

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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HELD AT: Committee Room - City Hall

B E F O R E: COSTA CONSTANTINIDES
Chairperson

COUNCIL MEMBERS: Rafael L. Espinal, Jr.
Stephen T. Levin
Carlos Menchaca
Conovan J. Richards
Eric A. Ulrivi
Kalman Yeger

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

Jeri Calpin, Division Director of Air and Noise Policies and Enforcement, New York City Department of Environmental Protection

Carolyn Olson, Assistant Commissioner for Environmental Surveillance and Policy at the New York City Department of Health and Mental Hygiene

Carl Wade (sic), Mayor's Office of Sustainability

George Thurston, Attending Professor of Environmental Medicine and Population and Director of the Program of Exposure Assessment and Health Effects, NYU School of Medicine

Dr. Hope Orwell, (sic) New York City Environmental Justice Alliance

Jenny Veloz, Environmental Justice Organizer
New York Lawyers for the Public Interest

Melissa Iachan, Senior Staff Attorney,
Environmental Justice Program, New York Lawyers for the Public Interest

Josh Kleinberg, New York League of Conservation Voters Appearing on Behalf of Adriana Espinoza

Katherine McVay Hughes, Served 20 years on Manhattan Community Board 1, currently representing Financial District Neighborhood Association, FDNA

Greg Waltman, General Counsel, Clean Energy Company G1-Quantum

[sound check] [pause]

CHAIRPERSON CONSTANTINIDES: Alright.

[gavel] Alright, good afternoon. I am still Costa Constantinides and I am Chair of the Environmental Protection Committee. Today we'll hold an oversight hearing by protecting health by improving air quality. New York City has a significant concentration of low-income communities and communities of color residing adjacent to or very near New York City's 24 electricity generating power plants. The Department of Environmental Conservation, DEC issues permits for the emission of air pollutants. More than half of the city power generation capacity is concentrated right in my neck of the woods in Astoria and Long Island City in Western Queens. Power plants emit air pollutants as they burn fossil fuels in order to generate electricity and the pollutants are very bad for human health, and particularly bad for children with developing lungs. These pollutants include particulate matter, Noxious oxide, sulfur dioxide. Particulate matter especially PM 2.5 the fine particles which may deeply penetrate lung tissue are also formed secondarily from gaseous precursors such

as sulfur dioxide, oxides of nitrogen or organic compounds. Exposures to these airborne pollutants has been linked to a variety of negative health outcomes both physical and psychological. Children can be particularly vulnerable to the effects of exposures to airborne pollutants because they consume more air and water per unit of body size compared to adults and more likely to be active outdoors during peak traffic hours tend to play closer to the ground where particulate matter concentrates or concentrations are the highest and because their barriers are not fully developed, had childhood exposures to nitrous oxide, airborne particulate matter, polycyclic, aromatic hydrocarbons has been linked to low scores in intellectual development tests from infants to school age children, a pattern that persists in both cross-sectional and longitudinal studies. Exposures also linked to increase in instances of psychiatric-psychiatric disorders, difficulties with emotional self-regulation and heightened instances of ADHD symptoms. Prenatal exposure has been positively correlated with heightened instances of heart wall defects, valve defects, aorta defects, low birth weights in babies,

heightened risks of pre-eclampsia in mothers as significant increase in the likelihood of childhood obesity for children born to mothers who were exposed to polycyclic aromatic hydrocarbons during pregnancy. Cardiovascular events and rates of hospitalization for cardiovascular issues are positively correlated with increases in ambient particulate matter with a 10 microgram per square meter increase in black smoke averaging to a 4.8 increase hospitalizations for populations 65 and over. A 20 microgram per square meter increase in PM2.5 levels was associated with a 24% increase in the risk of heart attack or stroke and 67% increase in the risk of death from cardiovascular disease in post-menopausal women. Exposure to PM2.5, PM10 and nitrous oxide are strongly associated with increases in blood pressure while long term exposure to PM2.5 and nitrous oxide has been linked to heightened levels of inflammation biomarkers in the blood stream. Waste transfer stations and sewer treatment plants are also disproportionately located in or near communities of color. Activities in these facilities also exasperate air pollution exposures in communities of color. People living in environments

with high level of sulfate particles were 36% more likely to have lung cancer compared to those living in a community lower levels of sulfate particle pollution. Exposure to ozone levels in excess of 100 parts per billion has been linked to 319% increase in death caused by lung cancer in non-smoking males and positive correlations have been found between ambient concentrations of Noxious oxide and incidences of breast cancer in women. Improving air quality for New York City's most vulnerable residents is a responsibility of the Department of Health and Mental Hygiene who I know are here today, and the department we look at hearing from you about your plans for updating maps relating to asthma from 2014.

Similarly, we have taken positive steps instead of just planting trees, which we need to do more of by more than 100,000 additional street trees could be planted in low-income communities and communities of color. I have legislation that would work on that well and I definitely hope that we're doing a hearing on that in the Parks Committee at some point. We need to take steps expeditiously to protect the most vulnerable individuals. While there is no one silver bullet electrification of space and water heating,

greater implementation of technology such as air and ground source heat exchangers employing solar thermal water heaters and transition to non-combustion-combustion dependent renewal energy generation as it's part of the path to protection public health by improving air quality. Before we begin I want to recognize my colleague Steve Levin who is here. I think that Rafael Espinal was here as well at the beginning of the hearing. So, before we begin I'd like to thank our staff Committee Counsel Samara Swanston, Policy Analyst Nadia Johnson and Ricky Charla, Financial Analyst Jonathan Seltzer, my Legislative Counsel Nick Wizowski along with staff from the other committees as well. Thank you so much, and with that, we'll have Samara Swanston swear in our panel.

SAMARA SWANSTON: Can you please raise your right hands. Do you swear or affirm to tell the truth, the whole truth and nothing but the truth today?

PANEL MEMBER: I do. [background comments/pause]

CHAIRPERSON CONSTANTINIDES: Go ahead.

JERI CALPIN: Good afternoon Chairman Constantinides and members. I'm Jeri Calpin (sic) Division Director of Air and Noise Policies and Enforcement in the New York City Department of Environmental Protection. I am joined at the table by Carolyn Olson of the Department of Health and Mental Hygiene and Carl Wade (sic) from the Mayor's Office of Sustainability. Thank you for the opportunity to testify at today's oversight hearing protection health through improving air quality. As the members are aware, the Federal Environmental Protection Agency—sorry—sets the national ambient air quality standards, which all states are required to comply with by implementing state implementation plans. (coughs) States use the SIPS to determine that local air quality will with comply with an ask by the area's attainment date. When this standard is achieved there is then a process where the state requests designation as being in attainment with the specific national ambient air quality standard. New York City is unique in that as a city we enact very strict legislation focused on improving local air quality where we are not preempted by federal law. Our local standards are often stricter than the

state's SIPs require. The state does not specifically cite local sources of air pollution in their regulations, but the city usually does. We also regulate some of the same sources that the state does, but we choose to enforce them locally. New York is delivering on its commitment to be a sustainable city and a leader in environmental stewardship. Sensible regulations have always resulted in a profound improvement in air quality. These improvements are the result of a collection of changes that have occurred at the national, state and local levels. For example, federal and state regulations and initiatives focusing on on and off-road diesel vehicle engines have reduced emissions. Our regulatory paradigm has been recognized by the state as a model to follow. For example, one of the SIPs regulates the emission of small, easily inhalable particulates known as PM 2.5. The state has recognized the importance in reducing emissions in fuel oil by enacting ultra low sulfur heating oil requirements, which enable the city [coughs] to phase out Number 6 and Number 4 fuel oil. This joint effort by the state and the city is an important element in the SIP in achieving the attainment of the

PM 2.5 standard. In partnership with the City Council local actions have contributed to the dramatic progress towards meeting the city's clean air goals. These intent—these initiatives include cleaning heating fuel, more hybrid and electric vehicles in the municipal fleet, reduction on emissions from school buses and construction vehicles, requirements that commercial restaurants must have emission control devices for charbroilers or coal in wood cook stoves. Building on these accomplishments, we are continuing to create new initiatives such as Local Law all waste hauling vehicle licensed by the Business Integrity Commission would be required to have emission control devices on new model engines by 2020. DEP has reconvened the Advisory Committee to revise cook stove rules to require existing cook stoves have emission controls as required by Local Law 31 of 2015. I would also like to highlight the work being done by the Department of Transportation to increase electric vehicle charging stations. This initiative directly aligns with this work DEP does to reduce idling. We look forward to working once again with the Council to develop new regulations that will reduce the use

of secondary diesel engine idling. Reducing engine idling will help mitigate the effects of not only PM 2.5 but also ozone and Nox. Despite all of our work within the city, we cannot address all air quality challenges on our own. New York City is a part of the Ozone Multi-State Nonattainment Area, often referred to as the New Yorker Metropolitan Area. Emissions from out of state, upland and power plants and other industrial sources come into New York. This blown-in pollution has prevented the state from meeting certain ozone standards. Another critical state that the city took to improve air quality was converting boilers from residual fuel No. 6 to No. 2 fuel oil or natural gas. In 2011, DEP issues regulations requiring residential and commercial buildings to convert from No. 6 and No. 4 heating oils to cleaner fuels. The transition from No. 6 fuel was completed by June 30th of 2015. The city's Administrative Code requires that any use of No. 6 Fuel Oil be ended by 2020 and the new use of No. 4 Fuel Oil by January 1, 2030. Approximately 5,300 buildings have converted to cleaner fuel and only about 13% of the boilers permitted by DEP operate on No. 4 fuel. As a result of all fuel conversion since

2012, greenhouse gas emissions in New York City have decreased by 925,000 metric tons of carbon dioxide annually. That's the equivalent of taking roughly 195,000 cars off the road. PM 2.5 emissions from buildings has also decreased by 1,200 tons on an annual basis. The regulation of both larger and smaller localized sources has not only reduced particulate matter emissions, but has saved lives as my colleagues at the Department of Health and Mental Hygiene will explain. These sources are not directly legislated by the state, but by the city. The air pollution—the air pollutants with the greatest public health impacts in New York City result mainly from fuel combustion emissions of on and off-road vehicles, heating oil, other building sources and electric power generation. By focusing our efforts on these areas we have reduced citywide air pollution levels and also improve the quality of life and the environment that makes for a more sustainable city. There is still a great deal of work to be done, and we look forward to working with the Council to continue to improve the city's air quality. Thank you.

CHAIRPERSON CONSTANTINIDES: Well, before you give your testimony I want to recognize that we're joined also by Council Members Kalman Yeger from Brooklyn and Council Member Donovan Richards from Queens as well.

