

Testimony of
Rohit T. Aggarwala
Chief Climate Officer & Commissioner for the Department of Environmental Protection
before the
New York City Council
Committee on Environmental Protection, Resiliency, and Waterfronts

Good morning, Chair Gennaro, Members of the Committee, and Central Staff. I'm Rohit T. Aggarwala, City's Chief Climate Officer, in which capacity I oversee the Mayor's Office of Climate and Environmental Justice (MOCEJ), and the Commissioner of the New York City Department of Environmental Protection (DEP). Thank you for the opportunity to speak today about *PlaNYC: Getting Sustainability Done*, the Adams administration's strategic climate plan. I am joined by Victoria Cerullo, Acting Executive Director of MOCEJ.

This *PlaNYC* is the fifth strategic climate plan that the City has issued. The first, *PlaNYC: A Greener Greater New York*, was issued under the Bloomberg administration while I was Director of Long-Term Planning and Sustainability, so I led the creation of this first strategic plan and oversaw the implementation of its 127 initiatives.

In 2007, we were looking at ways the city could grow responsibly by putting forward the idea that a place like New York City should and could take climate seriously. Today, we take it seriously. New Yorkers are dealing with the effects of climate change – like dangerously high temperatures due to extreme heat and flooding on sunny days. The plan we needed in 2007 is not the plan we need today.

Far more than previous plans, the 2023 *PlaNYC* is focused on getting stuff done. It doesn't just lay out goals; it details actions to achieve them. This plan builds on the priorities of the Adams administration and takes advantage of an unprecedented level of climate funding from the federal and state governments.

This is *PlaNYC: Getting Sustainability Done*. Its very first guiding principle is "to act with urgency and focus on implementation." The plan prioritizes addressing New Yorkers' lives today.

GUIDING PRINCIPLES

As the Mayor says in the plan's introduction, this is the Get Stuff Done *PlaNYC*. This plan was built on a series of strategic approaches and guiding principles that put the needs of New Yorkers first. The urgency of meeting climate challenges is evident in our approaches and principles, particularly:

- Focusing on implementation (getting it done)
- Achieving near-term benefits for New Yorkers while also implementing long-term goals
- Making full use of unprecedented federal and state funding
- Implementing climate-focused budgeting to align resources with sustainability and resilience goals
- Streamlining the procurement process to expedite project delivery

While we are focused on doing this quickly, we are also ensuring that our efforts are impactful and long-lasting, as reflected in the rest of the principles:

- Centering environmental justice and health equity in our work
- Creating economic activity through climate action
- Strengthening private sector investments with incentives and mandates
- Leading by example as a city

THE PLAN

Guided by these principles, we developed a strategic plan built around three main objectives: protecting us from climate threats, improving quality of life, and building a green economic engine.

PROTECTING US FROM CLIMATE THREATS

All New Yorkers know that climate change is real and is a present danger to our communities. We have been experiencing warmer temperatures, more severe rainstorms, and more invasive coastal storm surges. Climate change threatens our health and safety. Its impacts directly lead to death and illness, home and business economic losses, neighborhood damage, and energy supply disruptions.

Protecting us from climate change includes responding to the impacts we already face as well as reducing activities that contribute to it. For the former, we are adapting to the new realities of extreme heat and flooding. For the latter, we are working to reduce emissions from buildings, the most significant source of pollution in the city, and switching from fossil fuels to clean and reliable energy.

Extreme heat doesn't make the headlines of other extreme weather, in part because wealthier New Yorkers can cool their homes to escape the worst consequences, but it kills more New Yorkers each year than all other forms of extreme weather combined. According to an analysis by the Department of Health and Mental Hygiene (DOHMH), about 370 New Yorkers die from heat-related causes every year. Heat is an emergency. That's why it's the first climate threat focused on in *PlaNYC*. The plan details our commitment to developing a maximum summer indoor temperature policy by 2030 and

installing 1 million square feet of cool roofs. The plan also focuses on near-term solutions and by building co-benefits into climate solutions. We included initiatives to achieve a 30 percent canopy cover, to plant more than 30,000 native trees and shrubs, and to make open spaces more accessible and connected. Increasing biodiversity also improves community health. Better access to open spaces offers health, social, and community benefits.

I probably don't have to speak too much about the dangers presented from flooding in the city. Recent events have made this threat far too real. In 2012, 44 New York City residents lost their lives when Hurricane Sandy hit and, in 2022, 13 people died when Hurricane Ida dropped an unprecedented amount of rain on the city. Many others were left with damaged and even destroyed homes from these events, and others face flooding challenges during even mild storms or, particularly along the shores, during dry weather.

During past hearings, I have spoken about our efforts to build more resilient communities, such as creating Cloudburst projects in flood-prone neighborhoods. With *PlaNYC*, we are going even further. For example, we look to create a new Bureau of Coastal Resilience under my agency, the Department of Environmental Protection. This bureau will focus on coastal flooding issues - complementing the stormwater flooding work that DEP has been doing, and bringing city-wide flooding mitigation strategy with our best experts working together in one agency. With one agency managing flood risk, we will streamline planning, implementation, and operations. We are also planning to launch a voluntary housing mobility and land acquisition program.

We are designing initiatives that plan for the near-term as well as the long-term. Those near-term benefits are most crucial for overburdened residents – the people who deal with flooding every time it rains, or every time there's a high tide. There are New Yorkers who are living in trauma, a word the mayor often uses and an apt one for climate change impacts, and we need to make their lives better. Long-term and short-term efforts are not mutually exclusive. We need to address their concerns now while we continue our work on multibillion dollar coastal infrastructure projects.

A signature initiative in this plan is Climate Strong Communities, which I mentioned when I testified here in October as we marked the tenth anniversary of Superstorm Sandy. Through the Climate Strong Communities program, we develop equitable resiliency projects focused in areas of the city that still face disproportionate risks from climate change challenges. Specifically, Climate Strong Communities is designed to invest in communities left unaddressed by Hurricane Sandy recovery funding, communities that you so movingly talked about when I sat at this table six months ago. These resiliency projects place community needs where they belong: center stage. The program focuses on environmental justice communities. The program's multi-hazard resilience and sustainability projects position us to compete for federal and state funding. We are building on existing work in East Harlem and Canarsie while beginning work in Soundview, Corona, Brownsville, and Port Richmond. The benefits will be felt in every borough.

As I mentioned, buildings are the single greatest contributor of greenhouse gas emissions in the city. At our press conference in April, Mayor Adams spoke about building on the work of his predecessors, work that includes the implementation of Local Law 97, the Climate Mobilization Act. This groundbreaking law requires the largest buildings in the city to meet new energy efficiency and greenhouse gas reduction milestones by 2024 and 2030. This is one of the most important, defining climate laws in the country. This plan commits us to enforcing that law, rewriting the rules, and ensuring that we are partnering with building owners through information and service. We are also building job pipelines, which I'll address in a few moments.

A critical component of protecting us from climate threats is transitioning to clean and renewable energy sources. Currently, the city relies on fossil fuels and aging infrastructure, which contribute to our high energy costs. *PlaNYC* includes plans to maximize the opportunities for climate infrastructure on City-owned property, connecting NYC to clean electricity resources, and assisting individual building and homeowners so that they can install clean energy projects on their properties.

IMPROVING OUR QUALITY OF LIFE

Many climate solutions are nature-based and most provide co-benefits that improve quality of life even when they are not serving resiliency purposes. We are committed to lowering emissions while ensuring that everyone in the city has equal access to vibrant and healthy space.

PlaNYC plans to mitigate pollution and increase resilience, but also, critically, enhance our quality of life. These goals are achieved by having lush and accessible parks and open spaces, street trees, clean waterways, reliable transportation options, and access to fresh and healthy food.

For example, the heat reduction initiatives such as planting trees and increasing canopy cover don't merely reduce heat. They also improve air quality, provide habitats for native species, and create a more beautiful and relaxing environment. Similar co-benefits are provided by the extensive Bluebelt and green infrastructure systems that DEP creates to manage stormwater and reduce combined sewer overflows, which in turn improves the quality of our local waterways. Improved public transportation options reduce emissions and make it easier for residents to get around.

Another important initiative is reducing localized air pollution, such as by getting polluting trucks off city streets. We have too many idling trucks on our streets. We appreciate the City Council's work to further restrict idling near green spaces earlier this year, and we look forward to strengthening enforcement of idling rules. We are also working with the private sector on transitioning fleets to electric power so they don't ever have to idle again.

BUILDING THE GREEN ECONOMIC ENGINE

We can create economic activity through climate action. Investments in climate action can contribute to the city's economic recovery and long-term prosperity. The initiatives focused on job creation address education and good jobs in emerging sectors that build

long-term economic mobility while benefiting our environmental justice communities. We are doing that by cultivating the offshore wind sector and by activating climate resource hubs for workforce development, to name a few.

Greening the city also means creating a waste and circular economy to reduce our overall waste production and beneficially reuse the resources we currently throw away. For example, we have recently reached a milestone for renewable energy at our Wastewater Resource Recovery Facility (WRRF) at Newtown Creek. On March 31, the facility began injecting biogas (which is a natural waste product of the wastewater treatment process) into the National Grid system. The biogas byproduct is chemically identical to fossil fuel gas, so it can be used by existing systems. Unlike fossil fuels, biogas is produced as part of the natural carbon cycle; it does not add new carbon to the atmosphere. The biogas produced at Newtown Creek is able to serve about 2,500 homes, meaning that 2,500 homes can be taken off of fossil fuel gas. Just this week Deputy Mayor Meera Joshi, Victoria Cerullo, National Grid, and the EPA joined me in cutting the ribbon on the project.

ENVIRONMENTAL JUSTICE

As stated in the report, extreme weather disproportionately harms communities of color and low-income residents who have faced generations of systemic racism, disinvestment, and inequality.

Since taking office, Mayor Adams has been dedicated to supporting environmental justice (EJ) and health equity. The Mayoral office that oversees climate, sustainability, and resiliency work is the Mayor's Office for Climate & Environmental Justice. This value has been reflected in the work we have done so far, such as siting the first set of cloudburst mitigation projects, and the commitment is a primary principle of *PlaNYC*.

Further, we will be releasing a standalone EJNYC report this fall, which will detail the history of the environmental justice movement in New York City and environmental inequities affecting low-income communities and communities of color. This report will be the first of its kind in the city.

GETTING IT DONE

A written plan is nice, but promising something isn't the same as accomplishing something. This is the Get Stuff Done administration, and this is the Get Stuff Done *PlaNYC*.

So, how do we get it done? How are we going to implement initiatives, center environmental justice, and advance equity and health? How are we going to pay for it?

First, under this administration, climate impact is considered in all of the city's budget decisions and investments. *PlaNYC: Get Sustainability Done* looks at the money spent on climate work and recognizes that it should and must be spent holistically. This administration is committed to ensuring that every aspect of the city's budget takes climate into account. The Office of Management and Budget will engage agencies on the

carbon impacts and the consistency of their budget requests with the city's overarching climate goals and with PlaNYC and our overarching sustainability initiatives. I've said that if you want to see someone's priorities, you look at their budget, and the administration's budget reflects our climate values.

Further, the federal and state governments have approved unprecedented levels funding specifically for climate work. We are taking full advantage of the opportunity this provides. We applied for nearly \$1.5 billion in federal funding in 2022 and will continue applying for as much as possible from these critical new funding sources.

Unfortunately, arbitrary limits by the state prevent New York City from getting our fair share of funding, particularly of state and federal grants, which is the most valuable type of funding. *PlaNYC* includes plans to push as hard as we can to make sure that the wonderful opportunities in the Bipartisan Infrastructure Law, the Inflation Reduction Act, and the New York State Environmental Bond Act are available to New York City.

I have only touched on a portion of the 72 initiatives including in *PlaNYC: Getting Sustainability Done*. This plan shows us where the city needs to go to succeed in the coming century. It also shows us how much we have done since I helped create that first plan was released more than 15 years ago. I am proud of the work that was started under the initial 2007 plan, impressed with the continued dedication to sustainability and resiliency under the last administration, and excited about what we will achieve under the Adams administration.

The administration needs partnership from the City Council to make these initiatives successful. I look forward to discussing your thoughts on this plan and continuing an active dialogue beyond this morning's hearing.

LEGISLATION

Before I conclude, I want to touch on three of the bills being heard today.

First, Intro. 611 would require certain carbon accounting as part of the budget process. We are embracing carbon accounting as part of NYC's budget process through the City's climate budgeting initiative that was announced in *PlaNYC*. Climate budgeting is a complex and emerging practice that will take time to implement effectively. To that end, we are deeply engaged with and learning from globally leading municipalities and will be rolling out the first phase of climate budgeting as we plan for FY25. We are happy to stay engaged with the Council as we proceed. It may be possible to legislate on this in a few years, but it would be premature to do so now. My colleagues at OMB and I welcome further engagement about this process. We are happy to meet with any Member who wants to discuss it in more detail.

Intro. 898 would require that the citizen's air complaint program portal be translated into the designated citywide languages. DEP highly prioritizes language services in all of our engagement with the public, including working with those who submit idling reports through this portal.

All publicly distributed materials are available in these languages and outreach staff can access interpretation services on their city phones as needed. We are very proud of the anti-idling program and want to work with the Council to make it as accessible as possible for all NYC residents.

Intro. 983 would require solar canopies to be constructed in City-owned or operated parking lots. We fully support expanding solar power infrastructure around the city; it is a key aim of *PlaNYC*. In partnership with the Department of Correction (DOC), DCAS installed the City's first solar canopy in December 2022. The solar canopy is tied to the electrical grid and supports charging for six (6) ports for DOC electric fleet vehicles. Presently, through DCAS, the City operates 110 freestanding solar carports and expect 50 additional carports to be delivered this calendar year. Solar carports are not connected to the grid, allowing them to offer critical, emergency, resiliency capacity in the event of a power outage. We support the expansion of solar carports and canopies, but prioritizing parking lot solar canopies is not the best solution in all locations, so we would like to work with the Council to develop a solar expansion program that prioritizes the best opportunities and gets the greatest return.

Intro. 286 would require alternating high and low, two-toned signal devices on emergency vehicles. This is a bill our partners at DCAS, FDNY, and NYPD should be addressing because we believe they have concerns.

I want to thank this committee and Chair Gennaro for your ongoing attention to climate change issues, not just during this administration but, for some of you, all the way back to Superstorm Sandy and before. Climate change is the biggest challenge of our lives, but we have the tools to address it. We are happy to answer any questions you have.



New York City Council

Oversight Hearing: The City's new sustainability plan pursuant to Local Law 84 of 2013

June 15, 2023

Testimony By: Emily Walker, Natural Areas Conservancy, Senior Manager of External Affairs

My name is Emily Walker, and I am the Senior Manager of External Affairs of the Natural Areas Conservancy. Thank you to Chair Gennaro and the members of the Committee on Environmental Protection, Resiliency and Waterfronts for the opportunity to speak today about the 2023 PlaNYC report.

We will limit our comments today to the sections of the report that relate to the management and care of our city's natural areas. While the PlaNYC report seeks to identify bold solutions for some of our city's most pressing sustainability challenges, we want to take a moment to highlight that there are existing frameworks for caring for the 12,000 acres of natural areas under the jurisdiction of NYC Parks, all of which remain underfunded. To put this into perspective, our natural areas comprise fully 1/3 of our city park system, yet typically receive little more than 0.7% of the NYC Parks expense budget for management and care.

The NAC is proud to have co-created the Management Frameworks for [Forests](#), [Wetlands](#), and [Trails](#) with NYC Parks, which each set a long-term vision and detailed roadmap for the care of this critical public infrastructure. However, the city has failed to fully invest in these plans. Our increasing reliance on inconsistent and unassured levels of single-year funding is making it impossible for our colleagues at NYC Parks to effectively move these complex multi-year projects forward. Funding this work would have a tremendous impact in implementing the 2023 PlaNYC report's goals as they relate to our wetlands and forested natural areas.

We were thrilled that the release of the 2023 PlaNYC report coincided with the Mayor baselining \$2.4 million in the Fiscal Year 2024 Executive Budget toward connecting and formalizing over 300 miles of nature trails in our parks. This support will improve access to nature for millions of New Yorkers, increase public programming, and create new opportunities for community and volunteer engagement across dozens of parks.

At the same time that we celebrate increased support for trails, we want to note that if the Fiscal Year 2023 funding for natural areas is not renewed for Fiscal Year 24, the 44 seasonal staff that are currently funded to engage in forest restoration, maintenance, and plantings will be terminated at the end of June and the work of NYC Parks to manage forests across more than 35 parks will come to a halt. This stands in direct opposition to the city's goals for caring for our urban canopy, and we urge the Mayor and City Council to preserve this vital funding.

