

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL
PROTECTION, RESILIENCY AND
WATERFRONTS

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March 18, 2025
Start: 10:38 a.m.
Recess: 3:09 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: James F. Gennaro,
Chairperson

COUNCIL MEMBERS:

Alexa Avilés
Justin L. Brannan
Robert F. Holden
Kristy Marmorato
Sandy Nurse
Lincoln Restler
Rafael Salamanca, Jr.
Susan Zhuang

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

Paul Rush
Deputy Commissioner DEP

Lisa Alpert
Greenwood Cemetery

Nicki Cross
NYLPI

Hayden Brockett

Em Ruby
Riverkeeper

Rohit Aggarwala
Commissioner DEP

Tasos Georgelis
Acting Chief Operating Officer, DEP

Nerissa Moray
Chief Financial Officer, DEP

Cecilia Ellis
NYPIRG

Eric Goldstein
Natural Resources Defense Council

Theodora Makris
Center for NYC

Tony Ores
Neighborhood Housing Services

Tyler Taba
Waterfront Alliance

Chris Hartmann
Self

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

Beth Defalco

Nicki Cross
New York Lawyers for the Public Interest

Hunter Severini

Dara Illowsky
Save the Sound

Lisa Alpert
Greenwood Cemetery

Michael Higgins Jr.

Zulay Velazquez
Self

Angela DeLillo
Deputy Commissioner DEP

Linda Dada
Self

Jordan Paige
NYC IBO

Brian Cain
NYC IBO

Anais Reyes
Climate Museum

Sarita Daftary
Freedom Agenda

Sharon Brown
Self

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

Andrea Scarborough
Southeast Queens Residents Environmental Justice
Coalition

Nabil Julolidine (SP?)
Self

Michelle Luebke
SWIM Coalition

Eric Eisenberg
Self

Michael Streeter
Self

Michael McFadden
Self

Christopher Leon Johnson
Self

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SERGEANT AT ARMS: Testing, testing. This is a
soundcheck for the New York City Council Preliminary
Budget Hearing on Environmental Protection,
Resiliency and Waterfronts recorded by Sergeant Ben
Levy(SP?) on March 18, 2025 in the City Hall
Committee Room.

SERGEANT AT ARMS: Good morning and welcome to
the Committee, New York City Council Committee on
Environmental Protection, Resiliency and Waterfronts.
At this time, I'd like to remind everyone to please
silence all electronic devices and at no point going
forward is anyone to approach the dais or witness
stand unless invited to testify. If you would like
to testify, you can sign up by filling out a slip at
the Sergeant at Arms desk in the back of the room and
if you have any questions during the hearing, you can
ask one of the Sergeant at Arms and they will address
it. Chair, we are ready to begin.

CHAIRPERSON RESTLER: [GAVEL] Good morning and
welcome to the Fiscal Year 2026 Preliminary Budget
Hearing for the Committee on Environmental
Protection, Resiliency and Waterfronts. I am sorry
to disappoint you all but my name is not Jim Gennaro.
I am Lincoln Restler and this morning, I will

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temporarily be chairing the Committee as Chairman
Gennaro could not join us today because he's
unfortunately incapacitated due to an injury. We
very much wish him a speedy recovery.

Chair Gennaro was intending to dedicate this
hearing to the memory of his late wife Joann. Joann
passed away nine years ago today. She was a truly
extraordinary partner to Jim and a loving mother of
their daughter Christina who just turned 30 and is
actually getting married this spring.

Jim was a profoundly committed partner and
caretaker to Joann, especially during the eight years
through which she suffered a terminal illness. On
behalf of Jim, I would just like to formally dedicate
this hearing in Joann's memory and our thoughts today
are with him and Christina and his whole family.

And I'll just say as a point of privilege, I
didn't know Jim before coming to the City Council but
he cares so deeply about this Committee and about
being as strong environmental steward for the City of
New York, and over decades as a Council staffer, as
Chair of this Committee on two different occasions
for now 15 years in aggregate, he has had an outsized
impact on the sustainability of our city and we're

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really fortunate to have his leadership here in the Council. I've learned a lot from him and am very privileged to be his colleague.

Today, we will be reviewing the Department of Environmental Protections Fiscal Year 2026 Budget to understand how it addresses the needs of all New Yorkers. Thank you to all who are present here today and those who will be testifying remotely. I'd like to begin by just thanking my colleagues who are here, Council Member Marmorato from the Bronx, Council Member Avilés and Council Member Nurse was here as well. I'd also like to thank the staff of DEP for their hard work. Over the past year and frankly day in and day out to keep our city safe, our water clean and more.

The Department of Environmental Protections Fiscal Year 2026 budget in the preliminary plan totals \$1.6 billion and includes funding for a headcount of 6,307 positions. The Departments Fiscal Year 2026 budget has been relatively unchanged since adoption, decreasing by only \$36.8 million. The preliminary financial plan includes five new need totaling only \$1.6 million in FY25 for the department and it ranges from stormwater resiliency mapping to

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an expansion of flood sensors. Over the past year, this Committee has held a number oversight hearings on topics such as New York City's drought and efforts to maintain the Filtration Avoidance Determination or the FAD.

At this hearing, the Committee would like to revisit some of those items and additionally discuss federal funding risks associated with the new administration in Washington, ongoing capital projects and their growing costs, DEP's future sustainability efforts and more. I'd also like to discuss the vacancy rate and how the department is dealing with enforcement and effectiveness measures related to the high vacancy rate at the agency.

The Committee will also be focusing on the increasing water rates and the potential water rates for Fiscal Year 2026. It is essential that the budget the Council adopts is transparent, accountable and reflective of the priorities and interests of the people we represent. This hearing is a vital part of the process and I expect the DEP will be responsive, like they always are, to Council Members questions and concerns.

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I look forward to an active engagement - I look forward to actively engaging with the Administration over the next few months to ensure that the FY25 Adopted Budget meets the environmental goals set out by this Council.

I'd also like to personally thank DEP for their impressive work on important projects in District 33; that's mine. DC Licata, Deputy Commissioner Angela Licata and her team spearheaded an effort to significantly improve the New Town Creek long term control plan. Alicia West led the effort to do something that is generally unheard of in City Government. She and the agency are willing to give up DEP land in Bedstuy to facilitate new affordable housing and preserve an awesome community garden Myrtle Village, making their home permanent. And Tara Craton(SP?) has partnered with our office on a new program to help neighbors adopt catch basins on their corner to prevent flooding.

In each of these examples, in our district, DP staff have really taken initiative and been creative to solve problems. And that orientation, it really does come from the top and it's a testament to the leadership of the Commissioner. And so, Commissioner

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1 Aggarwala, I'm grateful to you for your partnership
2 with the City Council and your willingness to get
3 your hands dirty in addressing the issues that me and
4 my colleagues identify each and every day across the
5 five boroughs. We are very fortunate to have you
6 back in city government. I'd also like to thank our
7 Committee staff for their hard work. Financial
8 Analyst Tanveer Singh, Unit Head Aliya Ali, Committee
9 Counsel's Nantasha Bynum, Sierra Townsend, Policy
10 Analyst Ricky Chawla and Andrew Bourne, excuse me.
11 Sorry, and I'd really like to thank Chair Gennaro's
12 staff who do a terrific job, Henny Yam, his Chief of
13 Staff and his Legislative Director Josh Gachette and
14 all the hard working staff behind the scenes.

15
16 I'd also like to just thank my Chief of Staff
17 Molly Haley, you know we were asked yesterday around
18 4:30 if we would step in and Chair this hearing and
19 she had been awake since 4:00 a.m. yesterday morning
20 but of course worked all night to help prepare us for
21 the hearing and I'm always, I'm really appreciative
22 for her expertise.

23 So with that, I'd like to welcome and thank
24 Commissioner Aggarwala and I'm looking forward to
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hearing from the Commissioner. Committee Counsel if
you wouldn't mind swearing in our witnesses.

COMMITTEE COUNSEL: Good morning. Please raise
your right hand everyone on the panel please. Thank
you.

Do you affirm to tell the truth, the whole truth
and nothing but the truth before this Committee and
to respond honestly to Council Member questions?
Thank you. You may begin when you're ready and
please state your name and -

CHAIRPERSON RESTLER: Just before we do, I'd like
to recognize Council Member Holden who is with us on
Zoom.

ROHIT AGGARWALA: Alright, thank you Chair, I
guess interim Chair, how do I address you here?
Okay, well, thank you for that introduction and for
those kinds words and I'd like to join you in sending
our best wishes to Chairman Gennaro both for his
injury and for the day of remembrance that he is
undertaking today.

Good morning members of the Environmental
Protection, Resiliency and Waterfronts Committee.
I'm Rohit T. Aggarwala, I'm the Commissioner of the
Department of Environmental Protection and I'm joined

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here today by pretty much all of DEP's senior staff but here at the table by our Chief Financial Officer Nerissa Moray and our Acting Chief Operating Officer Tasos Georgelis. We're here today to discuss the Preliminary Budget, the Preliminary Capital Plan and the Preliminary MMR.

I'm pleased to say that New York City's water system is in good shape. We continue to provide some of the nation's best drinking water and do so reliably and cost effectively. The harbor continues to get cleaner. Our record on minimizing water main breaks, sewer backups and similar disruptions is good and our response times to resolve these issues are excellent. Our revenue collection is improving. Our revised ten year capital plan is a healthy \$37 billion. Of course, like all entities, we face challenges, including a 13 percent vacancy rate, the impact of inflation, uncertainty on federal policy and climate change. We continue to work to improve our operating efficiency and our response times on permits and approvals. In addition, there are specific program areas such as lead service line replacements and citizen idling enforcement where we need the Council to act.

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I'm going to give a quick overview of DEP's expense and capital budgets. As of the FY26 Preliminary Budget DEP's expense budget is \$1.641 billion. This reflects as you pointed out a modest set of new needs that include roughly \$2 million to pursue the Environmental Impact Statement for the Indirect Source Rule on which we heard and again, I want to thank Council Member Avilés for her leadership on that important issue. \$4 million for Stormwater Resilience Mapping as part of the City of Yes, a new responsibility that DEP has as part of that rezoning and legislation, and roughly half a million for an expansion of our flood sensing network, which includes Flood net but is going beyond it.

The backbone of any organization is its workforce. I am tremendously proud of the work DEP staff perform each day. Our authorized headcount totals 6,307 for FY26, which is just 27 positions fewer than FY25. That reduction represents grant funded positions that are added to the budget for each Fiscal Year, so in fact it's pretty much the same. We currently have roughly 5,600 employees, which does imply a 13 percent vacancy rate. It's

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also worth noting that roughly 1,000 of our staff
work north of the city in our watershed and our
police.

I'm happy to report that with this new capital
plan we've received an additional \$3.8 billion to
address critical mandated work as well as a much
needed state of good repair for our waste water
treatment plants. Much of this is for complying with
mandates related to ambient water quality and in fact
Chairman, the lion share of that \$3.8 billion is for
the New Town Creek project and I want to thank you
for your kind words about our teams work there.

DEP's highest priority is to provide high quality
drinking water to half of New York State including
not only the entire city but also roughly 1.5
residents of Westchester, Putnam and Orange counties.
We recently published our annual Drinking Water
Supply and Quality Report, which, among other things,
reports on the result of our more than 650,000
analysis our scientists performed on more than 46,000
samples taken from our watershed, our reservoirs and
our distribution system.

In addition, 2.9 million robotic monitoring
measurements were taken from the upstate reservoirs.

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We keep a very close eye on water quality. As I testified here last year, a key to our water quality is the Filtration Avoidance Determination, the FAD that governs watershed protections and allows us to avoid the cost of building and operating a filtration plant for the 90 percent of our water that comes from west of Hudson Watershed.

As I mentioned then, the FAD is up for renewal in 2027 and we believe that we'll need to evolve significantly in order to continue to be successful because climate change, evolving regulations, and a resurgence of wildlife are posing new threats that cannot be addressed with old solutions.

On that basis, DEP this year announced the end of its program to purchase land far from the reservoirs in order to focus our land acquisition efforts on important and more expensive land adjacent to our reservoirs. DEP has its own police department; our specialized officers patrol the watershed and our critical infrastructure every day. We struggle with retention because we can't offer the same pension benefits as other police in New York State who can retire after 20 or 25 years of service, regardless of age. DEP officers must be 63 years old before they

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can retire because they have the same pensions as
civilians. Our police union is pursuing state
legislation that would erase this disparity by
allowing DEP police to have a police pension, like
other police departments in the state.

We maintain a system of thousands of miles of
pipes across the watershed and in front of every
building in the city. The main components of this
system were built more than 100 years ago. To keep
them running for the next hundred years, we must
invest in the resilience of the system. We have
several major projects underway as reflected in the
capital plan, including \$1.1 billion for work
currently underway at the Hillview Treatment Facility
that's part of our Hillview Reservoir Complex. \$1.7
billion for the Kensico-Eastview Tunnel, which is a
second connection between the Kensico Reservoir and
our Ultraviolet Filtration Plant. \$1 billion for the
Ashokan Century Program, a multi-year capital program
to comprehensively upgrade the water supply
infrastructure at the Ashokan Reservoir, one of our
three most important reservoirs and one that is now
as the title suggests more than 100 years old.

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2 Additionally, we are preparing for the
3 culmination of the Delaware Aqueduct repair work. We
4 had as you well know expected to do the repair last
5 year but had to pause because of the drought. We are
6 working to be able to resume that repair this year
7 but doing so will depend on several factors including
8 the weather.

9 While we exited drought conditions in January,
10 the current storage is still lower than usual for
11 this time of year. We need absolutely full
12 reservoirs in Croton system in order to proceed with
13 the repair again this October so we are monitoring
14 levels closely.

15 My colleagues Deputy Commissioner Paul Rush and
16 Beth DeFalco, testified in December about the
17 drought. As they discussed, we learned a great deal
18 from the experience and among other priorities this
19 year, we are working to update our drought protocols.
20 Since our previous drought was in 2001, our protocols
21 did not take into account much that has changed in 25
22 years, including automatic meter readers, our new
23 billing system, and social media. We will take our
24 time with this but intend to update these before the
25 end of the year.

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We've done a very strong job of maintaining our in city distribution system of 7,000 miles of water mains. We have one of the lowest rates of water main breaks in the country. DEP has averaged between five and six breaks per hundred miles for the last several years, which is well below the national average of 25 breaks for 100 miles. When breaks do occur, we work to fix the problems as quickly as possible. In FY24, on average, we were able to restore service after a watermain break in just over four hours.

Two topics I know to be of interest to the Committee are lead service lines and sewer backups pursuant to Local Law One of 2023, we published in January our report on sewer backups, backflow preventers and other ways to prevent SBU's. This is it right here and I believe you've received copies in case you didn't have them.

This report found that DEP has done an excellent job of reducing dry weather SBU's, which are caused by fatbergs or failures in the sewers. These have been reduced by 75 percent since 2010, due to ongoing maintenance efforts. However, due to climate change wet weather SBU's, which are caused by too much stormwater trying to get into the sewers are

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1 increasing. Our research identified roughly 74,000
2 properties that may be at elevated risk of SBU's
3 including 59,000 one and two family homes. It also
4 identified that backwater valves can be effective but
5 are problematic in many situations because they
6 require annual maintenance and coordination among the
7 users of the building, which is especially
8 challenging in multifamily homes. The report
9 identified other solutions, such as toilet and
10 drainplugs that are easy and inexpensive to install
11 do not require maintenance and do not pose the risk
12 of causing a backup internally.
13

14 Pursuant to the law, we are currently developing
15 a program including looking for a federal program
16 that could support it. Importantly, the study also
17 found that nearly one in three sewer backups is
18 caused by internal plumbing issues, such as rooftop
19 downspouts being connected to the properties sewer
20 line. In response to this finding, we are working to
21 expand public outreach through initiatives such as
22 the NYC Accelerator, the Rainfall Ready Campaign and
23 the flooding information sessions that we began
24 holding last year. We invite the Council's
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partnership to continue these sessions and share
information with homeowners.

Another topic of interest is lead service lines.
As I testified here last year, we believe that lead
service lines should be eliminated but we also
believe that the food grade additives we use in our
water protect most users with lead service lines from
exposure. There are no lead service lines in the DEP
water distribution system and New York City tap water
is safe to drink but we do recommend that anyone with
lead plumbing or a lead service line run their water
for one minute first in the morning before drinking
it. This is a simple precaution that will flush
water that has been sitting in an internal pipe for
many hours. Anyone who is concerned about the water
in their home can request a free lead test kit
through 311.

We've been aggressively pursuing state and
federal funding to replace homeowners lead service
lines. We have received \$72 million in grants in
interest free loans for replacements. We have
focused our replacement programs on environmental
justice communities that have high concentrations of
lead service lines and have a median household income

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of less than 47,600. In addition, we're committed to facilitating a replacement of lead service lines throughout the city, with an emphasis on executing no cost replacements for privately owned water service lines in underserved communities.

While many replacements are part of our no cost initiative, others are necessitated by our infrastructure. Lead service line replacements fall into various categories, the Neighborhood Replacement program funded by the Bipartisan Infrastructure Law, proactive replacements during water and sewer main construction work.

DEP is partnering with DDC to offer lead service line replacements to homeowners when we do watermain work in their streets. We've replaced more than 700 lead service lines since 2019 and expect to replace roughly 2,500 in the near future. Our Neighborhood Replacement Program suffers from the fact that there is no requirement for homeowners to replace lead service lines if a free replacement is offered.

As a result, our federally funded efforts are less effective than they should be. Only 50 percent of eligible homeowner are signing up. The legislation the Council considered last year and in

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which I testified in favor, would address this and would require homeowners also to replace their lead service lines at the time of sale, when new homeowners are likely to be making upgrades anyway. I urge the Council to act at least on those two provisions of that bill.

I have testified at length on multiple occasions on the challenge that climate change presents to DEP. Last spring, we released the 2024 stormwater analysis. No, this one here. I brought a lot of exhibits, it's somewhere. Somebody can help me find it? Thank you, which is the first, the first building block in the development of a master citywide stormwater plan. That document identified 86 locations around the city that will require resilience projects for an estimated cost of \$30 billion. We have continued work on that effort including several key projects. Six sewer and storm sewer projects including Council Member Nurse, the \$390 million project on Knickerbocker Avenue in Bushwick that we were pleased to announce with you a couple of weeks ago.

Four Blue belt projects now in advancing planning with sufficient funding in this budget to realize

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Mayor Adams' announced goal of a five borough blue belt program. A cloudburst project in Montpelier Park in southeast Queens, and several pump station upgrades to keep sewage and stormwater moving despite larger flows and higher sea levels. As you know in 2023, DEP established a new Bureau of Coastal Resilience. We hope to work with the Council this year to amend the Charter to officially establish this bureau under DEP's purview.

We reached a major milestone in coastal resilience last month when BCR formally took responsibility for the first 12 floodgates on the Eastside Coastal Resilience Project. Now, BCR is responsible for the operations and ongoing maintenance of that critical infrastructure.

It's important to note that coastal resilience is not an eligible use of water rate revenues. So BCR's work must be funded out of the agencies tax levy budget, which traditionally has only included our air, noise and hazardous material functions.

As BCR's needs expand, this is unlikely to be realistic. As a result, former Deputy Mayor, Mayor Joshi and I convened a Resilience Finance Taskforce to explore ways to fund and finance this critical

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work. The task force released its findings just yesterday in this report that can be found on DEP's website and of course I do have copies for you all.

The size of our water operations makes it easy to overlook the critical functions that DEP provides in enforcing the city's air, noise, and hazmat codes. Our hazmat response team responded to more than 3,000 events in Fiscal Year 24, including almost 400 responses to lithium-ion battery fires, and assisted NYPD at 18 major events like the World Series. Our air and noise inspectors processed over 124,000 citizen idling complaints and issued 849 muffler noise summonses based on evidence from our camera program.

I testified last year on Intro. 941, which would reform the Citizens Idling Enforcement Program. The budget should reveal the need to reform this program. Today, fully 94 percent of the time of the Administrative staff our air noise division and 65 percent of our air and noise inspectors time is fully dedicated to administering this single program.

As I testified, the program is failing to focus on the neighborhoods where air quality related health impacts are disproportionately located, which should

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be our first priority. Areas such as Hunts Point, Sunset Park and others. It is also a key reason we cannot currently the expand the noise camera program or do more to focus on the many dust and construction noise complaints that we receive. I urge the Council to enact Intro. 941 to help us redirect our resource appropriately.

Most of our work is paid for by water and sewer payments not city tax levy. As such it is critical that we maintain a reliable funding stream and ensure that everyone pays their bill. We've worked this year to improve our customer service and make it as easy as possible to pay water bills. We are making major capital investments to replace our aging automatic meter readers, now at the end of their useful lives to reduce estimated bills. We offer several affordability programs including the Home Water Assistant Program and the Multi-Family Water Assistance Program and the Multi-Family Water Assistance Program.

We offer flexible and customized payment plans to any account holder who is behind on payments. I am pleased to say we have worked especially hard to address our largest delinquent customers including

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reaching the final stages of resolving a long standing dispute with the Port Authority about its water bill. Unfortunately some people choose not to pay their water bills. Passing on their portion to their neighbors and that is not fair. If some people do not pay their water bills, the cost must be borne by those who do, eventually raising rates.

Last year, we initiated a water shutoff program, shutting down service on chronically delinquent customers. We have been able to recoup more than \$18 million and secure another \$21 million in payment agreements through shutoffs thus far. We are continuing this program this year after pausing for the winter. It is never DEP's goal to shut off service but this remains an important tool for ensuring that people pay their fair share and keep rates fair for all New Yorkers. Thanks to the Council's help, we are partnering with DOF and HPD to hold a lien sale this year to recoup more owed money. This year's lien sale will be in May.

Outreach began last month with notices sent to everyone on the lien sale list. After several years of no lien sales, this years is potentially the largest 90 day lien sale list in DEP's history.

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There are 17,970 delinquent customers with over \$450 million in open charges. Our goal is not to sell liens or shut off water, but it is to have all customers come into good standing. Up to and until the day before the sale, anyone who pays their balance or enters into a payment agreement will be removed from the lien sale list. A customer does not need to pay their entire balance to be taken out of the lien sale. They can be taken off the list by making the minimum payment amount or by working with our customer service team to enter into a payment plan. We want people to enter payment plans and as I mentioned these plans are customized to be manageable with a customer's unique circumstance. Customers can even enter in to a zero down payment agreement. We have been reaching out to rate payers who are on the lien sale list and we invite the Council's assistance to engage with them.

In addition to increasing collections, we are also keenly aware of our responsibility to manage our costs through efficiency improvements. We are working towards this on several fronts. We are in the midst of a major effort to increase digitally enabled operations, called Scada systems at our

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works. This should allow us to operate more accurately and to redeploy our skilled labor to the kind of preventative maintenance that we most need to focus on. We're beginning a smart sewer program to make the best use of our existing sewers. This begins with the installation of 200 sewer monitors this year. For our \$3 billion New Town creek tunnel required under our long term control plan and part of the New Town Creek Super Fund, our engineers identified ways to redesign that project to make it far more effective. I'm pleased that the State DEC approved that modification. I want to thank you Council Member Restler for your support and also note the support of Riverkeeper for that modification.

Going forward, we will need to consider carefully how we can get multiple benefits from all our investments. It's important to note that while I believe your constituents are often talking to you about flooding, our largest investments going forward will be to comply with mandates about water quality in the harbor.

As we know the new federal administration is making changes to federal programs. We are less reliant on federal funding than many other agencies

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but we have been using federal grants to support
cloudburst infrastructure, lead service line
replacements and some other discreet projects. We
have been more awarded multiple brick grants to
stretch out our cloudburst program and are moving
forward right now with the assumption that the
funding will not change. If it does, however, we
would expect several neighborhoods cloudburst
projects to be delayed. Beyond direct funding, we
rely heavily on several federal agencies for our
operations. The National Weather Service provides
detailed weather forecasts that we rely on for our
reservoir operations. If these are in any way
curtailed, we will need to pay for private sector
forecasts. DSG Ecological Survey provides us
services both in the watershed where they monitor
streams that feed our reservoirs and in the city
where we are working with them to measure ground
water levels.

Finally, the US Army Corp is a partner both
within the city on coastal protection and in the
watershed in the management of the Delaware River.
We are closely monitoring what might happen to these
federal programs we rely on but have no news to

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report at this time. Overall, DEP continues, I believe to be well run and farsighted. We have real challenges to face, recruiting, inflation, federal changes and climate change. We have work to do internally on efficiency, permitting and planning and we face major milestones ahead of us. Most notably the renewal of the FAD but also issues such as coastal resilience and the impact our treatment plants have on Jamaica Bay. We also think constantly about how we balance our needs, the demands of New Yorkers for better services and especially for flood water protection and the need to manage our water rates to be affordable.

To close, I ask for the Council's continued partnership to support our work. As I mentioned earlier, we hope to work with the Council in the near future to enact legislation relating to lead service line replacements, the Bureau of Coastal Resilience, Citizen Idling, and the legislation for the Indirect Source Rule as we've discussed at recent hearings.

Thank you for your time this morning and my colleagues and I are happy to answer your questions.

CHAIRPERSON RESTLER: Wonderful, that was a thoughtful and informative testimony. We appreciate

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you sharing it with us today. I will do a couple topics and then pass it over to colleagues and so they can get on with their days.

I'd like to just start with headcount and I'd like to cover the water rental payments and then I'll pass it around. So, according to the data that I reviewed, DEP currently has 765 vacancies. I think you mentioned it was a 13 percent vacancy rate in your testimony and we are approximately 430 positions below the peak DEP headcount five years ago in FY20 prior to the pandemic.