ASSISTANT COMMISSIONER OLSON: Good afternoon Chair Constantinides and members for the Environmental Protection Committee. I am Carolyn Olson, Assistant Commissioner for Environmental Surveillance and Policy at the New York City Department of Health and Mental Hygiene. On behalf of Commissioner Barbot, thank you for the opportunity to join my colleagues from the Department of Environmental Protection to testify today on the Health Department's role in air quality surveillance and assessment of related public health impacts. The Health Department's Air Quality Program aims to bring public health into discussions of equitable, sustainable policies for our city. Air pollution has long been known to have an impact on public health that is disproportionately borne by lower income communities and communities of color. While the Federal Clean Air Act already provides for surveillance of air quality at the citywide level, we

recognize the importance of tracking spatial differences in air quality within the city and therefore established the New York City Community Air Survey or NYCAS in 2007. NCAS is the largest ongoing air monitoring program of any U.S. city. It is designed to track neighborhood level differences and changes over time in air quality within the five boroughs, and provide that information to the public to support program and policy development, community awareness and research. With enactment of Local Law 103 of 2015, the City Council codified NYCAS and its annual report, which we delivered to the Council and publish every Earth Day. We began collecting data in December of 2008 and now have more than a decade of air quality data for the city. Briefly I'd like to explain how NYCAS works. The department collaborates with Queens College of the City University of New York to collect two-week air pollution samples at around 90 street level sites across the five boroughs four times a year. Each site was purposely selected to provide a representative sample of pollution across the variety of natural and built environments and emission sources within the city ranging from the middle of Claremont Park in the Bronx to Times Square

to residential neighborhoods in Queens. We then generate estimates—estimates for five pollutants: Fine particulate matter or PM 2.5, black carbon, which is a specific type o PM 2.5, nitrous oxide and nitrogen oxide, ozone and sulfur dioxide. Each monitoring site contributes to our resulting air pollution models, which include the averages for each pollutant and allows us to estimate variation in levels across the city. NYCAS has documented significant improvements in the city's overall air quality over the past decade, which means better health for all New Yorkers. Annual average levels of PM 2.5, nitrogen dioxide, nitric oxide and black carbon have all declined more than 26% and average wintertime levels of sulfur dioxide have plummeted 96% bringing levels in line with those measured in rural areas of the country. Only ozone has remained unchanged. Ground level ozone is not emitted directly into the air, but created in the atmosphere often far down wind from the source. The Health Department's Air Quality program also conducts research on the public health burden of air pollution and estimates the health benefits of policies that either directly or indirectly address air quality.

Exposures to air pollutants can affect the cardiovascular and respiratory system increasing risk of hospitalizations, emergency room visits and premature death. A key factor in the city's air quality improvements has been the phase-out of the dirtiest heating oils in buildings already discussed by my colleague—by my DEP colleague. We conducted a health impact assessment for the improvements in citywide PM 2.5 resulting from both the reduced emissions from local heating sources and state actions to clean up the fuel's oil supply. The resulting improvement in air quality from these policies alone contributes to approximately 290 fewer premature deaths, 550 fewer Emergency Department visits and 180 fewer hospitalizations each year. However, we still have more work to do to ensure that all residents and visitors to New York City can breathe clean air. We estimate that PM 2.5 levels in the city contribute to approximately 2,300 deaths and 6,300 Emergency Department visits and hospitalizations each year. Building boiler and commercial cooking emissions, traffic pollution, and industrial land use using—including on-site truck traffic and idling are the major sources of PM 2.5.

Neighborhoods where all these sources coincide have significantly higher levels. Also, while serious health problems related to air pollution can be found in all neighborhoods, they disproportionately affect the poorest communities. For example, cardiovascular hospitalizations related to PM 2.5 are almost 50% higher in the poorest communities as compared to wealthier neighborhoods in New York City. The Health Department has also partnered with other city agencies to implement the city's Green New Deal, One NYC and the road map to the 80 x 50. Through these efforts we recognize and are committed to the need for a long-term carbon reduction strategy to preserve our planet, and to mitigate the detrimental health effects of poor air quality. I would like to conclude with acknowledgement of on of the major challenges we face for continuing air quality improvement. Air quality in New York City has impacted not only by local policies and regulations, but also by state and federal regulations that govern the fuel efficiency of the vehicles on New York City road, the fuel choices of power plants up wind of the city and the regulation of the transportation system among other sectors. In the current political

reality of both threatened and actual rollbacks of key environment protections by the federal government, the Health Department is committed to documenting neighborhood level impacts of state and federal air quality regulations on the city's ambitious sustainability plans. We look forward to continuing our work with DEP, the Mayor's Office of Sustainability, and the Council to improve the city's air quality and by extension the health of New Yorkers. Thank you for the opportunity to testify. I'd be happy to take questions.

CHAIRPERSON CONSTANTINIDES: Thank you for your testimony. I guess let's begin on you were talking about on page 3 how the neighborhoods where all these sources coincide have significant high levels, right. So, what are we doing in those communities to lessen those impacts because those are the most vulnerable to the PM 2.5 and all of the illnesses and challenges that come with it?

ASSISTANT COMMISSIONER OLSON: Thank you for the question. So, as I said, we know that the major sources of pollution are traffic, building density, and industrial use, and we see those coinciding in certain neighborhoods, and so as we

think about the policies that we're putting in place for the city what we know is that if we can influence each of those sectors with the policies that for example the Council has passed related to building energy mandates, we are going to see improvement in each of those neighborhoods.

CHAIRPERSON CONSTANTINIDES: And what-- what sort of outreach are we doing to sort of ascertain asthma rates and sort of deal with those challenges to help those communities?

ASSISTANT COMMISSIONER OLSON: So the Health Department has a tremendous amount of information from NYCAS. It's available online, and we publish that information and get it out to communities in order to empower community groups and individuals to think about how to improve their air quality. So, we also have information about asthma rates and asthma and health--health impacts from air quality that are available by neighborhood on our Environment and Health Data Portal, and then we publish our annual report as well.

CHAIRPERSON CONSTANTINIDES: And when it comes to peakier places an Environmental Justice

communities, what role do they play in poor air quality?

ASSISTANT COMMISSIONER OLSON: So, we—we know as—as—as Jeri mentioned that energy generation is one of the emission sources for PM 2.5, but when we look at the variation in air quality across the city and we've looked specifically at power plants we know that power plant emissions can't explain the variation that we see in pollution across the city. So, really the—the pieces that we have to focus on are in addition to—I mean, of course, we want to clean up power plants, but we also need to focus on traffic and buildings and industrial uses.

JERI CALPIN: We read them at—so, sorry. (sic) So, the city has been an active supporter and we are looking forward to the implementation of what's known as the DEC Peaker Rule. So, this is something that the State Department of Environmental Conservation has been working on for a couple of years that is intended to get the city into compliance, will get at the region and the city into compliance from an ozone perspective. So, as you mentioned there really serious effects from ozone, which is general—which is generated coincidentally

during these high—these hot summer days where we all—we also use the most energy, and so therefore run the peaker plant and so essentially what that rule will do is for all of the pre-1990 peaker units, which are much dirtier because they use much older technologies, they will essentially either be forced to retire, replace in part or in whole with storage or required to put on backend controls to significantly reduce the emissions that come from these units. We anticipate further DEC rule that the phasing of this will happen between 2023 and 2025 and that will see about potentially 800 to 1,000 megawatts of peaking units affected. So, we do hope that that will go a long way in terms of reducing ozone and ozone related effects during these hot summer days that come from peaking units.

CHAIRPERSON CONSTANTINIDES: And what about those plants that are—that were open during the Power Now sort of era. Yeah, they were—they told us at the time they were installed that they were going to be only around for three more years, you know, for three years total, and that's why they did not require an environmental impact study, and you know, 18, 19 years later they're old enough to vote. So,

like how do we reconcile, you know, they're—they're coming up for renewal soon. What is sort of our thought process, and how do we wean ourselves off those plants as well that replaced in all EJ communities with no environmental impact statement.

JERI CALPIN: So, I think and we continue to work with Council on identifying ways to reduce in general our overall dependency on fossil fuel power plants, right. So I think the specific Power Now units are those that are owned by the New York Power Authority, and so they're—you know, that's something that we would continue to need to have conversations with Council and potentially the state to identify, you know, what to do there, but as a whole the city given our commitment to 100% clean electricity by 2040 and it's carbon neutrality by 2050, that essentially means we need to, you know, replace most, if not all of the fossil generating units with large scale renewables, distributed generation and other carbon free sources, and so we continue to work with Council on figuring out ways to expand transmission, bring in large scale renewables, figure out how we can maximize the amount of offshore wind that we can get from the recent state announcements,

and so and also to maximize storage in the city, and I think those are all things that we continue to work closely with Council on.

CHAIRPERSON CONSTANTINIDES: I'm looking forward to working on—with you guys on that as well. Have we identified locations for large scale renewables here in the city of New York of potentialities for solar farms and other sort of renewable energy beyond the offshore wind that was sort of announced by the state government earlier this—this month? Well, last month actually. It's—all the months are blending into each other at this point.

JERI CALPIN: No, it's okay. There's been a lot of announcements. So, so, you know, when we talked about largescale renewables in New York City, that can be a little bit more challenging than in other jurisdictions because as you all are likely to know, we have very limited large spaces to cite these projects, and so--

CHAIRPERSON CONSTANTINIDES:
[interposing] And that close.

JERI CALPIN: --something that we continue to struggle with, and so, we really are

focused on maximizing the amount of what we call distributed generation in the city, and we really hope that with as part of, you know, the Climate Mobilization Act in addition to Local 187, which is obviously a key piece to all of this, there was also Local Law of '92 and '94, which should see us continue to increase the amount of solar in the city. We're currently on track to meet our 1,000 megawatt by 2030 solar target. We have about over 200 megawatts this year, and so we're really excited to continue those efforts. As you know, as part of the long-term energy plan we'll be looking at distributed wind as well as geothermal and so forth. So, I think there's a lot of-it's something we still continue to work on, but, you know, to be honest the lack of large open spaces has been a challenge. That's also really why we need to continue to bring in renewables from the rest of the state and really focus on expanding our transmission capacity so that we can access all of the clean energy that's already deployed in New York State, and so, you know, it's really a kind of all hands on deck, all measures that we have at-at our disposal we really need to take advantage of.

CHAIRPERSON CONSTANTINIDES: So, if there were to be a location that were to—that would become open, you know, maybe about 413 acres, would that be something that we would consider for renewable energy generation?

JERI CALPIN: We're definitely—so I think you maybe referring to an island, Rikers maybe. So, I—look, we're really interested in any studies that you already have been looking at the potential of Rikers and we look forward to continuing our conversations with Council about what we can do there to—to support our clean energy goals.

CHAIRPERSON CONSTANTINIDES: I think that that is, you know, it presents us with a unique opportunity because as your testimony and your answers have indicated, a large amount of space is not just available in the city of New York, right? That we have this opportunity and I firmly believe that, you know, with the—the moral and social imperative of closing Rikers, which we all recognize, and that is without question that once we do do that work it's imperative for us to sort of find a way forward for these communities that have been impacted by these power plants, impacted within all these

Environmental Justice challenges, wastewater—
wastewater treatment plants, waste stations. We need
to be able to take that property and if we miss an
opportunity, it's the missing of, you know, not just
this generation but generations to come, right. This
is an opportunity for us to take a real hard look on
how we deploy renewable energy in the city of New
York. So, I'm—I'm looking forward to having continued
conversations with the Administration on not just how
we close Rikers and making sure that it is closed,
but what we do after because what we do after
presents us with a very unique opportunity to write a
lot of wrongs. So. I'm, you know, that's a hearing
for another day, but I will ask this so coming back.
When you talk about asthma, the Department of Health
Studies are—how old are they when it comes to asthma
rats in the city of New York?