The NAC is a proud member of the leadership committee of the Forest for All NYC Coalition, and we were pleased to see the 30% canopy goal for our urban forest uplifted in the 2023 PlaNYC report. Earlier this week we testified before the Committee on Parks and Recreation in support of Intros 1065 and 1066, but would like to remind the Council that urgent protection of our existing canopy is needed. Our natural forested areas in particular have been subject to chronic disinvestment, and we urge the city to increase and baseline funding for the care and



management of our natural forested areas, which are home to 5 million of our city's 7 million trees. We believe it's worth noting that these 5 million trees are responsible for storing 70% of the city's carbon.

We look forward to continuing to work with the Council and the City on the implementation of the 2023 PlaNYC report, and thank you for the opportunity to speak today.



**Testimony for the NYC Council Committee on Environmental Protection, Resiliency and Waterfronts
Emily Nobel Maxwell, Cities Director, The Nature Conservancy, New York
June 15, 2023**

My name is Emily Nobel Maxwell and I am the Director of The Nature Conservancy's Cities Program in New York. The Nature Conservancy is the world's largest conservation organization, and our diverse staff and more than 400 scientists conserve the lands and waters on which all life depends. We impact conservation in 76 countries and territories, directly and with partners. We have 90,000 members across New York, 35,000 of whom are in New York City. We advance strategies that create a healthy, resilient, and sustainable urban environment and are committed to improving New York City's air, land, and water to sustain and support the people and nature of this great city.

In New York City, we help convene the [Forest for All NYC Coalition](#) and we are leading practitioners on the science and policy of the urban forest. In 2021 we released the [State of the Urban Forest in NYC](#) a comprehensive assessment of the local urban forest, and with Forest for All NYC, released the [NYC Urban Forest Agenda](#), a collaborative roadmap that provides detailed recommendations to meaningfully protect, maintain, expand, research, and promote the NYC urban forest to benefit all New Yorkers justly and equitably. We also conducted an analysis of local [tree canopy potential](#) that shows the feasibility of expanding canopy cover in every neighborhood across the city.

I submit this testimony on behalf of The Nature Conservancy, and as a proud member of Forest for All NYC, to comment on the components of the PlaNYC goals that directly relate to the NYC urban forest. Tree canopy, vegetation cover, and green space are crucial for the health, safety, and livability of NYC. As our city faces [significant increases in the number and intensity of heat waves](#) and extreme precipitation events in the coming decades, trees, green spaces, and bioswales, when adequately maintained, offer critical nature-based solutions that mitigate the urban heat island effect and stormwater flooding. Currently, NYC lacks a coordinated, long-term citywide plan, encompassing both public and private land, to care for the whole of the urban forest.

We commend the City for establishing PlaNYC's 30% citywide canopy goal, as recently announced by Mayor Adams. To achieve this, legislative action will be required, among a wide range of activities from rules to incentives. We are encouraged that many [City Council members share the vision](#) of the Administration and of the Forest for All NYC Coalition of a larger, healthier, and more equitable NYC urban forest. PlaNYC and the recent Int. 1065-2023 and Int. 1066-2023 are excellent steps towards a unifying, thoughtful, ambitious, and lasting vision and roadmap that ensures the urban forest's longevity to support and expand its myriad benefits for New Yorkers. I encourage members of this Committee to review the aforementioned Introductions, and to support them as they move through the legislative process in order to ensure that the vision of PlaNYC is achieved. Further, this Committee could consider additional legislative action to advance 30 percent canopy to address extreme heat, and I would be pleased to work with the Committee to explore legislative approaches.

Despite the recent laudable legislative momentum around the urban forest, it is a chronically underfunded component of infrastructure in NYC. More funding will be required to ensure that existing canopy is properly cared for and managed, and that maintenance funding is baselined at an appropriate level each year. Currently, public funding dedicated to trees is insufficient and heavily reliant on temporal government initiatives. There are complicated, piecemeal, and inadequate policies that dictate how and where trees are located, regulated, and managed in NYC. Yet,

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we have some strong building blocks, most notably the leadership and expertise of the Department of Parks and Recreation (DPR) and a broad range of stewardship groups and institutions across the city.

We respectfully request that City Council commit to full funding for the NYC urban forest and recommend that the City continue to follow the recommendations laid out by the Forest for All NYC Coalition in the NYC Urban Forest Agenda and in our recommended budget for this year. We are grateful for the inclusion in the Mayor's FY24 Executive Budget of funding for trail improvements, a climber and pruner training and workforce development program, tree risk management, and the removal and replacement of trees affected by emerald ash borer. Still, we believe that more funding is needed to ensure the overall health of our entire urban forest, including landscaped parks, street trees, and forested natural areas. To help ensure all New Yorkers benefit from the urban forest's protection against climate change and extreme heat, DPR needs sufficient, sustained funding for its operations, as well as ongoing capital investments in planting and restoration to advance equity of the resource.

A cornerstone of funding our urban forest is the prioritization of the expansion of NYC's urban forestry workforce. We are glad that our city's urban forest is viewed as an opportunity for green jobs training and workforce development, and we also suggest that the City create baselined, full-time positions for New Yorkers to do this work. Too often, positions available in this sector are seasonal and funded in single-year cycles, making it difficult to attract, train, and retain talented professionals in these careers. Incentivizing stewardship of NYC's green spaces is a meaningful way to acknowledge and celebrate NYC's culture of collective care of our parks, and to appropriately manage stewardship efforts, more full-time personnel will be needed to ensure that stewards are given the appropriate level of ongoing training and support needed to succeed. A meaningful way to move forward with many of the priorities outlined by the PlaNYC report would be to fully fund the FY24 Play Fair platform, and to ramp up to allocating a full 1% of the NYC budget to DPR.

Thank you for the opportunity to testify today and thank you to the Committee and to Chairman Gennaro for your leadership and careful oversight of PlaNYC and the long-term visioning of NYC's sustainability roadmap. The Nature Conservancy is pleased to make ourselves available to advance this important discussion.

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June 15, 2023

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Testimony of WE ACT for Environmental Justice

**To the New York City Council Committee on Environmental Protection,
Resiliency and Waterfronts**

**Regarding The City's new sustainability plan pursuant to Local Law 84
of 2013**

Dear Committee Chair James Gennaro and Committee on Environmental Protection, Resiliency and Waterfronts:

WE ACT for Environmental Justice, an organization based in Harlem, has been fighting environmental racism at the city, state, and federal levels for more than 30 years. We recognize and fight to remedy the negative cumulative impacts of unjust policies that have plagued communities of color for decades.

WE ACT is submitting comments on the City's fifth long-term strategic climate plan – *PlaNYC: Getting Sustainability Done*. We are in the midst of a worsening climate crisis and the City must do everything it can to reduce emissions, decarbonize our buildings, remediate environmental health hazards and more; all with environmental and climate justice as the foundation of this work. WE ACT was excited to review *PlaNYC*. This plan presents an action-oriented roadmap for addressing urgent environmental and climate challenges to propel New York City towards a more sustainable and resilient future.

We like to see that the City is centering equity and environmental justice throughout the plan and we urge City Council, Mayor Adams, City agencies, and all stakeholders to collaborate and fully implement the following actions outlined in *PlaNYC*:

- Develop a maximum summer indoor temperature policy to protect all New Yorkers from extreme indoor heat by 2030
- Include mandatory cooling requirements for new construction by 2025
- Reform the Home Energy Assistance Program to cover equipment and energy costs for cooling
- Expand the [Tree Risk Management Program](#), and in 2023, establish the Climber and Pruner Training Program pilot
- Maximize tree preservation and planting opportunities, including in areas with challenging site conditions, by 2035



- Develop a stormwater flooding adaptation plan by 2024 to establish a citywide flood protection target for stormwater infrastructure
- Create nature-based stormwater management solutions that provide multiple functions, including shade, water and air quality improvement, and wildlife habitats
- Develop financing tools and innovative mechanisms to accelerate Local Law 97 compliance by 2030
- Install solar energy, electric building infrastructure, green roofs, or other renewable energy on all viable City-owned property by 2035
- Launch Public Solar program for one- to four-family low-income homeowners in environmental justice communities by 2025
- Advocate for enactment of the City of Yes for Carbon Neutrality Citywide Text Amendment in 2023 to expand renewable energy generation in the city
- Create the next generation of bike lanes and facilities so every New Yorker can travel safely and efficiently
- Integrate climate education in public school classrooms across all subjects and grade levels

PlaNYC is an ambitious plan with many concrete action items that WE ACT has been advocating for for years and feel the following resiliency items should be pursued *immediately* through legislative and budgeting processes.

Extreme Heat

Because of climate change, New York City summers are getting hotter and the heat is lasting longer. We also know these hotter summers have resulted in environmental injustice, because [50 percent of the heat-related deaths in New York City are Black/African American people](#), even though [they make up only 25 percent of the city's population](#). We know this is not a coincidence or an accident. The legacy of former racist housing policies and programs – like [redlining](#) – extends far beyond housing segregation and promoted disinvestment in communities of color. The impact can be seen today in minority neighborhoods' access to health care, poorer educational opportunities, and increased risk of climate change, as many of these areas are more prone to flooding and extreme heat.

WE ACT urges the City Council to implement policies and programs that prioritize environmental justice and equitable distribution of resources to mitigate the negative and deadly impacts of extreme heat. The following initiatives and actions from *PlaNYC* are key to addressing extreme heat.

Maximize access to indoor cooling

- Develop a maximum summer indoor temperature policy to protect all New Yorkers from extreme indoor heat by 2030



- Include mandatory cooling requirements for new construction by 2025
- Reform the Home Energy Assistance Program to cover equipment and energy costs for cooling

It is important to note that any legislation developed on maximizing access to indoor cooling must protect tenants from increased rents and utility costs which would further worsen the housing and living affordability crisis in New York City and advance displacement in low-income communities and communities of color.

Achieve a 30% tree canopy cover

- Expand the [Tree Risk Management Program](#), and in 2023, establish the Climber and Pruner Training Program pilot
- Maximize tree preservation and planting opportunities, including in areas with challenging site conditions, by 2035

Planting more trees lowers temperatures, reduces carbon emissions by storing carbon and removing pollutants from the atmosphere, and improves public health by reducing heat-related illnesses. As members of the [Forest for All NYC Coalition](#), we believe the City must protect, maintain, expand, and promote the New York City urban forest to benefit all New Yorkers in a way that is just and equitable. The Agenda states, “More socially and heat-vulnerable communities [like East Harlem and the South Bronx] tend to have lower tree canopy cover [...] Higher income communities tended to have more canopy, and areas with higher poverty rates tended to have less” (pg. 80). This must be rectified by building out the urban forest starting in most underserved communities.

Legislatively, **Int 1066-2023** proves to be necessary. The bill requires the Office of Long Term Planning and Sustainability to consider the role of trees, tree canopy, and vegetation in its long-term sustainability planning, reinforcing and contextualizing their value in the long term. Similarly, **Intr 1065-2023** facilitates interagency coordination across city, state, and non-governmental stakeholders to ensure the creation of an integrated Urban Forest Master Plan. The legislation has provisions to reach an urban canopy coverage goal of 30%, establish metrics to expand and protect the urban forest, and to require the collection of LIDaR data to monitor effectiveness of the plan. Additionally, the plan would be updated every 10 years.

Furthermore, the following investments are recommended to achieve a 30% tree canopy cover:

- **\$3.2 million** for climber and pruner training program – an urban forest workforce development program



- **\$2.7 million** in Fiscal Year 2024 for tree risk management to \$21M over the next four years annually to maintain trees in our streets and parks, which includes inspections, pest management, tracking, and various maintenance work
- **\$3.5 million** annually to care for, steward, and maintain our forested natural areas
- **\$1.2 million** annually to enforce tree preservation and protect trees during permitted development
- **\$9 million** per year for ten years of forested natural area restoration, expansion and planting as outlined in the Forest Management Framework
- Secure federal funding to uplift the urban forest, including efforts to resource NYCHA campuses to care for their urban forest and create jobs for residents in partnership with the Department of Parks and Recreation.

Flooding

Hurricane Sandy was supposed to be a wakeup call for New York City, a low-lying coastal city to prepare for rising sea levels and increasing storm frequency and intensity. Since 2012, there has been plenty of talk, but little action. Last year, our city was hit by three record breaking storms, and the flooding caused by Hurricane Ida killed 13 New Yorkers and 44 people across the region.

It is abundantly clear that we are behind when it comes to fortifying our city against sea level rise, adapting to wetter, stronger storms and preparing our communities for the changing climate.

WE ACT urges the City Council to ensure the Department of Environmental Protection (DEP) and other agencies develop full life cycle analysis and strategies for all infrastructure and coordinate maintenance plans for city climate infrastructure emphasizing the unique needs of green infrastructure. And Prioritize the implementation of green infrastructure and resiliency projects in neighborhoods that have a history of disinvestment while mitigating housing displacement. The following initiatives and actions from *PlaNYC* are key to addressing flooding.

Implement a multilayered strategy for flood resilience

- Develop a stormwater flooding adaptation plan by 2024 to establish a citywide flood protection target for stormwater infrastructure
- Create nature-based stormwater management solutions that provide multiple functions, including shade, water and air quality improvement, and wildlife habitats



In remarks on the tenth anniversary of Superstorm Sandy in October 2022, Mayor Adams acknowledges, “Sandy wasn’t just a storm; it was a warning. Another storm could hit our city at any time and that is why our administration is doing everything we can to prepare and protect New Yorkers. [...] New York City’s infrastructure projects are more complex, novel, and unparalleled compared to any other American city, but many remain in various stages of completion [...] We must continue to act quickly to bolster our defenses, prevent damage, and save lives.”

This Council must hold Mayor Adams accountable to his proclamations and ensure proper funding and equitable implementation of The Mayor’s Office of Climate and Environmental Justice’s [AdaptNYC](#), especially the [Climate Strong Communities](#) program which “... invests in communities left unaddressed by limited Hurricane Sandy recovery funding and with a focus on environmental justice...” and “...leverages existing resiliency and sustainability planning and capital commitments...” The Climate Strong Communities program vital to environmental justice communities like East Harlem whose in desperate need of implementation of the [Vision Plan for a Resilient East Harlem](#), especially since there is an unfunded gap in the New York City Economic Development Corporation’s [107th Street Pier & Bobby Wagner Walk Reconstruction project](#).

Funding climate adaptation and resiliency projects to low income neighborhoods first and foremost is not only the most equitable option, but also the most cost-effective. Research conducted by the [Smart Surfaces Coalition](#) demonstrated the cost-to-benefit ratio for implementing projects in low income neighborhoods was consistently favorable across five cities, accounting for energy, financial incentive, stormwater, health, climate resilience, and employment benefits.

We appreciate Chair Gennaro and the Committee on Environmental Protection, Resiliency and Waterfronts holding an oversight hearing on *PlaNYC* and we look forward to working closely with this committee on implementation.

Lonnie J. Portis

New York City Policy and Advocacy Manager

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REBNY Testimony | June 15, 2023

The Real Estate Board of New York to The New York City Committee on Environmental Protection, Resiliency, and Waterfronts on the Updated PlaNYC

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY appreciates this opportunity to testify on the recent update to PlaNYC.

REBNY acknowledges the leadership the City has taken in the areas of sustainability and climate change mitigation. REBNY worked closely with the Bloomberg Administration to help produce the landmark document PlaNYC 16 years ago, which spelled out a broad range of strategies to protect the environment and improve the lives of New Yorkers everywhere. Since then, the City has implemented almost all the steps described in that document and passed (and is in the process of instituting) some of the most aggressive climate change policies in the world. We have been partners with the City throughout, and look forward to continuing this relationship.

PlaNYC: Getting Sustainability Done, comes at a critical time in the fight for sustainable cities and in the battle against greenhouse gas emissions. Cities, with their dense populations, play a crucial role in mitigating climate impacts from human-generated pollution. New York City, by far the largest city in the country, must continue to lead the way. Our public transportation systems allow for relatively low emissions from transportation, and our many large, efficient buildings accommodate a large population in a tight geographical area. As a result, New York State has the lowest greenhouse gas emissions per capita in America.

This will only continue to be true as we implement Local Law 97. That said, our already low emissions means that meeting LL 97's strict mandates will be a real challenge, and the private and public sectors must work together to make sure that we achieve those goals and reduce emissions, and not just pay large fines. Therefore, REBNY welcomes this new plan's acknowledgement that additional "carrots," in the form of financial incentives to help building owners meet their emissions reductions targets, are needed and will be developed.

Thank you once again for this opportunity to comment on this critical topic.

CONTACT:

Daniel Avery

Director of Policy
Real Estate Board of New York
davery@rebny.com



**New York City Council Committee on Environmental Protection
Thursday, June 14, 2023
Budget Hearing – 1% for Parks
Sherrise Palomino, Director of Advocacy and Programs**

Good afternoon, my name is Sherrise Palomino and I am the Director of Advocacy and Programs at New Yorkers for Parks (NY4P). We are a founding member of the Play Fair Coalition, which includes over 400 organizations from across the city. Thank you to the Committee on Environmental Protection, Resiliency and Waterfronts for the opportunity to speak about PlaNYC.

