking about flooding in Southeast

2 Queens and that we are mentioning not only the  
3 Rockaways, but I saw Broad Channel was also mentioned  
4 in your testimony. I have a few questions. The  
5 first one is regarding the sewer and waste treatment  
6 plant in the Rockaways. I know at a previous hearing  
7 a couple of months ago I had the chance to ask you  
8 and Commissioner Sapienza about the potential upgrade  
9 there. Was it going to be upgraded to a pumping  
10 station or was it going to be, you know, upgraded to  
11 a full I supposed treatment waste facility, and that  
12 was still up in the air. Do you remember a couple of  
13 months ago we had something--

14 DEPUTY COMMISSIONER LANDAU: [interposing]  
15 I, yes, I remember—I remember the question, but I'm—  
16 I'm not sure if there's been anything on it since  
17 them. So I'll happily follow up with you on it.

18 COUNCIL MEMBER ULRICH: Okay. Do you  
19 know when a decision might be made regarding this?  
20 And the reason why I bring that up is because the  
21 stench. You know, the—the—the smell when you drive  
22 Beach Channel Drive past Scholars Academy, past Beach  
23 Channel High School it's definitely not as bad as it  
24 used to be. I know when Matt Mahoney was working for  
25 DEP we drove him absolutely insane about this issue

2 [laughter] and there were a number of things. The  
3 poor guy. He's—I don't know how poor he is. He's  
4 probably making a lot of money in Long Island now,  
5 but a great friend, and I know that they invested  
6 some money into that facility trying to mitigate the  
7 smell and some of the other issues that exist there,  
8 but I know that we have a capital plan. I know we're  
9 talking about investing millions of dollars into  
10 infrastructure projects to improve, you know, the  
11 processing of wastewater, and treating that water  
12 before it's discharged, but I'm—I'm curious, you  
13 know, what is the grand scheme for Rockaway? I want  
14 to know what's—is that included in the Capital Plan?

15 DEPUTY COMMISSIONER LANDAU: Yeah, so-so  
16 I want to get you the most up-to-date accurate  
17 information on that. So let me circle back with  
18 Commissioner Sapienza, and—and follow up with you  
19 directly.

20 COUNCIL MEMBER ULRICH: Also, I'm  
21 concerned about the rain that's going to occur  
22 tonight. I know we're—we're predicting that we're  
23 going to experience a severe weather event, and there  
24 are two locations in my district that I think need  
25 immediate attention. The first is Cross Bay

2 Boulevard driving north between Broad Channel and  
3 Howard Beach on the right hand side. There is  
4 massive flooding. I don't know if it's a catch basin  
5 that's been filled with cement or what is—what has  
6 actually happened there, but it is a chronic flooding  
7 location, and what bothers me is that at night time  
8 when you can't see because of the lack of street  
9 lighting, you know, there are a number of accidents  
10 that occur because cars that are in the right lane—  
11 there are only two lanes driving north between Broad  
12 Channel and Howard Beach. If you don't see it, and  
13 you slide into that massive puddle, yeah, you could  
14 crash into a tree and that has happened on many  
15 occasions, and I don't know why DEP hasn't taken  
16 corrective action there but I'm hoping that maybe you  
17 could send a crew down there or maybe take a look at  
18 it. The other location is actually also driving  
19 northbound on Cross Bay. As you get over the North  
20 Channel Bridge, it be they have a bridge on the right  
21 hand side there's an enormous amount of trash that  
22 goes into the catch basin that is adjacent to Vetro  
23 or Vetro Restaurant Catering Hall or whatever you  
24 want to call it, and that also creates flooding  
25 conditions at that intersection, and this is an

2 emergency evacuation route. Cross Bay Boulevard is  
3 the only way in and out of the peninsula for people  
4 that have to evacuate that aren't going towards Long  
5 Island or aren't going over the Marine Parkway  
6 Bridge. So we want to make sure that it's clear  
7 especially during a severe weather event, and that  
8 those two locations are a big concern for me and my  
9 constituents.

10 DEPUTY COMMISSIONER LANDAU: Thank you,  
11 Council man. So, I will absolutely flag both of  
12 these locations for our—our operations unit and ask  
13 them to go take a look today. You should also know  
14 that in advance of the—the rain storm that we were  
15 all anticipating yesterday, the New York City office  
16 of Emergency Management activated the emergency  
17 action plan. So DEP working with our partners in  
18 government, OEM, DOT and others went out and checked  
19 flood prone location areas to check and take a look  
20 at catch basins, clear them of any debris.  
21 Obviously, that will help mitigate any ponding or  
22 flooding as much as possible. We've also sent out  
23 information certainly to all elected and community  
24 boards as well as posted on various social media  
25 about the weather prediction asking people to not

2 only if they see something on top a catch basin to  
3 clear it, but also if they see a ponding or flooding  
4 location to call it into 311. Calls to 311 go  
5 directly to our operating bureau. So that they can  
6 prioritize and send a crew out as needed and  
7 appropriate.

8 COUNCIL MEMBER ULRICH: But lastly, if I  
9 can, in Lindenwood, you know, we experienced several  
10 severe flooding events even when the weather wasn't  
11 even that severe. That was related to the  
12 malfunction of the Spring Creek facility, a  
13 malfunction that took place in Brooklyn actually. I  
14 just want to make sure that there's someone there to  
15 manually operate that in the event that tonight, you  
16 know, the--the sewer system is overloaded. I don't  
17 need hundreds of homes in Lindenwood to get flooded  
18 again. I'm just hoping that you have a plan to--

19 DEPUTY COMMISSIONER LANDAU: So, so  
20 following--

21 COUNCIL MEMBER ULRICH: --stake that off.

22 DEPUTY COMMISSIONER LANDAU: --the  
23 unfortunate events in April 2014 where we did have a  
24 malfunction at the Spring Creek CSO facility. We  
25 have since that time and it--when we've had major

2 rainstorms, we have had—we have had extra staff on at  
3 the Spring Creek CSO facility to ensure that such a  
4 thing doesn't happen again.

5 COUNCIL MEMBER ULRICH: So tonight, you  
6 know, there will be somebody at Spring Creek or more  
7 than somebody I hope.