The staffing gap raises significant concerns for me, this Committee, for New Yorkers about the Departments ability to effectively manage its critical functions, including water infrastructure maintenance, environmental protection, stormwater management and more. DEP appeared to be making some progress on hiring in the first half of FY24 but things seemed to have stalled according to the data we reviewed. Are any DEP positions exempt from OMB's two for one hiring rule and have you requested an exemption?

ROHIT AGGARWALA: Thank you Mr. Chairman. Look, the vacancy rate is certainly a challenge and

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1 something that we are keenly focused on. To answer
2 your question about the two for one, we are not
3 currently subject to the two for one at all. In
4 September of 2023, when the significant change in the
5 city's fiscal environment led to the citywide changes
6 in hiring, OMB allowed us to take a PEG. At the
7 time, it was not for our water utility function, so
8 it only covered our IFA, which is some of our
9 engineers mainly and our tax levy, so our air noise
10 inspectors among others. So we did lose 15 percent I
11 believe was the reduction at the time but as a
12 result, we've been able to do one for one hiring.

13
14 There are a number of process changes that have
15 led to the slowdown in hiring but we're very much
16 focused on it and I'm optimistic that it will pick
17 up.

18 CHAIRPERSON RESTLER: So, I should be asking
19 Director Jiha this question but my recollection was
20 that the 15 percent PEG was threatened and that
21 except for the agencies that made some sort of deal
22 with OMB and agreed to a tradeoff, that the rest of
23 the agencies only actually suffered a five percent
24 PEG and didn't have the three rounds of five percent.
25 Is that your recollection as well?

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ROHIT AGGARWALA: I will be honest -

CHAIRPERSON RESTLER: I just think that that should be revisited since not every agency - even the agencies that were subject to the PEGs that were non exempted agencies did not suffer a 15 percent PEG. Whatever deal was made with OMB should have to be revisited so that you can restore your staffing levels and the critical functions that we all want to see DEP more - with more capacity to address. So, we'll follow up with Director Jiha on that but I think that is absolutely unfair.

You know as you mentioned in your testimony, DEP is largely funded by our water bills. Why therefore is DEP subject to you know OMB's limitations on your - why does OMB - why is DEP therefore subject to OMB's limitations on your hiring practices when it's not CTL money, traditional CTL money that funds the agency?

ROHIT AGGARWALA: Well, just to be clear, the PEG did not affect our water utility headcount.

CHAIRPERSON RESTLER: Understood.

ROHIT AGGARWALA: I mean so that was only the tax levy.

CHAIRPERSON RESTLER: Yes.

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ROHIT AGGARWALA: But DEP is a city agency, right? And so, all of the city - all of our functions related to budget and personnel etc., DEP adheres to those processes just like any other city agency regardless of the source of funding. OMB has traditionally made a distinction where there is a policy that is driven by the city's tax levy fiscal situation that at their discretion, they treat our water rate functions differently as they did in September of 2023, but the overall management of the agency, we are fully a city agency.

CHAIRPERSON RESTLER: Understood. I just to your point, there's been no distinction made in your - in how OMB places guardrails and stifles hiring at DEP than they have at any other agency despite the fact that it's the water bills that fund the overwhelming operations of the agency and I think that that's wrong.

So, it's not your job to say that it's mine but I just, I want to be clear.

ROHIT AGGARWALA: And I will just point out, that wasn't quite my point Chairman.

CHAIRPERSON RESTLER: It wasn't. I'm making that. I want to be clear; you're not saying that.

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You've got to be more careful than me. I'm in trouble with Director Jiha all the time. So, could you just help elaborate for us, which divisions or job titles within DEP currently have the highest numbers of vacancies or the highest vacancy rates and how are these staffing shortages impacting daily operations?

ROHIT AGGARWALA: Of course, so the job titles where we have the highest vacancy rates are uhm some of our trades, engineers, which is a big problem for us and for many of our fellow agencies, police and customer service. Our police vacancy rate is actually 25 percent and so those are the areas. You know I will say per your preamble to this set of questions, no one should think that we are doing a less good job of supplying water right and we have across most of our functions relied very heavily on overtime to ensure that the critical operations are fully staffed. Of course we are adhering to every regulatory requirement. Of course we have not changed our water testing, our water sampling or anything like that.

In some cases, we have had to pair back nonessential work, such as some police patrols, some

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preventative plant maintenance, things like that. On two occasions over the last year, we've implemented an emergency contract to address staff shortage that we could not address with -

CHAIRPERSON RESTLER: Which emergency contracts?

ROHIT AGGARWALA: Uhm one was related to our marine unit, which runs the sludge votes that transport sludge to some of our treatment plants and one was our asbestos lab. That one happily resolved. We were able to do the hiring so that emergency contract we only had to use very briefly, but you know those are things where we have a minimum viable operation and once staffing goes below a certain level and once you ask people to work for six or seven days a week, you know just they can't keep it up.

CHAIRPERSON RESTLER: I have every confidence that DEP is continuing to do a stellar job but it is as those examples indicate, it's really hard to make due with such a dramatic reduction in headcount. We're talking about an eight percent reduction in headcount since the prepandemic levels. We're talking about a 13 percent vacancy rate today. We want to see a staffed up DEP so that you can

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sustainably execute on each of your priority areas
and achieve your core functions.

Just to dive in on a couple more. DEP is
responsible for approving sewer connections for new
constructions. Can you share with us the current
timelines for DEP approval on those projects and have
staff vacancies impacted those timelines?

ROHIT AGGARWALA: Hold on - I'm sure we have the
data here somewhere.

CHAIRPERSON RESTLER: Tasos doesn't know this off
the top of his head? I'm disappointed.

ROHIT AGGARWALA: Look, let me say while we're
finding the data, which we may get back to you.

Among the things that we do actually that Tasos has

been leading is taking a broad look at all of our

approvals. I know I do hear from members of the

Council on occasion with respect to our stormwater

permits for the unified stormwater rule sometimes

around asbestos control, things like that and among

the things we are doing is taking a comprehensive

look at all of those functions where we have a

customer service function that is not about peoples

water bills to see how we can manage those better.

At the Bureau of Water and Sewer Operations, Tasos as

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Deputy Commissioner led an effort to put a lot of that online, which of course just like the Department of Buildings has done, streamlines those processes dramatically and among the things we are doing is looking at our internal processes and our customer interfaces to see how we can make that easier across the board.

CHAIRPERSON RESTLER: Great.

ROHIT AGGARWALA: Any news?

TASOS GEORGELIS: Your specific question Council Member is on the sewer connections?

CHAIRPERSON RESTLER: Yes.

TASOS GEORGELIS: So, the days have been creeping up and the latest numbers I have here is five to six days.

CHAIRPERSON RESTLER: And what from - is there a former baseline that we used -

TASOS GEORGELIS: 2022 we were running four to five days.

CHAIRPERSON RESTLER: Okay and do you attribute that increased timeline to staff vacancies?

TASOS GEORGELIS: It's a number of factors, right? Staff is one of the factors but we've been seeing an increase in the volume that we're receiving

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and like the Commissioner said, we're trying to improve processes all the time and specifically with the sewer connections, we're trying to go to an all-digital version, which is reducing the time we spent reviewing again quicker to the folks that are asking for it.

CHAIRPERSON RESTLER: Okay and I think that Commissioner your comments on asbestos a moment ago speak to this but we saw in the PMMR that there was a 16 percent increase in the number of hazardous material complaints received by DEP and the average time to respond to these complaints had increased to over four days. Up from a half a day just last year. And full exceeding the 1.5 day response time target. The PPMR stated that the hazardous materials inspections unit has a vacancy rate of 22 percent. Is that still right and what are we doing to staff that unit up and bring down response times?

ROHIT AGGARWALA: I may need to ask Deputy Commissioner Lubin to specifically address it but yes, we do have our asbestos inspectors as a group have one of the highest overall vacancy rates in the agency. We have received in early February approval from OMB to hire eight industrial hygienists and a

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pool was held to hire from that list at the end of February and no candidate showed up to interview. So you know sometimes it's not for a lack of trying and you know it's not always a thing at the agency or at OMB or something. You know some of this is about us being more aggressive and more thoughtful on recruitment and we do have a number of efforts that we are making over the course of this year to go out and find candidates for some of these lines. And as I mentioned with the police, to understand in some cases, where we have structural challenges, where we're just out of sync with the market.

CHAIRPERSON RESTLER: I just want to shift gears to the water rental payments that the Mayor decided to impose last year. Just for a moment a background. Under the 1985 lease agreement between the city and the Waterboard the city may request a rental payment from the Waterboard. In 2016, Mayor de Blasio paused rental payments, noting and they were not reinstated except for partial payments during the pandemic.

Last year however, Mayor Adams brought back the rental payments. \$289 million in FY25 and a planned \$1.4 billion through 2029 reportedly to cover asylum costs. Although I don't think we've seen an

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adjustment in those numbers since asylum costs have gone down. These funds are directed to the city's general fund and do not support any water related purpose, any resiliency purpose. Like Chair Gennaro, this really pisses me off just to say it plainly. How much will the water rate payments for taxpayers increase to cover the rental payment do you estimate for next year?

ROHIT AGGARWALA: Do you have last year's numbers? Can you do last year number? So, Chairman, we are currently working, we will over the next couple of weeks actually be working our annual process to set next year's water rates. It usually starts in late March early April, so I do not at the moment know what our proposal to the Waterboard will be. What was projected in the last bond issuance where we do layout a four year projection is the same 8.5 percent number that we did last year but that is always adjusted and you know I'm pleased to report for example, we are ahead of revenue plan at the moment, which gives us a little bit of cushion by \$200 million today and that's a good thing. But what I can tell you is the breakdown of last year's 8.5 percent rate because we did break down for the

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Waterboard where it went and I'll ask Chief Financial Officer Nerissa Moray to take that.

NERISSA MORAY: Yes, in terms of the composition of the last year's 8.5 percent increase, 3.1 percent was attributed to debt service, so obviously the financing and funding that goes towards our capital plan, the delivery of that capital plan. 3.1 percent was attributed to the rental payment request from the city. One percent was driven by OMB inflation recosts, our new program needs that were provided.

CHAIRPERSON RESTLER: Can I just dig in with you on that 3.1 percent that was attributed to the city's rental payment? Do you have a breakdown of the average cost per homeowner of what that meant? My notes have it here as a \$1.30 per month. Does that sound right to you? Is that a number that means anything?

NERISSA MORAY: I'm sorry, I'd have to check that and get back but I can go ahead and check that.

CHAIRPERSON RESTLER: Has OMB provided any explanation for why they are reinstating this additional tax on New York homeowners?

ROHIT AGGARWALA: Council Member, it is the city represented by the Mayor and usually delivered by OMB

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that makes that decision and it's in the , so DEP has
no role in that decision.

CHAIRPERSON RESTLER: Right, I just wondered if
you had any explanation beyond the purported costs of
covering asylum seekers. You know I just if we were
talking about an additional assessment that was
expanding DEP's resiliency efforts to protect us all
from the existential threat of climate change, that
would be a conversation that I think myself and many
members of this Committee and this Council would be
willing to have but a tax on homeowners to just send
resources to the general fund to the tune of \$1.4
billion over the next five years, with no additional
support provided to DEP as a result of this backdoor
tax on New York City homeowners, at a time when the
affordability crisis is worse than ever, right? It
doesn't make any sense to me. I mean a quarter of
kids in New York City are living in poverty and we're
adding these taxes that are just inequitable for no
good reason and without a clear explanation.

So, I realize this is not your decision but
you're the person I get to yell at about it and so,
I think that I've made my point clear. I just uhm,
can you just - can I - I'll ask the question rather

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than just assert it. Giving the pressing needs for climate resilience, are any of these additional funds that are being generated on the backs of New York homeowners you know through this backdoor tax going to expand resiliency efforts at the agency?

ROHIT AGGARWALA: Uhm, well, no not directly.

CHAIRPERSON RESTLER: Yeah, okay I could just keep complaining about this but I made my point. Why don't I pass it over to colleagues and then I'll keep asking more questions. Council Member Marmorato.

COUNCIL MEMBER MARMORATO: Thank you. Hi guys. So, I have to tell you your sump pump giveaway in my district was a huge success and I was just curious how do you get the funding for that? Like what portion, because I was reading this and I didn't really see anything for like equipment. What portion of the budget does that come out of?

ROHIT AGGARWALA: So, I'll ask Nerissa to add a bit more in a moment. We did that last year as frankly as a bit of a pilot, right? And so, we do not at the moment have a program. We do not have a program. So, it is one of the things that we are trying to figure out right now is what the long term

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kind of maintenance of that educational effort is but
can you say where the funding is coming from?

NERISSA MORAY: Yes, I think that's right so we
basically used underutilized funds for another area
of the budget as a temporary amount of funding for
that pilot program.

COUNCIL MEMBER MARMORATO: Well, if there's any
additional unutilized funds, please send them our
way. It was a big success. I still get text
messages. The rain that we had the other day that
was like very heavy, my neighbor said, thank God for
the sump pump because we'd be under water. So, it is
effective. My community really did benefit from that
and I thank you for that.

ROHIT AGGARWALA: That's great, thank you.

COUNCIL MEMBER MARMORATO: So, in the Metro North
rezoning process, our district secured \$170 million
for DEP infrastructure. Given the \$36.8 million
reduction in your budget for FY26, how will this
impact ongoing or planned water and sewer
infrastructure projects?

ROHIT AGGARWALA: I don't the - as I mentioned
the change in our operating budget for Fiscal Year
2026 is small and is related to budgetary dynamics

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about how grants are calculated more than any real reductions. So, I'm not worried. I mean we have a robust capital plan and we did as I said get nearly \$4 billion in incremental capital spending in this new ten year capital plan, which I think it is vote of confidence from the Mayor and from OMB on that fact that we now have the ability to deliver every year a \$3 billion capital program, which you know over the decade ending in 2022, we were averaging about \$1.5 billion a year and now we are consistently delivering \$3 billion.

COUNCIL MEMBER MARMORATO: Now how do you decide where that funding is going? Do you have like something set up like a formula of how you disburse that money equally throughout the city or there are certain projects that need to be addressed before others?

ROHIT AGGARWALA: So, uhm of the overall capital plan, we you know each project is scoped out. There are some bulk codes where we have a pot of money including money that we are investing now in the stormwater resilience that was first created in response to Hurricane Ida at the very end of the de Blasio Administration and so, that was put there and

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that's actually funded or is going to be funding some of the work that we are doing as I mentioned through the stormwater analysis, including the work for Council Member Nurse's district. I think some of the funding for your district is coming from that pot of money.

COUNCIL MEMBER MARMORATO: I think we got hit harder with Ida than we did Sandy, our district.

ROHIT AGGARWALA: Yes, well and of course Ida was a very different storm than Sandy. Sandy was mainly coastal inundation. Ida was stormwater flooding and so, the impacts on different parts of the city would be very different. But again, that's why in 2022, we started work on what will be this multiyear effort and actually Chairman Gennaro has a bill around it that we are happily working with the Council staff on to codify in law the kind of next generation of stormwater planning and you know I'm really proud of this work. It represented an integrated effort by our traditional kind of grey infrastructure team at the Bureau of Water and Sewer Operations under Wendy Sperduto who is sitting over here and Melissa Enoch team at our Bureau of Environmental Protection Analysis, which traditionally does green

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1
2 infrastructure and now they are doing planning in an
3 integrated way, which is really the way to do it and
4 I'm very excited that's where the Knickerbocker
5 Avenue designs came from. Some of the work in your
6 district, a number of places around the city have
7 already begun or we've already got the plans to
8 benefit them and that will bear fruit over time.
9 Yeah please.

10 NERISSA MORAY: I would just add over the last
11 ten years, we've invested about \$5.9 billion in
12 stormwater resilience and stormwater infrastructure
13 and in the next ten years, including fiscal 2025
14 through 2035, we have about over a \$10 billion
15 investment and coming, so.

16 COUNCIL MEMBER MARMORATO: These guys are
17 bouncing money around like they're pennies. That's
18 some serious money, so that's good. Now what's the
19 status of the capital investments that were promised
20 to us as part of the Metro North expansion in my
21 district? And you said that the funding has been
22 allocated but when will it be scheduled to be
23 distributed?

24 ROHIT AGGARWALA: Council Member, I think we will
25 have to get back to you on the schedule. As you

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know, you know a lot of this took place at the end of last year around the City of Yes. We are now working into our capital plans that our engineers are focused on but we'll get back to you with a timetable.

COUNCIL MEMBER MARMORATO: Because I do have a property that's kind of prime real estate. They want to sell and they're not - they want to wait to see when the sewer will be - the catch basins and sewers will be implemented and you know they want somebody to come and develop on the property. So, alright one more question and so, the budget reflects a \$38 million reduction in the city's funds for DEP. How will this effect infrastructure and maintenance and capital improvement projects that my district definitely relies on?

ROHIT AGGARWALA: You know again as I said, I think the operating budget is pretty much the same as it was last year, so you know I think this is a - you know and of course, we'll see what happens in the executive budget but in the January budget it is more or less stable in the you know you mentioned it's a \$36 million delta on a base of \$1.6 billion. It's a pretty small change and you know as I mentioned, we are also genuinely enthusiastic about the opportunity

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we have to be really efficient and we've done a number of things already that I'm proud of there's a lot more that we will be doing on that score.

COUNCIL MEMBER MARMORATO: Now, going off topic just a little bit. So, do you guys have any like thoughts and ideas or how you're going to fix this stormwater drainage issue? Like other than just replacing and having money to replace these?

ROHIT AGGARWALA: Well, you know as is laid out in the stormwater analysis, you know in order for New York City to be resilient for the more intense storms that are coming and you know currently our five year design storm is 1.85 inches per hour. Over the next 30 or 40 years, it will go up to 2.1 inches per hour but it is a combination of factors. First is the unified stormwater rule, right which we've discussed in relation to the rezoning and that requires people who are developing private property to do a much better job than they've ever had to before but preventing stormwater runoff. That's actually huge because the majority of land in New York City is privately owned and we need to harness that territory. So, that's one component. The second is making sure we're doing a good job of maintaining the

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1 system as it is and I think we are doing a very good
2 job with you know in fact I want to mention among the
3 things that got some attention in the aftermath of
4 the September 2023 storm was our catch basin cleaning
5 trucks, which are really specialized pieces of
6 equipment. We have been working in fact before that
7 storm to get a replacement fleet for our aging catch
8 basin cleaning trucks. We received the first couple
9 over the last few months and we did bring them out so
10 they are opposite 250 Broadway and I invite you to
11 come take a look at these brand new state of the art
12 trucks that are not only going to be much better to
13 maintain and much more reliable, they also have a lot
14 of safety features to be safer for pedestrians and
15 others on the roads that I'm really excited about.

17 But maintaining the system is the next thing
18 because that's how we get the best value out of the
19 system we have and then what's forecast here is yes,
20 where we need to expand the system, we have to be
21 able to make investments and smart investments. Some
22 of those will be underground. Some of those will be
23 in green infrastructure. That's why you know the
24 Mayor two years ago started talking about a five
25 borough blue belt strategy because the blue belts are

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one of our best approaches to harness the way nature manages stormwater, which are lakes and streams that expand and contract. And to engineer that kind of natural feature into our environment. We have nearly 100 blue belts in Staten Island. We have a handful in Queens. We're working on Tibbetts Brook in the Bronx, which I'm really excited about and I'm really keen on getting them into Brooklyn and even Manhattan at some point.

COUNCIL MEMBER MARMORATO: How many catch basin trucks do you need and how much do they cost?

ROHIT AGGARWALA: Let me ask Tasos. Can you answer?

TASOS GEORGELIS: We need about 50 of the trucks and they are between \$400,000 and \$500,000 each. Like the Commissioner said, we do have a couple of brand new ones outside and we have - they told me right before the hearing 26 planned to order.

COUNCIL MEMBER MARMORATO: How many are allocated to the Bronx?

TASOS GEORGELIS: Usually it's we have seven sewer maintenance trucks across the city.

COUNCIL MEMBER MARMORATO: Sorry, I can't hear you.

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TASOS GEORGELIS: There's seven sewer maintenance trucks across the city. Bronx has one and they have seven.

COUNCIL MEMBER MARMORATO: Okay and just one last question. So, we're talking about homeowners helping with water you know green water like - I remember you had mentioned the porous concrete and just to have like the beds of grass. Is there any tax incentive if the homeowner does these type of things currently in place?

ROHIT AGGARWALA: Right now no, we don't have an incentive program for green infrastructure. We do have one partnership program and help me remember, what's the name of I always get this wrong. What's it called? Okay, yes, Resilient NYC Partners, thank you is a program where we will help fund large scale private landowners or in fact non-DEP landowners to install onsite retention, usually green infrastructure and in fact, I think either you or your staff I was unfortunately unable to make it but we did the announcement with Jacobi Hospital and so, H+H has been a great partner and recognize that they have well, on this top in any case, they have recognized that they have a lot of land including a

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lot of parking lots and so, we can bring some funding so that they can install some of these systems. Greenwood Cemetery in Brooklyn has also been a great partner on that.

COUNCIL MEMBER MARMORATO: Okay, alright, thank you so much. Thank you so much Council Member.

CHAIRPERSON RESTLER: Thank you so much Council Member and we've been joined by Council Member Zhuang. We'll go to Council Member Nurse then Council Member Avilés.

COUNCIL MEMBER NURSE: Thank you Chair. Good afternoon. Good morning still Commissioner. I have a couple of questions. Alright, let me find my, I was working. Uhm, so one, thank you for the sewer projects. I know I was nagging relentlessly for a while and I know it was something you really were committed to and wanted to do, so I was really grateful that we got that over the finish line and Bushwick extends a huge thank you. You have unlimited pastries on Knickerbocker any time you want.

ROHIT AGGARWALA: I pay for everyone. I sent a check; I don't want to get in trouble.

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COUNCIL MEMBER NURSE: Okay but I said it publicly that way it's not sneaky. Anyways I had a couple questions about the study you all completed on the feasibility of developing waste water recovery facility on Rikers Island. We know that the report showed that it is feasible. It is viable and it's a good plan and so wanted to get a sense of post that study what steps have been taken within DEP. What conversations have you been having with uhm the Commissioner of DCAS? You know what are some of the next steps happening there?

ROHIT AGGARWALA: So, we remain very enthusiastic about the possibility for Rikers Island to play a role in our treatment of waste water. You know one of the biggest challenges facing our Bureau of Waste Water Treatment is simply the fact that the footprint of our plants is so constrained and we cannot shut them off. We do not have interconnections. You can't take sewage from one plant and send it over to the other while you fix you know one that needs repairs and that's makes everything we want to do in our treatment plants more expensive, take longer, so on and so forth. So, it's one of our biggest challenges when we look at how we compare to some of

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our peer utilities around the United States where their treatment plants just have a lot more elbow room for stuff. And so, Rikers Island offers a huge opportunity as you say for whether it is a large, centralized waste water treatment plant which is what the legislation required us to study or a different way of thinking about how that piece of land could play a role in the upper east river where we have four treatment plants, the Huntz Point, the two in Northern Queens and Wards Island. You know it could for example Washington DC next to their waste water treatment plant, they literally built a gigantic plant that only treats stormwater right? And that has been one of their main strategies towards managing their combined sewer overflows instead of building a big tunnel, they actually have a plant that can do primary treatment only but that's what you need in a big storm. And that's a strategy that right now is unavailable to us. You could imagine that as a role for Rikers Island in the future and not a traditional treatment plant. There are a bunch of other ways. I think what we would like to do eventually is explore not the literal answer which we did to the law that we were responding to which is

could a treatment plant be built there but rather think about that network of facilities and a very ecologically sensitive environment of the upper east river which just geographically as you know along with Jamaica Bay is one of the most sensitive and constrained areas of the harbor that we effect so we'd like to do that broader study. I think just you know just as you know as you know better than I, there are a number of issues that DEP is irrelevant to in terms of whether and if and how that land becomes available. So, right at the moment we are waiting to see how that pans out moving forward.

COUNCIL MEMBER NURSE: So, what resources do you have dedicated to that next step? If it's not a you know of determining what is the right type of infrastructure that will support the broader goals of waste water recovery or stormwater cleaning or whatever it's called.

ROHIT AGGARWALA: Uhm no, right now as I said, we are waiting to see what evolves.

COUNCIL MEMBER NURSE: What does that mean for sure?

ROHIT AGGARWALA: That means we're waiting.
We're not -

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COUNCIL MEMBER NURSE: Is it a priority for you?

ROHIT AGGARWALA: I'm sorry?

COUNCIL MEMBER NURSE: Is it a priority?

ROHIT AGGARWALA: Look, I think for DEP if I mean, you know whether it's Rikers Island or any land but I don't see any other land in that part of the city. Our operations would be dramatically improved if we had a space for an additional BWT facility but it is not something that we are working on right now.

COUNCIL MEMBER NURSE: Okay. Well, we know that the facilities are going to close at some point and the island is going to be abandoned and that it needs to move towards, uses for sustainability and I think it makes sense to begin that process of planning because it's going to be expensive and it's going to take a long time. I mean how long does a waste water recovery facility of any of the kinds that you described take to become operational?

ROHIT AGGARWALA: And the study did envision something like a 20 year process.

COUNCIL MEMBER NURSE: Right. So it would make sense while we you know have you and who knows what the future is to start that work. So, yeah, I mean I

think for me I certainly would be advocating for
resources to make that a priority for DEP and DCAS.

