

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL
PROTECTION

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B E F O R E: Costa Constantinides
Chairperson
Kalman Yeger
Chairperson

COUNCIL MEMBERS: Costa Constantinides
Stephen T. Levin
Carlos Menchaca
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COMMITTEE ON ENVIRONMENTAL PROTECTION

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STEVEN SIDOWSKI: This is a microphone check. Today's date is March 4, 2020, on the Committee on Environmental Protection, recommended by Steven Sidowski.

COUNCIL MEMBER LEVIN: [gavel] Good morning, everybody. I am Council Member Steve Levin. I am going to be opening this hearing, sitting in for chair of the Committee on Environmental Protection, Costa Constantinides. The chair will be joining us later on. Today this committee will address the mayor's fiscal 2021 preliminary budget for the Department of Environmental Protection. The department's proposed fiscal 2021 expense budget totals 1.39 billion dollars and the proposed capital commitment plan totals 10.5 billion dollars over five years. The committee looks forward to hearing more about the agency's capital involvement strategy to maintain water treatment and supply systems citywide, the new needs and savings proposed in the preliminary plan and agency performance metrics. Commissioner Vincent Sapienza of the Department of Environmental Protection will be providing testimony today and I will hand it over to him at this point.

COMMISSIONER SAPIENZA: Good morning, Council Member Levin. I just wanted to thank the members of the committee and Chair Constantinides for the collaboration that we've had over the last several years. So thank you for the opportunity to testify today. I am Vincent Sapienza, the commissioner of the New York City Department of Environmental Protection, or DEP, and I'm here to speak about the FY21 preliminary budget and the FY20 Preliminary Mayor's Management Report, or PMMR. Joining me at the table today is our chief financial officer, Joseph Murin, deputy commissioner Michael DeLoach, and we have members of our senior team behind us to help answer questions. DEP is dedicated to protecting public health and improving the environment. We provide clean drinking water, collect and treat waste water, and work to reduce air, noise, and hazardous materials pollution. We provide water to more than half of the population of New York State, while caring for our watershed lands, ensuring that the highest standards of quality are met and thoroughly maintaining a distribution system that is more than 7000 miles long. Our wastewater collection system incorporates expansive bluebelts

and rain gardens to reduce urban flooding and improve harbor water quality, which is the cleanest it's been since the mid-1800s. Our 14 in-city waste water resource recovery facilities comprise the largest municipal treatment network in the United States. In addition, we handle hazardous materials emergencies and site remediation, oversee asbestos monitoring and removal, and enforce the city's air noise codes.

Just to talk a little bit about our in-city water and sewer main investments. New York City's water and wastewater systems are among the most reliable in the country. The 30 largest US cities average 25 breaks per year for every hundred miles of water main, significantly above the industry best practice goal of 15. Our systems averages six breaks here in New York City, which is second only to Boston. Still, when breaks do occur city residents and commuters can be significantly impacted, as demonstrated during three breaks this past winter on the upper West Side of Manhattan and this morning in Brooklyn at the Bedford L station. Be assured that DEP does not rest on its record of reliability as we continue to make major investments in water infrastructure. We also have ample resources at the ready in all five

1
2 boroughs to respond to breaks so that water service
3 is restored to affected customers in an average of
4 less than five hours. To continue progress and try
5 to beat Boston, we intend to increase our proactive
6 maintenance activities, including electronic leak
7 detection and valve upgrades, ah, and accelerate main
8 replacements. I'd also to address the devastating
9 sewer backup that occurred in late 2019 in South
10 Ozone Park, Queens. As I discussed at a hearing
11 before this committee this past December, the
12 blockage was caused when a section of reinforced
13 concrete sewer that was constructed by New York State
14 only 32 years earlier catastrophically collapsed
15 under a highway bridge abutment that was concurrently
16 built. Given the major impact of the community, DEP
17 staff has since worked diligently, first to pump more
18 than 10 million gallons a day of the neighborhood
19 sewage past the blockage while concurrently building
20 1200 linear feet of new sewer to replace the 1987
21 pipe. This new sewer was completed a few weeks ago
22 and the bypass pumping system was removed. I want to
23 talk now a little bit about watershed investments
24 upstate. While we continue to devote resources on
25 maintaining our in-city infrastructure we have not

wavered from our focus on maintaining the reservoirs, dams, aqueducts, and tunnels that deliver water from our upstate watersheds. We've recently reached a milestone in a 158 million dollar project to rehabilitate more than 74 miles of Catskill Aqueduct, which delivers about 40% of the city's drinking water each day. This aqueduct, perhaps the most complex water conveyance structure in the world, was shut down for 10 weeks during November, December, and January. The shutdown allowed more than 200 staff members to clean the inside of the structure, repair leaks, and replace valves. The shutdown was completed without affecting the reliability of the city's water supply. The work will improve the aqueduct's function and allow more than 40 million additional gallons of water to flow through the aqueduct every day, which will be needed when the Delaware Aqueduct is shut down for major repairs in October 2022. The combined work ensures that New Yorkers will have reliable delivery of water for generations to come. In addition to upgrading this infrastructure, DEP also diligently protects our watershed lands to ensure that our water is of the highest quality. DEP now owns more than 155,000

acres of protected land surrounding the reservoirs.

From mountaintop to tap we analyze New York City's drinking water nearly 2000 times each day and fully

complies with all federal and state water quality

standards, as well as our own expectations for

excellence. We recently released the 2019 New York

City Drinking Water Quality Report, which is posted

on our website. I want to briefly mention the work

that DEP is doing to address potential long-term

climate impacts on our award-winning water supply.

DEP has researched scientists who are conducting one

of the most complex and in-depth studies of climate

change on any water utility in the world to help us

understand the effects of warmer temperatures, more

extreme storms, and long-duration droughts. The

study will help to inform necessary operational

modifications and investments in the coming decades.

Just some successes and improvements that we've made

so far in fiscal 20, just to touch on a few areas.

Ah, we've improved, ah, in responding to air quality

complaints and noise complaints, which are responded

to about 20% faster than last year. We've improved

our time to resolve sewer backups from 4.1 hours to

3.5 hours. There have been 19% fewer complaints

about catch basin clogs and we've responded 15% more quickly. There have been 14% fewer complaints of water leaks and we've resolved leaks 39% faster. And we have an effective wastewater treatment and storm water management system that has helped improve harbor water quality to the best it's been in more than a hundred years, bringing whales back to our waterways. So looking forward, DEP plans to build on these trends and expand our efforts in fiscal 21. We are expanding our green infrastructure programs to further improve harbor water quality and improve storm water management. A critical component of this expansion is Intro 1851, which expands our MS4 storm water control requirements to the combined sewer areas of the city. And we thank the committee and the chair for their sponsorship on this important bill. We are also redoubling our efforts to reduce idling, ah, that's increasing air pollution in the city. We recently launched a 1 million dollar anti-idling campaign with the support of the Mayor's Office. We hope that this behavior change campaign will be as successful as last year's Trash It, Don't Flush It campaign. Again, I want to thank you, Council Member, and, and as well as the whole

committee and, and Chair Constantinides for continued support of DEP's work, and I and my staff will be happy to answer questions that you have.

COUNCIL MEMBER LEVIN: Thank you very much, Commissioner. Ah, let's see. So we'll start, um, ah, some of the, ah, upstate land issues. Um, the fiscal 2020 Preliminary Mayor's Report, the Mayor's Management Report, DEP solicited less land upstate in the first four months of fiscal 2020 at 4837 acres when compared to the same period the year before with 8261 acres. Um, why did DEP solicit less land and when will we see the, and will we see that number increase by the end of the year?

COMMISSIONER SAPIENZA: So, Council Member, let me state two things on that. Ah, first, as mentioned in the testimony, DEP has been purchasing properties surrounding our watershed lands. We own 155,000 acres now and, and those purchases have been going on for, for several years. We, we always do willing buyer, willing seller, so we'll solicit land from property owners. As long as they're willing to sell their property to us at, at fair market rates, ah the transaction will, will occur. Over the years we've seen fewer and fewer

property owners willing to sell, like it's those that wanted to sell already sold to us.

COUNCIL MEMBER LEVIN: Um-hmm.

COMMISSIONER SAPIENZA: And we're seeing fewer. Ah, this, this four-month total is a little bit of a statistical quirk, just a four-month period that was lower. But when we looked at the full calendar year, 2019, ah, we, we met our targets, ah, of solicitations, almost 40,000 acres, and ah, this year for calendar 20 we, we've targeted 35,000 acres. So we're, we're, we're at about where we need to be year over year.

COUNCIL MEMBER LEVIN: Um, and is there a long-term objective of, of, of, that's, where you would like to be? That's the?

COMMISSIONER SAPIENZA: Yeah, so we, we came into an agreement with New York State Department of Health and EPA called the Filtration Avoidance Determination and they set some targets for us, ah, for, for land acquisition. Again, we, we would like to purchase properties of, of value to, to the city system to make sure that our reservoirs are protected.

COUNCIL MEMBER LEVIN: Um, with respect to the 3 billion dollar state budget proposal, the Mother Nature Bond Act, do we know what, if any, of the funding would be earmarked for New York City?

COMMISSIONER SAPIENZA: Yeah, so, so we don't yet. I guess this is gonna be part of the state's fiscal 21 budget. We're hoping that, you know, being half the population of the state we get half of that money. Ah, we'll see. But, you know, we'll certainly work with our partner agencies, and I want to be able to make sure that we get our fair share.

COUNCIL MEMBER LEVIN: Um, obviously it would be a shame if we weren't able to offset some of our city's costs with new state funding, so that would, ah, be something, I'm, I'm assuming, did we, ah, go to Albany during their budget hearing process to, to testify at their budget hearings?

COMMISSIONER SAPIENZA: I don't know if we did, Council Member. We can find out from our city leg folks.

