

COMMITTEE ON RESILIENCY AND WATERFRONTS JOINTLY WITH
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 1
CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RESILIENCE AND
WATERFRONTS JOINTLY WITH COMMITTEE
ON TRANSPORTATION AND INFRASTRUCTURE

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October 26, 2022
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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Ari Kagan, Chairperson

COUNCIL MEMBERS:

Selvena N. Brooks-Powers,
Chairperson
Joann Ariola
James F. Gennaro
Christopher Marte
Sandy Nurse
Vickie Paladino
David M. Carr
Amanda Farias
Linda Lee
Mercedes Narcisse
Lincoln Restler
Carlina Rivera
Althea V. Stevens
Nantasha M. Williams
Julie Won
Kalman Yeger

COMMITTEE ON RESILIENCY AND WATERFRONTS JOINTLY WITH
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 2

A P P E A R A N C E S

Rohit T. Aggarwala, Chief Climate Officer and
Commissioner of Department of Environmental
Protection

Kizzy Charles-Guzman, Executive Director at
Mayor's Office of Climate and Environmental
Justice

Jordan Salinger, Senior Policy Advisor for
Climate-Ready Infrastructure

Joy Sinderbrand, Senior Vice President for
Capital Programs at New York City Housing
Authority

Paul Ochoa, Executive Deputy Commissioner at
Department of Transportation

Adam Meagher, Senior Vice President for
Neighborhood Strategies at New York City Economic
Development Corporation

Rebecca Fischman, Senior Policy Advisor at
Mayor's Office of Climate and Environmental
Justice

Heather Roiter, Assistant Commissioner of Risk
Reduction and Recovery at New York City Emergency
Management

Kim Darga, Deputy Commissioner of Development at
Department of Housing Preservation and
Development

Anthony Ciorra, Coastal Restoration Branch with
the U.S. Army Corps of Engineers, New York
District

COMMITTEE ON RESILIENCY AND WATERFRONTS JOINTLY WITH
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 3

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

Kevin Alexander, Rockaway Development and
Revitalization Corporation

Alia Soomro, Deputy Director for New York City
Policy at the New York League of Conservation
Votes

Joel Kupferman, Environmental Justice
Initiative

Shawn Slevin, Executive Director of Swim Strong
Foundation

Eunice Ko, Deputy Director at the New York City
Environmental Justice Alliance.

Kate Boicourt, Director of Climate Resilient
Coastal Watersheds for the Environmental
Defense Fund

Delores Orr, Chair of Community Board 14

Paul Gallay

Chakka Baptiste

Philip Tull

Delores Tull

SERGEANT-AT-ARMS: This is a sound check
for the Committee on Resiliency and Waterfronts.
Today's date is October 26, 2022. Being recorded by
Danny Huang (phonetic) in the Chambers.

SERGEANT-AT-ARMS: Good afternoon and
welcome to today's New York City Council meeting on
Resiliency and Waterfronts joint with Transportation
and Infrastructure.

At this time, please put all electronic
devices on silent and vibrate mode.

If you want to submit testimony, you may
do so at testimony@council.nyc.gov. Again, that is
testimony@council.nyc.gov.

Thank you. Chairs, we may begin.

CHAIRPERSON KAGAN: [GAVEL] Good
afternoon. My name is Ari Kagan, and I have the
privilege of Chairing the Committee on Resiliency and
Waterfronts. I want to thank my co-Chair, Majority
Whip Brooks-Powers, for holding this hearing. She
will be here very soon.

Saturday, October 29th, will mark the
10th anniversary of the Superstorm Sandy. Ten years
ago, Superstorm Sandy devastated our city including
areas with seawater, leaving almost 2 million people

1 without power, destroying approximately 300 homes and
2 costing an estimated 19 billion dollars in damages
3 and lost economic activity. After floodwaters
4 receded, we came together to start rebuilding, but 10
5 years later we are still not there yet. We are not
6 finished. Last session, we passed Local Law 122,
7 which requires the City of New York to create a
8 Comprehensive Citywide Climate Adaptation Plan. The
9 plan, which was due by September 30th, would evaluate
10 the various climate hazards facing the city including
11 extreme storms, sea level rise, tidal flooding,
12 extreme heat, and extreme precipitation and recommend
13 resiliency and adaptation measures to protect
14 residents, property, and infrastructure. This plan is
15 a critical tool in the City's toolbox so we are
16 protected against the effects of climate change, but
17 we are still waiting for details of this plan to be
18 submitted to New York City Council. I'm aware about
19 announcement today in the morning, and I would be
20 glad to hear more details about it, and I hope
21 communities will be informed as well all over the
22 city about this important plan announced today in the
23 morning by the Mayor.
24
25

Two weeks ago, the New York City Comptroller released a report on the City's progress in using federal Sandy recovery and resiliency grants, implementing recovery and resiliency projects, and what essential infrastructure is at risk from coastal flooding. This report highlights how the City has spent less than 75 percent of the 15 billion dollars received in federal recovery and resiliency grants after Superstorm Sandy.

Additionally, some funded projects will not be completed until 2030. That is almost 20 years after Superstorm Sandy. What happens if the City experiences another superstorm similar to Sandy before 2030? Rising tides and more frequent and intense storms will continue to threaten and put the City's residents and infrastructure at risk every day.

What has been done since the Committee's first hearing right here in April? During today's hearing, I'm interested to hear what engagement this administration had with elected officials, Community Boards, community groups, environmental groups, and the public on resiliency projects and to educate people about the need to be prepared.

1 We will also hear Resolution 81,
2 sponsored by Council Member Brannon. This Resolution
3 calls upon Congress to amend the Stafford Act so that
4 Federal Emergency Management Agency and the U.S.
5 Department of Housing and Urban Development
6 proactively funds coastal resiliency projects.
7 Federal funds must not be tied to a severe weather
8 event or national disaster that has already occurred.
9 We have had 10 years to think about extreme weather
10 events that we know will continue to worsen. We can
11 and must do better for our city.

12 I look forward to hearing from the
13 Department of Environmental Protection, the Mayor's
14 Office of Climate and Environmental Justice, the
15 Department of Transportation on steps that our City
16 has taken now to better prepare for the next climate
17 disaster.

18 I also look forward to hearing from Chief
19 Anthony Ciorra from the U.S. Army Corps of Engineers
20 Coastal Restoration and Special Projects Branch who
21 will testify about the Corps' recently released
22 Tentatively Selected Plan and Tier 1 Environmental
23 Impact Study for the New York/New Jersey Harbor
24 Tributary Study.
25

1
2 Before we begin, I would like to thank my
3 community staff, Senior Committee Counsel Jessica
4 Steinberg-Albin, Senior Policy Analyst Patrick
5 Mulvihill, Finance Analyst Andrew Lane-Lawless, my
6 Chief-of-Staff Jeannine Cherichetti, my Legislative
7 Director Alex Tymkiv as well as the staff for the
8 Transportation and Infrastructure Committee for all
9 their hard work putting this important hearing
10 together.

11 Now, I would like to turn Committee
12 Counsel Jessica Steinberg-Albin.

13 COMMITTEE COUNSEL STEINBERG-ALBIN: Thank
14 you, Chair Kagan. I will now swear in the
15 administration so that they can testify.

16 Do you affirm to tell the truth in your
17 testimony before the Committees today and to answer
18 honestly to Council Member questions?

19 ADMINISTRATION: (INAUDIBLE)

20 COMMITTEE COUNSEL STEINBERG-ALBIN: Thank
21 you. Just make sure the red light is on.

22 ADMINISTRATION: I do.

23 COMMITTEE COUNSEL STEINBERG-ALBIN: Great.
24 You may begin. Thank you so much.

COMMISSIONER AGGARWALA: Good afternoon,
Chair Kagan and Members of the Committees on
Resiliency and Waterfronts and Transportation and
Infrastructure. My name is Rohit T. Aggarwala, the
City's Chief Climate Officer and Commissioner of the
Department of Environmental Protection. Thank you for
the opportunity to speak today about the Adams'
administration's work to adapt to climate change
which presents as we know an existential threat to
New York City and the 8.6 million New Yorkers who
call this city home. I'm joined today by Kizzy
Charles-Guzman, the Executive Director of the Mayor's
Office of Climate and Environmental Justice, Senior
Policy Advisor for Climate-Ready Infrastructure
Jordan Salinger, and colleagues from a number of
agencies including DOT, DDC, Parks, HRO, NYCHA, and
EDC and several others that I'm sure I've missed, but
we are all here to answer questions since I know
there will be a number directed at many specific
agencies.

This week as you point out, Mr. Chairman,
we commemorate the 10th anniversary of Hurricane
Sandy, the deadliest and most destructive natural
disaster in our city's history. It cost 44 New

2 Yorkers their lives, it upended neighborhoods, and it
3 caused, as you said, 19 billion dollars in damage and
4 economic loss. It was sadly exactly the kind of
5 catastrophe that climate scientists had already been
6 predicting.

7 I'm here today to report on what has
8 happened since the storm. I'll detail this
9 administration's approach to climate change
10 adaptation, focusing on the ways it is informed by
11 the lessons of the past decade and advancements in
12 global and local thinking about risk mitigation.
13 Finally, I'll talk about the challenges that we must
14 jointly address to make New York City resilient.

15 I would like to leave you with a few key
16 messages today. First, there is a lot to be grateful
17 for in the work that New York City and its partners
18 have accomplished in the last decade. New York City
19 is much better prepared for a storm like Sandy than
20 it was 10 years ago, but, equally, there is much work
21 still to be done.

22 Second, Hurricane Ida last year reminded
23 us that we cannot afford to make the mistake of
24 fighting the last war. Sandy was a coastal inundation
25 event. Ida was a rainstorm. In the 10 years since

1 Sandy, heatwaves have killed six times as many New
2 Yorkers as Sandy and Ida combined. What this tells us
3 is that going forward, the Adams' administration must
4 and will be pursuing an approach to climate
5 resilience that is focused equally on all of the
6 risks that climate change poses to New York.

8 Third, we must consider greenhouse gas
9 reduction strategies as a core part of our resilience
10 efforts. We must treat every aspect of Local Law 97,
11 every bus lane proposal, each land use decision, each
12 step on the road to congestion pricing and organics
13 collection as part of our climate resilience
14 strategy.

15 Finally, resilience is not something that
16 will have a completion date. This is an ongoing task
17 that is going to be part of government for the rest
18 of our lives.

19 As I said, we should recognize that we
20 are much safer and better prepared for a coastal
21 inundation event than we were 10 years ago. This is a
22 result of tremendous efforts by both government and
23 communities along with huge investments.

24 Approximately 15 billion dollars in federal funding
25 and over 5 billion dollars from city taxpayers. We

2 should think of post-Sandy work as having three very
3 different components. One was helping people whose
4 homes and businesses had been damaged. The Build It
5 Back Program served 8,319 single-family homeowners
6 and 141 multi-family developments elevating,
7 repairing, and acquiring homes. EDC and SBS programs
8 served nearly 1,000 Sandy-impacted small businesses.

9 The second was a significant program
10 undertaken, especially by NYCHA and also by private
11 building owners, to make their properties less likely
12 to suffer long-term damage if another Sandy-like
13 event happens. NYCHA has spent over 2.7 billion
14 dollars to protect over 200 buildings from storm
15 surge and power outages. Build It Back's multi-family
16 program has assisted more than 19,600 households
17 through assistance for repairs, resiliency upgrades,
18 and rental assistance. A key aspect of resilience is
19 not just physical but institutional, and since 2012
20 the number of New Yorkers with flood insurance has
21 increased by about 50 percent in large part through
22 the City's Flood Help NY Program, a partnership with
23 FEMA and the Center for New York City Neighborhoods.
24 New York City Emergency Management has worked to
25 ensure that we are better equipped to respond when

2 the storms hit. We've updated the city's emergency
3 protocols including new evacuation maps and response
4 equipment.

5 A third aspect of the post-Sandy work is
6 neighborhood-scale coastal protection exemplified by
7 the work done by the Army Corps in the Rockaways and
8 by the City on the Lower East Side. In addition to
9 the more than 1 billion dollars in work being paid
10 for directly by the Army Corps, the City has received
11 nearly 600 million dollars from federal grants and is
12 investing over 2.7 billion dollars from city capital
13 for this kind of large-scale coastal resiliency work.
14 We've completed construction on several shorefront
15 projects including the 5.5-mile-long Rockaway
16 Boardwalk, nearly 10 miles of new dunes across Staten
17 Island and the Rockaway Peninsula and coastal wetland
18 restorations in Sunset Cove and Queens and Sawmill
19 Creek on Staten Island. The largest portion of this
20 money, however, will be spent over the next two to
21 three years as we have several additional major
22 projects that are now in construction. This morning,
23 I was honored to join Mayor Adams for the
24 groundbreaking of two of these key projects including
25 the Brooklyn Bridge to Montgomery Coastal Resilience

2 Project and the Howard Beach Raise the Shoreline
3 Project in Queens. We also expect to break ground on
4 the Travis Avenue Raise the Shoreline project by the
5 end of the year and the Staten Island Coastal Storm
6 Risk Management project in the new year.

7 There is, of course, a great deal more
8 that needs to be done. First, we need to ensure that
9 all of our projects with the Army Corps are
10 successful. We are still waiting for that South Shore
11 Staten Island project long recognized to be a top
12 priority as an area that suffered the most
13 concentrated loss of life to break ground. There have
14 been challenges because the Army Corps'
15 Congressionally defined mission was only to protect
16 against coastal flooding, while the project must
17 concurrently remediate contamination and avoid
18 creating new stormwater flooding risks inland.

19 Second, we need the Army Corps' Harbor
20 and Tributary Study, HATS, to be a success to protect
21 more of our coastal communities. In 2016, the Army
22 Corps began studying coastal risks for the North
23 Atlantic Seaboard. Last month, as you pointed out,
24 Chair, they released a Tentatively Selected Plan
25 which envisions a network of coastal defenses along

2 the sea barriers at key locations. We are reviewing
3 this report and working with the Army Corps,
4 government partners, and the public to ensure that
5 the final recommendation reflects the needs of all
6 New Yorkers. I urge you to spread the news about this
7 study and help facilitate conversations about the
8 plan.

9 There are two key things we know the City
10 will need from whatever plan is ultimately adopted by
11 the Corps. We will need our Congressional delegation
12 to ensure that the project receives the necessary
13 funding, and we will need the enabling legislation to
14 provide the Corps with a broad enough mandate to
15 assist with the City's multi-faceted efforts to
16 protect against multiple types of flooding and
17 protect water quality.

18 All of this adds up to a direct response
19 to Hurricane Sandy, but Sandy is far from the only
20 climate change impact we face. As I said, Hurricane
21 Ida demonstrated that stormwater can also kill, and
22 heatwaves, as I said, kill many more New Yorkers than
23 flooding. While drought is not New York City's
24 greatest risk, our overall water supply is indeed at
25 risk from the combination of sea level raise and

1 drought, particularly I'll point out in the Delaware
2 River, not the Hudson. As a result, we will pursue a
3 multi-hazard approach to climate resilience. Such an
4 approach addresses all the climate threats that
5 impact our city, including both catastrophic ones
6 like coastal inundation but also chronic ones like
7 rising heat and ongoing tidal flooding. In keeping
8 with this approach, we have already undertaken
9 multiple new efforts to protect New Yorkers. Our
10 housing plan, Housing Our Neighbors: A Blueprint for
11 Housing and Homelessness, included a significant
12 focus on keeping us safe in our homes during floods,
13 heat emergencies, and in the face of a changing
14 climate.

16 To combat extreme heat, we have
17 implemented Cool Neighborhoods NYC, a 106-million-
18 dollar program to keep us safe and cool through
19 expanding tree canopy and programs to connect
20 vulnerable residents to community volunteers. We have
21 allocated an additional 112 million dollars to tree
22 planting in our most heat-vulnerable communities.

23 To combat extreme rainfall, we have
24 released both Rainfall Ready and our Stormwater
25 Resilience Vision. Rainfall Ready outlines immediate

1 steps to combat extreme rainfall, and the vision lays
2 out our transformative approach to managing
3 stormwater with commitments in how we plan drainage,
4 deploy green infrastructure, and rapidly expand our
5 cloudburst and blue belt programs. You'll be hearing
6 more about how we will implement that vision this
7 spring.
8

9 Today, we announced several important
10 policy steps. First, releasing Adapt NYC, New York
11 City's climate change adaptation strategy, second,
12 launching Climate Strong Communities, the City's next
13 generation of adaptation projects which is, I'd
14 argue, really part and parcel of that overall
15 adaptation strategy. Advocating for progressive
16 design build through state legislation that will help
17 us get these projects and other projects done more
18 quickly. Finally, requesting a dedicated federal
19 funding stream for coastal resiliency projects.

20 The first of these, Adapt, is the City's
21 approach to climate resilience in partnership and in
22 keeping with the City Council mandate of Local Law
23 221 of 2021. Because resilience planning requires
24 neighborhoods engagement, we are releasing this plan
25 as a web-based resource. It identifies the climate

2 change changes that pose the greatest threats, the
3 populations and neighborhoods that are most at risk
4 and the resilience and adaptation measures the City
5 is taking to protect residents, property, and
6 infrastructure.

7 We are now launching Climate Strong
8 Communities, a program that will develop the next
9 generation of resilience and sustainability projects
10 centered on environmental justice and which will be
11 proactive, multi-hazard, and targeted to vulnerable
12 areas left out of previous Hurricane Sandy-focused
13 funding. Climate Strong Communities will design and
14 accelerate resilience and sustainability investments
15 with the implicit intent of maximizing opportunities
16 for federal and state infrastructure funding coming
17 down the pike. Further, as we know, a key challenge
18 facing resilience efforts is that city projects
19 simply move too slowly. The Capital Project Delivery
20 Reform Taskforce led by First Deputy Mayor Grillo in
21 partnership with Comptroller Lander is critical to
22 our future resilience efforts. As part of that, today
23 the Mayor called on the Governor and the Legislature
24 to pass progressive design build legislation for the
25 city, a modern form of contracting used widely by the

2 state government and the private sector. We cannot
3 afford to continue to deny the city the most
4 effective approaches to fast, safe, and responsible
5 project delivery.

6 Finally, the Mayor today asked the
7 federal government to recognize that climate
8 resilience is going to be the work of generations.
9 Just as previous generations recognized new roles for
10 government. Resilience will be a key task of
11 government as long as anyone in this room is alive.
12 Like transportation, housing, and education, we need
13 to shift to a federal formula-based approach so that
14 cities like New York can plan projects with a
15 understanding of what long-term funding looks like.

16 These initiatives announced today are
17 just one step toward our overall resilience strategy.
18 We will release an updated citywide sustainability
19 plan this coming April. That plan will include a
20 significant focus on resilience, and we intend to
21 work with the City Council as we develop that. As I
22 said at the outset, we must also recognize that all
23 our efforts to reduce greenhouse gas emissions are
24 part of a resilient strategy.

2 As I closed when we gathered to
3 commemorate the anniversary of Hurricane Ida, I want
4 to thank this Council for your ongoing attention to
5 these critical issues. After 10 years of rebuilding
6 and planning for more frequent and stronger storms,
7 there is no question about the challenges and the
8 transformative opportunities that lie ahead of us. We
9 need to work together, thoughtfully, quickly, and by
10 prioritizing the most vulnerable among us to act at
11 the scale this climate emergency requires.

12 My colleagues and I are happy to answer
13 your questions. Thank you.

14 CHAIRPERSON KAGAN: Thank you,
15 Commissioner. I would like to emphasize that it's
16 very important that today we have in New York City
17 even this office, we have a Chief Climate Officer,
18 because we didn't have it like in the last
19 administration so it's one more proof that this
20 administration and this City Council and this city
21 takes this issue very, very seriously. City Council
22 and hurricanes and storms are not just one-time deal.
23 We are facing this every day, and it's going to stay
24 forever so we need to be ready to work on this every
25 day.

I would like to acknowledge my
Colleagues, Council Members Rivera, Carr, Restler,
Marte, Nurse, Gennaro, Ariola, Stevens, Won,
Palladino, Lee, and I would like to give a chance for
opening statement to my co-Chair of this hearing,
Majority Whip Selvena Brooks-Powers.

CHAIRPERSON BROOKS-POWERS: Thank you so
much, Chair. Good afternoon and welcome to this
oversight hearing of the Committees on Resiliency and
Waterfronts and Transportation and Infrastructure.

This Saturday, October 29th, marks the
10th anniversary of Superstorm Sandy hitting New York
City. During today's oversight hearing, the
Committees will examine where we as a city are in
regard to rebuilding 10 years after the devastating
impacts of Sandy.

I am looking forward to co-Chairing this
hearing with my Colleague, Chair Kagan, and thank him
for his leadership on this issue. I know that the
community he represents in Coney Island including his
beloved boardwalk just like the area I represent in
Far Rockaway was devastated by Superstorm Sandy and
to this day many parts have not yet fully recovered.
It is my hope that after today's hearing we will have

1 a clearer and better understanding of what all levels
2 of government are doing to make our communities safer
3 and more resilient. Superstorm Sandy unleashed havoc
4 on the streets of the city and surrounding areas. The
5 flooding caused by Sandy impacted the city greatly
6 with approximately 17 percent of the city's total
7 land mass being flooded. Sadly, and more importantly,
8 44 New York City residents lost their lives as a
9 result of the superstorm. Thousands of buildings,
10 houses, and more suffered damage from the storm which
11 estimates that the storm caused the City 19 billion
12 dollars in damages. In addition to residential and
13 commercial property being severely damaged, the
14 city's critical infrastructure and services took a
15 major hit from Sandy. Close to 2 million customers of
16 Con Edison, PSE & G, and LIPA lost power at some
17 point during Superstorm Sandy including myself. With
18 Con Edison's steam system unable to service 1/3 of
19 its customers for several weeks and flooding damage
20 to facilities in Southern Manhattan, Red Hook, and
21 the Rockaways disrupted landline and internet service
22 for up to 11 days, and numerous hospitals, doctor
23 offices, and medical facilities were forced to close
24 due to flooding. To say the least, Superstorm Sandy
25

wreaked havoc on the city of which we are still trying to rectify. There are still some parts of my Council District that are undergoing Superstorm Sandy construction activities and redevelopment and where homes are still being fixed.

In addition to Superstorm Sandy, we are seeing an increasing number of storms making landfall in the United States. As New York City is particularly vulnerable to flooding related to sea level rise, storm surges, and high tides, the city is particularly impacted by this increase. More active hurricane seasons have recently impacted the city, causing increased flooding, damage to commercial and residential property, large-scale impacts on critical city infrastructure, and, above all, loss of human life of which should never occur. Our city's waterfront communities face significant threats from extreme weather events and high tides with these things only being exacerbated in the future due to continued sea level rise and the impacts of climate change. These threats have a disproportionate impact on low-income and minority communities who often live in flood-prone areas and those at higher risk for flooding from natural disasters. This is particularly

1 distressing as communities such as mine and many
2 others in the city face these effects. A study by
3 climate experts estimates that over the next 300
4 years there will be higher seas, larger storm surges,
5 and more frequent and intense hurricanes. That is why
6 we must hold this hearing. We need to look at what
7 the City has done in the past 10 years since
8 Superstorm Sandy to ensure that we as a City are
9 protected and are taking the most effective avenue to
10 reduce the impacts of these storms on residents,
11 property, and critical infrastructure.