I'm going to shift gears on some small like
district level or I mean it's not district level.
For DEP bioswale maintenance, how much money do you
dedicate to cleaning and maintaining bioswales? And
I mean if you have like how many personnel are
dedicated to that?

ROHIT AGGARWALA: Sorry, I'm sure we got it here.
I don't carry that number in my head. We have been
in the process of using seasonal labor because kind
of obviously it's greenery, so the needs are higher
during the summer months.

I believe it's 100 lines but -

COUNCIL MEMBER NURSE: And while you all are
looking for that, you know if there are frequency
that they're cleaned, I understand that you're saying
seasonal and are there priority areas where you get
more complaints?

ROHIT AGGARWALA: Oh you can, okay great thanks.

TASOS GEORGELIS: So we are growing the number of
bioswales that we have. We're in the - just over the
10,000 mark, 13,000 that we have so far. So, we wish
we could get to everyone every week but we don't have

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the resources to do that but we do prioritize the ones that are the most frequent congested with litter dumping and stuff. You know if there's specific ones that you have issues with, you could forward to us.

COUNCIL MEMBER NURSE: I have 1,000 specific ones but I mean -

TASOS GEORGELIS: Yeah, but we try, we try.

COUNCIL MEMBER NURSE: A comprehensive ability to keep them clean, you know sanitation doesn't really pick them up. It's not really their job and we get Ping ponged around so you know what would be an ideal amount of personnel or resource that would allow you all to address the bioswales on a regular consistent basis?

TASOS GEORGELIS: I don't have that staffing number. That is an area that we do have vacancies that we're trying to fill now and we have in the past tried to get some kind of a partnership, maybe similar to Council Member Restler's Adopt a Catch Basin. If we get folks from maybe the homeowners.

COUNCIL MEMBER NURSE: I mean I'm coming from a very maybe a working class community. The last thing that they have time for is to go clean a bioswale. Other districts might have that enthusiasm, mine

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1 doesn't. They just want the city to take care of
2 what they're supposed to care of with the tax money
3 that they give to the city, so if in the follow up,
4 you could provide a you know what an ideal scenario
5 would be for you all, you know seasonal is great but
6 in the winter months, it's also when there isn't
7 vegetation, it's also very glaringly dirty and messy.
8 You know a lot of times those things get closed out
9 with no real response and you know it just doesn't
10 seem like there's a consistent plan for bioswale
11 maintenance.
12

13 And we understand the importance that they play
14 but we also need to take care of them so that they
15 actually function.

16 ROHIT AGGARWALA: We will get back to you with
17 the details.

18 COUNCIL MEMBER NURSE: Yes, I would appreciate
19 that. My last question is related to the New Town
20 Creek Waste Water Recovery Facility. It's been a
21 minute since I've put my mind towards that. How are
22 we doing? Are we capturing the thing? Are we
23 flaring it off still?

24 ROHIT AGGARWALA: So, uhm in fact and maybe one
25 of you could look up the numbers. I don't know I got

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1 them here actually. You know I think it was well
2 publicized that the first year of operation of the
3 gas system had some teething problems and I will give
4 credit to National Grid. I was on phone with them
5 somewhat constantly that first year and they kept
6 saying this is a really complex piece of equipment.
7 It is going to have some problems in its first year.
8 That's always going to be the case. Trust us, it
9 will get better and in fairness, it did so the
10 numbers I have here in 2023, it was operating only 40
11 percent of the time in calendar year 2023. In 2024,
12 it was operating 87 percent of the time. Alright,
13 now its design, I believe the design target was a
14 little more than 90 percent. Any piece of equipment
15 like this is going to have to take out of service for
16 a scheduled maintenance, so 100 percent is never you
17 know a viable target and you know in 2024, we reduced
18 flaring by 83 percent versus what we would have had
19 without the gas to grid system.
20

21 One of the things we did in response to some of
22 the complaints that were received in that first year,
23 is as I think you know, we've now put the data all on
24 our website so that there is a lot -
25

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COUNCIL MEMBER NURSE: I try to keep up. I
didn't know that.

ROHIT AGGARWALA: There is a live indicator. It
is in real time that shows whether the system is
operating. We also have monthly data so you can see
the recent performance on our website and the data is
also published to NYC Open Data.

COUNCIL MEMBER NURSE: Okay and have you all
increased and sorry if I'm - it's been awhile since
I've been to those facilities but the material from
the curbside organics collection program, have you
all been increasing that towards the New Town Creek
facility?

ROHIT AGGARWALA: We have, so we certainly are
receiving more. I'm not sure I have the data here.
I would have to get you the data on how much it has
gone up. I don't have the tonnage I fear but that
has been certainly successful and as the city, as the
Department of Sanitation has been expanding the
citywide organics collection, the New Town Creek Plan
is receiving a good chunk of that, so I'm happy to
get you the data.

COUNCIL MEMBER NURSE: Okay, that would be great
to have in the follow up. Okay, thank you so much.

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CHAIRPERSON RESTLER: Council Member Avilés and I just want to thank Council Member Avilés for her leadership on the Indirect Source Rule, which I think is some of the most exciting legislation to come out of the Council in quite some time.

COUNCIL MEMBER AVILÉS: Thank you. I'll buy you candy later. Thank you Chair. Good to see you. Good afternoon. I guess I'd like to ask a couple of different things. In terms of the vacancies that we talked about a little earlier, given that the federal government no longer believes in science and is gutting all the agencies that we depend on and will have quite frankly impact us in laying off all these workers. We might have a good hiring option and recruitment to get folks to New York City where we believe in science and where we will utilize all those tools. So, a just random thought for you all on our recruitment.

In terms of the Indirect Source Rule, Commissioner, you mentioned a commitment of \$800,049 for Fiscal 2025 and \$1.3 for Fiscal 2026. Is that specifically for the environmental review?

ROHIT AGGARWALA: Yes it is.

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COUNCIL MEMBER AVILÉS: Okay and in terms of obviously this is a big commitment and we are very excited about the work that we've been able to partner and want to see through. We know this is going to require sufficient staffing to be able to accomplish what we are hoping to. Do you feel at this point you have sufficient staffing?

ROHIT AGGARWALA: We are working to add some general analytical staff to the Bureau of Environmental Compliance to support Deputy Commissioner Lubin in her work on that. So that recruiting is ongoing, so you know right at the moment we don't however, those are two roles that we are actively recruiting for.

COUNCIL MEMBER AVILÉS: Great so two roles in general analytical and then are we leveraging other staff, current staff?

ROHIT AGGARWALA: To a certain extent and as you well know my senior advisor Dawn Miller on the climate side has been spending a lot of her time on that over the last two years now.

COUNCIL MEMBER AVILÉS: Great, well we want to make sure obviously this is very, very important to us so we're going to track closely and we want to

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1 ensure that you have the sufficient staffing and
2 support to accomplish this given all the investment
3 to date. We don't want to undermine that, so I'll be
4 tracking it really closely. At this point, with
5 those commitments, do you feel like those commitments
6 are sufficient for the task at hand currently?
7

8 ROHIT AGGARWALA: I believe so. I mean with the
9 team and you know I can't say enough about the great
10 work that Deputy Commissioner Lubin and her team have
11 been doing over the last year in terms of the broad
12 range of items. Rethinking about how we should be
13 doing citizen idling, thinking about the other
14 priorities, how we could grow the noise camera
15 program. How we can employ other kinds of technology
16 for enforcement. We're beginning to think about how
17 you know one of our most frequent things is
18 construction noise complaints and we are thinking
19 about how we could use technology to augment our
20 inspectors when it comes to construction noise
21 complaints but I think the you know we as I've said,
22 we need to equip BEC with more ability to do that
23 kind of analysis and support the Deputy Commissioner
24 and her senior team and that is something that we are
25 actively recruiting for.

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COUNCIL MEMBER AVILÉS: Right, I think again, we'll keep tracking it very closely. We have every expectation that we're going to continue to build on our investments and not undermine them, so we'll continue to talk about that. Are there other resources that DEP might need to be considered in order to you know establish the Indirect Source Rule outside of what we've discussed?

ROHIT AGGARWALA: Well look, I think at some point, a year or so from now in the hopes that an ISR is enacted by the Council after the EIS is concluded, which unfortunately realistically is probably well into next year. I would imagine BEC will need some additional staff to help conceptualize it, do the outreach you know but at that time, I think we will figure out kind of what our resources at BEC is, our Bureau of Public Affairs and Communications plays a big role. As you know, we've recently fully staffed up our five borough Commissioners. I'm very excited about that but implementing an ISR I expect will require a great deal of outreach to the community of effected warehouses. I mean to a certain extent, it's not dissimilar from Local Law 97. It would cover fewer entities but in the same way that there's

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a lot of outreach and education that's going to be required to work with each of the covered warehouses, which as we discussed in the hearing last month, you know we believe should be the broader set of I forget, I think it's 1,600 warehouses and not just the distribution centers. You know that's nowhere near the kind of mass outreach that the Mayor's Office of Climate and the Department of Buildings and HPD are doing on Local Law 97, which covers thousands and thousands of buildings of course but it is kind of a similar quality because we're going to have to work with each individual warehouse to make sure that they are aware of the rule, that they understand the different options that are available. Because also, part of the magic of this rule as you know better than anybody is the ability for customization, right? For each warehouse to come up with a plan that works for its operation, and that will require some effort.

COUNCIL MEMBER AVILÉS: Great, so we'll again continue to track closely and expect that the city will continue to commit and invest sufficient resources to make this a success.

In terms of environmental justice communities, we're seeing again a national assault on

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environmental justice programming across the country.

I was curious if DEP is tracking its project spending with regard to environmental justice in disadvantaged communities.

ROHIT AGGARWALA: I do not have data I don't believe on that. We do pay close attention to it and the reality is that 13 of our 14 waste water treatment plants are in environmental justice neighborhoods. You know I believe very strongly that we should be thinking about the state of good repair of our treatment plants as an EJ initiative. The reality is when something goes wrong in one of our treatment plants the first people who suffer are our staff but the second people who suffer are the neighbors who deal with the odor or whatever that comes from something going wrong. I'm really proud of the work we do. I think in general we are a good neighbor. We've also made a lot of effort in recent years to reduce the truck traffic that our treatment facilities generate which is of course a huge issue for those same neighborhoods but I would argue that the investments in maintenance and state of good repair in our treatment plants is one of the key things that we do to be the way we describe it in the

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long range vision, we're about to publish an esteemed partner in all of the communities where we are present.

COUNCIL MEMBER AVILÉS: Got it and lastly, in terms of uhm, can the agency supply the Council with a copy of its Preliminary Equity Plan? Has it done part of the racial equity?

ROHIT AGGARWALA: We have participated in the Administration, so for all effort to deliver a racial equity plan, I would have to defer to the office that is leading it.

COUNCIL MEMBER AVILÉS: Okay, we'd very much like to see it, especially again in the context where they federal government is deciding people of color don't exist and there is no racial inequity in this country. This is particularly important to us again. So thank you. Thank you Chair.

CHAIRPERSON RESTLER: Thank you so much Council Member Avilés. I will - why don't we - uhm, are you ready Council Member Salamanca? Okay Council Member Salamanca we'll pass it over for a question or two.

COUNCIL MEMBER SALAMANCA: Thank you Mr. Chair. Good afternoon Commissioner. It's good seeing you. Commissioner, we've had this conversation many times.

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I want to talk about Borough Commissioners and you know this is a bill that I passed in 2021, a piece of legislation that I passed in 2021. I know that it took some time to actually structure it and to appoint for these positions. And so, especially in the Borough of the Bronx. And so, my question Commissioner is the annual budget per borough, does every Borough Commissioners office have an annual budget?

ROHIT AGGARWALA: The Borough Commissioners offices do not have their own budgets. They are housed within the Borough of Public Affairs and Communications but our capital budgets for example are still allocated centrally and through the operating boroughs.

COUNCIL MEMBER SALAMANCA: Okay and uh in terms of the structure, I know that DOT, Parks and other agencies have Borough Commissioners and normally the Borough Commissioners, the salary is set equally per Borough Commissioner. Is that the same with your Commissioners?

ROHIT AGGARWALA: Yes it is.

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COUNCIL MEMBER SALAMANCA: But I hear the Staten Island Commissioner is getting paid much more higher than the other ones.

ROHIT AGGARWALA: So, Mario was transferred over and so it seemed appropriate to keep him but I don't think there's a problem with that.

COUNCIL MEMBER SALAMANCA: I'm just advocating for the Borough Commissioners to get a bigger salary so you know.

ROHIT AGGARWALA: I will if I could Council Member, I want to thank you for your leadership on this. I am so excited about having the full set. I actually mentioned them before you arrived. I'm really excited about the people we've been able to recruit both internally and Efi and Mario within city government in terms of Alfonso and Marty in Manhattan and a new hire who had not been in city government and Drisana in Brooklyn. They are a stellar group of people and I think they will do a really good job of helping our agency connect to elected officials, to local communities and to really know our neighborhoods. But it is, if I could add also, really important to note that the most common interactions with elected officials and local

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communities is through the Bureau of Water and Sewer Operations and we do also have Borough Managers for the Bureau of Water and Sewer Operations and so I would just ask because DEP functions differently than the Parks Department, we have intentionally structured the Borough Commissioners differently than the Parks Department and DOT does. I do think that's appropriate. I'm happy to talk more about that if you have doubts or disagree but we have taken this very seriously.

COUNCIL MEMBER SALAMANCA: Alright, you know I value your agency. It plays a major role, especially in my district where I'm surrounded by water and there is - many times there's sewage overflow. That we have flooding because of the you know the Bronx River and the East River and also, you know I had the water transfer stations, the DEP transfer stations, the Waste Transfer Station, I'm sorry in Hunts Point, which I'm going to get to in a minute. My final question here about the Borough Commissioners is the staffing. Does DEP plan on staffing the Borough Commissioners Offices? It's my understanding that Manhattan and Brooklyn each have one staffer while

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Queens has two staffers but yet the Bronx and Staten Island do not have any designated staff.

ROHIT AGGARWALA: Actually yeah, can you come up and just - why don't you take this one. Yes, we'll need to swear her in. I think this is a question Beth can answer.

COMMITTEE COUNSEL: Good morning. Please raise your right hand. Do you affirm to tell the truth, the whole truth and nothing but the truth before this Committee and to respond honestly to Council Member questions? Thank you, you may begin when you're ready.

BETH DEFALCO: Hi Council Member. Yeah in the Borough Commissioners newly elected roles, the way that we have set this up especially in some of the larger boroughs including Queens and Brooklyn as well and Manhattan. There have been some additional staffers that we use to bolster our Borough Commissioners. However, those staffers are also used in the other boroughs as well. We work as a team. It's not we're backing each other up. It's not like we've got one person per borough and it's good luck to them. So, we've got a staff overall in the public affairs office about 50 people and we're able to use

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those as needed and if there's anything that we're not doing, please let us know and we're certainly happy to talk about that and address any questions you've got.

COUNCIL MEMBER SALAMANCA: Thank you. Again, you know I envisioned this position Borough Commissioners to fully, you know to staff them and allow them to operate as real Borough Commissioners. I'm going to continue to push the envelope on that but thank you for the answer.

BETH DEFALCO: Council Member, one thing I would mention is that our Borough Commissioners work hand and hand with BWSO MBWT's Borough Managers. They're literally tied at the hip so while there is a vision for the way that Parks and other agencies work together, our infrastructure is all connected. It's not separate infrastructure. And so, that's why we've set it up the way that we have but certainly, we're always happy to get more people to help us out.

ROHIT AGGARWALA: And if I could also build on that, I think in the operating boroughs, particularly BWSO, you see that all the time. On any given day, if there happens to be two watermain breaks in the Bronx, we'll have a crew from the Queens yard or the

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Manhattan yard respond to it, right? So, part of what we do is intentionally think about a citywide pool even when some of our facilities are separated on a borough basis.

COUNCIL MEMBER SALAMANCA: Alright, thank you.

My last topic that I just want to hit on is the waste station in Hunts Point. I know that there's a new facility that's being built in Hunts Point. Do we have a status as to where we are with the construction of that site?

ROHIT AGGARWALA: I'll ask Tasos to look up the actual completion date. I don't have it off the top of my head. I will say that is a tremendously important project for us. As you see, we've already changed the skyline of the Bronx. With that, I'm really proud of the fact that it's another example of innovation. You probably know, I hope we've shown you the video that we used a continuous pour approach to build those, I think roughly 15 story digester tanks and that cut the construction time down from several months to 20 days per tank. I mean which is kind of mindboggling and really cool. And this is a great example of what I was saying to Council Member Avilés about environmental justice.

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One of the challenges that you know probably better than I with that treatment plant is we do generate a number of odor complaints. A large portion of those odor complaints are attributed to the fact that the tanks where we hold the sludge that we pull out of the water before we dump the cleaned water into the harbor, those at Hunts Point are particularly old. They are made of concrete. They have cracked. Cracks, we do have leaks, that means the odor is getting out. These new tanks are not only a direct investment in our operations. They will also allow us to receive organics at that treatment plant, which I think is going to be a big deal because it will allow the Department of Sanitation to do less trucking of the organics that it collects in the Bronx. So, that's fewer truck miles as well as the you know we do hope to do gas to grid at Hunts Point as well but the simple fact of having those new tanks when they come into service should have a massive impact on the number of odor issues related to that plant.

COUNCIL MEMBER SALAMANCA: Once the new facility is completed and it's operational, will the other

older facility go offline or you're going to continue to utilize that facility?

ROHIT AGGARWALA: Well, it is one facility, so we're not replacing -

COUNCIL MEMBER SALAMANCA: Suited for locations? Because where you're building the digesters are right in front of Barretta Point Park compared to the facility that you have now it's on Rimowa(SP?). It's - there like, there's two separate facilities.

ROHIT AGGARWALA: They are connected and our existing digester tanks will go out of service but the rest of that facility is still there. The tanks are only one part of the overall treatment process.

COUNCIL MEMBER SALAMANCA: I'm confused Commissioner because I was just there recently in the park doing a tour with the Parks Department and you have the digesters that are there directly across the street from the park. You know we were talking about shadows because there's going to be an issue with shadows there. So, I mean that was approved years ago and then you cross the street, well, I mean you cross the street and then that's where the facility, the old facility is on it's on Rimowa, which kind of takes the whole block.

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ROHIT AGGARWALA: Well, again I'm happy to meet with you or visit the site together but the bulk of the existing facility will remain. Oh actually, alright thanks. Here's Deputy Commissioner Delillo who can talk about that.

ANGELA DELILLO: How are you Council Member?

COUNCIL MEMBER SALAMANCA: Good afternoon.

ANGELA DELILLO: Do you want me to take my pledge?

COMMITTEE COUNSEL: Hi, yes. Please raise your right hand. Do you affirm to tell the truth, the whole truth and nothing but the truth before this Committee and to respond honestly to Council Member questions?

ANGELA DELILLO: I do.

COMMITTEE COUNSEL: Thank you. You may begin when you're ready.

ANGELA DELILLO: Thank you. My name is Angela Delillo. I'm the Deputy Commissioner for the Bureau of Waste Water Treatment.

I just want to clarify something. The Waste Water Resource Recovery facility actually has treatment for two different trains. One is a liquid train, which is the water that comes in. The other

1
2 train is for the solids, right? Whatever gets
3 removed from the liquids then goes through a whole
4 treatment process. The digesters are part of the
5 solids process, and so the new digesters will replace
6 all the infrastructure not just on the construction
7 of the cylinders that you're seeing but also there's
8 a couple of other projects that are coming along
9 afterwards that are going to help us with dewatering
10 and some of the other processes that the solids get
11 exposed to.

12 Once all of that is done, then yes, that needs to
13 - not just the tanks, right not just the big visual
14 tanks but the other smaller areas will replace all
15 the existing infrastructure associated with the
16 solidage treatment.

17 The liquid treatment will remain there the way it
18 is mostly but there are investments that are
19 envisioned for that part of the train also in the
20 future.

21 COUNCIL MEMBER SALAMANCA: Okay, alright I'm just
22 going to reach out to your office and request a
23 meeting. I know that we're scheduling a walk through
24 with the local Community Board, so hopefully Deputy
25

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Commissioner you'll be there and we can ask more questions in detail.

ANGELA DELILLO: It will be my pleasure.

COUNCIL MEMBER SALAMANCA: Alright, I appreciate it. Thank you Mr. Chair.

CHAIRPERSON RESTLER: Thank you very much Council Member Salamanca. I'll just take a point of personal privilege to welcome some very special guests, my niece and nephew are here. Silvey Resperalex(SP?) and Sol Resperalex, and my parents. So, thank you guys for being here. It's great to have you.

Okay, shifting gears, Commissioner if you don't mind, I'd like to ask some questions today in your capacity as the Chief Climate Officer for the city that are perhaps not immediately, or not directly related to the DEP budget but are certainly within your purview. So, oh great, I would going to have to leave here at one o'clock for a call but that just got canceled. Thank you.

Okay, the Preliminary Plan included just an additional \$500,000 in FY26 and 1.5 million in FY27 and \$1 million in FY28 for stormwater resiliency mapping. The funding is tied to Local Law 124 sponsored by our Chair to require a creation of flood

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risk map that includes basements and EDU's. Could you share an update on where we are in that process?

ROHIT AGGARWALA: Well, we just - uh so that is a DEP effort.

CHAIRPERSON RESTLER: Yes it is. I was just giving you a broader warning that I was going to go in some different directions so -

ROHIT AGGARWALA: Is your meeting being canceled; we're going to order pizza or something?

CHAIRPERSON RESTLER: I wish.

ROHIT AGGARWALA: But you know that money was just obtained so we are starting the process of you know that is going to require us most certainly to find an external consultant, so we will be starting that work pretty much now.

CHAIRPERSON RESTLER: Okay and did I hear you right that you said as of FY22, DEP was doing \$1.5 billion in capital projects annually on sustainability related initiatives and under your leadership, you've been able to bump that up to closer to \$3 billion annually. Did I get that?

ROHIT AGGARWALA: Well that's the total capital plan.

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CHAIRPERSON RESTLER: Total capital plan and okay, and do you have - have you had conversations with OMB about working to expand that capital plan further to be able to further expand resiliency and sustainability efforts at the agency?

ROHIT AGGARWALA: You know Council Member; we are in constant conversation with our colleagues at OMB around different opportunities that the agency might evaluate and you know I don't know that I have more to say on that at the moment.

CHAIRPERSON RESTLER: Okay fair. I'd like to do a couple questions on the FAD, on the Filtration Avoidance Determination. Back in October when you testified, we understood that there were approximately 1,000 acres of eligible vacant land in the Kensico Basin; if I'm saying that right and 375 acres had been purchased and another 60 acres were under contract. Could you give us an update on those 60 acres and additional plans to obtain more land so that we can ensure the area is appropriately protected?

ROHIT AGGARWALA: Actually maybe Paul can you remind me where the knights property stands? Come on up please. So, I'll ask Deputy Commissioner Rush to

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give us a status update. There's one particular
parcel; I think it's 12 acres.

COMMITTEE COUNSEL: Hi, sorry I'm going to need
to swear you in first. Please raise your right hand.
Do you affirm to tell the truth, the whole truth and
nothing but the truth before this Committee and to
respond honestly to Council Member questions?

PAUL RUSH: I do.

COMMITTEE COUNSEL: Thank you. You may begin
when you're ready.

PAUL RUSH: My name is Paul Rush; I'm Deputy
Commissioner for the Bureau of Water Supply. So the
question is regarding land purchases in the Kensico
Basin. There's a small basin compared to our larger
unfiltered supply in the Kensico's. There's one
significant property we've been working on for years
that we're currently still in contract that we have
not yet closed on. The acreage of that property, I
believe the portion we're after right now is somewhat
less. It's about 50 to 30 acres. I believe I don't
know if you have the numbers right in front. It's
right in that range. It's a large property that
we're still in contract.

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CHAIRPERSON RESTLER: So, still in contract on
that -

PAUL RUSH: We haven't closed on the property
yet.

CHAIRPERSON RESTLER: Right and are we - was my
framing accurate that there was approximately 1,000
acres of eligible vacant land that you were
considering or exploring purchasing 375 have been
secured. This is the next chunk that you're looking
at. Is there a plan to try and secure the full 1,000
acres?

ROHIT AGGARWALA: Look if I could, I think
securing the 1,000 acres may or may not be possible.
As I mentioned, so first of all, the land in the
Kensico area of course that is central West Chester.
That is very high value property. It is not one
order of magnitude more expensive than land in
Delaware County. It's two orders of magnitude more
expensive, and that's one of the reasons that we made
the decision, for example to suspend the purchase of
the really remote land that's far from our reservoirs
and west of Hudson Basins in order to really focus on
some land in the west of Hudson that's directly
adjacent to our reservoirs but also to the Kensico.

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I think one of the realities that we face in
Kensico is that that land is sticky right just
because it's fewer acres. It's higher value. Some
people aren't going to want to give it up. Some
people own it with the hopes of developing on it and
so that's why as Paul was just saying, we have our
eye and have conversations going on. Sometimes these
acquisitions take years and years but what I think
what I will say is, we are increasingly focused based
on the science on the land that is most important to
us and particularly as we move towards a proposed
renewal of the FAD, the kind of thinking that you're
prompting is going to be the kind of thing that we
are doing more of.

CHAIRPERSON RESTLER: And are you feeling - do
you believe that we need to close on this purchase in
particular and other purchases to improve our chances
of renewal of the FAD?