ASSISTANT COMMISSIONER OLSON: So the
Health Department collects a lot of data on asthma.
We collect information on asthma rates, and then a
lot of the information that we put out is based on
the state's SPARCS System, which is healthcare
utilization data, hospitalizations and ED visits, and

so the most recent data that are available from—from those—from that data source is 2016.

CHAIRPERSON CONSTANTINIDES: 2016. So, it's, so we have three years since that last—when is the next time it will be updated?

ASSISTANT COMMISSIONER OLSON: That depends on the State. So we wait until they release those data. As soon as the data are released then we will update it.

CHAIRPERSON CONSTANTINIDES: Are we doing any of our own collection? Do we do it? What is sort of our asthma map look like?

ASSISTANT COMMISSIONER OLSON: So, we have on the New York City Health Department's website there's a couple of different sources that you can look at, both EpiQuery and the Environment on Health Data Portal have the most recent maps available on hospitalizations, ED visits, et cetera, and we do see the same—the same patterns that I was talking about for air quality related health impacts. We also see for asthma that they're—we see the highest rates in our poorest communities and communities of color.

CHAIRPERSON CONSTANTINIDES: And, but the data we're using for those maps is three years old or

that's most recent from like this year. We're charting those hospitalizations and E.R. visits.

ASSISTANT COMMISSIONER OLSON: It is--so there's a lag in all of those data.

CHAIRPERSON CONSTANTINIDES: And how long is the lag?

ASSISTANT COMMISSIONER OLSON: So, for hospitalization and E.D. visits, the most recent data is 2016. We have our Community Health Survey, which asks questions about asthma of adults in New York City. Those data I believe the most recent year is 2017, but I would have to get back to the council on that, and we can certainly provide all of the data that we have available. It's available online, and also work with you to--to talk--talk through what is available.

CHAIRPERSON CONSTANTINIDES: That's about--I mean I just--I hear what you're saying it's about. It just seems like we need to have a--a sort of a more accurate snapshot, right of communities, right to have what is now a three-year lag in this data. There's been children who have been born since then. I'm guessing a whole bunch and--and there are kids who have developed asthma probably a whole bunch since

then, and we're not having that--by not having--by not having that lag. We're not having an accurate snapshot of what's happening in those communities. We're sort of taking a three-year lookback, right, but would there be something valuable in having a more sort of time sensitive snapshot?

ASSISTANT COMMISSIONER OLSON: So, I mean the Health Department is always interested in--I mean we base all of our work on data, and we're very interested in using the best possible data that are available. Data take time to collect and--and--and analyze and so that is one of the limitations, but I think that we have the ability to look back at--at the data that and the trends that we see and we use that to inform the--the different interventions that we have and so we're--we're very focused on using whatever is available and--and trying to make sure that it's available to communities so that they can use it as well.

CHAIRPERSON CONSTANTINIDES: Are there other non-profit entities or other entities that are keeping this data in a more sort of instantaneous way, or we're the only ones sort of keeping--we're--we're sort of the most up to date?

ASSISTANT COMMISSIONER OLSON: I can't speak to other non-profits, but I—I think that to my knowledge the data that we have at the Health Department is the best to our knowledge to look at these issues, and I can definitely—so I—I also want to say so, there's other parts of the Health Department that work and think all the time about asthma in particular, and I'm very happy to connect you with them so that they can give you more information.

CHAIRPERSON CONSTANTINIDES: Well, and I appreciate that, and I guess lastly before I pass it onto my colleagues I know that have questions, you know, what are we doing? I know that the U.S. EPA is not a resource at the moment, which is a huge source of frustration for all of us in this room, but what are we doing to coordinate with the New York State DEC and—the EPA when they are not, you know, ripping up environmental legislation, to minimize, you know the impacts of a lot of the facilities that you talked about that are polluting and they are sending pollution down wind, and so how—what are those conversations like?

ASSISTANT COMMISSIONER OLSON: Yeah, so I, um, the Health Department focuses on neighborhood level surveillance, but we're not the regulatory body for that to work with DEC. So, I'll—I'll defer to Jeri to talk a little more about that.

JERI CALPIN: Thanks. The, um, the Cleaner Act there—there are still many parts of it that allows us to continue the efforts from the state, the city and even EPA.

CHAIRPERSON CONSTANTINIDES: That's good to hear that there's still some parts left.

JERI CALPIN: There's—there's still—there's still some good parts especially in terms of trying to maintain the standards. I think the shift is that where we—where some of the programs were federal in nature, those may be the ones that are—are going to change, but the programs that the city and state initiate I believe will actually get more stringent because we're going to have to make up for some of the loss of the benefit from cleaner vehicles unless things change and we can only keep our fingers crossed on that. So, in terms of our relationship we work with DEC on the—with them on the regulations. Very often we support the regulations that they

propose as has been already mentioned on the generation of issues there. We're very supportive of that because of the emissions benefit it will give us. We also work with the regional organizations where all of the states are putting together a mission control device—programs.

CHAIRPERSON CONSTANTINIDES: And just really quickly I don't know if anyone has this data handy or sort of done that, but what is the, you know, we have Local Law 97 formerly known as the bill that was 1253-A and the entirety of the Climate Mobilization Act. What is the air quality potential benefit from the retrofits that we're doing?

ASSISTANT COMMISSIONER OLSON: So, I'll start that answer, and then if others want to add. So, we—so the—the Health Department in collaboration with the Mayor's Office of Sustainability and NYSERDA, have worked together and we're conducting an evaluation of the 80x50 the 80x50 plan, and one piece of that is the—the Energy Mandates, and so we're—we're working on getting the exact numbers, but we do know and expect that these—that these improvements will result in decrease in PM 2.5, which is one of the main and the—the most dangerous of the

pollutants, which will translate into averted premature deaths, and hospitalizations.

JERI CALPIN: Yeah, and just, to echo that, we're still in the process of finalizing that study as I understand that we hope to have it finalized by end of this year, and we would, you know, love to walk the Council through that.

CHAIRPERSON CONSTANTINIDES: Wonderful. I look forward to--with that I will turn over questions to Council Member Steve Levin.

COUNCIL MEMBER LEVIN: Than you, Chair. Thank you very much for your testimony and for being here today. My first question, Council Member Yeger did have to leave, but he did want me to ask about the National Grid Moratorium that's currently in place in Brooklyn and Queens. They're refusing to either upgrade or allow for new gas hookups and so in the meantime a lot of--a lot of households and businesses are either going to electric or going to oil. Are you seeing--how are you kind of measuring the impact of something like that especially, you know, more businesses or--or home going to oil heat? Would you be able to see an impact? [pause] As we're

going into heating season, I think a lot of, you know—

ASSISTANT COMMISSIONER OLSON: [off mic]
You want to start up on the measurement of that.(sic)

COUNCIL MEMBER LEVIN: Yeah sure.

ASSISTANT COMMISSIONER OLSON: Okay, so I mean I think to the measurement question this is where NYCAS is so powerful. So, we are continuing our—we we are—are in our current—currently in our 11th our 12th our 11th, our 11th year o data collection right now and so what the—the power of that is the ability to see whether we see shifts and like if our improvements are—start to level off, et cetera. So, those are things that we are continually doing and we can look at by neighborhood.

COUNCIL MEMBER LEVIN: And that's being done in a kind of continuous fashion or--?

ASSISTANT COMMISSIONER OLSON: Exactly.
So NYCAS is ongoing. We are collecting data every season and have been for 11 years now.

COUNCIL MEMBER LEVIN: Okay.

ASSISTANT COMMISSIONER OLSON: I think also one thing to keep in mind is that when you look at burning natural gas for heating, which is what it

sounds like they're, you know, asking for the hookups for versus ultralow sulfur diesel, which has PPM of 15 per the state and city laws that govern that. You actually see from and a Nox SO2 AND PM 2.5 perspective, but they're almost identical from an admissions factor perspective.

COUNCIL MEMBER LEVIN: Okay.

ASSISTANT COMMISSIONER OLSON: The benefit of going to electric, however, is that you would no longer be creating a very localized source of pollution, which has a relatively low stack. You would be, you know, running those heat pumps I imagine on good power so that may be coming from, a, you know--

COUNCIL MEMBER LEVIN: A polluter also.

ASSISTANT COMMISSIONER OLSON: --other parts of the state or at least different parts of the city where the power points of higher stacks. So that again underscores the need for us to then focus on transitioning off of fossil fuels for power generation as well.

COUNCIL MEMBER LEVIN: And for the record, I just signed to Chair Constantinides' bills around Rikers Island, and so I would, you know, hope

that in 2026, DEP will--will take possession and--and make it a renewable energy source. In terms of the--in terms of the spaces that are needed, I--I have met with Con Edison because in the district I represent in the southern part of the district they own a piece of property and are--are looking to do a battery storage configuration there as well as I met with a private company who is looking to do a battery storage of the Brooklyn Navy Yard on a barge, and so any of those opportunities I'm interested in exploring in the district I represent and--and assessing where those opportunities are citywide. I do want to ask about--I represent Greenpoint, the greater Greenpoint and there's a lot of construction happening in Greenpoint because pursuant to the 2005 waterfront rezoning, which allowed for maybe 10 million square feet of--of construction, maybe even more, it's a massive, massive amount of development that has been going in fits and starts, but right now is--is--is really picking up the pace, and I am hearing from--whenever I have a community meeting about these issues I'm hearing people concerned around dust and debris. Greenpoint is also very, as you know, a very toxic neighborhood because of its industrial past. So, you

know there are, you know, numerous super fund site, state Superfund sites, federal Superfund sites, Brown Fields, E-Designation, some properties are Superfund and E-Designation. So, there is just an array of contaminants. Some are airborne, some are not, and there's a lot of--there's a lot of fear in the neighborhood about the health impacts that these contaminants could have particularly when there's a lot of digging on, you know, people, you know, they--other than calling 311 because, you know, somebody is not spraying down their trucks or whatever, people feel very helpless in terms of confronting it. I mean sometimes I hear about, you know, just large amounts of particulate matter that's out there. So, you know, Polystyrene just floating through, you know, massive amounts of Polystyrene. They're just, you know, out in the neighborhood off of a particular construction site. You know, the--obviously we're working with DEP on this--the--the sewer issue in Greenpoint just this--just earlier this summer. So, there's just kind of a--a, um--how do you address a neighborhood like that that is with the nexus of massive amounts of development, a lot of young children and young families and--and this history of

just toxic industrial behavior for going back, you know seven or eight generations?

JERI CALPIN: I'll take a crack at the practical issues. In terms of the construction once it's sort of in full swing responsibility for ensuring that the--the sites keep their dust physically on site, it is DEP's and we have numerous regulations on dust containment. When the--the company is not performing properly we do rely on people using 311 to let us know, and we have a rapid response to the construction that they're able to get there and make sure that the mitigation measures are in place.