PlaNYC outlines the City's long-term resiliency and sustainability goals. Our parks and waterfront are the city's most valuable environmental assets. NYC's urban forest and natural areas play an important role in climate change mitigation. Trees help reduce air and water pollution, and cooling costs by acting as energy savers. The parks department plays a critical role in managing the urban forest and natural areas but needs more resources to do so.

As climate change intensifies flooding and increases heat, the city council has an extraordinary opportunity to mitigate the increasing dangers of climate change by making deeper investments in our parks system. More intense weather events cause more flooding and increases fallen trees. Climate change makes the city's response to harsh weather events and operational costs more expensive, and our parks department needs additional funding, staffing, and resources to meet this growing demand. Adding more trees and improving and maintaining natural areas and wetlands helps NYC's natural areas that are storing and sequestering carbon.

It is imperative that the Environmental Protection Committee champion 1% for Parks as a key component of PlaNYC so that New York can finally secure a 21st century park system that can meet our climate demands. This climate crisis has highlighted the critical needs of our parks system including adequate funding for park staffing to do resiliency work and to address inequities in access, infrastructure, and general maintenance. The city's decades long disinvested in parks continues to exacerbate these inequities in our parks system.

We are overdue for transformative investment in our parks system; the inclusion of 1% of for Parks in the PlaNYC could guarantee that our park department have the staffing, funding, and resources to ensure that NYC's urban forest and natural areas can be resourced to support New York City during this climate crisis.

For over 100 years, [New Yorkers for Parks](http://www.ny4p.org) (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods. www.ny4p.org



**Testimony of Alia Soomro, Deputy Director for New York City Policy
New York League of Conservation Voters
City Council Committee on Environmental Protection, Resiliency and Waterfronts
Oversight Hearing on PlaNYC
June 15, 2023**

Good afternoon, my name is Alia Soomro and I am the Deputy Director for New York City Policy at the New York League of Conservation Voters (NYLCV). NYLCV is a statewide environmental advocacy organization representing over 30,000 members in New York City. Thank you, Chair Gennaro and members of the Committee on Environmental Protection, Resiliency and Waterfronts for the opportunity to testify today.

NYLCV was excited to review the City's latest sustainability plan, PlaNYC. This plan presents a roadmap for addressing urgent environmental and climate challenges while leveraging federal and state funding to propel New York City towards a more sustainable and resilient future. We are excited to see the City center equity and environmental justice throughout the plan, in addition to a Public Solar program for one- to four-family low-income homeowners in environmental justice communities by 2025, a goal of achieving 30% tree canopy cover, a voluntary housing mobility and land acquisition program, and more. With that said, we urge Mayor Adams, City agencies, and all stakeholders to collaborate and fully implement the measures outlined in PlaNYC, capitalize on federal and state funding opportunities, and prioritize equity and inclusivity in all sustainability efforts. We appreciate the City Council holding an oversight hearing on this plan, and, on that note, we believe two bills being considered today would further some of the City's goals outlined in PlaNYC.

First, NYLCV supports Intro 898-2023, sponsored by Council Member Avilés, which would require DEP to translate the Citizen's Air Complaint portal into languages other than English. As the largest resident idling complaint program in the United States and the only program that offers monetary incentives for reporting idling, the Citizens Air Complaint Program allows New York City residents to report violations of vehicle idling emissions laws. Vehicular idling can lead to many health problems including asthma and respiratory disease, as well as increase the City's carbon emissions. Currently, the Citizens Air Complaint portal is only available in English. This blocks many New Yorkers from receiving monetary incentives for reporting and learning about the dangers of air pollution and increased emissions. This is especially a problem because non-English speaking residents are often located in underserved and environmental justice communities suffering the most from transportation pollution. Moreover, the Mayor's Office has also made it a goal in PlaNYC to end unlawful truck idling by streamlining the complaint program and increasing participation. Passing Intro 898 would be a step in the right direction to achieve this goal.

We also support Intro 983-2023, sponsored by Council Member Brannan, which would mandate DCAS to install solar canopies on City-owned, or leased, or operated parking lots receiving solar radiation as well as capacity for electric vehicle charging stations in certain parking spaces. As New York City transitions to a more sustainable and resilient future with a switch to clean energy, it is crucial to maximize the City's space for more renewable energy systems. Solar canopies are a smart and cost-effective way to maximize large sun-exposed spaces while also providing shade for parked cars and rest areas. This bill complements one of the goals outlined in PlaNYC, which is to maximize climate infrastructure on City-owned property, including installing solar energy, on all viable City-owned property by 2035. Passing this bill will help New York City reduce our reliance on fossil fuels and help improve public health and environmental justice.

We look forward to working with the Administration and fellow advocates in implementing the goals contained in PlaNYC, as well as the two City Council bills outlined above. Both are vital to making our City more resilient, healthy, and equitable.

Thank you for the opportunity to speak.



June 15, 2023

New York City Environmental Justice Alliance Testimony on Intro 0611-2022 and Int 0983-2023

Good afternoon Chair Gennaro and members of the Council. My name is Daniel Chu, and I am the Energy Planner at the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a non-profit citywide membership network linking 13 grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice.

NYC-EJA is encouraged to see that the city is proposing to do a carbon accounting bill to track emissions from all government operations, and thank councilmember Brannan and this committee for initiating this effort. However, NYC-EJA is seriously concerned about the language of this bill and how it will inadvertently harm the environmental justice communities that we serve. Our concerns broadly fall into the following two points:

1. The use of 100-year Global Warming Potential 100-year (GWP 100) instead of 20-year Global Warming Potential (GWP 20)
2. The reliance on carbon offsets or mitigation, including carbon capture & sequestration or chemical decomposition of CO₂

The use of GWP 100 is inconsistent with New York State's accounting for CO₂e emissions, which uses a GWP 20 scale. We are in a climate emergency, most recently evidenced by the skies outside this chamber last week. Misaligning the way New York City accounts for Greenhouse Gas Emissions will disproportionately discount co-pollutants from power plants, waste transfer stations, and highways and have historic and ongoing harm on the quality of life in environmental justice communities. The State's Climate Law intentionally chose to use the 20-year timeframe because that is what all of the science has led to as being accurate for methane. Given that many of the city's polluting operations rely on methane, most commonly in the form of natural gas, going to a 100-year timeframe will severely underestimate the impact of emissions from City operations like buildings and transportation. It could also extend the city's dependency on methane-rich fuels and undermine New York City's roadmap to 80% emissions reduction by 2050. NYC-EJA vehemently opposes any effort to undermine Climate Leadership and Community Protection Act, and this bill could give climate deniers and fossil fuel operators the momentum to do so. The City must move faster, not slower, in achieving an emissions-free economy, and a science-based accounting of our emissions can help us achieve that.

We further urge the City Council to tread very carefully regarding the accounting of carbon offsets and carbon mitigation. Carbon offsets have no globally proven monitoring, reporting, and verification mechanisms. The vast majority of carbon offset projects, from airlines to banks to technology companies that claim to be net-zero, are falsified or significantly inaccurate. Studies from the European Union to California to the Amazon have shown a less than 10% accuracy of offset emissions purchased to date.¹²³ This means that at least 90% of carbon offsets potentially reported by city agencies will not result in real emission reductions. Purported carbon mitigation technologies such as carbon capture and sequestration continue to pose co-pollutant concerns that contribute to worsening air quality and pose questions about how to safely transport and store CO2 without increasing truck traffic or creating fire and earthquake hazards. Relying on carbon offset and carbon mitigation to calculate net carbon impact presents a false picture of how much each agency and the entire city government contributes to our climate and public health crises.

Separately, NYC-EJA commends the proposed bill to mandate building solar panels in certain city-owned parking lots. Recent studies have shown that building solar on parking lots can greatly augment distributed energy generation capacity and reduce our reliance on fossil fuels quickly and effectively. France recently passed a similar bill that could generate up to 10% of the nation's electricity. The Inflation Reduction Act has enabled New York City to receive direct funding from the federal government to construct solar panels, followed up New York Power Authority's new ability to build renewable energy, mandating the Department of Citywide Administrative Services to build solar canopies on viable parking lots can contribute significantly to greening our electricity grid. We recommend the City go one step further and mandate the installation of battery storage units at eligible parking lots. Co-siting solar and storage can greatly augment solar canopies by storing power generated during the day and discharging stored power during the early evening when power plants are most likely to operate and pollute at high capacity to satisfy electricity demand. Co-siting solar and storage may further enable the city to directly charge electric vehicles parked at city-owned parking lots. Lastly, we further urge that DCAS prioritize the deployment of these solar canopies at environmental justice communities and utilize these infrastructures to reduce pollution and energy bill burden for nearby residents.

¹ Badgley, Grayson, et al. "Systematic over-crediting in California's forest carbon offsets program." *Global Change Biology*, October 20, 2021.

² Cames, Martin, et al. "How additional is the Clean Development Mechanism?" *Institute for Applied Ecology*, March 2016.

³ West, Thales, et al. "Overstated carbon emission reductions from voluntary REDD+ projects in the Brazilian Amazon." *Proceedings of the National Academy of Sciences of the United States of America*, Vol 117, No 39, September 14, 2020.



April 28, 2023

New York City Environmental Justice Alliance Testimony on PlaNYC

Good afternoon Chair Gennaro and members of the Council, my name is Eunice Ko and I am the Deputy Director at the New York City Environmental Justice Alliance (NYC-EJA). Founded in 1991, NYC-EJA is a non-profit citywide membership network linking 13 grassroots organizations from low-income neighborhoods and communities of color across all the 5 boroughs in their struggle for environmental justice. Over 76% of people living in our members' neighborhoods are BIPOC.

This week, the City is recovering from orange skies, red moons, and choking smoke from the raging Canadian wildfires. With no timely notice and sufficient communications and planning from the City, people noticed they were having trouble breathing, getting headaches, and having other respiratory issues. NYC residents were again largely left on their own and, of course, those most vulnerable like the unhoused and essential workers suffered the most consequences.

A few months ago, an extreme rain event left the BQE closed and flooded along with some buses in some places. We're now heading into summer – one where experts warn could be the hottest for many – where heat waves disproportionately kill Black and Brown New Yorkers and will triple and potentially quadruple by the 2050s according to NPCC. Each summer, an estimated 370 New Yorkers die prematurely because of hot weather in NYC and we can only expect this to increase.¹

The climate crisis is here and we have the NYC Chief Climate Officer reportedly going around saying that the City won't be able to protect and prepare all New Yorkers, as if we should all just accept the fact that it's okay for some people to die from poor planning and government negligence, which reads that the most vulnerable – low income communities and communities of color – will be left to fend for themselves as always as our city gets hotter and wetter.

The sustainability plan is called "PlaNYC: Getting Sustainability Done" – a riff of Mayor Adams' favorite phrase "getting stuff done." There are usually three critical pieces needed to get something done well and for accountability: budget, outcomes, and a timetable with milestones and targets.

¹ [2022 NYC Heat-Related Mortality Report](#)

Dietmar Detering
47th ST
Sunnyside, NY 11104

NYC City Council

Committee on Environmental Protection, Resiliency and Waterfronts

June 18, 2023

RE: Comment in Opposition of Resolution 605

Chair Gennaro, Committee Members,

I am Chair of Nuclear New York, a pro-nuclear environmental advocacy group. Please allow me to express my opposition to Resolution 605. David Lochbaum, member of the Indian Point Decommissioning Oversight Board, a nuclear engineer and former Director of the Nuclear Safety Project for the Union of Concerned Scientists, recommends the discharge into the river as the best option for what to do with the tritiated water on site. Buchanan's mayor Theresa Knickerbocker strongly opposes storage on-site for years to come as she wants her village to move on after the traumatic closure of Indian Point.

The federal EPA and the NRC see no scientific reason to oppose the discharge of the tritiated water, nor do state agencies such as the Department of Environmental Conservation and the Department of Health. Similar discharges have been done and are being done all over the world with no adverse effects on humans or the environment.¹

We are looking at 1/25 of a gram of tritium at Indian Point. The toxicity of this amount can be compared to one gallon of household bleach: The median lethal dose of tritium is estimated to be 10 Curies, whereas the median lethal dose of bleach is 80 grams for an average-to-large adult.^{2 3}

The tritium is contained in 1.5 million gallons of water. The discharge into non-drinking water can possibly only affect people who eat the fish from the Hudson, and they should be most worried about PCB contaminations and raw sewage discharges, for example by yours truly, the City of New York. Even under the most extreme assumptions taken by NRC health physicists in calculating the

¹ All remarks were made at the Indian Point Decommissioning Board Oversight hearing on 4/26/2023

² <https://www.thecloroxcompany.com/wp-content/uploads/cloroxbleachregular-ukenglish.pdf>

³ http://www.t3db.ca/toxins/T3D4956#toxicity_profile

additional received dose from this proposed discharge, this dose barely rises above our natural and man-made background radiation, and there is no scientific evidence that background radiation is harmful.

This anti-science, radiation fear-mongering resolution has mostly one effect: entertaining irrational fears of nuclear energy. With nuclear energy being our only scalable and reliable clean and zero-carbon source of energy, this resolution would put New York City on the wrong side of the clean air and climate debate.

Sincerely,

A handwritten signature in black ink, appearing to read "Dietmar Detering". The signature is fluid and cursive, with a large loop at the end.

Dietmar Detering

On the budget, PlaNYC highlighted a lot of commitments that would require state and federal funding to get done. While the City should be “making full use of unprecedented Federal and State funding,” it can’t rely solely on this once-in-a-lifetime funding opportunity to sustain the massive climate and environmental changes and upgrades the City needs to make to our infrastructure, assets, and neighborhoods climate ready. The City needs to leverage this money for sustained action, be self-sufficient, and find new funding streams for projects, policies, and programs that will make our city more sustainable and resilient, prioritizing that investment in EJ communities. There are a few things in PlaNYC that are funded by the City, such as the Climate Strong Communities, but it’s not enough. The City isn’t investing and funding in solutions that will directly reduce the climate risks we face at a scale, urgency, and ambition that is needed. For some other initiatives, there is no identified funding, which raises the question of how we’re going to get a lot of this stuff done. For example, while PlaNYC seems to acknowledge the importance of Local Law 97, we question the seriousness with which the administration is intending to implement the law when there is not enough dedicated funding at the city level to implement this law.

On outcomes, there were a lot of short-term benefits and goals focused on outputs, but no associated outcomes and long-term goals that the City could evaluate and measure progress against. While there was mention of prioritizing EJ communities, it was unclear how, when, and which communities would be prioritized and what the expected outcomes for these communities would be. We know EJ communities are the most vulnerable and at risk to flooding and extreme heat. Yet the plan didn’t connect or state the amount of risk reduction associated with any of the actions or identify the level of scaling of the pilot programs that are needed to meet increasing climate risks.

On the timetable, there was no clear timeline with interim milestones for these short-term actions. More importantly, there was no vision tying together these short-term actions and outputs and no indication of where we’re headed as a city. Climate risks are only increasing and absent a vision and actions that directly address these increasing risks, it will be left up to individual NYers to respond and adapt, which means the most at risk will be even more at risk and those who aren’t will not be as affected, further entrenching the inequities and disparities that low-income communities and communities of color are forced to live with.

There are some things the administration is on the right track for. We appreciate the 30% citywide tree canopy commitment, which NYC-EJA has been pushing for as a Forest for All NYC coalition member. We would like to see this done by 2035, but the plan doesn’t give a target year. Additionally, when you’re cutting agency budgets and breaking your 1% budget promise to the Parks Department, this goal feels meaningless. The low emission zone is a great idea, but would be even better if it were even more ambitious and expanded beyond freight. As of now, the plan describes it as a study and yet another pilot.

There are also a lot of things in this plan that lead me to believe this administration is not serious about addressing climate change. The plan’s reliance on technology for climate solutions and the goal to maximize biogas production through public-private partnerships leaves

the door open for false solutions and the continued use of fossil fuel infrastructure. Technology solutions, such as carbon capture, and anaerobic digestion produce more GHG emissions, particularly methane in the case of anaerobic digestion, which when burned has almost 8-times the damaging effects of carbon dioxide. Expansion of anaerobic digester development at Wastewater Resource Recovery Facilities to generate so-called renewable natural gas is a concerning direction that harms the environmental justice communities nearby by perpetuating greenhouse gas and co-pollutant emissions that causes increased asthma rates and other cardiovascular diseases. These communities are also witnessing increased truck traffic for material transport and increased energy bills, despite utilities piping free natural gas generated by these WWRFs. It is extremely concerning that there was also no mention of Renewable Rikers in this plan and how it fits in a larger vision for restorative justice and resilient renewable energy in this city, given the City is undertaking feasibility studies that are required by the Renewable Rikers Act. Lastly, the plan doesn't address issues related to climate that would significantly impact EJ communities, such as affordable housing and displacement.