ROHIT AGGARWALA: Well look, I think what we are
doing and what under Paul's leadership, we've
actually been working on for more than one year now,
is really beginning our thinking on what a new fit
for purpose FAD will look like and so, that's
something that over the next year or so, we intend to

1
2 get our own thoughts together. We've begun
3 conversations with advocates. We've started a
4 conversation with the state DEC, actually more than a
5 year ago now about what a new FAD might look like and
6 as I testified last year, it's in response to the
7 fact that the threats to water quality are no longer
8 the same as they were in the 1990's.

9 And so, if we just do the same thing that we've
10 been doing for 30 years, we're going to fly this
11 plane into a mountain, right but what I want to do is
12 make sure we don't come up with knee jerk reactions
13 but really focus very much on the science of where
14 the threats are in our entire system, what the
15 potential interventions might be and approach that
16 right now with kind of a scientifically appropriate
17 open mind.

18 CHAIRPERSON RESTLER: And the estimates that
19 we've seen are you know should the FAD not be
20 renewed, we'd be looking at an estimate of
21 potentially \$6 billion in cost. Is that the right
22 back of the envelope?

23 ROHIT AGGARWALA: Well, \$6 billion is an estimate
24 from I think 2009.

25 CHAIRPERSON RESTLER: Oh okay.

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ROHIT AGGARWALA: So it is likely significantly more than that but the only number we have right now is \$6 billion.

CHAIRPERSON RESTLER: And as we look toward 2027 and the renewal, are there ways in which the Council can be supportive or helpful to DEP to ensure that you have the support and resources you need to increase the likelihood of FAD renewal?

ROHIT AGGARWALA: I mean I think in terms of resources right now; Paul has recruited a new Assistant Commissioner to lead that effort and I think her team is reasonably well staffed.

PAUL RUSH: I think we are reasonably well staffed to be able to take on the challenges for the FAD in the future. We're doing the planning to understand you know the threats of change, as the Commissioner testified to, they are differently than they were back in the 90's when we first received a filtration avoidance waiver from EPA and with that change in regulatory land the changing climate, there are different items that are of concern then they were back then. I think we're in a good position. We need to still go back study and understand what we need to do in terms of focusing you know, land

acquisition was in the 90's but really stewarding our land, doing a better job and a good job and understanding the best ways to really take care of that land to provide a high quality water for the people of the City of New York for long term.

ROHIT AGGARWALA: And if I could Council Member you know and I'm grateful for your question about what the Council can do. You know I think in the Council's oversight role; I think the questions to be asking about the next FAD are, is the FAD designed to protect water quality? And will it be successful over the long term? You know the reality is some of the residents of the watershed look at the FAD as and in some cases a negative economic impact right? Oh these land purchases and constraints on what we do with our property. That's hurting our economy. I don't think that's accurate because we are the largest employer. We're the largest taxpayer in all of Western Hudson Counties, etc.... but there are some people in the watershed who view the FAD through an economic development lens. I would argue there are some advocates who view the FAD primarily as a way to expand the state park system or have more recreational benefits and we are super excited about

1 making our property available for recreation but
2 recreation is not the purpose of New Yorkers water
3 bills right? And so, what we are trying to do is
4 really focus on the science and come up with our own
5 thinking and we will be open about this. We will be
6 collaborative about this but it think the questions
7 I'd ask the Council to be asking are is it fit for
8 the primary purpose of protecting water quality?
9

10 CHAIRPERSON RESTLER: That's helpful. Thank you
11 and then just lastly on this, does the EPA's
12 announcement that they're rolling back certain
13 protections in the Clean Water Act and removing
14 federal protections for certain areas, in various
15 areas impact DEP's efforts today to maintain clean
16 water and avoid filtration at these two locations?

17 ROHIT AGGARWALA: Look I think you know we
18 certainly paid close attention to what the EPA
19 Administrator said a week or so ago. I think
20 obviously in the very immediate term; there's no
21 change that happens the day after an announcement
22 like that. The reality is that so much of what we do
23 is actually directly regulated by the state and not
24 just by the federal government and the governor and I
25 did recently meet with the newly nominated

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Commissioner of state DEC. You know but the governors express that New York State is not backing down from any of its environmental regulations. And so I am hopeful and cautiously optimistic that New York State will continue what we are currently. You know all of the protections that we currently rely on but I think we are in an unusual world and a lot remains to be seen.

CHAIRPERSON RESTLER: Fair, why don't we shift to federal government risks a little bit more broadly. Thank you very much Deputy Commissioner. You know it seems like the EPA has been making outrageous pronouncements on just about a daily basis. Like yesterday, Administrator Zeldon has indicated he's planning to gut two-thirds of the agency. Yesterday Zeldon and his team indicated they plan to eliminate the Office of Research and Development, the scientific arm of the agency and layoff 1,000 chemists, biologists and other scientists.

You spoke in your testimony to the budgetary impacts that we could experience with all of the chaos happening in Washington. The budgetary impacts at DEP resulting from the chaos in Washington but could you speak to the policy impacts? I hear you

1
2 that we have a number of strong, we have a strong
3 environmental set of rules and regulations in New
4 York State but are there key areas in which the EPA
5 provides important functions that we depend on for
6 you and your team to be able to do your jobs that
7 you're worried about in light of the shrinking agency
8 and the rolling back of regulations?

9 ROHIT AGGARWALA: So, at least the way I
10 understand it and I do not claim to be an expert in
11 the functioning of the EPA. A lot of that staff was
12 less providing services to environmental actors
13 around the country as it is informing the EPA's own
14 decision. So, there have been a number of important
15 decisions EPA has made in recent years around P Phos
16 and the forever chemicals around lead service lines
17 around any number of things. Uhm, so at least I am
18 right now not aware of a direct impact on DEP from
19 some of the changes that have been proposed but as I
20 say I mean there's a lot that we don't fully
21 appreciate because we are kind of operating in a
22 world of you don't know what you've got until it's
23 gone. And you know we are now very much trying to
24 bear in mind where we depend on the federal
25 government in ways that we might have taken for

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granted to such an extent that we don't even notice
and now we have to make sure we notice.

CHAIRPERSON RESTLER: And to that, are there
areas where you're thinking the DEP or the city as a
whole are going to need to step up to fill some of
those gaps particularly relating to the EPA?

ROHIT AGGARWALA: Well, uhm a bit less with EPA.
You know probably our most ongoing engagement with
the EPA directly is in the several super fund sites
but as I mentioned in my testimony, you know we rely
very heavily on the National Weather Service and so
we do, Paul you know dispatches our reservoirs, you
know based on weather forecasts. So, we rely on the
National Weather Service. We rely on the US
Geological Survey both in the watershed where they do
stream monitoring and that is an input into our water
quality and water dispatching. Processes and here in
the city with our partnership with them around
groundwater monitoring. That's still ongoing as far
as we know but again, it's the kind of thing where we
have dependencies and of course the Army Corp of
Engineers, which is a key partner both for coastal
resilience but also less well appreciated but which I
testified about last year in the Delaware River where

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1 they are a really key partner because 50 percent of
2 our water comes from the Delaware Watershed. We've
3 been working with the Army Corp to explore their
4 ability to do more with their reservoirs in the
5 Delaware to mitigate drought because the really bad
6 scenario for us is if there's a big drought, it will
7 affect the whole northeast all at once if
8 Philadelphia starts running out of water because the
9 Delaware River gets lower and lower, we might be
10 required to release more water from our Delaware
11 Reservoirs and obviously that's a massive portion of
12 our storage capacity and you don't want to be
13 releasing that during a drought. And so, that is a
14 place where we really need the Corp to be a strong
15 and ongoing partner.

17 CHAIRPERSON RESTLER: That's very helpful and I'd
18 like to shift to risks to some of our renewable
19 energy sources to achieve our climate goals in New
20 York City. I'd like to get your thoughts on Chippi
21 and wind power in particular. So, I'll start maybe
22 with Chippi and based on the conversations that
23 you've been having, if these kind of absurd tariffs
24 were to move forward, do you anticipate that it would
25 impact the costs to New Yorkers for accessing the

hydro Quebec pipeline that is currently being constructed.

ROHIT AGGARWALA: Look I think it is too early to say. You know there are two types of tariffs that have been discussed related to electricity. One is an import tariff into the US and then of course the premier of Ontario very briefly.

CHAIRPERSON RESTLER: Well, the two - the Hydro Quebec Pipeline would not impact that. It's just through -

ROHIT AGGARWALA: Correct and I think that's an important distinction that you know we haven't heard that kind of discussion coming from the Province of Quebec and so there may be a big distinction there. I will also need to look into what the contract actually says and again like with many things, we are really just at the beginning of understanding our exposure to things that we might have taken for granted. But you know the good news I'd say, you know New York City is contracted to be as you well know the anchor user of Chippy. That project you know building anything that's that big, is always complex but you know I've personally been in touch with the leadership at Chippy on a number of

occasions and they are moving forward and we continue to fully support them.

CHAIRPERSON RESTLER: And we're still on track for 2026, is that right?

ROHIT AGGARWALA: I believe we are. I'd have to get back to you and I would want to check with our energy team and MOCEJ.

CHAIRPERSON RESTLER: You know I just - it's - you know I think that I've been a big supporter of this, of Chippy and this partnership with Hydro Quebec as a critical way for us to expand renewable energy for the City of New York and for both the government and the city as a whole but I'm just proudly concerned what a 25 percent tariff could mean on the viability of that project and who would be paying for it and how this could all actually work. And I know there are broader, much broader implications for the interdependence of New York City's, New York State excuse me, electrical grid and Canada's and how we benefit from energy from Canada that's not just renewable energy but this is one of the most important sustainability projects that happening in our state today and the future of it is totally unknown to me if these you know kind of

absurd tariffs were to advance. So shifting, uhm, to wind. My understanding is that - so you know when we look at what are the major sources of renewable energy that are going to allow us to reduce our dependence on fossil fuels. There's wind and then there's everything else in the plan that had been in development in New York. You know Con Ed has been working on a renewable energy hub in District 33, you know which if realized that its full potential could you know bring renewable energy through wind power into Brooklyn that could power half of the homes in the borough, right? So, I'm deeply concerned about shifts in the federal government's policies toward wind. What's your interpretation of where we stand today? Is wind power off the table for the foreseeable future? And if so, are there big shifts that we should be thinking about toward other approaches?

ROHIT AGGARWALA: Well, you know look I think as with many things really and to the federal government right now, it is too early to tell definitely. The reality as is well known, you know regardless of the federal government or the change in leadership in the federal government. Offshore wind particularly had

1 faced a number of challenges due to the fact that so
2 many of the contracts were signed during or right
3 after the pandemic and the massive costs, or the
4 massive escalation in construction costs that an
5 industrywide and a global phenomenon that goes well
6 beyond wind, has been the biggest single thing
7 effecting the pace of offshore wind development.
8 Offshore wind of course does have more of an
9 interaction with the federal government because of
10 the licensing for the locations off shore and I think
11 it is possible you know if you ask me to speculate
12 that New York State may have to think more about
13 onshore wind upstate and think more about solar. But
14 there too, you know we have seen as you probably know
15 the Clean Path Project got suspended and the New York
16 Power Authority is exploring whether it might play a
17 role in keeping that going but look, I think the
18 combination of federal policy and costs are going to
19 require a very different approach in thinking about
20 how we meet the CLCPA goals going forward.

22 CHAIRPERSON RESTLER: That is helpful,
23 disheartening but helpful. Is now the moment for us
24 to more seriously revisit nuclear geothermal, other
25 sources of energy as well to make up for what appear

to be significant challenges with the federal government?

ROHIT AGGARWALA: You know look again, I will say it is too soon to tell.

CHAIRPERSON RESTLER: Okay.

ROHIT AGGARWALA: You know I think we are big fans of geothermal at the City of New York. Within the city there are some great examples of where it can be used. I taught for a while at Cornell Tech, which is a you know powered by geothermal. There are other challenges because of course there's a lot of infrastructure underground, and so drilling a lot of holes, including our DEP infrastructure can be both expensive and difficult and I think you know as we've seen with Clean Path and some of these others, the challenge of how New York City taps the potential of different sources of large scale renewable power that might come from upstate is one of our biggest issues. We've got to be able to do that. New York City is never going to be self-sufficient on electricity and so these transmission lines are pretty important.

CHAIRPERSON RESTLER: No, I completely agree and you know I recognize that you know to go back to your earlier point. Cost on wind had been increasing.

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Thank you so much Council Member Avilés. Cost on wind had been increasing and the viability of those projects was in question and the transmission lines I think were still open questions as well. I certainly never heard anybody give a clear answer on how the transmission lines were coming either through Kings County or through the Harbor, which seems really complicated to get to the Clean Energy Hub in Vinegar Hill but I frankly believe that the scale of renewable energy that we can you know bring in through these offshore wind projects is so vast that we have to do everything we can to try to make them a reality and you know I'm a big advocate for solar and rooftops and different things but it's like a drop in the bucket right compared to what we can conceivably accomplish through these major wind projects. So, you know we're doing a geothermal. There's a geothermal project happening in our district today that's reaching conclusion. They're beginning to lease out the units later this spring. It's the largest building powered by geothermal in the City of New York. It's 800, 900 units of housing on the Green Point waterfront. Lend Lease has been leading. We want to see more you know dynamic alternative

1 approaches that benefit from renewable energy
2 happening in our community. So, if there are ways in
3 which you think we can be helpful as partners in
4 advocating with the state or others, please let us
5 know you know to help ensure that we achieve our city
6 and state climate goals.
7

8 On MOCEJ, MOCEJ continues to report to you, is
9 that right?

10 CHAIRPERSON RESTLER: Great. Are you able and
11 this may be not in your briefing materials for today
12 but to share the current headcount for MOCEJ and how
13 many are DEP lines?

14 ROHIT AGGARWALA: I'm sorry, I don't have that.
15 I'm happy to get it to you but -

16 CHAIRPERSON RESTLER: These were things I thought
17 about last night when we found out we were Chairing
18 the hearing, so we didn't give you any warning and I
19 appreciate the chance to just ask the questions.
20 I'll shift to Local Law 97. Uhm, which I recognize
21 it's kind of - it's the Department of Buildings
22 that's responsible for the implementation but you
23 know I'm pleased that you've been helping to drive
24 the policy and make sure that we're handling this the
25 right way. I just would like to ask broadly, do you

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think we are on track for effective implementation of
Local Law 97?

ROHIT AGGARWALA: Uhm, well thank you Council
Member. So look, I think we are certainly on track
for the effective implementation of the regulations,
right and I think Commissioner Oddo and Deputy
Commissioner Popa have done a tremendous job and
Laura's team, really I have weekly updates with them.
I talk to Laura every week and the work that they do
has been nothing short of herculean in terms of
getting this very complex rule implemented and while
you know I think outside observers look at the
retrofits and look at the financing and too many of
them I'd argue look at the question of are there
going to be fines or not. You know the actual nuts
and bolts of setting up the regulation, ensuring that
it is defensible because as you know there are
lawsuits against it and ensuring that it is as smooth
as possible a customer service experience. You know
you all were asking about some of our permitting
processes. You know this is going to be a big
imposition on thousands of building managers around
New York City and DOB really is trying to make it.

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1 It will be a burden but they are trying to make it
2 only the burden that it absolutely has to be.

3
4 So, I think in terms of that, we are on the right
5 track. I think the bigger question frankly we will
6 see, you know one of the problems with the law
7 itself, is that to a certain extent we're flying
8 blind until the first reports come in. As you know,
9 the Department of Buildings and MOCEJ have used bench
10 marking data to estimate how many buildings we think
11 are or are not in compliance. We have no way of
12 knowing what buildings are doing work at any given
13 time, right? That will all be reported to us and
14 even more importantly and what I - you know what we
15 spent a lot of time talking about two years ago when
16 we came out with a big set of rules about it that the
17 2024 compliance period is not really the important
18 one. The important one is the 2030 compliance
19 period. So, the real impact on our carbon emissions
20 will not be decided by how well this year's
21 compliance reports - how good this year's compliance
22 reports look or how many buildings are in violation
23 this year. It really is about how many buildings
24 have plans to meet their 2030 targets. That's the
25 reason that we built in this kind of two year

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1 mulligan where we're giving buildings that are out of
2 compliance time. We were tacked for it but I think
3 it's the right answer for the planet because in
4 exchange, we are going to be able to require them to
5 have enforceable plans to get to 2030 but that's
6 quite you know quite literally and proportionately
7 the tip of the iceberg because the buildings that are
8 out of compliance in 2024 are a small percentage and
9 I'd have to refresh the actual percentage but it's
10 probably in the high teens of the buildings that are
11 likely right now out of compliance with their 2030
12 targets and those are the buildings that are going to
13 have gear up and do work and this is not work you can
14 get done in 12 months, right? This is work you have
15 to plan into a buildings capital program, ideally
16 it's a five year capital program.

17
18 The other thing that has happened and of course
19 you know I know pretty much only what's in the
20 newspapers. We've been in touch with some of the
21 green banks that are doing greenhouse gas reduction
22 fund loans. We have been hoping and we continue to
23 hope that the GGRF money that was disbursed under the
24 Biden Administration will be available and the New
25 York property owners of all types will be able to tap

1 into that. I continue to advocate to the state that
2 the \$5 billion in energy efficiency money that the
3 public service commission is going to program this
4 year. That a lot of it be directed towards Local Law
5 97 compliance and you know I don't have a sense of
6 whether they're going to be supportive on that but
7 where we will face difficulties still remains the
8 question of whether buildings can find the financing,
9 whether buildings can find the contractors. I'm
10 really pleased with the work that the New York City
11 Accelerator has done. We've put a lot of effort into
12 outreach but this was a law that was enacted at a
13 time when real estate values were only going up.
14 Where everybody who owned real estate was doing well
15 and where if you didn't have the cash on hand, you
16 could borrow it for two percent, three percent.
17 We're in a very different world right now and the
18 concern I have about Local Law 97 compliance is
19 whether the financing is available.

21 CHAIRPERSON RESTLER: I appreciate that answer.
22 I just would like to ask rather plainly from your
23 perspective, do you feel like and I will say I echo
24 your sentiments about Deputy Commissioner Popa and
25 Commissioner Oddo and the work that they've been

1 doing but I just want to ask rather plainly, kind of
2 as the Chief Climate Officer driving and guiding this
3 work for the Administration, there's been a lot of
4 anxiety I think from advocates that the various
5 interests would impact how the regulations of Local
6 Law 97 would be developed in an Adams Administration.
7 Do you feel that the staffing needs have been
8 appropriately supported and that the right regulatory
9 decisions have been made kind of along the way to
10 robustly implement this law?

12 ROHIT AGGARWALA: 100 percent. You know and if I
13 could I will say I have found some of the attacks
14 from some of the advocates to be absolutely
15 outrageous and really insulting. I think we have
16 done and I do - I need to give the Mayor credit for
17 this and others in the Administration and Deputy
18 Mayor Joshi and First Deputy Mayor Torres Springer
19 you know provided constant support to do the right
20 thing by the environment and the decisions we made.
21 Honest people can have honest disagreements but they
22 were done because this is a difficult law for New
23 York City buildings to comply with and we are trying
24 to do everything we can to achieve that goal of
25 reducing emissions, as opposed to the near term what

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might feel good about whacking people with fines.
That's not the goal.

CHAIRPERSON RESTLER: Yeah, look I would say I
think that the Council and a number of advocates have
played an important role in ensuring there is a
bright - there is a real microscope under everything
that happens in Local Law 97 to ensure that
everything is handled the right way. But I do think
your assessment is fair that it seems to me so far
that things have been that smart and thoughtful
regulations have been developed and we are moving on
a path toward effective implementation.

ROHIT AGGARWALA: Thank you.

CHAIRPERSON RESTLER: To that point and well, to
one of your earlier points, I really want to ask you
know our ultimate goal here and well, I do think
there are efforts. There are many things that -
there's real divisions within the City Council on
this law as you know, but I think all of us agree,
people who want to see a more stringent Local Law 97,
people who would like to see some loosening of Local
Law 97, that securing more state support to help
subsidize low income co-ops and condos or religious
institutions or other worthy actors that need

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financial assistance to be able to facilitate in the law is a noble goal and you know I think Assembly Member Bronstein and others have been helping to push that. I don't know the status of it for this budget but I do think that all of us in a concerted way really do need to push on Albany. The \$5 billion fund that you reference and additional resources in the state budget that we should have to support effective compliance in this law. So, I would love to work with you on that. It's March 18th, so we're probably a little late for this year but we can make a plan for 2026 as I hope you'll still be around with us. Given our ultimate goal though and just to shift gears a little, is encouraging retrofits and emission reductions, not endless penalties, right? The goal here is not to generate revenue for the city. It's to actually reduce emissions. Could you just speak to - is the city kind of exploring steps that help buildings - you know that help buildings that need extra assistance, ensure that penalties don't further exacerbate our housing crisis or bankrupt religious institutions but instead get the assistance they need to comply with the law?

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1 ROHIT AGGARWALA: Uhm, thank you. So look, so
2 that - I think one of the biggest questions that we
3 will have to think through is how the Department of
4 Buildings uses its enforcement discretion, right and
5 you know and I will say only a couple things and then
6 defer to my colleagues at DOB but you know in general
7 when a building gets a DOB violation, DOB's first
8 objective is never to get the cash. DOB's first
9 objective is to have the building owner fix the
10 problem and that has to be our guiding approach to
11 this. The most recent set of regulations that were
12 promulgated and I believe they've now been placed
13 into effect, although I'll have to check on that,
14 create the regulations to implement the portion of
15 the law that calls for a financial variance to the
16 law.
17

18 Those regulations very much took account the fact
19 that there may be some building, particularly in the
20 affordable category that simply do not have the value
21 they need or the reserves or the access to capital
22 they need, and subjecting a building like that to
23 more penalties is like trying to get you know blood
24 from a stone, it's not going to help. I think in a
25 very real way what we learn from the first set of

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1 compliance reports that will come in over this summer
2 will dramatically help inform in a very rich way what
3 we understand about this. Like, we're operating in a
4 world it's like before the first benchmarking data,
5 right which you know which this Committee embraced
6 during the Bloomberg Administration. Before we had
7 that data, we knew almost nothing about how buildings
8 were using energy. Benchmarking data gave us one
9 level, these reports are going to give us a much
10 deeper understanding of each buildings energy
11 efficiency and carbon emissions, and I think based on
12 that, you know there will be a lot of opportunity to
13 think in a really tailored and thoughtful way about
14 the different segments that you mentioned.

16 CHAIRPERSON RESTLER: That is all helpful and I
17 appreciate it. I will just note, I just got a text
18 message, I was not aware that RWE and Community
19 Officer Wind laid off 150 people last week. I'm sure
20 we're aware of this. You know it's just - so while I
21 appreciate your sentiment that it's too early to
22 totally know what to make of the chaos in Washington,
23 you know it was on the Presidents first day that he
24 decided to you know ax offshore wind shore projects.
25 So, I just think that we need people like you and

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other key leaders around our state thinking about how are we going to achieve our sustainability goals and advance other big picture priorities that are not you know a solar panel here and there but that are actually going to be providing us through energy we need at scale, when it looks like - and I know you spoke to this. I just was noting another data point of how concerned I am about this.

I'd like to shift to City of Yes commitments and I realize that these are not fully reflected in our budget documents and you know announcements are rolling out on an ongoing basis, like the \$390 million allocated for Knickerbocker in Bushwick which is great. Is there a mechanism that DEP plans to share for an accounting of infrastructure investments that are connected to City of Yes to ensure that our growing communities will be safe and resilient with new development that's planned?

ROHIT AGGARWALA: Well, let me first reiterate something that I've said to this Committee on a couple of occasions which is that there is a common misconception that I never want to validate, that development and population growth leads to more stormwater flooding, right? That is not accurate and

in fact, the reverse is correct right because with the Unified Stormwater Rule, every piece of property that is developed, actually has to do proactive measure to retain stormwater. The development is itself a driver to reduce local stormwater flooding.

CHAIRPERSON RESTLER: But the development may strain our sewer capacity.

ROHIT AGGARWALA: In the combined well- we should remember, two-thirds of the city is a combined sewer system. The incremental sewage that results from population growth is such a small increment compared to what happens when stormwater events happen. So again, by way of comparison, on an average day, we process something around \$1.2 billion gallons of wastewater on a dry day. If we get a quarter inch of rain across New York City, that's \$1 billion gallons of stormwater right? So, our sewers are designed to hold many times the dry weather flow which is why population growth in those combined sewer areas doesn't really change the balance in terms of flooding or overtasking of the sewers. Roughly one-third of the land area of the city is separately sewerred and they are completely divorced right, so the sewage goes through one pipe that's sized for

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1 sewage and there we pay very close attention and we
2 were deeply engaged through City of Yes where we do
3 believe that the approach of a little housing across
4 the city rather than highly concentrated growth is
5 not going to tip the scale in any of our separately
6 sewerred areas. We are working very closely with the
7 Department of City Planning on some of the more
8 concentrated rezonings, which if they are in MS4
9 neighborhoods, we do have to take that into account
10 but again, that's not about flooding, that is about
11 sewage capacity.
12

13 CHAIRPERSON RESTLER: Fair. I think that even if
14 the direct correlation is lacking. There's a strong
15 sentiment from New Yorkers and I represent a district
16 that has seen more new development than any other
17 Council District over the last 15 years. That
18 infrastructure issues in our community should be
19 addressed as our community grows. You know that the
20 expectation from the city is that a growing community
21 deserves to make sure that we are handling resiliency
22 issues, stormwater, sewer infrastructure issues,
23 Parks issues, schools issues, appropriately. In part
24 to accommodate the growing population but in part to
25 address quality of life issues for a community that

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1 is taking - doing its part to facilitate growth in
2 New York. And you know I'll say to - well, I'll do
3 my North Brooklyn stuff, I'll do my own Green Point
4 stuff in a moment but just to the question of is
5 there a mechanism by which the Council will be able
6 to track and the public will be able to track,
7 infrastructure investments that we're committed to as
8 part of City of Yes and our progress on those
9 projects.
10

11 ROHIT AGGARWALA: Well look, I'll ask Nerissa to
12 talk about some of the specific projects. I'm not
13 aware of a tracking mechanism around City of Yes
14 commitments per say but again I will point out that
15 the City of Yes commitments we've made really are in
16 the context of our overall comprehensive plan for
17 stormwater resilience and that plan is ongoing. It's
18 under development and I would hope going forward and
19 this is I think contemplated in Chair Gennaro's
20 stormwater legislation that we'd be asked to report
21 out as we did last year on the state of our
22 stormwater resilience planning and where those
23 projects are. That's what I would think would be
24 more healthy than focusing narrowly on the City of
25

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Yes projects. Do you want to add a couple of points
on -

NERISSA MORAY: No, I think that's right
Commissioner and I guess I would just that we have
the \$1.5 billion sort of commitments that we do have
that number but you're right that there isn't
actually a tracking mechanism sort of per say at this
time.