13 Superstorm Sandy and its impact on my
14 district in particular has me interested today in
15 hearing from the administration how they're preparing
16 the city for the future storms regarding planning,
17 construction, and resiliency projects. As Chair of
18 the Transportation and Infrastructure Committee, I'm
19 also looking forward to getting an update on the
20 City's use or planned use of federal infrastructure
21 funding, both from the Bipartisan Infrastructure Act
22 and from the Inflation Reduction Act to prepare the
23 City for future storms and whether any of these funds
24 have been committed to specific resiliency projects
25 in the city and whether any federal dollars from FEMA

1 were earmarked for resiliency along Jamaica Bay, what
2 the status is of it, and the timeline. I'm also
3 interested in learning how the Department of
4 Transportation interacts and coordinates with the
5 Department of Environmental Protection and the
6 Mayor's Office of Climate and Environmental Justice
7 on resiliency planning to ensure that flooding is
8 mitigated via the streets and other areas that the
9 Department of Transportation has purview over.

11 Thank you, Chair Kagan. I now turn the
12 hearing back over to you.

13 CHAIRPERSON KAGAN: Thank you so much,
14 Chair Selvena Brooks-Powers. I would like to
15 acknowledge three more Council Members who just
16 joined us, Council Members Williams, Farias, Yeger.

17 I believe now it's time to ask questions
18 to the administration. The Resiliency and Waterfronts
19 Committee held its first hearing about preparedness
20 for storms and hurricanes in City Hall on April 11,
21 2022. What has the administration done in the past
22 six months regarding planning, construction, and
23 completion of resiliency projects?

24 COMMISSIONER AGGARWALA: Thank you, Mr.
25 Chairman. It's been a busy six months, and I'll list

2 a number of things that we've done and then perhaps
3 pull back to think about or overall approach.

4 Number one is, as I mentioned, this
5 morning we broke ground on BMCR, and also the Howard
6 Beach Raised Shoreline started. We've made
7 significant progress on ESCR including in July the
8 installation of the first major floodgate at Asser
9 Levy, we've been working very closely with the Army
10 Corps to get closer to the groundbreaking on the
11 Southshore Staten Island project which, as we know
12 and as I said, is tremendously important, and then
13 there's been a lot of progress made in the Rockaways
14 as you know including, unfortunately, some
15 controversial construction that had to take place
16 this summer but, nonetheless, it's an indication of
17 the progress being made.

18 In terms of planning, as I said, the
19 City's Housing Blueprint included, I think it's
20 notable that a Housing Blueprint included an entire
21 section focused on resilience, demonstrating that we
22 think about this across multiple aspects of city
23 work, and, in fact, I compliment Chief Housing
24 Officer Jessica Katz for proactively seeking to
25 include that and working closely with my team, with

2 Kizzy's office, and with others. At DEP, of course,
3 as you know, we did lead on Rainfall Ready in
4 conjunction with MOCEJ which speaks directly to our
5 attempt to help New Yorkers and homeowners during the
6 near-term while we do the work over the long-term to
7 reduce the likelihood of flooding that we indicated
8 through the vision we presented on September 1st on
9 the Ida anniversary around how we will achieve long-
10 term stormwater. We've continued our work on Flood
11 Help NY, and there is ongoing outreach around flood
12 insurance. We are in the process of expanding the Be
13 a Buddy Program, and there's a new RFP that we have
14 released for a new BAB site in Queens. As we
15 announced today, we've launched both the website that
16 is in response to the Local Law and what we see as
17 the logical extension of that which is climate-strong
18 communities which will take the information in what
19 Local Law 122 required and use that as the basis for
20 a series of community-based conversations that engage
21 the community to figure out exactly how on a
22 neighborhood-by-neighborhood basis we should realize
23 climate resilience against, as I said, all of those
24 hazards. Finally, we have spent a significant amount
25 of our time both working with the Army Corps on the

1 HAT Study and thinking about the resilience
2 components of the City's sustainability plan which,
3 as you know, by law has to be updated every four
4 years and is due out this coming April so it's been a
5 couple of months. I think there's been significant
6 progress, and what I would urge you, and I thank you
7 for acknowledging the fact that this administration
8 has reintegrated resilience and climate work and
9 brought in environmental justice as an equal
10 component to that in the way we have restructured the
11 Mayor's Office under Kizzy's leadership. We've
12 connected that climate policy with a major operating
13 agency which is the frontline agency at least when it
14 comes to stormwater in the form of my role as both
15 DEP Commissioner and Chief Climate Officer, and I
16 think with the housing work you see that we really
17 are working to inject resilient thinking across every
18 relevant aspect of city government.

19
20 CHAIRPERSON KAGAN: Thank you. My second
21 question is related to community engagement because
22 we use the term community engagement and community
23 input, so my second question is how has this
24 administration reached out to elected officials,
25 Community Boards, community organizations, and the

1 public during the planning for resiliency projects
2 throughout the city before shovels are put to the
3 ground? In the programs announced today, what is the
4 community input and same story with Army Corps of
5 Engineers, a significant 52 billion dollars, what is
6 the community engagement here? Community Boards,
7 environmental groups. I spoke today at Waterfront
8 Alliance, and they also ask me whether anybody will
9 ask their opinion in general about any of these
10 projects.
11

12 COMMISSIONER AGGARWALA: Let me just say
13 to start and then I'll ask my colleagues to go in. Of
14 course, we think that community engagement and
15 listening to stakeholders is critical. We know that
16 there are several forums in which the City formally
17 gathers that kind of input including the legally
18 required appointment of a Sustainability Advisory
19 Board which we'll have more to say on in the coming
20 weeks and months. At the same time, I think we all
21 know and I'll point out the great leadership of
22 Council Member Rivera sitting here that community
23 engagement can be very intense and you are still not
24 going to have everybody be perfectly happy with the
25 difficult challenges that we face. There is no way to

2 escape the fact that climate change is going to cost
3 us, it is going to cost us things that we like about
4 our city and things are going to have to change and
5 so we can't kid ourselves that community engagement
6 leads to consensus. Community engagement is
7 absolutely critical. It is built into everything we
8 do when it comes to planning, and I think our focus
9 on climate-strong communities demonstrates that, but
10 we can't pretend that we will reach consensus by
11 simply engaging the community. Let me ask Jordan to
12 give some specifics on some programs and how we've
13 engaged communities.

14 SENIOR POLICY ADVISOR SALINGER: Perfect.
15 Thanks, Rit. Exactly right. I think as mentioned in
16 the testimony and the Mayoral announcement this
17 morning, these are unprecedented projects and require
18 new levels of engagement, using new methods and new
19 tools. I did want to highlight a couple projects, in
20 particular the Resilient Edgemere Community Plan. The
21 plan is a result of multiple years of community
22 engagement and threads a challenging balance between
23 new affordable housing opportunities, history of
24 neighborhood disinvestment, increasing flood risk
25 exposure, and now is a model that we rely on and will

1 build into our process moving forward. I also wanted
2 to highlight some of our work in Lower Manhattan. As
3 many of you know, one of the projects contemplated in
4 that area involves extending the shoreline. All of
5 these projects are complicated. This is an additional
6 level. This has involved walking tours, virtual
7 reality, and a number of different tools that we
8 employed during COVID so it gives you a sense of a
9 couple of different approaches that we've employed.

11 CHAIRPERSON KAGAN: Talking about
12 transparency, because very communities asking,
13 including Council Members, that only you or the Mayor
14 can answer so my question is about specifically
15 websites and web-based resources like you mentioned
16 program Adapt NYC and today was announcement about
17 Climate-Strong Communities, what information could be
18 available to everybody, to all New Yorkers so they
19 can read more about your approach?

20 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Thank
21 you for the question, Council Member. Let me just be
22 clear about what we mean by the web resource. At the
23 end, we are trying to provide information to New
24 Yorkers, and New Yorkers are overwhelmed by the
25 amount of information that we provide to New Yorkers.

2 Everybody wants a plan. You don't want a plan,
3 actually. Nobody wants to sit through and read the
4 500 pages worth of another plan. What they actually
5 want to hear about is how is it that we are keeping
6 them safer, when is it that we're coming to their
7 community to ask for their input and their feedback.
8 They want to actually be able to see the work in
9 action, and I think that that interactivity, that
10 interactive nature of being able to see and touch the
11 work is actually what's really critical, which is why
12 we think that another plan and another set of
13 initiatives and pretending that the plan is the end
14 goal is not a helpful tool. I'm a New Yorker too,
15 lifelong New Yorker, and I know that what I really
16 care about is to understand how many bioswales are
17 coming to my neighborhood, when is the Rockaways
18 Boardwalk going to be finished...

19 CHAIRPERSON KAGAN: So why don't you put
20 it on the website?

21 EXECUTIVE DIRECTOR CHARLES-GUZMAN: What
22 we're doing is trying to bring all of that work
23 together. We have passed 10-years-worth of policies,
24 10-years-worth of plans, we've made a lot of progress
25 on our initiatives. We wanted to put it in one place

1 and that's currently on the web, and we'll continue
2 to improve. I'm not saying that it is perfect. I'm
3 not saying it is beautiful. It will get there. We
4 want to be able to show New Yorkers what's happening
5 in their neighborhoods and have them understand the
6 climate risks that they face and the strategies that
7 their government and their taxpayer dollars are
8 funding in their areas. That's why Adapt is a visual
9 aid online.
10

11 CHAIRPERSON KAGAN: Nobody's asking about
12 500 pages on the website. You can put interactive
13 map, neighborhood-by-neighborhood, what is the plan
14 so that's what we are talking about.

15 EXECUTIVE DIRECTOR CHARLES-GUZMAN: That's
16 right.

17 CHAIRPERSON KAGAN: Now, I would like to
18 ask a few questions about NYCHA, but I don't know, do
19 we have a representative?

20 COMMISSIONER AGGARWALA: We do.

21 CHAIRPERSON KAGAN: Yes. Okay, good. It's
22 not a secret that NYCHA developments were damaged by
23 Superstorm Sandy. In my district, I have so many
24 housing developments and all this money even
25 allocated after Superstorm Sandy. Until today, Sandy

2 Resiliency Projects are still not done, not finished
3 so everybody's asking about timeline, everybody's
4 asking do you need more money or you didn't use even
5 existing money so a few questions to NYCHA
6 specifically. Are there any NYCHA reconstruction
7 projects relative to Superstorm Sandy projects that
8 are not completed yet?

9 SENIOR VICE PRESIDENT SINDERBRAND: Hello.
10 Thank you for having me. Great to see you again. Last
11 time I think I saw you was at the town hall down on
12 Coney Island where we got to talk with a lot more
13 specifics. I'm Joy Sinderbrand, the Senior Vice
14 President for Capital Programs at NYCHA, and I'm
15 excited to say that after NYCHA got access to 3.2
16 billion dollars in December of 2015 we've invested
17 over 2.7 billion dollars in developments across the
18 city. These are not one-piece projects. As you know,
19 we might be investing 100 million, 200 million, 300
20 million dollars at a single development so, because
21 of that, what we're focused on is what benefits
22 residents quickly so for this hurricane season, NYCHA
23 has 100 buildings across the city protected from
24 storm surge, 10,000 apartments with full backup
25 power, and 3,500 apartments that have new heat and

1 hot water systems that are protected from future
2 flooding. There certainly is more work to be done but
3 in Coney Island we do have a number of developments
4 that are done and three construction projects that
5 are still underway.
6

7 CHAIRPERSON KAGAN: I'm asking because
8 every time I go to Haber Houses, for example, on West
9 24, it looks like the same resiliency project will be
10 50 years or maybe even more. Local seniors were
11 promised long ago, every single builder by 2018,
12 2020, 2022, and, for example, they still cannot use
13 their beloved senior center, and every time, okay,
14 it's in a few months, in a few years so I'm asking
15 like any timeline. Boilers, another very hot topic
16 all over the city, how many new boilers were
17 installed in NYCHA residences after Superstorm Sandy,
18 and do we still have some work on boilers not
19 finished yet?

20 SENIOR VICE PRESIDENT SINDERBRAND: As I
21 said, we have 3,500 units that are served by new
22 boilers, but, all together, the Sandy Recovery
23 Program, is replacing 20 heat and hot water systems
24 across the city. Just for a second, I want to go back
25 to Haber. We had a really productive call with the

2 senior center and DFTA just the other day. The Haber
3 project is an over-50-million-dollar investment. It's
4 not a senior center renovation. It's putting in full
5 backup power. It's putting in a new boiler system.
6 It's putting in annex buildings to protect critical
7 infrastructure so we want to really emphasize that
8 the impact to the senior center is very regrettable
9 and we're hoping to get the physical completion done
10 by the end of the year with permits and close-outs in
11 the next few months.

12 CHAIRPERSON KAGAN: Thank you. I would
13 like to repeat again about boilers. You said 3,500
14 new boilers were installed?

15 SENIOR VICE PRESIDENT SINDERBRAND: No,
16 no. Sorry, 3,500 apartments, units have new boiler
17 systems in place, and that's at eight developments,
18 but we have 72 new boilers in place, literally
19 hoisted in place, and we're doing the connections,
20 getting the gas on, getting all of the permits done
21 so we're looking to have many more of those ready for
22 the next heating season and all of them complete by
23 the end of 2023.

24 CHAIRPERSON KAGAN: Any boilers are still
25 not installed after Sandy? We still have some..

3 SENIOR VICE PRESIDENT SINDERBRAND: There
4 are no boilers that are not in place, but they're not
5 all turned on and permitted at this time.

6 CHAIRPERSON KAGAN: Another question that
7 very often I hear from NYCHA residents about
8 resiliency. What resiliency measures were put in
9 place in regards to the landscape of NYCHA properties
10 to prevent severe floodings in the future?

11 SENIOR VICE PRESIDENT SINDERBRAND:
12 Specifically for landscaping and when we talk about
13 passive protection, that's always the top priority.
14 There's really just two kinds of storm surge
15 protection you can put in. The passive kind works
16 without intervention and deployables. A lot of NYCHA
17 campuses are site-constrained and were not built in
18 the '30s, '40s, and '50s to be retrofit so they do
19 have some deployables. On the largest campuses, Red
20 Hook, Baruch, Bayside, we were able to use
21 landscaping-style protections, and those are under
22 construction right now.

23 CHAIRPERSON KAGAN: Again, this is an
24 ongoing problem, not just related to Sandy, but I
25 remember basically elevators did not work after
Sandy, but I would say elevators did not work even

1 without any Sandy in NYCHA. Any measures done to
2 prevent, at least in the future emergencies, that at
3 least less elevators would be unworkable in case of
4 future emergencies?
5

6 SENIOR VICE PRESIDENT SINDERBRAND: By the
7 end of the program, 200 of NYCHA's buildings will
8 have full backup power generators, natural gas-
9 powered generators installed. Some of these are being
10 enrolled in demand response to help the neighborhoods
11 around them hold the capacity, but, in addition to
12 that, NYCHA has recently applied for a FEMA grant to
13 put in voltage regulators on additional senior
14 buildings to allow the elevators to continue working
15 when there are voltage interruptions and we're
16 looking into piloting battery backup power as well so
17 there's a continued effort to expand what we've done
18 in the Sandy Recovery Program and take those best
19 practices forward.

20 CHAIRPERSON KAGAN: Talking about funding,
21 as I understand, about 3.2 billion dollars in funding
22 after Sandy specifically for resiliency projects was
23 allocated to NYCHA so how much of this funding
24 actually been spent and how long will it take to
25

1 spend all of this money, specifically for resiliency
2 projects?
3

4 SENIOR VICE PRESIDENT SINDERBRAND:

5 Specifically for the Sandy Recovery Program, we've
6 invested about 2.77 billion dollars of the 3.26. Some
7 of the longest and largest projects are still under
8 construction partially because of the intense
9 invasiveness of those landscaping-based protections
10 and the site-wide distribution that goes to support
11 new boilers, new generators, new...

12 CHAIRPERSON KAGAN: In what neighborhoods
13 are you talking about, not finished?

14 SENIOR VICE PRESIDENT SINDERBRAND: That
15 are not finished? Sure. The longest projects, we have
16 Red Hook East and West Houses, that's a 550-million-
17 dollar total investment and that's the largest in the
18 program. Secondly, in your district, we have Coney
19 Island sites which is O'Dwyer, Surfside, and Site 8.
20 I believe we're at 50 percent completion, well, we
21 did the roofs, 60 percent completion there so that's
22 also one of the largest projects in the portfolio and
23 that's where we're combining that new resilient
24 boiler room with the community center with the
25 rooftop basketball court and garden, and the idea

1
2 being we get money for a resilient benefit but if we
3 can spend one dollar to do two things, to provide
4 resilience but also provide an amenity to the
5 residents, that's really a priority for us.

6 CHAIRPERSON KAGAN: Okay. Thank you. We
7 already asked questions about Local Law 122, but, one
8 more time, when are you going to deliver basically to
9 New York City Council more details, not just in
10 pieces but more details about adaptation of Local Law
11 122?

12 EXECUTIVE DIRECTOR CHARLES-GUZMAN:
13 Council Member, thank you. We will forward you the
14 link to our web resource, which satisfies the
15 requirements of the Local Law.

16 CHAIRPERSON KAGAN: Okay. Question about
17 New York/New Jersey Harbor and Tributary Studies. We
18 will ask Army Corps of Engineers later, but,
19 specifically to the administration, the public
20 comment period about this study is open until January
21 6, 2023. Does the administration plan to submit its
22 own comments?

23 COMMISSIONER AGGARWALA: Yes, we certainly
24 will. We're going to be taking our time so I don't
25 have an opinion to share today, but we certainly

2 intend to offer our comments. I will point out that
3 we have a very productive collaboration with New York
4 State Department of Environmental Conservation and
5 the New Jersey Department of Environmental Protection
6 who are the two official non-federal partners in this
7 and I think it's very important that we are able to
8 work together as the three local partners.

9 CHAIRPERSON KAGAN: I remember when you
10 visited Coney Island Boardwalk, by the way thank you
11 for visiting together with New York City Parks
12 Commissioner, we talked about how important is not
13 just funding but what is the share of New York City,
14 and usually it's like even if this funding finally
15 materializes, it goes to the State so the question is
16 how will the City fund its share of construction
17 costs?

18 COMMISSIONER AGGARWALA: First of all, the
19 bulk of that will have to come from the city budget.
20 We would obviously be seeking whatever grants,
21 whether it's from the State, and we do know that
22 there's an Environmental Bond Act on the ballot here
23 in New York here in New York in the next couple of
24 weeks so there may be further funding opportunities,
25 but as we've seen with East Side Coastal Resilience,

2 when the City has a project that it needs, we will
3 pay our share and we have done the same with some of
4 the other projects around the city.

5 CHAIRPERSON KAGAN: Another question that
6 already was mentioned, most of the plans, even if
7 everything goes beautifully, which is not of course,
8 but construction would not be completed until at
9 least 2044, what are the plans in the interim, what
10 plans are in place for the City to protect itself
11 from storms and hurricanes while we are waiting for
12 the Corps of Engineers to finish the construction?
13 It's a long period of time.

14 COMMISSIONER AGGARWALA: It is a long
15 period, and I'll reiterate the point that I was
16 making earlier which is that even when, let us
17 imagine that the Tentatively Selected Plan is adopted
18 exactly as the Corps has already proposed it and it
19 is fully funded and it proceeds with lightning speed
20 and it is completed, I do not think we are going to
21 be done with coastal resilience planning. As I said,
22 I think we're going to have to accept the fact that
23 resilience planning and investment is now going to be
24 a permanent part of government. It's like saying when
25 will the Department of Education be finished with its

1 job. It's never going to be finished. It's an ongoing
2 task. Investment in transportation and
3 infrastructure. It's an ongoing task so I think that
4 will always be the case, particularly exacerbated by
5 the fact that whatever we do now we have to plan for
6 scenarios, these projects take a very long time, the
7 science continues to change, not anything about
8 whether climate change is happening but exactly what
9 the impacts of climate change are going to be and
10 what timeframe, our understanding is evolving and so
11 I think what we have to do, and this was very much
12 what we were trying to do this year, speaking
13 particularly on stormwater resilience, where Rainfall
14 Ready was about the short-term things we do in the
15 interim. Are they a fantastic fix? Of course not, but
16 they help eliminate deaths, they help reduce property
17 damage, those are the two things to the best we can
18 while we allow time for the longer-term fixes to take
19 shape. I think what Joy was talking about in terms of
20 NYCHA informs a lot of NYCHA and their investments.
21 One aspect of it is how do we prevent flooding from
22 taking place. Another is how do we build in the
23 resilience that allows us to recover when a bad thing
24 happens. You recover quickly if nobody dies. You
25

2 recover quickly if equipment is turned off and out of
3 service for 12 hours but isn't destroyed so it's out
4 of service for a month or two months so we have to do
5 all of that, and I think we will genuinely have to
6 spend the rest of our lives planning both for the
7 risks that we are not protected against and building
8 the protections for the risks that will change and
9 new risks emerge over time.

10 CHAIRPERSON KAGAN: By the way, do you
11 support this study? Do you support the federal plan
12 like what we read in newspapers and news and
13 everywhere else?

14 COMMISSIONER AGGARWALA: Again, the City
15 will come out with its comments on the Tentatively
16 Selected Plan. I think we certainly support the fact
17 that this work is going on. We certainly support the
18 fact that the Army Corps has a responsibility and the
19 federal government has a responsibility to protect
20 New York Harbor. Exactly the specifics, to their
21 credit, the Army Corps has done detailed analysis.
22 Several of us actually spent the bulk of a day over
23 at the Army Corps getting briefed on many of the
24 details. We will continue to look into it. We also
25 intend as the City not only to work closely with the

2 State and with New Jersey, but we are also going to
3 be listening very intently to what the New York City
4 public has to say as part of the Army Corps' ongoing
5 public engagement on this issue, and we may wind up
6 asking some questions of the public and other
7 stakeholders ourselves. All of that will inform what
8 the City says about the Tentatively Selected Plan.

9 CHAIRPERSON KAGAN: I'll ask one more
10 question related to waterfront areas all over the
11 City of New York. This question is constantly asked
12 about construction, homes, businesses. In the areas
13 that regularly flood now, how is the City addressing
14 (INAUDIBLE) in areas of high flood risk? What are the
15 City's views on constructing homes and businesses in
16 areas that will regularly flood 5, 10, 20 years from
17 now. This is very important because on one hand we
18 need housing and we need the development. On the
19 other hand, we don't want to have a situation where
20 we need to face everybody's flooded and the
21 shorefront area and the waterfront areas like what
22 happened after Sandy how to make a proper balance?

23 COMMISSIONER AGGARWALA: It's a really
24 important question, Mr. Chairman. I'll turn it over
25 to my colleague from City Planning in a moment, but

2 I'll just reiterate the fact within this
3 administration, we are engaging in questions about
4 specific projects and those bigger trade-offs on a
5 daily and weekly basis in conversations among my team
6 and MOCEJ, the Department of City Planning, EDC, the
7 Chief Housing Officer, HPD. This is a really big
8 tension. It's a tension when it comes to coastal
9 issues. It's a tension when it comes to inland
10 flooding issues. It is going to be one of our key
11 challenges. We have to think about it at the big
12 picture. We also have to think about it at the
13 project-by-project level, but it is something that is
14 front and center in our thinking. Let me ask City
15 Planning to take over.