The level of ambition in the plan isn't commensurate with the scale of the climate crisis at hand. The things that were couched as ambitious are largely things we could just do today if we had the commitment and political will. The city can't put NYers in a position to respond and adapt to climate change on their own because it will mean that our city and the communities made most vulnerable to climate change will suffer the most.

Brooklyn Movement Center • Brotherhood Sister Sol • Chhaya CDC • Community Voices Heard • El Puente • Good Old Lower East Side (GOLES)
Green Worker Cooperatives • Morningside Heights/West Harlem Sanitation Coalition • Nos Quedamos • Staten Island Urban Center
THE POINT CDC • UPROSE • Youth Ministries for Peace and Justice



**New York Energy
and Climate Advocates**

310 W. 86th St. #6B, New York, NY 10024

June 18, 2023

RE: Proposed legislation relating to radionuclide discharge at Indian Point;
(written testimony pertaining to NYC hearing on June 15, 2023)

Dear New York City Council,

Please accept this testimony from New York Energy & Climate Advocates in opposition to proposed state legislation that would prohibit the discharge of tritiated water from Indian Point. Unfortunately, tremendous public misunderstanding surrounds the topic of nuclear energy, as well as radiation generally. Even more unfortunate is the rhetoric of politicians and provocateurs who capitalize on that misunderstanding to frighten the public.

As part of normal operation, all nuclear power plants discharge trace amounts of tritium, a low-level radionuclide that is federally regulated. However, state legislation that has been proposed would prohibit the discharge of any amount of tritium, even if the amount does not exceed those very low levels which had been permitted during normal plant operation. Ironically, the legislation proposed would even interfere with a suggestion by those who are unnecessarily concerned that tritiated water be held on site for 12 years (the half-life of tritium). Since extremely tiny amounts of tritium would remain no matter how long one waited, prohibiting any discharge at all means that the decommissioning process could never be fully completed.

Holtec, the company approved to decommission Indian Point, has already promised to limit tritium concentrations to 3% of federal safe drinking water levels. Furthermore, given that the plant is no longer in operation, it is in the public interest for the facility to be decommissioned in a timely manner, consistent with signed agreements with the state and federal government. We urge you to reject the irrational legislation that has been proposed and let Holtec, as well as federal and state regulators, do their job.

Sincerely,

Keith Schue, technical advisor and engineer
New York Energy & Climate Advocates
keithschue@gmail.com
407-470-9433 (cell)



Testimony of Drew Gamils, Staff Attorney, Riverkeeper, Inc.

before the New York City Council Committee on

Environmental Protection, Resiliency and Waterfronts

Oversight Hearing on The City's New Sustainability Plan

Pursuant to Local Law 84 of 2013

June 15, 2023

Thank you, Chairperson Gennaro and Members of the New York City Council Committee on Environmental Protection, Resiliency and Waterfronts for the opportunity to testify on the City's new sustainability plan. My name is Drew Gamils. I am a staff attorney at Riverkeeper, Inc. Riverkeeper is a member-supported watchdog organization whose mission includes protecting and restoring the Hudson River from source to sea and safeguarding drinking water supplies, through advocacy rooted in community partnerships, science and law. Riverkeeper has a long history of advocacy, citizen science, and litigation (where necessary) on key climate change, coastal development, industrial, and aquatic ecosystem issues facing the City.

We are happy to see that PlaNYC: Getting Sustainability Done includes meaningful commitments to action on climate resilience. PlaNYC identifies actions to address urgent environmental and climate challenges while utilizing federal and state funding to shift New York City towards a sustainable and resilient future. Riverkeeper specifically commends the City for creating the NYC Federal Infrastructure Funding Task Force to maximize funding from federal and state sources. The City has long demonstrated the need to secure funds from all possible sources to execute the projects and actions discussed in PlaNYC.

Overall, Riverkeeper thanks the Council for its leadership on climate change resilience planning; after all, PlaNYC would not exist without City Council action. We recognize and appreciate the work of the agencies, experts, and community organizations that played a role to put PlaNYC into effect. However, PlaNYC has inexplicably omitted several widely

acknowledged resiliency improvements that must be implemented. We respectfully urge the Council to work with the administration to ensure that these key issues are included in the City's resiliency and sustainability planning moving forward.

I. Developing a strategy to end the discharge of untreated sewage into the New York Harbor by 2060

Though PlaNYC doesn't shift the City's short-term strategy on the reduction of combined sewer overflows (CSOs), it does require a study on ending routine CSO discharges by 2060. PlaNYC includes an action item to "register [a] contract by [the] end of 2024 to develop additional CSO mitigation strategies (factoring in flood mitigation, water quality, and synergies with other projects) that DEP may initiate before 2060" with the goal "to end the discharge of untreated sewage into the New York Harbor by 2060." Riverkeeper applauds the administration for setting a goal to eliminate the discharge of untreated sewage into the New York Harbor. It is crucial that the administration identify specific projects now that it intends to further evaluate and pursue. The City must provide information as to how such strategies will be developed and provide examples of strategies and projects that will be considered to minimize combined sewer overflows and significantly improve water quality. It is unacceptable that Renewable Rikers is not mentioned in PlaNYC despite the City's ongoing feasibility studies required by legislation initially sponsored by this Committee for wastewater treatment and renewable energy on the island. Renewable Rikers is a key project that must be pursued to significantly reduce combined sewer overflows. Renewable Rikers would consolidate four aging wastewater treatment plants (Wards Island, Bowery Bay, Tallman Island, and Hunts Point) with state-of-the-art technology. The consolidation of facilities on Rikers will enable DEP to optimize treated flows with innovative technologies that significantly reduce, if not eliminate, combined sewer overflow events in a combined sewer shed that would serve a third of the City's total population. The sewer systems feeding these four defunct treatment plants are responsible for 55% of the City's CSO discharges. The Rikers Island wastewater treatment facility is the single most important project to eliminate the release of untreated combined sewer overflow and polluted stormwater into the New York Harbor. Riverkeeper also notes that the Long Term Control Plans identify numerous potential projects that the City has so far chosen not to pursue. These projects should be evaluated as part of the study.

II. Engaging the USACE through the NYNJHATS program

PlaNYC references the United States Army Corps of Engineers' (USACE's) New York & New Jersey Harbor and Tributaries Feasibility Study (NYNJHATS) and establishes an action item to "continue to design and construct world-class neighborhood scale coastal protection projects and partner with the USACE NYNJHATS process." As this Committee knows, the USACE has proposed a \$52 billion network of storm barriers and shoreline hardening measures for the New York Harbor. The USACE has released its Tentatively Selected Plan to construct a

suite of coastal storm risk mitigation measures throughout the City. Some of the major in-water components include storm surge barriers across the mouths of Jamaica Bay, Arthur Kill, Kill van Kull, Gowanus Canal, Newtown Creek and Flushing Creek. In its Tentatively Selected Plan, the USACE also proposes shore-based measures that could include seawalls, levees, floodwalls, and deployable flood barriers for Manhattan around the southern shoreline and along the Harlem River; Queens in Flushing, East Elmhurst, Long Island City and the Rockaways; Brooklyn in Greenpoint and Redhook; and northern Staten Island along the Arthur Kill.

Riverkeeper greatly appreciates that the City, in its comments on the Tentatively Selected Plan, has requested a number of crucial improvements to the plan. However, the City must now step up and take a co-leadership role in planning the massive investment in protecting the City's 520 miles of shoreline. The City's sustainability plan does not reference USACE's Tentatively Selected Plan and the infrastructure proposed pursuant thereto. PlaNYC calls for the City to continue to work with the USACE through the NYNJHATS program but fails to establish meaningful mechanisms to do so. The lack of specific details about the Tentatively Selected Plan and clear identification of potential opportunities and impacts for ways in which the plan will impact and contribute to future NYC sustainability shows a failure of the administration to fully engage in and develop a cohesive climate adaptation plan. Storm surge, increased rainfall, blue-sky flooding, and pluvial flooding are all significant current risks. The City is not prepared for the next hurricane, the next Ida, or the next Sandy. We have no cohesive strategy and New Yorker's lives are at risk. We hope the Council members will join Riverkeeper in urging the administration to establish specific goals and action items to promote greater engagement with the USACE, maximize community involvement, and identify alternatives to the Tentatively Selected Plan.

III. Advancing practical flood resilience solutions through the Bureau of Coastal Resilience

As the frequency of severe storms increases, NYC has a substantial need for heightened flood protection. Riverkeeper applauds the City for creating the Bureau of Coastal Resilience headed by the NYC Department of Environmental Protection (DEP). We hope assigning leadership responsibility to the DEP will unify long-term planning efforts and funding, increase coordination and efficiency, and improve maintenance of flood resilience projects. Riverkeeper is pleased to see that the DEP has already posted the position of Deputy Commissioner for Coastal Resiliency, however, Riverkeeper questions the City's ability to build and maintain the right team to focus on coastal flood resilience. The City's public agencies face severe staffing shortages which creates a lack of capacity to get things done. We urge the City Council to ensure that the Bureau of Coastal Resilience is appropriately staffed and funded to implement essential coastal resilience work. Developing equitable citywide coastal resiliency strategies must remain a priority for the City.

The City's flood resilience projects must evaluate and address the impacts of flooding from storm surges, sea level rise, tidal flooding, groundwater inundation, and pluvial flooding. The City needs to develop a holistic plan that addresses all sources of flooding. In addition, the City's plan must include natural and nature-based features (NNBF) to provide engineering functions to mitigate flood risk, while producing additional economic, environmental, and social benefits. Riverkeeper urges the Bureau of Coastal Resilience to work with community groups to incorporate NNBFs to the maximum extent practicable to reduce coastal flooding and to tailor flood resiliency projects to the needs of local communities and the environment.

IV. Building a green economy and expanding the City's Green Infrastructure Program

Riverkeeper commends the City for promoting a green economy in its sustainability plan. However, PlaNYC fails to set forth adequate recommendations to help improve and sustain New York City's Green Infrastructure Program to best serve our waters and all New Yorkers and prioritize low-income communities and communities of color who face disproportionate exposure to environmental hazards.

A. Establish action items to ensure the maintenance of green infrastructure assets

Despite the clear need, green infrastructure maintenance is notably absent from PlaNYC. The maintenance of green infrastructure assets in perpetuity must become a priority, especially as the City intends to construct thousands of new green infrastructure assets. Poor maintenance will undermine the success of such installations. Unless the vegetation is healthy, the day-to-day co-benefits for local neighborhoods cannot be felt. Therefore, we urge the Council to direct the administration to promote green infrastructure maintenance and create a green infrastructure maintenance budget to ensure the long-term care and operation of the City's green infrastructure projects.

B. Implement a job placement pipeline

The management of green infrastructure assets could create thousands of low barrier to entry -high-paying jobs in the City. The City must act to initiate and implement a job training and placement pipeline for long-term, sustainable green infrastructure inspection, operations and maintenance jobs. Green infrastructure maintenance jobs are sustainable jobs that the City will need in perpetuity. Green infrastructure assets perform significantly better with appropriate maintenance. Other city goals for 30% canopy cover and fulfillment of the Long-Term Control Plan (LTCP) consent order cannot be met without improved maintenance. Such a program must include:

- Increased funding for DEP and other agencies to hire year-round green infrastructure maintenance staff, with pathways for local job seekers to secure jobs and progress in careers within agencies beyond maintenance jobs; and

- Consideration for ongoing contracting and funding for local community-based organizations to do green infrastructure maintenance, following the RAIN Coalition model.

Given the success that the RAIN Coalition has had in implementing the green infrastructure maintenance pilot program, the City should consider the lessons learned from, and the success of, the public-private partnership by which the City funds non-profits to adopt and maintain the City's green infrastructure assets. These lessons include the need for year-long maintenance (not seasonal); the need for vegetation palettes that are carefully planned, robust and full throughout the year; local skilled job training for green infrastructure maintenance in tandem with local education and volunteer engagement. Though volunteers should be part of engagement and maintenance, they cannot fill the maintenance gap. It is also clear that any inspection and maintenance program will require a new and significant steady funding stream. The City should consider incorporating these costs into the overall budget for the Green Infrastructure Program set forth in the City's resiliency plans. The state revolving fund should be considered to support this additional funding.

C. Require Collaboration Among Agencies

The DEP does not have the capacity, resources, or—most importantly—the sole authority to implement green infrastructure across all development for the City. Other relevant agencies should be both supported and made accountable for incorporating the development of new green infrastructure assets into their capital projects and provided the budgets to do so, including funds for operation and maintenance. These crucial agency partners include, but are not limited to, DOT, the Department of Design and Construction (DDC), NYC Parks, and NYCHA.

Involving other agencies in the Green Infrastructure Program will require DEP to support the priorities and requirements of its fellow agencies as they pertain to green spaces and construction. For example, a DEP green infrastructure asset may be planted with small trees rather than quality shade trees to support NYC Park's tree canopy goals. Conversely, NYC Parks may be unwilling to support a water conveyance-adapted green infrastructure design on its property. In response to these conflicting priorities, New York City's sustainability planning should include actions focused on developing multi-pronged criteria that balance, for instance, NYC Parks' tree planting priorities and DEP's stormwater control needs collaboratively, rather than leave the two agencies to compete for space.

V. Identifying additional opportunities for daylighting

The Council should direct the administration to complete an evaluation of opportunities for daylighting waterways in the City. PlaNYC briefly mentions the daylighting of Tibbetts Brook in the Bronx as part of an LTCP that will reduce combined sewer overflows by 220 million gallons per year. In general, daylighting small streams and creeks, especially near their

headwaters, has vast ecological and community benefits. Daylighting increases hydraulic capacity, which helps to mitigate flooding, redirects water that would flow into combined sewer systems, generates new recreational and educational opportunities and removes nutrient pollution. There are other neighborhoods that would similarly benefit from daylighting local waterways. The administration should identify additional opportunities for daylighting as part of the City's actions to reduce combined sewer overflows.

VI. Identifying additional Bluebelt projects

PlaNYC states that the City will “expand the Bluebelt system where feasible across the five boroughs, building off the successful projects on Staten Island.” However, the City does not indicate where such projects may be installed. The City must provide guidance as to where such Bluebelts will be established. The City's goal in PlaNYC to expand the Bluebelt system is overly vague and meaningless without clear guidance and actionable initiatives. We urge the City Council to clearly identify Bluebelt projects outside of State Island in its stormwater flooding adaptation plan.

VII. Achieving 30% Canopy Cover

Riverkeeper supports the City's goal to achieve 30% canopy cover. PlaNYC specifically states that the City will work towards this goal “by preserving and maintaining existing trees and planting new trees.” New trees will be targeted in City parks and public rights-of-way, including along bike lanes and major pedestrian routes to subway stations, cooling centers and other key destinations, however, no specific locations or funding opportunities are identified. The City will be unable to achieve 30% canopy coverage without increasing the funding available for NYC Parks. PlaNYC must include additional funding opportunities to significantly increase the NYC Parks' budget to plant and maintain trees in the City's parks.

The administration must also be directed to address the collaboration between City agencies to achieve the City's urban tree canopy expansion goals. Multiple agencies will be required to work together to build out the City's tree canopy. City parks and the public rights-of-way are key target areas for new trees. NYC Parks, DOT and DEP will need to work together to maximize tree planting on public property. Opportunities will be lost as a result of inadequate coordination, and even competition for space among agencies.

VIII. Establishing separate water rates

The City currently charges for water, sewage, and stormwater based on a customer's potable water usage. This outdated approach does not treat customers fairly and equitably. Instead, it places too much of the responsibility on property owners who contribute little stormwater runoff into public sewers while giving the real culprits a free ride. An apartment owner may theoretically pay more for their use of water than a big-box retailer with a large roof

and parking lot that creates a significant amount of polluted stormwater. The current rate structure also fails to incentivize sustainable water management practices, such as green infrastructure that captures runoff before it can overwhelm local sewers.

The Council should direct the administration to restructure water rates to separate stormwater management and treatment fees from drinking water fees. A separate stormwater fee could reduce costs for most homeowners and owners of multifamily buildings, including for one-, two-, and three-family homeowners. Such a rate structure would generate revenue from nearly 100,000 properties that currently pay little or nothing for their large amounts of stormwater runoff. A rebate incentive for installing permeable practices and other green infrastructure could also help incentivize additional green infrastructure on private and public properties alike. These measures could be coupled with affordability programs for low- and moderate-income households to ensure rates are equitable and all New Yorkers have access to clean, safe drinking water.