8 DEPUTY COMMISSIONER LANDAU: I—I will  
9 certainly that. That has been my—my standing—  
10 understanding there.

11 COUNCIL MEMBER ULRICH: We should have a  
12 conversation offline that DDC at some point because I  
13 think part of the reason that that occurs in addition  
14 to the—the CSO issue at the Spring Creek facility is  
15 the aging infrastructure that exists on the Brooklyn-  
16 Queens border, the city line or, you know, Sapphire  
17 Street, 75<sup>th</sup> Street. I know there's a capital  
18 project HWK. It's a—it's been in the works. I  
19 forget the number exactly. For a number of years the  
20 community board has been working on this. We're  
21 actually very grateful that HWQ 411B in Ozone Park  
22 and Centerville is now underway and that's happening,  
23 that's wonderful. But there's an HWK project that's  
24 sort of been a shelf for a number of years that would  
25 provide a significant upgrade to the sewer and water

2 infrastructure on the Brooklyn-Queens border. I  
3 think it starts in Brooklyn. It continues into  
4 Lindenwood and Queens, and we'd like to see that in  
5 motion. I know commissioner Lloyd was very  
6 supportive when she was in charge, and I know that  
7 Commissioner Sapienza is probably just as  
8 enthusiastically behind it, but I know there's a lot  
9 of federal projects that are funded, and it takes,  
10 you know, studies and, you know, years to get  
11 through, but this would mitigate a lot of flooding on  
12 the Brooklyn-Queens border, and if you look at the  
13 development that's taken place especially on the  
14 Brooklyn side with the—the mall at Erskine Street,  
15 and all the wonderful affordable housing that's been  
16 put there, I mean there's a lot of concrete going in  
17 the ground there, and not enough seepage, and I think  
18 that we need to upgrade the infrastructure for the  
19 residents of East New York and Canarsie, but also  
20 form my district in—in Queens. And if the funding is  
21 there, we should move that along. So I appreciate  
22 your help with that.

23 DEPUTY COMMISSIONER LANDAU: Thank you.

24 COUNCIL MEMBER ULRICH: Thank you,  
25 Commissioner and Chairman, thank you for your

2 testimony—thank you for your indulgence and for your  
3 testimony. Thank you again.

4 DEPUTY COMMISSIONER LANDAU: Thank you.

5 COUNCIL MEMBER RICHARDS: Thank you and  
6 the last question before I let you go, so will there  
7 be anybody in particular who you have assigned? I  
8 know you're working directly, but is there a point  
9 person who specifically is working on the Southeast  
10 Queens plan and DEP? Who's the point—who's the point  
11 person? Who are we going to call?

12 DEPUTY COMMISSIONER LANDAU: [laughs]  
13 Well, you can—you can always call me in my office,  
14 Councilman, certainly, we'll always--

15 COUNCIL MEMBER RICHARDS: [interposing]  
16 Alright. So you're the person. You have all the  
17 knowledge. So you don't mind me bothering you and  
18 other people?

19 DEPUTY COMMISSIONER LANDAU: [laughs]  
20 You just could always call us, absolutely.

21 COUNCIL MEMBER RICHARDS: Alright, and—  
22 and you are good at that.

23 DEPUTY COMMISSIONER LANDAU: Thanks.

24 COUNCIL MEMBER RICHARDS: So, alright, so  
25 you're the point person.

1 COMMITTEE ON ENVIRONMENTAL PROTECTION 41

2 DEPUTY COMMISSIONER LANDAU: Yes, sure.

3 COUNCIL MEMBER RICHARDS: Are you the  
4 point person?

5 DEPUTY COMMISSIONER LANDAU: I am not the  
6 point person overseeing any construction of it, no--

7 COUNCIL MEMBER RICHARDS: [interposing]  
8 Okay.

9 DEPUTY COMMISSIONER LANDAU: --but--but I  
10 can certainly always get you the information you  
11 need.

12 COUNCIL MEMBER RICHARDS: Okay, and I'll  
13 just say just state for the record that yes Southeast  
14 Queens, the Rockaways. We still want to see the  
15 Rockaways, you know, more--definitely a little bit  
16 more outreach on projects--

17 DEPUTY COMMISSIONER LANDAU:  
18 [interposing] Sure.

19 COUNCIL MEMBER RICHARDS: --out there,  
20 and I know you've been open to definitely doing a lot  
21 more community meetings out there.

22 DEPUTY COMMISSIONER LANDAU:  
23 [interposing] Be happy to--to do a community meeting  
24 out there with the commissioner.

25

2 COUNCIL MEMBER RICHARDS: So definitely  
3 we should do that--

4 DEPUTY COMMISSIONER LANDAU:  
5 [interposing] Absolutely.

6 COUNCIL MEMBER RICHARDS: --with the  
7 community out there as well.

8 DEPUTY COMMISSIONER LANDAU: Happy to.

9 COUNCIL MEMBER RICHARDS: Alrighty, with  
10 that being said, yeah we could do a joint--Eric and I  
11 will do a joint meeting, and you can come and present  
12 all the good work you're doing.

13 DEPUTY COMMISSIONER LANDAU: If you let  
14 us know where and when, we'll be there.

15 COUNCIL MEMBER RICHARDS: Alrighty, the  
16 YMCA. We'll pick a date.

17 DEPUTY COMMISSIONER LANDAU: Great.

18 COUNCIL MEMBER RICHARDS: Alrighty, we'll  
19 get into testimony now. Thank you so much--

20 DEPUTY COMMISSIONER LANDAU: Thank you.

21 ANGELA DELILLO: Thank you.

22 COUNCIL MEMBER RICHARDS: --for your  
23 testimony and support of the bill. Thank you.  
24 Alright, the first panel William Scarborough out of  
25 Layas (sp?) Park Civic Association; Andrea

2 Scarborough, Veronica Hicks, Spring Jam Block  
3 Association. [background comments] Yeah, and Kim  
4 Lawton, Spring—I guess no. Keep them on one panel.  
5 [background comments] Ernest Flowers can come up on  
6 this panel. So we'll do Andrea Ernest Williams the  
7 hot seat. [background comments] Alrighty. So we're  
8 going to do Andrea Scarborough, William Scarborough,  
9 Ernest Flowers if they're here.