COUNCIL MEMBER LEVIN: It might be something good to, to follow up with, with the Mayor's Office in, in Albany.

COMMISSIONER SAPIENZA: [inaudible].

COUNCIL MEMBER LEVIN: Ah, understanding the water rate setting process. In fiscal 20, ah, 2.31% increase was proposed and implemented as the New York City water rate. As we approach fiscal 21, do you foresee a potential increase this coming year?

COMMISSIONER SAPIENZA: So, ah, Council Member, what we typically do is come spring and April, May, ah, as we get towards the, the executive budget, the adopted budget, ah, we'll, we will provide, DEP will provide to the New York City Water Board what our operating and maintenance costs are, are expected to be, what their budgeted for fiscal 21. Ah, the New York City Municipal Water Finance Authority will also submit their information to the New York City Water Board about, ah, what, what payments need to be made to, to bondholders to fund the capital work, and then the board will use that information to determine, and they have a rate consultant as well, as to what the rate for the coming year needs to be, and they also look at projected revenues coming in through water bills.

Ah, we don't have that information yet. Ah, as we

get further into the spring we'd be happy to share that.

COUNCIL MEMBER LEVIN: So the determining factors on the, on the, um, expense side of water rates is, is bond, bond payments?

COMMISSIONER SAPIENZA: It's a, yeah, so it's...

COUNCIL MEMBER LEVIN: Are there, are there other larger...

COMMISSIONER SAPIENZA: There's a couple...

COUNCIL MEMBER LEVIN: ...bank or economic issues here?

COMMISSIONER SAPIENZA: The, the largest component, if you look at a pie, the largest component of what goes into the rates are the, the, the borrowing on the 30 billion dollars, um, that, that we've done over the years to, to build out the water and sewer system, and to meet mandates. The other things are on the, you know, expense side is salaries, energy, chemicals, those things. Once we get closer to what our fiscal 21 budget will look like and then, again, in consultation with the water board and the Municipal Water Finance Authority

1 they'll determine, um, you know, what revenues will
2 be necessary to fund this system in the next fiscal
3 year and that's how the rate gets set. Ah, I should
4 also mention that once a rate is proposed and
5 generally in, in April or May, we will hold, if there
6 is going to be a rate increase we will hold hearings
7 in all five boroughs to solicit community input, ah,
8 before a final rate is adopted for, ah, July 1.

10 COUNCIL MEMBER LEVIN: Um, now when a
11 water rate is proposed, ah, does DEP or the water
12 board provide a reconciliation of [inaudible] costs
13 that that impact, that impact a set increase?

14 COMMISSIONER SAPIENZA: Yeah, so, I guess
15 we've heard this, ah, in the past from, from the
16 committee as well and that's something that, I guess
17 as we get closer, gentleman, if you want to respond
18 to that.

19 UNIDENTIFIED: Ah, yes. Ah, we do have a
20 reconciliation that we do do on, between the, the
21 expense budget as is put in the expense budget versus
22 what may be in the water rate. So we will be able to
23 go through and walk through the, for the council as
24 well as for the public, you know, how that rate was
25

derived at, so they'll be able to see the, the transparency of how we're coming up with the numbers.

COUNCIL MEMBER LEVIN: You can provide that to this committee?

UNIDENTIFIED: Um, yes, we can. But I, we, we have to get through the process first, and we have to propose it to the water board first.

COUNCIL MEMBER LEVIN: Right.

UNIDENTIFIED: Um, and then it's up to that, in that period, for the water board to then, you know, opine and determine whether, you know, that all makes, ah, sense for it in terms of what we need for the rate to continue both the, ah, the revenue and the, ah, the capital and the expense to maintain the system.

COUNCIL MEMBER LEVIN: And when would that be?

UNIDENTIFIED: Ah, as the Commissioner said, we probably will be looking in some time April...

COUNCIL MEMBER LEVIN: OK.

UNIDENTIFIED: ...early April to have the water board meeting. So that should be a little bit

concurrent with when, ah, you know, OMB should be coming out with the executive budget as well.

COUNCIL MEMBER LEVIN: Yeah. So, so at our, at this committee's executive budget hearing that, that should be available?

UNIDENTIFIED: Yes, that should be.

COUNCIL MEMBER LEVIN: Great. Um, in terms of, moving over to overtime spending, um, in the fiscal 2021 preliminary plan 25 million dollars was added in fiscal 20 and 35 million dollars was added in 21 for, ah, overtime and differentials. The first question is why, why hasn't the overtime budget been right sized to accurately reflect actual spending as we anticipate it, um, and secondly what's the, where's this overspending coming from, which division within DEP is required to do that much overtime?

COMMISSIONER SAPIENZA: Yeah, and Council Member, that's exactly what it is. It's right sizing. So we at DEP spent between 40 and 50 million dollars a year in overtime for the last several years. Ah, that's actually less than 10% of our personal services budget, so it's not like we're, you know folks are running up big overtime tabs. Um,

1 but, we had been budgeted for about 22 million
2 dollars a year from OMB, the, with the recognition
3 that if we were to fill the, you know, couple of
4 hundred vacancies that we have and, and hire new
5 folks it could potentially bring our overtime budget
6 down to, to what was budgeted at 22 million. Ah, I
7 think the recognition is now that there's, there's
8 gonna be some level of, of head count vacancies and
9 so we're just right sizing the, the, working with OMB
10 to right size the, the overtime budget.

12 COUNCIL MEMBER LEVIN: Then how do we,
13 um, what are strategies to better control spending,
14 with the understanding that you are an operational
15 agency that runs 24/7, 365?

16 COMMISSIONER SAPIENZA: Yeah, that's,
17 that's, ah, you know, an accurate statement. We have
18 staff, ah, on, at our wastewater treatment plants, on
19 our water and sewer distribution, and up in our
20 watershed, who operate the system seven days a week.
21 We just make sure, as best we can, ah, that we have
22 coverage on regular shifts, ah, and not have to tap
23 into overtime and, and we think we do a pretty good
24 job. When emergencies do occur, you know, like water
25 main breaks, we do have folks on overtime. But,

again, our overtime over the last few years has been pretty consistent and, and, ah, Chief Financial Officer Joe Murin and I every month we have a regular meeting, we go through overtime for each of our bureaus and look it, look at, in certain trades where overtime spending is going. So we keep a pretty good eye on it.

COUNCIL MEMBER LEVIN: And how is, in terms of, um, hiring, um, is there, is there like an ongoing, um, continuous supply of applicants that are coming into some of these positions?

COMMISSIONER SAPIENZA: Yeah, in, in certain titles we've done pretty well in being able to hire and onboard, ah, you know, some, some other titles just, you know, for whatever reasons and, you know, maybe salary or just trades that are available, you know, the economy is good and people find work in private industry. Um, but, but overall our, ah, overall, um, I guess vacancy rate has, is, you may answer, Joe, is probably the lowest it's been in a few years.

CHIEF FINANCIAL OFFICER MURIN: Yes, ah, Council Member, we, so we normally probably back a few years ago were running about 400 to 500 vacancy

1 rate. We're now down to out of headcount of 6300
2 that's approved in the budget we're down now to
3 probably somewhere around between, the 300 range. So
4 that, to go back to the Commissioner's earlier
5 response you know, that has, you know, alleviated in
6 the sense that we were using those vacancies, um, to
7 pay for, you know, to, why we [inaudible] the
8 overtime, so now we've sort of right sized both
9 those. We think that we're trying to stay ahead of
10 the vacancy rate. Um, we do run into some issues in
11 terms of particularly with the trades titles, you
12 know, it's a very hot market out there, both for, you
13 know, construction, um, also for technical expertise
14 so it's also a problem in some of the engineering
15 positions and in some of the computer titles. But we
16 work closely with, you know, DCAS and with OMB in
17 make sure that lists are established and we can call
18 those lists as needed to be able to fill positions,
19 you know, um, you know, within the operations.

21 COUNCIL MEMBER LEVIN: We've been joined
22 by our chair. Um, not a moment too soon 'cause I
23 was, you know, but um, I want to ask one last
24 question just about the, the water tunnel, the water
25 tunnel number three. What is the, um, what is the,

can you provide us an update as to when that's going to be fully operational?

COMMISSIONER SAPIENZA: OK, I do have that. So City Water Tunnel Number Three, um, and, and I'm just, as I was talking I was trying to recollect what the bid date is, but um, City Water Tunnel Number Three, the tunnel itself, that's several hundred feet below ground, ah, was completed a, almost a decade ago. What we've since been doing is drilling the, the shafts from the surface, ah, down, down to the, um, down to the tunnel itself. There are two remaining shafts, shaft 17-B and shaft 18-B. Um, the mayor committed that in, in fiscal year 20 the construction would start on those last two shafts. Ah, we recently advertised contracts, ah, to do that work and, and I think it's, it's the end of March. Yeah, the end of March the bids are expected to be in and work start this summer.

COUNCIL MEMBER LEVIN: Work start this summer?

COMMISSIONER SAPIENZA: Yeah, on those, those, those final shafts.

COUNCIL MEMBER LEVIN: On, what's the construction schedule on those two shafts?

COMMISSIONER SAPIENZA: Yeah, it's probably gonna run through the mid 2020s. I'm gonna say either, you know, probably 2026 we're looking at to complete the shafts, all the distribution piping, and have that tunnel fully in service.

COUNCIL MEMBER LEVIN: OK, so fully operational in, in, within, halfway through the decade per your expectation?

COMMISSIONER SAPIENZA: Yeah.

COUNCIL MEMBER LEVIN: OK. I'll turn it back over to the chair.