CHAIRPERSON RESTLER: Okay, thank you very much.
I did - so I just want to compliment you and your
team. I thought the two reports that you handed out
today looked great and I'm excited to read them
fully. I skimmed them during your testimony but was
particularly interested in just digging into
protecting your home for a moment. I was interested
in your recommendations in addressing sewer backup
complaints and fortunately, I think this is probably
partially a reflection of the good work of DEP,
partially a reflection of the weather. Sewer backup
complaints were down 56 percent in the PMMR to 2388
as of a couple months ago, so that's good. For a
year over year 56 percent reduction is phenomenal.
Although I guess we thank the weather Gods as much as
anything. So, but I did want to just check in, so

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1 you know the map you have here is quite striking of
2 exactly where you know that you were able to pinpoint
3 74,000 homes or buildings are particularly at risk
4 for sewer backups and you know you've identified a
5 few, a couple ways particularly encouraging the
6 utilization of fixture plugs as a cost effective
7 alternative to the backwater valves, but since we can
8 kind of so clearly see a map of these are the
9 neighborhoods where we have these issues. This is
10 where we need attention. I realize this is a moment
11 in time and that perhaps ten years from now, it's a
12 broader area of homes that could be impacted but in
13 this moment, does that inform where we're dedicating
14 capital resources to try to expand sewer
15 infrastructure capacity to mitigate the risks that
16 these homeowners are facing?

18 ROHIT AGGARWALA: I think the answer is very
19 definitely yes and again, I - you know we don't do
20 these things in isolation, right? So, the same team
21 that I referenced that is leading our stormwater
22 resilience work and Wendy and Melissa are here and
23 they do tremendous work, did this analysis and the
24 same places that are constrained with respect to
25 sewer capacity that might cause a wet weather SBU,

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1 they're going to be same places that are going to
2 have street flooding. That was one of the key
3 criteria that we used last year in this prior
4 organization. So, I think these things are going to
5 be integrated, which is actually why I mentioned in
6 response to your question about City of Yes, I'd
7 really ask the Council to be thinking about the broad
8 set of priorities and how we are prioritizing those
9 86 locations that were identified last year and that
10 number may evolve you know for example, we're working
11 with MTA on a couple of hot spots that are concerned
12 with them etc., but I think it is that broader view,
13 that broader journey towards stormwater resilience
14 that we should all be focused on.

16 CHAIRPERSON RESTLER: Yup, I think that you know
17 from the conversations I've had over the years with
18 Tasos and others on his team I guess and his formal
19 congratulations. Uhm, when we brought DEP folks out
20 to our district to talk through these issues, you
21 know these are extraordinarily expensive projects
22 over extended periods of time. They are not quick
23 fixes and when people are experiencing sewer backups
24 on a regular basis, they really friggin want a quick
25 fix understandably enough. So, appreciate that you

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have some simple guidance here to improve people's quality of life tomorrow or for the next big storm that hits, but I do think that how we can better understand the pipeline for these capital projects in these high risk areas and show the timeline for the progress and that you're you know responding to these risk areas in a way that we can inform our constituents is really helpful because you know it's no surprise to me when I look at this map exactly where the issues are in Green Point. Those are the places where I've had to go knock on peoples doors and connect them to help when we've had big storms and so and I'm sure that's true for most of the members of the City Council and I think it would be enormously helpful to us to be able to understand a little bit better, more granularly the capital planning process that you all have when we might expect resources to hit our districts to actually address these areas when we - because 74,000 is - in some ways it's a big number and in other ways it's a number we can wrap our heads around. And so, I really appreciate the map, the numbers, the short term you know help or guidance you give to folks but

being able to better understand how the capital plan reflects these priorities would be immensely helpful.

Okay, alright, I am supposed to ask some questions about water quality. Uhm, so I'll do my best. So, the percentage of obviously you know it's the most important thing that you all do. We are enormously grateful for DEP's excellent work in providing the best water in the world. Just a few questions on what are quality monitoring and compliance. The percentage of water samples testing positive for coli or coli formed bacteria decreased from 21.3 percent in the early FY24 to .74 percent in FY25. That's a significant reduction. What specific actions did DEP take to improve this metric and are there ongoing efforts to further reduce contamination risks?

ROHIT AGGARWALA: Well, the main thing we did to be honest is we had a drought and so, there is natural variability in this and as I mentioned earlier, one of the things we're paying close attention to is we think about the future of the FAD is the way that uhm the more violent storms that we are getting as a result of climate change has the tendency to flush organic material into our

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1 reservoirs, which we then treat with higher levels of
2 chlorine, which then creates disinfection biproducts
3 and that's one of the threats to the FAD. Just
4 frankly, it's not so much that we did anything, it's
5 that because there were so few rainstorms in FY25 to
6 date that we just have the more, the slower
7 filtration, which is what you want in the watershed
8 as the water works its way through the soil. That's
9 really good for water quality. Fast runoff is really
10 bad for water quality.
11

12 CHAIRPERSON RESTLER: Uhm, DEP reported that 100
13 percent of in city water samples met our water
14 quality standards for coli formed bacteria. How
15 frequently does DEP test different areas of the
16 distribution system to ensure compliance? Are there
17 any neighborhoods that are at higher risk or have
18 higher risk factors for contamination and are there
19 any plans to expand monitoring efforts to introduce
20 new technologies that could enhance real time water
21 quality detection?

22 ROHIT AGGARWALA: So, I don't - I'm certainly not
23 aware of any neighborhood that is unusually at risk.
24 The you know we do as I said in my testimony; we
25 really do a massive job of collecting samples. The

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number I have here to share I mentioned in the testimony that we had nearly 47,000 discrete water samples that were taken from the network. So, that's more than 100 per day. The vast majority of them 33,000 were collected from the 1,000 street side sampling stations that we have you know. All New Yorkers have seen them. They're the silver boxes. They say DEP. You open it up, literally it's a faucet that taps directly into the watermain and our folks will go and they will take a sample and then we analyze that. And so, we get a full picture of a 1,000 data points distributed around the city and so, I think that's an amazing level of testing and we run on each of those tests or each of those samples has roughly ten discrete tests, so we have more than nearly 400,000 samples or 400,000 analyses that were done. And then similarly 13,000 samples taken from various places in the water supply network. So, you know we do as with the robot, monitoring that I mentioned. So, we have robots in our reservoirs that do continuous sampling. We're always on the lookout for new technologies but I think this is a - this is as a robust system as it gets.

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CHAIRPERSON RESTLER: Great. Uhm, and just in terms of future investments in water quality, I wanted to just come back to the lead service lines and Bob Holden had a question or two on this as well. The lead service line replacement's as I understand it have focused on properties in environmental justice communities. How are you measuring effectiveness on this initiative to date? I know you noted in your testimony that the homeowners that have been assisted with DEP resources, I think, had a \$47,000 median income, so you're reaching moderate income homeowners effectively but are there plans to expand this approach to other areas beyond EJ communities?

ROHIT AGGARWALA: Well, you know as I mentioned in my testimony, last year we testified in favor of a bill, the Intro. number of which escapes me right at the moment that would have directed DEP to develop a plan to assist low income homeowners across the city. We, you know frankly, we've spent most of our attention over the last what six or nine months since that hearing, focused on delivering this program with the money that we have and applying to make sure -

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CHAIRPERSON RESTLER: And that's the \$72 million
dollars in federal funding.

ROHIT AGGARWALA: That's the \$72 million in
federal funding. You know and I will say as I
testified last year, you know we have not found a
correlation on the prevalence of lead service lines
with respect to income, with respect to race. This
isn't really an EJ issue, except in so far as people
without means would struggle to replace their service
lines and at least personally, I'm not really
comfortable saying that you know a multi-million
dollar home in Riverdale or College Point that
happens to have a lead service line that New York
City government needs to replace that private
property. I'm not quite there and so I think we need
to think more in a targeted way about how we would
invest resources either from the rate payers or from
the taxpayers into this, into this kind of thing.

CHAIRPERSON RESTLER: I don't remember the
details of the hearing but it does make me think
about an approach that we developed in the de Blasio
Administration around tree conditions when there was
severely disruptive street trees that homeowners
couldn't afford to upgrade the sidewalk around their

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1 house and they were getting penalties that there was
2 a mechanism for the city to cover the cost and
3 essentially for a lien to be placed on the house that
4 upon sale of the property, the city would be repaid
5 and I wonder if there is a similar approach or a
6 mechanism that we could develop here for folks of a
7 certain income level if they were unwilling, you know
8 that are not eligible for support because we do want
9 to get the lines replaced and an uncooperative
10 homeowner that has the means to do so you know we
11 probably want to figure out different ways to tackle
12 the problem but that's a different hearing.

14 ROHIT AGGARWALA: If I could Council Member. You
15 know that's one of the reasons that I think one of
16 the biggest missed opportunities in not passing that
17 legislation was the fact and I haven't had a chance.
18 I meant to look it up for today but I didn't get it.
19 How many homes have transacted? How many homes in
20 New York City have been sold, right? That moment of
21 sale and you just said it, like you put a lien on the
22 home, right. It doesn't affect the current owner.
23 At that hearing, you'll recall Council Member Holden
24 talking about well, why should the old lady who lives
25 alone and is you know fine, why should she have to

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1 sell out but when that home transacts, a new owner is
2 usually going to money into upgrading the lawn or
3 doing whatever. That's precisely the moment you want
4 to do that lead service line replacement and a new
5 owner is already getting financing so the incremental
6 \$10,000 or \$15,000 is not going to be impossible.
7 That is the mechanism that we should start using as
8 soon as possible.
9

10 CHAIRPERSON RESTLER: Is it too early to predict
11 whether there will be additional federal resources
12 available?

13 ROHIT AGGARWALA: I think it is too early to
14 predict. I don't think we know yet.

15 CHAIRPERSON RESTLER: Probably not a reason for
16 optimism. And then relatedly on behalf of Council
17 Member Holden, you know I think one of the ambitions
18 that I think many people in city government have had
19 over many, many decades is improved coordination when
20 we dig up the streets. I imagine that for you all
21 you know, well, you all do a lot of sewer
22 infrastructure work all the time. Is there an effort
23 in the lead replacement work to coordinate any
24 efforts with National Grid, with Con Ed, sewer line
25 work - you know, let me resay that. National Grid,

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Con Ed or other infrastructure work so that we can
try to tear up peoples streets less frequently?

TASOS GEORGELIS: That's an area that I'm really
concerned about right. I've seen it. Everybody in
New York has seen it. When a new street gets paved
over and then somebody comes up a couple months later
and rips up the street. Right, that's bad city
government, right? So, with the contracts, the grand
contracts we do have, we've been coordinating with
DOT where we try to give them notice what areas we're
going to be focusing on in the coming year and what
we try to coordinate is with their paving schedules,
if it's an area that they're going to look to work on
but put it on hold for a year until we get the lead
service line replaced. And then the areas that are
already on the street, we're trying to avoid the
streets that were currently paved and try to get out
of their protective street status. So we have the
schedule of when the street is going to come out of
protected street status which generally is five years
and then we're going to come and do the work after
that.

CHAIRPERSON RESTLER: And have you been in
conversation with the PSC and the entities they

1 regulate? My recollection was that Director
2 Steinberg from Operations had been convening
3 stakeholders around this issue. I know this is like
4 a White Whale issue that many people have thought
5 about over much time. It's probably remembering
6 previous administrations trying to fix this too or
7 Commissioner, excuse me. Has that been a part of the
8 conversation? It's really been tailored to DOT and
9 the repaving schedule?
10

11 TASOS GEORGELIS: Currently it's only DOT but
12 that is something that I've had conversations with
13 DOT on how we do it better right and we've looked at
14 it in the past where we try to do not just the lead
15 service lines but any of the work that we have to do
16 on the ground. If we have to do repairs, to try to
17 get it done before DOT comes in to pave the streets.

18 CHAIRPERSON RESTLER: I think that's smart and
19 DOT's got a pretty predictable calendar at this point
20 for when they're in which community districts and
21 they do a pretty job of planning what streets they're
22 going to do unless I get to them and force them to
23 add a couple in our area.

24 ROHIT AGGARWALA: And is it worth just talking
25 about the Manhattan project we did?

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1 TASOS GEORGELIS: So last summer, we did pilot
2 with the DOT where we picked Manhattan and what we
3 did was we kind of collectively worked with them.
4 When they were going to pave the street, we came in
5 ahead of time and during the milling process, where
6 we came in and proactively replaced all of our
7 hardware, our castings, and made repairs to anything
8 that we did. We did leak detection on the water
9 mains. We tried to take care of anything that we
10 knew before the final paving was done by DOT. And
11 that is I think the goal that everybody wants to see
12 us do is when the city comes through to fix the
13 street. We take care of everything, not just one
14 aspect but to take care of everything and minimize
15 the ripping over the streets after its newly paved.

16 CHAIRPERSON RESTLER: All helpful, I'll just in
17 conclusion on the lead pipe replacement piece. You
18 know I think that you know the estimates that we've
19 seen on you know the total cost to replace the lead
20 and copper pipes is approximately \$2 billion and you
21 know what the EPA's regulations are going to be in
22 moving forward. I guess they're an unknown and you
23 know to echo the sentiment that you've shared
24 multiple times today Commissioner, but while the \$72
25

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1 million is a good start, we're clearly going to need
2 additional subsidy resources to help moderate income
3 homeowner. If there's a broader plan to ask certain
4 people to contribute their fair share that have more
5 means but you know we're going to have to just
6 navigate the new realities of not having a federal
7 government that is prepared to help us in any
8 meaningful way.
9

10 I'd like to shift to Southeast Queens for a
11 minute if that's alright. Can DEP ensure that it has
12 the capital - will DEP ensure or guarantee that it
13 has the capital funds for the installation of the
14 sewer line in South Jamaica for the residents of 177-
15 50 to 177-66, 106th Road and 178-109. I don't know,
16 I'm not sure where these exact addresses come from
17 but this is what I've been - but I will send this to
18 you unless you're familiar with this project in South
19 Jamaica that I'm randomly bringing up? Okay, no
20 you're not so we'll send this to you. I will say
21 that Council Member Williams, one of my favorites -

22 ROHIT AGGARWALA: Are you talking about the
23 southeast corner or the northwest corner, sorry?

24 CHAIRPERSON RESTLER: I know, I'm sorry. This
25 was a little ridiculous, I apologize but Council

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Member Williams and Borough President Richards are very focused on these blocks in particular in South Jamaica to ensure that we have the resources dedicated. I don't really know the block.

ROHIT AGGARWALA: Look, I will just say Council Member that you know the Southeast Queens program is a long term effort. It is one that we continue to pursue with our colleagues at DDC. DDC is a great partner in delivering that work and there is I believe \$200 a year roughly?

NERISSA MORAY: Well, the whole program is \$2 billion going forward in the next two years.

ROHIT AGGARWALA: So we have \$2 billion over the next ten years for the Southeast Queens program.

CHAIRPERSON RESTLER: Up to \$2 billion over the next ten years? So when you came in, it was approximately \$1 or has that been - am I misremembering? The de Blasio Administration announced \$1 billion for Southeast Queens structure is that right?

TASOS GEORGELIS: It was \$1.5 billion. They've drawn it over years. It's currently \$2.7 billion and with this capital plan, we secured an additional \$140 million.

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CHAIRPERSON RESTLER: So, now we're at \$2.8
something?

TASOS GEORGELIS: \$2.7.

CHAIRPERSON RESTLER: \$2.7 oh well that's
tremendous. Alright and I think that Council Member
Nurse covered renewable Rikers issues. I just wanted
to ask kind of at a high level Commissioner, if you
had a magic wand, what do you think are the best uses
of that space that we as a Council and Administration
should be collaborating to explore?

ROHIT AGGARWALA: Look as we said last year, I
think that the two studies, the one that DEP did and
the one that MOCEJ led around renewable demonstrated
that there is the possibility of using that space
both for wastewater treatment functions and
particularly for battery storage and to some of your
earlier questions, an interconnection because that
kind of unique waterfront space with no neighbors.
It's already quite polluted and whatever, those are
the right industrial uses. This is a prime space for
industrial use. As I said earlier to Council Member
Nurse, I think we really would like the ability to
step back and think about not a very narrow question.
Could you build a gigantic waste water treatment

1 facility here but rather, how would we use that space
2 as part of a network in the upper east river where we
3 have those four treatment plants and I don't want to
4 prejudice you know. Is it a gigantic waste water
5 treatment plant? Is it a wet weather only treatment
6 plant? Is it a consolidated space for solids
7 handling for the entire city? There are a bunch of
8 different permutations and we would like to explore
9 all of them. But I think the main point is that -
10 and we have looked - I asked BWT to look into this
11 and there is really no other large scale site in that
12 part of the city that is even remotely available for
13 waste water treatment infrastructure. And so, it
14 really is prime territory and again, I think the idea
15 that we could share it and have some colocation of
16 battery storage, which as you know is controversial
17 to locate in residential neighborhoods and that
18 interconnect would be the best thing.

19
20 CHAIRPERSON RESTLER: Worry less about the
21 controversy and more about the FDNY approvals but the
22 - look I think to just echo the sentiments that were
23 mentioned earlier, we really need to start crafting a
24 specific plan as quickly as possible because it's a
25 generational opportunity for us to achieve myriad

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goals that we have as a city. You know I have long loved the idea that there are many city uses in across the neighborhoods of New York City that don't belong, that could be relocated to Rikers Island. You know we have a DOT facility on the waterfront in Williamsburg where they you know, it's a shop where they fix things under the Williamsburg Bridge that doesn't need to be on the water. It doesn't even need to be in a residential neighborhood it could be anywhere. If we were to relocate some of those uses, we could free up really valuable real estate for high impact, highly beneficial uses in addition to battery storage waste water treatment plants or replicating what they're doing in DC if you think that's the right approach. So look, I bluntly don't expect that we're going to have leadership from the other side of this building for the remainder of the year but we need your leadership and to help guide us so that we don't lose this time. And so, I hope that we can collaboratively work together to start informally at very least crafting a plan of what makes the most sense that we can start pushing. While the exact deadline - while the exact timing of when Rikers Island is going to close is an open question. It's

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going to happen and we've got to start getting
ourselves organized as quickly as possible to
maximize that opportunity.

I'd like to shift to Newtown Creek and again echo
the earlier sentiments complimenting you and your
team for putting the resources in this budget for the
New Town Creek long term control plan. I'm impressed
by the work that you all did to dramatically reduce
sewage CS overflow, not just into New York Creek but
into the East River, into Dutch Kills in Council
Member Won's District and reduce the construction
impacts on Green Point Avenue and you know you and
your team have been I think good partners for us in
trying to identify green infrastructure opportunities
in our community. I'm especially grateful to Melissa
and John who have been working with us on the
McCarren Asphalt lot and doing a terrific job. It's
one of the most, it's one of the projects in district
33 that I'm most excited about. \$15 million project
to dramatically expand green infrastructure and build
new park space for our community. Both in the
context of the New Town Creek long term control plan,
how can we work together to identify more green
infrastructure opportunities around our district?

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1 Around this area I should say to you know help
2 mitigate flooding and make our flood prone community
3 more resilient?
4

5 ROHIT AGGARWALA: Well, I'd say Council Member, I
6 think you know as often happens, our main task is to
7 deliver what we've already promised right and I am -
8 I'm glad you're happy with it. I was very pleased
9 with it. I give a ton of credit to DC Licata and DC
10 Barrio at Betsy whose team also contributed
11 significantly to that but we knew that proposing that
12 modification, we had to find some near term things we
13 could do in the neighborhood and I'm pleased that
14 they met your and the communities approval.

15 I will say that is a \$3 billion project, like it
16 is you know probably the third largest single project
17 we've undertaken as an agency if I'm thinking about
18 the UV plant, the filtration plant. I guess the city
19 tunnel three but it's a gargantuan project and our
20 teams have already been working. I mean we've got
21 alignments; we're working on property acquisition. I
22 mean there is so much blocking and tackling and I
23 guess I would ask your forbearance in giving us the
24 space to deliver what we have promised before we
25 think about what's more.

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CHAIRPERSON RESTLER: That's fair. I think that we you know to come back to my kind of earlier point a moment ago on the sewer backups. We know the geographies in our district where we have problems and so, we really want to - I mean, I guess as a Council Member, I really want to be able to look those constituents in the eye and say, this is the plan for how we're going to improve the conditions in your life and in your home and this is the timeline that we're going to be able to achieve it. And I recognize that you don't have a magic wand and you don't have an infinite budget and that you are doing impressive things at scale. I'm not minimizing any of that but it's my job right to do my absolute best to push for those people and to deliver solutions for them. So, you know I talk a lot with other city agencies and I think you all have it seems like a pretty good working relationship with the Parks Department and the site I mentioned, you know the [INAUDIBLE 02:45:26] a phenomenal job. I'm really grateful. I don't want to lose sight of that.

I've been talking more to DOE and I think they are eager to figure out how to partner with DEP more effectively. How do we take DOE school yards and

1 maximize green infrastructure opportunities in those
2 locations? I really think there's a real opportunity
3 there for us to do more. I could certainly highlight
4 sites in our district. You know part of the reason
5 that I'm interested in putting resources into
6 renovating parks and playgrounds in my district right
7 now in Green Point is to see that we can layer and
8 maximize DEP green infrastructure and flood
9 mitigation work as a part of those projects, right
10 that I might otherwise put those resources into other
11 places. So, I'm interested in figuring out how to
12 maximize those kinds of opportunities as much as
13 possible. Is that a clear way to set up the
14 question?

16 ROHIT AGGARWALA: Yeah, look and that is totally
17 fair and there's always more that we can do and your
18 point about the short term and again when it comes to
19 the long term, I'm constantly going to back to the
20 fact that we are working on a comprehensive effort
21 towards stormwater resilience. There are 86
22 locations around the city that are going to need
23 investment to deal with the rain that climate change
24 is bringing us. And so, I guess one of the things
25 that we deal with is everybody thinks their

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neighborhood isn't getting enough because the whole city isn't getting enough and it's going to take us you know as Nerissa mentioned, we have \$10 billion. Our estimate is that this is a \$30 billion effort, at that one rate it's a 30 year timeline right to get the stormwater resilience that we already know we need.

I think a lot of the wisdom that's in your point and also is reflected in your comment on the protecting your home document is that while we do the long term stuff, we've been really focused also on how can we do the shorter term stuff and I think some of the nearest term impacts, it's why we were enthusiastic to work with you on the partnership around catch basin cleaning. That's the obvious, the easiest, cheapest, whatever. You know there are some locations that get clogged but even so they get matted over and that's the thing that you have done great work on personally and individuals can do and one of the nearer term things that we are working on and Tasos, maybe you have the numbers at hand is the new designs that we've got for slotted manhole covers and for the new catch basin covers that help reduce that matting, and I think that's one of the highest

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return on investments we can make. We do have some of that planned and Tasos I think has found the numbers, so maybe you could say something about the catch basin modernization program.

TASOS GEORGELIS: Thank you Commissioner. So we do have 150,000 catch basins that we have to maintain across the city and we do know that sometimes catch basins get clogged for different reasons, one is the matting over condition which is the above ground condition. And to combat that we've been looking at different strategies over the last two or three years. The covers that the Commissioner mentioned, our goal is to install ten of them a month. We've installed about 100 of them so far this fiscal year and those are the areas that we know are prone to matting over and this way we evaluate the ones that are most frequent that will get those slotted covers. So, this way if the water starts pouring because it can't get down the catch basin, it jumps the curb. We have the slotted cover installed on the sidewalk and then that takes the flooding, so this way we'll only have a couple of inches of flooding and not the massive foot or two. But in conjunction to the slotted covers, what we started doing and if you

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1 know - if you've seen our catch basins throughout the
2 city, the curb pieces, some of them are wide open.
3 Some of them are smaller openings. We've changed
4 about three years ago; we changed the design where
5 it's a more narrower opening and then we have some
6 relief slots right about it. So, that design you
7 know you're going to walk by, you're not going to
8 understand different but for us, it's important
9 because by having that narrower open prevents some of
10 the larger debris from getting in the catch basin,
11 which causes them to clog more frequently. So, we're
12 trying to improve the design of the catch basins to
13 prevent the clogs that happen more often and then
14 what we actually did with some of the catch basins,
15 we started a retrofit where we're putting a grow
16 plate over it which is a simple design that we could
17 do pretty quickly and get those and reduce the amount
18 of debris that get in the catch basins. We put in
19 about 700 of those this fiscal year.