10 WILLIAM SCARBOROUGH: Alright, Ernest has  
11 to leave.

12 COUNCIL MEMBER RICHARDS: Okay, got it.

13 WILLIAM SCARBOROUGH: Andrea has  
14 testimony. We made the mistake of trying to driver  
15 over here and parking was outrageous.

16 COUNCIL MEMBER RICHARDS: Oh, yes.

17 WILLIAM SCARBOROUGH: So she is sitting  
18 down in the car.

19 COUNCIL MEMBER RICHARDS: Oh, so no  
20 problem. No problem, and I'll ask the—we have  
21 somebody from the—

22 WILLIAM SCARBOROUGH: [interposing] Here  
23 is its.

24 COUNCIL MEMBER RICHARDS: --okay, hold on  
25 one second. We have somebody from the Environmental

2 Justice Alliance. Alright, you come on up. So, we'll  
3 pull you in and then the last panel will be Spring  
4 Jamb.

5 WILLIAM SCARBOROUGH: Should I read her  
6 testimony also?

7 COUNCIL MEMBER RICHARDS: Yes, sir, you  
8 can read it into the record and—

9 WILLIAM SCARBOROUGH: Yeah, okay.

10 COUNCIL MEMBER RICHARDS: --we'll ask you  
11 a few questions and then--

12 WILLIAM SCARBOROUGH: Alrighty. Let me  
13 start.

14 LEGAL COUNSEL: Great. Let me swear you  
15 in.

16 WILLIAM SCARBOROUGH: Okay.

17 COUNCIL MEMBER RICHARDS: And Samara is  
18 going to swear you in first.

19 WILLIAM SCARBOROUGH: Okay.

20 LEGAL COUNSEL: Somebody else should be  
21 at the table. The City Environmental Justice  
22 Alliance?

23 COUNCIL MEMBER RICHARDS: Pamela Sufu?  
24 Soto. Okay, got it. Alrighty. Alright, so just  
25 state your name for the record. She's going to swear

2 you in and then you state your name for the record,  
3 and who you're representing and then you may begin.

4 LEGAL COUNSEL: Please raise your right  
5 hands. Do you swear or affirm to tell the truth, the  
6 whole truth, and nothing but the truth today?

7 WILLIAM SCARBOROUGH: Yes. Thank you.  
8 Should I go ahead? Okay. I'm going to read my  
9 testimony first and then the testimony of Andrea  
10 Scarborough if that's. Okay. Good afternoon,  
11 Chairman, Council Members. My name is William  
12 Scarborough here today representing Addison Park  
13 Civic Organization, but I'm also the former  
14 Assemblyman for the 29<sup>th</sup> Assembly District in Queens,  
15 which includes Jamaica, St. Albans and other parts of  
16 Southeast Queens. First, let me state my strong  
17 support for Intro 1198 and the work that Councilman  
18 Richards has done to make sure that those efforts  
19 stay on track. I think that that's tremendous and  
20 necessary. For many years I have seen first hand  
21 evidence of the damage done by flooding in Southeast  
22 Queens both to homes and businesses in our community.  
23 I want to begin by commending the Department of  
24 Environmental Protection and especially our Council  
25 Members who represent Southeast Queens for the

1 progress they have made in recent years in combatting  
2 flooding in our community. Through the efforts  
3 especially of Council Members Richards, but also  
4 Council Member Miller and Wills, DEP has committed  
5 \$1.5 billion over a number of years to build the  
6 storm sewer infrastructure that is sorely needed in  
7 parts of Southeast Queens. This is the largest  
8 infusion—infusion of flood mitigation funds to our  
9 community in my memory, and is long overdue. The  
10 significance of this commitment cannot be overstated,  
11 and will be a tremendous benefit in relieving the  
12 storm water flooding our streets. However, as many  
13 Southeast Queens residents know, flood damage in our  
14 area is the result of two basic issues. One is the  
15 street flooding that is being addressed by this new  
16 infrastructure and the second is the high water table  
17 that exists underground. This simply means that the  
18 standing water level is so close to the surface that  
19 water is constantly seeping into basements and lower  
20 level offices through floors and walls whether it is  
21 raining or not. This new infrastructure does not  
22 address this issues, which has damaged countless—  
23 countless homes, businesses and institutions in  
24 Southeast Queens, private homes as well as York

2 College, our senior housing, the Carver Houses at  
3 IS8, and the Parsons-Archer Subway Station are forced  
4 to run electric pumps 24 hours a day due to this  
5 problem. As DEP admitted in a recent meeting, we  
6 understand that the issue of groundwater flooding is  
7 a difficult one. I would like to ask this body to  
8 consider—consider supporting a proposal called Radio  
9 Collection, which was just mentioned—mentioned by  
10 Deputy Commissioner Lander, and which has been  
11 proposed by Douglas Greeley a former DEP Deputy  
12 Commissioner. This would recreate the system of  
13 underground streams that existed in our area—area  
14 prior to over-development. These streams ran into  
15 larger bodies of water such as Baisley Lake, and  
16 perhaps Springfield Lake. I don't know if that's  
17 still in the latest iteration of the proposed new  
18 budget (sic) at the beginning, but these large bodies  
19 have outlets that run directly into Jamaica Bay, and  
20 if restored they could carry excess groundwater into  
21 the bay. I guess the easiest way to try to give  
22 people a picture of it in vast gentrification (sic),  
23 but if you could look at this as a—a person's hand,  
24 the fingers of the hand extend out into the areas  
25 where there's high water, and the fingers—the water