CHAIRPERSON CONSTANTINIDES: Thank you, Steve. All right. I want to begin by thanking my colleague and my good friend and committee member, Steve Levin, for filling in, ah, better than I could this morning. So thank you, Steve, for always being a great environmental leader in your own right, and thank you for ah, taking over for me as I got here a little bit late. Commissioner, good to see you.

COMMISSIONER SAPIENZA: Mr. Chair, thank you.

CHAIRPERSON CONSTANTINIDES: So I'm just gonna kind jump right in. I think we've already done the formalities already. So, ah, you know, last year

we passed landmark legislation, ah, in Local Law 97.

And, you know, we know that we to combat climate

change with the urgency that it deserves. So that

last year I know there was 60 million dollars put

into the building for, ah, retrofitting of city

infrastructure to comply with Local Law 97. How much

of that was possibly given to DEP? What are we

thinking about in this year's budget? How are we

looking at our DEP infrastructure towards these, you

know, retrofits to help get us to those very

aggressive but achievable goals of, you know, at 2025

and 2030.

COMMISSIONER SAPIENZA: While I'm

speaking, I don't know, Joe, if you can dig through

and find the number but, ah, yeah, the MOR, yup. So,

just, Mr. Chair, a, a bunch of things. You know,

our, ah, the facilities that DEP runs, we now have a

fairly significant, ah, greenhouse footprint. They

use a lot of energy for, for, you know, pumping and

treating waste water, um, and, and we've been doing a

lot, ah, to try to reduce that, including, you know,

compliance with Local Law 97. Um, we've been looking

at generating more, um, of, of our onsite biogas to

use that as an energy source. Ah, looking at things

1 like, like solar and wind at our facilities. So
2 there's a bunch of things we were doing. I don't
3 know if we've got a number, Joe, on, on what...

4 CHAIRPERSON CONSTANTINIDES: Are there
5 any like sort of, I mean, I know we're looking at a
6 lot of things. Are the things that we, are we
7 putting into action as part of, you know, last year's
8 budget or this year's budget that are concrete that
9 we can say that we're doing, um, I know we're
10 studying a lot of things, but is there anything
11 that's in the budget for this year's capital plan
12 that, that sort of addresses these issues?

13 COMMISSIONER SAPIENZA: Yeah, and, Joe's
14 got the resiliency numbers here. But, um, you know,
15 so, so that's some of it is, is resiliency work we're
16 doing. But just, just, as far as climate change, one
17 of the things I, I do want to point out is, um, we,
18 I'm just talking about biogas. So at our Newtown
19 Creek plant, ah, we generate biogas in the digesters.
20 We've been taking in food waste that Waste Management
21 has brought in, and we, we expect to, because we do
22 generate excess gas, more than the plant can use, ah,
23 sell that excess to National Grid and we expect this
24 summer, ah, to have that fed into the, the National
25

Grid pipeline, so, so that's one of the big things we do. We are working hard, you know, towards our wastewater treatment plants being carbon neutral by 2050 so that, um, the byproducts that we produce there can be used for energy and, and make us carbon neutral, and we're moving towards that.

CHAIRPERSON CONSTANTINIDES: And how do we, how do draw a map to get there, right? I mean, I know, that's, that's the goal that we want. But how do we sort of drill down over the next couple of years to make sure that we're actually doing those things, right, 'cause it's, you know, I have a goal to lose 10 pounds, but unless I figure out that if I stop eating cookies I know that I'm not gonna get there. So like, you know, we have to kind of draw ourselves a map on how we get to the goal, right?

COMMISSIONER SAPIENZA: We have and, and, ah Jane [inaudible] is not here, who runs our energy office, but she's got a plan, over the next 10 years anyway, ah, things we're doing and, and again, it includes solar, ah, at Ward's Island where we're looking at installing solar there and, and have some funding to do that. So we'll certainly get you that list.

CHAIRPERSON CONSTANTINIDES: Fantastic.

And we talked, you know, we just saw the president tweet out, you know, he tweets every day, ah, but, you know, when it comes to resiliency, you know, he tweets out that New York City should get out our mops and buckets for the next storm. We lost lives here in New York City. He should know that. And he should be respectful of that and recognize the seriousness to which the things that he speaks, but he doesn't understand how to do any of that ever, ah, so we're left with a president who doesn't believe in climate change and has now pulled funding for the Army Corps of Engineers so there is no cavalry coming over the hill to save us from the federal government, ah, so what are we thinking about? Um, with the loss of the Army Corps as a resource how are we looking at our DEP infrastructure without knowing that the federal government is gonna be there for us? Now, granted, we're gonna have a presidential election this year and we're all pulling to make sure that that's a win. But in the interim we're stuck with a president that is, is, sort of not, I'm trying to find something diplomatic, but he is someone that is

1 attacking New York City on a daily basis. So what's
2 our plan here with the DEP infrastructure?

3
4 COMMISSIONER SAPIENZA: Yeah, so, Mr.
5 Chair, we, um, during Hurricane Sandy, as you know,
6 we suffered significant damage at lot of DEP
7 facilities. Ah, a lot of pumping stations were lost.
8 A lot of waste water treatment plants were, were
9 briefly down while we made repairs. We, we actually
10 put together a list of resiliency projects that we've
11 been actively working on, almost half a billion
12 dollars' worth of those projects. Ah, if the Army
13 Corps is gonna walk away from, from this we will
14 continue to work, ah, you know, with the council and
15 OMB to make sure that our projects get funded
16 nonetheless.

17 CHAIRPERSON CONSTANTINIDES: So are we,
18 are there certain capital allocations that we're now
19 gonna have to make to make up for the Army Corps?
20 Are we even, I know it's, you know, in between the
21 mayor's preliminary budget announcement and this
22 hearing the president announced this nonsense. Ah,
23 so, are we now, have we sort of had to reevaluate our
24 capital plan to recognize that there are things the
25 Army Corps were funding or doing that we now know are

not coming that we have to now make up the difference on immediately, or do we have more time to figure that out?

COMMISSIONER SAPIENZA: So, so from what we understand it was, it was so far just a study that was defunded, but, but, ah, other work that the Army Corps was doing for barrier wall in Staten Island, ah, some of the money and [inaudible] talk to Joe about HUD and FEMA money that we're getting, so that's still on the table.

CHIEF FINANCIAL OFFICER MURIN: So much of the funding that we received or will be receiving has already been earmarked, so to speak, for the, from the federal government. So those things are, for lack of a better word, in the bank for us.

CHAIRPERSON CONSTANTINIDES: Right.

CHIEF FINANCIAL OFFICER MURIN: And some of that is the storm water mitigation, um, program and some of the resiliency infrastructure, stuff that we've already taken underway. And this is what the Commissioner referred to, some of the hardening at the plants, getting ready for making, um, them more resilient in the face of storm, um, surges and climate change. Ah, the other studies, such as for

1 the, you know, the barrier islands and Staten Island,
2 those are the ones that I think are most at risk, and
3 we have not yet, um, earmarked funds totally for
4 that. But as the commissioner said, as those
5 projects progress, whether the Army Corps continues
6 on them or not we've have a certain degree of, you
7 know, acknowledgement, whether it's in the budget or
8 not, that we may have these as risks in the future,
9 that we would have to incorporate storm water
10 measures, you know, whether it's the sewers or for
11 the infrastructure that has to be done, so that we
12 can do, ah, mitigation. You know, that will be
13 considered, you know, in consultation with OMB and
14 with the Mayor's Office as we proceed forward.

16 DEPUTY COMMISSIONER DELOACH: So I would
17 just add also I know the, the bigger study was, you
18 know, New, New York, New Jersey, a lot of our
19 partners, so I know they're already looking for ways
20 to sort of fill that gap and figure out it's larger
21 than a DEP issue. We work closely with the Army
22 Corps on a lot of projects and we'll continue to.
23 We're working right now on Staten Island, ah, ah,
24 barrier walls. So, thankfully, you know, we have a
25 good working relationship with them. We hope that

continues. But we are, you know, as a state working with our external partners trying to figure out what we do in the gap of that, that dilemma.

CHAIRPERSON CONSTANTINIDES: Yeah, 'cause, I mean, all of our wastewater treatment plants are in flood zones, right? So we are, ah, time is of the essence to make these resiliency plans and, and, and sort of reconfigure our thought processes around the lack of federal involvement, right?

DEPUTY COMMISSIONER DELOACH: Which we have, and we've spent a lot of, a lot of money and a lot of time in making sure that we're retrofitting all of our facilities.

COMMISSIONER SAPIENZA: And, and, right, and as we said, if we have to spend city money, unfortunately, we will continue to make those investments.

CHAIRPERSON CONSTANTINIDES: Ah, so looking at, um, combined sewer overflow, right, 'cause if it's only gonna get hotter and it's only gonna get wetter, right, and as we're seeing more precipitation we're seeing more CSO activity. So you look at the preliminary capital plan, it includes 452 million, ah, for construction of a combined sewer

1
2 overflow retention tank in the Gowanus Superfund site
3 in Brooklyn, ah, what level of sewer overflow
4 reduction do you anticipate at this site?

5 COMMISSIONER SAPIENZA: So, so we've,
6 we've looked forward and, and made some assumptions,
7 Mr. Chair, ah, about how much capture those, those
8 two tanks, ah, totalling 12 million gallons will
9 achieve. It's about a 75% reduction in the current
10 overflows that are going into the Gowanus Canal and
11 we've worked with EPA on what that right number is,
12 and that's the number we, as you may know we have
13 proposed to EPA that instead of building a 12 million
14 gallon, ah, or two tanks totalling 12 million gallons
15 we, we instead build a, a storage tunnel, ah,
16 totalling 16 million gallons, ah, but, but EPA
17 rejected that, that proposal.