21 CHAIRPERSON RESTLER: Okay that is helpful. I
22 think relatedly just want to understand the flood
23 sensors. I know the preliminary plan include an
24 additional \$500,000 in FY26 and a little bit more in
25 the outyears. This will help DEP utilize existing

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live traffic feeds for assessing water levels and projections. The goal in rainfall ready - the goal in the Rainfall ready report was 500 I believe of these by FY26. By the end of 2026 excuse me, not FY26. Is that right? Is that the right goal? Are we on pace to achieve it?

ROHIT AGGARWALA: So, there are two complimentary things. So, what was launched in the aftermath of Hurricane Ida in the new normal report was the Flood Net system and that is optical sensors that point down. They're purpose built and that's where we are on track to do 500. The original plan was it would take until 2027 or 2028 to achieve all 500. We are on track to finish the installation next year so we are ahead of schedule and have done a lot of work with our partners to deploy flood nets. I think we are at 200 already, so we do have 242. Thank you Tasos. We have 242 already installed, so we're just about half way and that gives us the beginnings of a comprehensive monitoring system.

The additional money will actually allow us to compliment the flood net technology with an effort to use existing traffic cameras to train the musing computer vision to understand flooding levels. So,

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1 it's a very different approach to getting the same
2 information. It's just a good thing and systems
3 design to bet on multiple approaches to solving the
4 same problem because you know we don't know how long
5 the flood net sensors will last. We don't know how
6 accurate optical - the traffic camera work might be
7 so by doing multiple things at once, we make
8 ourselves more robust. Did you want to add
9 something?
10

11 CHAIRPERSON RESTLER: Great. I'd like to do -
12 I'm going to try to wrap up because it's been a few
13 hours and I imagine people need to go to the bathroom
14 or order that pizza. The pizza is not coming, I'm
15 sorry to say.

16 I'd like to ask you about DEP taking control of
17 eastside coastal resiliency. So, I think I'm really
18 thrilled that this administration has continued to
19 make progress on this critical infrastructure
20 investment. Could you speak to the current funding
21 for operations and maintenance that DEP has for
22 eastside coastal resiliency? Just for my and forgive
23 me, I don't know about things outside of District 33.
24 Is there a timeline that you have for when you're
25 going to be responsible for taking control of this

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infrastructure and are there yeah, if you could just speak to that a little bit it would be helpful.

ROHIT AGGARWALA: Uhm, well thank you and yeah, I'm really pleased and Deputy Commissioner Farrell has done a great job. We now have also Assistant Commissioner Pavinsk who is here with us today. In Fiscal Year 2024, BCR had three lines. In Fiscal Year 2025, we have 12, that included a transfer of four, so new were eight and in terms of the timing, you know basically we will be receiving these pieces of infrastructure when they are completed. So, as I mentioned, the first set of gates at ESCAR have already been transferred. Full completion is estimated for late 2026. The Brooklyn Bridge Montgomery which we just demoed a couple of weeks ago with Deputy Mayor Joshi and Commissioner Tom Folli, thank you will also be done towards the end of 2026. Red Hook should be kicking off construction this year and it will be complete in 2028. So, basically whenever these things are complete, we are going to be taking them on and so, Deputy Commissioner Farrell and Tasos and her team are planning out our staffing needs accordingly.

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CHAIRPERSON RESTLER: But you've just to ask it plainly, you have the staffing resources you need to manage these new projects.

ROHIT AGGARWALA: We are redeploying in some cases, so as I mentioned coastal resilience has to come out of the tax levy budget. Our tax levy budget is quite small within the context of DEP's overall and so we are working to figure out how we reallocate appropriately.

CHAIRPERSON RESTLER: Okay look I don't recall how many billions of dollars we spent to build out these resiliency, do you remember? No, no problem if you don't. I just I don't mean to put you on the spot. It was an absolutely massive project right and one of the larger infrastructure projects we have taken undertaken as a city in a long time. And we need to make sure that we invest the resources to maintain it. And so, I guess when we come back for exec, we'd like more information on how that's coming along and what the needs are there with a little bit more specificity because if this is something that we should pushing for as a Council, we should because it's too important to you know to not maintain it effectively.

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1 So, I think the last topic that I'm hoping to dig
2 in on is one that I care a lot about. My wife thinks
3 I care too much about it but that is noise
4 complaints. Uhm, so noise complaints were up another
5 ten percent in the PMMR. 19,403 complaints on track
6 to be 20 percent greater than FY22. So, it's not
7 just - it's not just me who's upset about this. My
8 constituents are particularly excited about the noise
9 cameras that we funded in last year's budget, even
10 though we had to use expense dollars, which pissed me
11 off and we're excited about the potential they have
12 for kind of a long term deterrent impact on noise.
13 So, I have a few questions. I think these are going
14 to be the first noise cameras that are installed in
15 Brooklyn. I think we're still on pace to install
16 them this year, hopefully that's true. I don't know
17 if you all have any more information on that.

18 My understanding is that there are only nine
19 noise cameras installed citywide right now, but DEP
20 is required under Local Law 7 of 2004 to install five
21 cameras per borough by September of this year. Is
22 DEP on track to meet that requirement?

23 ROHIT AGGARWALA: We are not funded to get to
24 '25. No, I believe we currently have ten in service
25

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1 around the city but it is also important to note that
2 we move them around very intentionally right and in
3 fact one of the things that we have seen is that you
4 know there is a bit of a community of people who have
5 made the amendments to their vehicles that
6 disproportionately generate the violations and they
7 do tell each other when they start getting summonses
8 and so we do have to keep these things moving. So,
9 I'm not sure whether yours will be the first ever in
10 Brooklyn. I will find out whether -

12 CHAIRPERSON RESTLER: We like to be the first.

13 ROHIT AGGARWALA: Then for your case, we'll call
14 it the first but look I think I go back to the fact
15 that you know we - I think the public tends to think
16 of air and noise as completely separate. The way we
17 manage it, these are air and noise inspectors, right?
18 And this is why I say I think the reforms to the
19 Citizen Idling Law are really necessary because
20 keeping up, we had in over the course of last year,
21 we were operating at roughly 10,000 violations or
22 10,000 citations or complaints that were filed per
23 month for a total of roughly 120 some odd thousand.

24 In January, we had 18,000 submitted, including
25 one individual who submitted 1,700 complaint in one

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1 day, right? 1,700 complaints at \$85.00 each that's
2 \$150,000 that that person stands to receive and that
3 volume because until now at my direction, we have
4 tried to do the back office work right, so there are
5 two options in the law. DEP can do the back office
6 work. Take the burden off the citizen enforcer or we
7 can wait the 45 days and just say you do it on your
8 own, good luck with OATH right? We have thus far
9 tried to do it all ourselves. It is not clear to me
10 that that is sustainable because it is now squeezing
11 out our ability to do noise. Our ability to do
12 construction noise. Our ability to do dust and our
13 ability to do this other targeted enforcement in the
14 EJ neighborhoods where the citizen are not coming
15 from. So, it's a frustration.

17 CHAIRPERSON RESTLER: I, I, I, you know attended
18 that hearing, shared my perspective on the record as
19 well and made some suggestions around different
20 approaches we could do including CAP's on the revenue
21 that somebody could generate through this initiative.
22 I do think that the citizen enforcement model has
23 merit. I do think that there are guardrails that we
24 need to impose. With that being said, and it pains
25 me that it undermines your effective enforcement of

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noise issues and other types of enforcement issues that we need DEP to have the resources to swiftly and effectively address.

But that is separate and apart from the resources that we need for the noise cameras. They should be capitally eligible. They should be easy to install. They should be easy to move around. You created a model that I think works. We should be able to comply with Local Law. I don't understand why the resources have not been provided to your agency to be able to implement it.

So, I don't know if there's a question there but it's just a point of clarity and I will also say, just on again, kind of parochial Council Member level, because this is the stuff that we worry about every day. You know we have a building at 134 Atlantic Avenue that has an extraordinarily loud HVAC system that is severely disruptive to its neighbors and they don't allow entry for DEP inspectors and we communicate back and forth with DEP on sites like this all the time and your staff is great but we just lack of effective tools to actually hold guys accountable and because of statute of limitations, we try to hold them accountable during a given cooling

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1 season. We don't make enough progress or have enough
2 enforcement actions and then we have to start over th
3 following spring and summer, which is just bonkers to
4 me and I don't know what I'm going to tell my
5 constituents who are pissed about this HVAC system
6 that doesn't allow them to sleep. And it sounds like
7 a small issue but it's not if you live next door
8 right and I don't, you know we have another call with
9 your staff set up for I don't know, this week or next
10 week to try and figure out a solution for this site
11 but if there are legislative solutions that we need
12 to address so that you have more flexibility and
13 latitude, we welcome it. I just - this stuff is
14 really frustrating and we want to - I know like you,
15 I certainly want to help solve problems for my
16 community. That's why I ran for this. That's why I
17 do this work and when we hit bureaucratic hurdles on
18 this stuff, it's just really frustrating. So, I hope
19 that we can work more together to try and identify
20 some solutions there.

21 I could ask you another three hours of questions
22 that are mostly - that would without a doubt be
23 highly informative and simulating. I want to just
24 say, is this your first budget hearing without Joe?
25

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1 It is, so did Joe retire? He did, well
2 congratulations to Joe. He had been at DEP for a
3 long time. Well, he was a good public servant, so
4 thank you to Joe for his service and I do want to
5 just say, I've tried to shout out a number of your
6 staff by name today that we have the pleasure of
7 working with, who do a great job. I would also just
8 note Alijah Hutchinson does a terrific job and has
9 been a great partner. He is also a District 33
10 Native like John McLaughlin. You got to you know
11 recognize people who grew up in the community and you
12 know I think you also deserve credit for the team at
13 DOB that's doing a good job in Local Law 97, so Laura
14 and her staff. So, I just want to thank you, not
15 just for the team at DEP that you lead but for the
16 other folks that are part of your kind of broader
17 climate portfolio and you know I am - and just
18 because this came up and I feel like I should clear
19 this up a little bit. If I recall correctly, Mario
20 has I think he is on vacation this week otherwise
21 he'd probably be sitting here. Mario has worked at
22 DEP since the Guliani Administration or close enough
23 to it. There is nobody that knows more about DEP
24 operations than Mario Bruno. His technical expertise

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1 is impressive but what is even more impressive is
2 like when I have an emergency in my district at 12:00
3 at night, Mario responds and helps and like that
4 level of care that he has for the people of New York
5 City is really special and while of course there
6 should be equity in pay whenever it's possible, when
7 somebody is a 30 year plus employee of an agency with
8 a very long record, the idea that everyone's going to
9 - that somebody coming in without 30 years of
10 experience would be getting the exact same
11 compensation, doesn't really make sense.

12 So, I just want to - I didn't like - I wasn't
13 happy about those comments earlier, so I just wanted
14 to say that very clearly to clear it up and just
15 thank you for your hard work. Thank everyone at DEP
16 for your hard work. We really appreciate working
17 with you all day in and day out and I hope you guys
18 have a great rest of your day. Thank you and we'll
19 take a five minute break to get a seltzer and we'll
20 start back up with public panel shortly.

21 RECESS [03:04:55]- [03:11:46]

22 CHAIRPERSON RESTLER: Okay before we enter the
23 formal public comment period for the hearing, we'd
24 like to invite the IBO testify. We have Jordan Paige
25

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and Brian Cain and I apologize if I butchered anybody's names. And we'll give five minutes for IBO testimony and we'll give two members for members of the public. Thank you in advance for being with us.

COMMITTEE COUNSEL: Good morning, please raise your right hand both of you. Do you affirm to tell the truth, the whole truth and nothing but the truth before this Committee and respond honestly to Council Member questions?

PANEL: I do, yes.

COMMITTEE COUNSEL: Thank you. You may begin when you're ready.

BRIAN CAIN: Great, thank you. Good afternoon Chair Restler. I'm Brian Cain, Assistant Director of Housing, Environment, and Infrastructure at the New York City Independent Budget Office or IBO. IBO is an independent, non-partisan city agency that conducts fiscal and policy research for the city. I am joined here today by my colleague, Jordan Paige, our Lead Environmental Budget and Policy Analyst.

In October 2024, IBO published a report examining how the city sets water rates and bills property owners. Our research found that the city's practice of requesting rental payments from the Water Board

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indirectly leads to additional costs for property owners and renters. We also found that the original justification for this payment is no longer applicable, raising the question of whether the rental payment should continue.

In the 1980's, water bill revenue was removed from the general fund and moved to the control of the Water Board to be used exclusively for water system maintenance, operations, and the debt service on new Water Finance Authority bonds. This agreement granted the Water Board permission to use the city's water and sewer system. However, the city retained the right to request an annual payment to pay off pre-existing debt related to the water system, which was still held by the city.

This pre-existing debt was fully paid off in 2005. Since 2005, the rental payment has simply been a mechanism to move revenue from the water system to the city's general fund as a source of additional revenue. Once in the general fund, there is no requirement to use it on the city's water system maintenance. The rental payment can be spent at the discretion of the administration on any mayoral priority.

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In recent years, the city's request for payment has varied. Referring to city fiscal years here, every year from 1985 at the very beginning through 2015, mayoral administrations requested the full rental payment. In 2016, when the city saw particularly strong revenue collections, the de Blasio administration decided to pause the rental payment, requesting a partial payment in 2016, and no payment for the next three years.

When the city faced financial uncertainties during the pandemic in 2020 and 2021, the de Blasio administration requested partial rental payments. Under the Adams administration, there were no payments in 2022 and 2023. The rental payments were resumed midway through 2024. At that time, the Adams administration requested a partial rental payment of \$145 million, about half of the maximum, citing financial pressure on the city's budget due to rising costs of caring for asylum seekers.

However, IBO's revenue and expense forecasts, painted a less dire financial picture than the administration's. The Adams administration plans to charge the maximum annual rental payment from 2026 through 2029, at over \$300 million each year. Since

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1 IBO last testified in October, the projections for
2 2026 and 2027 each decreased by about \$10 million and
3 the projection for 2029 was added with the
4 preliminary budget.

5 Rates set by the Water Board must cover the cost
6 of maintenance, operations, and the rental payment
7 when it's requested. The 2025 water bill rate
8 increase was approximately 3 percentage points higher
9 due to the administration requesting a rental payment
10 from the Water Board. These rate increases are seen
11 directly by property owners when they receive their
12 water bill. Rate increases also indirectly impact
13 residents of rental condo and co-op apartment
14 buildings because water bill increases may be
15 partially or wholly passed on to residents.

16 In conclusion, the city paid off its debt related
17 to the water system in 2005, so all rental payments
18 since then have been unrestricted contributions to
19 the general fund. Whether or not the city requests
20 the rental payment creates uncertainty in the Water
21 Board's rate setting process each year and can
22 increase costs for city residents. Thank you for
23 this opportunity to testify. We welcome any
24 questions.
25

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CHAIRPERSON RESTLER: Thank you so much. I really appreciate you both being here today and your thoughtful testimony. So, just to be clear, this additional fee that's placed on - this additional tax that is imposed, it represents 30, between 35 and 40 percent of the total increase in the water bill increase this past year?

BRIAN CAIN: I'm trying to do math in my head. Yes, 3 percentage points out of 8.5 percent I think that's about correct, yeah.

CHAIRPERSON RESTLER: And you're much more diplomatic than me but it doesn't appear that there's any rhyme or reason for why this additional payment has been imposed?

BRIAN CAIN: Well, there have been justifications when it's been imposed since the de Blasio Administration paused it initially. You know they cited COVID in 2021 and then they cited the rising cost of asylum seekers recently but neither of those relate directly to the city's water system.

CHAIRPERSON RESTLER: Yeah, well I really appreciate you highlighting this issue. I think it's an egregious decision by the Adam's Administration and OMB and I think it's unfair and like I said

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1 before, if this was an additional assessment that
2 went directly towards strengthening our resiliency,
3 then we could have a serious conversation about the
4 merit of such a proposal. But this is just to
5 provide resources for the general fund and there
6 doesn't - there has been no correlation between
7 asylum seeker spending and the need for this revenue
8 despite the asylum seeker expenses going
9 significantly - the anticipated expenses for asylum
10 seekers going significantly down, right?

12 BRIAN CAIN: Correct, yes that's what IBO's
13 forecast for asylum seeker cost has shown over time.

14 CHAIRPERSON RESTLER: We appreciate you
15 highlighting this issue. We appreciate you being
16 with us today and I look forward to working together
17 and partnering with you to hopefully try and address
18 this.

19 BRIAN CAIN: Our pleasure, thank you very much.

20 CHAIRPERSON RESTLER: Thank you so much. Great,
21 wonderful, we're going to keep it moving. Now as we
22 move to the public comment period. At the beginning
23 of the public comment period, I am opening this - and
24 now that we're at the beginning of the public comment
25 period, I am opening this hearing for public

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1 testimony. I am required to remind all members of
2 the public that this is a formal government
3 proceeding and that decorum shall be observed at all
4 times. As such members of the public shall remain
5 silent at all times. The witness table is reserved
6 for people who wish to testify. No video recording
7 or photography is allowed from the witness table.
8 Further, members of the public may not present audio
9 or video recordings as testimony but may submit
10 transcripts of such recordings to the Sergeant at
11 Arms for inclusion in the hearing record. If you
12 wish to speak at today's hearing, please fill out an
13 appearance card with the Sergeant of Arms and wait to
14 be recognized. When recognized, you will have two
15 minutes to speak at today's hearing topic, DEP's
16 budget for Fiscal Year 2026.

17
18 If you have a written statement or additional
19 testimony you wish to submit on the record, please
20 provide a copy of the testimony to the Sergeant of
21 Arms. You may also submit written testimony at
22 testimony@council.nyc.gov within 72 hours of the
23 hearing. Audio and video recordings will not be
24 accepted. I will now introduce the first panel,
25 which is a distinguished panel, including Eric

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Goldstein of Natural Resources Defense Council,
Cecilia Ellis of NYPIRG, Tyler Taba of the Waterfront
Alliance and I am especially excited to call up Em
Ruby of Riverkeeper who is an alum of our office.
Thank you.

And the Council will now swear you all in. Oh
no, we don't swear people in. Just kidding, nobody
is getting sworn in. I'm paying attention but I was
looking for my snack. Thank you for being with us
today. We appreciate your patience.

ERIC GOLDSTEIN: Good afternoon Chair Restler in
Acting capacity but thank you for your leadership and
for the great questioning this morning. I'm Eric
Goldstein, the New York City Environment Director at
the Natural Resources Defense Council.

At the outset, let me say that NRDC supports
DEP's overall request for its preliminary FY26
proposed operating budget and preliminary FY26-FY29
capital funding requests. The drinking water,
wastewater treatment and resiliency needs of the
nation's largest city are enormous. The work is
mostly done unseen by typical New Yorkers but it's
both expensive and essential to protect the air we
breathe, the water we drink, and the people and the

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properties from the dangers of the climate crisis.

So we appreciate DEP's overall work. I'll make three quick points. First, the most important thing the Council can do to meet the departments capital and operating needs and not unfairly burden the city's water rate payers, is to negotiate with the Adams Administration to end the irrational antiquated water system rental payment. As you know, this is a financial gimmick. Water rates are regressive and this amounts to an unfair, unseen tax on homeowners and lower income New Yorkers. Nothing in the existing laws that set this up in the 1980's requires that the mayor demand an annual rental payment from the rate payers.

This year, the Mayor is demanding \$300 million. The Council could and should request that this regressive and unfair rental payment be eliminated or at least that the rental payment be reduced to about \$100 million, which is the 20 year average rental payment since 2025 when the bonds had been retired. So, for 20 years, the rental subsidy has been on average \$100 million. It should not be \$300 million.

Second, we recommend that the Council ensure that DEP allocates sufficient funds to advance planning

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for the construction of a modern waste water treatment plant on Rikers Island. As you heard this morning, the sewage plants nearby are reaching the end of their useful life. They don't have sufficient space to capture and treat stormwater runoff and they will need to be rebuilt, repaired or replaced in the years to come. The study that you directed DEP to undertake in 2021 in the renewable Rikers legislation about constructing a state of the art waste water treatment plant found not only that it was feasible but according to DEP, that it's a potentially significant cost saving investment. We heard what the Commissioner said today but the next logical step is for DEP to undertake a more detailed master planning analysis of exactly what its waste water needs are. As you said, there's no need to wait. We don't want to wait nine months until the end of the year and so we urge you to ensure that DEP set aside sufficient funds in its 2026 budget to get that work underway whether it's a new plan, a plan only for holding primary stormwater or some other operation, that planning ought to get underway now.

And finally, the DEP is taking on the important responsibilities of resiliency and addressing climate

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1 change. This makes perfect sense to do. We want to
2 emphasize the importance of fully funding these
3 programs and for the continued construction and
4 cleaning of the flood alleviating rain gardens and
5 bioswales as well as accelerated implementation of
6 the Citywide Stormwater Master Plan. The
7 Commissioner says that's going to take 30 years and
8 if we got some of that money back from the rental
9 payments, that program could be accelerated to
10 protect those 83 neighborhoods.
11

12 And finally addressing extreme heat, which every
13 year kills more New Yorkers than any other climate
14 related threat. We look forward to working with you
15 and we thank you for your attention.

16 CHAIRPERSON RESTLER: It's a great testimony.
17 Thank you.

18 CECILIA ELLIS: Good afternoon, my name is
19 Cecilia Ellis, I am an environmental protection
20 organizer with NYPIRG, the New York Public Interest
21 Research Group. NYPIRG is nonpartisan, not for
22 profit research and advocacy organization,
23 environmental protection and public health consumer
24 protection, higher education equity and civic
25 empowerment are our principle areas of concern.

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1 Thank you Committee Chair Restler and members of the
2 Committee for allowing me the opportunity to testify
3 about the city budget in support of Local Law 97 and
4 Intro. 1180. Recent decisions from the Governor
5 demonstrate an alignment with the current federal
6 administration that is at odds with what New Yorkers
7 want, such as approving the air coin natural gas
8 pipeline expansion. Pipelines we know are not the
9 future of New York so right now it is paramount to
10 the current moment that New York City moves boldly to
11 shore up environmental protection efforts that are
12 within your independent power, such as prioritizing
13 building decarbonization.
14

15 Once again, the country is looking to New York
16 City to lead by example and act with appropriate
17 urgency. Protecting Local Law 97 by fully funding
18 staff lines at the Department of Building, closing
19 the landlord loophole with Intro. 1180, adequately
20 and robustly funding school electrification,
21 amplifying testimony from our coalition partners at
22 Align and supporting Council Member Williams
23 Resolution 711 in support of the state bill Buck for
24 Boilers are our forearms of the same effort to
25 protect New Yorkers. So, along with the a robust

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coalition of organizations and community members, we are concerned about efforts to see Local Law 97, weakened through compliance loopholes, lack of administrative support or reduced penalties.

As you know OBEEP is in charge of implementing the law. The Office of Building Energy and Emissions Performance. NYPIRG is concerned that the Mayor's Preliminary Budget is largely flat for the Department of Buildings and the staffing levels for OBEEP are unclear. Through the next few years, buildings will need to work harder to comply with Local Law 97 so we encourage the Council to fight for an adopted budget that ensures sufficient funding for OBEEP's necessary staff levels that are dedicated to this initiative. Though I'm glad to hear that the DEP gave thumbs up on that front so far.

Secondly, we're concerned about the landlord loophole in Local Law 97 that allows for building owners to offset an egregious 50 percent of emissions through purchasing renewable energy credits. Thank you to Council's De La Rosa and Restler for introducing Intro. 1180 that caps the amount of those emissions in order to ensure that wealthy building owners can't buy their way out of complying with the

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1 law and allow Local Law 97 to achieve its full
2 potential. The young people that NYPIRG works with
3 know that there's no time to wait or move backwards.
4 So Local Law 97 must be fully funded, supported and
5 implemented and that means also passing Intro. 1180
6 to close the landlord loophole. Thank you so much.
7

8 CHAIRPERSON RESTLER: Thank you.

9 TYLER TABA: Hello, my name is Tyler Taba, I'm
10 the Director of Resilience at the Waterfront
11 Alliance. Thank you Chair Restler. Thank you
12 Members of the Committee. Thank you to Josh and to
13 Chair Gennaro for hosting the hearing today. I'm
14 grateful to testify today in favor of dedicated
15 funding and long term planning for climate
16 resilience.

17 Especially in the current context of federal
18 rollbacks on climate regulation funding, which we
19 heard about a little bit at the hearing today, local
20 spending on climate resilience cannot be lost or
21 minimized. Nearly 14 percent of New Yorkers live
22 within or adjacent to the 100 year floodplain.
23 Nearly 78 percent of New Yorkers have an urban heat
24 index of eight degrees Fahrenheit or higher and we
25 strongly urge the city's budget to reflect the

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1 reality that climate change is already here and
2 effecting millions of residents today. Waterfront
3 Alliance strongly supports a \$2 billion budget for
4 the New York City DEP. We applaud the formation of
5 the New Bureau of Coastal Resilience within DEP,
6 which we heard about here today as part of
7 commitments made in the latest PlaNYC. Specifically
8 we're advocating for a budget for the New Bureau of
9 Coastal Resilience in Fiscal Year '26 of \$8.5
10 million. Additionally, we're looking for long term
11 dedicated funding to expand the city's current
12 portfolio climate resilience projects, many of which
13 were talked about today, the Cloudburst Projects,
14 Blue Belt projects and the like.