2 would then be drawn through the fingers into the  
3 palm, which would be like Baisley Lake, which already  
4 has an outlet going to Jamaica Bay. So the high  
5 water would run into the lake and then out to Jamaica  
6 Bay. I would mention also that in the past, the  
7 environmental advocates of Jamaica Bay have broken  
8 this because it provides a fresher type of water as  
9 opposed to what's going in there at the present time.  
10 I say also Commissioner Greeley in his layout has  
11 done maps of where there streams previously existed  
12 and overlaid that with where the complaints of the  
13 most groundwater intrusion currently exists, and  
14 there's a correlation between where those lakes used  
15 to exist, which are now dammed up, and where we're  
16 getting the most complaints about groundwater  
17 intrusion. So there's a correlation there.  
18 Commissioner Greeley's plan has the potential for  
19 mitigating this persistent problem and he has  
20 proposed a study to test the feasibility of the plan.  
21 This would have to be a joint city-state project, and  
22 the state representative for the 29<sup>th</sup> Assembly  
23 District has requested \$300,000 from the Governor to  
24 fund the study. DEP representatives have also seen  
25 Commissioner Greeley's presentation and have

2 expressed support and I believe that they have agreed  
3 to pledge \$100,000 towards that study. There are  
4 many issues that need to be addressed in this study,  
5 but it offers promise and does not require pumping of  
6 the Jamaica water supply wells, which has become a  
7 political problem. If this study proves fruitful, we  
8 will need this body and especially our Southeast  
9 Queens representatives to put forth the same dynamic  
10 effort that has yielded such progress so far to  
11 develop a truly comprehensive plan to cover all  
12 aspects of the Southeast-Southeast Queens flooding  
13 problem. The projected cost of the buildout of this  
14 project is \$20 million. Thank you for your  
15 consideration and your continued efforts on behalf of  
16 our community. William Scarborough.

17 COUNCIL MEMBER RICHARDS: Thank you Mr.  
18 Scarborough for your testimony and the work that  
19 you've done on this issue. We'll come back for  
20 questions. I'm going to let her finish her  
21 testimony--

22 WILLIAM SCARBOROUGH: Okay.

23 COUNCIL MEMBER RICHARDS: --and I want to  
24 acknowledge we've been joined by Council Member  
25 Miller.

2 WILLIAM SCARBOROUGH: I also have Andrea,  
3 but let her go now.

4 COUNCIL MEMBER RICHARDS: Okay, go ahead.  
5 Read through hers--

6 WILLIAM SCARBOROUGH: Okay.

7 COUNCIL MEMBER RICHARDS: --quick and  
8 then we'll--and then we'll--

9 WILLIAM SCARBOROUGH: Okay, in relation  
10 to flood mitigation in Southeast Queens. Good  
11 afternoon committee members. I am Andrea  
12 Scarborough, President of the Ashton Park Civic  
13 Organization, our civic service for Addison Park  
14 residents of Southeast Queens. We are committed to  
15 improving the quality of life for all of our  
16 neighbors, and ensuring that our community receives  
17 its fair share of city services. Thank you for  
18 giving me the opportunity to testify regarding Intro  
19 1198 in relation to flood mitigation in Southeast  
20 Queens. Addison Park Civic Organization supports the  
21 City Council's legislation Intro 1198 Law, which  
22 calls for the Department of Environmental Protection  
23 to submit to the Mayor and the Speaker of the Council  
24 and to make publicly available online a plan for  
25 mitigating flooding in the Queens districts of 1213

and 14. Surface water and groundwater flooding have been a longstanding issue in those districts, and while there—there have been tremendous gains by the City Council and the Mayoral Administration to address this chronic condition that exists in Southeast Queens, a comprehensive proposal is required with the timeline to resolve those longstanding issues. I applaud and acknowledge the \$1.5 billion awarded to our community to deal with improve our infrastructure, which will provide storm sewers in areas where they're sorely needed. However, finding a solution to groundwater flooding and high water table, is of equal importance in these districts. The closing of Station Well 24, which resides in my neighborhood, has resulted in some of my neighbors pumping water out of the basements 24 hours a day, seven days a week. There are residents in Southeast Queens who cannot sell their homes because their homes have lost resale value due to groundwater flooding. Therefore, it is our view that groundwater flooding created by a high water table, must be included as a part of the Southeast Queens Flood Mitigation Plan, a plan separate from surface water flooding and that out—outlines our timeline for

2 implementation, annual performance milestones, and  
3 appropriate funding. In conclusion, Intro 1198 is a  
4 step in the right direction towards resolving the  
5 chronic condition of flooding in our community.

6 However, without addressing the high water table, a  
7 flood mitigation plan remains incomplete and puts at  
8 risk the opportunity to have a higher functioning  
9 sewer system in our community. In the words of  
10 former Commissioner Emily Lloyd in testimony hearing  
11 before the City Council in 2007 stated—as

12 Commissioner Emily Lloyd stated, as the groundwater  
13 water table rises, it infiltrates our sewers reducing  
14 capacity and flooding zone basements of buildings in  
15 the area. Council members at of APCO thanks you for  
16 the introduction of this legislation, and I urge you  
17 to include groundwater flooding in the mitigation  
18 plan. Andrea Scarborough, President, Addison Park  
19 Civic Organization.

20 COUNCIL MEMBER RICHARDS: Thank you, Mr.  
21 Scarborough for your work as well. Okay, you may  
22 begin.

23 FEMALE SPEAKER: Sure, I—

24 COUNCIL MEMBER RICHARDS: And before you  
25 begin I'm just a little upset with DEP for bringing

2 plastic bags into the house of the City Council. In  
3 the future, we want to see reusable bags--

4 DEPUTY COMMISSIONER LANDAU:

5 [interposing] Reusable bags of course.

6 COUNCIL MEMBER RICHARDS: --or we're  
7 going to charge you five cents. Alright, [laughter]  
8 and we don't mean taxpayers, alright. So we want to  
9 see reusable bags. Eric, if you hear this. Alright  
10 you may begin.