COUNCIL MEMBER LEVIN: Uh-hm.

JERI CALPIN: Recent changes thanks to the Council give us the authority to actually stop work so that if they have run out of water for some odd reason, they can't start again until they have a water mechanism to keep the dust down. At the 20th time they have to come up with another mechanism for containing the dust. The Superfund sites, and I would say that the hazardous materials should be being removed prior the actual construction where DEP

gets involved, and I know that the community is always concerned about that--

COUNCIL MEMBER LEVIN: Uh-hm.

JERI CALPIN: --and how effective it is, and for the most part in terms of monitoring I've seen from the programs during the removal of the contaminated voice (sic) seems to be very effective, but again, that's sort of my opinion.

COUNCIL MEMBER LEVIN: Uh-hm.

JERI CALPIN: I'm not intimately involved in it, and I'm not sure if anybody set it up differently. (sic)

COUNCIL MEMBER LEVIN: [interposing]

Yeah, I mean how do we what do I--what do I tell parents of young children who are, you know, very, very concerned about the health impacts to their children particularly if the, you know, with the ambient particulate matter?

ASSISTANT COMMISSIONER OLSON: I really--I appreciate the question, and the concern. I think that that's--that's very real and--and people's experiences especially for--for parents for their children. They're concerned about what it means and I think, you know, as we've all been talking about we

know that air quality impacts health, and that's why we're thinking about the public health around this, but I think when we talk about individual exposure, it's also important to remember that environmental health impacts are about through how long a person is expected to be exposed and how much the--and to how much is the particular environmental risk, and you have to think about that in the balance of everything else, all the other risks and benefits that are out there. So, we--we know research has shown that the long-term benefits of regular exercise getting out, being--doing your life, children playing on playgrounds, et cetera far outweigh the ambient air quality risks of breathing the air and so that is not to minimize the concerns. I completely hear those, but I think we always want to send a message for--for healthy New Yorkers to get out there and--and use New York City as their gym and--and--and not be afraid to breathe our air, which has been improving tremendously and continues to improve, and then we all together are working on policies to continue to improve the air. It's difficult to speak to these individual concerns, but I--

COUNCIL MEMBER LEVIN: Right.

ASSISTANT COMMISSIONER OLSON: --I think we can say with confidence that we want our children to be outside and playing, and then the other thing I would mention is that in combination DEC and the New York State Health Department issue air quality alert days and the Health Department works very hard to additionally push out those messages and when we do that we really focus on communities most at risk, populations most at risk with chronic health conditions so that they can think about on those days when the levels are a little bit higher to think about whether I'm, you know, not going to choose to go outside at the peak time during rush hour when there might be even high levels of pollution in the air to minimize that risk.

COUNCIL MEMBER LEVIN: And how does the Health Department look at or kind of explain the--the disparities between neighborhoods. So, some neighborhood is having a higher asthma rate than others. Is there a kind of clear kind of correlation or causation that you can identify there?

ASSISTANT COMMISSIONER OLSON: So that's a very big question. There's--there is non one cause that explains all of those things, but we spent a lot

of time thinking specifically for about the differences in asthma across the city and other health outcomes, and we know that both air quality related health impacts and other health impacts to be as we were discussing earlier concentrated in our lowest community, our poorest communities and communities of color--

COUNCIL MEMBER LEVIN: Uh-hm.

ASSISTANT COMMISSIONER OLSON: --and that really stems from the--from sort of historical racist policies and historic disinvestment in these Environmental Justice communities and we---those come with and are fundamental cause of health problems, and that includes air quality problems, but if we're speaking specifically about asthma when we think about the inequities that we see across the city, the Health Department is really focused on indoor air quality and the indoor asthma triggers that--that vary with poor housing and things like that as well as access to clinical--clinical care. So--

COUNCIL MEMBER LEVIN: Uh-hm.

ASSISTANT COMMISSIONER OLSON: --not to say that air quality is not a piece of that puzzle, but when we think about those inequities, those are

the places that we think that we think, too, are most amenable to change.

COUNCIL MEMBER LEVIN: And you're tracking neighborhood by neighborhood disparities through the Sparks data.

ASSISTANT COMMISSIONER OLSON: That's the--the major source of asthma data that we use, yeah.

COUNCIL MEMBER LEVIN: Okay, it would be great for our office to connect with the Health Department to examine kind of Greenpoint specifically and what the--the Sparks data is showing for Greenpoint to just--just because I--again the community and that I meet with regularly is--this is a topic that comes up all the time, and Jeri I think you've probably been out to --with me before and, you know, it's--it's something that they say, a constant topic. You know we have going back, you know, 30 years we had Wasterwater Fueling (sic) facility, Newtown Creek, Superfund sites that they would fund all you name it. It's something that we should continue to--to engage on.

JERI CALPIN: We'd be very happy to do that and I'm sure you're also aware of like the

Community Health Profiles that have come out that have specific information.

COUNCIL MEMBER LEVIN: Um, actually, I have one more question. You know there's been this recent—a lot of recent attention around the 9/11 Health Fund and the Victims Compensation Fund. I don't know if anyone can talk about the Health Fund because I also represent Downtown Brooklyn and Brooklyn Heights, and, um, it's my understanding that the—the Health Fund, the radius is 1.5 miles to the 9/11 Health Fund and I realize it's not a City Department of Health program, but it would—I'd be interested in examining, you know, how many people in that zip code of 11201 have signed up for the Health Fund and are aware that if they were living down there at the time within that 1.5 mile radius that they could sign up and—and potentially receive benefits that they're experiencing health issues related to 9/11. It's something that the Health that the Health Department is kind of paying attention to or focused?

ASSISTANT COMMISSIONER OLSON: I can't speak to that directly, but I'm happy to bring that back to my colleagues. We—we have the World Trade

Center health Registry, which is constantly monitoring and thinking about all the issues around that. So, I maybe that's -we'll get back to you.

COUNCIL MEMBER LEVIN: Okay, wonderful. Thanks so much.

CHAIRPERSON CONSTANTINIDES: Thank you Council Member Levin. I just want to quickly follow up on one of his questions, and this may be above your ability to answer so, if you can't answer this, that's okay, but and I'm very concerned as well with the lack of connections, and I feel it's-it's a ploy on behalf of National Grid. It seems very convenient that that lack of hookups immediately started after the Williams Pipeline was denied. Have you-I asked them, this committee asked them for data to demonstrate need back in April. It is now September. So, it is what? Five months later. I have yet to hear form National Grid, and you know, I feel this is a ploy for them to try to lock us into fossil fuel infrastructure that we don't need in the long term. So, has there been any conversations between New York City and-and-and National Grid to actually show us this need, or we're-we're still jut relying on them

saying yes we really do need—we—we just can't provide these hookups at the moment.

ASSISTANT COMMISSIONER OLSON: So, we understand that the state has—is currently investigating this exact situation both in terms of whether there is a supply need, and also they're—I understand they've recently expanded the investigation to focus on how they're actually operationalizing the moratorium that you and Council member Levin are asking about. We are eagerly awaiting those results at this time. The state is the regulator for National Grid. So they're the ones that have that authority and that jurisdiction over them to—to get information from them, and so we are, you know, eagerly awaiting those results. At the same time I think we're also really focused on, you know the implementation Climate Globalization Act because part of the solution to all of this is to reduce the amount of energy our buildings consume for heating and hot water. As you recognized that the primary source of emissions for the city is. So, part of this is continued to decarbonize both how we run our buildings as well as significantly increasing the energy efficiency including the amount of, you know,

gas or ultra low sulfur diesel that we consume for heating. So, you know, that's really where we need to also be looking at, and we need to be accelerating those efforts given the climate with that.

CHAIRPERSON CONSTANTINIDES: I heartily agree with that. That's been, you know, that's why I will not play National Grid's game, and to call their, you know, I'm here calling their bluff again today saying that, you know, we're not going to be locked into the Williams Pipeline. We're not going to sort of accede to your demands and you're holding, you know, buildings hostage in order to do that. So, I'm not going to allow them. I'm not going to play their game. We need to move away from fossil fuels, and we need to move to a place where, you know, we're—we're not locking ourselves into 50 to 80 years of a pipeline that we, you know, the rate payers are going to pay for. It's going to come out of our pockets, you know, our grandkids' pockets. I'd rather not do that. So, and I think moving towards new energy is where we need to go. So I thank you guys for your time and I appreciate all of your testimony. [background comments] Alright, so our next panel so we have Dr. George Thornton, or Thurston.

I'm sorry. I forgot my glasses today, Professor of Environmental Medicine and Population Health at NYU School of Medicine; Toka Aola from New York City EJA, Jenny Valez from New York Lawyers Public Interest; Melissa Ichan from New York Lawyers for Public Interest and Josh Kleinberg from LCV. [background comments/pause] If you just get us one more chair that would be great. [background comments/pause] Alright. So, let's just start on this side, professor.

Oh, my microphone just broke.

[background comments/pause] Is that on.

CHAIRPERSON CONSTANTINIDES: Yeah, it's working again. I fixed it.

GEORGE THURSTON: [off mic] Oh, Good afternoon. Is it? [on mic] Now it's on. Okay, Good afternoon Chairperson Constantinides, Council Members present and my name is George Thurston. I'm an attending Professor of Environmental Medicine and Population Health at the NYU School of Medicine. My scientific research involves investigations of the Human Health Effects of air pollution, and I'm presently Director of the Program of Exposure Assessment and Health Effects in my department at the

School of Medicine. So thank you for the opportunity to testify today and share my knowledge of the human health impacts of outdoor air pollution especially from fine particulate matter as we've discussed earlier PM 2.5 air pollution and the health benefits to our children that can be achieved by improving the quality of the air we all breathe. The adverse health consequences of breathing air pollution and we discussed some even at levels below the current U.S. Air Quality Standards are serious and well documented. These effects include but are not limited to decreased lung function, the ability to breathe air in and out, more frequent asthma symptoms, increased numbers of asthma attacks, more frequent emergency department visits, additional hospital emissions and increased numbers of death, and I did what to mention the previous speakers talked about the NYCAS system, and I have to say as a scientist I really appreciate that system. I hope you don't realize how unique it really and that New York is—was way out in front on this, and other places around the world are copying what they did here. This information is very valuable to assessing the interactions of, you know, what exposures people

are getting and then health effects. So, that's very important program that they should be very proud of. Traffic is a major contributor to air pollution in New York City as we all know, and elsewhere in the United States. An increasing body of evidence indicates that the traffic related exposures and residential proximity to vehicular traffic are associated with increased respiratory conditions and symptoms in children including increased prevalence of asthma, wheezing, recurrent respiratory illness and hospital emissions for asthma. Cars, buses, trucks and other motorized fossil-fossil fuel driven vehicles are among the largest sources of air pollution that have been clearly linked to adverse health effects, and I give some references in my testimony. Most people are exposed to air pollution from road traffic on a daily basis whether as a result of residing in homes located near highways or driving, walking or standing along busy streets, and I would just say as an aside the drivers get some substantial exposure. Some studies have shown like in California that nearly 90% of people's daily exposures is when they're driving to work and back. So, so, it's us pedestrians, but it's also the

drivers are getting exposed. So they should be interested in improving, too. Vehicle engines are known to produce a number of pollutants that pose risks to public health, and these engines burn fossil fuels, chemicals such as fine particulate matters, ultrafine particles, nitrogen oxides, carbon monoxide, volatile organic compounds, elemental carbon, black carbon soot are all emitted. My own research involving elementary school children in the South Bronx and New York City has shown there's a statistically significant increase in children's asthma symptoms as well as reduction in their lung function on days with elevated levels of elemental carbon soot such as that emitted by diesel vehicles. As shown in the plots that are in my testimony the impact of diesel traffic related to elemental carbon soot was larger and more significant than particles in general. So, so we—we regulate particulate matter fine PM 2.5, but not all particles are the same, and some are much more toxic and certainly diesel particulate matter falls into that much more toxic category, and that's why it's good that NYCAS is monitoring carbon levels and it would be good if we could monitor it in more places. Moreover, as shown

in the figure 2 of the my testimony, the daily counts of shortness of breath and wheezing symptoms were also significantly associated with elemental carbon soot levels. These results document that elemental carbon soot is more strongly associated with adverse asthma symptoms than other particles in general.