15
16 There's also been some efforts made on launching
17 a voluntary buyout program in the latest PlaNYC,
18 however, there has been some issues I believe in
19 terms of figuring out how to fund that long term
20 voluntary buyout program. And so, we urge the city
21 to leverage part of the \$250 million investment from
22 the New York State dedicated towards buyouts as well
23 as identifying other funding sources to support the
24 implementation of this program.

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Related to housing, we also support retrofit programs like Home Fix and also support legislation introduced like Intro. 1067 which would support residents with retrofits that are experiencing ground water flooding. And the last thing I'll just end on is to echo the concerns about the budget related to the water rental payment. We support rejecting the water rental payment in the Fiscal Year '26 budget. There's a lot more in the testimony related to resiliency, waterfront access, maritime and we would be happy to connect and talk more about all of those issues but thank you for the hearing today.

EM RUBY: It's nice to see you Council Member Restler. My name is Em Ruby and I am the Advocacy and Policy Coordinator at Riverkeeper. Thank you Chairperson Restler and Chairperson Gennaro and members of the Committee for your leadership and for the opportunity to testify today. I would also like to thank the staff of DEP for their very dedicated work.

So, New York City is on the frontlines of climate change and New Yorkers today face serious overlapping threats from rising sea levels, coastal storm surge, extreme rainfall and extreme heat. However, the

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city's aging sewer system is not designed to meet today's extreme weather and coastal resiliency projects remain years from completion.

DEP has estimated that it will cost nearly \$30 billion, which they mentioned today to upgrade the city's sewer infrastructure to prevent the worst damage from stormwater flooding. However, this administration has proposed to take \$1.3 billion over four years in the form of a rental payment from the water board. Funds that should be going toward DEP's capital budget.

We cannot advocate in good faith for more state funding, while our city continues to give away \$1.3 billion in a rental payment over the next four years for non-water purposes. The severe drought last fall illustrated that New York is vulnerable and urgently needs investment in its water infrastructure now.

To address these challenges, we call for the Council to support six critical priorities in this year's budget. To fully fund the Department of Environmental Protection at \$2 billion to restore agency staffing to pre-COVID levels and fill 800 vacancies. To reject \$3.3 million rental payment in FY26 from the New York City Water Board. To provide

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\$8.5 million to fully staff the Bureau of Coastal Resiliency. To provide \$4 million to fully fund implementation of the Unified Stormwater Rule and to provide \$3 million to begin the Master Planning Effort for a renewable Rikers. \$2 billion budget for DEP would restore the \$38 million in cuts from the FY25 budget for the agency and support staff to upgrade and maintain critical infrastructure for stormwater, drinking water, waste water and coastal resiliency to protect the city in climate change.

Today, we are faced with unprecedented attacks on climate mitigation and resiliency work, on clean air, clean water and environmental justice from the federal government. Now more than ever, we need bold leadership from this Council to address these challenges and prepare our city.

And I'll just add on the Unified Stormwater Rule that the \$4 million is for 20 staff members, which will be critical for implementation of that rule. We know there are issues and concerns from developers around the timelines, and so that \$4 million I see as being critical for the success of that program.

Thank you.

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CHAIRPERSON RESTLER: I want to just thank you each for your really thoughtful testimony. If you haven't submitted it in writing to the Sergeant at Arms, please do so so we can review it more closely but really appreciate you being here today and for your thoughtful advocacy. Thank you so much.

Alright, next up we have another old friend from District 33, Michael Higgins, New York City Environmental Justice Alliance from NYCEJA, thank you for being here, Faiza Azam from ALIGN, Anais Reyes from the Climate Museum and Sarita Daftary. I didn't see Sarita from Freedom Agenda. Are any of these people on Zoom or did they leave? No, okay alright so can I add somebody else in? And we will add in Hayden Brockett from the New York City Clean Air Collective.

Thanks so much Michael, great to see you.

MICHAEL HIGGINS: Good afternoon. Again, my name is Michael Higgins Jr., I'm the Land Use Planner at New York City Environmental Justice Alliance, also known as NYCEJA. I'll keep it short; it's been a long day for you Chair Restler and thank you again for hosting this space. NYCEJA is a founding member of the Renewable Rikers Coalition, a member to

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advance a green and restorative vision for a
renewable Rikers and the environmental justice
communities around it that after the announcement of
the closure of the culture facilities on the Island
during the de Blasio Administration.

Since then, New York City Council has passed the
Renewable Rikers Act, a package of three separate
bills to both create a government structure would
inform the management of the land on the island and
decision making on how the city will move that plan
forward and study potential uses that would support
the city's reduced emission goals.

More than four years after that, however, the
Adams Administration has done little to either ensure
the closure of the facilities along the 2027 deadline
or to give the city agencies the latitude to make the
decision on what type of facilities will be at
Rikers.

We're here to support inclusion in this coming
Fiscal Year, Fiscal Year 2026 for funding to do
further study on a master plan for Rikers. Again, as
DEP mentioned, it's not only a cost, a potential cost
savings in terms of reducing the burden on older
waste water treatment plants and putting that on a

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new fresh plant on Rikers. We also see it as a part of a vision where again we are taking away the burdens of particular facilities in NYCEJA communities along the waterfront around Rikers and place it in a place where people aren't living.

And so again, we want to make sure that not only does the money get put in this coming budget for that planning but also we would love to support the passing of a bill that Council Member Nurse was here earlier Intro. 1038 to make sure that there is a clear mandate from the city administration to make sure that DEP does that setting. Otherwise, thank you for listening and happy to take any questions.

CHAIRPERSON RESTLER: Thank you.

ANAIS REYES: Greetings Chair Restler and to the members of the Committee. Thank you for the opportunity to testify today. My name is Anais Reyes and I'm the Curator at the Climate Museum. We're the first Museum in the US focused on climate change and I'm also a constituent of District 33, so it's great to meet you.

CHAIRPERSON RESTLER: Oh great.

ANAIS REYES: At the Climate Museum, we use cultural programs to educate visitors about climate

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and get them involved in civic action. We recently secured a permanent home near Hudson Yards that will open in 2029 and we're currently in the process of finding and fundraising for a temporary home in the interim.

I'm here with an urgent request for you today that you uphold the civic fabric of New York City's climate leadership by expressing your support for the Climate Museum both individually and through the Speakers initiative.

Research from Yale showed that in 2024, 75 percent of New Yorkers all across the five boroughs are worried about climate change and three out of four people feel anxious and overwhelmed and most people feel like no one cares. Through the exhibitions and events at the Climate Museum, we acknowledge peoples worries and lived experiences. We connect people to tangible actions that they can take and we build an empathetic and civically engaged and empowered community in the process. Put simply, our work is transformative. A peer reviewed study recently confirmed the strong impact of our work. We are providing an essential service to New Yorkers.

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Moving visitors from despair and isolation to
communal engagement.

This is how we fulfill our civic responsibility
as a cultural organization and do our part for the
betterment of New York City and for the environment.
We all know that our values and rights are currently
under attack right now and now is the time to stand
together for them and for civic and climate
leadership.

Today, I'm asking you for your support in helping
us to continue this vital work. First, we have
submitted several member item requests including to
members of the Committee. Chair Gennaro's support
has been vital in establishing the Climate Museum and
we look forward to deepening that partnership.

Second, we have also submitted a request as part
of the Speakers initiative and asked for support with
Speaker Adams. Finally, we are reaching out
separately to Chair Gennaro's office about the
resolution that he introduced in support of the
Climate Museums mission and development. Thank you
for your partnership and for your time.

CHAIRPERSON RESTLER: Thank you.

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1
2 FAIZA AZAM: Thank you to the Committee of
3 Environmental Protection, Waterfronts and Resiliency
4 for giving me this opportunity to speak. I am Faiza
5 Azam, I am the Climate and Labor Organizer for ALIGN:
6 The Alliance for a Greater New York. We co-
7 coordinate the Climate Works for All Coalition, which
8 is coalition of labor, environmental justice,
9 climate, faith, students, and parents, working
10 together to ensure that we tackle inequality and the
11 climate crisis while hand and hand with a diverse
12 group of members. One of our core issues is green,
13 healthy schools. This is a known fact that our
14 buildings in New York City are aging and they are
15 over 100 years old and our schools are often
16 underinvested in.

17 We must ensure that green, healthy schools is a
18 priority and that the city's budget is focused on
19 investing millions of dollars that could be saved
20 from clean energy upgrades into our schools. When
21 we're talking about upgrading our schools, we're
22 talking about ensuring that ventilation is
23 appropriately dedicated funding towards as well as
24 electrification. The city has not prioritized
25 funding our public schools and ensuring that there is

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an upgrade in the electrification process and we want to make sure that students from 3K to 12 are the ones as well as teachers and school staff that are facing the most climate injustices are the ones that are being supported the most and that is done in environmental justice communities, especially those heavily impacted by flooding and poor air quality. So, thank you so much for this opportunity to speak and we hope that the city is prioritizing funding for our New York City Public Schools.

CHAIRPERSON RESTLER: Thank you very much.

HAYDEN BROCKETT: Thank you Council Member Restler for Chairing this hearing today and thank you in absentia to Chair Gennaro and for you and your staffs leadership on improving New Yorks air quality. Thank you.

My name is Hayden Brockett and I'm a founding member of the New York Clean Air Collective, the NYCAC. I'm a father and a husband who lives in Manhattan and I participate in the Citizens Air Complaint Program. I took time off from work today to be here because our organization, our nonprofit organization supports higher wages for DEP workers

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and higher headcounts for DEP complaint reviewers and
air inspectors.

Sadly, the Adams Administration's own budget and
request I should say, keeps its headcount flat and
Mayor Adams's budget doesn't pay some of its workers
a living wage and as you know I noted Chair Restler,
that's a problem. As you know, we suffer from
terrible air quality in New York, which kills 3,000
New Yorkers each year. That means that more than one
in 20 deaths this year in New York will be caused by
air pollution, and as someone who participates in the
Citizens Air Complaint program, I experienced first
hand how every day air pollution from trucks and
buses, particularly around our schools and parks
poisons our citizens. Idling needs to stop, full
stop.

Let me make three points about some of the
incorrect information put forth today about the
budget impact of the CACP. First, this program is
working well. When the city faces a climate crisis
and multiple air quality emergencies, as we saw with
wildfire last year, this program represents about 95
percent of air code enforcement and about \$66 million
lifetime dollars collected by the city.

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That's because although this Council banned idling 50 years ago, that law went completely unenforced for decades. The Council however has changed that because in 2018, that opened up citizens air enforcement and the citizen air complaints filed last year, 140,000 of them are victory both for the City Council and for our clean air. And I just would like to say, this is tangible work to protect our environment and stop climate change as Anias mentioned. On the budget, make no mistake, this program increases city revenues because for every dollar paid as a reward to a citizen reporter, the city collects at least \$4 more in revenue. This program is in itself a huge revenue positive even before your account for the program lowering air pollution and associated health and hospital cost, which are the real goals.

DEP's reviewers get a huge chunk of the credit for this and they deserve higher pay. Citizen participants likewise deserve fair compensation for this serious work and Chair Restler, if the Council caps or cuts this enforcement, you're only going to get dirtier air and lower city revenues and it's that simple.

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CHAIRPERSON RESTLER: Thank you.

HAYDEN BROCKETT: To cut this program is just as dangerous as cutting the IRS budget to save money.

Now that's an idea that's popular in Washington DC

but New York City should reject such what I consider

backwards thinking. Second, I think it's absolutely

sinical to try and pit noise enforcement against air

quality enforcement. As you noted, we can walk and

chew gum at the same time. Chair Restler, the

Council, already I will point out, has built in

existing safeguards to the law. If DEP cannot handle

the volume of complaints, as the Commissioner

acknowledged.

CHAIRPERSON RESTLER: Thank you sir. I just ask

you to wrap up if you don't mind.

HAYDEN BROCKETT: No problem. So, I would just

say there's no need to cut air quality to enforce our

noise laws and I think as you acknowledged, that's a

budgetary choice by the Adams Administration that

hurts our environment. Thank you so much for your

time.

CHAIRPERSON RESTLER: Thank you. I just want to

thank you each for your very thoughtful testimony.

We really appreciate it and look forward to working

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1 together with each of you. To the next panel, we've
2 got two in person and two on Zoom. We're going
3 hybrid. We'd now like to invite Linda Dada and Nicki
4 Cross in person and Nicki Cross is from NYLPI as well
5 as; I'm going to struggle here but I'm going to do my
6 best Nabil Julolidine(SP?) on Zoom and Andrea
7 Scarborough also on Zoom. Thank you all.

8 We'll start with the in person folks and then
9 unmute the people on Zoom if that's okay. That's
10 fine with me; can somebody help unmute Ms.
11 Scarborough somewhere in the ether? No, maybe? Oh,
12 you've been unmuted, Ms. Scarborough go for it.

13 ANDREA SCARBOROUGH: Yes, oh I'm up? Oh okay,
14 sorry. Well good afternoon Chair Restler and good
15 afternoon Committee Members. My name is Andrea
16 Scarborough, I am a former President of My Civic
17 Addisleigh Park. A Board Member of the Queens Solid
18 Waste Advisory Board, as well as a Board Member of
19 the Southeast Queens Residents Environmental Justice
20 Coalition, also known as SQREJ. SQREJ is an
21 organization that applicates the environmental policy
22 changes, improvements in our southeast Queens
23 community.
24
25

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Today, I come before you speaking on behalf of SQREJ. For many years we have been working, we have been seeking to work with the Department of Environmental Protection to resolve the issue of ground water flooding in Southeast Queens. Our efforts have been hampered by an increasing lack of transparency on the part of DEP and their failure to engage with the community in any meaningful way.

At one point the agency did meet with community residents to discuss these issues. However, currently they refuse to engage at all. Most recently DEP has conducted a pilot radio collection project in our community at 165th Street on [INAUDIBLE 03:44:19] Boulevard in Jamaica. The purpose of this pilot project was to determine the efficacy of this procedure in lowering the water table which would result in a reduction in our ground water flooding. DEP has not provided any information to the community as to the findings of this project. We are left without any understanding as to if this project was successful and if additional pilot projects will be undertaken.

Schools are the big concern as DEP's fairly recent position taken that residential property

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owners are solely responsible for litigating the effects of ground water intrusion into their property. In Southeast Queens in particular, the ground water flooding can largely be directly traced to the -

SERGEANT AT ARMS: Thank you. Your time is expired.

ANDREA SCARBOROUGH: The water supply - I'm almost done. In the 1990's and cease pumping from this. This lead directly to a rising water table and flooding in our community. In statements by Jamaica Water Supply purchase and in testimony before the City Council, DEP official stated acknowledgement at that time and we confirmed that decision of pumping the Jamaica water supply wells led to a rising water table and they also took the pledge to mitigate the flooding conditions. We are asking that DEP take responsibility for this problem and that efforts to resolve is to be reflected in the fiscal year 2026 budget. We also strongly support Intro. 1067A, legislation introduced by Council Member Nantasha Williams. The legislation will assist homeowners that experience ground water flooding by connecting those properties with retrofit repair assistance and

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providing case management to a collaboration with a
designated community based organization.

We urge that this legislation be adopted and
funded in the Fiscal Year 2026 budget. Thank you so
much.

CHAIRPERSON RESTLER: Thank you Ms. Scarborough
for your testimony and I believe that we've addressed
where we've - let me restate that. Attempted to
address some of these issues in the past at DEP
hearings, thanks to the leadership of Council Member
Williams. I know that answers have not always been
satisfactory, so we will continue to follow up with
Council Member Williams and Chair Gennaro to figure
out how we can be more helpful in addressing the
needs of Southeast Queens and the broader Jamaica
community.

So, thank you for your diligent advocacy and your
presence here with us today and I know Council Member
Williams is a tremendous champion for exactly these
issues. So, thank you very much and with that, I'll
kick it over to the folks who are here in person.

NICKI CROSS: Thanks very much. I'm Nicki
Cross, Staff Attorney for the Environmental Justice
Program at NYLPI, New York Lawyers for the Public

1 Interest. Our EJ program works on a range of
2 community driven priorities but the focus of my
3 testimony is on sewer backups and flooding in Queens.

4 Communities in which the city has historically
5 invested less money and resources which tend to be
6 Black, Brown, and low income communities,
7 disproportionately bear the burdens of flooding and
8 sewage backups. For example, residents in Queens,
9 the city's most racially diverse borough, made over
10 4,000 backup complaints involving private sewer
11 systems to DEP in 2022 alone. That's nearly six
12 times as many as Manhattan. Many in Queens are under
13 water, sewer backups make residents environments
14 unsafe, financially unstable, unhealthy and inhumane.

15 We represent clients in South Jamaica, a
16 historically redlined and unjustly disinvested area
17 of Queens. They are a community of 20 homes is
18 connected on a failing shared private sewer line
19 requiring frequent repair and maintenance, costing
20 the community approximately \$10,000 a year for
21 decades.

22 After years of advocacy by those impacted, DEP
23 committed to constructing a public sewer line within
24 "three or four years" during an August 2023 meeting
25

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with the homeowners and their elected leaders
including Council Member Nantasha Williams.

We, the residents and the representatives have
been trying for many months to get updates on the
timeline of the project with little to no response
from DEP. This has left the residents unable to
accurately plan for how much to invest in maintaining
their private line and also having to keep these
repairs going for years. Despite its promise to
complete the project by 2026 or 2027, we recently
received word from BP Richards Office that DEP
intends to finish the project by Fiscal Year 2029.
That's totally unacceptable.

As DEP writes in its Preliminary Budget Report
and wrap shortly. It's facing growing budget risks
as climate change drives more extreme weather events
and as you mentioned Chair Restler, everyone wants
their projects fixed ASAP but communities who are
least able to advocate and have the least time and
resources to do so, simultaneously need these
projects the most and the fastest and we need to
ensure that DEP is transparently committing these
projects and doing so on time. Thank you.

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CHAIRPERSON RESTLER: Thank you for your
testimony.

LINDA DADA: Good afternoon. Good afternoon
members of the DEP budget hearing committee. My name
is Linda Dada and I'm a homeschooling mom, a nurse,
and the owner of Capital Brilliance Alliance, where
we provide financial literacy and solutions for
everyone. For over 20 years, my community in South
Queens, Jamaica has endured relentless sewage
backups. A crisis that DEP promised to fix decades
ago. Today, I'm basically here to hold you all
accountable and demand action.

In our neighborhood, known as Brick Town, 20
newer construction homes that were meant to be dreams
for us are plagued by sewage backups. These homes
were built on fraudulent infrastructures with sewage
pipes that are about two inches smaller than the
standard and this negligence has caused raw sewage to
flood into our basements and living spaces. While
the older brick homes with original infrastructure
remain unaffected. For 20 years we've been told this
would be fixed. For over 20 years we've been
ignored. The consequences are devastating. Toxic
mold caused by sewage has led to health issues like

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1
2 asthma, especially in our children. The emotional
3 toll is crushing. Years of mental distress, anxiety
4 and sleepless nights.

5 Every time it rains, we all go into a communal
6 panic trying to see who is effected and if we can
7 even afford the \$1,000 it costs to call private
8 companies to clean the lines. Sometimes neighbors
9 even go into manholes themselves to try to alleviate
10 the flooding and despite the promises that DEP has
11 made, they do not come out to do the cleaning during
12 the floods, which leads us to kind of fend for
13 ourselves.

14 Even as early as three years ago, DEP promised to
15 alleviate the cost of us calling the trucks to come
16 out but along with other many broken promises,
17 nothing has been done in that area. These are just
18 basically temporary fixes. They're not solutions.
19 They are reminders of DEP's failures to keep their
20 promises.

21 We're not asking for special treatment. We're
22 asking for DEP to do what they said they would do 20
23 years ago. This is not about the infrastructure.
24 It's about justice. It's about holding DEP
25 accountable for decades of neglect. We demand

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1 immediate funding for infrastructure upgrades in
2 South Jamaica, a clear timeline for when the crisis
3 will be finally resolved and for DEP to fulfill its
4 promise to clean during floods and help alleviate the
5 cost of the trucks. Enough is enough.
6

7 Today, I speak for 20 families in South Jamaica
8 whose dreams have been turned into nightmares. We're
9 just here to demand change that DEP made a promise
10 and now it's time to keep it. Thank you.

11 CHAIRPERSON RESTLER: Thank you very much for
12 that incredibly powerful testimony and I just want to
13 say how sorry I am that you've had to deal with this
14 and I know that doesn't mean much but there's just no
15 reason you should have had to be fighting for 20
16 years to address issues that never should have
17 happened in the first place.

18 And you know we hear from DEP today that they've
19 got \$2.7 billion allocated to address chronic issues
20 across Southeast Queens and that's a beautiful thing
21 and that is a result of advocacy from you and many,
22 many neighbors over an extended period of time
23 recognizing you know how unfairly the Southeast
24 Queens community has been treated and how inadequate
25 our infrastructure is. But the solutions are too

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slow and we have to hold them accountable and be aggressive. You know residents and elected officials together to get the improvements you deserve. And so you're also in Council Member Williams district?

LINDA DADA: I am and I'll be honest with you, I haven't really - you know we've gone through about three different -

CHAIRPERSON RESTLER: Council Members?

LINDA DADA: Council people, yeah, Council Members and uhm I was hopeful for Nantasha Williams Office but I'll be honest, you know that apology that you gave, it's really heartfelt because in 20 years, that's the first time we've received one, even our neighbor.

CHAIRPERSON RESTLER: I appreciate it. I mean I will tell you Council Member Williams is one of the -

LINDA DADA: She's amazing.

CHAIRPERSON RESTLER: She's amazing, like she is amazing.

LINDA DADA: But she's done a lot too. I just think she has a lot on her plate as well.

CHAIRPERSON RESTLER: Yeah but we'll follow up with her. We'll talk and we'll make sure that uhm, you know your testimony is shared with her today and

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we'll figure out how we can work together to be
helpful and we appreciate you being here and taking
the time.

LINDA DADA: Thank you. Thank you for taking the
time to see us.

CHAIRPERSON RESTLER: Thank you for sharing. And
now we'll hear from Nabil on line.

NABIL JULOLIDINE: Hello, can you all hear me?
Hello?

CHAIRPERSON RESTLER: Yes.

NABIL JULOLIDINE: Okay perfect, okay, hey I'm
Nabil Julolidine, a local resident of East Elmhurst
under Shekar Krishnan's District. Thank you for the
opportunity. Hurricane Ida and a storm in September
of 2023 devastated our basements in East Elmhurst
resulting in several inches or feet of sewage water.
Thousands of dollars of damage, mold, lost items and
significant emotional toll as well here. Since July
of 2023 we've had at least six of these storms that
resulted in various levels of basement flooding and
the DEP has built some new green infrastructure
around the neighborhood but - and they've done some
cleaning as of last year but we still have yet to
hear about the study that's being done regarding the

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1 Cloudburst project as well as preexisting lamp and
2 street ponding all over the neighborhood that doesn't
3 help the situation at all. We have - we would like
4 additional rain gardens in catch basins as well as a
5 plan or schedule for regular cleaning of our catch
6 basins and sewers as we saw the flooding was in part
7 because at least 50 percent of the sewers on our
8 block were full of sewage. So, I support both
9 Intro. 1067 and 1150 to devastating storms only
10 becoming more frequent and residents of East Elmhurst
11 are in dire need of flood resiliency. Thank you for
12 your consideration.
13

14 CHAIRPERSON RESTLER: Thank you so much for being
15 with us and tremendously appreciate your advocacy for
16 the community in East Elmhurst and we'll follow up
17 with Council Member Krishnan to figure out how we can
18 do more to be of assistance, so thank you so much.

19 NABIL JULOLIDINE: Thank you.

20 CHAIRPERSON RESTLER: Thank you. Thank you to
21 the panel. Appreciate your thoughtful testimony.
22 It's very powerful, appreciate it.

23 Next panel up, we're going to hear from Lisa
24 Alpert from Greenwood Cemetery, Brooklyn's own,
25 Theodora Makris from the Center for New York City

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1
2 Neighborhoods. Theodora, excuse me Theodora and Tony
3 Ores from Neighborhood Housing Services from NHS, and
4 Dara Illowsky from Save the Sound; and I apologize to
5 anyone whose name I butchered. Thank you. In
6 whatever order you're also motivated is fine. Go
7 ahead, you just got to hit the button. Just hit the
8 button on the microphone.

9 DARA ILLOWSKY: Oh sorry. Okay, I think I'm on.
10 Good afternoon. My name is Dara Illowsky, you're
11 very close on the pronunciation. Well done, and I'm
12 the New York Staff Attorney at Save the Sound. Save
13 the Sound is a nonprofit organization that works to
14 improve and protect the environment of the entire
15 Long Island sound region, including the upper east
16 river.

17 Save the Sound as endorsers of the Renewable
18 Rikers Campaign urges this Committee to recommend \$3
19 million in the DEP budget to begin the master
20 planning effort outlined in Intro. 1038. To
21 redevelop Rikers Island for sustainability and
22 resilience. We thank Council Member Nurse and
23 Cosponsors including my representative Council Member
24 Chi Ossè for this important bill.

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1 The future for Rikers Island envisioned by the
2 renewable Rikers Campaign would be a game changer for
3 the city in many ways but I'm going to focus on water
4 quality today. As explained in DEP's feasibility
5 study, a state of the art waste water resource
6 recovery facility - sorry it sounds like - did this
7 go off?