11 FEMALE SPEAKER: Good afternoon members  
12 of the City Council. I'm here to testify in support  
13 of this intro on behalf of the New York City  
14 Environmental Justice Alliance. Founded in 1991,  
15 NEJA is a non-profit citywide membership network  
16 linking grassroots organizations from low-income  
17 neighborhoods and communities of color and their  
18 struggle for environmental justice. NEJA empowers  
19 its member organizations to advocate for improved  
20 environmental conditions and against inequitable  
21 environmental burdens. Through these efforts our  
22 members organization coalesce around specific common  
23 issues that threaten the ability of our-of low-income  
24 communities of color to thrive and coordinate  
25 campaigns designed to inform city and state

1 environmental policies. For too long, Southeast  
2 Queens has had to deal with inadequate storm water  
3 and sewer infrastructure. I've documented in OneNYC  
4 the city's sustainability plan for those areas of the  
5 has had more 311 flooding and confirms sewer backup  
6 complaints than any other, and experiences recurring  
7 flooding during rain events. We commend DEP for  
8 committing \$1.5 billion to accelerate relief in  
9 Southeast Queens by building out the sewer system to  
10 support population growth as well as implementing  
11 site-specific exclusions such as green infrastructure  
12 and blue belts. We support his bill, which would  
13 bring greater transparency and accountability to  
14 DEP's plan by making it publicly available online and  
15 requiring annual progress reports first to ensure  
16 that the plan is implemented in a timely fashion, and  
17 allow the community to stay updated on progress.  
18 This proposal is not dissimilar from the existing New  
19 York City green infrastructure plan, and the  
20 corresponding annual reports, but because Southeast  
21 Queens is not one of the priority watersheds  
22 designated by DEP, this flood mitigation plan is not  
23 concluded-included in those reports. NEJA has long  
24 advocated for sustainable and resilient storm water  
25

1 management and environmental justice communities. In  
2 2010, NEJA launched the Waterfront Justice Project,  
3 New York City's first citywide community resiliency  
4 campaign. NEJA discovered that the significant  
5 maritime and industrial areas are all in hurricane  
6 storm surge zones, and that the city had not yet  
7 analyzed the cumulative contamination exposure risk  
8 associated with the clusters of heavy industrial uses  
9 in such vulnerable locations. Through the Waterfront  
10 Justice Project, NEJA has worked to mitigate the  
11 threat of potential toxic exposure faced by low-  
12 income communities and communities of color in and  
13 around the FMAAs.

15 Our New York City Climate Justice Agenda  
16 is a multi-year research and advocacy campaign to  
17 address the need for a comprehensive community based  
18 approach to climate adaptation and community  
19 resiliency. In 2016, we released a report, which  
20 analyzed de Blasio's One NYC plan and made several  
21 concrete recommendations to strengthen the city's  
22 climate adaption and resiliency policies in  
23 Environmental Justice communities. We cited this  
24 flood mitigation plan for Southeast Queens as a good  
25 model for other flood prone neighborhoods of the city

2 specifically recommending that similar steps be taken  
3 for the city's significant maritime and industrial  
4 areas. Green infrastructure in particular provides  
5 many co-benefits to help alleviate the  
6 disproportionate burdens faced by environmental  
7 justice communities by improving water and air  
8 quality, providing more green space, building climate  
9 resiliency and mitigating the urban heat island  
10 effects. NEJA would like to thank the New York City  
11 Council Committee on Environment Protection for  
12 holding a hearing on this bill, creating an  
13 opportunity for public comment on this important  
14 measure for greater accountability. We urge the  
15 passage of Intro 1198, and look forward to continued  
16 collaboration with the city on this regard.

17 COUNCIL MEMBER RICHARDS: Just a quick  
18 question. So in your opinion, has the city done a  
19 better job at communicating with your organizations  
20 around flood mitigation and around plans to-to  
21 obviously address this issue, and then I think you  
22 sort of did go into, which would have been my second  
23 question, what could make this plan better. So if  
24 you just want to highlight that once again.

2 WILLIAM SCARBOROUGH: Well, I-I would  
3 absolutely again commend DEP for their responsiveness  
4 in recent years, and especially for this infusion of  
5 funds, which again is the largest that I've seen, and  
6 we've been involved in this for many years, and I  
7 cannot help but commend my representatives because  
8 you guys have gotten this done. And-and you're  
9 really worked for the committee. Again, my view is  
10 that we need a comprehensive plan. As good as this  
11 is, it still needs the one area of groundwater  
12 flooding and groundwater intrusion, and I believe  
13 that the plan that Commissioner Greeley has put  
14 forward could be a tremendous benefit in relieving  
15 this, and kind of bring the plan into a  
16 comprehensiveness. And it has the benefit as the  
17 Councilman noted of not having to pump the wells,  
18 because that has become a political football between  
19 Nassau an in Queens and so on. So I-I would just  
20 urge you to support that, and just continue to hold  
21 everybody's feet to the fire, and let's get this  
22 done.

23 COUNCIL MEMBER RICHARDS: And that's a  
24 cheap alternative to--

2 WILLIAM SCARBOROUGH: [interposing] Yes.  
3 Right.

4 COUNCIL MEMBER RICHARDS: --pumping to  
5 like saying basically your guesstimate is around \$20  
6 million--

7 WILLIAM SCARBOROUGH: [interposing] Well,  
8 that's--that's Commissioner Greeley's.

9 COUNCIL MEMBER RICHARDS: --which would  
10 be as more of a drop in the bucket, and they can--

11 WILLIAM SCARBOROUGH: It's the  
12 Commissioner's guesstimate not mine.

13 COUNCIL MEMBER RICHARDS: Okay, the  
14 Commissioner's guesstimate.

15 WILLIAM SCARBOROUGH: Yes.

16 COUNCIL MEMBER RICHARDS: Okay, great.  
17 Alright so that's even better, but I'm happy to hear  
18 DEP is at least having--

19 WILLIAM SCARBOROUGH: [interposing]  
20 Right.

21 COUNCIL MEMBER RICHARDS: --discussions  
22 and at the end of the day it's probably going to be  
23 cheaper but just hearing from you, and I want to  
24 thank Eddie Baltista and certainly you for the work  
25

2 you've been doing on this for years as well. So just  
3 interested in hearing from you as well.

4 FEMALE SPEAKER: Yeah, I think that to  
5 your question, it's definitely trended in that  
6 direction of greater accountability, but this is an  
7 important measure to ensure that that continues and  
8 that is strengthened.