This particular research even led to an article on the effects of diesel pollution on children in New York times—on children with asthma in the New York Times and entitled: *A Study Links Truck's Exhaust to School Children's Asthma*, and then, too, a subsequent New York Times editorial entitled: *Black Soot and Asthma* in which the editors called upon policy makers to reduce this problem by declaring war on poisonous diesel fumes, and I give you a link to that editorial. To my knowledge insufficient action has been taken on the reforms recommended more than a decade ago for our city's trash handling, and commercial traffic burden, and there are some good ideas in that editorial. Studies including my own have found the poor and under-served minorities in our city are among the most affected by air pollution and other environmental insults in part because they are exposed to more pollution and also because they

are more vulnerable to the effects of pollution, and I would again having done studies in the South Bronx I would point to Hunts Point as a classic example of a place where there's just a tremendous amount of diesel emissions with. Those trucks go to the flower market, the Fulton Fish Market, the produce market and right through peoples neighborhoods where people live, and it just undesirable and unfair especially where they're located right next to the water. Like all that could be brought in by water and that's part of what's in that editorial that we should be using our waterways around the city much more to move the commercial goods rather than having them drive through residential streets, and study that we did we looked at the--the disparities based on race and also on socio-economic situation, and I did that study with Sharan Quinn who you may know. She's one of the Deputy Commissioners. She was a student of mine about 20 years ago, but now she's a Deputy Commission of the Department of Health, and we did find that--that the people like the under-served minority populations were much more affected, but also it was interesting we found that the poor at least the poor and the working poor in the white community were also

affected. So, it's-it's really-it's a question a lot of poverty, and I've done maps in my talks where I show the poverty levels in New York City and then I show the asthma rates in New York City, and people say wait, that's the same map. There's a lapse in a lot of these and the I once had a person in the audience get up and say wait a second that's my lead poisoning map. So, you know, there's really a concentration of problems in the same communities and it has a lot to do with well, just with inequities in wealth and poverty. More recently a variety of studies have show that air pollution exposures can also lead to an increased risk of a child developing asthma in the first place. So as we have always been able to show that in studies that kids with asthma are more affected now these studies are showing that children who are exposed to pollution over years have a higher rate of getting asthma, but on a hopeful note, one recent study about which I wrote an editorial in the General American Medical Association this year, showed that declining air pollution levels in Southern California over the past decade have led to a 20% associated decrease in the number of children developing asthma. So, if we lower

pollution levels there have been proven to be health benefits from that. Another problem I have studied that I mentioned in New York City is air pollution in our subways. This pollution has derived from decades of break wear and diesel emissions from service trains that operate in the subway system, and I give you a citation to one of our studies. I've read that they the MTA is about to spend billions on upgrading our subway systems, but I have not read anything about improvements in the ventilation or adding air filtration systems for the subways and if I have a second I could tell you a little story how I discovered this. I was doing—I was asked to do an interview for the magazine Vogue. Very unusual for me, but it—but, in my whole career it's the only time I've impressed my daughter. So, it was good, but I—so I brought a piece of measurement equipment with me a hand-held particle measurement this unit, and I was going to Washington Square, and I thought I'd walk the reporter around and showed them how the level varied when if we're standing at Broadway versus in the Park, and I had it on while I was in the subway and I said, oh, my God, this is really, you hundreds. This is—you know, normally it would read like 10 or

15. It was reading hundreds of micrograms in the subway, and I said this is broken. How am I going to do this interview with this broken like this? These are unbelievable levels, and then as I got off on the 9th Street Station and walked up the stairs, the levels went down, down, down and I got up to the street level and they were normal levels again. So that's why we ended up doing the study that we published in 2014 and we're still continuing to do monitoring. So, that's—I don't—it's probably not your department, but—but certainly something we should really do.

CHAIRPERSON CONSTANTINIDES: You know, I—I—when passed the Climate Mobilization Act, it ended up Teen Vogue and, um, I asked my 12-year niece if this made me cool now, and she was like well, this is cool but you're not, Uncle Costa. So, I hear your pain. [laughs]

GEORGE THURSTON: I don't know. Thus urban air pollution especially air pollution from diesel powered vehicles have been shown to cause children with asthma to have more breathing problems, and to cause children to develop asthma in the first place. Importantly, however, new—new research has

also documented improving air quality can reduce the number of children who get asthma. It's therefore possible for the City of New York to improve the health of our children as well as of adults by acting to achieve cleaner air for us to breathe. Thank you for this opportunity to testify and we welcome any additional questions the committee--the committee may have. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you, professor. I'll come back--I'll come back with questions. I sort of--

GEORGE THURSTON: [off mic] I'm on your team. (sic)

CHAIRPERSON CONSTANTINIDES: As do I, but we--[laughter] well, I appreciate it. Let's--we'll go through the whole panel and then we'll save some of the questions.

DR. HOPE ORWELL: Okay. Thank you for the opportunity to testify. My name is Dr. Hope Orwell, (sic) and I'm testifying on behalf of the New York City Environmental Justice Alliance. Founded in 1991 NYEJA is non-profit citywide membership network linking grassroots organizations from low-income neighborhoods and communities of

color in their fight for environmental justice. For Decades NYEJA has led efforts to improve air quality in New York City particularly as it relates to disproportionate health burdens in low-income communities and communities of color. Our 2018 Climate Justice Agenda highlights our focus on localized air quality monitoring, an essential tool to understand health burdens on Environmental Justice Communities, Community, Air and Methane project for Environmental Justice or CAMPEJ was born out the shared concerns from our members about air pollution in their neighborhoods. Our members represent EJ communities who live alongside the most Noxious infrastructure in our city including diesel truck intensive waste, export facilities, highways, power plants and other heavy industrial uses. As a result, these communities face higher rates of negative health outcomes with the PM 2.5 pollution including asthma, heart disease and cancer. As climate change progresses heat waves are expected to be more frequent and severe which will worsen air quality and contribute to air quality related disease and death. Extreme heat is the deadliest climate change risk, and estimates for New York City project that the

number of heat waves could triple by 2050, and we continue to advocate for an ambitious set of goals for New York City's urban forests and street trees. Equitable investments in natural infrastructure and a robust maintenance plan that creates good jobs, which can help mitigate extreme heat and improve air quality particularly in the most heat vulnerable communities. In transportation we advocate for electrification of vehicles with an emphasis on New York City's public bus infrastructure. Fossil fuel dependent buses emit PM 2.5, which most heavily impacts low-income communities and communities of color who comprise most of MTA ridership, and tend to live where MTA bus depots are sited. We also advocate for the use of creative funding streams to improve air quality such as funds from the 2016 Volkswagen Settlement. We are looking to reform the Solid Waste system in New York City. Truck dependent transfer stations have been clustered in low-income communities and communities of color for decades causing high proportions of health consequences such as asthma, heart disease and cancer. According to the city's recent draft Environmental Impact Statement passage of the Commercial Waste Zones Bill introduced

in June Intro 1574, would achieve up to 68% reduction in the vehicle miles traveled by diesel waste trucks along with reductions in associated aerial particulate emissions, greenhouse gas emissions, road damage and the noise by implementing exclusive zone waste collection system. Additionally, we are pleased that the bill will require truck compliance with certain environmental laws such as Local Law 145 and that within the bill DSNY would review contract applications on the basis of the carting companies' disposal of waste at transfer stations that are geographically approximate to the zones reducing truck burdens in the EJ communities. Finally, we advocate for a transition in energy siting and storage. New York City is home to 16 peaker plants, many with multiple generating units both publicly and privately owned. These highly polluting fossil fuel power plants known as peakers fire up in the South Bronx, Sunset Park and other communities of color on the hottest days of the year when air quality is at its worst, and sensitive populations are willing to stay in doors. Peakers then spew even more harmful emissions into neighborhoods already overburdened by pollution, and exacerbate widespread health problems.

Existing and new gas fired peaker plants could be replaced by renewables and battery storage technologies. Renewables are already cost competitive with and often cheaper than fossil fuels while battery storage adds flexibility and control to transform solar and wind into reliable, dispatchable resources that can be operated much like peaker power plants. We need innovative citywide large scale energy planning projects that center Environmental Justice. For examples—for example, Rikers Island long home to a notorious jail with terrible conditions that has held New Yorkers of color can be a home for largescale clean infrastructure for energy. Renewable and resilient energy systems will advance energy democracy, reduce energy cost burdens, strengthen the resiliency of communities and improve air quality. The Climate Leadership and Community Protection Act, which legislated commitments to eliminate fossil fuel emissions in New York State by 2050 makes it imperative for New York City to transition to a renewable energy future. We thank the Committed on Environmental Protection for holding this oversight hearing, and for consideration of our

comments. We look forward to working together to improve air quality in the city. Thanks.

CHAIRPERSON CONSTANTINIDES: Thank you. Please.