IX. Identifying resilience and adaptation measures for environmental justice areas

We commend the Mayor for prioritizing environmental justice and health equity in many of the initiatives set forth in PlaNYC, but more needs to be done. We stand with the New York City Environmental Justice Alliance (NYC-EJA) and our other environmental justice partners to echo and support their message call for the City to clearly identify and prioritize environmental justice communities and establish specific adaptation measures for such communities as required by Local Law 122 of 2021. In October 2022, the Mayor's Office of Climate and Environmental Justice launched the City's climate adaptation website (AdaptNYC) in response to Local Law 122. The AdaptNYC website has failed to comply with the requirements of the law. Fulfillment of the mandatory duties set forth in Local Law 122 is critical to inform New York City's plans to adapt to sea level rise, storm surge risk, tidal flooding, increased precipitation, groundwater inundation and heat island effect. The Council passed AdaptNYC to direct the administration to make specific recommendations for neighborhoods based on their history and socio-economic demographics, in addition to their soil type and flooding vulnerability, but the administration failed to do so. It is incumbent on the administration to specifically identify resilience and adaptation measures and non-structural risk reduction approaches for environmental justice areas. It is insufficient for PlaNYC to merely reference future reports and plans that will be used to propose solutions to address environmental injustices. PlaNYC should take steps now to propose solutions where AdaptNYC failed to do so.

X. Launching a voluntary housing mobility and land acquisition program to facilitate future land acquisitions with federal and state funds

Riverkeeper joins other advocates in encouraging the City to carry out the proposed housing mobility program that will provide options including voluntary residential buyouts. The City must identify areas most prone to repetitive loss from flooding and explore acquisitions as a

viable tool to reduce flood risk. Such an approach would reduce the need for engineered solutions and the maintenance required to sustain them, fully reduce the number of residents at risk, and provide ecosystem benefits on land returned to nature.

XI. Improving enforcement

The City must improve enforcement of its environmental laws and regulations to effectively carry out many of the actions proposed. Of all these issues, enforcement might be the most crucial. The City's DEP, the State's DEC, and citizen watchdogs like Riverkeeper are working hard, and at the extent (or beyond) of their capabilities, but more needs to be done. We ask that the Council work to give the agencies the tools they need to enforce the suite of resiliency, ecosystem, and environmental protection measures and set forth a discussion of these efforts in PlaNYC.

* * *

Thank you for your consideration of Riverkeeper's testimony. Riverkeeper looks forward to working with the Council and the City to build a resilient future.

Contact:

Drew Gamils, Riverkeeper, Inc., 914.830.6120, Dgamils@riverkeeper.org



As a New York City operating innovator in the decarbonization field, we at CarbonQuest would like to applaud the sponsors for introducing Int. 611. The legislation timely and rightly focuses on carbon accounting. We are glad to see that the language includes any emissions reductions from boilers before CO₂ escapes into the atmosphere, and chemical or other conversion and sequestration of the resulting CO₂.

CarbonQuest is enabling buildings and facilities in New York City and New York State to lower their emissions with distributed carbon capture and utilization. Our system captures CO₂ during operations of boilers and Combined heat and Power (CHP) systems, before the CO₂ is emitted into the atmosphere, just as described in the proposed bill. Our CO₂ is then sequestered into concrete, or chemically altered to displace petroleum in products. We believe carbon accounting is an essential part of bringing our technology to some of the building stock in the city.

Given that 60% of New York City emissions come from buildings, the city needs as many solutions as possible to reduce emissions as quickly as possible from both city-owned and private buildings. Most buildings will electrify, but in some situations, electrification will be significantly delayed.

Specifically, resilient systems that generate their own heat and electricity with combined heat and power may not be able to electrify cost-effectively in the next fifteen years. This includes many buildings that often serve campus settings, like large building complexes, universities, and hospitals, as well as some large condos.

Urban Green, a nonprofit focused on building decarbonization, calculated in their [June 2023 report](#) that just in the multi-family sector, 40% of buildings belong either to “tough but doable” or “leapfrog” categories to achieve LL97 reductions by 2030, meaning that electrification will be very difficult to achieve cost-effectively within that time frame.

CarbonQuest offers an alternative to such buildings and those that must have resilience and therefore rely on combined heat and power (CHP). Our Building Carbon Capture™ system traps the carbon before it is emitted into the atmosphere, and our recycled Sustainable CO₂™ is then either sequestered into concrete or chemically altered into other products to displace petroleum. The same liquid CO₂ that CarbonQuest produces, is transported across the city daily to restaurants and hospitals and doesn't pose new safety challenges to the city. Our systems create jobs for the many union workers engaged in mechanical, pipe fitting and electrical work, and we are working with partners to build an industry for the city and the state of low-embodied carbon products.

We believe that carbon accounting is indeed necessary for all decarbonization efforts in the city, whether it is for carbon capture or for electric heat pumps or rooftop renewables. We believe that transparency, measurability, and verification of CO2 reductions of all technologies engaged in reducing emissions will greatly help the city and set an example.

For carbon capture specifically, there is federal precedent on carbon accounting, since carbon capture receives federal tax incentives proposed that passed in Congress during the Biden Administration. There are also certification bodies who can certify a carbon accounting methodology for carbon capture to an international ISO standard, and there are others who do annual 3rd party verification that the claims are accurate, and the CO2 has indeed been captured and redirected into beneficial use or mineralization. There are also nonprofits who help promote the best carbon accounting standards for our industry.

We would like to engage with the relevant city officials and members of this Council on carbon accounting, and help the city quantify our captured and utilized CO, among other technologies. We would like the City to develop clear guidelines on which certifications make most sense, so we can provide the right documentation when our carbon is captured in New York.

For additional information, please, contact Anna Pavlova at anna@carbonquest.com



Rami Dinnawi
Environmental Justice Campaign & Policy Manager
El Puente
6/15/2023

Testimony on Int. 611 - Carbon Accounting

Chairperson Gennaro and distinguished members of the Committee on Environmental Protection, Resiliency and Waterfronts,

I come before you today to provide testimony on the dangers posed by the 100-year carbon accounting method, as well as the misleading nature of carbon offsets and carbon mitigation technologies. While we commend and welcome the city's initiative in establishing a carbon accounting methodology, we also believe that the bill as written does harm environmental justice communities. As we navigate the pressing issue of climate change, it is crucial to understand the limitations and flaws inherent in these approaches, which can impede our progress toward achieving a sustainable future.

The 100-year carbon accounting method, commonly employed for calculating Global Warming Potential (GWP), fails to acknowledge the varying lifetimes of different greenhouse gases (GHGs). This method erroneously assumes that all GHGs have the same impact over a century, thereby distorting their actual climate impact. For instance, methane, a potent GHG, dissipates within approximately 12 years, whereas carbon dioxide persists in the atmosphere for centuries. Consequently, equating the two overlooks the urgency of addressing short-lived but highly impactful emissions.

Moreover, the reliance on carbon offsets as a means to compensate for GHG emissions presents a false solution. Carbon offsets involve investing in projects that claim to reduce emissions elsewhere. However, the lack of transparency and accountability in many offset projects raises significant concerns. It is challenging to accurately measure and verify the actual emissions reductions achieved, leading to potential double-counting and an overstatement of their impact. Furthermore, overreliance on offsets may divert attention and resources from directly addressing emissions at their source, inadvertently perpetuating unsustainable practices.

Similarly, carbon mitigation technologies, such as carbon capture and storage (CCS), often create the illusion of progress without delivering tangible results. While these technologies hold no credible scientific proof of concept, they are still being highly

promoted by the fossil fuel industry. CCS necessitates extensive infrastructure, substantial energy inputs, and limited storage sites. Placing excessive reliance on unproven technologies detracts from the urgency of transitioning to renewable energy sources and adopting sustainable practices that address emissions at their root cause.

To effectively combat the climate crisis, we must move beyond the flawed 100-year carbon accounting method and challenge the efficacy of carbon offsets and mitigation technologies. Our approach must be comprehensive and transparent, prioritizing the reduction of emissions at their source, transitioning to renewable energy, promoting energy efficiency, and adopting sustainable land-use practices. It is imperative to embrace accounting methods that accurately reflect the varying lifetimes of GHGs and capture their true climate impact, such as the 20-year carbon accounting adopted by the CLCPA at the state level.

In conclusion, the dangers inherent in the 100-year carbon accounting method, carbon offsets, and carbon mitigation technologies cannot be ignored. These approaches hinder our progress by perpetuating inaccurate assessments of emissions, enabling greenwashing, and diverting attention and resources away from fundamental solutions. To secure a sustainable future, we must prioritize comprehensive strategies that address emissions at their source, promote renewable energy, and employ transparent accounting methods that accurately convey the urgency of reducing short-lived, potent GHGs.

Thank you for allowing me the opportunity to present this testimony. I remain at your disposal for any further inquiries or discussions.

Sincerely,

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New York City Council
Testimony in support of Resolution #0605 to stop the dumping of
radioactive waste in the Hudson River
Food & Water Watch
June 15, 2023

I'm Alex Beauchamp, the Northeast Region Director at Food & Water Watch. We're a national environmental group with 200,000 members here in New York. Thanks so much for the opportunity to speak today. I'm here to urge the Council to pass Resolution 0605 in support of state legislation to stop the planned dumping of radioactive waste planned as part of the decommissioning of the Indian Point Nuclear power plant.

We're grateful to you, Chairman Gennaro, for your long-standing commitment to protecting New York's water. We remember well your strong – and early – leadership against fracking. We appreciate your being the co-prime sponsor of this resolution, and are grateful to Council Member Aviles for being co-prime sponsor. And we hope that it can be brought to a vote by the full Council as soon as possible.

New Yorkers desperately need our state government to get off the sidelines and stop Holtec, the German company charged with the decommissioning, from dumping radioactive water in the Hudson.. Holtec's current plan is to dump over a million gallons of water from the plant's spent fuel into the Hudson River as soon as this August. This wastewater contains several contaminants, including tritium. Tritium is a highly toxic and radioactive isotope that can lead to higher rates of cancer if inhaled, ingested, or absorbed through the skin. The planned dumping of this radioactive waste water poses significant risks to public health as well as to aquatic life in the river. Instead of dumping this radioactive waste into the Hudson, Holtec should simply safely store it and allow it to break down on site.

Up and down the Hudson River, New York's elected officials, both Democrats and Republicans, have come out in opposition to this dangerous and unpopular plan. To date, 31 local governments have passed resolutions urging New York to stop the dumping of radioactive waste, and we're excited for New York City to join that growing chorus of voices. It's no wonder that so many are standing up to stop this plan – the Hudson River is a treasure, and millions of New Yorkers rely on it

for drinking water and recreation. We must not put it at risk solely because of corporate greed.

The good news is that our state legislature seems to finally be listening to this growing movement. Last week, the Senate passed legislation banning the dumping of radioactive waste in the Hudson by a vote of 62-0. The Assembly adjourned without passing the bill but is now scheduled to be back for a special session next week, and we're hopeful this bill, A7208, will come to the floor. Then it is up to Governor Hochul to sign the bill into law. All this makes action by the City Council both timely and urgent.

On behalf of Food & Water Watch, I urge the Committee to approve Intro 0605 in support of state legislation (A7208) to stop the planned dumping of radioactive waste into the Hudson River. And we hope that it can be brought to a full vote by the Council as soon as possible.

6/15/23

Good afternoon,

My name is Aaron Jacobs and I am a resident of Midtown East. I've been participating in the NYC Idling Complaint Program since February of 2022. Since then, I have been responsible for over 700 summonses to commercial vehicles that have left their engines idling for over three minutes. I believe it is imperative to keep this program running and strengthen it in order to hold these companies accountable and improve the air quality of NYC. I have noticed more engines off since I began participating. However, there are many companies who DEFAULT on their payments and simply do not care about these fines. I think it is important to hold them accountable by increasing fines so they can get the message. The DEP oddly goes out of their way to weaken their own program. I'm not sure why since they are the agency tasked with protecting the air that New Yorkers breathe. I write this testimony in my support of this program, as it has caused smaller companies and even some larger companies to turn their engines off when they aren't loading or unloading. Companies such as BRINKS armored cars still seem to think they are above the law, idling everyday in the same exact locations. Please do your part to strengthen this program and keep it alive. No more variances for businesses that are going to idle no matter what.

This is more important than ever, especially since our air quality has diminished in the past week due to the wild fires. Please do your part DEP and hold these idling violators accountable and stop trying to weaken the rules to protect them. Also, it is shameful that the DEP administration NEVER answers emails or inquiries, despite how polite the citizens are in these emails. They fall on deaf ears and it's very disappointing. Remember, the DEP works for the citizens of NYC, not for big business polluters.

Thank you for your time and I hope the DEP makes the right choices for our environment.

Sincerely,
Aaron Jacobs
East 36th St

Testimony of Andrew Vãn BRISKER in Support of Introduction 898

Good afternoon. My name is Andrew Vãn BRISKER. I am a first-generation Vietnamese American, a Cancer Survivor, and I support Introduction 898, which tears down language barriers and expands access to the Citizens Air Complaint Program.

Thank you Chair Gennaro for convening this hearing, and thank you Council Member Avilés for sponsoring this important Bill.

The Citizens Air Complaint Program is the most successful citizen environmental program in the world! And I applaud the City Council for its strong commitment to broaden access to non-English speakers in this important effort to fight the climate crisis—a crisis made stark last week when an orange haze descended on our City and propelled New York to the worst air quality in the world.

The forest fires affecting Canada are an illustration of both a cause and consequence of the climate crisis. And the hazardous air quality we all could see, smell, and even taste both gave us a glimpse into what air pollution is like elsewhere in the world and reminded us how toxic New York City Air was before other important environmental protection laws like the Clean Air Act were passed. The transportation sector is the largest source of greenhouse gas emissions that drive climate change, which threatens clean air progress, and amplifies a wide range of health risks and disparities.

My family resides in Carroll Gardens, Brooklyn, and together with so many others joining us today are passionate allies of New York's Clean Air Community.

Each day, my 9-year-old daughter and I walk or bike our City streets to school, the park, to work, or to stores our neighbors own and run. Each day we breathe in way too much bad air. Bad air that KILLS.

Scientific studies make clear that tailpipe emissions from cars, trucks, and buses are a leading source of harmful air pollution in New York.

What's more, these toxic emissions from idling trucks and buses serve no purpose at all. Sadly, drivers often idle in front of highly-trafficked pedestrian places, like storefronts, restaurants, schools, playgrounds, and hospitals.

Tailpipe emissions are rife with particulate matter smaller than 2.5 microns in diameter, so-called “PM2.5,” which is 20 times smaller than even fine human hair. PM2.5 is the largest environmental health risk factor in the United States and is responsible for a whopping 63 percent of deaths from environmental causes. These particles are small enough to penetrate deep into the lungs, and the smallest can even enter the bloodstream.

In its 2023 State of the Air Report, The American Lung Association warned that air pollution is tied to a wide array of serious health effects at every stage of life, from conception through old age including lung cancer, asthma, and developing diabetes; increased risk of preterm birth and low birth weight; impaired neurological development and cognition in children; impaired cognitive function together with an increased risk of Parkinson’s, Alzheimer’s, and depression in adults; and early death from cardiovascular and respiratory causes, such as heart disease, stroke, influenza, and pneumonia. New research from April links people with asthma to an elevated risk for a variety of cancers other than lung cancer, including melanoma as well as blood, kidney, and ovarian cancers.

An analysis from the Union of Concerned Scientists reports that minority communities in New York inequitably bear the burden from the highest exposure to these toxic transportation emissions. That analysis finds Asian American, people of Latin descent, and African American New Yorkers are exposed to higher levels of PM2.5 pollution from cars, trucks, and buses than are white New Yorkers. Incredibly, Asian American residents are exposed to twice as much PM2.5 pollution as white residents. New Yorkers of Latin descent are exposed to 81 percent more vehicle pollution than white residents, and African American residents to 72 percent more.

The inequitable exposure of New York’s communities of color to transportation pollution reflects decades of decisions about transportation, housing, and land use. Decisions about where to place highways, where to invest in public transportation, and where to build housing have all contributed to a transportation system that concentrates emissions in communities of color.

Today we have an opportunity to begin to rectify this injustice.

And the good news is, cleaning up air pollution makes a difference! Rigorous scientific research has shown a consistent relationship between reducing air pollution concentrations and improving respiratory health in children and adults in communities that have reduced their levels of year-round particle pollution.

THANKFULLY the City Council established the Citizens Air Complaint Program, which empowers ordinary Citizens to safeguard our clean air, together. And it's working! New York's Citizens Air Complaint Program is the most successful citizen environmental program in the world! Hundreds of New Yorkers take part in this Program to submit complaints that document violations of the City's Air Code. Together, these Citizens are making a real difference in our air quality and to help ensure that companies like ConEd, Verizon, and Amazon that pollute our air with impunity are held to account.

I want to return to something important I mentioned at the outset: I'm a first-generation Vietnamese American. My mother fled a war-torn country knowing that those left behind would face torture and retribution from the ruling North Vietnamese.

In America, I still remember how her difficulties with English made daily life challenging: How simple activities like clipping coupons to purchase food, going to the doctor and being unable to read forms or describe ailments, or visiting a government office to process paperwork were so hard to complete. I still remember the frustration from people she interacted with when her accent led to confusion, how she frequently felt slighted, how she often felt shame, and how some lost their patience with her. And I still remember how 9-year-old "Andy"—the very same age my youngest daughter just turned—had to help his mom navigate police reports and insurance questions that time another car blew through the red light and smashed into ours.