16 DEPUTY COMMISSIONER OCHOA: Thank you,
17 Chair Kagan, for the question. To begin, it's perhaps
18 worthwhile to look at the City's coastal and our
19 flood risk across the 520 miles of waterfront that we
20 face. There are roughly 400,000 residents living in
21 today's flood zone as defined by FEMA, the 1 percent
22 Annual Chance Flood. That's the population of a good-
23 sized American city, roughly that of Minneapolis.
24 With 400,000 residents in the flood zone, the
25 question isn't should we stop development or should

2 we prohibit development in the flood zone. That
3 question has been answered for now a couple hundred
4 years, and so the question is what happens with new
5 development within the flood zone, and new
6 development in the flood zone is built to
7 contemporary standards. Since Hurricane Sandy, we've
8 updated our Building Code to make certain that
9 buildings that are constructed today are far more
10 resilient, and FEMA has shown this time and time
11 again after every major hurricane in the United
12 States that building codes work. Buildings that are
13 built to contemporary standards fare far better,
14 that's not to say that there's no damage, but that
15 they fare far better as a whole than buildings that
16 were built to older or even prior to standards, and
17 this is important because in New York City we are
18 talking about a flood zone that is largely built out,
19 and we are talking about not the development on
20 greenfield sites but redevelopment. Development that
21 occurs today in the flood zone is largely replacing
22 something else, and what that means is that the
23 buildings that were there before were built to a
24 lower standard and the buildings that are replacing
25 them are built to a higher standard, and that could

2 make a huge difference. We saw this throughout New
3 York City during Sandy as well. Lots of examples of
4 homes that were within blocks of each other, homes
5 that were built prior to the resiliency standards
6 being knocked off their foundation versus homes that
7 were built to resilient standards where the
8 homeowners or the residents can come back to those
9 homes within a day or two after the storm.

10 CHAIRPERSON KAGAN: Thank you. The next
11 question is related to New York City Comptroller
12 Stringer's report. My question is how is the Mayor's
13 Office of Climate and Environmental Justice working
14 to better coordinate its agency's underspending on
15 resiliency projects, especially as the City seeks
16 more fund in the future?

17 COMMISSIONER AGGARWALA: Let me start by
18 saying, first of all, I think we welcome the
19 Comptroller's report. Overall, I think it was a
20 detailed and, generally speaking, quite fair
21 analysis. What it demonstrates kind of is what I was
22 saying in my traffic is that there were some aspects
23 of the funding that was received that were spent very
24 fast, right. The easiest things, when you're talking
25 about immediately repairing damage that was done

1 working at a single building level. That is work that
2 can proceed very quickly, and those categories of
3 funding, what you saw in the Comptroller's report,
4 are 96, 97, 98 percent spent so the things that were
5 fast were done fast. The things that are lagging, I'd
6 argue may not really be lagging so much as they just
7 take a very long time. You look at a massive project
8 like East Side Coastal Resilience, that is a project
9 that spent many years, pretty much eight years of the
10 last 10 in consultation and design and prework. It
11 started construction months ago, not years ago, and a
12 big project like that will spend the first 10 percent
13 of its money in several years and then the final 90
14 percent of its money in two or three years due to the
15 construction phase, and I think that's the profile
16 that we've seen. Now, we do know that there are a
17 number of issues related to how federal grants work.
18 We've made some recommendations for streamlining
19 those. As I mentioned, the Mayors Capital Projects
20 Taskforce has a number of recommendations for how we
21 in the administration, the Comptroller's Office, and
22 the State Government could help speed up projects,
23 and we are working, again, closely with the
24
25

2 Comptroller to do that so there's a big focus on
3 ensuring that we are moving as quickly as possibly.

4 Finally, there are a number of components
5 of funding including funding at my own agency, DEP,
6 which the Comptroller's Office identified as being
7 underspent. Two things I'd point out about that. One
8 is that while we know that Sandy was 10 years ago and
9 we think about the Sandy funding, it's easy to
10 imagine that this funding has been sitting around for
11 10 years. DEP got some federal post-Sandy money that
12 arrived in 2018 so this is not all money that landed
13 on our desks in 2013 and we've been sitting around.
14 Now, 2018 is not yesterday so there's some time
15 there, but what we also see is that DEP and other
16 agencies in many cases has chosen what I think is
17 largely a responsible approach, although there's an
18 opportunity for us and I think the Comptroller's
19 Office report will lead us to take another look at,
20 but in general we'd often made the decision to
21 incorporate this Sandy money into ongoing projects,
22 and I will give you the example of the Comptroller's
23 Office cited a significant amount of money as yet
24 unspent at DEP. Again, this was not 2013 money; this
25 was 2018 money, but, for example, one pot of that

2 money, 113 million dollars, was for replacing
3 electrical conduits and other electrical equipment at
4 our wastewater treatment plants, many of which as you
5 know did get flooded during Sandy and suffered
6 damage. We chose to incorporate that work into
7 ongoing state of good repair projects at those
8 treatment plants because we decided it did not make
9 sense to replace a lot of electrical cables when two
10 or three years later we were also going to be
11 replacing large chunks of the overall equipment and
12 would probably simply be tearing out that new
13 electrical equipment that we had just put in so some
14 of this is actually being staged quite intentionally.
15 I think it's a legitimate question, one I'm certainly
16 asking within my agency, to take another look, make
17 sure that we are not letting the perfect be the enemy
18 of the good and not overly delaying those, but I
19 think some amount of a long-term spend can reflect
20 smart capital planning and not delay. Let me ask,
21 since you mentioned MOCEJ, let me ask if Kizzy has
22 anything else to add.

23 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Thank
24 you, Rit. I just wanted to add that one thing that is
25 really critical for this administration is that

2 coordination piece, right, and so I just wanted to
3 spend a moment to talk about that because even before
4 the Sandy funding is fully spent, what we're actually
5 trying to do is smart capital planning so that every
6 dollar that we're spending is doing multiple things.
7 It's helping us to meet environmental sustainability
8 goals so we're not wasting money. It's helping us
9 meet multiple climate hazards, not just storms, and
10 it's helping us also plan for the next generation of
11 things, right, so I think one of the key approaches
12 that we're taking, Rit and I are partners in this
13 struggle, is look behind us. This is our brain trust.
14 There used to be a time, and I was here for this,
15 when sustainability wasn't really a thing that every
16 agency did, right. Council Member Gennaro, you were
17 here for this too. Nowadays, years later, post
18 (INAUDIBLE) NYC, almost every single city agency has
19 a sustainability lead, has a sustainability office,
20 has resiliency staff, they're here, this is our brain
21 trust, these are our partners, these are the folks
22 that every week come together with Rit and I to do
23 that coordination, to really think through here are
24 the updates and maybe the update is something small,
25 this is happening, we're announcing this thing, maybe

2 the thing actually comes up and says here's a
3 dumpster fire we have going on and then we have an
4 offline conversation so we're doing that weekly
5 convening of our brain trust to ensure that we are
6 aligned on purpose. What is the purpose? To keep New
7 Yorkers safe, to make our neighborhoods better, but
8 also to do things faster and try to become a little
9 more nimble even as we're all exhausted from every
10 single storm and every single climate emergency that
11 we continue to face so that's our role, we take it
12 very seriously. We're trying to make sure that we're
13 coordinating across so that the federal funding that
14 is coming, the state funding that might be coming, so
15 that we're ready. We want to remain in a state of
16 readiness, and I think we're doing an okay job on
17 that. It's a long call every week.

18 CHAIRPERSON KAGAN: Thank you. Talking
19 about coordination, you remember, Commissioner, when
20 you came to Coney Island Boardwalk, I asked you how
21 there's going to be coordination between New York
22 City and the Army Corps of Engineers so it will not
23 be double work to replace the Boardwalk and then to
24 do the demolition and to do another in five years or
25 seven years so do you coordinate everything, like

2 work with federal partners, and you said there's
3 going to be coordination and we didn't want
4 (INAUDIBLE) money to be spent twice on the same
5 project.

6 COMMISSIONER AGGARWALA: Yes.

7 CHAIRPERSON KAGAN: Okay. I would like to
8 give a chance to ask questions to my esteemed
9 Colleagues. By the way, we were joined also by
10 Council Member Narcisse.

11 I would like to give a chance to ask
12 questions to my co-Chair of this hearing, Chair of
13 Transportation and Infrastructure Committee, Majority
14 Whip, Council Member Selvena Brooks-Powers.

15 CHAIRPERSON BROOKS-POWERS: Thank you,
16 Chair. I will start with questions around post-Sandy
17 FEMA funding. The New York City Comptroller released
18 a report on October 13th regarding Sandy-related
19 resiliency spending. The report details how the City
20 has failed to spend a large share of its 15 billion
21 dollars in federal grant money even 10 years after
22 the storm. The Department of Transportation's 142.3
23 million dollars in FEMA funds have been earmarked for
24 projects but only 47 percent of the funding has been
25 spent. On which projects will this funding be

2 utilized and what has delayed the funding of the FEMA
3 funding?

4 COMMISSIONER AGGARWALA: Thank you, Madam
5 Chair. Before I turn it over to my Colleague from DOT
6 for the specifics, I'll just reiterate kind of this
7 overall couple of points. Number one, we should not
8 imagine that all post-Sandy money has been sitting
9 around since 2012. Much of it came in in 2015, 2016,
10 2018. In many cases, what has not been spent is the
11 construction money, and, of course, we know that for
12 major projects design takes many years and in a
13 number of cases this money has been, to Chairman
14 Kagan's point, wisely coordinated with other planned
15 capital spending so as not to either be redundant or
16 to be wasteful, and I think that's going to be true
17 for DOT and for DEP, it's true for a number of
18 agencies.

19 DEPUTY COMMISSIONER OCHOA: Madam Chair,
20 great to see you. That's right, and I just want to
21 provide a bit more context as well. DOT received
22 about 800 million dollars, not just from FEMA but
23 from our several state partners and federal partners,
24 FHWA, this is the Federal Highway Administration,
25 Federal Transit Administration, and, of course, the

1
2 CDBG HUD funding. Total, we have spent about 68
3 percent of the money we received, but I think what
4 the Commissioner was mentioning, the obligated amount
5 is what really matters here and that's over 80
6 percent. Just to give you an example of how we've
7 spent the FEMA money that we've received and FHWA,
8 when Sandy hit about half of our moveable, 12 out of
9 the 24, were damaged, and those were already
10 repaired. It was a massive, massive undertaking, but
11 together with the team, DOT, the administration, OMB,
12 and everyone got together to make sure that the
13 funding was there, and it was allocated and it was
14 spent down to make sure that those bridges came back
15 to the pre-Sandy condition.

16 CHAIRPERSON BROOKS-POWERS: Thank you for
17 that.

18 COMMITTEE COUNSEL STEINBERG-ALBIN: Chair,
19 I apologize. I just need to swear in the rest of
20 admin since they're coming up. I apologize for that.
21 All of admin for the possibility that you might
22 answer a question, just raise your right hand,
23 please.

24 Do you affirm to tell the truth and
25 answering honestly to Council Member questions?

3 ADMINISTRATION: Yes.

4 COMMITTEE COUNSEL STEINBERG-ALBIN: Thank
5 you.

6 CHAIRPERSON BROOKS-POWERS: Just one
7 followup question. How are you all prioritizing the
8 money as it's coming in and where to spend it?

9 DEPUTY COMMISSIONER OCHOA: It's really
10 project by project. Some projects have multiple
11 grants with multiple agencies involved so it really
12 depends on the project. If you would like a briefing
13 on just our general federal grants project, we would
14 love that. We have a lot going on right now. The
15 Bipartisan Infrastructure Law is a great example of
16 just how complicated the grant process, and we use it
17 to fill in city tax levy, for example, whenever we
18 can and whenever we get those federal dollars, but it
19 really depends on project by project.

20 CHAIRPERSON BROOKS-POWERS: I would love
21 to have that briefing, especially on District 31, of
22 course.

23 DEPUTY COMMISSIONER OCHOA: Of course.

24 CHAIRPERSON BROOKS-POWERS: Just moving on
25 to the IIJA funding. In previous testimony, DOT
called on the State to allocate 30 percent of new

2 federal formula funds to New York City, with 15
3 percent to State assets, and 15 percent to City
4 assets. Has DOT received guidance on how new federal
5 formula funds will be allocated?

6 DEPUTY COMMISSIONER OCHOA: Yeah, and this
7 is actually a conversation that we have with our
8 federal partners and state partners on a daily basis.
9 I think we would like to see that 30 percent. That's
10 what we're aiming for in terms of federal grants, but
11 it is a coordination, and it is something that we
12 work on every day. Our grants team and our state team
13 and our IIJA team are working together. I think we
14 have a really good relationship with the State, and
15 we always want more, but I think they've been very
16 receptive recently, especially with the grants that
17 are coming in from the federal government.

18 CHAIRPERSON BROOKS-POWERS: Has DOT
19 received guidance on how new federal formula funds
20 will be allocated? What's that conversation that's
21 happening?

22 DEPUTY COMMISSIONER OCHOA: Sure. I wish I
23 could give you a straight answer. The real answer is
24 it really depends by allocation. I think the grant
25 amounts that we get from the federal government all

2 have different stipulations so it's, unfortunately,
3 not an easy 30 percent of everything the State gets
4 comes to New York City as we wish it were.

5 CHAIRPERSON BROOKS-POWERS: What's the
6 status of the distribution of the actual dollars?

7 DEPUTY COMMISSIONER OCHOA: It really
8 depends on the grant so, for example, the Bipartisan
9 Infrastructure Law, and we've been applying to every
10 type of grant and every type of NOFO, the notice,
11 that the federal government has put out on projects
12 that they're taking applications. Each stipulation
13 has different percentages, different city matches,
14 different state matches, so it really depends on
15 project by project the amount of money that we get
16 from those federal dollars that are flowing through
17 the state. There are some grants that do come
18 directly to New York City, but those are rare in
19 between.

20 CHAIRPERSON BROOKS-POWERS: Does DOT
21 expect that federal funds will displace allocated
22 city resiliency funds or will it supplement them?

23 DEPUTY COMMISSIONER OCHOA: It depends. If
24 the project is fully funded, which most of our
25 projects certainly in the short-term are, those will

2 be displacing city tax levy dollars which is a great
3 way to make sure that we are using those federal
4 dollars. If the project is not fully funded, then the
5 federal grants would fill in those gaps.

6 CHAIRPERSON BROOKS-POWERS: Okay. The IIJA
7 adds resiliency improvements to the list of allowable
8 uses for National Highway Performance Program funds,
9 the largest source of federal highway formula
10 funding. Does DOT plan to utilize federal formula
11 funds for resiliency improvements? If so, what kinds
12 of improvements will this money fund and where?

13 DEPUTY COMMISSIONER OCHOA: The short
14 answer is yes, absolutely. I think resiliency is top
15 of mind of every big project that we do. The Council
16 last year passed the Design Resiliency Guidelines
17 which have been very, and I'm looking at Jessica,
18 which have been a great resource for the City in our
19 capital projects to make sure that we incorporate
20 resiliency factors into every (INAUDIBLE) project
21 that we have. Just to give you an example, and we're
22 in a pilot phase, but we're very excited to see where
23 this program takes us, Harper Street Administration
24 Building, the reconstruction of Shore Road Bridge,
25 Mid Staten Island Bluebelt, these are all projects

2 that we are incorporating the Design Resiliency
3 Guidelines, and we're very excited to see where that
4 takes us and how we can incorporate resiliency into
5 everything that DOT does and everything that the
6 administration does as well.

7 CHAIRPERSON BROOKS-POWERS: Thank you. Now
8 going on to federal grant programs. In testimony
9 before the Committee this spring, DOT indicated that
10 it had secured two new resiliency planning grants.
11 Cool Corridors is a proposal funded by a FEMA
12 Building Resilient Infrastructure and Communities
13 grant that would help DOT plan for heat mitigation
14 measures in the right of way and funding through the
15 Local Waterfront Revitalization Program to adapt
16 waterfront streets to sea level rise. Can you provide
17 us with an update on these grants and has DOT
18 received the funding for these programs?

19 DEPUTY COMMISSIONER OCHOA: Yes. There are
20 two awards that we've received based on the
21 Bipartisan Infrastructure Law. One of them was for
22 planning purposes. It was 1.6 million dollars for the
23 East River Bridges, and the other was in conjunction
24 with our EDC partners, 7.25 million dollars, for the
25 planning of the New York City Greenway Expansion

1 Plan. Those are the two recent grants that we've
2 received. It does take a while for us to receive the
3 money. However, the planning is underway, and,
4 whenever we do get that money, we usually switch it
5 out from city tax levy to those federal grants.
6

7 CHAIRPERSON BROOKS-POWERS: Okay. Next,
8 I'm going to pivot to flooding. The Comptroller
9 estimates that 79 percent of the City's
10 transportation and utility infrastructure lies in the
11 100-year flood plain. What is DOT doing to protect
12 this infrastructure?

13 DEPUTY COMMISSIONER OCHOA: That's a
14 great, great question, and I think making our
15 infrastructure resilient is really top of mind and
16 top priority for this administration. DOT factors all
17 the resiliency risks associated with sea level rise,
18 coastal inundation, and, of course, increased heat
19 into our capital designs. We have several large
20 projects that we're doing right now that are taking
21 this into account. The Battery Park West Street
22 Underpass Floodgates is something that's a critical
23 infrastructure that we are making resilient. Flood
24 proofing the Whitehall and St. George Ferry Terminals
25 was also a massive project, and I mentioned the

2 Climate Resiliency Design Guidelines, and I'm going
3 to keep mentioning them because those were
4 groundbreaking policy that the City adopted to make
5 sure that every type of project that we move forward
6 has these resiliency guidelines.

7 I do want to point out, though, that 79
8 percent, not all of it falls entirely on the City.
9 There are some airports, highways, and other critical
10 infrastructure assets that do not fall under the City
11 jurisdiction.

12 CHAIRPERSON BROOKS-POWERS: Is there any
13 coordination that's happening in those instances?

14 DEPUTY COMMISSIONER OCHOA: Yes,
15 absolutely.

16 CHAIRPERSON BROOKS-POWERS: And what does
17 that look like?

18 DEPUTY COMMISSIONER OCHOA: We have
19 monthly meetings with the Port Authority, we have
20 monthly meetings with our state partners where we
21 talk about all these projects to make sure that they
22 aren't duplicating efforts and, of course, we are
23 coordinating, sometimes there's funding agreements
24 that we go so yes, absolutely.
25

2 CHAIRPERSON BROOKS-POWERS: How does the
3 administration decide whether to use green
4 infrastructure or gray infrastructure strategies to
5 mitigate the risk of flooding during intense rain
6 events, and how do you determine which areas should
7 be prioritized for such investments?

8 COMMISSIONER AGGARWALA: Thank you, Madam
9 Chair. It's an important question, and obviously the
10 answer is in many ways that we're going to be using
11 both in most places. As we discussed and as the Mayor
12 laid out on September 1st, our overall vision for
13 stormwater management around the city is to rely on
14 our gray infrastructure, our sewer system, for that
15 first 1.75 inches per hour of rain so the 98 percent
16 of all rainfall that's going to hit the city even
17 going forward is going to be storms that are less
18 intense than that level. So to do that, we have to
19 make sure that that system is working fully, we have
20 to make sure that it is well-maintained, and there
21 may be some parts of the city, of course we know that
22 in Southeast Queens, a couple of parts of Staten
23 Island, etc., that system does not exist. As you well
24 know, we are investing billions of dollars in
25 building out the (INAUDIBLE) infrastructure in

1 Southeast Queens, lots of money in Staten Island to
2 get that gray infrastructure to where it needs to be.
3 Beyond that intensity of 1.75 inches per hour, we
4 believe we have very little choice but to rely on
5 green infrastructure. As you know, the Bluebelt
6 Program has been tremendously successful, both in
7 terms of managing stormwater and in terms of its
8 public appeal. It's treated as an amenity. It has
9 benefits to the transportation infrastructure. Often,
10 it goes alongside it. As we announced on September
11 1st, DEP is now undertaking a citywide strategy for
12 where bluebelts might go. To date, we've considered
13 bluebelts really on an opportunistic basis, and we
14 now are taking the perspective of saying let's look
15 at the map for the whole city, let's look at the
16 topography, let's look, importantly, at where
17 waterways were in the past that were covered over and
18 built upon, and let's develop a citywide approach for
19 where bluebelts ought to go, and then that is, of
20 course, complemented by rain gardens which have a
21 significant benefit to this. We have, as you know,
22 11,000 rain gardens around the city. We are certainly
23 working on where they might go. To date, rain gardens
24 have only been focused in a set of neighborhoods
25

2 where we had agreed a decade ago with the State
3 Department of Environmental Conservation that they
4 would have an impact on reducing combined sewer
5 overflow. I think that's an important point, that
6 rain gardens thus far were part of a CSO strategy,
7 not part of a stormwater mitigation strategy. We are
8 changing our approach to that. We are in fact also in
9 discussions with the State about how we might work
10 together to change our perspectives on where rain
11 gardens go and really embrace the idea that they are
12 part of a citywide stormwater management strategy.
13 Then, of course, the final component that the Mayor
14 announced or described on September 1st is cloudburst
15 infrastructure. Of course, that was something that
16 was discussed in the New Normal report under the
17 previous administration, and, in fact, DEP had been
18 working on cloudburst infrastructure as far back as
19 2016. We will be breaking ground on our first
20 cloudburst infrastructure this coming year. We're
21 very excited about a project in the South Jamaica
22 Houses that was done with intense planning and
23 workshopping with local neighborhoods. We also in
24 that project had advice through a partnership with
25 the City of Copenhagen, Denmark, where we are using

1 the experience that they had developing sunken
2 basketball courts and other public areas that become
3 stormwater infrastructure. We are in the process of
4 planning as was committed in the New Normal report,
5 we will be identifying 10 neighborhoods where we will
6 do the planning. We have enough budget to do four of
7 those neighborhoods over the coming several years,
8 and I firmly expect that our cloudburst strategy will
9 expand as we get a little smarter about how it works.
10 Finally, I'll conclude, Madam Chairman, by pointing
11 that last summer we also released as part of Rainfall
12 Ready the map of where flooding due to rainfall is
13 most likely to occur. That informed, for example, the
14 stormwater barrier giveaways that DEP undertook where
15 we offered 15,000 homeowners around the city these
16 inflatable barriers as a stop gap measure, but it is
17 also now going to be worked into the way DEP
18 prioritizes its stormwater investments. Now that we
19 have this data, we can target investments based on
20 where we expect the flooding most to take place. I'm
21 not going to tell you that all of our capital plans
22 have already been shifted into conformance with that.
23 We're also not going to make the, what I would
24 consider, counterproductive step of stopping projects
25

2 that are already designed or otherwise might not
3 prioritize those areas, but it is certainly my
4 intention that over the next year or two our capital
5 plans will be driven by the data.

6 CHAIRPERSON BROOKS-POWERS: Thank you. I'm
7 going to close my questions with Build It Back
8 questions. I wanted to know how many contractors are
9 still owed money for completed Build It Back work,
10 and how is Build It Back addressing ongoing
11 maintenance on properties it worked on such as leaks
12 or defective construction. On my way here, part of my
13 delay was visiting a couple of my constituents' homes
14 where the construction of their home from Build It
15 Back, which was completed right at the start of the
16 pandemic, resulted in them missing, I guess, the
17 window for the warranty to resolve some of the
18 leakage that's been happening as a result, and so I'm
19 really interested in hearing how the program is
20 working to address these types of issues as well, but
21 first I'd like to know how many contractors are still
22 owed money and how much money is owed.