18 CHAIRPERSON CONSTANTINIDES: And, and
19 what timeline do you anticipate to start and complete
20 this project?

21 COMMISSIONER SAPIENZA: So on the first
22 of the tanks, the eight million gallon take, ah,
23 towards the head of the Gowanus Canal, actually
24 construction is gonna start, ah, this summer, ah,
25 with the demolition of some of the buildings that are

on the site. Ah, we're getting close to wrapping up the design of the tank and then subsequent, ah, to, to the demolition and site prep, ah, we'll then have work to, to start, ah, the construction of that tank. We're also coordinating with National Grid, who's got some work to do to build a, a barrier wall, ah, between the canal and, and our site. So that's all coordinated. But things are moving. Ah, we've done about, ah, the design, I think we're, we're, yeah, 90% at this point on the, on that tank design.

CHAIRPERSON CONSTANTINIDES: And, and, I know that there was talk about a tunnel or a tank under Queens? Like Jackson Heights, [inaudible] you know, leading into Bowery Bay. What is, what is sort of the process there? What are we thinking?

CHIEF FINANCIAL OFFICER MURIN: Yeah, so the proposal that we made to, ah, New York State DEC, yeah, and, um, and, and, you know, had community involvement in was to build a, a storage tunnel, ah, to reduce overflows into Flushing Bay. Um, DEC has, has, supports that and we continue to, to move that along and have some funding in the budget to, to begin planning and design. And I believe we actually

have, ah, the design contract will be going out this spring for that tunnel.

CHAIRPERSON CONSTANTINIDES: The design contract?

CHIEF FINANCIAL OFFICER MURIN: Yes.

CHAIRPERSON CONSTANTINIDES: OK, so it's gonna be a little while until we see that come to fruition?

CHIEF FINANCIAL OFFICER MURIN: Yes. It's good, you know, it's expected to be over a billion dollars.

COUNCIL MEMBER LEVIN: Um, yeah, thank you.

CHAIRPERSON RIVERA: I'll, I'll, my colleague, I know he's representing Brooklyn, so I [inaudible] I'll give him the, the moment to kind of tag in here for, for this questioning.

COUNCIL MEMBER LEVIN: Thank you, thank you very much, Chair. Um, Commissioner, would you mind pulling the microphone a little bit closer? Thanks. Um, so, yeah, with the Gowanus, um, ah, ah, water retention tank or tunnel, what's the, what's the latest on, um, DEP's assessment of where, what

the, what the build-out should look like and, um, a timeline on that?

COMMISSIONER SAPIENZA: So, Council Member, we have been working with EPA on, on what the right configurations are. Um, EPA got back to us probably in December, ah, that they wanted us to build, ah, an 8 million gallon storage tank at the head of the canal and then, ah, about a quarter mile south of there a 4 million gallon tank. So we now know, ah, what, what, what the sizing, the shape, the configuration, ah, we're, we're pretty much set on that. Ah, some of the externals, above-ground structures we're still, ah, discussing, but, um, you know, the design of the 8 million tank we're essentially done and work should start there soon. The 4 million gallon tank is probably a couple of years behind.

COUNCIL MEMBER LEVIN: And EPA had preferred the tank versus the tunnel?

COMMISSIONER SAPIENZA: Yeah, they, yeah, they, they, when they came out with their record of decision a few years ago they proposed a, a tank which is just, you know, a big rectangular shaped box, ah, underground. We had instead proposed

tunnels and we're looking at, as, as the chair mentioned, we're looking at tunnels for Flushing Bay. We're looking at a storage tunnel for, for the Newtown Creek water body. Um, we think tunnels are just, you know, more easy to construct and, and enlarge if you need to, ah, rather than tanks, but EPA was pretty adamant about the tanks. So we'll go ahead and build those.

COUNCIL MEMBER LEVIN: OK. Do you have a timeline then on, on what, what those two Gowanus tanks will, when the build-out will likely happen?

COMMISSIONER SAPIENZA: Yeah, so the first tank, again, we, we expect to start the construction for, for site prep and clearing this summer. Um, we, we can get you the timelines on both.

COUNCIL MEMBER LEVIN: Acquisition has happened already for the, on the property?

DEPUTY COMMISSIONER DELOACH: I would just add to it we're working with your office to schedule a community meeting in advance of the construction that started this summer. I think somewhere in the first week of May or so we're working with [inaudible].

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COUNCIL MEMBER LEVIN: OK.

DEPUTY COMMISSIONER DELOACH: We'll keep everybody updated.

COUNCIL MEMBER LEVIN: OK. Um, and, um, do you have a sense of the timeline of the construction?

COMMISSIONER SAPIENZA: We're, yeah, we'll get you that. So, ah, the first tank is, is soon. The second tank is probably a couple years from now.

COUNCIL MEMBER LEVIN: I just meant how long, how long it would take to construct?

COMMISSIONER SAPIENZA: Oh, how long, yeah, we'll get you that. Oh, 10 to 12 years for full construction.

COUNCIL MEMBER LEVIN: 10 to 12 years? OK.

COMMISSIONER SAPIENZA: Yeah.

COUNCIL MEMBER LEVIN: Unfortunately, I'm [inaudible].

COMMISSIONER SAPIENZA: Just on the land acquisition, I just want to add, too, ah, Council Member, because it's, it's, you know, some of your constituents. When, when, we, ah, purchased the land

1 some of it was, ah, through the eminent domain
2 process so that, that owners of properties, um, got
3 full market value, but, um, some of their tenants are
4 still there and we're working to, to have them move
5 out.
6

7 COUNCIL MEMBER LEVIN: Um-hmm. OK. Um,
8 OK, that's it, so 10 to 12 years, that's a pretty
9 long timeline in terms of.

10 DEPUTY COMMISSIONER DELOACH: That's
11 inclusive of both projects, so the...

12 COUNCIL MEMBER LEVIN: Oh, I see.

13 DEPUTY COMMISSIONER DELOACH: ...project,
14 the first, the earlier side will be shorter in some
15 way, right? So we'll get you the timeline. But
16 that's the full, for both sites and the full
17 construction. So it's not 12 years on the site that
18 you're specifically thinking, right?

19 COUNCIL MEMBER LEVIN: Right.

20 DEPUTY COMMISSIONER DELOACH: So we'll
21 get you the timelines.

22 COUNCIL MEMBER LEVIN: OK, OK. Um, and
23 then have you already, and so for the budget, the
24 budgetary impact of that, have you, have you already,
25

um, started the process of, ah, scoping out the capital funds necessary to do that and, um?

CHIEF FINANCIAL OFFICER MURIN: At this point it is not fully funded.

COUNCIL MEMBER LEVIN: It's not fully funded.

CHIEF FINANCIAL OFFICER MURIN: OMB and we are all aware of that, and the consideration is we that we went to get closer to having the design and then when we put the construction out to bid, ah, since we have no, you know, we have an estimate, but we're not clear yet as to what it's actually going to be, what the market is going to be like and what the bids are going to come in. But we feel that's it, I'm sorry, yeah, but we know that it's, we are going to need additional funding for this.

COUNCIL MEMBER LEVIN: OK. And when do you expect that that would be, that you'd have a sense of what that, the bids would be.

CHIEF FINANCIAL OFFICER MURIN: I would, when, when the bids go out for, ah, for the construction of the tank itself.

COUNCIL MEMBER LEVIN: And that will be?

CHIEF FINANCIAL OFFICER MURIN: I believe it's in for either it's '21 or '22, I don't have it right here, but I'll, we'll get back to you on that one. But it's, it's gonna be imminently, so, yeah.

COUNCIL MEMBER LEVIN: And just actually as a, this is an OMB question I guess more, that, you know, with, with, um, ah, bond yields being as low as they are right now, um, is that, is that impact when, when we look to borrow on, on capital projects like this?

CHIEF FINANCIAL OFFICER MURIN: No, it's more, the consideration is when is the project going to be ready for, you know, going out to bid, when is the construction timeline, what is the mandated, you know, schedules that we have to meet on this, um, particularly on this one, because it is much more driven by what the requirements are for, you know, working with the EPA and getting the, ah, meeting the milestones.

COUNCIL MEMBER LEVIN: Um, and then, sorry, I just want to put one, one more question, Chair, if that's all right. Um, Newtown Creek, ah, Nature Walk, phase two and three, is there an update there?

UNIDENTIFIED: Yeah, sure, so the, so the work is underway as, you know, you can probably see when you drive down Green Point Avenue. Ah, that's, that's moving along fairly well and we expect some time next year to be, ah, be able to have folks traversing beyond phase one that's, that's been there for about 10 years.

COUNCIL MEMBER LEVIN: Um, and, there's a, we've been in some discussion through my office of that connecting, ah, parcel down to Green Point Avenue. Um, I think obviously that would make a, a huge impact in terms of kind of, of connecting, um, the entire Green Point community, being able to go continuously from, from one side, you know, from northwestern Green Point over to, um, [inaudible] Park in, in that area. Um, and so is there, I know that there's a little bit of a gap in capital funding there, um, ah, it wouldn't be a terribly huge amount and, you know, within the scale of Newtown Creek Wastewater Treatment Facility, which is, you know, 5 or 6 billion dollars over the last 20 years. So is there, um, I mean, it would be great if we could work together to figure out how to get the capital funds necessary to, to make that a connection, in light of

1 the fact, honestly, that the, the building that was
2 built to be temporary has now gotten a permanency of
3 0 and that was gonna be a temporary building and that
4 land was supposed to be given back to the community.
5 So there's, there's a little bit of some, um,
6 residual feelings about that within, within the folks
7 that have been following this for a while and that,
8 that includes, you know, our friends [inaudible] who,
9 um, or, or the erstwhile [inaudible] who I met with a
10 couple weeks ago and it came up.

12 COMMISSIONER SAPIENZA: No, that's,
13 that's fair and yeah, we've, we've been talking to
14 the community now about this parcel at the east end
15 of the wastewater treatment plant and, you know,
16 they've, they've got a very good visioning and we've
17 looked at what they want to do. Their, their gateway
18 to Green Point and, you know, we'd like to help them
19 as we can, and we'll continue to work towards that.