Today we have an opportunity to broaden the Program's access to non-English speakers.

To empower non-English speakers in New York's most affected communities to take part, to influence the direction of social change, and to help begin to transform the structures and institutions that reinforce and perpetuate inequality in their communities to create a more just social order.

And so I implore you to support this bill too.

But there is more work to be done. And we must expand access to this Program even further.

Far too many roadblocks still exist: Arbitrary rules and needlessly complicated requirements, which constantly change and make it more difficult for Citizens to file

complaints, are implemented without notice and without any opportunity for public comment. Submitting and tracking a complaint, never mind receiving compensation for the significant investment of time and technology required, is a bewildering process.

Throwing up barriers frustrate Citizen participation and serve only to harm our health, harm our City, and harm our environment.

To that end, the trucking industry and business lobbyists, among others, are now trying to fast-track a new bill that seeks to undermine all of the City Council's hard work to clean up our air. A bill that seeks to subsidize corporate financial interests using our health and the health of our loved ones.

Don't let them.

In 2022, the Department of Environmental Protection issued 36,261 summonses that brought in \$8,365,950 in deterrent penalties. Each one of those fines represents cleaner air, fewer children choking on toxic fumes, and less brain and body damage for all of us.

Specifically, Intro. 1038 guts the Citizens Air Complaint Program by making it harder for ordinary New Yorkers to take part. It destroys incentives to participate. It drives down Citizen participation with the threat of receiving nothing in exchange for significant outlays of effort. It creates massive loopholes that let corporations pollute our air and get off scot free. And it rolls back clean air provisions that have been on the books for decades.

It has been unlawful to idle for more than three minutes in New York since 1972, but the anti-idling law went virtually unenforced until the City Council wisely passed legislation establishing *Citizen*-enforcement under this program.

As the Council found, City employees issued just 245 violations for illegal idling before the Program was established in 2015. This year, the Department received 7,428 complaints in January; 7,304 in February; and 8,431 in March—putting the Program on a trajectory to hit more than 90,000 complaints in 2023. Wow!

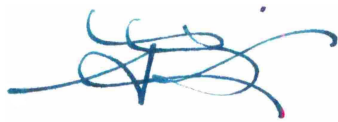
The anti-idling Program is working, and now the trucking industry and business lobbyists want to gut it by breaking its backbone: Citizen enforcement. New York has made real progress and simply cannot afford to backslide. These moneyed interests must not prevail. And so I urge you to oppose Intro 1038, this horrible bill.

Clean air is not just aspirational stuff to strive for: It is the law of the land. As you know, New Yorkers recently approved a constitutional amendment that enshrines our right to clean air in the State Constitution.

And so, today, I urge you to bring Intro. 898, this important bill now before us to expand access to the Citizens Air Complaint Program, up for a vote without delay. We must encourage more Citizens to take part in the Program if we are to end the scourge of idling once and for all.

Air pollution does not discriminate, and New York City Agencies must not either.

Thank you for your time and attention.



Andrew Vän BRISKER

Brooklyn, NY

June 16, 2023

Written Testimony by Carole Chervin, ### W. 110th St., New York, NY 10025
In support of Int. 0286-2022 and 0960-2023.

I am a member of a group of concerned citizens called “Serenity.” This is my personal testimony, which I have not run past the group.

- 1) **What is the current problem with ambulance sirens** Ear shattering decibel level - 120 decibels — scientifically, medically harmful to human ears — especially babies and children

- 2) **When did it become a problem?** This was not always a crisis as it is now. Our perception is that the decibel level increased significantly in the year or two before the pandemic — i.e. in 2018 or 2019. If it was raised, it can be lowered.

- 3) **Who is responsible for current siren regulation:** NY Fire Dept. regulates all the other ambulance practices, including sirens. The FDNY claims the decibel level is required by national regulation, but have not responded to follow up questions asking for a citation to such regulations. With all due respect, we do not believe this to be true. We note that other cities and towns have sirens that are much lower in decibel level than NYC. If anything, NYC — with it’s tall buildings that echo back the siren’s sound — warrants lower, not higher, decibel level.

- 4) **Who suffers the most from the dangerously high decibel level?** As much as I am disturbed, and even hurt by the piercing loud noise, I at least can push my fingers against my ears and diminish the sound. However, many others are not able to do this, such as:
Seniors wearing hearing aids
Bicycle riders whose hands are not free to do that
Babies and children

- 5) **Who benefits from the dangerously high decibel level?** No one.

Scientific studies have failed to show any health benefit to public health when sirens are required. People do not get to hospitals appreciably faster, and even when they do, neither health nor lives are improved. What would get ambulances to their destinations faster, on the other hand, would be even a modicum of enforcement of the law requiring drivers to pull over. There is currently no enforcement, and no one clears the way.

- 6) **Are sirens used more often than necessary?** Yes, sirens are sounded even when the ambulance driver knows full well that it is not necessary. Why is this? Driver liability. Under current guidance from NY Fire Dept., ambulance drivers are required to use the lights and sirens NO MATTER WHAT THE CIRCUMSTANCES — or else they face PERSONAL LIABILITY if they get into an accident. This guidance (FDNY OGP 200_05) does not track New York state law. Under NYS Vehicle and Traffic Law 1104, the driver is permitted to use his or her own judgment and to not use the sirens unless they are deemed reasonably necessary.

- 7) **What can be done immediately:** Suggest NY enforce the law that cars pull over. We all see that the large majority of cars do not pull over and there are no consequences.

8) **What can be done in the medium term:** Pass these two bills lowering the decibel level of the ear-piercing and damaging sirens

9) **What can be done in the longer term:** Invest in technology that allows ambulances to send alerts into the cabins of cars directly. This would require national regulations of cars sold and ambulances of course.

10) Final note: Councilwoman Rivera said Mt. Sinai switched to high-low signal in 2018. They did try it back then, but they have since discontinued.

My name is Chris Hartmann, and I strongly support Introduction 898 to broaden access to the Citizen Air Complaint Program. This bill is a good first step for increasing access to the Citizen's Air Complaint portal, which, until recently, was written only in English.

I live in Manhattan, and I have participated in the Citizen Air Complaint Program for approximately two years. In my neighborhood, where most of my complaints were recorded, I have noticed that the number of idling vehicles has decreased substantially. Once-chronic idlers no longer idle (or idle much less than they used to) because of the fines levied thanks to this program. This is excellent news and evidence that the anti-idling program is working!

I want as many New Yorkers as possible to learn about the anti-idling program so that they can participate. Their participation will further reduce air pollution in their neighborhood and across the city.

However, the Citizen Air Complaint Program's requirements – which are subject to change with no notice and little or no input from citizens – are onerous, not publicized well, and difficult to understand. For instance, updates are posted to an obscure website with no advanced notice and no input from citizens. Complicated and legalistic writing is confusing to lay participants like myself. As it currently exists, the Citizen Air Complaint Program falls short of ensuring environmental justice.

Two leading principles of Environmental Justice are representation and process. According to the Delta Stewardship Council, representation in environmental justice refers to "impacted communities are represented in the decision-making process." New York City residents have made this program flourish and should be included in the decision-making process for the Citizen Air Complaint Program. Doing so is just. And the Delta Stewardship Council describes process as "planning processes and decision-making are fair, transparent, accessible, and provide opportunities for impacted communities to participate." Again, it is incumbent on DEP to ensure that all NYC communities, especially those most impacted by air pollution, are encouraged and welcomed to participate in the Citizen Air Complaint Program.

Please bring this important bill to broaden access to the Citizen Air Complaint Program to a vote soon. Further, the Committee should ensure that the principles of environmental justice, including representation and process, are at the forefront of decision-making around the Citizen Air Complaint Program.

6/17/23

Dear Leaders,

Please support funding and community education to expand NYC's tree canopy and growing of our urban forests.

When looking at the daunting and complex problems facing us - extreme weather, hot cities, air pollution, crop uncertainty, supply chain issues, higher costs, growing human populations yet diminishing vital natural resources - certain solutions reveal themselves as smart and within reach such as supporting urban forests, tree planting and tree stewardship.

Trees pull CO2 and other pollutants from the air and expel oxygen humans need to breathe. Trees create cooling shade to help mitigate the heat build up of impermeable surfaces prevalent in cities and also stabilize land which helps during storm flooding. Add that to the tree's ability to produce food and shelter for humans and wildlife and you can understand a nature-known solution ready for human leaders to adopt.

Please support expanding NYC's tree canopy and funding for planting, maintaining mature trees and educating the public on the importance of our urban forests to our health and well-being.

Sincerely,

Christina

Christina Delfico
Concerned NYC resident

From: David Vassar <vassardavid@hotmail.com>
Sent: Monday, June 19, 2023 4:27 PM
To: Testimony
Cc: David Vassar
Subject: [EXTERNAL] My Support of prospective Legislation

Greetings. I listened to Friday's NYC Council hearings on Friday and wish to comment on four of the legislative items taken up; thanks in advance for your attention.

- 1) **Int. No. 286** - in relation to requiring alternating high and low, two-toned signal devices on emergency vehicles

I thank Councilmembers Gale Brewer and Carlina Rivera for strongly supporting a significant reduction in the decibel level of EMS sirens, which for way too long have been maddeningly, injuriously loud devices, a sonic assault, spiking stress levels of everyone in the in the siren's blast zone—pedestrians, cyclists, even those indoors yearning to enjoy a little peace in this already noisy and often chaotic city.

In particular I favor what CM Brewer referred to as the "Rumbler," an ingenious use of vibration to get motorists' attention and much quieter than the standard deafening shriek of EMS sirens. For the well-being, health and sanity of embattled New Yorkers Citywide—whether on the streets or indoors in the siren's vicinity—please enact Int. No. 286, which will help bring about a healthier, more peaceful, human-friendlier NYC.

- 2) **Int. No. 898** - in relation to translating the citizen's air complaint program portal into the designated citywide languages

YES! Making this crucial portal accessible to ALL New Yorkers is a human right, an imperative of any true Democracy.

- 3) **Int. No. 983** – in relation to mandating the construction of solar canopies in certain parking lots

YES! Using so much of our precious urban surface space to accommodate privately owned polluting, space-devouring motor vehicles has always been an outrageous policy.

Let's at least make the most of this tragic status quo by installing as many solar canopies as possible in these otherwise badly misallocated spaces.

- 4) **Res. No. 605** - in relation to prohibiting the discharge of any radiological agent into the waters of New York State

YES! Our proud and longsuffering Hudson River has already suffered way too many industrial abuses for way too long—toxic substances like automotive paint and manufacturing discharges from upriver plants, Con Ed's decades-long wastewater with discharges of poisons like benzene and PCBs, and all manner of toxic maritime vessel discharges.

Tritium, which emits potentially lethal levels of radioactive beta particles during the first 25 years or so of its life, would be present in significant quantity in the wastewater that Holtec proposes to release, way too rapidly, into the Hudson as early as August.

As a necessary alternative, Holtec must aggregate and safely store the wastewater onsite at Indian Point for several decades—i.e., until the water's lethal levels of radioactivity have dropped to an acceptably safe level.

Thank you for your attention to my comments.

David Vassar /
W. 123 St.
New York, NY 10027

When the spirits are low, when the day appears dark, when work becomes monotonous, when hope seems hardly worth having, just mount a bicycle and go out for a good spin down the road, without anything but thought for the ride you are taking. --*Arthur Conan Doyle*

Testimony June 15

I would like to testify that sirens on my street on UWS are a problem.

There is a rehab hospital at the end of my street on W87th st. This is supposed to be a "quiet" street, where, as I understand, sirens should not be allowed. Apart from the rehab hospital at the end of the street, the street is entirely residential. It is mostly brownstones.

Several times a day, an ambulance (not the same ambulance, but different ambulances) drives down the street, with its siren on, and stops outside the hospital. This rehab hospital does not have an ER. It is for rehab. Nobody being taken there is in a state of emergency. Presumably the ambulances just find it more convenient to get through traffic by having their siren on.

But W87th St is supposed to be a "quiet" street.

These ambulances with sirens, several times a day, are extremely noisy and disruptive. We (various neighbors) have tried complaining to the ambulances (by walking over to them when they are stopped there in the street, with their sirens on), and to the hospital. Neither are responsive.

I would like there to be greater enforcement of the "quiet" street rule. It is also completely unnecessary for these ambulances to use their sirens when picking up or transporting patients who are not in an emergency.

Deborah Brewster

W87th St.

Dietmar Detering
47th ST
Sunnyside, NY 11104

NYC City Council

Committee on Environmental Protection, Resiliency and Waterfronts

June 18, 2023

RE: Comment in Support of Intro 989

Chair Gennaro, Committee Members,

Thank you for taking the time to fine-tune the city's successful vehicle idling citizen complaint program. I am a member of the DEP's citizen air complaints working group. The DEP told us, perhaps a year ago, that over 6,000 citizens registered to participate in the program. But how many are actually actively participating in it, as opposed to quickly turning away in frustration? I encourage you to find out from the DEP, as the program appears to be a program largely limited to a highly educated group of activists, featuring many JDs, MDs, and PhDs.

Why is that? It is because of the many built-in sources of frustration. It is the many rules, the frequent changes to the rules, the many deviations of those rules from the letter of the law, the difficulty to figure out all the data for your complaint to be accepted - if you get the video just right! - and all the other expert tasks left to the complainant. And did I mention the special challenge of actually collecting your award from OATH? All this can become a routine to experts, but to others this amounts to giant barriers to entry. I don't think that this is what the City Council had in mind six years ago when discussing this program.

Intro 898 will fix one of these barriers, and I strongly support it. However, that still leaves many more barriers. You have it in your hands to hold the DEP accountable to turn the program into, and maintain it as, a CITIZEN air complaint program.

Please also don't get tricked by DEP and polluters to believe that Intro 1038 by Julie Menin is meant to strengthen the citizen air complaint program. On the contrary, it will weaken it by giving polluters a difficult-to-enforce way out of paying a fine (when the easy way would be to just turn off the engine) and giving DEP rule-making powers which were previously, and wisely, denied to the agency that had failed for decades to turn a pro-idling culture in NYC into an anti-idling culture.

Sincerely,

A handwritten signature in black ink, appearing to read "Dietmar Detering", written in a cursive style.

Dietmar Detering

My name is Eric Eisenberg. I'm a local attorney and serve as one of the members of the DEP anti-idling working group.

Our NYS Constitution now makes clear that "EACH PERSON shall have a right to clean air and water, and a healthful environment." The wording is "each person." It's not "each white person." And it's not "each English-speaking person." Every single person has a right to clean air in this State. That should not be a controversial statement.

Yet NYC's Department of Environmental Protection disagrees with it. DEP's online instructions begin: "INSTRUCTIONS FOR CITIZENS AIR COMPLAINTS. All questions are required to be answered in English." This is disgusting. This is racist. Hispanic New Yorkers who speak Spanish, Asian New Yorkers who speak Chinese, Korean or Bengali, and Black New Yorkers who speak Haitian, they all are entitled to the DEP's assistance in achieving clean air in their communities. And foreign language statements are good evidence at OATH. OATH has translators on call and makes them available at every hearing.

City Council must immediately pass Alexa Aviles' Intro 898 to tell the DEP it must stand up for clean air for all New Yorkers, instead of giving in to the DEP's lazy, bureaucratic impulse of limiting its workload by arbitrarily refusing to address air pollution complaints.

Unfortunately, Intro 898 only partially addresses the problem, as DEP's arbitrary policy choices have made its anti-idling and air pollution program inaccessible, and inhospitable, to not just those who speak foreign languages, but to the public at large.

For example, DEP regularly insults citizen participants, by calling their submissions frivolous, based on DEP's questionable interpretations of the idling law. DEP has set arbitrary policies over the years like requiring citizens to run out into the middle of the road to get footage of an idling truck "from all four sides." It has insisted that idling delivery trucks that have fraudulently obtained passenger plates or removed their plates cannot be pursued for idling. It has required footage well beyond the legally mandated 3 minutes. It refuses to pursue idling buses that have simply left their door open while folks occasionally step on and off. It has excused all idling by the armored truck company Loomis, even when the employees simply abandon their idling vehicle to eat lunch.

I encourage all Councilmembers to read the DEP's idling FAQ, and ask themselves whether anyone without legal counsel could make sense of it.

And what's worse, despite the numerous errors DEP makes, when a citizen makes an unintentional error in an idling submission, DEP issues the citizen a summons. For example, DEP issued one to a pediatrician over a file uploading error, who spent over \$5,000 in legal fees successfully clearing his name in administrative court.

This is, to put it mildly, not how you encourage citizen participation or promote clean air.

DEP's arbitrary and obviously unconstitutional policymaking harms our air, harms our planet, and harms the health of New Yorkers of every kind. And, when the city pays for lawyers to defend the DEP's actions in the multiple pending lawsuits seeking to get DEP to do its job, DEP's unconstitutional policymaking harms the city's pocketbook too.