23 COMMISSIONER AGGARWALA: For those
24 specific details, I'd have to get back to you.
25 Construction is complete, and we're basically doing

2 the final close-out of the program, final audits and
3 payments to the contractors and to close the
4 contracts.

5 As far as any homeowner that would have
6 an issue, like you mentioned, anything that Build It
7 Back did come with a year warranty. If you have a
8 specific homeowner that has an issue that might've
9 gotten lost in the pandemic, certainly just send them
10 to us and we can track that down for you and review
11 it, but there is a process that's still in place
12 where the homeowner can call customer service and
13 request repairs and we still have the capability to
14 send someone out to the house and see what's going
15 on.

16 CHAIRPERSON BROOKS-POWERS: Thank you.

17 CHAIRPERSON KAGAN: Thank you, Chair
18 Brooks-Powers. I would like to give a chance to ask a
19 few questions to my Colleagues. First one is Council
20 Member Restler.

21 COUNCIL MEMBER RESTLER: Thank you so
22 much, Chairs Kagan and Brooks-Powers, for leading
23 this hearing. It really couldn't be more important.

24 I'd like to just use my time today to
25 talk about my wife's family, really my family. Ten

2 years ago this Saturday, we lost Jessie Streich-Kest
3 and 43 other New Yorkers including Jake (INAUDIBLE)
4 who she was walking with that day when tragedy
5 struck. There's been, in my opinion, too much focus
6 on property damage which, of course, can be fixed and
7 not enough on the lives that we've lost. Jessie was
8 technically my wife's cousin, but she was really more
9 like a sister. They were born months apart. They grew
10 up in the same household in Ditmas Park. I actually
11 knew Jessie before I met Anna. She was just an
12 extraordinary sparkplug. We met when she was working
13 on the 2010 Attorney General campaign as the Brooklyn
14 organizer and she was somehow at every club meeting,
15 at every organizing event, mobilizing all of Brooklyn
16 what felt like single-handedly. Every year, the
17 family gathers, we gather with friends on Zoom, we
18 gather on the block in Ditmas where strategy struck,
19 but it feels like the City forgets about these people
20 who we lost, and the families don't forget, but I
21 really wish that we could do more to recognize these
22 New Yorkers who had so much more to give, and I know
23 that if Jessie was still with us she would be an
24 activist on many fronts but especially around climate
25 change where clearly we are not doing anywhere near

1
2 enough. I just want to ask the question of what is
3 this administration going to do to remember the
4 people we lost?

5 COMMISSIONER AGGARWALA: Council Member,
6 thank you for that and, of course, personally and I'm
7 sure on behalf of the Mayor, I can say we're very
8 sorry for your family's loss. I will tell you I think
9 that's a very good question in terms of how we
10 institutionally commemorate them. This morning, we
11 did have a moment of silence at the beginning of the
12 Mayor's event recognizing the fact that while we were
13 there to break ground on an event, announce a new
14 program, and talk about the future, we also had to
15 remember those 44 people, and so Deputy Mayor Joshi
16 led us in a moment of silence and all 44 were
17 remembered in that way, but I think it's a worthwhile
18 question, one that I'd be happy to engage with you
19 personally on.

20 COUNCIL MEMBER RESTLER: Well, I know that
21 Jessie's family, especially her mom, Fran, and her
22 brother, Jake, my partner, Anna, and her dad, Steve,
23 that would be very meaningful so thank you.

24 COMMISSIONER AGGARWALA: Thank you.
25

2 CHAIRPERSON KAGAN: Following up Council
3 Member Restler's story, I would like to have a moment
4 of silence in memory of all victims of Superstorm
5 Sandy and all hurricanes and storms. Moment of
6 silence, please.

7 Thank you very much. Every life is
8 precious, and, of course, we lost many lives during
9 Superstorm Sandy, and one of the reasons why we're
10 hosting this hearing and this is very important work
11 because, again, we're talking lives, we talking about
12 livelihood of this beautiful city so it's very, very
13 important work so I'd like to give a chance to ask
14 questions to Council Member Gennaro.

15 COUNCIL MEMBER GENNARO: Thank you, Mr.
16 Chairman. I want to thank Council Member Restler and
17 the Chair and the Commissioner for giving this
18 hearing a sense of humanity and poignancy, and I
19 appreciate that.

20 I'm going to be talking to the panel but
21 also a note to the Committee Counsel, this is kind of
22 like a housekeeping item so to speak. We're going to
23 back in time a ways. This is a law that was written
24 pre-Sandy, Local Law 42. There's grins on the other
25 side of the table because they knew this was coming.

2 This was a law that was drafted and passed in a
3 different era. This was before Sandy. This was before
4 we even had an Office of Resiliency within OLTPS,
5 which didn't get created until whenever I created it
6 2013 so this is 2012, Local Law 42 of 2012, pre-
7 Sandy. The question before I even get into it is
8 whether or not this still works in the current
9 environment, but it's still on the books. We have to
10 figure out how to comply with it or change it
11 whatever. Before I cast any aspersions, I think the
12 only aspersion to be cast would be on me because when
13 I came back to the Council, I had forgotten about and
14 I was one of the co-primes on Local Law 122 of 2021,
15 and that should've lit a spark in me to think about
16 what I had done years ago. Local Law 42, I'm going to
17 read a little bit from it, and then I think the
18 fallout from this will be for the Counsel to this
19 Committee and the Council overall and also the
20 administration on how we go forward being that this
21 is on the books. This talks about the intent of the
22 law. The Council finds that in order to prepare for
23 and mitigate the expected impact on climate change
24 and New York City's communities, vulnerable
25 population, when I put the New York City Panel of

1 Climate Change together, I thought I would give it a
2 broad mandate so it's New York City's communities,
3 vulnerable populations, public health, natural
4 systems, critical infrastructure, buildings and the
5 economy, to help fulfill the goals of PlaNYC 2030,
6 and on and on so that was the intent. The actual
7 language that talks about the taskforce and I'm
8 watching the clock here. There shall be a New York
9 city climate change adaptation taskforce consisting
10 of city, state, federal agencies, and private
11 organizations and entities responsible for
12 developing, maintaining, operating, and overseeing
13 the city's public health, natural systems, critical
14 infrastructure, okay, fine, and the taskforce shall
15 be chaired by the Office of Long-Term Planning and
16 Sustainability and shall include, but need
17 not be limited to, representatives from the DOB, DDC,
18 City Planning, Environmental Protection, Parks,
19 Sanitation, Transportation, Economic Development
20 Corporation, Emergency Management, on and on, you get
21 the idea, and also representatives from organizations
22 in the health care, communications, energy, and
23 transportation fields, who shall be appointed to, and
24 serve at the pleasure of, the Mayor without
25

2 compensation by the city. The
3 mayor shall appoint the appropriate federal, state,
4 and local agencies to authorize to participate, and
5 it talks about how often they would meet, twice a
6 year, and I don't want to read the whole thing, but
7 it's very, very detailed and so the question is that
8 this is on the books right now. This was pre-Sandy,
9 pre-brain trust how we go forward and try to map out
10 the yellow brick road to the Oz of great
11 sustainability and climate change adaptation and
12 resilience. With that said, we have this on the
13 books, and we either have to comply with it, make it
14 fit somehow, or we have to make an amendment to it so
15 that it works better in the current environment, and
16 so that, I got 28 seconds left. Commissioner,
17 anything you might have to say on this or Kizzy or
18 whoever.

19 COMMISSIONER AGGARWALA: Yeah, go ahead,
20 Kizzy.

21 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Thank
22 you for that. Council Member Gennaro, what we did
23 with this piece of legislation back then was
24 legislate meetings that would bring together the
25 various actors that needed to come together at that

1 time to really envision what sustainability and
2 resiliency should be for the years to come. I would
3 argue we have done that. We continue to do that. The
4 taskforce meets, is it called a taskforce, has that
5 evolved over time, what are the sets of activities
6 that these particular players have everyday now to
7 meet the actual intent of the legislation. Let me
8 tell you about that. The CCATF officially met for the
9 last time officially on November 8, 2021. It
10 continues to meet. We continue to coordinate and give
11 briefings between the New York City Panel on Climate
12 Change and these set of stakeholders. Many of them
13 are sitting here. Many of them we talk to every week.
14 Let me give you an example, Con Edison, key partner.
15 At the time in 2008, we thought we had to drag them
16 to a meeting every six months to talk about the
17 sustainability agenda for 2030. Now, Con Edison just
18 like every agency on this panel has its own
19 sustainability strategy, its own resiliency strategy,
20 has invested billions of dollars, over a billion
21 dollars on resiliency. I would say that is a job
22 well-done. We continue that coordination, but now we
23 talk to Con Edison every week as opposed to the
24 mandated every six months, and we're still doing that
25

1 so I would argue that absolutely we need to do
2 something with what's on the books, and whether we
3 call it a taskforce, whether we call it here are our
4 appointees, that's a different story, but I want you
5 to know that we take this very seriously. We know
6 that it takes every level of government, it takes the
7 private sector, it takes every single one of these
8 agencies here to do this work well, to
9 institutionalize sustainability, and we have done
10 that, and I think a great example of that is you've
11 had all the plans, you had PlaNYC 1.0, PlaNYC 2.0,
12 you had OneNYC, two versions of that, you have a new
13 PlaNYC coming out in April, and the plan will be
14 courtesy of the Adaptation Taskforce, the CCATF.

16 COUNCIL MEMBER GENNARO: I'm certainly
17 happy to hear that. Just to put a capstone on your
18 good testimony, and, don't think, Mr. Chairman, that
19 I don't notice the fact that you're giving me a
20 little bit of latitude here and I do appreciate. I
21 would welcome an opportunity to be briefed more in
22 detail along with the Counsel to this Committee to
23 make sure that compliance in the eyes of the Counsel
24 has been achieved because we have no problem changing

1 it so I think we should just do that, and I think
2 kumbaya.
3

4 COMMISSIONER AGGARWALA: If I could,
5 Council Member, and I think we'd be very happy to
6 work with you and the Chair and the Committee Counsel
7 to think about how both Local Law 42, Local Law 122
8 what their successor should be, recognizing the fact
9 that this is a much more established approach and
10 incorporating kind of this observation that
11 resilience is going to be an ongoing process. We'll
12 work together.

13 COUNCIL MEMBER GENNARO: That's fine. I'm
14 just a little stickler about the letter of the law,
15 which I have no problem changing. This was great. I'm
16 going to celebrate this exchange with a Reese's.
17 That's what I'm going to do.

18 EXECUTIVE DIRECTOR CHARLES-GUZMAN: You
19 have to share, Council Member.

20 COUNCIL MEMBER GENNARO: I only got one.
21 I'm sorry. I borrowed it from the Speaker's office.

22 CHAIRPERSON KAGAN: Thank you.

23 COUNCIL MEMBER GENNARO: Thank you very
24 much, Mr. Chair, for the latitude and the indulgence
25 and thank you for your good answer.

2 CHAIRPERSON KAGAN: Thank you, Council
3 Member Gennaro. I would like to give a chance to
4 speak to Council Member Nurse.

5 COUNCIL MEMBER NURSE: Thank you, Chairs.
6 Thank you to the panel. I really appreciate all the
7 information that's being downloaded today. It's so
8 much. In fact, you've answered all my questions which
9 is really great and very rare in a hearing. I guess
10 what's really challenging is for most of us how we
11 communicate this to the people we represent, who are
12 going through these impacts in real-time, who didn't
13 have flood insurance and now are stuck with bills,
14 figuring out what to do, and any time a heavy storm
15 comes, we're all on edge, are we going to get calls
16 the next day, and so I understand the enormity of
17 these projects as a former construction worker, as
18 the daughter of a naval engineer, my mother worked
19 for Army Corps of Engineers in the past, I understand
20 and fully appreciate these things take time. I guess
21 if you could just explain to me like I'm a resident,
22 what can we do to make things go faster, what is it?
23 It sounds like there is a big chunk of money in
24 place, but do we need more contractors who can do
25 this work, do we need more workers, like what are the

2 things that concretely we can say this would make
3 these projects move faster, this is what the City
4 needs to build the capacity to move this stuff, in
5 particular if you're saying, and rightly saying and I
6 appreciate you saying, that this is something we are
7 going to now constantly have to be doing, constantly
8 be reassessing, have to be nimble on, and it is going
9 to forever be costly because these are major public
10 works projects so what is it that I can turn around
11 and say to the people that I represent who are
12 getting these new cloudburst, whatever we're calling
13 them now, that we can do?

14 COMMISSIONER AGGARWALA: Thank you,
15 Council Member. I think there are two aspects to the
16 answer that I'd share. Number one is we have to make
17 all of our capital work go faster. As I mentioned in
18 my testimony, First Deputy Mayor Grillo and
19 Comptroller Lander jointly and a wonderful example of
20 cooperation have been working on this list of things,
21 the report came out a couple of weeks ago, with an
22 initial agenda of things that the administration can
23 do, the Comptroller can do, and we need the State
24 Legislature to do to streamline capital projects of
25 all types. As I've said, as Kizzy pointed out as

2 well, our resilience work, there aren't three kinds
3 of resilience projects. There are 25 kinds of
4 resilience projects and so much of what all of these
5 agencies are doing so it's basically we have to speed
6 up all of our capital work. I can tell you, I think
7 I've told you personally as well in the past, as
8 Chief Climate Officer, I think the work that I'm
9 trying to do as DEP Commissioner to accelerate DEP's
10 own procurement is actually one of the most important
11 things we could be doing for stormwater resilience
12 because, leaving aside what we build and where we
13 build it, we're not going to be able to build it if
14 we can't get the money out the door, if we can't get
15 the contracts out the door, if we can't evaluate the
16 RFPs, if we can't get the negotiations done so
17 there's something about improving the metabolism. A
18 lot of that is on us. I would say you should be
19 asking us constantly about the speed of our
20 procurement. You should be asking us constantly about
21 the turnaround time, about how much of our capital
22 budgets we've committed. Those are the questions I
23 ask my team on a weekly basis. As the Mayor pointed
24 out this morning, a critical innovation that would be
25 hugely advantageous is if the State allows the City

2 to embrace progressive design build. It's worth
3 noting that during the pandemic because of the states
4 of emergency that were declared by the Mayor and by
5 the Governor, DDC actually did significant work using
6 progressive design build and realized some of the big
7 successes of construction that took place during that
8 period. The State uses progressive design build. The
9 entire private sector using progressive design build.
10 The State does not legally allow us to sue
11 progressive design build, and what progressive design
12 build means is that you can bid out a contract before
13 the final design is complete, which actually you are
14 excavating, you are looking at what's under the
15 ground with your contractor before designs are
16 undertaken and so that shaves off time. It also
17 reduces the number of change orders because, as we
18 all know, you start work, you always find stuff you
19 didn't expect to be there. Now, you'd be discovering
20 it jointly with your contractor. The other thing I
21 will say is that New Yorkers have lived in a
22 luxurious climate. We have lived in a place that is
23 generally quite safe. It is no longer safe, and every
24 New Yorker now needs to be more conscious of the fact
25 that he and she needs to protect themselves. We have

2 to pay attention to the weather. We should not be
3 going out when there are dangerous conditions. We
4 should not be ordering the burrito and making
5 somebody bring it to us in dangerous conditions. We
6 have to plan ahead to protect our property, both
7 institutionally as I mentioned in terms of flood
8 insurance, and physically, which, again, is why DEP
9 and other agencies were working to raise awareness
10 and, in those cases, give away things like inflatable
11 flood barriers.

12 COUNCIL MEMBER NURSE: Thank you. Chair,
13 if it's okay, I lied, I actually do have another
14 question. I'm sorry.

15 Just in terms of energy resiliency, the
16 federal Inflation Reduction Act has further
17 incentivized renewable energy, particularly in
18 disadvantaged communities, and now allows public and
19 tax-exempt entities to access solar incentives. Has
20 the City begun to analyze how this new law can
21 support efforts and reduce the cost of building solar
22 on public buildings, public schools, and public land?

23 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Thank
24 you for the question. The answer is yes, and let me
25 just say something about Climate Strong Communities

2 which is the initiative we launched today which I
3 really want us just to take away from this hearing
4 that we're really thinking about resiliency beyond
5 coastal protection. That flood wall is not
6 appropriate everywhere. It's not wanted everywhere,
7 but resiliency really means multiple layers, right,
8 multiple approaches, and solar is one of those
9 things, renewable energy is one of those things,
10 flood insurance is one of those things, not paving
11 over your driveway is one of those things, that water
12 has to go somewhere, right, so when you asked the
13 question earlier, Council Member, about what can New
14 Yorkers do and say. Ultimately, the thing that we're
15 trying to convey to everyone is we need an all-hands-
16 on approach to how we're going to keep each other
17 safe, how we're going to protect our property, but
18 also, most importantly, even if the thing is
19 expensive, right, the most expensive thing is loss of
20 life. The most expensive thing is to do nothing and
21 then to experience that flooded basement because we
22 didn't want to invest in the backwater valve
23 situation or we thought that the solar panel was too
24 expensive or we didn't want to tap into the
25 confusing amount of paperwork that NYSERDA or Con

1 Edison have for the incentive programs. What we're
2 saying as a City is we're trying to put it all
3 together so that New Yorkers can access, right, the
4 incentives programs, we can provide that technical
5 assistance that can help homes become more
6 sustainable but also more resilient to climate
7 hazards so I think that energy democracy is a big
8 part of that. Ensuring that no one is sitting in
9 their apartment baking in the heat in the heatwave
10 afraid of turning on that air conditioner for the two
11 minutes that would help their body cool down before
12 they die. It was a fully preventable death. I think
13 what we're trying to do here is say New Yorkers, we
14 need your help, you need to keep our elected
15 officials certainly our feet to the fire, keep doing
16 that, but also what are the conditions in your home
17 that need improvement. Come to us, we can provide
18 that guidance. We're not going to be perfect, but the
19 funding is there, and we hope to work with the state
20 and the federal partners to make sure that we are
21 getting our fair share of those investments and that
22 funding to come to New York City communities and
23 really target the most affected by climate hazards.
24
25

2 COUNCIL MEMBER NURSE: Thank you. Looking
3 forward to getting New York landlords to actually
4 take those up. Lastly and very quickly, and that's, I
5 promise, my last one because I'm getting the eyes.
6 Can you name the specific federal funding streams
7 that you're targeting for resiliency work?

8 EXECUTIVE DIRECTOR CHARLES-GUZMAN: I'm
9 going to start it off and then I'm going to hand it
10 over to my colleague. Here's what we're saying. There
11 are a lot of different federal funding streams and
12 pots, and they're all tiny bits of money, and by tiny
13 I mean when a project is a billion dollars we have to
14 cobble it together from a grant that gives you 5
15 million here, 200,000 here, 30,000 there, and so it
16 becomes a huge amount of labor for every city agency
17 here to put together competitive applications. Sadly,
18 that's the world we're in and so we're going to
19 continue to do that. We're going after every dollar
20 to ensure that we continue to move the needle, and
21 we're also saying hey, feds, what we actually need is
22 formula funding nationally so that we can actually
23 get to the scale to meet the moment and to meet this
24 challenge. We can't meet with the 1 million, 1
25 million there so what we're trying to do is create

2 programs that we know qualify for existing pots but
3 also that are shovel ready or to sign ready or at
4 some level of halfway cooked so that when we finally
5 get either from IIJA or the IRA like here is the set
6 of requirements, we're ready to go. Jordan.

7 SENIOR POLICY ADVISOR SALINGER: Sure.

8 Thank you. I think this can be a little confusing,
9 and this was something that came up in the Mayor's
10 announcement earlier today. I think Kizzy nailed it,
11 but essentially we're describing this in two
12 different ways. First, the Sandy unfinished business.
13 These are the larger coastal projects that we've been
14 working on in one form or another over the last
15 decade. Some are still design. Some are approaching
16 construction, and, for those projects, we are asking
17 the federal government for this formula funding,
18 reliable, regular, just the same way we do
19 transportation, we do housing, we've been very
20 grateful for the larger grants we've received over
21 the last decade but it's harder to plan an entire
22 city, not to mention the paperwork associated with
23 some of these grant programs can certainly be
24 burdensome and so the timelines have extended so
25 that's one bucket.

2 The other bucket, and this is what Kizzy
3 was talking about, the Climate-Strong Communities.
4 This is an initiative that is targeted specifically
5 around the Inflation Reduction Act and the IIJA. One
6 program I can mention, the BRIC Program, makes sense
7 for a program like Climate-Strong Communities, more
8 targeted, focused certainly in disadvantaged
9 communities, other areas of need and so just to give
10 you a sense, we're tackling this on multiple fronts
11 and tailoring our programs to meet what is
12 potentially available at the federal government.

13 COMMISSIONER AGGARWALA: Can I also,
14 sorry, Mr. Chairman, just to add to this and
15 emphasize the point that my colleague from DOT made
16 which is we have to remember an awful lot of this
17 federal money goes through the state. New York City
18 is, depending on how you calculate it, 47, 48 percent
19 of the state's population, we are 62 to 63 percent of
20 the state's revenue base. We rarely get 47 or 48
21 percent of the money that flows through the state.
22 There are a surprising number of state programs often
23 that are funded by federal money that have limits
24 that are dollar limits on what each municipality can
25 receive. There was one that my agency applied for

2 recently, a 220-million-dollar pot of money. No
3 municipality in New York State could receive more
4 than 10 million dollars by law. That was state law.
5 The agency administering that program put a rule on
6 top of that saying no, in fact, 5 million dollars is
7 the most any one municipality can receive so we are
8 stuck at whatever that is, getting underweighted by a
9 dramatic percentage, and I think it's important for
10 all of us to remember that if you imagine New York
11 State's allocation of federal funding like IRA, like
12 IIJA are, and you're mental math is well, we'll get
13 about half of that. Either we have to think again and
14 lower our expectations or we have to make our voices
15 very loudly heard in Albany.

16 CHAIRPERSON KAGAN: Okay. Thank you. I
17 would like to announce that we are still going to
18 have a lot of questions for U.S. Army Corps of
19 Engineers so if other Council Members wanted to stay
20 longer I would appreciate it because it's a very
21 important topic.

22 Now, I would like to give a chance to ask
23 questions to Council Member Carr.

2 COUNCIL MEMBER CARR: Thank you, Chair
3 Kagan. Commissioner, Director, it's good to see and
4 your teams here. Appreciate your time as always.

5 Commissioner, in your testimony you
6 mentioned the Travis Raise the Road project was going
7 to be starting later this year. Am I recalling that
8 correct from your testimony, and do you have a more
9 specific timeline of when that groundbreaking would
10 be?

11 COMMISSIONER AGGARWALA: I'll turn this
12 over to my colleague from EDC for the specifics.

13 SENIOR VICE PRESIDENT MEAGHER: Great.
14 Thank you. Thank you for that question, Council
15 Member. My name is Adam Meagher. I'm Senior Vice
16 President for Neighborhood Strategies at NYC EDC.
17 Thank you for the question and the opportunity to
18 speak to that really important project.