20 COUNCIL MEMBER LEVIN: OK. Thanks,
21 Commissioner.

22 COMMISSIONER SAPIENZA: Thanks.

23 COUNCIL MEMBER LEVIN: Thank you, Chair.

24 CHAIRPERSON CONSTANTINIDES: Thank you,
25 Council Member Levin, thank you. Ah, just want to go

to talk quickly about the long-term control plan.

Ah, with respect to the long-term control plan and the open waters plan, what is the current amount of discharge of sewer material in our local water bodies and, you know, what [inaudible] that this plan is going to, how is going to address that?

COMMISSIONER SAPIENZA: Yes, Mr. Chair, you know, we've, we've heard a lot from the community. We, we submitted the, ah, the last of our plans for the open waters and, um, you know, I guess a lot of the comments were well, half of your annual CSO discharge is going to the open waters, you know, why aren't you more significantly funding, ah, that water body? Um, we've, we've been working New York State DEC for many years and our thought process has always been to, um, spend the money where waters are most impacted. So the more significant funding, ah, has gone towards, you know, we talked about Flushing Bay and Newtown Creek, where we have billion-dollar-plus projects going into those water bodies which are, again, maybe some of the worst in the city. The open waters, many of them actually meet bathing standards, and, um, the investments that we thought we'd make there, at least now up front, were, were

1 less than, you know, what, what other of the, you
2 know, dozen water bodies around the city got and so
3 we've been getting a lot of feedback about that. And
4 we'll continue to work with the community and, and
5 with the state to see if there are other things that
6 can be done.
7

8 CHAIRPERSON CONSTANTINIDES: In
9 formulating these plans, are we taking into account,
10 ah, the increased precipitation that we're going to
11 see due to climate change? Are we, you know, we
12 realize it's only gonna get hotter and it's only
13 gonna get wetter. So as we know it's gonna wetter
14 are we, are we sort of meeting the, the challenge
15 where it is now or are we meeting the challenge where
16 it's gonna be five years from now where, you know, we
17 know it's gonna get wetter so there probably is going
18 to be more discharge. How, how are we sort of
19 balancing the now versus what the projections say
20 that we're going to be?

21 COMMISSIONER SAPIENZA: That's a very
22 good question and in the LTCPs we've made some
23 assumptions. You know, whether those assumptions
24 turn out right or not, ah, but, you know, we are
25 certainly concerned. We've seen significant

1 cloudbursts in the last few years, ah, you know, part
2 of Brooklyn, um, last year, ah, in Park Slope we had
3 a, a storm with over three inches of rain in an hour.
4 So, you know, it's certainly a concern. Again, the
5 LTPCs did make some assumptions and, you know, we'll
6 continue to fine tune those as time goes on.

8 CHAIRPERSON CONSTANTINIDES: But the
9 foundation of those assumptions were based on sort of
10 rainfall based on now or projections that we have for
11 five, 10 years out?

12 COMMISSIONER SAPIENZA: Yeah, it was
13 based upon an average. They, they looked at the
14 last, you know, 20 or 30 years of, of rainfall data.
15 They came up with a synthetic average and they used
16 that. But they did make some assumptions about
17 additional rainfall to come.

18 CHAIRPERSON CONSTANTINIDES: And how
19 about on green infrastructure? I know our, what are
20 our foundations when it comes to green
21 infrastructure? Where are we? Um, are we getting it
22 in fast enough? Are we basing some of this plan on
23 meeting a timeline we might not meet? So that's sort
24 of a question that I'd want to see through.

COMMISSIONER SAPIENZA: That, that's an important question, too. So, ah, green infrastructure is an integral part of our, our long-term control strategy for CSOs. We have over 4000 rain gardens in the ground. Ah, we, we announced a few months ago the construction of 5000 more assets. Ah, so we are moving relatively quickly. I think we're, we're starting to get to the point where we say beyond these, these 9000 or 1000 assets going in where do we go next? Um, and that's been a little bit more challenging because, ah, we're finding in some areas of the city just not the right subsurface characteristics, ah, to be able to use. So we want to, to the maximum extent, use green infrastructure, both in the city's right of way and induce private, ah, developers and private building owners to, to soak up storm water on their sites, because it makes sense, I think to everybody to manage that, that runoff and, and use the subsurface rather than have that runoff and go into the sewer system and into more open waters.

CHAIRPERSON CONSTANTINIDES: And how are we doing on sort of educating the public around these, the importance of this green infrastructure

1 because very often, you know, what is our budget for
2 doing outreach? What is our budget to keep, I know
3 that the mayor had talked about keeping tree pits
4 clean and, and how are we doing that, um, to sort of
5 make sure communities understand this? So these are
6 really important projects in our neighborhoods?

8 COMMISSIONER SAPIENZA: Yeah, I'll have
9 Michael talk about the outreach and then I'll get
10 back to the, the cleaning of them.

11 DEPUTY COMMISSIONER DELOACH: Sure. So
12 in advance of people receiving an asset we send them,
13 ah, a letter explaining sort of the benefits and
14 significance of the project, and we do also give a, a
15 door hanger as the construction is taking place. We
16 have everything connected to 311. We have an
17 internal hotline that we use to answer questions
18 about maintenance or construction issues. So, um,
19 you know, we've done a lot into those communities
20 where they're directly receiving assets broadly. We
21 probably have more we could probably do, so we'll
22 look into sort of educating the greater public. But
23 our biggest concern is those, ah, property owners
24 that are receiving, ah, the, the green
25 infrastructure, having them understand, you know, why

1 it's so important, why the inconvenience is sort of
2 worth some of it, um, and then ways for them to
3 access us if they have issues or problems that they
4 need us to fix.

5 CHAIRPERSON CONSTANTINIDES: Yeah,
6 because it's, it's drawing that straight line, right?
7 I mean, they very often, they're not making the
8 connection that this...

9 DEPUTY COMMISSIONER DELOACH: Right.

10 CHAIRPERSON CONSTANTINIDES: ...piece of
11 green infrastructure is actually gonna help their,
12 keep their homes from flooding.

13 DEPUTY COMMISSIONER DELOACH: Yep.

14 CHAIRPERSON CONSTANTINIDES: But we have
15 to make sure we're, we're drawing those straight
16 lines for them, right?

17 DEPUTY COMMISSIONER DELOACH: Yes, we're
18 reaching them numerous times to help educate them on
19 the benefits and we'll continue to.

20 CHAIRPERSON CONSTANTINIDES: OK.

21 COMMISSIONER SAPIENZA: [inaudible] the
22 complaints you get and you mentioned it, Mr. Chair,
23 it's just, it's trash and, um, you know, we've seen
24 some particular, ah, rain gardens, primarily in
25

commercial areas and then, you know, commercial boulevards where, ah, trash has accumulated um, and we've heard from the, the comptroller's office as well did a recent audit. Ah, we, we are putting additional resources. Every year we hire, um, they're city seasonal park workers and they work for us from, from March through November, um, and we're going to be increasing that, that labor force, ah, this season to just make sure we stay ahead of that.

CHAIRPERSON CONSTANTINIDES: OK. And then we're sort of pivoting back to the long-term control plan. This is all part of that conversation. What sort of outreach are we allowing for the public to comment? How are we making sure that communities are being heard around these, these long-term control plans and in particular the open water plan?

COMMISSIONER SAPIENZA: I'll, I'll start and then Michael can jump in. But we've, we've had regular public hearings. I think, you know, some folks in the community and especially environmental groups, ah, want to have, ah, more input on the, the actual writing of the plans and, um, you know, I think that's some concern that we've had between the

city and DEC is, if that is gonna delay the process.
Why don't you jump in?

DEPUTY COMMISSIONER DELOACH: Yeah, I mean, I would just say we do extensive outreach. We hold numerous meetings across the five boroughs. Ah, we allow time for comment. Originally we weren't really giving, ah, a full overview of our proposals that we were submitting to the state. We have since changed that, ah, hearing to sort of the suggestions of the advocates in giving them a fuller overview of what the, what the submission will include. Ah, we have to work with the state with that because we're, we're only able to do what we can do and, and what the DEC allows us to do in that process. So we've already sort of pushed that as far as we think we can. So, um, I know there's still some, you know, unhappiness, but, you know, maybe they can help us with our partners at the state, ah, figure out what else we can do, because I think we've sort of exhausted what the city is able to do and we're, we're, you know, giving as much transparency and disclosure as we can.

CHAIRPERSON CONSTANTINIDES: Oh, so I'm, I'm trying to make sure I'm following. Maybe I'm,

1 I'm not following? So you're saying the state is
2 limiting our ability to do more, that we want to do
3 more and maybe the state is keeping us from doing a
4 better job on?

6 DEPUTY COMMISSIONER DELOACH: They're,
7 I'm not saying necessarily they're limiting. I'm
8 just saying that I think we've pushed it as, as far
9 as we feel comfortable in how much information we can
10 give in advance of our submission. Ah, I can explain
11 a little bit more of the legalese, but, um, we have
12 in the past year, too, again, ramped up our, our
13 information sharing and given them a full perspective
14 of alternative solutions and the way we formulated
15 our, our submissions, um, above and beyond what we
16 had previously, sort of listening to what they were
17 looking for.

18 CHAIRPERSON CONSTANTINIDES: All right,
19 definitely keep me, I definitely want to know as we
20 move forward on this the public outreach that we're
21 doing and how we connect to communities and the
22 different members of our committee. Um, and then
23 lastly, ah, I know that there are lots of different
24 capital projects, ah, in the City of New York, right?
25 We have SCA, you know, we have libraries, parks, we

1 have all these different capital projects that are
2 going on, ah, and you know, the overall goal is to
3 make sure they're both sustainable and resilient.