9 CHAIRPERSON CONSTANTINIDES: Council  
10 Member Miller, I know you had some questions about  
11 this.

12 COUNCIL MEMBER MILLER: Sure. Thank you,  
13 Mr. Chair. Good afternoon. It's so good to see you  
14 both, Assemblyman, it's great to see you down here  
15 once again, and—and myself and I know Councilman  
16 Richards are just on honored and encouraged to really  
17 pick up the ball and—and attempt to carry this around  
18 for all the work that you've done. I wouldn't say  
19 it's in a day [laughter] and this is—it's—we—we could  
20 not do it without the work that you—yourself and your  
21 organization as well as your organization and team  
22 has done. So, around this legislation here in terms  
23 of reporting and—and transparency, have we found that  
24 that that has been the case up until now that  
25 information is being disseminated about the five-day

2 standard being done and better, more frequently, more  
3 accessible.

4 WILLIAM SCARBOROUGH: Well, let-let me  
5 just say by way of example, years back when the plan  
6 was to discuss pumping and wells and so on, and there  
7 was a plan with a timeline back at that time, and we  
8 did not find out. Actually, there was a pilot  
9 program where pumping was being done, and we and the  
10 community elected officials did not find out until  
11 about a year and a half, two years after the pilot  
12 program had been discontinued by virtue of a-a  
13 hearing or-or a committee that we were having in the  
14 community that it was mentioned that this work had  
15 been discontinued, and we're going back 2010 to 2011,  
16 and so I think that just shows the lack of  
17 communication that was being given to the community  
18 at that time, and that's why I think it is so  
19 important that you have this kind of timeline that we  
20 have to come back every year, every six months to  
21 report on the storm water so these things don't fall  
22 through the cracks.

23 COUNCIL MEMBER MILLER: So, while-while  
24 I-I do agree, I think that as you mentioned in your  
25 testimony that we have not seen this magnitude of

2 both (sic) being done by the DEP anywhere ever, and  
3 so we have not seen the need for reporting that we  
4 now see. I just recently received some—I—I would  
5 like to say rather disturbing information about one  
6 of the projects that were being done, and the project  
7 is underway. That is the 183<sup>rd</sup> Street, and you are  
8 very much familiar with that between Boat Side (sic)  
9 and—and Jamaica where--

10 WILLIAM SCARBOROUGH: Right.

11 COUNCIL MEMBER MILLER: --and that the  
12 project has begun, and it wasn't the—the  
13 infrastructure wasn't adequate. So the project  
14 actually had to be halted, and rebooted. And that  
15 information I didn't get from DEP. So I would find  
16 that disturbing while there is much applaud. There's  
17 much work obviously to be done, and--and so is there  
18 something that can be included in terms of human  
19 capital to ensure that we had the oversight of—to-to-  
20 to undertake these massive projects that we're seeing  
21 now? How do we ensure that even this intro is—is-it  
22 does what we expect it to do?

23 WILLIAM SCARBOROUGH: Well, in my view I  
24 don't thin anything can replace the kind of oversight  
25 that you as our representatives are putting forward.

2 I mean just the fact that you stay on it, and that  
3 those agencies that are charged with implementing  
4 these plans know that you're going to be there, and  
5 you're not going to, you know, kind of let it fall by  
6 the wayside because that's the protection that we  
7 have.

8 COUNCIL MEMBER MILLER: I-I-I, Mr.  
9 Chairman, you know, obviously I was upstairs in the  
10 Contract Committee's hearing, that was—which was  
11 equally important, and so most of my questions were  
12 for the Amin, and certainly that we'll be forwarding  
13 additional questions to them--

14 WILLIAM SCARBOROUGH: Absolutely.

15 COUNCIL MEMBER MILLER: --and certainly  
16 we have some questions that we'd like for you to  
17 forward, and just know that we—I will, I will  
18 continue working in conjunction with yours and  
19 collaborating with Councilman Richards to make sure  
20 that this legislation comes to fruition, that there's  
21 the oversight that we need, and certainly at one  
22 point we're working with the advocates to make sure  
23 that the—that the—there's a—a—an additional  
24 groundwater plan that—that is attached to this.  
25 Because certainly we know that while this is great,

2 that there is a persistent problem that exists that  
3 is very costly to Southeast Queens, and as your  
4 colleagues whether it is some of the schools and not  
5 just the homeowners that has to be addressed and it  
6 is ongoing, and too, too, for us, we'd—we'd be  
7 negligent if we—the committee addressed the problem  
8 and did not address the groundwater situation.

9 WILLIAM SCARBOROUGH: And if—if I can  
10 just add one other point for consideration. There's  
11 a tremendous of economic development going on in  
12 Downtown Jamaica, a tremendous investment by the City  
13 and the State and well deserved. But this  
14 groundwater adds to the cost of that construction  
15 because you build there, you then have to take into  
16 account that you're building in soft ground as  
17 opposed to solid ground. So I mean there's an  
18 economic reason to get this resolved as well.

19 COUNCIL MEMBER MILLER: Thank you. Thank  
20 you so much, and thank you, Mr. Chair for allowing  
21 him to testify.

22 CHAIRPERSON CONSTANTINIDES: Absolutely.  
23 Thank you, Council Member Miller, and I want to thank  
24 you for your long advocacy on this issue. I remember  
25

2 being in the DEP offices in my previous life as a  
3 staff member for Jim Genaro. [laughs]

4 WILLIAM SCARBOROUGH: [interposing] Yes,  
5 yes, Jim—Jim was—was very helpful, very helpful.

6 CHAIRPERSON CONSTANTINIDES: So working  
7 on this issue for a long time with you both, and—and  
8 thank you for your strong advocacy. I'm looking  
9 forward to working with you and, of course, with the—  
10 the fine advocates that we have in Southeast Queens  
11 and elected officials and Council Member Richards and  
12 Miller as well.