Please, pass Intro 898 to broaden access to the air pollution program, and stand against any attempt by the DEP to give itself more power to engage in environmental harmful rulemaking. That includes removing Section 3 of Julie Menin's Intro 1038-A, which would give DEP near-limitless rulemaking power to harm New Yorkers. City Council, as our City's legislature must write and clarify our idling laws, and not simply leave it to the DEP to continue to eviscerate the constitutional right to clean air of "each person" in New York.

Testimony of Hayden Brockett in Support of Introduction 898

My name is Hayden Brockett, and I support Introduction 898 to broaden access to the Citizen Air Complaint Program. This is almost certainly the most successful citizen environmental program in the world, and I commend the City Council for its commitment to expanding access to this important program to non-English speakers. Thank you to Chairman Gennaro for setting this hearing and to CM Aviles for sponsoring it.

My two sons and I live on the Upper West Side of Manhattan, and together with all New York residents, we are members of the Clean Air Community. Every day, my children and I walk the streets of New York to school, the park, or to work. Every day, like all New Yorkers, we are exposed to far too much air pollution. Air pollution kills. Vehicle exhaust causes dementia, low bone density, and learning difficulties, in addition to asthma and lung cancer. Pollution from idling cars, trucks, and buses is especially troubling because it serves no purpose whatsoever.

Fortunately, the City Council created the Citizen Air Complaint Program, which empowers citizens to protect our clean air together. Hundreds of New Yorkers have registered to participate in this program. A smaller number regularly submit complaints documenting violations of the City's Air Code. Together, these citizens are making a difference in our air quality, causing drivers to shut off their engines while not in use and ensuring that companies like ConEd, Verizon, and Amazon that pollute our air are held accountable. But there is more work to be done, and we need to expand access to this program even further.

There are still far too many barriers to entry for this program. Stopping illegal idling should be as simple as a citizen seeing a violation, recording a video, and sending it to the Department of Environmental Protection to issue a ticket. But DEP has imposed complicated rules on citizens, which it changes constantly and with no opportunities for public comment. The barriers DEP has set up harm our environment by discouraging citizen participation.

To take just a few examples, DEP makes citizens research company names and addresses themselves, something that usually is the task of lawyers or paralegals. DEP also refuses to look up prior violations committed by a given company vehicle, putting that burden on the citizens. DEP further frequently insults citizens who submit complaints, calling their valid complaints "frivolous" when DEP simply has a disagreement with the interpretation of the law against idling.

What is worse, rather than going after polluters, DEP has prosecuted citizens who made errors in submitting complaints. DEP has charged five citizen complainants with making false statements when, to my knowledge, they just made mistakes in using DEP's extremely cumbersome website to submit complaints. Let me be clear: DEP has not found any fraud in the

program. It has only asserted that citizens made false statements, when it appears to me that the citizens made innocent errors. DEP's actions put a serious chill on citizens' participation in this program, which should be open to all New Yorkers.

As a result of DEP's actions, it is extremely complicated to submit a video to DEP, let alone be paid for a successful violation. The DEP should engage with citizens to make this program much more accessible, including by simply releasing an app to let citizens capture a video and send it directly to DEP. And if DEP doesn't want to prosecute a particular complaint, rather than falsely calling a citizen's complaint "frivolous," it should do what the law requires: permit the citizens to bring a case before OATH and let a Hearing Officer decide if it has merit.

I applaud the Committee for today's hearing on Intro. 898. Please bring this important bill to expand access to the Citizen Air Complaint Program up for a vote soon. The Committee should also ensure that DEP stops throwing up barriers to participation in the most successful citizen environmental program in the world.

The sirens on emergency vehicles in NYC are too loud and too abrasive.

We live in Fort Greene, in Brooklyn. There is a hospital nearby, and two major axes that take FDNY vehicles from Boerum Hill into various areas of Brooklyn. It is therefore natural that each day, dozens of emergency vehicles drive through the neighborhood.

What is not necessary is the quality of their sirens. High-pitched wailing at 115 decibels and over, even at 4AM (why?), the noise level is untenable and unhealthy, as a recent piece in the New York Times

<https://www.nytimes.com/interactive/2023/06/09/health/noise-exposure-health-impacts.html>) shows.

Other major world cities do not suffer from this problem. Paris, Rome, Tokyo, London, Madrid – city administrations there have been able to manage the issue, with no loss in the effectiveness of their emergency services. They use lower-pitched two-tone sirens, or rumpers, and do so judiciously, i.e. when needed. Why is NYC unable to do the same?

One wonders if ambulance-chasers are to blame for current practices in NYC. If so, surely the City could indemnify itself against such bottom-feeders?

The installation of rumpers would seem to be a first step towards siren reform. The residents of our neighborhood therefore support this bill with fervor.

Best,

John Stewar

Judith Gross, Esq.
East 27th Street
New York, NY 10016

June 14, 2023

Testimony in Support of Int 0286-2022 -Siren Noise

I am writing in support of this Bill which will limit the decibel level of sirens as well as requiring high and low, two-toned signal devices.

I am a long-time resident of the Murray Hill area and live now with almost constant siren noise, much of which is so loud that it is just unbearable. The noise is so very loud, that it penetrates my apartment on the 11th floor, even with windows closed. It makes walking down the street unpleasant and physically difficult.

I am not sure what purpose these extremely loud sirens serve, or even whether they are being used only in emergency situations. The noise is constant, lasting well into the night!

Science now tells us that prolonged exposure to loud noises is a health hazard. Just last week, the New York Times had an article about this: "*Noise Could Take Years Off Your Life. Here's How*"¹. Also see "*Noise in the nervous system*"² about the NIH study on how excessive amounts of loud, unpleasant noise can lead to multiple health issues and a heightened risk of heart disease, heart attacks and strokes.

This is not just an annoying problem. It is a true health risk and is making our City unlivable!

Please pass this Bill!

Sincerely,

Judith Gross



(not me, but someone just like me!)

¹ See: <https://www.nytimes.com/interactive/2023/06/09/health/noise-exposure-health-impacts.html>.

² See:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2631351/#:~:text=Noise%20permeates%20every%20level%20of,for%20information%20processing5%2C6>.

To whom this may concern,

This statement is a testimony to confirm that I have lived in this community greater than 28 years. Day in and day out, emergency vehicles have blazed up and down the streets all hours of the day and night flashing sirens and blazing alarms in non-emergency situation just to continue in their pursuit to the supermarket, local store or just avoid stopping at a red light. This is appalling and deemed abuse according to one 311 representative.

This not only happens in my community, but I've witnessed it in other communities where I have worked or visited family and friends. This has to stop! How will we know how to respond in an actual emergency when they continue in this unethical fashion?! We have to cover our ears walking down the street or muting our telephones while on conference calls to not interrupt speakers as they go forth in what was being spoken until, suddenly and abruptly a loud sirens drowns out the meeting. This should not be! I have emails from years back that I have taken the time to write to the heads of these agencies only to fall upon deaf ears or make erroneous justification for this abuse. They not bothering to consider the fact that it has been eyewitnesses to this inexcusable conduct. I have dates/times and emails that can be forwarded for viewing if necessary. Council woman Brewer was the only politician that I know of that took action when the matters hit her doorstep! I thank her and appreciate it very much! In essence, these abusive and unethical actions must come to an end immediately!

Thank you for you time.

From: Linda Novenski <makebelieveart46@gmail.com>
Sent: Sunday, June 11, 2023 8:40 AM
To: Testimony
Subject: [EXTERNAL] Res 605: No Nuclear Waste Dumping

Greetings,

I urge the council to keep any radiation waste water onsite. Dumping into the Hudson River may look like you are disposing of it, but tritium is a forever contaminate, and cannot be removed from the water. Do not compound the toxic spreading of nuclear waste by dumping in our precious Hudson River.

Do the Right Thing,
Linda Novenski
W 37th St.,

New York, NY 10018.....on the Hudson.

June 15, 2023

New York City Council public hearing,
Committee on Environmental Protection, Resiliency, and Waterfront

Resolution 605: calling upon the New York State Legislature to pass, and the Governor to sign, A5338/S5181, in relation to prohibiting the discharge of any radiological agent into the waters of New York State.

Thank you very much for this opportunity.

My name is Mari Inoue. I am an attorney and I have been living here in New York City for more than 25 years. I am testifying in support of Resolution 605 which prohibits dumping of any radiological agent into the waters. We also need to urge Governor Hochul to support and sign relevant New York State Legislations; the NYS Senate unanimously passed it last week, while a similar Assembly bill has not passed yet but will be discussed at a special session next week on Tuesday, June 20.

I support Res 605 because I am concerned about Holtec International's plans to dump highly radioactive wastewater from the Indian Point nuclear facility into the Hudson River. The Indian Point is located only 24 miles north of New York City. At a public forum held on April 27 this year, Holtec explained that they need to "process" and dump approximately 1.3 to 1.5 million gallons of wastewater from the radioactive fuel pools, a refueling water storage tank, the reactor cavity, and elsewhere. The dumping might start as early as September. The so-called "processed" wastewater that will be dumped into the river contains tritium (radioactive hydrogen isotope) and possibly other radioactive isotopes. Such dumping can negatively affect the health of local communities and the sustainability of the environment.

The proposed dump of radioactive wastewater into the Hudson River is an environmental justice issue because communities near the Indian Point are already burdened by other toxic emissions, including from an incinerator plant and a wastewater treatment plant. Also, several towns get their drinking water from the Hudson River. New York City should stand in solidarity with these environmental justice communities.

We also need to be mindful that there is no safe dose of ionizing radiation, all exposures are cumulative, and some isotopes are extremely long-lived.

I would like to emphasize that dumping of radioactive wastewater cannot be and should not be justified on the grounds that tritiated water or other radioactive wastewater is routinely dumped by nuclear power plants and other nuclear facilities.

I would like to highlight that the characterization of tritium as harmless is reckless and counter to science. Tritium is clinically shown to be more effective at damaging and destroying living cells than gamma rays.¹ Numerous studies indicate that tritium can produce typical radiogenic impacts including cancer, genetic effects, developmental abnormalities, and reproductive

1

http://static1.1.sqspcdn.com/static/f/356082/6590573/1271634765367/LeakFirst_FixLater_BeyondNuclear_April182010_FINAL.pdf?token=feLszNy5SIzTvzMOiPdCImZ1h%2Fw%3D

effects.² Tritium can cause mutations, tumors and cell death.³ Studies also indicate that lower doses of tritium can cause more cell death, mutations, and chromosome damage per dose than higher tritium doses.⁴ Tritium crosses the placenta and could impact embryo and fetus.⁵

Furthermore, “Current understanding of organically bound tritium (OBT) in the environment,” a scientific report published in 2013 in the Journal of Environmental Radioactivity reported that “Unlike for tritiated water (HTO), the environmental quantification and behavior of OBT are not well known.”

Therefore, any plans related to the discharge of tritium and radioactive material into the environment should be avoided based on the precautionary principle and environmental justice in order to protect a clean and healthy environment for members of our communities.

Please support Resolution 605 and urge Governor Hochul to support and sign relevant New York State Legislations.

Thank you very much.

Sincerely,

Mari Inoue

²

<http://static1.1.sqspcdn.com/static/f/356082/6736687/1272554001127/Tritiumbasicinfofinal.pdf?token=SxdS4hntm2CjyrYcdNSH0sfpxBY%3D>

³ Id.

⁴ Id.

⁵ Exploring Tritium Dangers, Health and Ecosystem Risks of Internally Incorporated Radionuclides, Arjun Makhijani (2023) <https://ieer.org/wp/wp-content/uploads/2023/02/Exploring-Tritium-Dangers.pdf>

From: M Es <matthew.e.schatz@gmail.com>
Sent: Friday, June 16, 2023 11:27 AM
Subject: [EXTERNAL] Testimony regarding preventing the dumping of Radioactive waste into the Hudson

Written Testimony In Opposition to Dumping Radioactive Waste into The Hudson

In contrast to barging the waste, trucking the waste, railing the waste, letting the contaminated waste water evaporate a.k.a "evaporating the waste";
Diluting the waste in the Hudson seems like the best option.

But that doesn't mean it's a good option.

Let me ask a rhetorical question...

If the city of New York were to graciously supply you a glass of tap water to quench your thirst on this beautiful day, and then I came around and before you drank, pipetted a microliter of tritium into your glass, would you then drink that water?

Would you swim in that water, boat, or stand too close to that water??

Not only would I probably be instantaneously arrested, I can safely assume you would not want to use that water no matter how diluted the tritium in the solution would be.

Dumping the radioactive toxic waste in the Hudson is precisely the same thing.

So the answer is to simultaneously say no to Holtec in allowing them to dump the waste in the Hudson, while coming up with both a safe and achievable law on how best to dispose of spent radioactive waste for the future. While waste disposal that will create the least harm will require more time, money and over site for a company like Holtec, isn't that the whole point of hiring someone to do a job for pay for the betterment of the populace?

Currently from what I have learned the best plan would be to store the waste, underground, on site in a radioactive proof locker to be left for the waste to decay through many half lives for about 160 years so the impacted waste is no longer radioactive.

I was hopeful to learn that over 30 NY State municipalities have come out against the plan to dump the waste in the Hudson, but was disappointed and chagrined to find out that New York City, the greatest city in the world, which lest I remind you is surrounded on all sides by the Hudson; the Island at the Center of the World, has not passed a finalized resolution against the dumping of its own.

I know one exists but not enough council members have signed on nor has speaker Adams who is sponsoring the resolution pushed with enough force and vigor to get the resolution passed.

I hope today is the day that changes that.

Dear NY City Councilmembers,

I am writing to address a pressing concern impacting our midtown Manhattan community and New York City at large: the escalating ambient noise pollution primarily due to traffic-related sources and a major contributor is siren noise.

Noise, often dismissed as a mere nuisance, is a significant contributor to health issues like stress, sleep disorders, and hearing loss. Robyn Gershon, a professor at Columbia University's Mailman School of Public Health, terms it a "hidden hazard." Alarming, a study carried out by researchers from Columbia University and the University of Washington revealed that most noise readings across various Manhattan locations, even those intended as quiet parks, exceeded 70 decibels—a level that can induce hearing loss over time with sustained exposure.

Our city, particularly bustling areas like Midtown Manhattan, frequently breaches the NYC Department of Environmental Protection's acceptable daytime noise levels of 85 dB, due mainly to traffic-related noise such as sirens, car alarms, and honking. We must recognize and address the potential health risks associated with these high noise levels.

While we relish our city's vibrancy, our right to peace and tranquility should not be overshadowed. It's essential that we actively work towards mitigating traffic-induced noise pollution. Measures such as advocating for quieter sirens, encouraging responsible use of car alarms, promoting considerate honking habits, and supporting the implementation of noise-abating traffic technologies and urban planning strategies can help create a more peaceful environment.

I urge the city council to remain aware of our noise footprints and take steps to reduce them by requiring alternating high and low, two-toned devices only for emergency vehicles. Together, let's cultivate a more harmonious, peaceful, and healthier New York City, preserving our city's spirit without compromising our well-being.

Thank you for your time.

Sincerely,
Molly Hollister

6/18/23

Re:City Council Bill Int 0960-2023

Requiring authorized emergency vehicles to have an emergency signal device that emits pulsating, low-frequency tones.

Testimony

Re: the impact of sirens on my well-being

I live on the third floor of a building that faces Ocean Avenue. In this area there are 4 to 6 story buildings facing each other for many blocks. I can hear a siren from at least four long blocks away - I've walked down and watched - when I'm in my apartment I immediately register the sound and cannot help but track it as it approaches. As it gets louder and louder I am sure it cannot get any louder. The intersection down my street is deceptive because the sound lowers for a split second, then increases in volume as it comes up the corridor. The sound is echoed and amplified by the brick walls facing my windows. I read somewhere that being on the second or third floor is actually worse than being on the first; maybe the siren bounces off the street as well. By the time it reaches my apartment it is - literally - deafening. I have had people ask me, on the phone, where ARE you??! I tell them at home. For that moment the siren is passing it drowns out their voices. It drowns out the television. I lose words my daughter is saying right in front of me. I do not have any medical hearing issues. Some ambulances have double sirens - I know the Hatzolah does.

I am absolutely certain the sirens passing my apartment building are impacting my health. My stress levels skyrocket when an ambulance goes by. I put down whatever I'm doing and close my ears with my fingers and vocalize a "la-la-la-la-la" at a frequency that blends with the noise. Everything stops while it goes by. If there are several in a row my concentration is completely broken. Advice to use ear plugs is ludicrous. Same with "white" noise. It's just adding noise to noise and doesn't work. They also sound like despair, death, illness. They're not just a sound.

At this point a siren feels like a thin copper pipe going into my ear canal.

I am sure it is affecting my sleep.

I do not want to live in a prison of sound, or air. I'd like to keep my windows open in the warm months for fresh air, and frankly, just to feel human.

For people who live on busy corridors, not only are there sirens, but there are school buses (very loud), commuter buses, noisy trucks, trucks with loose loads, motorcycles, cars with exploding mufflers. Until those issues are mitigated and electric vehicles replace everything, there is nothing to be done from a unified source. At least the sirens can be changed!