JENNY VELOZ: Thank you for this opportunity to speak with you on improving air quality. My name is Jenny Veloz and I am the Environmental Justice Organizer in New York Lawyers for the Public Interest. We are facing a climate crisis that will only improve if we in the city begin to do our part, and especially in Environmental Justice communities in our city the same sources that cause climate change by emitting greenhouse gas emissions also emit air pollutants that contribute to serve as health problem like asthma, respiratory and heart disease. We cannot stand by and continue to do nothing as harmful emissions such as diesel fumes and fine particulate matter from trucks, buses and power plants continue to pollute our air and make it increasingly dangerous to breathe. There are concrete and immediate ways the City Council can take action to improve air quality. One is improving and updating the city's almost 10,000 school bus fleet, which are old and highly polluting. The emission of

these harmful diesel fumes poses a huge health risk to students. Some students spend more two hours a day on a school bus sometimes longer for special education students. It is unimaginable to think that a student with asthma continues to ride a school bus that will worsen his or her medical condition. The unequal impact of this issue is exacerbated because my school bus depots are located in Environmental Justice communities where one in four children have asthma. Every morning and afternoon hundreds of school buses leave diesel fumes in neighborhoods that also house power plants, truck depots, waste transfer station and other polluting sites. School buses also frequently idle in front of schools longer than legally allowed resulting in even more toxic fumes near our children and increasing the likelihood of asthma and other respiratory ailments. For example, of the 105 school buses we observed 95% idled in front of schools for more than a minute. We urge the Council to vote Intro 455 and into law, which will require the electrification of school buses by 2040 and would be a long-term solution to reducing the environmental impact of our huge school bus fleet. In the short term we can lessen the impact of air

pollutants by enforcing existing idling laws. If we are serious about wanting a cleaner New York we need to start by easing some of burden on Environmental Justice Communities. We can no longer justify housing major causes of air pollution school bus depots, power plants, et cetera in these overburdened communities. We are risking the health and wellbeing of the individuals when we should be ensuring that we lead healthy pollution free lives. We all deserve the right to breathe clean air. Thank you.

CHAIRPERSON EUGENE: I know dis—as the sponsor of the bill, I don't disagree with you. We are most—it is something we are working on every day.

JENNY VELOZ: Thank you.

CHAIRPERSON EUGENE: Every day there's a conversation that goes on every day, so we are committed to getting that bill done.

MELISSA IACHAN: So this is definitely a great choir to be preaching to because my testimony is very—it's going to sound very familiar after hearing testimony and it's no coincidence. We work together on all of these issues. So, Good afternoon. My name is Melissa Iachan. I'm as senior staff

attorney in the Environmental Justice Program at New York Lawyers for the Public Interest. NYLPI Environmental Justice Program has worked with communities who have shouldered the disproportionate burden of pollution in our city for decades. Thank you to Chair Constantinides and this committee for your efforts to highlight the serious impact air pollution has on public health in our city, and in particular in the neighborhoods where multiple sources of air pollution like trucks and power plants are clustered. Today in my testimony I'd like to highlight some of the work NYLPI is doing with our community partners to reduce the levels of harmful air pollutants in low-income communities and communities of color and how the Council can take action to improve the air quality as well. First, the Council can pass Intro 1574 adopting commercial waste zones which will reduce the amount of greenhouse gas and PM 2.5 emissions from commercial waste trucks by more than 60%. Second, the Council can support efforts to transition the city's power sources away from fossil fuel burning plants and invest in renewable energy. A step toward doing that is represented in the Renewables Riker—the Renewable

Rikers Act, three bills Intro 1591, 1592 and 1593 introduced a couple of months ago. Commercial waste zones presents an opportunity to make great strides in reducing air pollution and greenhouse gas emissions while also accomplishing numerous additional goals such as improving street safety, increasing diversion of waste from landfill and raising labor standards in a notoriously dangerous industry. As many of you know, resident of communities where waste transfer stations and truck depots are clustered face much higher rates of asthma and respiratory health problems due to the idling diesel burning trucks congregating the waste transfer stations and criss-crossing their streets. As you can see on the poster in Access, the Environmental Justice communities in North Brooklyn and the South Bronx have a particular problem with asthma inducing air pollution and they also are the two neighborhoods who by far have the most commercial waste truck trips per day according to 2018 data. That is no coincidence. Intro 1574 would greatly reduce the number of vehicles traveling in these communities and have two provisions to ensure that any company submitting a bid would have to invest in cleaner

trucks, which would go a long way to improving air quality and public health in overburdened communities. The same communities who bear the brunt of our commercial waste processing plants are also over-burdened by our fossil fuel based power system in the city. Peaker plants, fossil fueled based power plants that fire up during times of peak electricity demand spiel harmful pollutants into our air, and are located in many of the same neighborhoods where trucks and other industrial polluting facilities are concentrated. Many peaker plants in New York City are over 40 years old. They can emit up to 20 times the level of nitrogen oxides, Nox of other power plants. When Nox combines with traffic emissions on hot sunny days when peaker plants are most likely to be on--it results in dangerously high ozone levels. In New York City exposure to ozone concentrations above background levels causes more than 400 premature deaths, 850 hospitalizations for asthma, and 4,500 Emergency Department for asthma each year. Ozone health impacts are disproportionately borne by low-income New Yorkers. New regulations from the state will mitigate Nox emissions, but we and must do more. We

need to phase out peaker plants entirely, and replace them with renewable energy and battery storage. The Council should take advantage of opportunities to build renewable infrastructure wherever possible. For example by transferring Rikers Island to DEP as a proposed in the Renewable Rikers Act. We look forward to continuing to collaborate with the Council to pass Intro 1574 and the Renewable Rikers Act to truly bring transformative progress to our air quality and reduce our city's pollution. Thank you. [background comments/pause]

JOSH KLEINBERG: Okay. Happy Climate Week everybody.

CHAIRPERSON CONSTANTINIDES: Yeah, Happy Climate Week.

JOSH KLEINBERG: How are you? So my name is Josh Kleinberg and I'm representing the New York League of Conservation Voters. I'd like to thank chair Constantinides for the opportunity to testify today, and also the Council and the staff for all the work that you do every day on behalf of our environment. It is very much appreciated. I'm here delivering testimony on behalf of my colleagues Adriana Espinoza who is unavailable to be here today,

and so here I am. As you've heard from our distinguished panel of experts so far, very simply poor air quality leads to poor health outcomes especially for vulnerable populations like seniors and children and particulate matter and ozone are most associated with health issues such as respiratory and cardiovascular diseases. So, I've broken no ground there. So, let me get to you. Our policy priorities from New York League of Conservation Voters that we believe can reduce these harmful emissions, and improve public health. So, New York LCV supports a rapid transition to cleaner fuels by heavy duty fleets in New York City including transit buses, garbage trucks, and school buses. In order to maximize climate and health benefits priority for this transition should be for fleets that are older, those with high vehicle miles traveled, and those traveling in and around Environmental Justice communities. For those reasons, NYLCV supports Intro 455 by Council Member Dromm to speed up the transition to cleaner, safer zero emission school buses. NYLCV also strongly believes that any commercial waste zone policy such as Intro 1574 by Council Member Reynoso must include

a plan by waste haulers to reduce emissions from their fleets in any and every way feasible. We also need policies that reduce congestion, heavier incentives for off peak delivery, green loading zones, neighborhood distribution centers and cargo bikes for last mile deliver are all worthy examples. Since a large portion of indoor and outdoor air pollution still comes from the burning of dirty heating oils in our buildings the city has an obligation to move more swiftly. Buildings all around New York City are still burning No. 4 heating oil, which releases large volumes of fine particular matter. The current schedule for phasing out No. 4 heating oil from residential buildings is January, 2030 and this is not aggressive enough. Accelerating the deadline to 2025 as well as providing incentives for new heating technology, beneficial extraction and energy efficiency are important steps the city can and should take now. This five-year difference could prevent hundreds of deaths and thousands of emergency room visits. Finally, in order to have air quality and public health, we should be doing everything we can to avoid the use of old dirty peaker plants in the city. Actions that the City can take include and

investment in energy, efficiency in buildings, participation and demand response programs and rapid adoption of cleaner technologies including battery storage. So we are proud at New Yorker League of Conversation Voters to have worked with the City Council over the years on policies that have improved the air quality and public health, and we're urging the Council and the committee here to consider these recommendations and to continue that great trend. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you for your testimony. I will say that tomorrow the Transportation Committee, you know, while we're doing this they'll be doing--tomorrow they'll be voting on a bill that does have a feasibility study for night, you know, for off peak hour deliveries for New York City buildings in Manhattan and, but hm? Huh? Inside of the Transportation Committee. So we are going to be--we are taking a look at overnight deliveries. It's something that I feel is--is--is an important part of this equation as well. So, the bill should be voted out of the Trans--you know, it's--it's coming for a vote. So, it's not done, but there is opportunity for us to do that tomorrow, which I'm glad to be the

lead sponsor on that bill. So, I think you've answered this question already, but do you feel that enough is being done to address or control particulate emissions in New York City? You can have this Keith.

JENNY VELOZ: Clearly no [laughter] and I think this entire panel has given really concrete--

CHAIRPERSON CONSTANTINIDES: Right.

JENNY VELOZ: --steps that can be taken, and can be taken soon by the Council and not requiring state or federal actions.

CHAIRPERSON CONSTANTINIDES: Uh-hm. I think that, you know, we are--I know that in the Sanitation Committee, which I'm really glad to be a member of I know that 1574 is on the docket, and the conversations around that bill continue to happen, and I'm a proud sponsor of that legislation. I--I, you know so talk a little bit about more about the impacts of these, you know, waste transfer stations and all of these trucks driving around our city. I know that's not in our committee exactly, but does have a direct sort of correlation to air quality of having all that going on in communities.

JENNY VELOZ: I'll take that. Sure.

First, thank you so much for attending NEJA and Members of Southeast Queens civic associations organized a march and call to action calling that the issue around the transfer stations in that area in Southeast Queens and Jamaica so, the—the biggest issues there are like facing or the stench as well very high rates of asthma there and this is the same in North Brooklyn and the South Bronx, and also rates of COPD, Tuberculosis. So, yeah the—the contributions are—are both respiratory and cardiovascular, but also just a nuisance and people, you know, keep their windows closed because of the stench near these transfer stations and, you know, a lot of people have reported having friends that have moved out of the neighborhood or family members moved out of the neighborhood for these reasons so--

MELISSA IACHAN: So what the bill actually would do is [laughs] is that it would really bring greater efficiencies into the routes these trucks take. It would really make the transfer stations that each truck goes to more rational as opposed to driving an extra 10 miles to go to the transfer station that Cousin Sal owns. Haulers would

be selected based on their commitment to dispose at the most proximate transfer station to their route, which would theoretically require haulers to go to more equitably sited transfer stations, but very importantly it is requiring haulers to show that they are investing in clean burning trucks. There is a benchmark that we have heard is going to be included to have all electric trucks by 2040, which the commercial waste trucks are the dirtiest trucks that-- that crisscross our city and the least safe ones. We've had two more deaths in the last two--

CHAIRPERSON CONSTANTINIDES:

[interposing] I think it was yesterday there was--I don't know if that was a commercial, however, there's a dump truck, but still it's terrible, terrible.

MELISSA IACHAN: A garbage truck, yeah.

CHAIRPERSON CONSTANTINIDES: Yeah, terrible, heartbreaking.

MELISSA IACHAN: But there are a lot of profound we've been to, to really move this legislation and, you know, air quality is a huge one, but not the only one.

CHAIRPERSON CONSTANTINIDES: So, let me say--god ahead doctor.