8 CHAIRPERSON RESTLER: We can hear you good.

9 DARA ILLOWSKY: Never mind. A state of the art
10 waste water resource recovery facility on Rikers
11 Island would replace four outdated facilities
12 currently operating along and discharging into the
13 upper East River. These existing facilities are not
14 adequate to help the city meet our current or future
15 water quality goals and continued reliance on them
16 contributes to environmental burdens
17 disproportionately forced on the environmental
18 justice communities surrounding them and destroys the
19 recreation and economic potential of city waters.

20 Much of the upper East River and it's bays and
21 tributaries are impaired, including for fecal
22 coliforms and dissolved oxygen. Combined sewer
23 overflows are a regular problem with water body
24 advisories active for the East River west of the
25

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Whitestone Bridge just yesterday. Just as one example.

And based on annual water quality data reporting by Save the Sound, the western narrows, which include the upper East River, has earned F grade for overall health every year since 2008. With climate change further stressing these already strained systems and new regulations forthcoming to address the most up to date water quality science, these nearly 100 year old facilities do not have the technology or capacity to meet the moment. A major change is needed and the city has a rare opportunity here on Rikers Island.

At this point, the city is at risk of that opportunity slipping away absent a clear plan to get us there. Developing this master plan for the future of Rikers Island is an essential step toward a healthier environment for all New Yorkers and I urge this Committee to push through \$3 million necessary for that planning. Thank you.

CHAIRPERSON RESTLER: Thank you.

THEODORA MAKRIS: Hi, good afternoon. My name is Theodora Makris and I'm a Senior Program Manager at the Center for New York City Neighborhoods, a nonprofit that promotes and protects affordable

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homeownership for middle and working class families.

I would like to thank members of this Committee for holding today's budget hearing and I'm happy to be with you today.

Today I want to highlight three critical investments New York City must make to protect homeowners from escalating storm risks and ensure long term housing stability. Number one, expand access to resiliency retrofit programs. Homeowners need financial support to afford essential flood resiliency upgrades such as backwater valves and sewer line repairs. We urge the city to support Resolution 0341 that calls on Albany to expand eligibility and increase funding for these program.

Number two, conduct a feasibility study on housing adaptation and mobility. With rising flood risks, homeowners in vulnerable areas need equitable pathways to relocate or adapt their homes. Passing Intro. 0153 will help determine best tragedies for adaptation, buy outs, and relocation support.

And number three, investing in water infrastructure upgrades. Severe storms and climate driven flooding continue to endanger thousands of homes. Notably a recent report by the regional

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1 planning association estimates that New York City
2 could lose as many as 19,300 homes over the next 15
3 years due to flooding from high tides and storms.
4 Additionally, the report predicts that another 24,300
5 units could suffer significant damage by 2040 from a
6 major storm that has an annual one percent chance of
7 occurring and notably these estimates do not account
8 for flooding caused by extreme rainfall such as the
9 impact from Hurricane Ida's remnants.
10

11 So, with that in mind, we call on New York State
12 to pass Resolution 0144 which removes funding
13 restrictions to allow for necessary flood prevention
14 investments and we want to applaud the Department of
15 Environmental Protections efforts to reduce sewage
16 overflow in Newton Creek, a vital step towards
17 mitigating pollution and stormwater risks.

18 Continued investments in these projects is
19 essential for the health and safety of homeowners by
20 prioritizing these initiatives. The city can protect
21 homeowners, prevent displacement and build resilience
22 for at risk New Yorkers. I want to thank this
23 Committee once again for allowing me the opportunity
24 to testify. Thank you.
25

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CHAIRPERSON RESTLER: Thank you. Thank you for
your thoughtful testimony.

LISA ALPERT: Hi guys, I'm here from a green
space in Brooklyn that spans 478 acres. Sorry, I
wrote this for a Council Member from Queens, I
thought I could trick him. It's not a public park.
It's not a waterfront. It's Greenwood Cemetery and
it is a natural landscape, which is as of this year,
187 years old.

These 478 acres delivered to Brooklynite's and to
New Yorkers significant environmental benefits, which
I'll briefly describe in a second but first for
context, I am here to respectfully advocate for a
budget request of \$20,000 that we have made to the
Greener NYC Initiative.

Our modest request supports these three important
activities. First, climate resilience, our staff
cares for about 8,500 trees at sequester 220 tons of
carbon annually and that same amazing staff had
launched a really incredible stormwater abatement
program at Greenwood that utilizes Greenwood's
glacial ponds to divert 51 million gallons of
stormwater annually from the city's overburdened
sewer system.

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1 And second, the funds would support Greenwoods
2 natural landscape as an outdoor classroom. We serve
3 thousands of students annually with programs in
4 environmental education that align with DOE
5 standards. And finally, this we are really excited
6 about, City Council dollars would support women in
7 green careers. We are launching this women's tree
8 climbing workshop this fall. It will take place at
9 Greenwood utilizing the towering trees of Greenwood
10 accredited [INAUDIBLE 04:03:51] and in partnership
11 with the women owned and women operated tree care
12 company, we will train women for careers in tree
13 care. A field where they currently make up just five
14 percent of the workforce. And with City Council
15 support, we can provide scholarships for aspiring
16 tree care specialists who lack financial resources.

17 So, on behalf of Greenwood, I urge the Council to
18 invest in these critical initiatives and I did it.
19 Thank you for your time.

20 CHAIRPERSON RESTLER: Thank you Lisa, that was
21 great.

22 LISA ALPERT: Yeah.

23 TONYA ORES: Good afternoon. My name is Tanya
24 Ores. Thank you Council Member and your team for
25

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1 your time. My name is Tonya Ores and I'm the new
2 Chief Executive Officer for Neighborhood Housing
3 Service of New York City. There is neighborhood
4 housing services organizations and throughout New
5 York City, there is two in Brooklyn, two in Queens,
6 two in the Bronx and one on Staten Island. We
7 provide residents with the tools they need to buy,
8 improve and keep their homes but we also provide home
9 repair assistance. Home repair assistance that
10 directly are caused by storms, directly caused by
11 wind and hurricanes and we receive requests for
12 services on a regular basis to address these issues.
13 We are funded through the city and the state. The
14 funds are not enough, especially when the calls come
15 in repeatedly and we are advocating for funds for
16 this year to increase the loan fund program which is
17 a program that provides only for grants per year, per
18 borough I should say and that's \$1 million and it
19 should be more.
20

21 So, we have an extensive waiting list and we are
22 also asking on behalf of NHS of New York City, \$3
23 million to support our home repair efforts and on
24 this, I know it was addressed earlier regarding
25 putting a lien on the property and it's evaporating

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over time. So, this is on the services that we do provide. We are advocating for City Council and DEP to think about Neighborhood Housing Services and other like organizations when creating different programs and service because it is needed. With the increase frequency of extreme weather events, we know that low and moderate families continue to be hit the hardest, so we're advocating on their behalf. So thank you for your support and your time.

CHAIRPERSON RESTLER: Thank you for your thoughtful testimony and for your advocacy. Appreciate you being here. Congrats on your new role leading NHS and NYC oh not new role? I thought you said it was new.

TONYA ORES: Yes it is.

CHAIRPERSON RESTLER: It is, congrats.

TONYA ORES: It's new but I've been with NHS for about 30 years. Born and raised in Brooklyn near a park.

CHAIRPERSON RESTLER: Terrific where?

TONYA ORES: On Lynch between Liem RC(SP?).

CHAIRPERSON RESTLER: District 33?

TONYA ORES: Yes.

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CHAIRPERSON RESTLER: And you know the good news is, we got \$2.1 million in the preliminary budget to redo the PS 380 Playground.

TONYA ORES: Oh wow.

CHAIRPERSON RESTLER: So that's right there. Did you go to PS 380?

TONYA ORES: Yes I did.

CHAIRPERSON RESTLER: Oh my God we're going to have to have you come and visit the school.

TONYA ORES: In IS 71 around the corner.

CHAIRPERSON RESTLER: Did you really, okay, we're working on the air conditioning in the auditorium there for this budget too but we would love to have you come visit the students at PS 380. That would be really special.

TONYA ORES: Wonderful, alright.

CHAIRPERSON RESTLER: That's one of our priority schools in District 33, so it's great to meet you. Bernelle is one of my favorites.

TONYA ORES: Thank you. Bernelle is my predecessor yeah, yes.

CHAIRPERSON RESTLER: So, you know only love for Bernelle.

TONYA ORES: Yeah.

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CHAIRPERSON RESTLER: Okay great. Thank you all for being here. We really appreciate it and congratulations. Next up, our last in person panel. We've got and I apologize for mispronunciations but Zulay Velazquez, Chris Hartmann, and Sharon Brown, each representing themselves. Whoever would like to go first. Whomever, whomever, alright apologize whomever.

CHRIS HARTMANN: Okay, good afternoon. I'm a New York City citizen, father and public health professor. My name is Chris Hartmann. I'm also a participant in the Citizens Air Complaint program and as this Council is aware, the Citizens Air Complaint program here after CACP has done tremendous work to hold to account some of the worst polluters in this city. We all breathe a little easier, just a little bit because of this program.

I am here today to ask Council to increase staffing and compensation for the air and noise Administrative staff and Inspectors at DEP. They along with the citizen complainants are doing fantastic work to ensure our constitutional right that all New Yorkers enjoy cleaner air. From a public health environmental justice perspective, the

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CACP is remarkable because it empowers every day New Yorkers to hold polluters accountable. The CACP lets us document polluters and turn over the proof to DEP. We know our neighborhoods best. We know the sources of pollution best. We are on our stoops and on our sidewalks at times when there are no inspectors around.

Let me end by rebutting something that the Commissioner stated today. He said that the CAP is "currently failing to focus on neighborhoods where air quality related health impacts are disproportionately located." This is not true and I kindly ask that he and his staff look at the data, from open data. The last time I checked, which was two hours ago. Yeah, I've been here five, six hours like you all have been. 26 percent of idling complaints were for violations in what New York State calls disadvantaged communities. Let me state that again, 26 percent of all idling complaints were in disadvantaged communities, including mine in Northern Manhattan but don't listen to me. Let's listen to We Act, the well known Black led environmental justice organization in Harlem in September of last year here, We Act testified that "the CACP empowers these

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communities to report air quality issues, advocate for healthier living conditions and hold polluters accountable, advancing both environmental justice and public health equity."

Thank you for your time. Thank you for your dedication to improving New Yorkers health and wellbeing.

CHAIRPERSON RESTLER: Thank you so much. Ma'am.

ZULAY VELAZQUEZ: Hi, my name is Zulay, I live in the north side of Jacob Riis Houses. A designated [INAUDIBLE 04:10:37] site. Despite knowing this, our politicians and resilience projects have put residents, visitors and pets in increased risk.

I am here today to ask why must we wait two more years until the resilience project and to clean up our contaminated grass and soil? Why blame - they blame the old gas manufacture plant for potential leakage mixing with salt water from Hurricane Sandy but no one is addressing the bigger issue. Our entire development underwent a rat abatement, yet no clean up follow up. Meanwhile, our water is repeatedly shut off as they cut into our pipes for the East Coastal Resilience Project.

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Since 2022, the residents have fallen ill after the arsenic scare. People have died with arsenic in their bloods and our pets are suffering with allergies - from allergies to death. Our buildings shake, streets cracking and construction [INAUDIBLE 04:11:43] our homes, but also worsens - has worsened respiratory issues.

NYCHA residents along - sorry. NYCHA residents along the East Coast, the East River, sorry, the East River, aren't given basic warning, clean water or air purifiers. I ask that the funds be put aside to protect our health and safety. We refuse to be ignored anymore or sacrifice due to the resilience projects. We are not being heard. When we call 311 complaints are routed out into NYCHA, which fail to follow up and advocate for us.

May I also say that the sewer, the holes that they are putting for the bridge that they are creating, are being left open, the sewer holes and that is effecting everyone and we don't know how many years that pollution is going to last or how far it is expanding, and it smells. We all have migraines and our cell service is always being interrupted. The construction, I don't know if it's related to the

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1 construction but there's so many residents
2 complaining about the same issue. There has to be
3 some -

4
5 CHAIRPERSON RESTLER: Thank you so much Ms.
6 Velazquez, we will follow up with Council Member
7 Rivera and see what we can do as well with the Public
8 Housing Committee to try and address some of the
9 conditions around Riis Houses. We really appreciate
10 your presence here and your thoughtful testimony.
11 Ms. Brown.

12 SHARON BROWN: Hello, my name is Sharon Brown.
13 Before I get started remember the hostages, release
14 the hostages, yet Yawas people go, defend Israel.

15 Okay, for the infrastructure, we need storm
16 drains, more storm drains. People have been leaving
17 the areas where there has been massive flooding and
18 they have been moving from their because of the
19 damage in their homes and because of the damage on
20 the roads because of the standing water and the
21 environment of the standing water. It's dangerous to
22 have water standing. Everyone is aware of the
23 announcements that they make. Do not have standing
24 water and things like that. So, the fact that this
25 is something happening, it needs to be cured

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1 immediately. We need to address all the
2 environmental issues. We have to take an assessment
3 of all the environmental issues that we having facing
4 in the five boroughs and one of them is flooding, and
5 the flooding is a serious issue because of the
6 standing water. It is very serious. We need more
7 sewers, more drainage, standing water as I said is a
8 problem. We can get filtration trucks and we can
9 build a whole new filtration system of how we deal
10 with the water. We need to get someone to make plans
11 or if I have to come in and help design something
12 where we run off the water instead of having it stay
13 on streets, we find a way to run the water off into
14 certain other areas so that it won't be standing
15 water and we can clean the waters instead of having
16 it staying there as a toxin for the people. And
17 climate change does not need to be funded. God
18 controls the weather. We need to know how to take
19 care of our environments after there are storms. We
20 need to put real serious plans - I'll just take a few
21 minutes. We need to put serious plans together
22 instead of calling it climate change, climate change.
23 You littered; you did that. We need to put some
24 serious plans together of what to do after storms and
25

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1 then we'll have something instead of calling it
2 climate change.
3

4 CHAIRPERSON RESTLER: Thank you for your
5 testimony Ms. Brown. Appreciate your presence and
6 now we have also added Hunter Severini to this panel.
7 You have two minutes.

8 HUNTER SEVERINI: Thank you very much. I
9 appreciate your time here and I'll try to keep this
10 quick. My name is Hunter Severini and I am a Citizen
11 Reporter of Air Code Violations. I have self-
12 prosecuted arguably more of these than any other
13 citizen, so it's something I'm familiar with and
14 that's what I quickly wanted to speak about

15 For years, I've been willing and able to
16 prosecute these violations, yet the DEP has largely
17 prevented this and I think it's contrary to the
18 urgent intent of the Council in creating the law for
19 the Citizen Air Complaint Program. Whenever I have
20 tried to do this for the most part, these requests
21 have been denied and I've been getting hearings
22 scheduled in mass. Like to give you an example, just
23 in the past day or two I've gotten 154 hearings
24 scheduled on this one date in October. And so
25 basically anytime I request to self-prosecute, they

1 seem to be prioritizing my complaints over that of
2 other citizens and I'd just like to say that it's
3 been a good - I really appreciate the experience of
4 self-prosecuting these idling complaints. It's been
5 a good thing to do. It would reduce resources for
6 the DEP if they are as overwhelmed as I assume that
7 they actually are and these cases are largely
8 winnable based on the strength of the evidence. I've
9 had overwhelming success self-prosecuting idling
10 complaints and I think that more citizens who elect
11 to do this, like me, I'm a single digit percentage of
12 idling complaints in New York City but I think that
13 more citizens who elect to do this should be given
14 the opportunity, especially since it's done by such a
15 small group of people that know the system well. And
16 so, to that, I just think it was a little bit
17 disingenuous that the DEP did claim in a budget
18 hearing that their resources are completely stretched
19 by this program. They claim that 94 percent of air,
20 noise, administrative staff, and 65 percent of air,
21 noise and inspectors time is spent on this program
22 when there are already solutions available to them
23 that the Council has basically offered to them and
24 Commissioner Aggarwala himself mentioned in his
25

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1 testimony that he's aware of these and it's something
2 they've deliberately chosen not to do but I think
3 they could do in the future. And I'm also really
4 against 941 because I think it would also hurt the
5 Citizens Air Complaint Program. So, that's all,
6 thank you.
7

8 CHAIRPERSON RESTLER: Thank you for your
9 testimony today and for your presence and for your
10 advocacy for this important program. At the
11 beginning - oh, we will now return to Zoom- to remote
12 testimony or Zoom testimony. Once your name is
13 called, a member of our staff will unmute you and the
14 Sergeant at Arms will give you the go ahead to begin.
15 Please wait for the Sergeant of Arms to announce that
16 you may begin before delivering your testimony. We
17 are going to have to hold the remaining testimony
18 strictly to two minutes, so just want to give fair
19 warning to the remaining folks. We have five people
20 joining us on Zoom. Michelle Luebke, Eric Eisenberg,
21 Michael Streeter, Michael McFadden and Christopher
22 Leon Johnson.

23 Ms. Luebke, uh sorry, I tried. You have two
24 minutes beginning momentarily.

25 SERGEANT AT ARMS: You may begin.

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MICHELLE LUEBKE: Hold on. Thank you. Good afternoon. My name is Michelle Luebke, you got close. She, her, program manager for the SWIM Coalition. Thank you Chairperson Gennaro in absentia, Acting Chair Restler and members of the New York City Council Committee on Environmental Protection, Resiliency and Waterfronts for your leadership and thank you also for providing the opportunity for us to deliver public testimony on behalf of the SWIM Coalition. Storm water infrastructure matters, SWIM Coalition is a group of 70 plus organizations dedicated to ensuring the mandates of the Clean Water Act. Swimmable and fishable waters of New York City through sustainable storm water management practices including both growing green infrastructure.

So in close, should member organizations endorse a truly sustainable view of watershed management, one that restores ecological systems, creates local economic opportunities and equitably distributes the numerous benefits of green infrastructure. The next decade is crucial in terms of how we address our storm water and climate change related challenges in New York City. At the same time, we are faced with

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unprecedented attacks from the federal government, a climate mitigation and resiliency work on clean air, clean water and environmental justice. With federal funding insecure or entirely nonexistent, now more than ever we need bold leadership from the New York City Council and this Administration to ensure that critical agencies receive adequate funding and resources to protect our ecosystems and prepare for the changing climate. The SWIM Coalition echoes our partners at Riverkeeper, advocating to one fully fund the Department of Environmental Protection at \$2 billion, a \$370 million increase from the preliminary budget. Two, restore agency staffing to pre-COVID levels and fill nearly 800 vacancies. Three, reject the \$303 million rental payment from the New York City Water Board. Number Four provide \$8.5 million to fully staff the Bureau of Coastal Resiliency. And Number Five, fully fund implementation of the Unified Stormwater Rule with an additional \$4 million. We're submitting a more extensive written testimony with key concerns. Thank you for your time.

SERGEANT AT ARMS: Thank you. Your time is expired.

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CHAIRPERSON RESTLER: Thank you Michelle. Sorry
about your name.

MICHELLE LUEBKE: No worries.

CHAIRPERSON RESTLER: Mr. Eisenberg.

SERGEANT AT ARMS: You may begin.

MICHAEL EISENBERG: Oh sorry I took a second to
unmute. I was a little bit taken back by the
Commissioner's complaints about receiving too many
air pollution complaints. It seems a little bit like
complaining about too many rat complaints in New York
City but when the problem isn't the complaint but the
problem is the rats.

Here the problem is the air pollution. We lose
3,000 New Yorkers a year to air pollution and I think
that Commissioner and I are in agreement with one
thing and that is that uhm our city has been badly
under funding the hardworking men and women of the
air complaint review team at the DEP. We need more
of them to be able to handle cleaning our air and
they need to be better compensated. The Commissioner
in previous hearings have pointed they are paid a
totally unacceptable wage and that needs to stop.
There should have been a matter of choosing between
[INAUDIBLE 04:22:17] because we can have our cake and

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eat it too. The Citizen Air Complaint program over the past six or so years, more so in the last few years, has taken in about \$65 million. The DEP staff costs I believe less than \$1 million a year. We are really making a bad choice by overworking these individuals and we need to appropriately fund them and I don't even know if the Commissioner is in disagreement about that but for some reason, this request has been made year after year and the City Council has not inserted in that line item to make sure that we have enough of these reviewers and they are paid appropriately. So, I just want to emphasize that this is something that needs to be done. This has been a problem in the budget process, which has not been done. It will be good for our budget because they take in more money than they cost.

Thank you.

CHAIRPERSON RESTLER: Thank you so much for your testimony. Appreciate you being with us today. Next up, we have Michael Streeter.

MICHAEL STREETER: Hello, my name is Michael Streeter. I'm also a participant in the Citizen Air Complaint Program and submit - well I submit as many idling complaints as I can, as well as the legal dust

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1 complaints. My participation has made a direct and
2 noticeable impact in my neighborhood, which is in
3 your district 33. I feel that I have a good working
4 relationship with the DEP idling team with the air
5 inspectors and the complaint reviewers to take in and
6 process my complaints. Review and then join in
7 hearings at Oath. It's a very complex nuance role.
8 The team does a great job and they deserve better
9 pay. I sometimes listen to the hearing audio for a
10 hearing and I'm continually impressed by how well
11 spoken and well prepared the inspectors are and how
12 great of a job they do at presenting to the city and
13 the DEP at these hearings. Where usually it's you
14 know lawyers are doing what they can to get their
15 clients out of a ticket. So, as I have at budget
16 hearings in the past, I'm once again going to
17 advocate for the air inspectors and again argue that
18 they deserve proper compensation for their skilled
19 work. Also, I think it's incredibly sinical to
20 suggest that Intro. 941 would reduce the workload for
21 these inspectors and reviewers. Capping the roads to
22 lower the workload as mentioned before is like Trump
23 cutting funding for the IRS. The way to reduce the
24 workload is to reduce idling behavior. We are on
25

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that path right now but if you have an eight month
backlog, that only slows down the progress.

Responding to often getting summonses nearly a year
after the violation occurred. Put more resources
into handling those complaints. Proper resource
allocation for the DEP's Air Inspectors would mean
that respondents can get their summonses sooner and
promptly adjust their behavior. It would also hurry
up inspectors to devote more time to the other areas
that deserve their attention. Thank you.

CHAIRPERSON RESTLER: Thank you so much. Next up
Mr. McFadden.

SERGEANT AT ARMS: You may begin.

CHAIRPERSON RESTLER: Okay, next up, Christopher
Leon Johnson. He'll be the final speaker today.

SERGEANT AT ARMS: You may begin.

CHAIRPERSON RESTLER: Okay, Michael McFadden,
you've now been unmute but you're on the clock.

You're muted. We'll go to Christopher Leon
Johnson and we'll try and come back to you to see if
we can get you at the end and you'll be the final
person testifying. Can we get Christopher Leon
Johnson?

CHRISTOPHER LEON JOHNSON: Yeah, hello am I on?

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CHAIRPERSON RESTLER: Yes.

CHRISTOPHER LEON JOHNSON: Yeah, my name is Christopher Leon Johnson. I'm a caller also. Thank you Chair Restler, Acting Chair for having this hearing today. I'm here to call on the preservation of two [TESTIMONY IS VERY HARD TO MAKE OUT 04:26:34-04:27:25] Thank you so much. Thank you. Take care.

CHAIRPERSON RESTLER: Thank you sir. Next up, our final person for the day, Mr. Michael McFadden are you able to unmute?

MICHAEL MCFADDEN: I am.

CHAIRPERSON RESTLER: We can hear you. Go for it.

MICHAEL MCFADDEN: I am supporting an increase in pay and numbers of air and noise inspectors at the DEP. I am an employee of the police department. I was designated a first grade detective in recognition of my hard work. It's disheartening for me to hear how the particularly the DEP continues to align citizens that are very dedicated to improving the air quality here in New York City.

In the 50 years since the law was passed, all enforcement agencies in the City of New York have not

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2 issued the acknowledged of violations that the
3 citizens have in just the past year. If any agency
4 in New York City increased enforcement on a level
5 that the citizens have here in New York, we'd be up
6 for international recognition with the improvements
7 to improving the environment.

8 I'd also like to add that all of these violations
9 made by the citizens are camera violations. These
10 recordings are reviewed by the DEP before they are
11 approved and ultimately result in a violation. We
12 love noise cameras here in New York City. We love
13 the speed camera enforcement here in New York City
14 but when it's a camera violation recorded by a
15 citizen there seems to be some disconnect. As far as
16 reporting environmental justice communities, I myself
17 have issued many violations in environmental justice
18 communities and the real issue that DEP should be
19 brought to task for is that there is no outreach to
20 expand this program only than a few exceptional
21 citizens.

22 SERGEANT AT ARMS: Your time is expired.

23 MICHAEL MCFADDEN: For these complaints. If the
24 DEP wants more violations in the community, they
25

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should be doing outreach and encouraging citizens to participate and this is not taking place.

CHAIRPERSON RESTLER: We really appreciate your testimony today Mr. McFadden. Thank you for being with us and for sharing your insights and recommendations on how to improve this program. If we inadvertently missed anyone who registered to testify today and has yet to be called on, please use the Zoom raise hand function. If you are testifying remotely, you will be called on in the order that your hand has been raised. If you're testifying in person please come to the dais, but the only people left in the room have already testified.

Seeing no one, I will now close the hearing and thank the members of the Administration, the members of the public, the staff at the City Council. With that - and Council Member Gennaro and his team. With that, this hearing is adjourned. [GAVEL]

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 April 12, 2025