19 Just a little bit of context, the Raise
20 Shoreline Project is a citywide initiative that is
21 designed to proactively address the effects of sea
22 level rise in critically threatened areas around the
23 five boroughs and New York City's 520 miles of
24 shoreline. It does that through methods like
25 rebuilding bulkheads, sewer systems, and erecting

2 crash barriers at the end of streets where
3 construction will take place, and the projects that
4 have arisen from it came from a comprehensive
5 analysis of all of New York City's shoreline
6 identifying the most at-risk areas and selecting
7 particular infrastructure improvements to protect
8 neighborhoods and homeowners from what in the future
9 would be daily tidal inundation if we do not act. In
10 general, all of the projects associated with Raise
11 Shoreline, which is being implemented by EDC's
12 Capital Program Division are expected to be complete
13 some in 2023, all by the end of 2025. For Travis
14 Avenue on the West Shore specifically, which is going
15 to reduce nuisance flooding on a really important
16 road that, as you know, crosses a wetland and
17 wildlife refuge. National grid work should begin by
18 the end of this year, pending some approvals, and
19 roadway elevation is anticipated to begin next summer
20 with completion by the end of next year.

21 COUNCIL MEMBER CARR: Thank you. I
22 appreciate it. Commissioner, I'd now like to turn
23 more to the seawall project. The Army Corps entitled
24 it the South Shore of Staten Island. It's actually
25 the East Shore of Staten Island. I know you're only

2 calling it that for the sake of clarity, but, for us,
3 it's regarded as kind of a bad joke on the Army
4 Corps' part because we actually asked them to protect
5 the South Shore Workforce and they decided they could
6 not do that in this project, but you had referenced
7 the issue of the Army Corps' mission in terms of
8 getting this done in conjunction with remedial work.
9 My understanding is that that issue was resolved, and
10 a different division of the Army Corps is going to be
11 doing the remedial work at Great Kills Park so is it
12 your understanding that that jurisdiction issue is
13 behind us?

14 COMMISSIONER AGGARWALA: Rebecca can
15 answer the specifics of the jurisdictional issue. I
16 think the challenge that we've faced, and, again, I
17 will reiterate I think the Army Corps is operating
18 under the constraints of their mandate and the rules
19 that govern their operations. A lot of the issues
20 have had to do with the extent to which there's the
21 remediation work, there's the stormwater protection
22 work that DEP is responsible for, and all of it has
23 to be driven through the Army Corps' design and
24 project, and it is a lesson that I think we've all
25 learned about the extent that if you say this project

2 is only for coastal inundation protection it will
3 lead you down a very bad path because inevitably when
4 you keep water out you're also keeping water in
5 behind it, you're also likely to have impacts on
6 local water quality. One of the things as
7 Commissioner I'm concerned about as I think about the
8 HATS study, which, again, I'm very enthusiastic
9 about, but it includes some recommendations for
10 seawalls blocking off Jamaica Bay, Flushing Bay,
11 places where my agency is responsible for reducing
12 combined sewer overflows and improving water quality,
13 and we have to make sure that nothing the Army Corps
14 does there interferes with the work, or if it does
15 interfere with, the designs are compatible and
16 everybody is working together so we've got a lot of
17 coordination to go forward. I think the Staten Island
18 project, my hope is that 10 years from now we will
19 look back at the 20-year hearing and we will say we
20 learned a ton from that Staten Island project that
21 taught us how the City and the Army Corps can work
22 together really well going forward and that shaped
23 the 10 years from 2022 to 2032.

24 COUNCIL MEMBER CARR: Institutionally DEP
25 deserves a lot of credit for making sure that that

2 drainage issue you referenced is incorporated into
3 this, and I appreciate that and so do the people of
4 Staten Island I think once it's built, but, since I'm
5 running out of time, just a couple of questions and
6 then we can come full circle to your colleagues. My
7 understanding is that the cost went up, projects sit
8 and wait and the price tag increases. Do we know what
9 that increase is, has the federal government agreed
10 to give its share, and do we have then non-federal
11 share ready to match, and then in addition to that I
12 also want to bring up the issue of the MS4 Stormwater
13 Permitting process. I know that the City got renewed
14 by the State at the beginning of the year with some
15 additional requirements, and one of the things that
16 I've said to Parks in particular was that if we're
17 going to be imposing additional impositions on
18 private developments, the City also has to do its
19 part in engaging in stormwater retention on its own
20 properties, and I think that some of our lakes and
21 ponds in our parks are a good way for us to do that,
22 particularly ones that are proximate to hard-hit
23 neighborhoods like that we saw in Hurricane Ida just
24 last year, and so if we could talk a little bit about

2 that in addition to answering my questions about the
3 seawall.

4 COMMISSIONER AGGARWALA: Sure. I will
5 defer. Maybe, Rebecca, you have the numbers about the
6 Staten Island project. I don't have that off the top
7 of my head, but to your final point, yes, there's no
8 question that the stormwater management requirements
9 on private developments are a really important
10 component of our citywide efforts to both reduce
11 combined sewer overflow and improve the quality of
12 the harbor but also to protect ourselves against
13 stormwater and you are 100 percent right that we have
14 to make sure we are doing everything we can on city
15 property. To that end, when I mentioned earlier the
16 idea of a citywide bluebelt strategy and I defined
17 bluebelts in this case somewhat broadly, I'll
18 highlight one example that's very much on Park land
19 up in the Bronx at Tibbett's Brook where we're
20 working closely with the Parks Department to daylight
21 a historic brook that was turned into a culvert, turn
22 it back into a brook. A brook has much greater
23 expansion capacity in an extreme event, and so we
24 think that'll actually have a significant impact on
25 reducing the flooding. That was a neighborhood that

1 got very hard hit during Hurricane Ida, and that
2 project, I think, is a template for work that we will
3 be doing. In fact, just as recently as this morning
4 Commissioner Donoghue and I were talking about the
5 coordination that we are setting up between our
6 agencies to make sure we are looking at Parks
7 property as prime opportunities for that so I think
8 we are very much doing what you are point out.

10 SENIOR POLICY ADVISOR FISCHMAN: Hi,
11 Council Member. I'm Rebecca Fischman. I'm a Senior
12 Policy Advisor at the Mayor's Office of Climate and
13 Environmental Justice. Forgive me if I haven't
14 remembered all your questions, but I'm going to try
15 to answer each one of them.

16 Your question on the remediation of Great
17 Kills. The Army Corps and the National Parks Service
18 came back to the City with a proposal that was much
19 costlier and took much longer than we anticipated so
20 we have formally requested that they redesign that
21 section of the project to avoid the contamination at
22 Great Kills. We think, ultimately, that this would
23 save the City a fair amount of money and would speed
24 up the project by at least five years if they do so.
25 We're still waiting to hear. We hear there is an

2 alignment that might work, and we'll hopefully get
3 that soon and we'll share it as soon as we can.

4 On the budget side, you're right. The
5 costs have increased. I believe the Army Corps is in
6 the process of answering questions from Congress on
7 those increase of costs. You can ask them when
8 they're here. I believe the initial project budget
9 was 615 million and it is now 1.7 billion, but that
10 is all public information and you can kind of see
11 what they've submitted to Congress to find out more.

12 COUNCIL MEMBER CARR: Thank you.

13 CHAIRPERSON KAGAN: Thank you, Council
14 Member Carr. Thank you for your answers. I want to
15 give a chance to ask questions to Council Member Lee.

16 COUNCIL MEMBER LEE: Hi, everyone. Thank
17 you so much for joining. I think Council Member
18 Williams and I are going to tag team with each other
19 because we actually do share a lot of the same
20 borders and neighborhoods and districts so my
21 southern part is her northern part.

22 I just had a really quick question
23 because I noticed in the Committee Report, can you
24 expand a little bit on FloodNet, and the reason why
25 I'm asking is because I'm curious to know how we can

2 use that or if it has the capacity for us to utilize
3 that as a way to put the sensors out and identify new
4 areas because as we know the landscaping and the rain
5 patterns and everything, the environment is changing
6 so how do we use that to identify new potential flood
7 zones and the reason why I guess I'm asking that is
8 because in our districts we do have folks that lost
9 everything during Hurricane Ida last year, and they
10 are not qualified for anything because it's not
11 considered a flood zone by the insurance companies
12 and so how do we utilize whatever tools we have at
13 the city to push that if possible?

14 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Sure.

15 I will start us off and follow up with a commitment
16 that we can sit with you both and have this
17 conversation and understand your needs. FloodNet is a
18 sensor network that we are deploying citywide. We're
19 really looking at targeting the sensors. There's just
20 500 of them, that's where we are, in the next five
21 years, and we are targeting areas that have that
22 consistent flooding pattern but also areas that will
23 help us with emergency communications, road closures,
24 like that's the idea, right? We want to make sure
25 that we are capturing various areas of the city where

2 we would be able to respond and be able to share
3 information with the public real-time so we are happy
4 to have a sit-down with you both and be able to
5 understand where you would like the sensors placed,
6 and we can share more about the (INAUDIBLE) we're
7 targeting.

8 COUNCIL MEMBER LEE: Yeah. I'd be curious
9 to see over time how that would actually see newer
10 areas that are consistently seeing flooding and why
11 that is. Of course, I know that in parts of Southeast
12 Queens that we share, the water tabling is an issue.
13 I know that the Mayor had mentioned something about
14 this, but is the pumping and the getting rid of the
15 water, because that's usually also, we saw not only
16 heavy rainfall but the water tables because of the
17 way they are there's constant flooding because the
18 draining is not happening so if you could speak a
19 little bit to that as well.

20 COMMISSIONER AGGARWALA: I believe,
21 Council Member, you're talking about the aquifers and
22 the fact that as of about 15 years ago New York City
23 stopped relying on groundwater for drinking water in
24 those shared parts of your districts, and, as a
25 result, because we're not extracting the water, the

2 water is accumulating, the groundwater level is
3 rising, and that's leads to a higher propensity for
4 flooding in basements. That is not strictly speaking
5 something that's about climate change. It is, of
6 course, something that's very real to the residents.
7 It is something that I won't tell you that we have a
8 plan. I will tell you, however, that I'm personally
9 thinking about it and we at DEP are going to be
10 working on a plan to take that seriously. There are a
11 couple of projects that I'd be happy to share in
12 greater detail offline that we are doing that are
13 important to get us to an overall solution to this
14 problem. There is one project that we are undertaking
15 with the U.S. Geological Survey to do an updated,
16 more detailed map of all of the underground water
17 across the city. That's going to be really important
18 to really make sure that we understand where all of
19 this is. There are also a couple of pilots that my
20 agency is doing around specific infrastructure
21 changes, things called French drains which we've
22 redesigned a couple of catch basins in your part of
23 the city that will automatically allow groundwater to
24 be dumped into the sewers where the groundwater is
25 actually rising so high that it's getting to the

2 level that the sewers are, which is kind of the point
3 at which it really does cause flood risk to your
4 constituents. If those designs work, then they become
5 the kind of thing that maybe we can do on a
6 replicable basis across that area, but I will commit
7 to you it is something that I don't think the city
8 has taken as seriously in the last 15 years as it
9 should have, but it is something that I've heard loud
10 and clear and something I am taking very seriously.

11 COUNCIL MEMBER WILLIAMS: Do you have any
12 updates on the pilot, because I know a couple of
13 months ago there was a meeting that the Borough
14 President convened, and I know in a previous hearing
15 you mentioned the pilot, but do you have any tangible
16 updates on where you are with the project?

17 COMMISSIONER AGGARWALA: I apologize,
18 Council Member. I do not know where it stands right,
19 and I would hate to give you misinformation so I'd be
20 happy to follow up and my colleague from DEP is here.
21 We'll get back to you.

22 COUNCIL MEMBER WILLIAMS: Yeah, I think it
23 would be good to just get feedback and accuracy
24 around timeline because I know my office, this is
25 something that people followed with me about every

2 single time I'm in the community, especially those
3 communities that are dealing with groundwater
4 flooding, and I even said, no, the Commissioner said
5 he's working on it and there's a pilot and the pilot
6 is going to do another underground survey and they
7 laughed at me and said this has been done already. I
8 don't know if this is true, but I'm tossing it back
9 to you because they said this has been done already,
10 how many times is the City going to do these studies
11 and assessments that only prolong the actual
12 implementation of a tangible solution so I just
13 wanted to honor them. When I try to say no, and
14 they're like no, this has been done, and the people
15 in my community that have been working on this issue
16 have been working on this issue, I probably was still
17 in high school or junior high school so they are way
18 more experienced than me and they have a lot of
19 receipts, as we say, they have receipts and
20 statements from DEP, statements from when Jim Gennaro
21 was the Chair, his first time, I'm serious, it dates
22 back.

23 COUNCIL MEMBER GENNARO: Am I in trouble?

24 COUNCIL MEMBER WILLIAMS: No. We're just
25 underscoring how long this has persisted and the

2 constant comeback is we need to do another study, we
3 need to do another assessment which actually, again,
4 does not solve the problem.

5 COMMISSIONER AGGARWALA: Council Member,
6 look, again, I will say number one, I know some of
7 the constituents you talk about and there is no
8 question that they have a great deal of expertise and
9 history. I'll reiterate the fact that I think my
10 agency did not take this issue, did not own it the
11 way that I think we ought to in the past so I don't
12 blame them for a certain amount of cynicism, but,
13 look, I'd love to talk with you about a way, I think
14 you're right, it is actually frankly a little
15 embarrassing for me to have to say that we talked
16 about it at the emergency hearing in August I think
17 was the last we talked about it, and I can't tell you
18 exactly what's happened so perhaps we need to set up
19 some sort of regular occurring meeting as an update
20 just so you're fully aware, it prompts me to make
21 sure that I'm asking my folks all of the right
22 questions, and we give it the attention it deserves.

23 CHAIRPERSON KAGAN: Thank you.

24 COUNCIL MEMBER LEE: Sorry. We have one
25 more.

2 COUNCIL MEMBER WILLIAMS: Sorry. I know
3 I'm next, right?

4 CHAIRPERSON KAGAN: You already used your
5 time.

6 COUNCIL MEMBER LEE: We're combining our
7 time.

8 CHAIRPERSON KAGAN: Did you finish,
9 Council Member Lee?

10 COUNCIL MEMBER LEE: No, we're together.

11 CHAIRPERSON KAGAN: Same team. Okay, good.
12 Teamwork.

13 COUNCIL MEMBER WILLIAMS: We think like
14 one brain. We're also both Queens delegation, Chair,
15 so we work together lots so she actually just
16 reminded me that another question that we wanted to
17 ask is around the application for FEMA money for
18 Hurricane Ida. I know we're talking about Sandy, but
19 circling it back to Sandy, the Build It Back program
20 that so many people in our collective neighborhoods
21 reference all of the things that happened in
22 Hurricane Sandy and the lack of that same attention
23 to the issues that they're dealing with with
24 Hurricane Ida. It is my understanding that the agency
25 has not initiated an application to apply for FEMA

1 funds in which that was the case during Hurricane
2 Sandy so we just want to understand if the
3 administration has any goals to initiate an
4 application to receive FEMA funds, to support for a
5 special project because we were told that there are
6 special funds that municipalities, states can apply
7 to for special projects like Build It Back and so we
8 just want to understand if there are any.

10 UNIDENTIFIED 1: I think you're talking
11 about a FEMA Mitigation Hazard Grant, right? Do you
12 want to take this?

13 COUNCIL MEMBER WILLIAMS: Well, it
14 wouldn't be, you're with Emergency Management, right?

15 ASSISTANT COMMISSIONER ROITER: Yeah.

16 COUNCIL MEMBER WILLIAMS: Yeah. It
17 wouldn't be Emergency Management though. Emergency
18 Management is only there to help the agency in their
19 application process, but the agency itself has to
20 initiate the application process.

21 UNIDENTIFIED 1: Sure. We do have another
22 one that's managed by NYCEM and HPD. It really has
23 less to do with the hurricane, but FEMA offers these
24 mitigation grants. It is a very lengthy process to
25

2 apply for it. I think we can start that discussion to
3 do. Do you want to explain about the grant?

4 ASSISTANT COMMISSIONER ROITER: I'm
5 Heather Roiter from Emergency Management. I think
6 going into the complexities as we've discussed
7 before, the FEMA funds for Hazard Mitigation
8 Assistance is nuanced and has complexities so yes, we
9 do help agencies, but, again, I think it probably
10 requires a few different agencies to have a further
11 conversation about what it would look like to package
12 and apply with a few agencies at the table.

13 UNIDENTIFIED 1: I just want to add. The
14 Build It Back program is funded by CDBG dollars that
15 are assigned specifically towards that event and that
16 storm. For Hurricane Ida, the City created a
17 supplemental grant program where we've been working
18 with your office and did a few tours that the City
19 funded that will give homeowners up to 72,000 dollars
20 in direct grant not only to reimburse them for work
21 they may have already done but also to complete work
22 and do some resiliency measures if that's what they
23 choose as well, and that's immediate. That's ongoing.
24 We work with (INAUDIBLE) community very closely so
25 that's ongoing in your neighborhoods now.

1
2 COUNCIL MEMBER WILLIAMS: Okay. I'll
3 follow up with you guys. I think I heard a commitment
4 to potentially looking into applying.

5 DEPUTY COMMISSIONER DARGA: Something that
6 is worth noting. I'm Kim Darga. I'm the Deputy
7 Commissioner of Development at HPD. In addition to
8 looking at federal funds, we actually have
9 specifically for housing, this is partially about
10 housing issues, we have expanded assistance to help
11 specifically homeowners address resiliency needs in
12 their properties. As part of the Housing Blueprint
13 this spring, summer that we released, we made a
14 commitment to expand HomeFix. HomeFix 2.0 will have
15 money available for homeowners to do resiliency work
16 as well. HomeFix 2.0. Yep, it's available now, but
17 we're scaling it up. It'll have funds available for
18 homeowners to do energy efficiency, resiliency. In
19 addition to some of the federal resources that we've
20 been looking at, we have actually committed City
21 funds as well.

22 CHAIRPERSON KAGAN: Okay. Thank you very
23 much. Now I would like to give a chance to speak to
24 Council Member Palladino.

2 COUNCIL MEMBER PALLADINO: Good afternoon.

3 Thank you very much for being here. It's a pleasure
4 to finally meet you. I've met so many with DEP, and I
5 just want to start out with saying thank you from
6 District 19. District 19 wants to thank you. We had a
7 town hall, and we did a walk-through. DEP was
8 fantastic, and my constituents and myself thank you
9 very, very much for this. You took the time, you came
10 out, you met the neighbors, and, boy, they were
11 angry, not everybody was happy, and with all due
12 respect, they had every reason to be because what's
13 going on in our neighborhoods, Linda neighbors me as
14 well, it affects homeowners directly, and they are
15 being affected every time it rains. Every time I hear
16 a forecast, I never thought rain would ever bother
17 me, every time I hear two to four inches, oh my God,
18 what's going to happen, and sure enough these people
19 are getting, with Ida, they were wrecked, totally
20 wrecked. They had between three to six to eight feet
21 of water, but, worse than that, there was raw sewage,
22 and now one year later, 10 days, on the 12th of
23 September they were killed again with only two inches
24 of rain, three inches of rainfall so this is an area
25 that is not affected at all by the Long Island Sound.

2 This is infrastructure, and Kizzy you mentioned early
3 on in the hearing and you nailed it when you said
4 that people are over-building. There's no place for
5 runoff anymore. There's no green left. You mentioned
6 a driveway. Well, I've got about 100,000 of those
7 driveways, and it's absolutely crazy. You mentioned
8 French drains, and that's exactly what they're
9 talking about. What we need to do in my district, and
10 I know through you guys coming and you're still
11 there, we have so many projects going. College Point
12 is a tremendous, last 10 years absolutely, you got
13 DDC there, you got DEP there, you got Con Edison
14 there, but they've been like this now for better than
15 12 years and like my Colleagues said people keep
16 asking when and when and when. I need to start to
17 bring some real solid answers back to College Point.
18 The people in the rest of my district from the
19 Whitestone down to the Douglaston-Little Neck area,
20 it's a troublesome thing, but you're dropping the
21 cameras down there, you're going to actually walk the
22 sewer line. I held a town hall, a Zoom town hall
23 which you were kind enough to do with me. There were
24 over 100 people on that Zoom town hall with over 300
25 questions and people who were waiting to get in. To

1 say it was a huge success is an understatement, but
2 to say there's more work to be done, that showed in
3 the 300 comments. I look forward to working with you.
4 I want to know a whole lot more about Build It Back.
5 I just heard about expanding HomeFix 2.0 because
6 people are running out of money. As Linda said here,
7 the homeowner's insurance are not covering it. On
8 that town hall, it was suggested that people start to
9 add on to their homeowner's insurance something
10 called sewer coverage, which is very important. I
11 have it on my house, and it works so for 50 bucks or
12 100 dollars more a year on their homeowner's policy
13 at least they can get a little something back. I'm
14 curiously, very quickly, you mentioned 220 million
15 dollars is allotted from the State. Can you just
16 refresh my memory when you talked about the State
17 money? I know we're running out of time.

19 COMMISSIONER AGGARWALA: Council Member, I
20 was just using that program as an illustration of the
21 challenges that the City sometimes faces. That is a
22 grant program for clean water so it is something that
23 we applied for, somewhat cheekily we applied for 50
24 percent of the pot even though we're only allowed to
25

2 get 5 million, but that's for treatment plant
3 upgrades.

4 COUNCIL MEMBER PALLADINO: Okay. What I'm
5 curious about is when we set aside the budget for you
6 guys, it's obviously not enough money. Are you
7 allotted money from the State?

8 COMMISSIONER AGGARWALA: We are not
9 allotted money from the State. We do apply for money
10 when it is available, and probably the largest source
11 of value that we get from the State which is also
12 primarily federally funded ultimately is that DEP
13 issues a portion of the bonds, or rather the New York
14 City Water Authority releases a number of its bonds
15 through the State's revolving fund and so the
16 interest on those bonds is partially subsidized.

17 COUNCIL MEMBER PALLADINO: How much would
18 you say you get from the State?

19 COMMISSIONER AGGARWALA: It's a good
20 question. I have asked the State to help us calculate
21 that.

22 COUNCIL MEMBER PALLADINO: Because I'd
23 like to see a little break-up between when the feds
24 give the State money, there's a lot of money, we're
25 talking hundreds of millions of dollars here, and

1 then we get how much of that. I'm always a follow the
2 money type of person so I'm very curious when it
3 comes to that. We seem to get lost in the mix of the
4 five boroughs, and I don't think that's really fair
5 to us here at the five boroughs and I know it's not
6 fair to you and you guys who are trying to do your
7 jobs so I'd like to talk more about it. Thank you
8 very much for everything you do. I appreciate it.

10 CHAIRPERSON KAGAN: Thank you, Council
11 Member Palladino. I would like thank all members of
12 the administration for coming today and answering all
13 questions. Again, it's a very important topic. It's
14 the 10th anniversary of Sandy, and we're talking
15 about lives, we're talking about property, we're
16 talking about the future of this great city so it's
17 too important, and I'm very, very grateful.

18 I would like to move now to the next
19 stage of this hearing, U.S. Corps of Engineers so if
20 you want to stay, anybody can stay because it's an
21 important topic.