Regarding this bill: I have heard the rumbler sirens. They ARE different. They are softer, less intrusive, and if I can hear them up here, the vehicles in front of them can as well. They don't make me jump. In fact, I feel grateful for whoever opted to run the rumbler instead of the shrieking siren.

I am so glad I reached out to the council and was informed of this, and can contribute my experience. I hope it helps.

Sincerely,

Naomi Nissen
emailtonaomi@gmail.com

NYDIA LEAF

West 95 Street ### New York, NY 10025-6718

nyleaf13@gmail.com

TESTIMONY THURSDAY, - NYC COUNCIL COMMITTEE ON ENVIRONMENTAL
PROTECTION, RESILIENCY & WATERFRONTS Jun 15, 2023

PUBLIC HEARING ON RES. 605 -- HOLTEC'S PROPOSAL TO DUMP RADIOACTIVE
WATER INTO THE HUDSON RIVER

Thank you for listening to my brief comments My name is Nydia Leaf, I have lived most of my life in New York except for a few years in California.

When I graduated from Hunter College in 1954 I took seriously the school motto: MIHI CURA FUTURI - The Future is my Responsibility. 45 years ago I was the Education Director for Co-opportunity, the food co-op in Santa Monica. We were promoting organic Farming even though it was ridiculed at the time. It gave me an appreciation of the beauty of healthy soil and clean water.

Tritium is toxic -- one teaspoon of Tritium can turn a billion gallons of water radioactive. Tritium consists of three parts Hydrogen and one of Oxygen and water is two Hydrogen with one Oxygen. This means it is impossible to filter it out. Holtec MUST STORE the Tritium for 75 years until it's no longer radioactive. I'm 90 and can assure you -- 75 years go quickly.

This is an important hearing; the process of decommissioning is long. Indian Point could be a template for all plants in this country and possibly the world, as Germany now proceeds to decommission its nuclear plants.

THANK YOU.

PS This Committee is fortunate to have experts who could brainstorm with you and advise on how to proceed: Besides Food and Water Watch you have Arjun Makhijani Ian Fairlie Michelle Lee Marily Elie - you probably know their names by now.

Testimony in Support of Intro 898

My name is Patrick Schnell, I am a pediatrician who has treated thousands of asthma patients in New York. I am also an active participant in the Citizen's Air Complaint program. Whenever NYC DEP does not interfere with the program's intent, or works against it for example by granting variances to polluters (see Loomis variance from April 25th, 2023), this program is a truly fantastic one. It has changed things in downtown Brooklyn where a great number of specific trucks that have consistently idled in the past, no longer idle at all (but DEP made sure that this is offset by Loomis trucks now being able to idle now without any accountability). It is becoming harder to 'catch' idlers, which is great, however, many areas of New York are not covered by the small group of people who report idlers at a high volume. The only way this program can truly succeed in achieving a 'cultural' shift from default idling to default not idling is if the volume of reports increase significantly. This can only happen if more people are willing and able to participate. DEP has done its best to discourage people from participating by

1. Wasting their resources by issuing pointless summonses alleged misdeeds, which were in fact typos or clerical errors (and this could have been resolved easily outside of
2. Discouraging reporters by such antagonistic actions
3. Issuing variances on the basis of absolutely no evidence, making a mockery of the public hearings
4. Making the program too complex in general
5. Discouraging reporters to use clerical help
6. Frequently not defining precisely what is acceptable and what is not acceptable to DEP
7. Constantly changing rules, sometimes retrospectively
8. Rejecting cases based on incorrect adjudication (constantly arguing cases are duplicates when they are clearly not)
9. Not following their own guidelines by inappropriately rejecting cases of idling buses when temperature requirements are fulfilled, yet DEP is arguing that children need to be kept "comfortable", as if breathing toxic air contributes to comfort.
10. The list goes on and on and on...

So what is needed is not to make the program more difficult to access, but instead to make it more accessible. We need to broaden and expand the program as quickly as possible, ideally not only by offering it in additional languages, but by offering an app that can be used to submit a video with just the push of a button.

DEP has been offered help in this area years ago, but has refused to cooperate with engaged citizens to move the app idea forward.

Maybe one day DEP will be a partner that we can count on to help New Yorkers breathe clean air. At this point, it seems the priority is to target citizen reporters and to gift variances to the worst polluters in exchange for New Yorker's health.

June 15th, 2023

Dear Councilwoman Rivera:

Thank you for your service to our neighborhood. Please find attached an article from the New York Times illustrating the harm that incessant ambulance noise can do to your constituent's health. We are hoping that legislative changes can be made in the near future.

Pia Hasegawa

<https://www.nytimes.com/2023/06/09/health/noise-sound-exposure.html?searchResultPosition=1>

To the Subcommittee:

I have lived on the fourth floor of 714 Amsterdam Avenue since 1989. Amsterdam is the main access route for uptown traffic headed towards Mount Sinai at 113th Street. My office, as well as our bedroom, face the street. The volume from emergency vehicles has always been loud, but I've never had a db meter to measure the volume. What I do know is that every time an emergency vehicle passes my building, almost every long-time resident is sticking fingers in their ears to reduce the acoustical pain.

While I understand the purpose of the siren's volume is to notify upcoming traffic a vehicle needs to gain rapid access through the traffic ahead of it, I strongly feel that the overall volume is far too high. No doubt there have been studies regarding the volume required in order for drivers to hear sirens behind them while their windows are rolled up, but I can easily hear sirens from 86th street. and I would wager that any studies did not account for the siren's sound waves ricocheting off the tall buildings on either side of the street. When an emergency vehicle is braked for traffic, the volume bounding between the buildings is just painful.

I also believe it's worth pointing out that, in my years here, I have ***never*** seen an ambulance with the windows rolled down. The EMT's have the windows rolled up in an effort to save their own hearing.

I ask that the subcommittee consider a fresh study focused on the actual volume from a siren on the physical streets of Amsterdam. Better than that, it would be beneficial if the subcommittee merely adopted a volume level significantly lower than the present amount allowed.

Thank you for your time.

Steve Shelley
shelley@fieldtemplate.com
Amsterdam Ave.

www.fieldtemplate.com

- My name is Wanfang Wu,
- and I support intro 898 to translate the Citizen Air Complaint program to languages beyond English.
- I live in Manhattan Chinatown, where many of the aunts and uncles of the immigrant community I meet aren't fluent in English.
- For example, when sharing news of a great restaurant or sale, they share the house number and street name because not everyone can read the English name of that store.
- DEP's best practices page is more than 2000 words and 5 pages long.
- This is an extremely high hurdle to clear for individuals who aren't fluent in English.
- Offering translations would be a major step forward in allowing equitable and increased participation in the program

- But why does this all matter?
- More participation means we can sooner eliminate one of the major causes of air pollution in the city
- Current air quality levels do not meet the WHO's guidelines for thresholds that are safe for longterm health. These are thresholds are twice as strict as the EPA's.
 - WHO:
 - PM 2.5: 5ug/m3 annually (AQI of about 21)
 - EPA:
 - PM 2.5: 10ug/m3 annually (AQI of about 45)
- New York leads the nation in how seriously it addresses needless vehicular idling.
- I think New York can also lead the nation in having clean air

Sources:

WHO

See table titled "Recommended 2021 AQG levels compared to 2005 air quality guidelines"
<https://www.who.int/news-room/feature-stories/detail/what-are-the-who-air-quality-guidelines>

EPA

<https://www.epa.gov/pm-pollution/national-ambient-air-quality-standards-naaqs-pm>

pm2.5 to AQI calculator:

<https://www.airnow.gov/aqi/aqi-calculator/>

Why Holtec should not be allowed to dump radioactive wastes in the Hudson River

I swim in the Hudson River.

Many do not swim in the river solely because of a perception that it is dirty in terms of fecal matter and radioactive waste.

Dumping radioactive waste, no matter how scientifically harmless, only increases the perceptions that the water is not fit for swimming. Therefore, no radioactive waste should be added to the Hudson River.

The fact that swimming is a form of tourism means that the dumping of radioactive waste in the Hudson comes with an economic cost.

Also such perceptions will stand in the way of the river being once again used as a fishery. So the dumping of radioactive waste in the Hudson is an economic cost in terms of delaying the use of the Hudson as a fishery.

Perceptions are more important than actual fact. People get elected to office based on perceptions. This country's financial value is based on perceptions.

Good day,

I live on the border of two districts at 110th and Manhattan Ave and have lived with my family in Harlem for over 15yrs. We love our neighborhood. However, one of the quality of life issues that plagues us here are the sirens. The problem is largely from Mt Sinai ambulances (though FDNY EMS is also an issue).

I attended a community board meeting about these sirens a couple of years back. After being told by a Mt Sinai representative that the sirens are “required” to run at 120+ decibels, I asked what the damage was to pedestrian’s (and driver’s) hearing from such levels. I was shocked when I was told that they did not know.

Please recognize that this is not just a quality of life issue but a serious and under-appreciated health issue as well. Not only hearing but also cardiovascular health is being damaged. Don’t take my word for it. Noise pollution is viewed as the least-appreciated health hazard in cities:

<https://www.sierraclub.org/foundation/foundation/sierra/loud-noise-can-be-deadly-we-can-quiet-din>

To quote: “In 2013, researchers estimated that over 145 million Americans were potentially at risk of hypertension due to chronic noise exposure. The European Environmental Agency found that in western Europe, noise contributes to 48,000 new cases of ischemic heart disease every year as well as 12,000 premature deaths.”

Frankly, the sirens in NYC are at a level of insanity I simply cannot fathom. The reasons that are often given for the imperative of NYC sirens are just wrong. I constantly see ambulances blaring sirens at 6am with no one on the road. Other times, I see ambulances blaring sirens but going far slower than the traffic around them. A simple pop of the siren at red lights is all that is needed (and I do see this restraint once and a while). Please read the two recent articles on this topic:

<https://www.gothamgazette.com/130-opinion/9324-sirens-suffering-rethinking-soundtrack-coronavirus-crisis-new-york-city>

<https://www.nytimes.com/2021/10/19/us/sirens-noise-ambulances-fire-department-police.html>

It is far time that this scourge of city living (which is uniquely acute in NYC) is seen for the useless hazard it is. I have no doubt the constituents of this city would see meaningful progress in reducing this health hazard as a huge step for the better in their lives.

I appreciate your time and attention to this important health matter.

I live on the 5th floor in Brooklyn.- Lafayette and Ashland. Even with windows closed the high pitched sirens penetrate into our apartments and keep people from sleeping. When you work you need to sleep well. Day and night, screaming sirens from police vehicles, fire trucks etc.as well as unmarked cars.

The traffic here is dense and the drivers do not yield quickly to high pitched sirens anyway. From observation, I do not believe the sirens are used only in emergencies. The drivers sometimes don't want to wait for the light and turn on the siren.

NYC residents really need relief. Thank you.

Ms Brewer,

6/16/2023

I have lived on the upper west side for several years on Amsterdam Avenue 68th. I moved uptown from Tribeca for proximity to Central Park and a little more of an urban environment, as much as the city can provide that experience.

For the most part it's a great neighborhood-but the one constant, complete nightmare which has destroyed the quality of life here : Ambulance sirens, most notably, from the Mount Sinai Hospital. I work out of my home like many others, and have to travel to Washington D.C. regularly supporting the US Defense Department so I am no stranger to first responders and support the community in many ways (globally).

However when an ambulance slow rolls up Amsterdam Avenue at 4am, 5am, 7am, all day, all night, at speeds ranging anywhere from 5 MPH to the race car speed -FDNY Ladder 1 specifically drives recklessly up Amsterdam Avenue at + 50MPH blasting their sirens. With the ambulances the sirens are so loud that I can hear sirens at 68th St, as far as 59th street when they start their journey from Mt Sinai Hospital up the block. it is completely out of control. To be honest I think I have actually feel like I have developed PTSD from the nonstop sirens that are so ear piercing -it wakes me up in the middle of the night, can't sleep with windows open in the summer months due to the excessive noise, and it disrupts my day -ALL DAY.

Even at hours of the day where there are literally NO CARS, no pedestrians, no bicyclists, nobody walking dogs, or taking kids to school -theses ambulances, driving at 10 MPH, like a host in a holiday parade, are BLASTING their sirens so loud it pierces through double pane windows as if I'm driving it myself, likely awakening scores of sleeping residents. I can look out my window at 4am and see lights turning on inside of many apartment windows, residents peering out to see what is going on -all when residents should be sleeping. Realizing this is a city, and the responders have a job to do, but there is absolutely no reason to blast sirens or even run a siren with an accelerated pitch at a low, persistent pitch while sitting in standstill traffic, 2am, 3am, 4am, 5am, all-day, destroying quality of life, and causing more pain to NYC residents!

Changing the tone of the siren has not helped either -the high-pitched siren or wailing sound of the sirens using different tones (nothing like a European first responder vehicle) is as loud as the human ear can stand. When ambulances come up the street, you can visibly notice pedestrians stop and stand still to cover their ears -children, nanny's and parents strolling their children, kids walking, elderly, even dogs barking -all from the excruciating pain caused by the sirens, wincing and covering their ears, stopping cell phone calls that are completely drowned out from the sirens to the point that you can't hear a word, yet there has been nothing done to address this chronic noise issue other than a few blog posts acknowledging there is a problem. The ambulance drivers seem unphased while they drive blasting their sirens, eating a sandwich in the car, sitting in standstill traffic sometimes with their sirens blaring as they sit their idle and move slowly through traffic.

Dear Councilwoman Rivera:

I have written to you previously on this issue and I have not received an adequate reply. My understanding is that you have written some legislation in the past regarding reducing the incessant noise pollution in Gramercy/ East Village neighborhood due to ambulance traffic from Mount Sinai Hospital. I live on 16th and Third Avenue and it is constant. However, there has been little to no improvement. We understand that COVID concerns may have tabled this effort, but we urge you to take it up again. It seriously decreases our quality of life, as we often work from home these days and can't carry on meetings with screeching sirens (when vehicles are driving slowly and don't seem to be on an emergency call) and can rarely enjoy cooler evenings with the windows open. There is so much technology available these days to reduce the decibels of this noise pollution. Other cities have done it. Why not New York too? Why not start with our wonderful, serene neighborhood?

Testimony by FDNY and NYPD

Intro 286 would require alternating high and low, two-toned signal devices on emergency vehicles. A wholesale change of this nature would present potential operational challenges and significant expense. We all want to ensure that emergency vehicles can operate safely and serve our shared community, so we welcome further discussion with the Council about how the goals of this bill can be achieved.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 605

in favor in opposition

Date: 6/15/23

(PLEASE PRINT)

Name: Alex Beauchamp

Address: 32 Court St. Ste 1506 Brooklyn

I represent: Food + Water Watch

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. PhNYC Res. No. _____

in favor in opposition

Date: 6/13/2023

(PLEASE PRINT)

Name: Eunice Ko

Address: _____

I represent: New York City Environmental Justice Alliance

Address: 462 36st, Brooklyn, NY 11232

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 605 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Matthew Scharz

Address: Granz Street

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/15/23

(PLEASE PRINT)

Name: Rohit Aggarwala

Address: Chief Climate Officer

I represent: Commissioner NYC DEP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Victoria Cerullo, Acting Exec Director,

Address: Mayor's Office of Climate and

I represent: Environmental Justice

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 611 Res. No. _____

in favor in opposition

Date: 6/15/2023

(PLEASE PRINT)

Name: Ryan Li

Address: 2nd street, JC, NJ 07302

I represent: ReVent Technologies

Address: 135W 41st ofc 6-125, New York, New York

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 898 Res. No. _____

in favor in opposition

Date: 6/15/23

(PLEASE PRINT)

Name: Esther Bergelson

Address: Washington St.

I represent: Citizen

Address: Air Monitoring Issue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 605

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Uvashi Rangan

Address: Fort Charles Pl, NYC 10463

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 898 Res. No. _____

in favor in opposition

Date: 6/15/23

(PLEASE PRINT)

Name: Joel Kupferman

Address: Environmental Law & Justice

I represent: _____

Address: Air Monitoring Issue

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 611, 983 Res. No. _____

in favor in opposition

Date: 6/15/2023

(PLEASE PRINT)

Name: Daniel Chingye Chu

Address: 462 36th St, Brooklyn

I represent: NYC Environmental Justice Alliance

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6-15-23

(PLEASE PRINT)

Name: Emily Walker

Address: Highland Blvd., BK, 11207

I represent: Natural Areas Conservancy

Address: 1234 5th Ave., NY 10029

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 0605
 in favor in opposition

Date: June 15, 2023

(PLEASE PRINT)

Name: NYDIA LEAF

Address: WEST 95 STREET

I represent: MYSELF - MEMBER OF FOOD + WATER WATCH & RIVERKEEPER

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Cristobal Vivar

Address: 15th St

I represent: self

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