GEORGE THURSTON: The comment I made about the waterways I mean I—some of the transfer stations are along the water, but I don't see why we don't have more of them along the water so that they aren't going into residential neighborhoods. Instead they're going to the waterways, and then taking it where it's going, by, you know, you can have trucks and then they go get to another truck at the other end, and we're surrounded by water. Why don't we use that more for our transportation problems to minimize and we can use it for trash and use it for these deliveries, you know, instead of having them drive through the Bronx to go into Manhattan and then all the way through Manhattan to deliver. You could have them, you know, get onto a barge and then go to wherever they're going nearby and come off, and you know you could—I could see having a transfer station some place less populated. You know, maybe Darien, Connecticut would be nice. You know, have a big transfer station there. They wouldn't mind I'm sure, and that was facetious, but still [background comments/pause] Yeah, the, well, you know, I know that, but—but it happens, right, and so it can

happen. Why isn't this happening more. That's my question.

CHAIRPERSON CONSTANTINIDES: Well, I agree with you. I mean we have—we are a city surrounded by water, and why we don't use those waterways to the benefit of the everyday New Yorkers I think makes—it's one of the things that always bedevils me. I'm always trying to figure out why that is the case. I think it's part of the opportunity for a Renewal Rikers is having anaerobic digestion there, and then, you know, dealing with some of those issues we could have solar and battery storage. We could have anaerobic digestion and dealing with a lot of our waste, and—and we could also have a wastewater treatment plant there that would, you know, keep billions of gallons of sewage out of our waterway. I think that's a real opportunity. It's not an opportunity that's going to happen tomorrow, right? It's not going to solve the issues that we have in this city, but it's going to be a long term opportunity that I don't feel we should miss, [siren] and we only have ten minutes to chime in there. (sic)

JENNY VELOZ: Yeah, just that, um, that that is one of the additions to 1574 is that, you know, we don't want to rely solely on truck-dependent transfer stations, but also we're more people who—who do use the marina or rail based.

CHAIRPERSON CONSTANTINIDES: So, I mean I'll just—I'll just quickly say this, and, you know, so let's—let's take a step back for a moment. I agree with all of you and all of the points that you made today whether it's on 4 (sic) whether it's on 1574, whether its on 455 that we have the Rikers Act, what's the sort of next frontier on combating air quality, right? What are the things that we're thinking about when we do win these fights on these pieces of legislation, what else do you feel we could be doing as a city to combat poor air quality?

[pause]

JOSH KLEINBERG: This is a great opportunity to let you know that New York LCV's policy agenda is going to be coming out in a few weeks with all the answers to those questions and much, much more.

CHAIRPERSON CONSTANTINIDES: I'll be looking forward to that. [laughter]

JOSH KLEINBERG: Well, I think greater, you know, greater electrification is an obvious one. I personally, you know I ride mass transit into the city, but occasionally like if I'm staying for the opera or something, it's late. I can't get home. I live in the Hudson Valley. So, I can't get home at that hour. So, I drive in, but I have an electric car. So, I drive my electric car in. Can I get it charged? No.

CHAIRPERSON CONSTANTINIDES: Uh-hm.

JOSH KLEINBERG: Go to a parking garage, and they either don't have a charging station or they say yeah, we have one. It's behind those 15 cars and you can't get there. You know, if there was I think one of the things you could do is require every parking garage to have charging stations, and then people who would be more inclined to drive electric cars and to the extent they have to drive in. I mean I hate to drive into the city, but when I do, you know, and then the electric cars could charge up and they're encouraged to use their electric car rather than their fossil fuel combustion car. So that's one. I mean there are so many things, and switching from No. 4 by 2030, that's really--

CHAIRPERSON CONSTANTINIDES: And that was
and that was on. Why was that there?

JOSH KLEINBERG: [interposing] Well, I
thought that was probably already done by now. I mean
because, you know, I just—I switched my house over
from oil. You know out in the country most—a lot of
people have oil but I got natural gas in, and you
just change the gun and on your—on the furnace and
you hook up natural gas. I mean I don't understand
why they can't be doing that here more readily than
off oil to natural gas, and really ultimately off
fossil fuels. I mean—I mean I don't know. There's no
real reason.

CHAIRPERSON CONSTANTINIDES: I think
those are some solid ideas that we can definitely
take back. I'm just, you know this hearing I think
we're just trying to get some ideas as well, right,
and I think we need to start sort of brainstorming
around what can come next and, you know, we have this
opportunity with this Council for the next two years,
and three months and so, and we want to make sure we
use that time as effectively as possible to generate
policy that will have longstanding impacts
communities that—that have been burning for so long.

So, you know, I definitely hope that, you know, we can—we're going to continue to fight. So, I don't want to diminish anything you guys talked about today. I am wholeheartedly behind 1574 and 455 and the Renewable Rikers Act and phasing up for oil. I mean those are all things that I know we have those shared values. So, as most of you said we're sitting in a very good choir with one another just thinking about well what's the next song, and how do we sort of figure out what those things are. I think I would love to have that conversation more robustly over time so we can figure out like what should be our priorities on air quality in, you know, 2020 and 2021 and beyond, right. I think that is a conversation I'd want to have.

JOSH KLEINBERG: So, we—we as advocates absolutely welcome that conversation because, you know, when it comes to talking about pollution and its effect on air quality which ads you come upon, we are exhausted. We are literally exhausted. So, you know, mindful of the fact that you're where you are and—and everyone here is where they are in this current term, and right, at beginning in 2021, you know, we're hoping that that action happens very

swiftly and there comes another one that we clean the air on this particulate matter once and for all.

Alright, I-I said that.

CHAIRPERSON CONSTANTINIDES: You know and you guys have been amazing partners. You know we-I am so glad that you hold us accountable, and that for the work that you do to benefit New Yorkers every day. So, I want to thank you all for the work that you do. I'm very grateful for it. I'm going to let you go. I promise, but go ahead.

GEORGE THURSTON: Well, I was just going to say, you know, I, um, the thing is that this all makes such economic sense because when you look at these health benefits, and I know it shouldn't come down to dollars and cents, but in our capitalistic system and the way regulations are set up, it comes-- does often come down to dollars and cents, and whenever you do an analysis of the health benefits that come from cleaning the air, they more than pay. The benefits are the valuation, the economic valuation of those health benefits far outweigh the costs of the cleanup, and I think part of the problem is that people who get the benefits aren't the people who are the most influential. So, that's, you know,

and inequity problem, but basically if, you know, look at the economics and this true of climate change as well. I first talked about this in-at COP 5, Community Parties 5. In 1999 at Bonn, Germany. It was 1999. Al Gore was going to be president. We were going to do all these things. It didn't work out, but-but, you know, I talked about the health benefits far outweighing the, you know, it's the carrot, you know, that if-people are always saying with climate change if we don't do anything, this terrible thing is going to happen, and it already has started to happen, but on the other hand if we do something, if we go forward, if we reduce fossil fuels, we're going to get lots of benefits. I think we need to emphasize more those health benefits from the clean air. Also diet. I have to mention diet that if people ate a better, you know, diet like less meat we'd have less methane and then there would also have healthier lives and less cardiovascular disease right now. You know, our habit with meat eating is spreading around the world and there's just the cardiovascular disease is epidemic in the developing world because they're starting to eat like we do, which is not a good idea for them or for the world,

but anyway, so, most, you know, most of the stuff that we talk about that we should do for climate change they just, they're good for us and actually, you know, if we go forward we're going to get all these benefits and economically it makes sense as well so—

JENNY VELOZ: So, just adding like, um, you know, we work with micro-haulers who are—are, you know, able to haul organic waste and encompass that using bicycles and they have been advocating for more bicycle infrastructure.

CHAIRPERSON CONSTANTINIDES: Uh-hm.

JENNY VELOZ: Also as a non-micro-hauler bicyclist, you know, I think that a lot of people I know are afraid to bike in the city because of all the recent accidents especially with waste trucks that are—that are going on, and so bike infrastructure would, you know, reduce the—the number of cars.

CHAIRPERSON CONSTANTINIDES: Totally great, totally great. So I definitely want to thank you all for your time and your thoughts, and I think we should convene these conversations around air quality more often, and again I want to thank you for

all the great work that you do every single day fighting for New Yorkers who need a stronger voice in government. So I will look forward to continuing our great partnership on Renewable Rikers and 455 and 1574 and for oil and all the ideas that we've talked about today. So thank you. We have one last panel. We have Katherine McVay Hughes. Katherine, always great to see you, and Greg Waltman from G-1 Quantum. [pause] Alright, so Katherine, always good to see you.

KATHERINE MCVAY HUGHES: Good afternoon. It's a pleasure to be here again. I'm sorry I brought a thumb drive with three slides, but they said it's not going to work the AV so you'll just have to refer to the diagrams in the—

CHAIRPERSON CONSTANTINIDES: Okay.

KATHERINE MCVAY HUGHES: --testimony if that's okay. Good afternoon Chair Constantinides and his—and the wonderful folks that are still here. My name is Katherine McVay Hughes. I served 20 years on Manhattan Community Board 1. You are in Lower Manhattan, which is part of Community Board 1, half of that time as Chair or Vice Chair. Today I'm representing the Financial District Neighborhood

Association, FDNA. FDNA is home to to roughly 50,000 residents and is the fourth largest business district in the country. As of yesterday the Text for T-2019-5011 was not available on the New York City Legislative Calendar website. So, I will first focus on air quality hotspots on our community and urgent action items. Lower Manhattan, first of all please I'd like to draw your attention to the map here on the left. It has some of the city's worst air quality according to the latest data available from the New York City Health Department, New York City Community Air Survey, NYCAS. We heard about that earlier from the New York City Department of Health. The particular graph here on your left refers to NO2. Despite some improvements over the years as per the NO2 Pollutant Map, the source of NO2 emission are quote from the website: "Buses and other vehicles on busy roadways" and is an indicator "of traffic congestion." Note, Lower Manhattan specifically CB1 has one bridge, the Brooklyn Bridge and two tunnels the Brooklyn Battery Tunnel and the Holland Tunnel in this dense 1.5 square miles. It also includes numbers ferry terminals including the Staten Island Ferry Terminal, Pier 11 and the Port