22 EXECUTIVE DIRECTOR CHARLES-GUZMAN: Thank
23 you, everybody, on behalf of the entire team. We
24 appreciate your time.

3 CHAIRPERSON KAGAN: I would like someone
4 to stay at least to listen to testimonies from the
5 public, from Army Corps of Engineers, at least some
6 members of the administration should stay. Thank you.

7 I would like to invite Anthony Ciorra,
8 Chief of Coastal Restoration and Special Projects
9 Branch. Anthony Ciorra. How do you pronounce property
10 your last name?

11 CHIEF CIORRA: Ciorra.

12 CHAIRPERSON KAGAN: Ciorra. Anthony Ciorra
13 from U.S. Army Corps of Engineers. Thank you so much
14 for coming. It's very important. A lot of people are
15 talking about Army Corps of Engineers, especially
16 now.

17 We don't need to swear you in so you can
18 start.

19 CHIEF CIORRA: You can hear me now?

20 CHAIRPERSON KAGAN: Yes. You can make your
21 presentation right now.

22 CHIEF CIORRA: Okay. Good afternoon.
23 Again, my name is Anthony Ciorra. I am the Chief of
24 the Coastal Restoration Branch with the U.S. Army
25 Corps of Engineers, New York District.

2 First off, I want to thank Members of the
3 Committee on Resiliency and Waterfronts and
4 Transportation and Infrastructure of the New York
5 City Council for the invitation to testify here today
6 and me with the opportunity to give an update on the
7 status of the Corps of Engineers' post-Sandy coastal
8 recovery efforts in the City of New York.

9 As the Hurricane Sandy Recovery Program
10 Manager, I'm responsible for the New York District's
11 6-billion-dollar coastal restoration program in New
12 York City, coastal Long Island, and northern New
13 Jersey.

14 The continued partnership between the
15 State of New York, City of New York, and the U.S.
16 Army Corps of Engineers is vital to the ongoing
17 recovery efforts and for the future of a sustainable
18 and resilient New York City.

19 Army Corps of Engineers personnel played
20 key roles in the response following Superstorm Sandy
21 in October 2012, removing approximately 475 million
22 gallons of salt water from critical infrastructure
23 around Lower Manhattan and removing over 3.6 million
24 cubic yards of debris throughout the five boroughs.
25 The New York District directly supported the U.S.

2 Coast Guard in reopening New York/New Jersey Harbor
3 by pulling over 200,000 cubic yards of hazardous
4 debris from the water in less than three weeks after
5 the storm.

6 U.S. Army Corps of Engineers is currently
7 executing our post-Sandy Coastal Storm Risk Reduction
8 Program that is funded under Public Law 113-2, which
9 is the Emergency Supplemental Bill passed shortly
10 after Superstorm Sandy in January 2013. This 6-
11 billion-dollar comprehensive portfolio required the
12 repair and restoration of eight existing projects
13 damaged during the storm at a cost of 242 million
14 dollars including coastal storm risk management
15 projects at Coney Island, Rockaway Beach, and the
16 Oakwood Beach levee/tide gate on Staten Island.

17 A summary of some brief highlights of
18 the work completed and ongoing in our joint efforts
19 to rebuild a stronger and more adaptable city for
20 all New Yorkers.

21 Coney Island. We completed a 33-
22 million-dollar project that included the
23 construction of four new T-groin structures and
24 placing 70,000 cubic yards of sand in the Sea Gate
25 reach of the project in order to protect the

2 integrity of the existing coastal storm risk
3 reduction project at Coney Island that reduces
4 risk to the residents of those adjacent
5 communities. Again, that project was completed in
6 2016.

7 East Rockaway Inlet to Rockaway Inlet
8 and Jamaica Bay. This is a 700-million-dollar
9 project that we are currently working on in
10 partnership with the State and the City. It's a
11 comprehensive coastal storm risk reduction project
12 that includes construction of a reinforced dune,
13 new and rehabilitated groins, and beach re-
14 nourishment along the Atlantic Ocean shorefront.
15 The project also includes nature-based measures
16 with structural features to be constructed along
17 Jamaica Bay shoreline to address more frequent
18 storm-surge flooding. Two construction contracts
19 totaling 340 million dollars are ongoing along the
20 Atlantic shorefront until early 2026 while design
21 work continues on the Jamaica Bay features with
22 construction scheduled to start in 2025.

23 South Shore of Long Island. This is a
24 1.7-billion-dollar project where design efforts
25 are continuing for coastal storm risk reduction

measures that will help reduce risk to vulnerable low-lying communities between Fort Wadsworth and Oakwood Beach where 24 fatalities were suffered during Sandy. The project includes the construction of a 5-mile-long buried seawall and associated interior drainage features.

Finally, the Corps of Engineers is working on the New York/New Jersey Harbor and Tributaries Study, or HATS, which is expected to provide additional coastal storm risk reduction options for at-risk communities throughout New York City and areas throughout the harbor estuary. The HATS Draft Feasibility Report and integrated Tier 1 Environmental Impact Statement was recently released for agency and public review, and the comment period is open until January 6, 2023. USACE is currently coordinating with the non-federal partners on scheduling public meetings this coming November and December. The feasibility study is scheduled to be completed in June 2024 at which time Congressional authorization will be needed for construction of the recommended plan. The Tentatively Selected Plan has various types of coastal storm risk management features identified

2 in many areas of New York City. We will be happy
3 to provide more details on the Draft Report and
4 Tentatively Selected Plan to the New York City
5 Council shortly as was recently requested of our
6 study team. In fact, I can add to my testimony
7 that a meeting is being coordinated with the City
8 Council for next week. It hasn't been confirmed
9 yet.

10 In closing, I want to stress that the
11 Army Corps of Engineers and our non-federal
12 partners have not lost our sense of urgency for
13 completing these important projects as soon as
14 possible to reduce the risk to coastal communities
15 that remain vulnerable from the impact of future
16 storm events. Although we understand the
17 frustration of our stakeholders and the public
18 that our process requires time due to the extremely
19 complex nature of these projects and the
20 environment in which they are located, we are
21 still pushing to move everything forward as
22 quickly as possible because we understand that the
23 risk still exists. Our Sandy recovery and coastal
24 program continues to be a priority for our agency,
25 the U.S. Army Corps of Engineers, as we approach

2 the 10-year anniversary of Sandy this coming
3 weekend.

4 Again, thank you for inviting me to
5 speak in front of your Committees today. The Army
6 Corps of Engineers New York District is proud to
7 call the City of New York a great partner in our
8 joint efforts to reduce coastal storm risk for all
9 New Yorkers and to build a more resilient and
10 robust city for residents and visitors to enjoy
11 for many years to come.

12 CHAIRPERSON KAGAN: Thank you for
13 coming. Thank you for testifying, and I like that
14 you emphasized that you understand the urgency of
15 the situation because, though sometimes we're
16 talking about 10 years, 20 years, 5 years, people
17 are very frustrated and now we mark the 10-year
18 anniversary of Superstorm Sandy, and a lot of
19 people in New York City feel like very few things
20 were done since 2012 to make our city
21 significantly more resilient and prepared for the
22 next superstorm or hurricane, and Army Corps is a
23 tremendously important part of the solution.
24 That's why we appreciate your time.

2 I'm a little bit biased. I represent a
3 beautiful neighborhood called Coney Island that
4 suffered tremendously after Superstorm Sandy, and
5 I wanted to ask you two questions right away.
6 They're both related to Coney Island, but the
7 second question is actually citywide. My first
8 question is about Coney Island Boardwalk and Coney
9 Island beaches, it's all inter-related. The
10 administration mentioned that they are working
11 together with U.S. Corps of Engineers so the plan
12 that you mentioned will incorporate findings and
13 plan to make Coney Island more resilient and to
14 restore the beauty and the resiliency of the
15 landmark Coney Island Boardwalk. That's my first
16 question. Is it true? Are you doing anything about
17 it? Is it a part of the plan?

18 CHIEF CIORRA: The current Tentatively
19 Selected Plan for the HATS, the Harbor and
20 Tributary Study, does include the line of
21 protection that extends across Coney Island and
22 actually meets high ground closer to the
23 Verrazzano-Narrows Bridge in Bay Ridge, and we are
24 not at that level of detail yet because we're in
25 the study, but I would strongly recommend that the

2 City of New York in their formal comment to the
3 Tentatively Selected Plan during this public
4 comment period include your requests and
5 recommendations for how the Coney Island Boardwalk
6 could be incorporated into such a coastal
7 resiliency plan, similar to what we're doing on
8 the South Shore of Staten Island where there's an
9 existing boardwalk. We're going to be building a
10 buried a seawall where the new boardwalk will be
11 on top of that seawall.

12 CHAIRPERSON KAGAN: From what I know,
13 that's the plan. At least that was announced today
14 from what I know, but I just would like to
15 emphasize how important it is not just for
16 Southern Brooklyn but I believe for the entire
17 City of New York. Second question is also related.
18 Seawalls. I know that it's a part of the plan to
19 build seawalls and not just around Coney Island
20 but in other areas as well. I don't know, someone
21 mentioned Sheepshead Bay in Brooklyn and some
22 other areas so is it also true that are we talking
23 about seawalls being built inside this plan?

24 CHIEF CIORRA: Yes, there are areas of
25 the plan that include shore-based measures such as

2 seawalls, raised bulkheads, and promenades. That's
3 all part of the Tentatively Selected Plan.

4 CHAIRPERSON KAGAN: Okay. We're already
5 talking about comments this time from City of New
6 York so my first question related to this
7 feasibility report. Have you received any public
8 comments already because I know that the impact
9 statement was released on September 24. Is the
10 public comment period opened through January 6 so
11 did you receive any public comments? If yes, can
12 you speak about some of these comments?

13 CHIEF CIORRA: I can say that we have
14 received comments, many public comments by email
15 because we have set up electronic means. I do not
16 know the nature of those comments yet though, sir.
17 We haven't gotten to the point where we summarize
18 them. I'd have to talk particularly to the project
19 manager, but being that the comment period is
20 continuing to be open until January and we're
21 going to have extensive public outreach and in-
22 person public meetings scheduled over the next
23 couple of months, we're going to wait until the
24 comment period closes before we formally address
25 those comments.

2 CHAIRPERSON KAGAN: You're basically
3 talking about, that's my next question, what are
4 your plans to engage the public even more so more
5 people will know about this plan and more people
6 will send their comments?

7 CHIEF CIORRA: We have heard from our
8 local partner, the City of New York, that they
9 would like to see at least one public meeting in
10 each of the five boroughs. Of course, we'll also
11 have the two non-federal sponsors, the States of
12 New York and New Jersey, who have requests for
13 public meetings as well, but at this point we have
14 committed to at least eight in-person public
15 meetings as well as numerous virtual meetings.
16 We've actually already had a number of virtual
17 meetings where we've given briefings out to non-
18 governmental organizations, environmental groups,
19 we had one this past Monday, I believe there's
20 another one this week so the virtual meetings have
21 already started. The in-person public meetings
22 will take place in November and December before
23 the holiday season.

24 CHAIRPERSON KAGAN: Thank you. The next
25 question is this report used the low-to-moderate

2 sea level rise prediction. How did you come up
3 with this, why is low-to-moderate sea level rise
4 prediction, and could you elaborate how Army Corps
5 chose Alternative 3B as the best alternative?

6 CHIEF CIORRA: We chose the low-to-
7 moderate sea level prediction based on our latest
8 guidance. We're following the Corps of Engineers
9 guidance for coastal storm risk management
10 studies.

11 As far as how we came up with
12 Alternative 3B, a number of factors went into
13 that. A big part of it was economics. At the Corps
14 of Engineers, when we recommend any plan for any
15 type of project, we have to show economic
16 justification meaning that the benefits of the
17 project, the benefits that derive from the
18 project, and in this case damages prevented to
19 structures and infrastructure have to exceed,
20 outweigh the cost of constructing the project so
21 that's one of the main factors that went in there.
22 We looked at that large surge barrier outside the
23 Harbor between Sandy Hook, New Jersey and Breezy
24 Point on the Rockaway Peninsula. That project,
25 though very large in scope and covered a massive

2 area, from a cost standpoint compared to the
3 benefits it would provide it was not the most
4 economically justified plan that we could identify
5 so 3B, taken into all those issues, environmental
6 impacts, of course, is very import. We have a
7 draft Federal Environmental Impact Statement
8 attached to the report. We looked at those. We're
9 looking to minimize impacts as much as possible.
10 Taken into all those factors, engineering,
11 economics, environmental, social impacts, our
12 recommendation is that the best plan with what we
13 know now is Alternative 3B that's in that report.

14 Now, we are seeking input from our non-
15 federal partners. We're seeking input from other
16 agencies, federal, state, and local. We're seeking
17 input from the communities, the public on any and
18 all information they could provide on this plan
19 that could provide something we missed. We're not
20 saying we have all the answers right now. That's
21 why we use the word tentative. It's a Tentatively
22 Selected Plan. It's not the final plan. That won't
23 happen for another two years. We're scheduled to
24 complete it in July 2024 when we'll have a
25 recommended plan that we will need support from

2 our non-federal partners in the States of New York
3 and New Jersey and the City before we can proceed
4 and finalize it.

5 CHAIRPERSON KAGAN: Thank you. Since you
6 already mentioned a timeline, which is important
7 to everybody because everybody's impatient and
8 everybody's talking not 2044 but preferably 2024,
9 something, so my next question is could you
10 elaborate on which resiliency measures would be
11 constructed first and in what areas of the city?

12 CHIEF CIORRA: That decision has not
13 been made yet, sir. We have not identified which
14 part of this project would be constructed first,
15 but I can tell you from experience that we will
16 look to construct those phases of the project that
17 can move forward as quickly as possible. We'll be
18 looking at a standalone component of the project
19 that could provide some at least interim benefits
20 in coastal storm risk reduction that obviously is
21 not going to exacerbate or make flooding worse in
22 adjacent areas. Those areas may include projects
23 say on public property where it's easier to
24 acquire the real estate, which by the way is the
25 non-federal sponsors' responsibility to deliver

2 all the necessary real estate to the Corps of
3 Engineers so we can award contracts and build the
4 project. We'll look at those areas that are
5 highest at risk, that have the most risk. There's
6 varying degrees of risk here. They're all at risk
7 but some more than others. We'll look at areas
8 that may have less environmental impact in terms
9 of contaminate material, and there is going to be
10 contaminated material in this study area, we know
11 that, similar to an issue we're running into on
12 Staten Island right now with Great Kills Park. We
13 know that those areas generally take longer to
14 construct because of the lead time before
15 construction in order to have a clean site, in
16 order to acquire private properties. We'll look at
17 the financing of the non-federal sponsors. This is
18 going to be cost-shared to our knowledge unless
19 Congress says otherwise, it's going to be cost-
20 shared 65 percent federal, 35 percent non-federal.
21 I can tell you for a 52-billion-dollar project,
22 the federal government will not get all the money
23 upfront. We're going to budget for this project
24 incrementally by federal fiscal year so it may not
25 be possible to build the 20-billion-dollar

2 component of the project. We may have to build a
3 smaller piece first in order to get the project
4 into construction, and those are decisions we're
5 going to be making in concert with our non-federal
6 partners in both states as well as the City of New
7 York so I can't answer the question today of where
8 we're going to start because, honestly, we don't
9 have the answer to that question at this point.

10 CHAIRPERSON KAGAN: Again, one Coney
11 Island related question. Every time I talked
12 Economic Development Corporation about ferry in
13 Coney Island, they're saying on a seaside, on
14 oceanside it's very difficult to build anything
15 related to the ferry because Army Corps of
16 Engineers will not allow us to build anything on
17 that side. Have you ever had conversations with
18 EDC about this possibility?

19 CHIEF CIORRA: We have had some
20 discussions with them about that, and I would also
21 suggest that that would be a comment that could be
22 submitted to us during the public comment period
23 if there's interest in that. Again, at this point
24 because we're only in the study phase and we only
25 have a Tentatively Selected Plan, there is

2 flexibility and many options that could be
3 considered. We wouldn't want that comment to be
4 withheld and then the project get authorized for
5 construction and we design it and have the plans
6 and specifications ready to go and then the
7 comment comes in because at that point it's almost
8 too late. This is the opportunity now for all to
9 throw any of their issues, concerns, ideas on the
10 table for consideration.

11 CHIEF CIORRA: I will tell EDC and I
12 will submit my own comments about this ferry
13 terminal and a ferry stop will be built around
14 oceanside of Coney Island, but first they have to
15 check with Army Corps of Engineers.

16 CHIEF CIORRA: Absolutely, yes, sir.

17 CHAIRPERSON KAGAN: Okay, good. My last
18 question is are we are on schedule to release the
19 Chief Engineer's Report by June 15, 2024, and, if
20 not, what kind of delays that push this date back?

21 CHIEF CIORRA: We are currently on
22 schedule to finish the study and have a Chief of
23 Engineer's Report by June 2024.

24

25

2 CHAIRPERSON KAGAN: Okay. I would like
3 to give a chance to my co-Chair, Selvena Brooks-
4 Powers, to ask any questions.

5 CHAIRPERSON BROOKS-POWERS: Thank you
6 for coming and giving your updates. If we can put
7 on the screen, I wanted to have a photo put up as
8 I ask my question.

9 This is Bayfield Avenue in the
10 Rockaways currently today, 10 years later from
11 Superstorm Sandy. What is there, just to describe
12 for accessibility purposes, this is one of the
13 many backyards along Jamaica Bay where it is
14 literally seeing property break off and go off
15 into the Bay. People have tried to put cement to
16 mitigate this, they've put new planks to mitigate
17 this, but because of the storm surge that's there,
18 the lack of resiliency infrastructure that's
19 there, there are families that are unable to allow
20 their children to go in the backyard because there
21 is no protective barrier that protects the
22 homeowners to Jamaica Bay so as you see here on
23 one lot there is some brickwork that was laid down
24 there which has totally eroded by Jamaica Bay.
25 They did some beautiful fencing that also has

2 eroded and broken apart from the bottom up into
3 the Bay area so a significant amount of homeowners
4 (INAUDIBLE) along Jamaica Bay on Bayfield Avenue,
5 specifically Beach 65th to 72nd Street, reported
6 to our office their backyards and decks are
7 experiencing tremendous erosion. As a result,
8 their backyards and decks are, as you see in this
9 photo, sinking in, and some are cascading into the
10 Bay. Given the vulnerability of this situation and
11 the potential for further property loss and
12 damage, would the U.S. Army Corps of Engineers be
13 able to address this area independently from the
14 overall proposed coastal storm reduction project
15 of Jamaica Bay?

16 CHIEF CIORRA: My understanding is, do
17 you know what street this is?

18 CHAIRPERSON BROOKS-POWERS: This is
19 Bayfield, and this is Beach 65th Street to be
20 exact.

21 CHIEF CIORRA: Okay, so that is included
22 in the Arverne section of our Jamaica Bay
23 component of the project.

24 CHAIRPERSON BROOKS-POWERS: Let me just
25 color my statements, and I should've started with

2 this before I went into these questions. My
3 concern, even in your report, it talks about the
4 ocean side of the Rockaways being scheduled to be
5 completed by next year while the bay area is not
6 scheduled to start design until 2026. That is more
7 than 10 years past Sandy with no measures in place
8 to protect the property there and the community
9 because this is our frontline of defense right
10 here, and it's alarming that is taking so long
11 because my understanding of the last update we
12 received from the Army Corps of Engineers, DEC,
13 and the Parks Department was that money is
14 allotted for these projects already, they're
15 there, so similar to my Colleague earlier, Council
16 Member Nurse asking what is it that can move these
17 projects sooner. Is it that there needs to be
18 hiring of more contractors because we can't wait,
19 right now when you have property that is cascading
20 into the Bay so to sit there and say 10 years now
21 and we still have to wait two years more for the
22 design part to even start in the Bay area is
23 concerning to me.

24 CHIEF CIORRA: Okay, ma'am. I know that
25 there were multiple parts to that. I'm not sure

2 what document you were referring to, but let me
3 tell you where we are on the project. It is true
4 that we've been underway with the Atlantic
5 Shorefront Features now since the fall of 2020. I
6 think we all know that. There's a lot of activity
7 taking place on the shorefront. We're pumping sand
8 onto beaches, we're building reinforced dunes,
9 we're building stone groins that are going to help
10 to retain the sand, all that work is going to
11 continue until 2025, that construction.

12 CHAIRPERSON BROOKS-POWERS: But why
13 isn't it happening at the same time? The Bay side
14 has a lower income community, black and brown
15 community, and nothing has been done.

16 CHIEF CIORRA: Right. There's a good
17 answer for that. (INAUDIBLE) design is underway on
18 the Bay side. We actually just presented the 10
19 percent design package last week to the City of
20 New York and the State of New York for their
21 review so that was what we see as definitely
22 significant project forward for this reach of the
23 project because once the City and the State concur
24 with the plan, that allows us to proceed on to the
25 next design milestone which is the 30 percent. The

2 City also can start their ULURP which is obviously
3 very important because this area is going to
4 require the ULURP because of the many private
5 properties that are involved.

6 CHAIRPERSON BROOKS-POWERS: What kind of
7 ULURP is it going to require?

8 CHIEF CIORRA: What kind? I'm not
9 familiar enough with your process to know what
10 kind, but I know that there's private properties
11 back there that we're going to require both
12 easements and maybe acquire land-in-fee as well in
13 order to construct the project.

14 CHAIRPERSON BROOKS-POWERS: But to my
15 initial question, is there any way to
16 independently from the overall proposed coastal
17 storm reduction project of Jamaica Bay have these
18 properties handled or mitigated because currently
19 right now this is a hazard.

20 CHIEF CIORRA: Understood, ma'am.
21 Unfortunately, we don't have any authority to do
22 any interim actions.

23 CHAIRPERSON BROOKS-POWERS: Who has the
24 authority?

2 CHIEF CIORRA: I think that would be
3 either the City or the State. We don't have any
4 authority or funding to do any interim measures on
5 the Bayside. That would have to be part of our
6 recommendation, and, once we go to construction,
7 we'll be able to address that, but, like you said,
8 we're three years away from starting construction
9 in that area.

10 CHAIRPERSON BROOKS-POWERS: Again, this
11 is something since I've even been elected, I've
12 noticed when I talk to the various agencies, City,
13 State, Federal, it's often almost like finger-
14 pointing, like no, this agency has to do it, this
15 one has to do it, but no one is taking full
16 accountability, and, again, because there is money
17 for these projects and there is resiliency that's
18 needed I'm not sure why when they're on two
19 different sides of the peninsula, why weren't they
20 running concurrently, why did the Bay get selected
21 to be last, why are they not further along in the
22 process?

23 CHIEF CIORRA: There is a good answer
24 for that. Number one, this project has been
25 underway, it started back in the 1970s, and it was

2 just a beach replenishment project on the
3 oceanfront. Back in 2004, we actually started a
4 study that reevaluated the existing project, and,
5 at that time, the focus was on the Atlantic
6 Shorefront for a number of reasons, but primarily
7 being the opinion was that's where most of the
8 risk was in terms of storm damages. Sandy was a
9 wakeup call for many agencies at all levels of
10 government. We saw that the back bay flooding
11 coming from Jamaica Bay was... I'm sorry.

12 CHAIRPERSON BROOKS-POWERS: The Bay. I
13 know that there's a term called the back bay but
14 locally we just call it the Bay.