13 WILLIAM SCARBOROUGH: Okay, thank you.

14 CHAIRPERSON CONSTANTINIDES: Thank you  
15 for your testimony. Next, we have Ms. Kim Lawton  
16 from the Spring Jam Block Association, Veronica Hicks  
17 as well and Louise Talbert. I you can all step  
18 forward and be sworn. [background comments,  
19 laughter, pause]

20 KIM LAWTON: Good afternoon.

21 LEGAL COUNSEL: Can you have a seat  
22 place.

23 KIM LAWTON: Yes, thank you.

24 LEGAL COUNSEL: Can you please raise your  
25 right hand.

2 FEMALE SPEAKER: Yes.

3 LEGAL COUNSEL: Do you swear or affirm to  
4 tell the truth, the whole truth, and nothing but the  
5 truth today?

6 KIM LAWTON: Yes, I do.

7 CHAIRPERSON CONSTANTINIDES: Is that her  
8 testimony?

9 KIM LAWTON: Yes.

10 MALE SPEAKER: Here you go.

11 CHAIRPERSON CONSTANTINIDES: Okay, I want  
12 to make you have it at this table. There you go.

13 KIM LAWTON: Yes.

14 CHAIRPERSON CONSTANTINIDES: Fantastic.

15 KIM LAWTON: Yes.

16 CHAIRPERSON CONSTANTINIDES: Please begin  
17 if you're ready.

18 KIM LAWTON: Yes, hi, good afternoon,  
19 Chairman. My name is Kim Lawton. I'm the President  
20 of Spring Jam Block Association. I have to my left  
21 my—our secretary Veronica Hicks and our Treasurer  
22 Louise Talbert. They always joke around and call me  
23 the mouthpiece. So that's why [laughs] so that's why  
24 they're pushing me to the table, but actually all  
25 three of us have worked very hard, many years to be

2 able to come here today to testify on behalf of this  
3 bill. So I appreciate it. I'm usually an impromptu  
4 speaker. That's the reason why I left my copy, but I  
5 will read what I wrote. Dear Chair, Committee  
6 Member, Council Member Richards and to all the  
7 community homeowners, tenants and effectuated parties  
8 of the flooding in Southeast Queens, I stand before  
9 you, actually, I sit before you as President of  
10 Spring Jam Block Association with our Executive Board  
11 Members and other members of the association in  
12 support of this bill I relation to the flooding.  
13 More importantly, I stand before you as a homeowner  
14 and a resident of 159<sup>th</sup> Street of Rockaway Boulevard  
15 and South and South Conduit who with the members of  
16 the community have suffered through flooded  
17 basements, ponding on 157<sup>th</sup> Street, and a fear of  
18 being-of the flooding destroying our neighborhoods.  
19 If you don't mind, I'd just like to speak because I  
20 feel more comfortable than reading. Our organization  
21 was actually created as a result of the flooding in  
22 Southeast Queens. Prior to Hurricane Sandy, we had  
23 Hurricane Irene, and our basements were flooded to  
24 our knees and water feces and garbage. We didn't  
25 know how to really go about addressing this issue so

2 we went on New York One News and we basically said to  
3 Senator Sanders who was a Councilman at that time,  
4 "We don't live in Garden City, but we deserve to have  
5 a certain quality of life as well." We called Now on  
6 the News, and Council Member Jess (sic) was the Chief  
7 of Staff at that time. We wanted to know where they  
8 were, and from that point on they have lost or left  
9 our side.

10 COUNCIL MEMBER MILLER: Yelling does  
11 that.

12 KIM LAWTON: Yeah [laughter] and going on  
13 the news. We organized ourselves. We are in an area  
14 that is the best kept secret, but it also is almost  
15 like the lesser of two evils. We're off of South  
16 Conduit between 156<sup>th</sup> and 159<sup>th</sup> Street. We're  
17 actually in the area that's so fortunate to be a part  
18 of the JFK IBID, which was recently approved into  
19 legislation. But we're also a mixed-use neighborhood  
20 with businesses and homes. When we went to different  
21 conferences or different meetings regarding this  
22 project, we were told that we had to highest 311  
23 calls in the neighborhood. We ponding. Our basements  
24 are flooding. Our quality of life has been  
25 destroyed. So we are very, very, very happy that

2 this bill is coming into fruition, and basically,  
3 that's, you know, what my letter is saying is that  
4 this long overdue. I think that the sewer systems  
5 when they were created they didn't have the extensive  
6 development or the extensive development that took  
7 place in Queens in mind. So not only is this in  
8 terms of the homeowners resolving flooding that would  
9 improve our quality of life. As Mr. Scarborough says  
10 there are a lot of economic benefits and a lot of  
11 economic pitfalls. So I ask that you approve this,  
12 and thank you so much for your time, and I think any-  
13 everything else that is pertinent has already been  
14 said. Thank you.

15 CHAIRPERSON CONSTANTINIDES: I'll turn it  
16 over to my colleague Donovan—Council Member Donovan  
17 Richards. Is there any other testimony from the  
18 panel?

19 RHONDA LEE: [off mic] I'm Rhonda  
20 Lee.(sic) I have a few things to say ,too.

21 CHAIRPERSON CONSTANTINIDES: Well, yes—  
22 yes come.

23 COUNCIL MEMBER RICHARDS: We don't have  
24 to be fancy.

2 RHONDA LEE: Okay. I brought my home  
3 back in 2001.

4 COUNCIL MEMBER RICHARDS: This should be  
5 red. Look, is it read.

6 RHONDA LEE: Yeah, it's red.

7 COUNCIL MEMBER RICHARDS: Okay got it.  
8 Okay.

9 RHONDA LEE: I guess I get it closer. I  
10 bought my home back in 2001, and from 2001 to August  
11 of 2008, my home was flooded six times with sewer  
12 water backing up into the home, and like my President  
13 said, we just—we just got tired. In 2011, that's  
14 when we had four feet of water in basement, and we  
15 just got tired, we just got fed up and that's when we  
16 decided to go on the news. A lot of the homeowners  
17 in the—in our neighborhood what they have done with  
18 their driveways basically put up walls, put up—even  
19 before I left my home today, I put out my sandbags  
20 because I don't know what I'm going to come home to.  
21 So when you're at work and—and you feel uncomfortable  
22 when there's rainstorm because you don't know what  
23 you're going to come home to after working a 10-hour  
24 day, it becomes frustrating and upsetting. But, you  
25 know, I'd like to say thank you to our Councilman

2 Richards who has been by our side. He supported us  
3 110%, and he—every time we reach out to him he's—he's  
4 always, always supportive, and I'd like to say thank  
5 you for that. So I'm looking forward to moving  
6 forward with this—this project, and hopefully we can  
7 probably—me and my neighbors can probably get some  
8 relief from the water.