Authority New Yorker and New Jersey of Battery Park City, and also large tourist boats stops at various locations including the Battery, Pier 15, Pier 16 and a helicopter pad at Pier 6. The city us tracking dozens of ongoing construction projects still going on in this area. Immediate and doable actions to protect our health through improving air quality include: (1) Implementation—implement Make Way for Lower Manhattan, and I've given you your own copy of the document to improve air quality, pedestrian safety, small business viability and the quality of life. (2) Release the 2018 NYCAS data and city inventory of greenhouse gas emissions immediately. (3) Add our monitor—add air monitoring stations. Currently there's only one that exists in CB1—to monitor impacts of congestion pricing. (4) include greenhouse gas and air quality indicators in the Mayor's Management Report. (5) Enforce existing laws including idling, demolition, façade, street, sidewalk and utility work to minimize air pollutants and dust. (6) Plant new trees in empty tree pits in and maintain trees throughout the district. According to the Tree Map referred earlier, you'll see that the Financial District is right or almost

has no trees. Each of these is a near term fix that brings immeasurable benefits at a minimal cost. In the medium term air quality improvements require that we shift the transportation sector from petroleum run vehicles, buses, shuttles, truck, ferries and construction equipment to electrification, and renewable sources and the same for buildings a major stationary source. As for the footnote provided, conveniently the other day, there's a recent article on this in Bloomberg New in the footnote section. With our support we can have a greener FIA (sic) with implementation to make way for Lower Manhattan, the Shared Streets project. In March of 2019, FDNA released Make Way or Lower Manhattan, a vision to make the Financial District greener by making the streets and sidewalks cleaner and safer for the people who live and work there. How did this come about? Ignited by Bloomberg Administrative New York City Department of Transportation Study Lower Manhattan Congestion called the Street Management Framework for Lower Manhattan the Downtown of the 21st Century. Community residents began a process of advocacy for cleaner sub-streets in the neighborhood over a decade ago. Six months ago the first of its

kind of study was then incorporated into the New York City's Earth Day 2019 announcement OneNYC, Mayor de Blasio announces transportation measures to increase New Yorkers' mobility, the city has identified locations to implement its Bus Action Plan to increase bus speeds by 25% by 2020, help more businesses receive off-hour deliveries, and explore new pedestrian zones in Lower Manhattan. The New York City Department of Transportation has just begun the process of its Lower Manhattan Transportation Study, which should be completed next year in June of 2020. The geographic reach of the Shared Street Pilot is in the full-is in a full district from Broadway to Water and Fulton to Broadway. So, if you look at the footnote there's a graph right there, and frankly, if-if you know the grid for Lower Manhattan it is designed during horse and buggy time when the buildings were one or two stories, but now the buildings are 50 or 60 stories, and the streets and sidewalks have not cut-kept up with that infrastructure, and so that's why your proposal earlier discussed about Sanitation is particularly interesting. The implementation make way for a Lower Manhattan pilot project, New York City would be one

step closer to meeting the 20th Century goals addressing the global climate crisis by reducing vehicle congestion, returning the public domain to those who live, work and visit the fourth largest business district in our country. Cutting congestion means improving air quality and protecting the health of residents, workers and visitors. In September 2014, New York City Committed to reduce greenhouse gas emissions by at least 80% for 2050. With an interim target to reduce emissions 40% by 2030, the graph below, this one here shows that since 2005 the baseline New York City has reduced citywide greenhouse gas emissions by 17% in 12 years, and hovers around the 2012 levels. Based on our discussions earlier today, you recall that's when the conversion from dirty heating oil went to natural gas as a bridge solution. [bell] Most of the greenhouse gas is made divided into a third for transportation, two-thirds stationary energy. Clearly there is much more to do to reach the 2030 goal, which would require another 23% reduction in this decade. So, please act now and thank you for the opportunity to testify today.

CHAIRPERSON CONSTANTINIDES: Thank you, Katherine. Go ahead.

GREG WALTMAN: Chair Constantinides, General Greg Waltman representing Clean Energy Company Gl-Quantum. You know, it is really interesting hearing everyone's testimony today about climate change and the initiatives. Obviously, in the advent of the U.N. initiatives that are ongoing, which, you know has gathered support not only here in the city, but across the country, but, you know, really dialing in on the solutions a lot is talked about on the impact of greenhouse gas and different types of emissions, and those problems, but again Chair Constantinides, we find ourself at the illusion of choice solution again. We are the value narratives through the media and mainstream media, you know, not to take away from Greta Thunberg and that type of narrative, but, you know, and I've never sailed across the Atlantic. I'm not a big sailor but—but to—to use narratives like that to redirect the actual solutions that are available to addressing the climate issues is I think of a major concern especially as you look at the solar application not only to the US/Mexico border wall, but then obviously

taking it one step further to Tel Aviv or one step further again to Riad and then addressing issues that are complex issues regarding Israel/Palestine type of issues regarding energy and different types of conflict in Yemin and scare of the issues. So, these solutions that I'm presenting to you have quite the major, you know, geopolitical implication if addressed or allowed to have the time within the value media space that again has this type of implicit bias and censorship kind of deriving from the post-9/11 value establishment. So, as we parse through that—that type of context I just want to bring to your attention again that, you know, the public is being presented the Green New Deal, and other types of value illusions and scams and redirection when in reality we have these simple solutions. It doesn't—it's not rocket science to—to screw a solar panel on a wall that's been there for over 100 years if the—the wall is going to be there for another 100, right? These are simple solutions, and—and—and, you know, just to backtrack on that because I feel like I present the argument very well without—with no type of value opposition for several months coming my way. Just to backtrack a bit, on

the first panel, you know, they're talking about space and other types of things and the next, as you said, song in the choir, of course, and-and I do want to-I don't want to take away from your positive note then because you-you've articulated yourself on this issue before where you-you, you know, are somewhat in agreement with the-the theory of an illusion of choice by the value type of media in the construct, but, you know, redirecting the type of argument or your position on these issues to a type of negative context, Rikers Island and other types isn't-I don't think it's really necessary. I think within the quantum track solutions and the other proprietary innovations, you find more type of traction in-in creating the type perhaps vacuum system to accommodate the different types of air flow issues and fluctuations within the subway and also create energy. We're not talking about the Deutsche Bahn in Germany that goes 300 miles an hour. We're talking-we're talking about something that goes about 20 miles an hour and as we go through obsolete track enhancements and-and retrofitting tracks, we're not including or even approaching these solutions that are available, which is a variation of speed breaker

2 technology which is already a proven technology. So,
3 even—even though I would—I would need to conduct a
4 study and I see your legislation provides the
5 opportunity to conduct a study upon Commission
6 approval, you know, I feel like that that would be
7 type of condition or the type of appropriate context
8 to then move forward with that type of solution, but
9 again, going back to the core issues here, you know,
10 these—these solutions that have been presented is
11 very straightforward. We have a border wall. How do
12 we pay for it? But the solar panels pay for the
13 border wall.

14 CHAIRPERSON CONSTANTINIDES:
15 [interposing] Let's—let's focus on—I have no idea
16 what you're—how you're weaving that into this
17 conversation, but let's—let's just focus on the
18 issue.

19 GREG WALTMAN: No, I feel like it's
20 really straightforward and it just doesn't—it doesn't
21 make any sense to me that, you know, the value to--

22 CHAIRPERSON CONSTANTINIDES:
23 [interposing] You're—you're making no sense to me
24 either. So, I think we're both not making sense to
25 each other. So, if you could maybe try to weave back

what we're here to talk about today, which is air quality here in New York City, I'd be much appreciative of that.

GREG WALTMAN: Well, you know, obviously going back to quantum tracks and the proprietary innovation proposed over several months of being here, you know, a study could be perhaps, you know, most appropriate to address the types of air conditioning and air quality control issues that seem to be our major deterrents and then also supplement fiscal and budgetary concerns. I was talking to Chair Treyger last week and he seemed to be in accordance where we're not talking past each other, we're talking to each other, and if it's—and if I seem, you, know this value type of issue kind of plaguing advancement around these types of issues, you know, it—it seems that there's—there's, you know there's some legal context that needs to be cleared up with respect to that, and I, you know, I really vey much appreciate you giving me the opportunity to speak and advance these solutions, and I feel like, you know, like I said the legislation that you provided context to for the Commissioner to approve different types of studies, I feel like is the appropriate context to

address not only you air quality concerns, but also your energy concerns and with respect to the quantum tracks, and as I go across the street to talk about contracts, this is all intertwined solar application of the Border Wall and other types of things. So thank you, Chair--

CHAIRPERSON CONSTANTINIDES: Thank you.

GREG WALTMAN: --Constantinides. I appreciate your time.

CHAIRPERSON CONSTANTINIDES: Have a great day. Thank you. Katherine, I'm definitely because I know you wanted to chime in something else.

KATHERINE MCVAY HUGHES: Yes, if that's okay. I think you may remember when I used to represent Community Board 1 and we also came here testifying--

CHAIRPERSON CONSTANTINIDES: Uh-hm.

KATHERINE MCVAY HUGHES: --on the conversion of dirty heating oil with our friend at EDF Isabel Silveman, and the conversion--

CHAIRPERSON CONSTANTINIDES: Uh-hm.

KATHERINE MCVAY HUGHES: --from No. 6 and 4 and 2 to cleaner fuel, and it seems like there's a lot of opportunity to make that switch of the

remaining buildings using the No. 4 heating oil. Now seems to be the time to do it. We cannot wait another 10 years based on that graph, and I think we need to get the data out of the city agencies because even their own legislation requires that both of the data should have already been provided. So, the map that I had on the first page it said Earth Day. It should have 2018 data already. This is 2017 data.

CHAIRPERSON CONSTANTINIDES: Uh-hm.

KATHERINE MCVAY HUGHES: So, you can really base your decisions on more current data and the second thing this graph down here about the greenhouse gases, where is the 2018 data? The deadline for that already passed on September 7th. So that really needs to get out, and again the Mayor's Management Report, which over 400 pages long there's not a single indicator on greenhouse gases for citywide data or air quality. This is what New York--this a key right now right here in your committee for the entire city. If you're looking for something to do, I remember testifying in the '90s for lead poisoning, and ways to solve the problem. We had got some of those indicators incorporated into the Mayor's Management Report.

2 CHAIRPERSON CONSTANTINIDES: Uh-hm.

3 KATHERINE MCVAY HUGHES: If they're not
4 tracking it and getting it into that annual report,
5 it's not being monitored on a regular basis.

6 CHAIRPERSON CONSTANTINIDES: I think we
7 should have definitely, and I think I brought that
8 question up, and it feels like a long time ago, but
9 at the beginning of this hearing I was talking about
10 the need for us to have data that isn't several years
11 old informing our actions, right. I mean in the
12 three plus years since the last report that they've
13 issued, there's been babies born, there have been
14 young people who have acquired asthma. It's-it's-by
15 not tracking that and not having sort of the most up
16 to date snapshot, I think we're doing ourselves a
17 disservice.

18 KATHERINE MCVAY HUGHES: Right, and the
19 fact that it's plateaued--

20 CHAIRPERSON CONSTANTINIDES: Yeah,
21 that's--that's a--

22 KATHERINE MCVAY HUGHES: --since 2012.

23 CHAIRPERSON CONSTANTINIDES: That's a
24 real big problem. I agree with you.
25

KATHERINE MCVAY HUGHES: We need to look at real numbers not spin. We need to see what's actually happening.

CHAIRPERSON CONSTANTINIDES: Uh-hm. I agree. I agree with you, Katherine. Thank you. I appreciate the work that you do. Thank you. Thank you both for testifying today.

GREG WALTMAN: Do you have any--do you have any questions?

CHAIRPERSON CONSTANTINIDES: I don't. I don't. Thank you very much. Have a wonderful day. So with that I want to thank our Staff Attorney Samara Wanston--Swanston Swanston, our Policy Analyst Nadia Johnson and Ricky Charla, our Financial Analyst Jonathan Seltezer and my Legislative Counsel Nicholas Wizowski as wells as the sergeant-at-arms who are always doing great jobs. Thank you for all that you do. With that, I will--Katherine, thank you, and all those who testified today for coming out today and being part of this hearing. We look forward to working with all of you, and with that, I will gavel this committee hearing of the Environmental Protection Committee closed. Thank you. [gavel]

C E R T I F I C A T E

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



Date September 26, 2019