4 How are we coordinating, ah, 'cause it's not
5 necessarily, the money is not given to DEP, right?

6 The money is given to the Parks Department, the money
7 is given to SCA, the money is given to the libraries,
8 where DDC is doing the work. How are we doing with
9 our interagency coordination on these capital
10 projects where, you know, sometimes we're getting
11 some really good coordination and sometimes we're not
12 getting as, as close of a coordination. How do we
13 sort of close that gap for every project that this
14 is, that DEP is involved with storm water capture
15 and, ah, and sort of this, on these big capital
16 projects?

17
18 COMMISSIONER SAPIENZA: So, so, ah, Mr.
19 Chair, I think we, we coordinate, ah, rather well,
20 particularly on projects that are being delivered by
21 the New York City Department of Design and
22 Construction, you know, who's doing a, a lot of that
23 work and, um, you know, they understand our storm
24 water rules, ah, just, just like any private entity
25 they, they have to come to DEP, ah, for, for looking

1 at site connections for sewers and water mains. Ah,
2 and so we have a good look at the project at that
3 point. Um, you know, there, there are certainly both
4 city regulations and local laws that have to be
5 complied with, um, but, again, I think DDC has a
6 really good handle of what, what the requirements are
7 for storm drainage in particular.
8

9 DEPUTY COMMISSIONER DELOACH: And I would
10 just add you're clearly sponsoring a bill that's
11 gonna add, you know, expand sort of our storm water
12 management in non-CSO areas, so I think, um,
13 standardizing that and also making sure that all of
14 our rules speak, ah, clearly and, and in unison will
15 be helpful in making sure that, you know, it's clear
16 for people to adhere to our rules.

17 CHAIRPERSON CONSTANTINIDES: We're, we're
18 looking forward to hearing that in April. So, um,
19 with that I don't have. Yes, yes, biosolids. I
20 almost closed without biosolids. How could I do
21 that? So, so how are we doing in, how much are we
22 spending on biosolids? You know, what is our sort of
23 long-term plan for beneficial reuse? I mean, what,
24 what are we sort of thinking here, 'cause I know it's
25

cost us an awful lot of money to transport our biosolids?

COMMISSIONER SAPIENZA: Yeah, I'll ask Joe to get the number and I'll ask Deputy Commissioner Pam Elardo to come up, ah, just, just to [inaudible] Pam up, um, we've been pushing more and more to beneficially use our biosolids. Ah, about 80% goes to either landfill or mine reclamation. About 20% is being composted. But Pam's got a great plan going forward towards 2030. So I'll just ask Joe if you want to just chime in on what the spending is.

CHIEF FINANCIAL OFFICER MURIN: So, um, Mr. Chair, as of, ah, for fiscal year 19 we spent, we had a budget of 56 million dollars. We spent 61 million dollars, um, so it was slightly up from the prior year where we had spent 53 million dollars. We have been seeing, um, cost increases, particularly because of the transportation, um, you know, issues that we're confronting with the biosolids and, you know, Deputy Commissioner Elardo can go into that more. And, um, we've been having ongoing discussions on this matter, both internally as well as with OMB

in terms how do we, um, manage the biosolids appropriately.

CHAIRPERSON CONSTANTINIDES: OK, 61 million dollars a year sounds like a lot of money.

CHIEF FINANCIAL OFFICER MURIN: Yes.

CHAIRPERSON CONSTANTINIDES: And...

CHIEF FINANCIAL OFFICER MURIN: And, ah...

CHAIRPERSON CONSTANTINIDES: ...Pam, I wouldn't have a hearing without getting you up here.

DEPUTY COMMISSIONER ELARDO: Thank you. I was wondering when I'd get my chance. Um, yes, biosolids is obviously a big component of our business and it's not something we can just turn off, right? We produce, ah, we produce organics from our system.

CHAIRPERSON CONSTANTINIDES: Um-hmm.

DEPUTY COMMISSIONER ELARDO: Um, we've got a multipronged approach to take what we have now and move into the future of 100% beneficial reuse. There are a lot of drivers. The existing method we're using is not only increasing in cost as much increasing as risk as well, the risk being landfills are starting to close, people don't want to take

1 biosolids, transportation, ah, could be a problem.
2 There's an extent of, ah, issues at landfills. And
3 that's a risk. Um, and then there's also the carbon
4 benefits of utilizing our biosolids beneficially,
5 which we need to take care of, because it's a big
6 component of us becoming energy neutral. There's a
7 2030 New York City zero waste to landfill and so
8 that's our target, to get the biosolids out of the
9 landfill by that trajectory. So there's a number of
10 investments we need to make. We need to invest, um,
11 in our solids processing components of all our waste
12 water resource recovery facilities so that we can get
13 to the quality biosolids necessary for beneficial
14 reuse. And that is the trajectory we are starting to
15 invest in now in multiple sites, um, and then also
16 working with the private sector in terms of, of
17 availability for composting and, and other potential
18 land application or utilizations, mine reclamation,
19 it's a great product for that. So trying to get that
20 community together externally from the city to, ah,
21 drive in that direction as well.

23 CHAIRPERSON CONSTANTINIDES: So I'm an
24 attorney, not a scientist, but I'll just, I'll ask,
25

1 is, ah, is anaerobic digestion something that we can
2 use biosolids in?

3
4 DEPUTY COMMISSIONER ELARDO: Oh, so all
5 of our waste water plants have anaerobic digesters on
6 their facilities for this very reason, it's because
7 we take the solids and we digest them. So currently
8 that digestion, um, and, at many of our plants aren't
9 quite there to meet the, the, um, quality
10 requirements and time retention requirements. So
11 this is where the capital investment comes in. And
12 you asked previously about, um, it's tied to the
13 energy production, right?

14 CHAIRPERSON CONSTANTINIDES: Um-hmm.

15 DEPUTY COMMISSIONER ELARDO: Because in
16 our anaerobic digesters we produce the, the di-gas
17 and we actually do have a, um, a five-year plan to
18 make specific investments to increase our beneficial
19 use of that di-gas, again tied to the whole solids
20 processing complex.

21 CHAIRPERSON CONSTANTINIDES: So is, is
22 building more anaerobic digesters a solution to deal
23 with this 61 million dollars, like we wouldn't have
24 to send out any of it, or?

DEPUTY COMMISSIONER ELARDO: No, building, um, I would say upgrading the existing digesters and solids processing complexes that we have throughout the city, in every neighborhood, um, I should say in every borough, not in every neighborhood, ah, is required to us to get to that standard of, of beneficial use, and also provide excess capacity for food waste, so it's tied in, tied in that sense.

CHAIRPERSON CONSTANTINIDES: I know a place we can do that.

DEPUTY COMMISSIONER ELARDO: But then it becomes, it becomes a valuable product as opposed to a waste, right?

CHAIRPERSON CONSTANTINIDES: Um-hmm.

DEPUTY COMMISSIONER ELARDO: So now we're treating it, um, for the most part, about 80% like a waste, but we're, ah, transforming it into a valuable resources, which is really, ah, the goal and the mission of the waste water resource recovery world.

CHAIRPERSON CONSTANTINIDES: Um-hmm. And then that's why we calling waste, we're [inaudible] waste water resource recovery, right?

DEPUTY COMMISSIONER ELARDO: But we are.

CHAIRPERSON CONSTANTINIDES: Yep. So, all right, with that I will, I thank you for your time. I look forward to seeing you back at this committee hearing, ah, for our next budget in May. Thank you. Thank you, Commissioner.

CHAIRPERSON CONSTANTINIDES: OK, so I have two witnesses that are signed up to testify. I have Carter Strickland for the Trust for Public Land and I have Phil Voss from Energy Vision. Ah, all right. Good to see both of you gentlemen. Ah, Carter, I'll let you go first.

CARTER STRICKLAND: Thank you, um, and thank you to the members of the committee and Chair Constantinides, um, for the opportunity to testify on DEP's budget for fiscal year 21. My name is Carter Strickland. I'm the New York State director of the Trust for Public Land, a national nonprofit organization that creates parks and protects land for people, ensuring healthy livable communities for generations to come. I'm testifying today to support DEP's allocation of funds for green infrastructure and for working with community partners like The Trust for Public Land to manage storm water runoff. For more than 20 years, ah, The Trust for Public Land

has had a partnership with New York City to renovate school yards owned and operated by the Department of Education. As part of our agreement with the city these community playgrounds are then kept open for the general public after school hours and on weekends. What does this have to do with DEP? Well, um, it has to do with green infrastructure. We've worked hand in hand with DEP and other city agencies to incorporate green infrastructure elements like trees, permeable pavers, rain-absorbing gardens and turf fields that retain storm water into our playgrounds, which become multipurpose infrastructure that delivers recreational, health, storm water, and urban heat island mitigation services for the residents of the city. I will say that the incremental cost of adding green infrastructure to another infrastructure project is a cost-effective way to mitigate potential storm water damage by collecting millions of gallons of runoff that would otherwise flood streets, overwhelm sewers, and pollute local waterways. The green infrastructure playground partners with The Trust for Public Land allows DEP to extend the reach of the green infrastructure plan to public schools, just as DEP's

relationship with the Parks Department through the Community Parks Initiative extends green infrastructure to city-operated parks. While all of our playgrounds built over the past 20 years seek to maximize permeable features such as garden and tree pits, since 2013 we have worked with DEP's green infrastructure program to design our playgrounds, to pitch runoff to storage areas, under turf fields, and on other features that have significantly increased retention. Since then The Trust for Public Land has created 36 new green infrastructure playgrounds with another currently under construction. Of the 24 new playgrounds that DEP has helped fund, several have the capacity to divert over one million gallons of storm water annually, and in total the DEP Trust for Public Land sites collect over 18 million gallons of storm water every year. With sites in four of the five boroughs, these playgrounds help improve the water quality for all New Yorkers while bringing the benefits of nature and public spaces to many. Going forward, we are working with DEP to retrofit some of our older playgrounds, we've built 210 to date, ah, and counting, ah, we're retrofitting some of the older ones that were built 10 or more years ago.

