

COMMITTEE ON ENVIRONMENTAL PROTECTION, RESILIENCY
AND WATERFRONTS

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL
PROTECTION, RESILIENCY AND
WATERFRONTS

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December 5, 2024
Start: 11:54 a.m.
Recess: 12:00 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

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

COUNCIL MEMBERS:

Alexa Avilés
Robert F. Holden
Kristy Marmorato
Sandy Nurse
Lincoln Restler
Rafael Salamanca, Jr.

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2 SERGEANT-AT-ARMS: This is a microphone
3 check on the Committee on Environmental Protection,
4 recorded by James Marino, located in the Chambers on
5 12-5-2024.

6 SERGEANT-AT-ARMS: Good morning. Welcome
7 to the City Council vote on the Committee on
8 Environmental Protection, Resiliency and Waterfronts.

9 At this time, please silence all
10 electronics and do not approach the dais. I repeat,
11 please do not approach the dais.

12 Chair, you may begin.

13 CHAIRPERSON GENNARO: Thank you, Sergeant.
14 [GAVEL] Good morning, I'm Council Member Jim Gennaro,
15 Chair of the Committee on Environmental Protection,
16 Resiliency and Waterfronts.

17 Today, we will vote on two bills that I
18 sponsored, Proposed Intro. 814-A in relation to
19 addressing sewer backups, and Proposed Intro. 815-A
20 in relation to creation of a flood risk area map for
21 both coastal flooding and pluvial flooding. Pluvial
22 flooding means caused by rainfall. This Committee
23 first considered these bills on April 26 of this
24 year.

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2 Sewer backups occur when heavy rainfall
3 or physical blockages prevent normal conveyance of
4 stormwater or wastewater through the sewer system.
5 This can result in raw sewage flowing into homes,
6 leading to costly damages and potentially
7 facilitating the spread of disease. Although no New
8 Yorker should have to endure sewer backups, DEP
9 received approximately 12,000 complaints of sewer
10 backups in FY23. The Department regularly conducts
11 field investigations in response to these complaints,
12 but the outcome of the investigations may not always
13 be shared with the impacted residents. We don't like
14 that. Proposed Intro. 814-A would help to mitigate
15 sewer backups by requiring DEP to regularly update
16 its plan to address such backups and to share the
17 results of sewer backup field investigations with the
18 homeowners. The bill would require that DEP update
19 its plan to prevent sewer backups every five years
20 and identify areas where sewer backups cause
21 significant damages. Additionally, the bill would
22 require DEP to alert impacted residents when it
23 determines that a sewer backup was not caused by a
24 condition in the City-owned sewer system and
25 therefore may have originated from some other source.

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2 Many neighborhoods across the city have flooding from
3 rainfall, coastal storm surge, and high tide. These
4 factors often co-occur to create compounding damages.
5 In the most extreme cases, such flooding causes
6 severe damage to life and property. When Hurricane
7 Sandy struck in 2012, it flooded 17 percent of the
8 city's landmass, causing an estimated 19 billion in
9 damages and resulting in the deaths of 52 New
10 Yorkers. When Hurricane Ida inundated the city with 9
11 inches of rain in 2021, it caused pluvial flooding
12 that killed at least 10 New Yorkers living in
13 unregulated basement apartments with inadequate flood
14 protection.

15 Proposed Intro. 815-A would require DEP
16 to adopt a flood area risk map for both pluvial and
17 coastal flooding. The Department would be required to
18 update the map by 2028 and within one year of the
19 Federal Emergency Management Agency publishing new
20 flood insurance rate maps. The flood area risk map
21 would also consider the impacts of sea level rise as
22 projected by the New York City Panel on Climate
23 Change. Proposed Introductions 1127-A and 1128-A,
24 which were referred to the Committee on Housing and
25 Buildings and will be voted on at today's Stated

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2 Meeting, would use the flood risk map created by this
3 bill to prohibit subgrade and ground floor ADUs in
4 certain flood-prone neighborhoods. I would like to
5 thank the Committee staff, Legislative Counsels
6 Austin Malone and Natasha Bynum. We welcome Natasha.
7 This is her first hearing. Good for Natasha. [GAVEL]
8 I don't know what the bang and the gavel does, but it
9 just seemed celebratory, and so we've got the two
10 Committee Counsels, Policy Analysts Ricky Chawla and
11 Andrew Bourne, Financial Analyst Tanveer Singh, and
12 my Legislative Director, Josh Gachette. I want to
13 thank them for all their hard work on these two
14 bills.

15 First, I would like to recognize the
16 Council Members who have joined us. We're joined by
17 Council Members Holden, Salamanca, Restler, Avilés,
18 Marmorato, and Nurse. Thank you very much for being
19 with us at this vote.

20 Now, I will ask the Clerk to call the
21 roll.

22 COMMITTEE CLERK WILLIAM MARTIN: Good
23 morning. Still morning. William Martin, Committee
24 Clerk. Roll call vote, Committee on Environmental
25

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2 Protection, Resiliency and Waterfronts. Both items
3 are coupled. Chair Gennaro.

4 CHAIRPERSON GENNARO: I vote aye.

5 COMMITTEE CLERK WILLIAM MARTIN:
6 Salamanca.

7 COUNCIL MEMBER SALAMANCA: Aye.

8 COMMITTEE CLERK WILLIAM MARTIN: Holden.

9 COUNCIL MEMBER HOLDEN: I vote aye.

10 COMMITTEE CLERK WILLIAM MARTIN: Avilés.

11 COUNCIL MEMBER AVILÉS: Aye.

12 COMMITTEE CLERK WILLIAM MARTIN: Thank
13 you. Nurse.

14 COUNCIL MEMBER NURSE: I vote aye. Great
15 bills, Council Member Gennaro.

16 COMMITTEE CLERK WILLIAM MARTIN: Restler.

17 COUNCIL MEMBER RESTLER: Aye.

18 COMMITTEE CLERK WILLIAM MARTIN: Zhuang.
19 Marmorato.

20 COUNCIL MEMBER MARMORATO: I vote aye.

21 COMMITTEE CLERK WILLIAM MARTIN: With a
22 vote of seven in the affirmative, zero in the
23 negative, and no abstentions, both items have been
24 adopted by the Committee.
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2 CHAIRPERSON GENNARO: Thank you, Billy.

3 Okay. With that, this hearing is adjourned. Thank you
4 all very much for your participation. [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 December 7, 2024