15 CHIEF CIORRA: Just so you know, back
16 bay is a technical term that we use, so the Bay
17 side flooding was as significant, if not worse,
18 than the ocean flooding during Sandy so a decision
19 was made after Sandy, 2013 to 2014, to incorporate
20 the Bay side features in and to look at this
21 project as one complete system, the Bay and the
22 Atlantic Ocean, one system, not separately, and we
23 came up with a recommendation to build a tidal
24 surge barrier across Jamaica Bay in the area of
25 the Gil Hodges Bridge. That's now part of the

2 Tentatively Selected Plan for the HATS. The reason
3 why it was not incorporated into this project is
4 because it was too expensive. The surge barrier
5 alone was nearly 3 billion dollars at the time,
6 and that basically exceeded the entire budget.

7 CHAIRPERSON BROOKS-POWERS: 3 million or
8 billion?

9 CHIEF CIORRA: 3 billion. It basically
10 exceeded the budget we had not only for this
11 project but for the entire program so we deferred
12 the surge barrier to the HATS study which we knew
13 was about to start at the time, and we kept in
14 what we call these high-frequency risk reduction
15 features that would address Bay side flooding even
16 at lower level events because, even if you build a
17 surge barrier, the surge barrier is going to be
18 open most of the time. The only time that barrier
19 would close is in advance of a large event, but
20 you still have the smaller events. We have a lot
21 of what we call blue sky flooding, as you know, in
22 this community because it's such a low-lying so
23 there were features of that surge barrier plan
24 that we kept in because they were more affordable,
25 affordable in this case means the entire Bay side

1 plan is going to be somewhere in the neighborhood
2 of 350 million dollars so it's still significant.
3 It would be raising bulkheads, seawalls, green
4 infrastructure such as salt marsh, things like
5 that, living shorelines. We'll do what we call
6 nature-based features, not green infrastructure,
7 but we would incorporate nature-based features as
8 much as possible back there. Even the study and
9 all the work we did on the Bay side was lagging
10 behind at least 10 years to what we were doing on
11 the ocean front. Secondly, you remember I answered
12 the Council Member's question before about which
13 projects go first. Obviously, the Atlantic
14 Shorefront is all New York City Parks property so
15 the real estate process was very easily. It was
16 basically the City of New York giving us the
17 rights of entry for us to go on the property and
18 build the project and then to do the long-term
19 maintenance. Back here, as I mentioned, it's going
20 to require a ULURP, I don't know which type of
21 ULURP, ma'am, I'm sorry, I'm not that familiar
22 with the City's process, I know the flow chart,
23 I've seen it, and how...

2 CHAIRPERSON BROOKS-POWERS: When you
3 said the easement, it clicked for me, but yeah.

4 CHIEF CIORRA: We knew this was going to
5 require an extensive real estate acquisition
6 process. We also know, and I'll use that word
7 again that word again, that the HTRW, which is
8 hazardous, toxic, or radioactive waste, we knew
9 that there's a possibility we could encounter that
10 back here and that's always an obstacle that we
11 have to get through. It's holding up part of the
12 Staten Island project right now. To answer your
13 question, I understand the public perception, but
14 the study wasn't completed until 2020 so we are
15 now in design. I want to clarify we're not
16 starting design in two years. Design is underway.
17 Yes, the Atlantic Shorefront is going first for
18 the reasons I described, but also let's keep in
19 mind that it's one system. It's not two separate
20 projects, and, even if we were building the Bay
21 side right now, if the Atlantic Shorefront wasn't
22 being addressed, those communities are still going
23 to flood from the waves and the tidal action
24 coming from the Atlantic Ocean. Of course, you
25 know, ma'am, that the project extends from when I

2 say the entire peninsula, it doesn't include Riis
3 Park and Breezy Point because one of them in
4 National Park Service land and the other's a
5 private community which we can't work in, but the
6 project basically goes from 149th Street to the
7 west all the way out to Beach 9th Street in Far
8 Rockaway so all of those communities are included,
9 but, again, I do understand the frustration, I do
10 understand the perception, but I just want to make
11 it clear for the record the reasons why the Bay
12 side work is not occurring as far as construction
13 at the same time as the oceanfront, but we are
14 hoping now that we're getting through the design
15 phase that along with our State and City partners
16 that we'll be able to come up with an acceptable
17 plan to start construction out there as soon as
18 possible. Again, we're going to look at the areas
19 that I'll say easiest to construct, we'll look to
20 start work on the publicly owned lands first if we
21 can or we'll start with the nature-based features
22 work because that's not as extensive as raising up
23 bulkheads and building walls on property, but it's
24 really going to require a lot of support from the
25 community. I know that you're well aware of the

2 risks of living there because you have to live
3 with it every day so we're not going to preach to
4 you about what you live through, but what it comes
5 to there's going to be property owners back there
6 who may not be as supportive as the community as a
7 whole, especially when it comes to giving up some
8 of their land rights or giving up easements, which
9 they'll be compensated for based on fair market
10 value. That's something that the government can't...

11 CHAIRPERSON BROOKS-POWERS: I head that
12 before in terms of the acquisition so it's not the
13 whole house that would be acquired, it's just
14 enough of that...

15 CHIEF CIORRA: It'll be part of their
16 property. In many cases, it may only be easements,
17 but our experience has shown that sometimes
18 private property owners aren't even amenable to
19 giving up easements, and they'll challenge the
20 federal government, and the State or the City may
21 have to go through eminent domain, right,
22 condemnation proceedings. You might be more
23 familiar with that than I am at your level, but
24 that's going to be the responsibility of the State
25 and City of New York. Part of the agreement that

2 was signed between our two agencies back in 2019,
3 between the State, the City, and the Federal
4 Government, all three agencies, is that the non-
5 federal sponsor is responsible to acquire all the
6 real estate necessary for us to build the project.

7 CHAIRPERSON BROOKS-POWERS: Okay. I
8 think you answered my question, but where I will
9 end with you is now that you're saying that the
10 design is currently underway, what's the timeline
11 for completion of the design and start for the
12 construction and then what's the overall timeline
13 for that next phase that can get some relief to
14 these homeowners?

15 CHIEF CIORRA: Ma'am, we envision
16 starting construction in 2025 and, quite honestly,
17 the two main activities that are going to be on
18 the critical path will be obviously support from
19 the State and City with the plan, right, with the
20 design, not the plan. It's more of a (INAUDIBLE)
21 with the design because it involves building
22 certain structures on public property as well as
23 private property, there's going to be pump
24 stations that are going to be needed for interior
25 drainage to get water, someone mentioned it

1 earlier, when you start building walls on the
2 shoreline, you have to ensure that you're not
3 adversely impacting the community by preventing
4 water to get out during rain events so that's why
5 in many cases we're required to build pump
6 stations in order to physically pump that water
7 back out into the Bay.

9 CHAIRPERSON BROOKS-POWERS: Is there any
10 way to accelerate the design phase?

11 CHIEF CIORRA: I think we could
12 accelerate if we receive consensus and support
13 quickly from our State and City partners.

14 CHAIRPERSON BROOKS-POWERS: Okay. I'll
15 get you that.

16 CHIEF CIORRA: And the other one is
17 going to be ULURP. We're assuming that this is
18 going to be...

19 CHAIRPERSON BROOKS-POWERS: We're ready.

20 CHIEF CIORRA: It's going to be a two-
21 year process.

22 CHAIRPERSON BROOKS-POWERS: (INAUDIBLE)
23 we're ready, and I can tell you that my Colleagues
24 in government, we are on a united front on the
25 Rockaway Peninsula and we want this done.

2 CHIEF CIORRA: That would be very
3 helpful, ma'am, because from our experience, my
4 experience with the Army Corps of Engineers the
5 predominant delay for many of our projects is real
6 estate acquisition. That's usually on the critical
7 path. It's not so much the design. We're usually
8 ready to go, but we're waiting for the real estate
9 to be acquired and if there's...

10 CHAIRPERSON BROOKS-POWERS: To that
11 point, like right now is the ample time to have
12 those conversations to educate the community on
13 what that is, that hasn't been done thus far...

14 CHIEF CIORRA: Not yet.

15 CHAIRPERSON BROOKS-POWERS: And I think
16 that in this seemingly lull period, even though
17 design is going on, those conversations and
18 socializing needs to take place so people
19 understand what is ahead of them so that we're not
20 slowing down the process when we have what you
21 just saw on the screen.

22 CHIEF CIORRA: Yes. In fact, we received
23 an invitation from I don't remember which civic
24 association or community group for a briefing this
25

1 coming Saturday. I don't know if you're aware of
2 this. I can't remember exactly...

3
4 CHAIRPERSON BROOKS-POWERS: May have
5 been RISE.

6 CHIEF CIORRA: I'm sorry.

7 CHAIRPERSON BROOKS-POWERS: It may have
8 been RISE. There's a number of Sandy events going
9 on. We have two on Saturday also.

10 CHIEF CIORRA: Yes, and our project
11 manager rightly so in my opinion, I actually
12 support his decision, he said we don't think this
13 is the right time to brief..

14 CHAIRPERSON BROOKS-POWERS: Oh, that was
15 my office. Yeah, you told us no.

16 CHIEF CIORRA: Because of the fact that
17 the design was just provided to the State and the
18 City and we don't even have their input yet so we
19 don't want to brief out on even a 10 percent
20 design that doesn't have the formal support of our
21 non-federal partners at the State and the City
22 yet. Once we do have that, we think that's a great
23 time to have such a meeting at least at this point
24 to brief where we are, what the next steps are,
25 and maybe this is where we talk about all these

2 other issues about trying to accelerate the
3 process and any help that the community can give
4 us would be appreciated.

5 CHAIRPERSON BROOKS-POWERS: Thank you.

6 CHAIRPERSON KAGAN: Thank you very much.

7 I would like to give a chance to speak to Council
8 Member Gennaro.

9 COUNCIL MEMBER GENNARO: Thank you, Mr.
10 Chair. Thank you, Chief, for being here. I'm a
11 little behind the curve with some of this so
12 forgive my lack of knowledge, but the item that's
13 out now for public review and comment would be the
14 HATS study. Is that right?

15 CHIEF CIORRA: Yes, sir. It is a draft
16 feasibility report and environmental impact
17 statement.

18 COUNCIL MEMBER GENNARO: Right, and if I
19 wanted to access that, how would I do that, like
20 where to find it?

21 CHIEF CIORRA: The easiest way, you
22 could find it on our website.

23 COUNCIL MEMBER GENNARO: Okay, and it
24 would be under, would it say HAT or what would it
25 say?

2 CHIEF CIORRA: New York/New Jersey
3 Harbor and Tributaries Study and probably in
4 parentheses it would say HATS.

5 COUNCIL MEMBER GENNARO: Right, and that
6 would be at the...

7 CHIEF CIORRA: The Corps of Engineers
8 New York District website. It'll be right on the
9 front page.

10 COUNCIL MEMBER GENNARO: Right. At the
11 top of your thing, you have nan-usace.army.mil.

12 CHIEF CIORRA: That's it.

13 COUNCIL MEMBER GENNARO: That would get
14 me there? Okay.

15 CHIEF CIORRA: Yes, sir.

16 COUNCIL MEMBER GENNARO: What is the
17 deadline for those comments?

18 CHIEF CIORRA: The comment period is
19 open until January 6th.

20 COUNCIL MEMBER GENNARO: Okay, and would
21 this be the study that would make some assessment
22 of whether or not the storm surge mitigation
23 measures like storm surge barriers would be
24 employed? Would this be that study?

25 CHIEF CIORRA: Yes, sir.

2 COUNCIL MEMBER GENNARO: Okay. Are those
3 among the options that are being advanced by the...
4 I don't know the format of the proposal. Is it
5 these are the things we could potentially do, one,
6 two, three, four, or this is what we want to do,
7 what do you think about it? How is it presented?

8 CHIEF CIORRA: The tentatively selected
9 plan is our recommendation at this point in the
10 process, based on the information we have, and
11 this is where we seek input now.

12 COUNCIL MEMBER GENNARO: Is the Army
13 Corps' vision now to do some amount of storm surge
14 barriers? Is that in the proposal?

15 CHIEF CIORRA: Yes.

16 COUNCIL MEMBER GENNARO: Okay.

17 CHIEF CIORRA: That is included in the
18 Tentatively Selected Plan, yes.

19 COUNCIL MEMBER GENNARO: All right.

20 CHIEF CIORRA: A series of surge
21 barriers around the region.

22 COUNCIL MEMBER GENNARO: Right, okay.
23 I'll just point out. That was really my question.
24 Some fun facts, on the front page of your
25 statement you talk about the 200,000 cubic yards

2 of hazardous debris that you helped the Coast
3 Guard remove in less than three weeks. People may
4 be curious to know that if you took that 200,000
5 cubic yards and put it into 20-yard dumpsters and
6 you put them end to end, that would extend for 42
7 miles, and so you probably didn't know, now you
8 do.

9 CHIEF CIORRA: I didn't. That's
10 interesting. Thank you, sir.

11 COUNCIL MEMBER GENNARO: The 3.6 million
12 cubic yards overall would extend 750 miles which
13 would go all the way to Milwaukee, and so...

14 CHIEF CIORRA: That's a lot of debris.

15 COUNCIL MEMBER GENNARO: This is what I
16 do when I'm sitting here. I play with numbers.
17 Thank you very much. Thank you, Mr. Chairman.

18 CHAIRPERSON KAGAN: Thank you, Council
19 Member Gennaro. Thank you so much, Anthony Ciorra
20 from U.S. Army Corps of Engineers, for your
21 testimony, very important, especially today, and I
22 join my co-Chair, the City Council is ready to
23 work very closely with Army Corps of Engineers to
24 move this project expeditiously, not 10 years
25 timeline. I don't think it's an acceptable

2 timeline, but if you need anything from our side,
3 please let us know.

4 CHIEF CIORRA: Thank you, sir. Again,
5 thank you for the opportunity to testify here
6 today. We do look forward to briefing the City
7 Council on the HATS plan. Again, I think there's a
8 tentative date set up for next Thursday, November
9 4th or so or 3rd, so hopefully that date works for
10 you and your staffs. Your staffs are obviously
11 invited to attend whether you're available or not.

12 CHAIRPERSON BROOKS-POWERS: Also, one
13 more thing with the hearings that you all are
14 setting up in each of the boroughs, please take
15 into consideration some of the transit desert
16 communities like Rockaway Peninsula in Southeast
17 Queens.

18 CHIEF CIORRA: Yes. We are looking to
19 schedule those meetings in locations that are
20 easily accessible by mass transit. Absolutely,
21 ma'am.

22 CHAIRPERSON KAGAN: Thank you.

23 CHIEF CIORRA: Thank you very much.

24 CHAIRPERSON KAGAN: Now, we are planning
25 to move to the public testimony. Thank you to

2 everyone who registered for public testimony. The
3 first public testimony is from Kevin Alexander,
4 Rockaway Development and Revitalization
5 Corporation.

6 KEVIN ALEXANDER: Good afternoon and
7 thank you, Chairwoman Brooks-Powers and Chairman
8 Kagan and Committee Members for allowing me the
9 opportunity to testify before the joint Committee.
10 As we fast approach the 10th anniversary of
11 Superstorm Sandy, I continue to grapple with one
12 question, is the Rockaways as a community that
13 serves as a barrier for parts of Brooklyn and
14 Lower Manhattan any better off today than it was
15 10 years ago. I want to give some context to that.
16 RDRC, Rockaway Development and Revitalization
17 Corporation, was operational less than 24 hours
18 after Sandy decimated the Rockaways. Over the next
19 year, it was community organizations and faith-
20 based organizations such as RDRC, JCCRP, Market
21 Community Development Corporation, Church of the
22 Nazarene, Full Gospel Tabernacle, Arverne Pilgrim,
23 Battalion Pentecostal, Macedonia, and many other
24 badly damaged organizations and churches united to
25 establish a supply chain that extended from the

1 heart of Downtown Far Rockaway to Arverne because
2 the calvary was not on its way. In a decade,
3 there's (INAUDIBLE) neglect to one of the most
4 underserved jewels in all of New York City for
5 decades suffers from lack of land rezoning,
6 comprehensive infrastructure, and flood
7 mitigation, poor transportation, extreme health
8 disparities, and then we've found out (INAUDIBLE)
9 a communications desert. I say all this to say
10 that we can talk about investing in projects,
11 changing policy, but if we don't invest in people
12 that goes along with that the tragedies that we
13 experienced during Superstorm Sandy and other
14 disasters including COVID-19 will again reoccur.
15 While there was a flood of disaster relief
16 organizations raising to save us and a rush of
17 resources to assist in the immediacy of now, many
18 have still not recovered. Frustrated by the layers
19 and lack of familiarity by city agencies with
20 people and communities that were trying to assist,
21 while the community stakeholders operated a
22 desperate, frantic pace to help those in need as
23 they began to help themselves.
24

2 I have several recommendations for the
3 Committee. One, invest in the facility such as the
4 old O'Kane building owned by RDRC that could be
5 immediately converted to a disaster relief center
6 so that when this does occur it's not frantically
7 held in piecemeal in damaged faith-based
8 organizations and CBOs but rather centralized.

9 Two, invest in a communications network
10 that does not rely on the internet or satellite so
11 that we can at least communicate throughout the
12 Rockaway Peninsula as one region.

13 Three, invest in developing a training
14 facility that's there in the Rockaways and a
15 warehouse to store facilities and supplies there.
16 I'll give a quick example. The Floyd Bennett Field
17 was a great location to store. The problem was the
18 bridges were out for six months. The train was out
19 for six months. So although it was right there at
20 the base of the Marine Parkway Bridge, it had to
21 loop back down Flatbush, Belt Parkway, 878 to the
22 only land-based way into the Rockaways.

23 By strategically thinking about how we
24 place and where we place at, would be a wise move
25 going forward in addition to being able to train

2 that next generation that will need to assist us
3 for future disasters. Thank you.

4 CHAIRPERSON KAGAN: Thank you so much
5 for your testimony. The next testimony we will be
6 hearing from Alia Soomro, New York League of
7 Conservation Votes.

8 ALIA SOOMRO: Good afternoon. My name is
9 Alia Soomro, and I'm the Deputy Director for New
10 York City Policy at the New York League of
11 Conservation Votes. Thank you, Chair Kagan, Chair
12 Brooks-Powers, and Committee Members, for the
13 opportunity to testify today. We have submitted
14 longer comments as well.

15 The 10th anniversary of Hurricane Sandy
16 marks a significant milestone for remembering the
17 loss of 44 New York City residents. While NYLCV
18 commends the City for adopting numerous laws and
19 policies related to coastal resilience, building
20 emissions, and waste, more must be done. It's well
21 known that warming temperatures due to increased
22 greenhouse gas emissions make hurricanes stronger,
23 rainier, and deadly. We've seen repeatedly that
24 climate change exacerbates existing inequities,
25 especially low-income and people of color. Despite

2 this knowledge, rebuilding from Hurricane Sandy
3 has been slow, inequitable, and incomplete. The
4 City still lacks a comprehensive long-term plan
5 that considers all climate change impacts ranging
6 from inland flooding, extreme heat, sea level
7 rise, and more. Although the City Council passed
8 Local Law 122 last year, which requires the
9 Mayor's Office to publish a citywide adaptation
10 plan by September 30th of this year, as of today
11 the plan itself has not been published. New
12 Yorkers do want a plan, and we urge the City to
13 publish a plan and provide it to City Council and
14 the public.

15 Additionally, NYLCV supports Resolution
16 81, calling on Congress to pass legislation
17 amending the Stafford Act to proactively fund the
18 planning and construction of FEMA and HUD coastal
19 resiliency projects. Going forward, the City must
20 center equity, justice, and deliberative community
21 engagement in its climate and environmental
22 planning efforts, especially in areas beyond Lower
23 Manhattan. The City must also invest in smaller
24 green infrastructure projects such as rain
25 gardens, bioswales, and permeable pavement.

2 Additionally, we believe the City must work with
3 communities and government officials to begin
4 engagement concerning the long-term, equitable and
5 voluntary buy-out program.

6 Lastly, we urge voters to vote yes on
7 the Clean Water, Clean Air, and Green Jobs Bond
8 Act this November, which has the potential to fund
9 wetland restoration, buy-outs, and most
10 importantly ensure that 35 to 40 percent of
11 funding will go to disadvantaged communities.

12 NYLCV looks forward to working with the
13 City Council, the Mayor's Office, and government
14 agencies as well as our advocacy partners to
15 ensure a more equitable, just, and resilient New
16 York City. Thank you for the opportunity to speak.

17 CHAIRPERSON KAGAN: Thank you very much.
18 Council Member Gennaro has a question.

19 COUNCIL MEMBER GENNARO: First of all, I
20 have a long association with the League and all
21 the good work that it's done and I greatly
22 appreciate that and I appreciate the League's
23 support for the passage of the Bond Act. I'm going
24 to be passing a Resolution in the Council tomorrow
25 regarding the Bond Act in which I call for and

2 hope that I'll have the support of the League on
3 this. You may or may not know that when it comes
4 to bond acts in New York State going back to the
5 1996 Environmental Bond Act, New York City rarely
6 gets what we consider to be a fair share when it
7 comes to bond act money so what you testified to
8 in terms of what the Bond Act could realize for
9 New York City and all the critical environmental
10 and resilience and climate change needs that we
11 have, our concern in the Council which I hope will
12 be the concern of the LCV because I know it has a
13 very close relationship with Albany, like
14 everybody knows that, and so to the extent that
15 the League could use its influence to support our
16 contention in our Resolution tomorrow that there
17 be fair share when it comes to the distribution of
18 funds. Normally, New York City gets very, very
19 little and the rest of the State gets a lot and we
20 don't think that's fair and we're hoping that the
21 League doesn't think it's fair either. You folks
22 are closer to Albany than we are and so look out
23 for that Resolution. It'll be passed tomorrow,
24 and, again, fair share is not going to be
25 determined tomorrow, but God willing it passes and

1 then the State kicks it around. We hope that the
2 League will be a voice an equitable distribution
3 of funds around the state, particularly New York
4 City. I guess if it's the New York City Chapter
5 that advocates for that, that'll be great. There
6 you have it. You opened the door by mentioning the
7 Bond Act.

9 ALIA SOOMRO: Thank you. I agree, and we
10 support your Resolution. We really hope voters
11 vote for it, and I know that it's important if
12 voters approve it that we follow up with DEC and
13 how the funds will be allocated so we'll be
14 looking forward to that.

15 COUNCIL MEMBER GENNARO: Correct, and I
16 certainly appreciate that and I don't speak for
17 the Chair but I think he appreciates it too. Thank
18 you very much and give my best to Josh and
19 everyone at the League.

20 CHAIRPERSON KAGAN: Thank you.
21 (INAUDIBLE) the Lower Manhattan, all three Council
22 Members here represent areas outside of Lower
23 Manhattan. I represent Coney Island, Bensonhurst,
24 and co-Chair represents Rockaway Beach. You're
25

1 preaching to the choir. We are definitely with you
2 on everything you said. Thank you.

3
4 The next public testimony is Joel
5 Kupferman, Environmental Justice Initiative.

6 JOEL KUPFERMAN: Thank you very much,
7 Chair. I just want to say that I guess I'm the
8 loyal opposition for this whole hearing. I
9 represent many community groups. I represent two
10 tenant associations at NYCHA, one being Smith
11 which is a few blocks from here and Riis.