1 These sites have mature trees and gardens that absorb
2 a lot of rainfall, but generally they have first-
3 generation turf fields that do not absorb storm
4 water. During renovations we will be working with
5 DEP to remove those turf fields, add a gravel storage
6 area underneath, and top it with modern turf, and we
7 will be adding other green infrastructure elements
8 where possible. Over the next five years The Trust
9 for Public Land will be working with DEP to retrofit
10 50 community playgrounds across the city. Um, I do
11 want to add one comment that is not in my written
12 remarks, but since, ah, community member Levin asked
13 about the New York State Bond State, which is
14 currently just a proposal, ah, I will put in a pitch
15 that it does include dedicated funding for green
16 infrastructure, 100 million dollars, the proposals
17 that have been floated, ah, in the legislature. But
18 there's no carve-out there for New York City and I
19 think there should be. I think 50 million dollars
20 should be carved out. Um, I urge this committee to
21 work with the state delegation that represents the
22 city to make sure that happens. There's precedent
23 for it. There's 75 million of 150 million carved out
24 for New York City urban heat island mitigation and
25 for New York City urban heat island mitigation and

forestry, which is good. Ah, the same should happen on, on green infrastructure. In conclusion, um, The Trust for Public Land urges the council to support DEP's budgetary allocation for green infrastructure partnerships with community partners such as our organization and others, ah, because this increases the scope and speed of these important public services and creates more friends for the best agency in the city. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you, Carter. Thank you. Mr. Voss, it's always good to see you.

PHIL VOSS: Good morning.

CHAIRPERSON CONSTANTINIDES: Good morning.

PHIL VOSS: Good to be back, um, and I hope my testimony will not sound overly familiar. Um, my name is Phil Voss. I am program director for Energy Vision. We are an environmental 501(c)(3) focused on commercial and cost-effective options for decarbonizing our economy. Um, as we all know, New York City's 14 waste water recovery facilities are essential to the health and overall, overall health and safety of the city. These plants also make an

important contribution to our high-level sustainability goals. Here I'm referring to the anaerobic digesters at each of the facilities, critical systems that help reduce the city's greenhouse gas emissions but which in many cases, as we just heard, need repair or upgrade. We applaud DEP's, um, 400 million dollar investment in upgrading the anaerobic digesters at the Hunt's Point waste water recovery facility. Anaerobic digestion is the decomposition of organic materials in the absence of oxygen at wastewater facilities. Sewage is anaerobically digested in sealed vessels over a period of weeks and by the end of the process the organic material has been significantly reduced in volume. It is nearly odorless and it contains much lower levels of pathogens. The process also captures a significant amount of biogas. Biogas capture is critically important, as biogas from sewage is 55% to 60% methane, a greenhouse gas with 86 times the global warming potential of carbon dioxide. Uncaptured, this methane would escape into the atmosphere, accelerating climate change. Wastewater treatment plants that capture biogas generally burn it on site to produce heat and/or electricity.

1 Surplus biogas is flared or burned off. And in New
2 York City 70% of biogas is currently being flared.
3 There are actually few uses for this raw biogas
4 beyond onsite combustion for electricity and heat.
5 But there is an additional option and significant
6 opportunity for the surplus gas, which is to upgrade
7 it to pipeline quality biomethane. Biomethane can be
8 used for all the same things as conventional natural
9 gas, heating and cooling, electricity generation, or
10 as a vehicle fuel. But its greenhouse gas emissions
11 are 50% or more lower on a lifecycle basis than
12 fossil gas. Biomethane from waste water could be
13 used to heat city buildings or to fuel city or MTA
14 fleets, greatly reducing greenhouse gas emissions
15 from those sources, in keeping with our 80 by 50
16 sustainability goals. It could also be sold to
17 generate revenue for the city, as recommended in a
18 2018 analysis by the Independent Budget Office. We
19 estimate the city's flared biogas to be worth about
20 30 million dollars annually. The Newtown Creek
21 facility is of course a great example of the
22 possibilities. As we heard, commercial food waste is
23 being added to the digesters, which increases biogas
24 production. Such co-digestion of food scraps is a
25

path towards the city's Zero by 30 goal of reducing waste sent to landfills. Biogas upgrading equipment is also being installed at Newtown Creek and once completed clean biomethane will be injected into National Grid's network for use by businesses, residences, and vehicle fleets. Upgrading anaerobic digesters across the system and co-digesting food waste at waste water recovery facilities has multiple benefits - improving odor control, reducing greenhouse gas emissions by capturing methane, reducing solid waste going to landfill, and reducing pollution from the exported food waste to distant organics processing facilities, and as we just heard from Pam Elardo it also helps improve the quality of the biosolids produced and thus their salability. Upgrading the biogas captured by the digesters would provide a renewable source of clean energy that the city could use or turn into revenue. Energy Vision encourages the committee to recognize the importance of upgrading anaerobic digestion infrastructure across our waste water system and we encourage you also to evaluate the production of biomethane from captured biogas. Thank you very much.

CHAIRPERSON CONSTANTINIDES: As you just heard, I was asking many of those questions.

PHIL VOSS: Yes indeed.

CHAIRPERSON CONSTANTINIDES: So thank you both for your testimony today.

PHIL VOSS: Thank you.

CHAIRPERSON CONSTANTINIDES: I much appreciate it. I'll, I'll see you both out there, as whether it's at a school or whether we're talking about waste water or, you know, resource recovery, we will definitely, I'll see you, look forward to seeing you both soon.

PHIL VOSS: Thank you very much.

CARTER STRICKLAND: Thank you.

CHAIRPERSON CONSTANTINIDES: Ah, we have one last person to testify. Melissa Yeshan. Made it just in time.

MELISSA YESHAN: I didn't realize how fast this was gonna go. It's unprecedented. OK.

CHAIRPERSON CONSTANTINIDES: All righty.

MELISSA YESHAN: Good morning. My name is Melissa Yeshan. I am a senior staff attorney in the Environmental Justice Program at New York Lawyers for the Public Interest. NYLPI's environmental

1 justice program works with communities who have
2 shouldered the disproportionate burden of pollution
3 in our city for decades. I am pleased to be here
4 today to highlight the opportunity our city has to
5 immediately invest in environmental and green jobs
6 resources through increasing funding for these
7 opportunities in the budget, but also through the
8 long-overdue work of divesting from overfunding,
9 overfunded discriminatory systems of law enforcement
10 and corrections. New York City has prided itself on
11 uplifting the values of equality, fairness, and
12 respect for its eight million residents, all while
13 pushing a vision of a more sustainable future. We
14 are grateful to Chair Constantinides and this
15 committee for their courage and leadership in
16 continuing to push the city towards a greener future.
17 But for a future with true environmental justice as
18 part of the vision we need to think about restorative
19 justice for our EJ communities as well as those who
20 have been impacted by law enforcement and the
21 criminal justice system. The current proposed budget
22 reveals the city's misalignment of its priorities and
23 continued failure to put its money where its mouth
24 is. Each budget cycle New Yorkers passionately and
25

articulately make the case for desperately needed funding for supportive services, education investments, afterschool programming, housing, health care, youth programs, green spaces, and more. And yet in every budget cycle most advocates and city agencies walk away with only a fraction of what is needed. Every time that happens gaping holes widen in our social safety net. Income and opportunity gaps continue to widen and law enforcement agencies are once again relied upon to respond to challenges they will never be equipped to address. Challenges of public health, poverty, and inequality. Every budget cycle you, our elected officials, have the opportunity to change this pattern. Today we look at our public health struggles through an environmental lens and we ask you to take a holistic approach to the budget process and push the mayor and the rest of the council as a whole to stop funding reactive law enforcement agencies to address social and public health problems, and instead fund reparative solutions that invest in those communities who have been over policed, over incarcerated, and suffer the highest rates of asthma and respiratory illness due to the concentration of polluting facilities in their

neighborhoods. Only by making this shift can New York City truly end the tale of two cities. We all want to live in a health, in healthy and safe neighborhoods and our communities have long had the solutions, but not the support. The Build Communities Platform launched in January 2019 and updated just last money draws on the collective wisdom of over 40 organizations and more than 200 residents of communities most impacted by mass incarceration, which happen to also be the communities with the most polluting infrastructure and highest incidences of asthma. This platform highlights areas of need as well as many programs that are already working but in need of greater investment. I'm pleased to share a copy of that platform with you here today, if you haven't already seen it. One particular opportunity included in this platform which I want to highlight today is Renewable Riker's. This committee recently heard the three bills, Intros 1591, 1592, and 1593, collectively known as the Renewable Riker's Act. The Renewable Riker's Act is the first step to turn the Renewable Riker's vision into a reality. The Renewable Riker's vision is a key part of the Build Communities

platform. Community members and organizations came together and agreed that the most just solution for the future use of Riker's Island would be to build sustainable and renewable infrastructure that would shift burdens out of environmental justice communities while moving our city to a cleaner and greener future. Underlying this agreement is the basic premise that any future use of Riker's Island must benefit the communities most impacted by Riker's Island and our city's unjust system of over incarceration. New sustainable and green infrastructure on Riker's Island can replace polluting facilities in these same communities. That would open up space within these communities that residents can use as they see fit, whether for green space, community services, or affordable housing. All of this is more than just a pipe dream. Yes, we can and should pass the Renewable Riker's Act in the immediate future. But we can do more. This year's budget allocates more than 14 billion dollars annually to the NYPD, the DOC, as well as to the NYC Department of Probation and district attorneys. If even a portion of this were to be invested in the first steps necessary for DEP to begin remediation on

the island so as to set it up for beneficial and renewable uses we could begin the first steps of righting so many of the wrongs the city has continued to repeat for decades. We need you, the council members who understand the importance of funding truly meaningful priorities to urge the mayor to make the boldest step he can to, towards a truly more sustainable, more equitable affair, and more progressive city. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you, as always. I think we share many of these goals that you've testified to today.