9 KIM LAWTON: [off mic] Ditto to what she  
10 just said. I have nothing to add because I'd repeat  
11 the same things. We all have the same problems many  
12 times. I don't know whether this is a problem, but  
13 I'd like to ask you, but the--

14 COUNCIL MEMBER RICHARDS: [off mic] Put  
15 the mic—well, you got to speak into the mic. [on mic]  
16 You're on TV.

17 KIM LAWTON: [laughs] The profit (sic)  
18 signs, we talked earlier about the infrastructure  
19 starting to—the 157<sup>th</sup> Street project is that going to  
20 start this year because that's the same--

21 COUNCIL MEMBER RICHARDS: [interposing]  
22 Well, I think we have to check. I think you're in  
23 design and so before you can put sewers in, design  
24 has to happen. So I believe they're I that process  
25 with you. You're with—within that 12 to 18 projects

2 and then we should see that, and I wish we got them.  
3 Can you speak to that, sir, or no? No. Okay, but  
4 you can assure that, you know, we're watching and—and  
5 you were mentioned very early on in this process. So  
6 they should be close to finishing up design. As we  
7 said, out of the 12 to 18 projects slated, they're in  
8 design, which is—let's be clear. That's been years  
9 in the work. Amen.

10 KIM LAWTON: Yes.

11 COUNCIL MEMBER RICHARDS: And for—I'm  
12 being clear. For you to even be in there already is  
13 a victory in itself because it normally takes, as  
14 we've seen with some of these projects, just to get  
15 it to design has taken decades, right. So, you can  
16 rest assured that we'll be watching and making sure,  
17 and this is why this bill is—is very important  
18 because it adds a level of accountability. So no  
19 matter what administration is in place, whether  
20 Commissioner Lloyd leaves or whether the new  
21 Commissioner leaves, whatever commissioner comes and  
22 goes, this is the law and they'll have to by law  
23 report on this. So it's one way to make sure that  
24 you're up to date on progress, and you can feel at  
25 ease more so. Because even—hey man, we're

2 politicians, right? Sometimes you hear us and you're  
3 like oh, well, there's that question mark. Okay, he  
4 said it, but you've then heard this song before,  
5 right. But I think that's just eases it. It makes  
6 my life easier in one sense because when you question  
7 me, you can now go online and literally see that this  
8 is happening. So I think that this bill is going to  
9 help to ease that as they—as they update it, and we  
10 pass this into law, and I look forward to doing it  
11 very soon, and you'll be invited to the bill signing  
12 again if you wish to take off work in a Nor'easter  
13 again.

14 KIM LAWTON: We'll be back. We'll be  
15 here.

16 COUNCIL MEMBER RICHARDS: So I want to  
17 than you, and I think your—their—their—what you've  
18 done is amazing. It's—and forget the news. The news  
19 doesn't pressure me because it's about doing the  
20 right thing, and I think that if more communities get  
21 engaged with their local official, you know, know  
22 we're here because we didn't know you existed before  
23 because we didn't know about the flooding. Right,  
24 and you didn't we existed, but I think that this is  
25 an important story. It's very important to get

2 engaged, and not only to get engaged but to organize  
3 yourselves. Organize. Communities being organized  
4 makes things and moves things a thousand percent  
5 faster--

6 KIM LAWTON: Yes.

7 COUNCIL MEMBER RICHARDS: --thank it  
8 would be going just as one. Not to say one voice is  
9 not important, but community organization is  
10 important. So I applaud you in starting an  
11 organization, and we just passed a law. I wish they  
12 were here. The Mayor signed into law the JFK IBID,  
13 which is amazing. So I want to thank you for coming  
14 here in this weather, and you can rest assured we'll  
15 be ensuring that everything we say we're going to do,  
16 we're going to continue to do. So thank you.

17 KIM LAWTON: Thank you.

18 RHONDA LEE: Thank you very much.

19 KIM LAWTON: Thank you so much,  
20 Councilman.

21 CHAIRPERSON CONSTANTINIDES: Thank you  
22 all for your testimony. I appreciate all your strong  
23 advocacy, and I know that Councilman Richards every  
24 day is fighting very hard for--for his communities.

25 [background comments]

2 CHAIRPERSON CONSTANTINIDES: Turn the mic  
3 off, please. Alright, seeing no--

4 COUNCIL MEMBER RICHARDS: Alright. Oh,  
5 can I just call out, I just want to acknowledge we've  
6 been joined and Chief Marks from DC. We were in DC  
7 Saturday at the Woman's March, and I want to thank  
8 you and--and I want to thank DEP for not giving  
9 alternative news today. [laughter] But I want to  
10 thank you for definitely coming out today, and--and I  
11 know you're tired probably because we marched and  
12 marched and marched, and thank you for the work  
13 you're doing in Rosedale to better the quality of  
14 life. Jackie Campbell, Rosedale Block Association  
15 she on my back. Alright. [laughs]

16 CHAIRPERSON CONSTANTINIDES: Thank you,  
17 Council Member Richards and thank you for your  
18 strong--strong advocacy, and thank you all for being  
19 involved, and making sure your community and fighting  
20 so hard, and holding us accountable and that's what  
21 this bill is going to do. As Council Member Richards  
22 talked about is add that level of accountability. So  
23 again I want to thank the Mayor's Office for this  
24 commitment, and we're going to hold them to it, and  
25 we look forward to moving this legislation as it's a

2 high priority for this committee. So I want to thank  
3 our members of our staff our attorney Samara  
4 Swanston, who always does great work. Bill Murray,  
5 our Policy Analyst, Jonathan Seltzer, our—our  
6 Financial Analyst, my staff Nick Lozowski back there  
7 and John Benjamin, and as well all the staff of  
8 Council Member Richards who I know worked so  
9 diligently every day on this bill. So with that, I  
10 will gavel close the Committee of Environmental  
11 Protection for today. [gavel]

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1 COMMITTEE ON ENVIRONMENTAL PROTECTION

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 2, 2017