12 I have a report here that we just
13 received of soil testing at Riis. There's 15.9
14 parts per million of arsenic.

15 COUNCIL MEMBER GENNARO: Joel, you have
16 to talk right into the mic.

17 JOEL KUPFERMAN: Okay. 15.9 points,
18 that's way above 1.1 that's considered to be safe.
19 Why this is an issue that I'm bringing up now is
20 that the contractor that's FEMA-funded from
21 Hurricane Sandy has uncovered that soil and left
22 it in large piles and that soil is being emitted
23 and resuspended into the lungs of the kids and the
24 adults that live in that site. We brought this up
25 with DEP, we brought it up with NYCHA, and it fell

2 on deaf ears. The solution to that is to cover the
3 soil. It's the first requirement. They haven't
4 done this. DEP told you about all their laws in
5 terms of stormwater protection and our fellow
6 Council Members are fully aware of that, those
7 laws are not being enforced so all this FEMA-
8 funded construction that's going on is opening up
9 the soils, it's opening up the walls, it's opening
10 up everything, exposing people. There is no
11 accountability for those contractors. We've
12 brought up time and time again, the tenants
13 associations, that a lot of this work is exposing
14 it (INAUDIBLE) other places, they've spent 85
15 million dollars including stormwater barriers to
16 block the water from coming in. It's ADA
17 noncompliant. It actually locks the people into
18 the building. They proposed a bridge that goes
19 over it. That bridge is not wheelchair accessible
20 so part of the problem on all of this work is that
21 you're hearing that there's really good plans that
22 are going on. The New York City workers are being
23 put into bad working conditions, toxic conditions,
24 especially the community, and at Smith and
25 elsewhere the trees have gone down because of

2 FEMA-funded contracts. They told you about all the
3 trees that have been planted. The number of trees
4 at NYCHA properties are less than they were
5 before, and this is under unsupervised contracts.
6 The City has allowed contractors that are breaking
7 the law to be paid, to be hired over and over
8 again. The City has something called the Bad Actor
9 Policy. When it's invoked, it could stop them so
10 part of our concern is that you really have to
11 look at the accountability of where that's going,
12 the environmental evaluations are not there, and I
13 would say there's major endangerment to the health
14 and environment of people of color in the city,
15 but the agencies are actually just pointing to
16 each other. Also, one more thing, there is not
17 proper evacuation plans, not just bad bridges
18 here. I spoke to the City Fire Department, the
19 City doesn't have a fire drill or really emergency
20 evacuation plans for residential buildings. They
21 have it for commercial buildings so the first
22 responders don't know fully how to respond in an
23 emergency when there's a blackout. At NYCHA and
24 Smith, there's all this money for capital
25 projects. There's emergency generators didn't work

2 because there's not enough money being spent for
3 maintenance, the contractor walks away from the
4 job and that's it. We keep on spending millions
5 and millions, and you can check, it's not just
6 NYCHA housing. It's city facilities, whatever.

7 CHAIRPERSON KAGAN: Thank you very much
8 for your testimony. Could you email this testimony
9 to us?

10 JOEL KUPFERMAN: Yes, and I will also
11 submit pictures, but I just want to say it's
12 incumbent upon you to ask more questions of these
13 people that are here. I sat here testifying after
14 9/11 when (INAUDIBLE) the agencies said everything
15 is fine. It took us a little while for people to
16 wake up...

17 CHAIRPERSON KAGAN: Today, we asked a
18 lot of questions, a lot of questions.

19 JOEL KUPFERMAN: Right, but what I'm
20 saying is that a lot of the construction that's
21 going on, it's on falling on deaf ears, and at
22 Riis DEP is fully aware that it's in violation of
23 the things and if you're aware (INAUDIBLE) blames
24 it on the water so the people are left...

2 CHAIRPERSON KAGAN: Send us your
3 testimony, and we can send it to all of these
4 agencies and even to the administration to the
5 higher authority.

6 JOEL KUPFERMAN: I also want to say that
7 this is an environmental justice insult, what's
8 happening, especially in terms of resources and
9 also there's no accountability in terms of
10 contract compliance that's there.

11 CHAIRPERSON KAGAN: We hear you loud and
12 clear. Please send us your testimony. It will
13 help.

14 COUNCIL MEMBER GENNARO: Joel, if I may
15 add, the gentleman sitting right behind you is
16 here as a representative of the administration,
17 correct, right, and so his function here is to
18 hear testimony and bring back critical information
19 to the administration. He's sitting right behind
20 you. He would love to talk to you and get all the
21 facts from you.

22 JOEL KUPFERMAN: Right, but I just want
23 to say it's not a minor problem, but it's a
24 question of enforcement and the city agencies on
25 all this work keep on pointing to each other,

1 right, and so I think it's really important for
2 City Council to look, NYCHA is telling you that
3 it's a question of money. We've learned today and
4 before that there's a lot of resources that are
5 out there, and also they're pushing for
6 privatization of those NYCHA apartments. We're not
7 going to be able to enforce any of these laws, and
8 it's important to point out the City is owed a
9 billion and half dollars..
10

11 CHAIRPERSON KAGAN: I would also advise
12 you to come to public hearing of Public Housing
13 Committee because a lot of issues you are raising
14 is NYCHA and we have..

15 JOEL KUPFERMAN: NYCHA (INAUDIBLE) a
16 billion dollars of this money is FEMA money that's
17 still going through the City. When NYCHA residents
18 call 311 to make complaints, they were told that
19 the City Health Department and other agencies are
20 not responsible, to go to NYCHA, which is wrong.

21 CHAIRPERSON KAGAN: I just introduced
22 legislation about it. It already has more than 20
23 co-sponsors, and I am pushing for more
24 responsibility from NYCHA about 311 complaints,
25

2 about hotline, etc. so we're going to pass this
3 legislation.

4 JOEL KUPFERMAN: Okay. Thank you.

5 CHAIRPERSON KAGAN: Thank you.

6 COUNCIL MEMBER GENNARO: Also, Joel, I
7 will add that a lot of things that you're talking
8 about are actually executive matters. You've told
9 us, we got it, but a lot of the stuff you're
10 talking about is the domain of the executive
11 branch and the representative of the executive
12 branch is sitting right behind you and so I think
13 it's good to make sure he's...

14 JOEL KUPFERMAN: I agree, but also I'm
15 saying it's important for you to ask the questions
16 for the people that were here, okay, and there's
17 one person here which is good...

18 COUNCIL MEMBER GENNARO: I'm saying...

19 CHAIRPERSON KAGAN: Council Member.
20 Council Member. Thank you, Council Member. Thank
21 you very much.

22 I would like emphasize that we have two
23 co-Chairs of the hearing and we will announce who
24 is speaking next. If you want to speak, let us
25

2 know. Thank you. I would appreciate it. The next
3 speaker is Shawn Slevin on Zoom.

4 SHAWN SLEVIN: Greetings. To our co-
5 Chairs and esteemed Committee Members and guests,
6 I thank you for allowing me to provide testimony.
7 I will make my comments significantly briefer than
8 I originally intended, but you do have my full
9 comments.

10 Certainly, this week we've been
11 reflecting on the fatalities and destruction
12 caused by Superstorm Sandy 10 years ago, and I
13 want to fast forward really to more current times
14 because this is just building on itself, and I'd
15 like to reflect a little bit on Ida. Ida was the
16 first storm of its nature that not only hit us
17 significantly on the coast but also hit us inland,
18 which we'd never had before. A significant
19 cloudburst of torrential rain. Why that was so
20 important to me personally is because 13 of my
21 neighbors in Woodside Queens were trapped and
22 drowned in their basements. This never, ever
23 should've happened. We, as a city, are faced with
24 a triple threat. We have been since Superstorm
25 Sandy with our oceans rising 1 to 1.5 cm every

2 year, our storms increasing not only in numbers
3 but in strength, and, of course, our waterfronts
4 being developed as never before in our lifetime
5 giving access to millions of people who really
6 don't understand the nature of that particular
7 water they're considering going into and probably
8 don't have swimming skills. Now that we have a
9 situation where these storms are coming not just
10 coastally but inland, the bottom line is that we
11 simply can no longer avoid water. All of us need
12 to have a different relationship, need to
13 understand water in a very different way, and all
14 of the wonderful things that are happening in the
15 city in terms of protecting our property and our
16 buildings are needed and definitely must continue.
17 There's so much more work to be done, but there's
18 really very little that's helping us as...

19 SERGEANT-AT-ARMS: Your time has
20 expired.

21 SHAWN SLEVIN: Protect ourselves so what
22 I would suggest is Swim Strong Foundation, of
23 which I am the Executive Director, really does
24 have a solution to that problem. We have created a
25 program called Know Before You Go, and it is an

2 environmentally focused water safety program that
3 looks at water from inside our homes to everywhere
4 we (INAUDIBLE) around the...

5 CHAIRPERSON KAGAN: Thank you.

6 SHAWN SLEVIN: And including wild
7 weather.

8 CHAIRPERSON KAGAN: Thank you very much.

9 SHAWN SLEVIN: This information is
10 needed not only in our schools but also for all of
11 us. We're also experiencing something called sunny
12 day flooding that we've never experienced as a
13 city before.

14 CHAIRPERSON KAGAN: Thank you.

15 SHAWN SLEVIN: It's not caused by rain.
16 It's not caused by storms.

17 CHAIRPERSON BROOKS-POWERS: Shawn, I'm
18 sorry. We just have to pause here. If you could
19 submit the rest in written testimony, we
20 definitely value and want to hear the rest of what
21 you have to say but we'd like to make sure we get
22 to everyone, but I'm so excited that you are
23 testifying.

24 CHAIRPERSON KAGAN: Send us your
25 testimony in an email. Thank you so much. The next

2 speaker is Eunice Ko and the following speaker
3 would be Kate Boicourt so now is Eunice Ko also on
4 Zoom.

5 SERGEANT-AT-ARMS: Time starts now.

6 EUNICE KO: Thank you. Good afternoon,
7 Chairs Kagan and Brooks-Powers and Members of the
8 Council. My name is Eunice Ko, and I'm the Deputy
9 Director at the New York City Environmental
10 Justice Alliance.

11 During the 10th anniversary of
12 Hurricane Sandy, I'm testifying on behalf of
13 NYCEJA and uplifting the communities whose lives,
14 families, and businesses were devastated by
15 Hurricane Sandy and are in some places and ways
16 still recovering today. While the City has made
17 some progress on investments in stormwater
18 management, coastal projects, and heat mitigation,
19 these investments and benefits haven't been seen
20 and felt by all, especially by communities who
21 have experienced these impacts first and worst due
22 to historic disinvestment and systemic racism. In
23 the absence of resources, community-based
24 organizations on the ground have been front and
25 center in the fight against climate change,

2 ensuring their neighbors are prepared and
3 protected from its impacts. Even still, we as a
4 city are not ready for the next Hurricane Sandy,
5 Ida, or Irene. The hurricanes as well as tidal
6 floods and heatwaves expose additional risks and
7 vulnerabilities to the city and the growing need
8 to uplift projects and policies that are
9 multifaceted and multi-hazard in approach and
10 impact. The City has no comprehensive climate
11 strategy with meaningful financing and funding
12 mechanisms a decade after Hurricane Sandy. The
13 newly released Adapt NYC is a far cry from the
14 climate adaptation plan that was legislated by
15 Local Law 122 by which this Council calls for
16 identifying, recommending resiliency and
17 adaptation measures and nonstructural risk
18 reduction approaches to protect and prepare the
19 city's residents, property, and infrastructure.
20 The website released today does not include such
21 recommendations and is woefully inadequate to
22 protect and prepare our communities from this
23 climate crisis. While we appreciate conversations
24 with communities, communities are also suffering
25 from planning fatigue and want these conversations

2 paired with funding for implementation of tangible
3 projects and programs that will actually keep them
4 safe from disaster today and in the future.

5 Additionally, we need (INAUDIBLE) climate change
6 is part of every agency mission and climate
7 planning embedded in agency budgets and
8 operations.

9 SERGEANT-AT-ARMS: Your time has
10 expired.

11 EUNICE KO: But that leadership and
12 prioritization is not happening at the very top.
13 We can be better prepared for the next hurricane
14 or heatwave (INAUDIBLE) because the cost is far
15 too great, not one more person should die trapped
16 in their basement from flooding because there is
17 nowhere else affordable in the city to live.
18 Today, we can't confidently say that that is the
19 case so we must do all of this and more to meet
20 the challenge of this moment. Thank you for the
21 time and opportunity to testify today.

22 CHAIRPERSON KAGAN: Thank you very much.
23 The next testimony, we will hear from Kate
24 Boicourt.

25 SERGEANT-AT-ARMS: Your time starts now.

2 KATE BOICOURT: Thank you, Chairman
3 Kagan and Chairwoman Brooks-Powers. Actually, I'm
4 the Director of Climate Resilient Coastal
5 Watersheds for the Environmental Defense Fund, but
6 I'm actually going to toss out a little bit of my
7 testimony today to just highlight something that
8 happened this morning in which I actually saw
9 Chair Kagan on a boat with many members of the
10 Rise 2 Resilience Coalition. This is a group of
11 more than 100 community environmental justice
12 organizations that have been working in New York
13 and New Jersey to push for a lot of the things
14 that we're talking about today, and it was pretty
15 heart-wrenching to hear a lot of members who are
16 survivors of Sandy talk about, and I think it's
17 important as we're talking about what we're
18 talking about today, that we really think about as
19 Councilman Restler was talking about just how much
20 people have paid for this and are still paying as
21 I think also Miss Ko reiterated. There's three
22 things that I really want to focus on. One, just
23 echoing Miss Ko's comments about Adapt NYC and
24 then Army Corps of Engineers New York/New Jersey
25

2 Harbor and Tributaries Study, and also the Climate
3 Resilient Design Guidelines.

4 First, related to Adapt NYC, this plan
5 was just released today, about a month after it
6 was supposed to be legislatively, and I think, as
7 the Council, part of your oversight job before the
8 PlaNYC is produced in the spring is really to make
9 sure that we take what is right now just more of a
10 list of commitments with some new additions and
11 make sure that it has teeth. I encourage you to
12 read the Comptroller's report of which the market
13 values of real estate in the 100-year flood plain
14 have increased over 176 billion, a 44 percent
15 increase, since Hurricane Sandy. We need to get
16 real about land use and capital infrastructure and
17 how these plans are tied.

18 Second, on the Army Corps of Engineers,
19 many advocates we've been working with over the
20 past four years or so since the inception of this
21 study to make sure that it addresses multiple
22 hazards, that it engages communities on the
23 frontlines, and then...

24 SERGEANT-AT-ARMS: Your time is expired.

2 KATE BOICOURT: Base infrastructure.

3 We're not there yet, and there's a commitment for
4 a Climate Justice and Environment Workgroup that
5 we're working with. We're thankful for that, but
6 we need you to call on the City and the States to
7 step up more as well in terms of public
8 engagement. Thank you.

9 CHAIRPERSON KAGAN: Thank you very much.

10 Thank you. Now I would like to give a chance for
11 public testimony, Delores Orr, and next will be
12 Paul Gallay.

13 SERGEANT-AT-ARMS: Time starts now.

14 DELORES ORR: Thank you very much. My
15 name is Delores Orr, and I'm Chair of Community
16 Board 14, which represents the Rockaway Peninsula
17 and Broad Channel Island. I've changed some of my
18 comments so I want to respond to City Planning's
19 statement during their testimony that they said
20 that in flood zone 1 that they're only building to
21 replace, that they're not building new, and that
22 is the furthest thing from the truth in the
23 Rockaways. Our census numbers went up by over
24 15,000 since Superstorm Sandy and with new
25 development approvals on vacant land we expect

1 another 30,000 residents. It's not replacing any
2 development so how does the City go ahead and with
3 us not having Jamaica Bay (INAUDIBLE) for 8 to 10
4 years, how do you go ahead and put 30,000 more
5 people at risk. One of the agencies that is adding
6 to that risk is Department of Transportation. They
7 are redesigning most of the roads in Rockaway. As
8 a result, they are reducing the number of travel
9 lanes. There needs to be oversight that OEM, the
10 Fire Department, EMS, and NYPD review those
11 redesigns to ensure that in the event of an
12 evacuation or some sort of rescue they are not
13 impeded in saving lives. They just can't continue
14 to increase our population and decrease our access
15 to evacuation which then brings us to that we have
16 no evacuation route signage, no signage of where
17 the centers are. Ten years since Sandy, we've been
18 asking for it, and it's yet to happen.

19 Additionally, I want to say on a positive note I
20 can attest to French drains working.

21
22 SERGEANT-AT-ARMS: Your time has
23 expired.

24 DELORES ORR: Arverne by the Sea was
25 built on French drains across from the beach, and

1 they have not one drop of seawater from Hurricane
2 Sandy. Thank you for your time.

3
4 CHAIRPERSON KAGAN: Thank you so much.
5 The next testimony is from Paul Gallay. Please,
6 Chakka Baptiste, be ready after that.

7 PAUL GALLAY: Thank you, Chairs and
8 Council Members. I think you have two questions
9 you want to pose to the Army Corps in the wake of
10 this conversation keying off comments made by the
11 Climate Director for New York City, Mr. Aggarwala.
12 I'd also look at what Army Corps has said in its
13 draft public comment guidelines. What Mr.
14 Aggarwala said is don't fight the last war, or at
15 least don't just fight the last war. Sandy could
16 reoccur, but, of course, so could Ida and the idea
17 of blue sky flooding so ask the Army Corps this
18 question. What are you doing to implement, WRDA
19 2020, Water Resources Development Act 2020
20 requirement that the Harbor and Tributaries Study
21 is modified to require you to evaluate and address
22 the impacts of low-frequency precipitation and sea
23 level rise on the study area? It's not just a
24 storm surge study anymore since WRDA 2020. As them
25 what they're doing to solve all three of our

1
2 problems. One problem is going to save some people
3 if you solve it, but you have to solve all three.
4 The other is about this Environment and Climate
5 Justice Working Group that my colleague, Kate
6 Boicourt, mentioned and also I think was alluded
7 to by my colleague, Eunice Ko. My project is a
8 partnership with the New York City Environmental
9 Justice Alliance, and we work very hard to ensure
10 that this Environment and Climate Justice Working
11 Group is going to actually change the dynamic. In
12 public comment in the past, it's let's have a
13 hearing, let's do a transcript, let's a
14 responsiveness summary, but it doesn't change the
15 result of the study, but the Army Corps has
16 promised on this study that public participation
17 and incorporation of their input are key to the
18 success of the study. That's what (INAUDIBLE) has
19 give us. Thank you very much for that. You have to
20 live that and so...

21 SERGEANT-AT-ARMS: Your time has
22 expired.

23 PAUL GALLAY: Second question. Where's
24 the scope of work for the Environment and Climate
25

Justice Working Group and then follow up to make sure that they actually live their principles.

CHAIRPERSON KAGAN: Thank you so much.
Thank you.

PAUL GALLAY: Thank you very much.

CHAIRPERSON KAGAN: Appreciate it. The next public testimony is Chakka Baptiste. Please be ready. Next on will be Phillip Tull.

SERGEANT-AT-ARMS: Your time has begun.

CHAKKA BAPTISTE: I want to thank you, Council Members and especially Council Member Brooks-Powers. I'm going to talk on behalf of the Bayfield Coalition. Our homes, that was my home shown as far. As the backyard goes, it is falling into the bay, and that's for me and most of my neighbors on Bayfield, and we heard what the Army Corps of Engineers has said, but that is a lot of time between now and then. We want to know if there can be some type of expedient fix for this in the meantime to make sure that our properties are not washed away as well as I heard Build It Back. As far as my coalition goes on Bayfield, we have a lot of fixes that need to be dealt with from Build It Back and since the administration as

2 changed, our calls have fell on deaf ears so we
3 want to make sure that through this our calls will
4 be answered and Build It Back will come back and
5 take care of the damage that was done by them to
6 my neighbor's house and also to my property as
7 well. I will not keep you long. I will let the
8 next person speak.

9 CHAIRPERSON BROOKS-POWERS: Thank you so
10 much, Mr. Baptiste. I love it that my community is
11 really showing up today, and some of the good
12 things we heard today, Build It Back said that
13 they will be looking into the homes that I
14 mentioned in my remarks, and we also are going to
15 reach out to DEC to follow up for some mitigating
16 support that they may be able to provide to the
17 houses so my staff, as you know, will continue
18 working directly with you, but it's important to
19 have your voice on record on this as we move this
20 conversation forward so thank you so much.

21 CHAIRPERSON KAGAN: Thank you.

22 CHAKKA BAPTISTE: Thank you.

23 CHAIRPERSON KAGAN: The next testimony
24 is from Philip Tull and the last one would be
25 Delores Tull.

2 SERGEANT-AT-ARMS: Time starts now.

3 PHILLIP TULL: Thank you for
4 entertaining us in this meeting. We've been living
5 on XXXX Bayfield Avenue for the last 38 years, and
6 we've really never had any problems until after
7 Sandy, and, even after Sandy, we continued to have
8 some problems because in our home, which was built
9 by Build It Back, we have some issues that they
10 refuse to correct. We get so many leaks in the
11 house, and our property is exposed. Before, it was
12 fenced in. The basement area of the home, they
13 gave us (INAUDIBLE) and they gave us just a few
14 cemented areas, but that's nothing, and we thought
15 that we would really get something better than
16 what we had before. I had a rook leak that lasted
17 for a good while, and I still have leaks in my
18 bedrooms where I put buckets to catch the water.
19 Our yard, we have problems with our yard which is
20 beginning to fall in again, and I'm hoping that
21 something can be done for us so that we can
22 correct these problems. Thank you for hearing us
23 so much, and I pray and hope that it happens.
24 Thank you.

2 CHAIRPERSON KAGAN: Thank you very much
3 for your testimony.

4 CHAIRPERSON BROOKS-POWERS: Thank you so
5 much, Mr. and Mrs. Tull for getting on and thank
6 you for opening up your home today to allow us to
7 take pictures to be a part of the conversation. As
8 you heard in the responses earlier, Build It Back
9 is going to work with my office to come and
10 revisit those leaks that you showed me so that's a
11 step in the right direction. Thank you.

12 PHILLIP TULL: Absolutely. Thank you so
13 much, Councilwoman.

14 CHAIRPERSON KAGAN: Thank you. On that
15 note, we are going to close our public hearing.
16 Before they end, I would like to thank my
17 Committee staff, Senior Committee Counsel Jessica
18 Steinberg-Albin, Senior Policy Analyst Patrick
19 Mulvihill, Finance Analyst Andrew Lane-Lawless, my
20 Chief-of-Staff Jeanine Cherichetti, my Legislative
21 Director Alex Tymkiv as well as staff for the
22 Transportation and Infrastructure Committee for
23 all their hard work putting this hearing together.
24 Of course, I would like to thank my great co-
25 Chair, Majority Whip Selvena Brooks-Powers, and to

2 say that we learned today at the public hearing
3 how important for it is for the City to move
4 forward, to execute the plans, to have these
5 plans, to execute these plans as soon as possible,
6 not to wait for the next 10 years, and also to
7 coordinate work between City, Federal, and State
8 agencies, and they're talking about vital survival
9 of our New York City so I'm very grateful to all
10 Council Members who joined our hearing. If our co-
11 Chair wants to say something? Thank you very much.
12 At this point, I'm going to close this hearing.

13 [GAVEL]

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C E R T I F I C A T E

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



Date November 4, 2022