MELISSA YESHAN: That makes me very proud.

CHAIRPERSON CONSTANTINIDES: So we will continue to work together very closely.

MELISSA YESHAN: I look forward to it.

CHAIRPERSON CONSTANTINIDES: As do I. And I'll take that. All right, so with that and seeing that we are, we have no one else left to testify, I want to thank our legislative attorney, Samara Swanston. I want to our policy analysts, Natalie Johnson and Ricky Charla. I want to thank our financial analyst, Jonathan Seltzer, for his great

work, and thank my colleague, Steve Levin, for filling in for me at the beginning of this hearing. Thank you again, Steve. And of course my own staff, ah, Nicholas Wizowski and the sergeants at arms for always doing a great job. So with that I'll gavel this committee hearing of the Environmental Protection Committee closed. [gavel]

COUNCIL MEMBER YEGER: Good afternoon, this is a continuation of this morning's, uh, joint hearing of the council's Finance and Environmental Protection Committees on the Mayor's preliminary budget request and we're gonna (sic) hear from some members of the public who have patiently waited, uh, to give their thoughts on the Mayor's, uh, request to the council. Uh, the first three members that we're going to hear from are Eliza Klein, Sonal Jessel and Phoebe Flaherty. If you can just step up to the table. My name is Kalman Yeger. I have the great privilege of representing the fighting (sic) 44th district in the wonderful, little village of Borough Park (sic), Brooklyn, Midwin (sp?), Bensonhurst, Kensington (sp?), you may have heard of some of these wonderful places. But, none of you are from there so

1 you're gonna tell us about what you wanna know. Um,
2 you can start anyway you want, left to right, right
3 to left, pick a middle, you know, flip a coin it only
4 has two sides, whatever you want to do. You? Okay.
5 What's your name? Just state your name first and then
6 begin whenever you're ready. There's no clock just,
7 uh, keep it brief.
8

9
10 PHOEBE FLAHERTY: Um, my name is Phoebe
11 Flaherty. I'm with the organization Align. Thank you
12 so much for reopening the public testimony for us
13 today so we could share our thoughts on the, um,
14 budget, um, and thanks for the opportunity to testify
15 today. Um, as I mentioned, I'm an organizer at Align,
16 the alliance for a greater New York. Align is a
17 community and labor coalition dedicated to creating
18 good jobs, vibrant communities and an accountable
19 democracy for all New Yorkers. We co-coordinate the
20 climate works (sic) for all coalition (sic), a
21 coalition of environmental justice groups, labor and
22 community organizations all working towards reducing
23 emissions to fight climate change through the lens of
24 a just (sic) transition. We recently work with, um,
25 the council, um, to pass the dirty buildings bill,

Local, uh, Law 97. We are in the midst of a climate crisis and we only have a few years left to take aggressive action to slow and try and stop the effects of climate change. According to the intergovernmental panel and climate changes 2018 report, we could arrive at irreversible climate changes as soon as 2030, we have no time to waste. The city has made allottable commitment to lower emissions and has taken aggressive steps to meet those emissions goals through the passage of Local Law 97, which mandates that most buildings over 25,000 square feet need emissions reductions goals by different compliance periods leading up to 2050. However, meeting our broader city-wide commitments will require continued effort. We must invest in the implementation of Local Law 97 and go beyond its reach if you are to meet our emissions reductions goals. The climate works for all coalitions is asking the city council to allocate one billion dollars annually to retrofit affordable housing and public housing. Buildings with rent regulated and affordable units were exempted, um, from Local Law 97 to protect tenants who had faced increased costs from displacement. But those buildings make up 50 percent

of residential housing stock and therefore represent a large percentage of city-wide g-h-d emissions. We cannot allow these buildings to continue to emit at their current rates and still meet our emissions goals. We must also ensure that the benefits of retrofits from more comfortable homes to decreased localized pollution that leads to asthma and other health issues occurs equitably across New York City. Tenants of affordable and public housing, New York City, deserve clean air and comfortable homes, um, as much as all other tenants. Without additional funding we are in danger of not meeting our emissions reductions goals and meeting these goals is crucial to the future of our city and our world. We are asking the city council and the Mayor to fund retrofits and public and affordable housing in New York City. Funding, climate change, um, fighting climate change must be our top priority now and for the coming years before it's too late. Thank you.

COUNCIL MEMBER YEGER: Just (sic) state your name first and then dive right in.

SONAL JESSEL: Good afternoon, council member Yeger. Thank you also for opening, reopening this session. We appreciate your advocacy for us. Um, my name is Sonal Jessel and the policy and advocacy coordinator at WE ACT for environmental justice. Uh, we are based in northern Manhattan, particularly in Harlem. Uh, so over the past 31 years WE ACT has been combating environmental racism in north Manhattan, um, we were also have been involved in the (sic) passage of a lot of different environmental protection laws, including Local Law 97 as well. Um, so I'm here as a member of the climate works for all coalition. I'm testifying today to demand more funding for action to address our climate emergency. Uh, as we all know climate change is an issue that has and will affect all New Yorkers. It's important to always act with climate justice framework (sic) that climate change impacts low income communities and communities of color first and worst. Uh, for example, the frequency, severity and duration of extremely hot days has risen significantly in New York City. Low income neighborhoods of color are most impacted by health effects of extreme heat due to a number of reasons such as lack of access to adequate

cooling, higher rates of chronic conditions and higher sidewalk temperatures due to our (sic) lower prevalence of trees and vegetation. WE ACT joins climate work for all (sic) coalition and stands with the NYC community, members, labor groups, environmental justice communities to demand to fund the future by funding equitable climate action for New Yorkers. Last year, we, New York City, passed Local Law 97 to which will move us to meeting our climate goals and we're very excited about that. Um, but this year we're asking to allocate a billion dollars annually to retrofit buildings that were left out of the law to ensure that we fight climate change as aggressively as possible and as equitably as possible. Um, this budget allocation will have an immediate impact on job creation, community revitalization as well as climate. With this budget allocation, New York City can be a leader in the fight for climate action, not only in, in the United States but around the world. Um, we're enthus-, WE ACT is enthusiastic to see the successful implementation of Local Law 97. We believe we must expand retrofitting to affordable housing, left out of Local Law 97, and fund it as people living in

1
2 affordable housing also deserve to have energy
3 efficient homes that you would benefit their health
4 and wellbeing. It's important action that will
5 promote equity in our city's fight to slow climate
6 change and improve people's health. Um, all in all,
7 New York City must be aggressive in action to slow
8 climate change. Local Law 97 is a really exciting and
9 important, um, but we know it's just the beginning
10 and there's much more work to be done by our city,
11 government and its agencies. Um, therefore I join the
12 advocates, experts and community members to urge the
13 city to fund the climate action and be leaders in
14 slowing this climate emergency. Thank you.

15
16 COUNCIL MEMBER YEGER: Thank you. State
17 your name first and dive right in.

18
19 ELIZA KLEIN: Hi. Um, I'm Eliza Klein and
20 I'm here on behalf of the Urban Homesteading
21 Assistance Board or UHAB. Um, for forty-five years
22 UHAB has been creating, preserving and supporting
23 resident-controlled housing in New York. We work with
24 low- and moderate-income residents and housing
25 cooperatives known as H-G-F's as well as tenant (sic)

associations to build leadership, democratic participation and community through cooperation. UHAB is part of the climate works for all campaign because H-G-F-C community use (sic) are on the frontlines of the climate crisis. Most H-G-F-C residents are disproportionately impacted by the legacies of red lining, disinvestment and deteriorating building stock (sic). And many H-G-F-C buildings are in the areas of the city most vulnerable to rising sea levels and increasing powerful superstorms like superstorm Sandy. We are calling for the city to allocate one billion dollars annually to retrofit buildings that were left out of Local Law 97 because we can't fight climate change without including the affordable housing community. The city has already made some strides to fund energy efficiency and retrofit programs for affordable housing, but this is nowhere near enough to match the city's own ambitious climate goals and the reality of impending climate crisis. Residents of affordable housing, low income communities and communities of color should not be forced to foot the bill of a crisis they played little to no role in creating. In this moment, we have an opportunity to begin to undo the legacy of

1
2 environmental racism in New York City instead of
3 continuing the status quo, perpetuating inequities
4 and leaving frontline communities behind. We can
5 continue to create a just transition to renewable
6 energy that focuses on protecting affordable housing
7 workers, families and those most impacted by climate
8 change. Local Law 97 is a good start, but we must be
9 as aggressive as possible in efforts to slow climate
10 change. Residents and owners of affordable housing
11 cannot be left behind in this fight. They are the
12 ones in the frontlines of climate change, and they
13 need to be at the table to guide us through a just
14 transition to a more sustainable city. We demand
15 funding for the communities that need it most. Thank
16 you.

17
18 COUNCIL MEMBER YEGER: Thank you very
19 much. Thank you for, uh, for taking the time and
20 thank you for sticking around and I just want to say
21 that I'm very grateful to the sergeants, uh, who do
22 phenomenal work here but, uh, especially for putting
23 this back together and to chairman Costa
24 Constantinides for his work on this topics (sic).
25 Thank you for coming. The committee on environmental

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COMMITTEE ON ENVIRONMENTAL PROTECTION 83
protection joint with the finance committee's (sic)
adjourned.

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 March 18, 2020